

MADRAS LEGISLATIVE ASSEMBLY DEBATES

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

Volume VI (Nos. 1 to 14)

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PERSONNEL OF THE GOVERNMENT OF MADRAS.

GOVERNOR OF MADRAS.

HIS EXCELLENCY LIEUTENANT-GENERAL SIR ARCHIBALD
EDWARD NYE, G.C.I.E., K.C.B., K.B.E., M.C.

MEMBERS OF THE COUNCIL OF MINISTERS.

1. THE HON. SRI O. P. RAMASWAMY REDDIAR, *Prime Minister.*
2. THE HON. DR. P. SUBBARAYAN, *Home Minister.*
3. THE HON. DR. T. S. S. RAJAN, *Food Minister.*
4. THE HON. SRI M. BAKTHAVATSALAM, *Public Works Minister.*
5. THE HON. SRI B. GOPALA REDDI, *Finance Minister.*
6. THE HON. MR. DANIEL THOMAS, *Prohibition Minister.*
7. THE HON. SRI H. SITARAMA REDDI, *Industries Minister.*
8. THE HON. SRI K. CHANDRAMOULI, *Local Administration Minister.*
9. THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR, *Education Minister.*
10. THE HON. SRI K. MADHAVA MENON, *Agriculture Minister.*
11. THE HON. SRI KALA VENKATA RAO, *Land Revenue Minister.*
12. THE HON. SRI A. B. SHETTY, *Public Health Minister.*
13. THE HON. SRI V. KURMAYYA, *Rural Development Minister.*

MADRAS LEGISLATIVE ASSEMBLY.

PRINCIPAL OFFICERS.

Speaker.

THE HON. SRI J. SIVASHANMUKHAM PILLAI.

Deputy Speaker.

SRIMATHI C. AMMANNA RAJA.

Panel of Chairmen.

1. ABDUL HAMEED KHAN SAHIB BAHADUR.
2. SRI P. NATESA MUDALIYAR.
3. SRI K. A. NACHIAPPA GOUNDER.
4. SRI B. S. MURTHI.

Secretary to the Assembly.

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

Assistant Secretary to the Assembly.

SRI T. HANUMANTHAPPA, B.A. (Hons.), B.L.

LIST OF MEMBERS OF THE MADRAS LEGISLATIVE ASSEMBLY.

Serial number and name of member.	Name and class of constituency.
1 Aaron Rao, Alladi	Guntur <i>cum</i> Nellore, Indian Christian.
2 Abdul Hameed Khan Sahib ..	Kurnool, Muhammadan, Rural.
3 Abdul Majid Sahib, M. S., B.A. ..	Chingleput <i>cum</i> South Arcot, Muhammadan, Rural.
4 Ahmad Kutty Sahib, Haji Koyappathody, M.	Malappuram, Muhammadan, Rural.
5 Ammanna Raja, Srimalathi C. (<i>Deputy Speaker</i>).	Ellore Town, Women, General, Rural.
6 Anandan Nambiar, K.	Railway Trade Union, Labour.
7 Ananthachar, B.	Hospet, General, Rural.
8 Anjalai Ammal, Srimalathi ..	Cuddalore, Women, General, Rural.
9 Annamalai Pillai, N.	Tiruvannamalai, General, Rural.
10 Arunachalam, T. S.	Trichinopoly <i>cum</i> Srirangam Towns, General, Urban.
11 Ataullah Sahib, M. S.	Salem <i>cum</i> Coimbatore <i>cum</i> the Nilgiris, Muhammadan, Rural.
12 Avinashilingam Chettiar, The Hon. Sri T. S. (<i>Minister</i>).	Palladam, General, Rural.
13 Balakrishnan, S. C.	Palni, General, Rural (Scheduled Castes).
14 Bapineedu, M., B.Sc. (Cornell), M.Sc. (California).	Ellore, General, Rural.
15 Batchelor, B. W.	European Commerce, The Madras Chamber of Commerce and the Madras Trades Association.
16 Begum Sultan Mir Amiruddin, B.A. (Hons.).	Madras City, Women, Muhammadan, Urban.
17 Bakthavatsalam, The Hon. Sri M. (<i>Minister</i>).	Tiruvallur, General, Rural.
18 Bhashyam, K.	University.
19 Bhupathiraju Bangarayya, Srimalathi.	Bhimavaram, General, Rural.

Serial number and name of member.	Name and class of constituency.
20 Bokkai Gowder, K.	The Nilgiris, General, Rural.
21 Brahmanandam Reddi, K. ..	Narasaraopet, General, Rural.
22 Chandu, A.	Calicut, General, Rural.
23 Chandramouli, The Hon. Sri K. (Minister).	Tenali, General, Rural.
24 Chengam Pillai, O.	Tiruvallur, General, Rural (Scheduled Castes).
25 Chidambara Ayyar, S.	Villupuram, General, Rural.
26 Damodaran, M. P.	Kottayam, General, Rural.
27 Daniel Thomas, The Hon. Mr. (Minister).	Tinnevelly, Indian Christian.
28 Devanayaga Iyah, A.	Cuddalore, General, Rural.
29 Doraikannu, M.	Tiruttani, General, Rural (Scheduled Castes).
30 Durairaja Pandian, D.	Tinnevelly, General, Rural.
31 Easwaran, M. A.	Erode, General, Rural.
32 Ebrahim Coonhee, M.	Chirakkal, Muhammadan, Rural.
33 Fernandez, W. J.	Anglo-Indian.
34 Fowler, H. O.	Anglo-Indian.
35 Vacant	Sarvasiddhi, General, Rural.
36 Gopala Reddi, The Hon. Sri B. (Minister).	Kavali, General, Rural.
37 Govinda Das, D.	Bellary, General, Rural (Scheduled Castes).
38 Govinda Menon, P.	Malappuram, General, Rural.
39 Govindan Nayar, C. K.	Kurumbranad, General, Rural.
40 Govindan Nair, P.	Ponnani, General, Rural.
41 Govindaraju Nayagar, S. K. ..	Saidapet, General, Rural.
42 Govindaswami Nayudu, N. ..	Textile Workers Trade Union (Madras), Labour.
43 Guruvulu, Saketi	Chicacole, General, Rural (Scheduled Castes).
44 Hassan Koya Sahib, Puthiya Pommani.	Calicut, Muhammadan, Rural.
45 Hussain Sahib, H. S., B.A., B.L.	Mangalore, Muhammadan, Rural.

Serial number and name of member.	Name and class of constituency.
46 Hydross Sahib, M. V., B.A., B.L.	Palghat, Muhammadan, Rural.
47 Ibrahim Sahib, Sinna Kaziar Haji Moulvi S. A. F.	Madura, Muhammadan, Rural.
48 Ishwara, K.	Coondapoor, General, Rural (Scheduled Castes).
49 Jaffar Mohideen Sahib	Anantapur, Muhammadan, Rural.
50 Jebamoney Masilamoney, Mrs. ..	Tinnevelly cum Palamcottah cum Tuticorin Towns, Women, Indian Christian, Urban.
51 Jogi Nayudu, Allu	Vizianagram, General, Rural.
52 Kader Kutty Sahib, A. K. ..	Kottayam, Muhammadan, Rural.
53 Kadirappa, D.	Penukonda, General, Rural (Scheduled Castes).
54 Kakkan, P.	Ariyalur, General, Rural (Scheduled Castes).
55 Kaleswara Rao, A.	Bezwada cum Masulipatam Towns, General, Urban.
56 Kamaraj Nadar, K.	Sattur, General, Rural.
57 Kamakshi Chettiyar, K. P. ..	Palni, General, Rural.
58 Kameswara Rao, Annapragada.	Guntur cum Tenali Towns, General, Urban.
59 Kandaswami Gounder, P. R. ..	Pollachi, General, Rural.
60 Kandaswamy Pillai, P.	Salem Town, General, Urban.
61 Kannappa Mudaliyar, V. T. ..	Gudiyattam, General, Rural.
62 Kanniyappan, M.	Madras City Dock and Factory Labour (Excluding Textile and Railway Labour), Labour.
63 Karanth, K. R., B.A., LL.B. ..	Puttur, General, Rural.
64 Karayalar, L. S.	Koilpatti, General, Rural.
65 Kosalarama Nadar, K. T. ..	Tuticorin, General, Rural.
66 Kothari, C. M.	Madras Planters.
67 Koti Reddi, K.	Cuddapah, General, Rural.
68 Krishnan, K. S. V.	Tindivanam, General, Rural.
69 Krishnan, S.	Pollachi, General, Rural (Scheduled Castes).

Serial number and name of member.	Name and class of constituency.
70 Krishnaswami Vandiar, A. ..	Kumbakonam, General, Rural.
71 Kulasekara Doss, K.	Tindivanam, General, Rural (Scheduled Castes).
72 Kumarakrishna Yachendra Bahadur Varu of Venkatagiri, Sri Sarvagna.	Northern Central, Landholders.
73 Kumaran, M.	Chirakkal, General, Rural.
74 Kumaraswami, Garemella ..	Chicacole, General, Rural.
75 Kumaraswami Raja, P. S. ..	Srivilliputtur, General, Rural.
76 Kunhi Kammaran Nambiar, K. T.	West Coast, Landholders.
77 Kuppuswami Nayudu, A. ..	Conjeeveram, General, Rural.
78 Kuppuswami, R.	Textile Workers' Non-Union Labour.
79 Kurmayya, The Hon. Sri V. (Minister).	Bander, General, Rural (Scheduled Castes).
✓80 Kuttimalu Amma, Srimathi A. V.	Tellicherry cum Calicut, Women, General, Urban.
81 Lakshmanaswamy, Pandu ..	Amalapuram, General, Rural (Scheduled Castes).
✓82 Lakshmi Ammal, Srimathi K. ..	Dindigul, Women, General, Rural.
✓83 Lakshmi Ammal, Srimathi V. ..	Shermadevi, General, Rural.
✓84 Lakshmipathi, Srimathi R. ..	Madras City, Women, General, Urban.
85 Linga Raju, K.	Rajahmundry, General, Rural.
86 Mahboob Ali Baig Sahib, B.A., B.L.	West Godavari cum Kistna, Muhammadan, Rural.
87 Mahin Sahamnad Sahib ..	Puttur, Muhammadan, Rural.
88 Mallayya, U., Padmanabha ..	Mangalore, General, Rural.
89 Mallikarjuna Rao, B. S. ..	Vizagapatam cum East Godavari, Dock and Factory Labour, Labour.
90 Manickam, R. S.	Sattur, General, Rural (Scheduled Castes).
91 Marimuthu, M.	Tanjore, General, Rural (Scheduled Castes).
92 Mohamed Rafeeudin Ahmad Ansari Sahib.	Nellore, Muhammadan, Rural.

Serial number and name of member.	Name and class of constituency.
93 Moideen Kutty Sahib, P. K. ..	Palghat, Muhammadan, Rural.
94 Moses Wilson, John	Northern Circars, Indian Christian.
95 Mohamed Abdul Salam Sahib ..	Guntur, Muhammadan, Rural.
96 Mohammad Ismail Sahib, Haji, B.A., B.L.	Bellary, Muhammadan, Rural.
97 Muhammad Anwar Sahib, N. ..	North Arcot, Muhammadan, Rural.
✓98 Muhammad Hussain Sahib ..	Tinnevely, Muhammadan, Rural.
99 Muhammad Ibrahim Sahib, M. A.	Tanjore, Muhammadan, Rural.
100 Muhammad Ibrahim Sahib, V. S.	Trichinopoly, Muhammadan, Rural.
101 Muhammad Ismail Sahib ..	Vizagapatam cum East Godavari, Muhammadan, Rural.
102 Muhammad Ismail Sahib, M. ..	Madras City, Muhammadan, Urban.
103 Muhammad Raza Khan Sahib ..	Chittoor, Muhammadan, Rural.
104 Muniswami Pillay, V. I. ..	Tirukkoyilur, General, Rural (Scheduled Castes).
105 Murthi, B. S.	Cocanada, General, Rural (Scheduled Castes).
106 Muthuramalinga Tevar, U. ..	Ramnad, General, Rural.
107 Muthiah Chettiar of Chettinad, Kumararaja Sir.	The Nattukottai Nagarthars' Association.
108 Nachiappa Gounder, K. A. ..	Omalur, General, Rural.
109 Nadhamuni Reddi, R.	Madanapalle, General, Rural.
110 Nagappa, S.	Kurnool, General, Rural (Scheduled Castes).
111 Nagaraja Ayyangar, N. ..	Namakkal, General, Rural.
112 Nagaraja Manigar, S. ..	Hosur, General, Rural.
113 Nageswara Rao, Meduri ..	Guntur, General, Rural.
114 Nagayya, S.	Cuddapah, General, Rural (Scheduled Castes).
115 Narasimharaju, P. L. ..	Vizianagram, General, Rural.
✓116 Narasimha Rao, Guntur ..	Madras City, North, General, Urban.
117 Narayana Reddi, K. B. ..	Rajampet, General, Rural.

Serial number and name of member.	Name and class of constituency.
118 Natesa Chettiyar, M. G.	Dharmapuri, General, Rural.
119 Natesan, P.	Southern India Chamber of Commerce.
120 Pais, L. C.	West Coast, Indian Christian.
121 Palaniswamy Gounder, V. C.	Coimbatore, General, Rural.
122 Pallam Raju, M.	Cocanada, General, Rural.
123 Paramananda Rayar, S.	Chidambaram, General, Rural.
124 Parameswaran, B., B.A.	Chingleput, General, Rural (Scheduled Castes).
125 Parisutha Nadar, A. Y. S.	Tanjore <i>cum</i> Madura <i>cum</i> Ramnad, Indian Christian.
126 Pattabirama Iyer, M. S.	Dindigul, General, Rural.
127 Pattabhiraman, T. S.	Tiruchengode, General, Rural.
128 Paliya Kudumbar, S. K.	Koilpatti, General, Rural (Scheduled Castes).
129 Periyaswami, M. P.	Namakkal, General, Rural (Scheduled Castes).
130 Perumalla Nayudu	Kandukur, General, Rural.
131 Pillalamarri Venkateswarlu	West Godavari <i>cum</i> Kistna <i>cum</i> Guntur, Factory Labour, Labour.
132 Pocker Sahib, B.	Calicut <i>cum</i> Cannanore, Tellicherry Towns, Muhammadan, Urban.
133 Ponnambala Goundar	Trichinopoly, General, Rural.
134 Ponnuswami Gounder, V.	Tiruppattur (North Arcot), General, Rural.
135 Ponnuswami Mudaliyar, A.	South Arcot <i>cum</i> Trichinopoly <i>cum</i> Salem <i>cum</i> Coimbatore, Indian Christian.
136 Prakasam, T.	Madras City, South Central, General, Urban.
137 Raghavan, K.	Malappuram, General, Rural (Scheduled Castes).
138 Raghava Menon, R.	Palghat, General, Rural.
139 Raghavayya, V.	Nellore, General, Rural.

Serial number and name of member.	Name and class of constituency.
140 Rajagurunatha Chettiyar, Zamin-dar of Elampalli.	Southern Central Landholders.
141 Rajamannar Chetty, G.	Madras City, North Central, General, Urban.
142 Rajaram Naidu, K.	Tirumangalam, General, Rural.
143 Ramachandra Rao, Dr. D. S.	Madras <i>cum</i> Chingleput, Indian Christian.
144 Ramamurthy, Rokkam	Tekkali, General, Rural.
145 Ramanujalu Reddiyar, R.	Cheyyar, General, Rural.
146 Ramaswami Mudaliyar, V. M.	Vellore, General, Rural.
147 Ramiah, N. P.	Musiri, General, Rural.
148 Rangaswami Reddy, N.	Mayavaram, General, Rural.
149 Ramaswami, D. V.	Vizagapatam, General, Rural.
150 Ratnavelu Tevar, P.	Trichinopoly, General, Rural.
151 Rayappa, A.	Gooty, General, Rural.
152 Sahajananda, A. S.	Chidambaram, General, Rural (Scheduled Castes).
153 Sami Goundar, S. K.	Gobichettipalayam, General, Rural.
154 Samuel, Dr. M. J.	Central Districts, Indian Christian.
155 Sangam Naidu, Palavalasa	Palakonda, General, Rural.
156 Sanjeeva Reddi, Neelam	Anantapur, General, Rural.
157 Sankarasubrahmanya Mudaliyar, V. S.	Tinnevely <i>cum</i> Palamcottah Towns, General, Urban.
158 Satyanarayana Raju, Alluri	Narasapur, General, Rural.
159 Satyanarayana Raju, Bhupati- raju.	Viravalli, General, Rural.
160 Seetharamaswami, Gona	Bobbili, General, Rural.
161 Seethi Sahib, K. M.	Malappuram, Muham- madan, Rural.
162 Shah Alam Khan Savoi Sahib.	Cuddapah, Muhammadan, Rural.
163 Shanmugam, K.	Gudur, General, Rural (Scheduled Castes).
164 Shanmuga Rajeswara Sethupathi of Ramnad, Raja Sri R.	Southern Landholders.

Serial number and name of member.	Name and class of constituency.
165 Shetty, The Hon. Sri A. B. (Minister).	Coondapoor, General, Rural.
166 Sitamahalakshamma, Srimathi Vallabhaneni.	Bandar, General, Rural.
167 Sitarama Reddi, The Hon. Sri H. (Minister).	Bellary, General, Rural.
168 Sivashanmukham Pillai, The Hon. Sri J. (Speaker).	Madras City, South Central, General, Urban (Scheduled Castes).
169 Srinivasa Padayachi, P. R.	Tirukkoyilur, General, Rural.
170 Srinivasa Row, W. S.	Ranipet, General, Rural.
171 Subbanna Gounder, K. K.	Gobichettipalaiyam, General, Rural.
172 Subbaraman, N. M. R.	Madura Town, General, Urban.
173 Subbarao, Kallur	Penukonda, General, Rural.
174 Subbiah, P.	Ongole, General, Rural (Scheduled Castes).
175 Subba Iyer, R.	Chingleput, General, Rural.
176 Subbarayan, The Hon. Dr. P. (Leader).	Dharapuram, General, Rural.
177 Subrahmanya Ayyar, Dr. S., M.B.B.S.	Tiruppattur (Ramnad), General, Rural.
178 Subrahmanyam, A.	Salem, General, Rural.
179 Subrahmanyam, K.	Coimbatore Town, General, Urban.
180 Sumangalamma, Srimathi Allum.	Bellary, Women, General, Rural.
181 Surayya, Kollipara	Bezwada, General, Rural.
182 The Yuvarajah of Pithapur Rajarao Venkata Mahipathi Gangadhara Rama Rao Bahadur.	Northern Landholders I.
183 Swaminathan, R. V.	Sivaganga, General, Rural.
184 Syed Muhammad Sahib, M. R. P.	Ramnad, Muhammadan, Rural.
185 Thangavelu, R.	Tiruvannamalai, General, Rural (Scheduled Castes).
186 Tatachari, T. K. T. N. R.	Chandragiri, General, Rural.
187 Thiagoo Voikkarar	Mannargudi, General, Rural (Scheduled Castes).

Serial number and name of member.	Name and class of constituency.
188 Thompson, A. E.	European Commerce, The Madras Chamber of Commerce and the Madras Trades Association.
189 Thyagaraja Pillai, M. D.	Negapatam, General, Rural.
190 Thyagaraja Sholagar, G.	Tanjore, General, Rural.
191 Vaidyanada Ayyar, A.	Melur, General, Rural.
192 Varadachari, K.	Tiruttani, General, Rural.
193 Varadachari, N. S.	Madras City, South, General, Urban.
194 Vedaratnam Pillai, A.	Mannargudi, General, Rural.
195 Veeranna Padai, Kankipatti	Backward Areas and Tribes.
196 Veeraraghaviah, Nukala	Bezwada, General, Rural.
197 Velayudapani, P. M.	Ranipet, General, Rural (Scheduled Castes).
198 Veluswamy Gounder, P. S.	Periyakulam, General, Rural.
199 Venkanna, Gottumukkala	Ellore, General, Rural (Scheduled Castes).
200 Venkatachalam Pillai, B.	Ariyalur, General, Rural.
201 Venkatanarayana, Pyndah	Cocanada Town, General, Urban.
202 Venkatanarayana Reddi, B.	Gudur, General, Rural.
203 Venkataratnam, B.	Rajahmundry, General, Rural.
204 Venkata Reddi, Gopavaram	Nandyal, General, Rural.
205 Venkatarreddi, Reddivari	Chittoor, General, Rural.
206 Venkatarama Ayyar, Ammapet P.	Tanjore cum Kumbakonam Town, General, Urban.
207 Venkataraju, M.	Ongole, General, Rural.
208 Venkata Rao, The Hon. Sri Kala (Minister).	Amalapuram, General, Rural.
209 Venkata Subbayya, Nivarthi	Kurnool, General, Rural.
210 Viswanatham, T.	Vizagapatam Town, General, Urban.
211 Walford, H. B.	European Commerce, The Madras Chamber of Commerce and the Madras Trades Association.
212 Zamindar of Mirzapuram (Sri Meka Venkataramiah Appa Rao Bahadur).	Northern Landholders II.

✓
THE MADRAS LEGISLATIVE ASSEMBLY.

✓ **THIRD SESSION OF THE SECOND LEGISLATIVE
ASSEMBLY UNDER THE GOVERNMENT OF INDIA
ACT, 1935.**

Monday, the 15th September 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

GREETINGS.

MR. SPEAKER:—"Ladies and Gentlemen, we are meeting for the first time after attaining freedom. So my greetings to all of you."

Voices:—"Same to you, Sir."

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

I.—SWEARING IN OF NEW MEMBERS.

The following new Members were sworn in:—

- (1) Hon. Dr. P. Subbarayan.
- (2) Sri Chandulal Motilal Kothari.
- (3) Mr. B. W. Batchelor.

SRI T. PRAKASAM:—"On a point of order, Sir. I would like to raise the question whether this Assembly is competent to proceed with the work in this session. I raised the question before the Constituent Assembly whether the Provincial Legislatures continued to function as they had been doing in the past or whether they should be treated as dissolved until the new elections took place. That was not reached there. Now we have come here and I have to raise that point before you proceed further. I talked to you about this, this morning, Sir, and you were inclined to take it up to-morrow. I raise this question before you in the Assembly."

MR. SPEAKER:—"The hon. Member gave notice of this only two or three minutes before I came here. I shall take up the question to-morrow."

SRI S. NAGAPPA:—"Mr. Speaker, Sir"

MR. SPEAKER:—"The hon. Member will please resume his seat. The Hon. Leader of the House will make the motion that stands in his name." *

**II.—GREETINGS TO MAHATMA GANDHI ON THE OCCASION OF THE
ATTAINMENT OF INDEPENDENCE BY INDIA.**

THE HON. DR. P. SUBBARAYAN:—"Sir, I beg to move that—

'This House sends its greetings to Mahatma Gandhi on the occasion of the attainment of Independence by India and places on record its appreciation of the services of all those who have suffered and sacrificed in the cause of Indian Freedom.' *

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MR. SPEAKER:—"I think the Hon. the Leader of the House wanted to move a verbal amendment there."

THE HON. DR. P. SUBBARAYAN:—"I have already included it in the motion, Sir."

"Mr. Speaker, Sir, this is really a formal resolution which I hope will be accepted by every one without demur. My Hon. Friend, the Leader of the Opposition has agreed to second this resolution which shows that there is no difference of opinion in this House with regard to this matter. The Governor-General himself speaking on the occasion of the handing over of power to the Constituent Assembly described, Mahatma Gandhi as 'the architect of your Freedom' which he certainly is. Is there any instance in history, I ask, when a country has attained its freedom without revolution and bloodshed? This is the new type of revolution which Mahatmaji has brought to work for the attainment of freedom by every country in this world. This will be an object lesson to the world at large. There is no use arming yourselves to the teeth and trying to destroy people. On the other hand, you can by your action change the feelings of your opponents to such an extent as to obtain what you want by means of non-violence and non-co-operation. It adds to Gandhiji's credit that in spite of every obstacle that has been placed in his way he stood firm in his faith of Ahimsa and achieved what he wanted. He is even now trying through these means to bring peace in this land. Unfortunately peace has been disturbed because of the conditions that are obtaining in the north of India. We are fortunately free from that in this part of the country. But our feelings ought to go to our brethren in Northern India, Hindus, Muslims and Sikhs, for what is happening and I hope this lesson will go into their hearts and this fratricidal war which seems to be going on, will cease in the near future. The Governments of both the Dominions, India and Pakistan are trying their best to solve this problem in the best way possible. The Prime Ministers of both the Dominions have met on several occasions and they are meeting again and again to see how best this unfortunate controversy could be brought to an end.

"At the same time, we cannot help remembering those who have suffered and sacrificed in the cause of Indian Freedom. They have done it in a quiet manner. They have done it in spite of all the violence that were used against them. It may be that they themselves broke out into violence, which is quite probable because of human nature. But the Leader has kept his faith firm in the creed of non-violence and it was on this faith that many people have even lost their lives in the cause of Freedom. To-day I want to pay my homage to those who have suffered and sacrificed in this noble cause. This will be a standing example in the history of the world of having achieved freedom through these means that have been adopted by our Great Leader.

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"May we also pay a tribute to the great English people on this occasion, because it is very rarely in history that the Government of a country have been handed over as it has been done. I think Mr. Attlee's name will go down in history with Sir Henry Campbell Bannerman and Lord Durham, who solved the question of constitutional progress in Canada and South Africa. With these words, Sir, I commend this resolution to the House."

MR. SPEAKER:—"The motion before the House is—

"This House sends its greetings to Mahatma Gandhi on the occasion of the attainment of Independence by India and places on record its appreciation of the services of all those who have suffered and sacrificed in the cause of Indian Freedom."

There is a verbal amendment and I have allowed it."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I have, Mr. Speaker, Sir, the honour of seconding the motion before the House. Gandhiji is indeed a historic figure. His actions and achievements have also become historic. He it was who introduced in modern times the principle of non-violence and passive resistance in the political field on a mass scale. That principle which has been introduced has emancipated an unarmed people, indeed infused courage in them and roused their consciousness at a time when such consciousness was very much wanting. Muslims too of course have taken a glorious part in the movement for freedom and they mean to be in the van-guard in protecting and maintaining that freedom and make every sacrifice for the keeping and the maintenance of the independence of the country and the State.

"Gandhiji, Sir, has been a great advocate of Hindu-Muslim unity. During recent times he has achieved that unity and harmony in Calcutta and now he is trying his best to extend his efforts to the other parts of the country which sorely and badly need those efforts. We wish him all success and he has got our good wishes in these noble efforts of his. We all deplore and condemn the happenings that have been taking place in the country and we all fervently hope that those activities will be laid at rest.

"Now when we are meeting for the first time in this Assembly after the attainment of freedom it is only fit that we send our greetings to Gandhiji and all those who contributed towards this magnificent achievement which has been described by the Leader of the House as unique in the history of mankind inasmuch as it has been achieved and secured without bloodshed or violence, which are usual concomitants of such achievements in other parts of the world and at other times of history. With these words, Sir, I second the motion before the House."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, this is a historic occasion which has arisen in the life of this country. This House has been meeting under

[Kumararaja Sir Muthiah Chettiyar of Chettinad]

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the auspices of various Governments. Sir, to-day, for the first time, this House is meeting under the auspices of its own people. We are now meeting under a Free Indian Government and if we should mention the name of one person to represent the struggle for independence in this country, I think, I will be right and we will be right in mentioning the name of Mahatma Gandhi. When we mention the name of Mahatma Gandhi we mention his great services and we also include the great services of the hundreds of leaders and the millions of people who have toiled all these fifty or sixty years. I am indeed very happy, Sir, that the Leader of the House has very rightly brought forward this resolution, might I say, not only on behalf of the Government, but on behalf of the people of this country represented by this Assembly, to voice forth our feelings of happiness and to offer—I do not say our congratulations, but I should say—our tribute and homage to the Great Leader for the work that he has done and the success that he has obtained. Before I proceed to deal with the circumstances as they exist to-day, I should say that the gospel that Mahatmaji preached has very rightly been spread all over the country. It is no wonder. We are also happy, Sir, that this gospel of non-violence which has been preached and practised in this country has been appreciated by people in other parts of the world. But our happiness to-day is damped because the freedom which we have attained without bloodshed has not been followed by absence of bloodshed. We can only hope that the efforts of Mahatma Gandhi in the northernmost parts of India in the coming weeks will bring peace in the country. Sir, it was a miracle that he worked in Calcutta a few weeks ago and to-day he is demonstrating it in other parts of India. We in South India have taken pride in the fact that during the last few decades, Hindus, Muslims, Christians and all classes of people have been living here as friends, brothers and sisters. That this message of good-fellowship should be spread all over India is our wish on this occasion. I would go further and say, that if we have been priding ourselves on our past, this is just the occasion for a test. We should not merely send our good wishes to others, but we should also do a large amount of propaganda in order to help the efforts of eminent men like Mahatmaji. I once again wish to say that I have great pleasure in joining the Leader of the House in offering our best wishes to Mahatmaji."

SRI T. PRAKASAM:—"Sir, as the Hon. the Leader of the House has said there can be no two opinions in this matter. It is under the leadership of Mahatmaji which extended over, not twenty-seven years as I calculated but thirty-one years as calculated by Mahatma Gandhi himself in his conversation with me, that this struggle has continued and there is no other leader in the history of the world who had continued a struggle of this type which is altogether different in methods, manner and conception. He has survived the wholetime and he has carried the whole country with him. He alone would not have been able to

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achieve the result which has been secured now. It was the following, the millions who were ready to take his message as a message from God. It was due to their sacrifices and services and the discipline under which they had been trained during the whole period that this result has been achieved. I am glad that some of those who have been in this struggle for the last 31 years have survived the struggle and have been able to see the country attain Dominion Status as it is called. Although it is called Dominion Status, it is independence itself if we keep the provisions of the Statute of Westminster before our eyes. We may take it that it is independence itself which has been achieved now. Therefore our first duty to-day is to pass this resolution conveying our greetings to Mahatma Gandhi and appreciating the services and sacrifices of his followers many of whose bodies have been reduced to ashes and whose blood has been spilt in this cause.

"Sir, we are sorry that violence broke out in the Punjab and Bengal. What did Mahatma Gandhi, the apostle of non-violence, do when this violence broke out? Alone he went to Bengal to impress upon the people the futility of shedding each other's blood and secure the restoration of peaceful conditions. He succeeded to some extent in Bengal, I do not say entirely, because it is not a thing which can be cured in a moment. In the Punjab also, I hope it will be cured very soon. It is ignorance of a very bad kind that has brought about this disturbance. I agree with what Mr. Ismail Sahib has said in this connexion. He has been very careful and very loyal to the country and not to his community alone and has done a great deal along with the members of his community to maintain peace and order when troubles were brewing in the past, in this part of the country. South India has stood in great relief with regard to maintenance of peace in the past when conditions were troubled elsewhere and we would congratulate ourselves for this. At the same time, Sir, we all share the anxiety of the leaders at the top who have been engaged in tackling troubles in other parts of the country. On the floor of the Constituent Assembly when I was speaking on Minority Committee's Report I said I was anxious to go to the West Punjab and see with my own eyes what was going on there. That was on the third or the fourth day after the outbreak of violence there. But on the next day, Pandit Jawaharlal Nehru and Mr. Liaquat Ali Khan announced their intention of themselves going over there. Ever since they went there they have brought things under control to a great extent. But the trouble spread to Delhi and other places. I must say, Sir, it is all due to great ignorance. I hope, however, that everything will come out all right. It is only proper that we should pass this resolution here and send our greetings to Mahatma Gandhi and to all the workers whose names cannot be mentioned and who have suffered and laid down their lives in this cause."

* SRI PILLALAMARRI VENKATESWARLU:—"Sir, on behalf of my party I associate myself with the resolution which

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has been moved by the Leader of the House. By this resolution we are not only expressing the wishes of the House but of the nation as a whole. It is Mahatma Gandhi who infused courage in the hearts of our countrymen and made them defy British Imperialism. It is Mahatma Gandhi who preached the open defiance of unjust orders and it was under his leadership that the programme of mass defiance of orders was begun in 1919. The country has passed through so many vicissitudes and during all these years it is Mahatma Gandhi who has shaped the course of the freedom struggle and led the country to independence. The whole country should pay its homage to Mahatma Gandhi and pay its tribute to the millions of peasants, workers, sailors and soldiers who have worked and sacrificed their lives and faced bullets in the cause of freedom. Just now our beloved leader Mahatma Gandhi has gone through a historic fast and has given up his fast for the sake of the country and has gone to the north to put down communal strife. It is up to us therefore to see that communal strife is put an end to and communal feeling is driven out of the hearts of all the people. It is the duty of the leaders to whatever party they may belong to see that communal strife is put an end to.

"Sir, to-day we find that the whole country is enveloped in communal strife. Unless we have the undying faith of Mahatma Gandhi in communal unity and put an end to this, there is no salvation for us. All that has been achieved so far will go in vain. That is why I appeal to the leaders of all the parties to follow the path shown by Mahatma Gandhi and solve the communal problem and establish Hindu-Muslim unity. The policy of sword for sword advocated by certain section of Congress leadership will all the more entangle us in communal strife. All sections of the people should strive for unity and see that the country which has just now won freedom is not reduced to shambles. With these few words, I pay my homage to our great leader and associate myself with this resolution."

* SRI V. I. MUNISWAMI PILLAI:—"Mr. Speaker, Sir, I feel it a great privilege to stand before this august Assembly and associate myself with the feelings which have been expressed by the Leader of the House and other speakers who have preceded me in supporting this resolution. Sir, it will not be out of place if I say that we are paying a tribute to one whom I consider as an avatar. Sir, Mahatma Gandhi has been a great mycologist who found the fungus that was eating the very vitality of the nation, I mean the care of the under-dog, the elevation of the untouchables who have been kept away from society (Hear, hear). It was Mahatma Gandhi who found out what was missing in the great link of the nationality of India. On the auspicious occasion when power was transferred from the British to the Indian hands, everyone of the Members of the Constituent Assembly felt proud that they got out of the yoke of the foreign power. Sir, the Harijans have been under the yoke not only of

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the foreign power but also of their own Indian brethren known as the caste Hindus. Mahatma Gandhi has inspired a feeling among the caste Hindus that they must all have a feeling of fellowship towards those who are considered untouchables, who are in the lowest rung of the ladder with regard to their economic position and education and that they must all be lifted up and that then only we could be proud that India has attained independence. Sir, it is but right and proper on this occasion that we must pay our tribute and send our greetings to Mahatma Gandhi who has been the torch bearer of freedom in this country. At the same time it is our duty to think of those martyrs who have shed their blood for attaining freedom. I heartily support this resolution."

MR. SPEAKER:—"Before the resolution is passed, I wish to associate the Chair with the sentiments expressed by the members. I wish Gandhiji prosperity and long life to continue his humanitarian work."

The resolution was carried *nem con* amidst cheers.

III.—GOVERNMENT MOTION *RE*. ADOPTION OF RULES FOR THE
ASSEMBLY IN FORCE BEFORE 15th AUGUST 1947
AS THE RULES OF THE HOUSE.

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

'That the Rules for the Madras Legislative Assembly in force immediately before 15th August 1947 be adopted as the rules of the House to the extent that they are not repugnant to the provisions of the Indian Independence Act 1947, and the orders issued thereunder.'

This is only a formal resolution to continue the work of this House under some rules. Till new rules are framed under the Adaptation Order, we are allowed to adopt the present rules. That is what I now propose."

The motion was put and carried.

IV.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Compensation to dependants of Congress detenus who died in jails.

* 1 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of Sinna Kaziar Haji Moulvi S. A. F. Ibrahim Sahib Bahadur): Will the Hon. the Prime Minister be pleased to state—

(a) whether the Government have paid any compensation to the dependants or relatives of the Congress detenus and convicts who died in jail during their detention or imprisonment in connexion with the individual satyagraha movement and the Civil Disobedience Movement of 1942; and if so, how much;

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(b) to whom all such payments were made; and

(c) what the amount paid to each of them is?

THE HON. DR. P. SUBBARAYAN:—“(a) Yes.

“(b) & (c) The following statement gives the information:—

To whom paid and relationship to the deceased and the name of the deceased.	Amount sanctioned.
	RS.
1 Aburupammal, widowed sister of late Muthurangam Pillai (South Arcot)	300
2 Sri Rangaswami Naidu, father of late S. R. Raju Naidu (Coimbatore).. .. .	1,000
3 Indukuri Suramma, wife of late Indukuri Subbaraju (West Godavari)	2,000
4 Dandu Subbayamma, wife of late Dandu Narayana Raju (West Godavari)	1,000
5 Sitalakshmi Ammal, wife of late M. Nataraja Ayyar (Chingleput)	3,000
6 Sri Swaminatha Mudali, father of late Kesava Mudaliar (North Arcot)	300
7 Lakshmidēvi, wife of late Karineni Ramadoss (Vizagapatam)	500
8 Kondaveeti Subbamma, wife of late Kondaveeti Padmanabham	500
9 Kadali Musalamma, wife of late Kadali Viriah Venkiah	500
10 Sivagami Ammal, wife of late C. Krishnaswamy Pillai	1,500”

Special preference to Kallar and Maravar communities in Government service.

* 2 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Prime Minister be pleased to state whether the Government have under consideration any proposal for giving special preference in the Government service to the members of the Kallar and Maravar communities?

THE HON. DR. P. SUBBARAYAN:—“The answer is in the negative.”

SRI R. V. SWAMINATHAN:—“May I ask the Leader of the House whether the Government are aware of the fact that the Kallar and Maravar communities are completely neglected in the selection for Government service?”

THE HON. DR. P. SUBBARAYAN:—“I am well aware of the fact brought to my notice by the hon. Gentleman. But at the same time, exigencies of service and the qualifications

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for recruitment laid down under the rules have got to be observed before admission to the public services of this province.”

SRI R. V. SWAMINATHAN:—“May I ask the Leader of the House whether, under the Communal Government Order, many Non-Brahman communities, who form the bulk of the population, have been completely neglected by not being given their due share?”

THE HON. DR. P. SUBBARAYAN:—“I am sure every consideration is being paid to the question of the backwardness of the communities by the Service Commission when making recruitment for these posts.”

SRI S. NAGAPPA:—“May I ask the Government whether the Hon. Minister is aware of the saying of the late poet Sri Subrahmanya Bharati: ‘Viduthalai, Viduthalai, Maravarukkum, Kallarukkum, Pariarukkum, Viduthalai’ and whether Government have given ‘Viduthalai’ to anybody after Independence? If so what preferential treatment are they giving for these communities?”

MR. SPEAKER:—“The question does not arise.”

SRI V. RAGHAVAYYA:—“In view of the answer given by the Hon. Minister, may I know whether this Government would give preference in Government service to other communities also?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Gentleman has misunderstood what I said. Conditions being equal, people for whom posts have been reserved will have preference to those for whom posts have not been reserved.”

Separation of the Judiciary from the Executive.

* 3 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Home Minister be pleased to state—

(a) whether it is the intention of the present Government to give effect to the scheme for the separation of the Judiciary from the Executive; and

(b) if the answer is in the affirmative, when the scheme is expected to come into force?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The question is engaging the active attention of the Government.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I take it that the view prevalent among the public that the present Government are not interested in effecting the separation of the Judiciary from the Executive is without any basis?”

THE HON. DR. P. SUBBARAYAN:—“Certainly, Sir. The hon. Member’s presumption is correct.”

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H. S. HUSSAIN SAHIB BAHADUR:—" May I know whether the special committee appointed for this purpose has submitted its report to the Government and, if so, whether the report will be placed before this House? "

THE HON. DR. P. SUBBARAYAN:—" The committee has submitted its report, and we have a special officer in the Secretariat working at it. There is also a Cabinet Committee which will consider the methods by which the suggestions in the report could be given effect to. When all these considerations are over, the Government will consider the question of publishing the report."

BEGUM SULTAN MIR AMIRUDDIN:—" Since the ground has already been prepared, may I know why there has been so much delay in giving effect to this much-neglected reform? "

THE HON. DR. P. SUBBARAYAN:—" The Hon. Lady Member must be aware of administrative difficulties as well, and they have to be carefully gone into before Government come to final conclusions."

SRI S. NAGAPPA:—" Are the Government aware that women are more capable of hatching news or catching news? "

MR. SPEAKER:—" The hon. Member is requested to resume his seat."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I know how long it will take for the Government to take any concrete action on the report and will the Government let this House know what action they are going to take in the matter? "

THE HON. DR. P. SUBBARAYAN:—" As I said, the question is under ' active ' consideration. It is impossible to lay down dates in matters like this."

SRI K. ANANDAN NAMBIAR:—" May I know the approximate time? "

THE HON. DR. P. SUBBARAYAN:—" I do not want to be a prophet."

SRI T. VISWANATHAM:—" May I know why the services of the special officer put in charge of this work were dispensed with? "

THE HON. DR. P. SUBBARAYAN:—" His services were not dispensed with. He went back to his original appointment, so that the Government might have time to digest the report."

SRI T. VISWANATHAM:—" Did he go back by himself or was it under the orders of the Government that he reverted? "

THE HON. DR. P. SUBBARAYAN:—" He reverted to his old place under the orders of the Government. The hon. Member knows this as well as I do."

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Appointment of Women Police in this Province.

* 4 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Home Minister be pleased to state whether any decision has been arrived at by the Government in regard to the appointment of Woman Police in this Province, and if so, what that decision is?

THE HON. DR. P. SUBBARAYAN:—" No decision has yet been arrived at with regard to the appointment of women police in this Province."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know why there has been so much delay in regard to this matter despite the recommendation of the Postwar Reconstruction Committee, whereas in the neighbouring State of Travancore, women were appointed to the police force years ago and have been functioning most successfully? "

THE HON. DR. P. SUBBARAYAN:—" The hon. Lady Member can presume that we are not as advanced as the neighbouring State of Travancore."

SRI S. NAGAPPA:—" Are the Government aware that women police are more capable of catching news and that they will be more fit as C.I.Ds. than men? "

THE HON. DR. P. SUBBARAYAN:—" I am prepared to take the hon. Gentleman's opinion for what it is worth."

H. S. HUSSAIN SAHIB BAHADUR:—" May I know whether this question is under the ' active ' consideration of the Government? "

THE HON. DR. P. SUBBARAYAN:—" It is not under the ' active ' consideration of the Government."

Interviews to Members of the Legislature by Collectors.

* 5 Q.—K. MUHAMMAD HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government have issued any instructions to the Collectors to grant interviews to the Members of the Legislature who wish to see them in connexion with Food Committee work or on any public matter; and

(b) whether it is a fact that a Member of the Legislative Assembly for the Tinnevely Constituency was not granted an interview in the last week of April 1947 by the District Collector of Tinnevely in connexion with the Melapalayam Food Committee work?

THE HON. DR. T. S. S. RAJAN:—" (a) Yes. Instructions have been issued to the Collectors to provide facilities of easy contact with them to the members of the Legislature and to furnish them with information on local matters of public concern subject to certain limitations."

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“(b) No. There was no occasion when any member of the Legislative Assembly or Legislative Council was refused interview by the Collector of Tinnevely.”

SRI PILLALAMARRI VENKATESWARLU:—“ May I know whether the Government are considering to do away with Food Committees? ”

MR. SPEAKER:—“ This question is about interviews. I disallow the supplementary question.”

Procurement of foodstuffs.

* 6 Q.—M. V. HYDROSS SAHIB BAHADUR: Will the Hon. the Minister for Food be pleased to state—

(a) the total amount of foodstuffs in various categories procured in the district of Malabar under the procurement scheme for the years ending 30th April 1945, 1946 and 1947, respectively;

(b) what the agencies entrusted with the procurement work during the said periods were; and

(c) whether it is a fact that the Co-operative Societies in Malabar are not able to procure as much foodstuffs as the private agencies could in the previous years?

THE HON. DR. T. S. S. RAJAN:—“(a) Quantity of paddy produced (in tons) for the year ending—

30th April 1945.	30th April 1946.	16th August 1946.	30th April 1947.	16th August 1947.
95,486	106,272	110,354	110,106	115,545

Quantity of millets procured (in tons).

1944-45.	1945-46.	1946-47.
457	27	29

“(b) Private agencies were the procuring agents in the years 1944-45 and 1945-46 and the producers-cum-consumers societies in the year 1946-47.

“(c) No. It is not a fact.”

MR. SPEAKER:—“ We are going to have a debate on Food. So I am not going to allow any supplementary question.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ Will the Hon. Minister be pleased to place the figures on the table of the House? ”

THE HON. DR. T. S. S. RAJAN:—“ I have already submitted the figures to the House, Sir. But if there are any corrections to be made, I shall certainly supply the hon. Members with the correction slips to-morrow.”

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Management of Aerodromes by the Madras Government.

* 7 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of Sinna Kaziax Haji Moulvi S. A. F. Ibrahim Sahib Bahadur): Will the Hon. the Minister for Public Works be pleased to state—

(a) when the Aerodrome Division was closed;

(b) whether Aerodrome works accounts have been closed and if not why;

(c) whether it is a fact that the accounts are being manipulated to set right some objectionable features;

(d) whether it is a fact that there were some frauds by the contractors and if so, what action was taken against the concerned people;

(e) whether there was proper control and check to avoid theft of controlled articles in the Aerodrome works;

(f) whether proper accounts were maintained regarding the Aerodrome works, and preventive measures taken to block the movement of controlled materials like cement, iron, etc., from Aerodrome works to black markets; and

(g) how the Aerodromes are proposed to be managed by the Madras Government?

THE HON. SRI M. BAKTHAVATSALAM:—“(a) It is presumed that the hon. Member refers to the Aerodrome Circle which comprised several divisions. The circle was closed on 31st August 1946 afternoon.

“(b) Works accounts comprise both contractors' transactions and suspense transactions. So far as contractors' transactions are concerned, all except five have been closed. In respect of suspense accounts, action is being taken to close the accounts as early as possible. Debits from the Military departments are still awaited in respect of the stores supplied and the accounts of the works could not, therefore, be finally closed. Skeleton staff has been sanctioned to clear off the arrears as early as possible.

“(c) & (d) No such cases have come to notice.

“(e) Yes. Special chowkidars were employed at each aerodrome site which was located within the precincts of the Air Force camps.

“(f) Yes. All the controlled articles were in charge of the department—the articles required for the works being issued to the contractors on receipts according to rules. Besides, the accounts of all the Aerodrome divisions were inspected and test-audited by the Accountant-General. On the closure of all aerodrome works ordered after the cessation of hostilities, the entire balance of materials at each aerodrome site was handed over to the Military Engineering Service and there are no surplus articles in charge of the

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Provincial Public Works Department. A single case of theft of cement occurred at the Red Hills camps and suitable action was taken in the matter.

“(g) The question as to how the aerodromes, which are surplus to the requirements of the Air Force and of the Director-General of Civil Aviation should be maintained or disposed of, by the Madras Government will be considered after the aerodromes are handed over to this Government.”

Repairs to the road from Ramnad to Kilakkarai.

* 8 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of Sinna Kaziar Haji Moulvi S. A. F. Ibrahim Sahib Bahadur): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the road from Ramnad to Kilakkarai is in a very bad condition;

(b) whether it is a fact that a number of representations on the subject from many people have been received; and

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

THE HON. SRI M. BAKTHAVATSALAM:—“(a) The road was reported to be in a bad condition till recently, breaches on the road having occurred during the monsoon in December 1946, and the causeway at M. 7/1 rendered unfordable in the first-half of 1947. The breaches were closed and traffic was restored on 28th April 1947. The Chief Engineer has also reported that the condition of the surface of the road between M. 3/7 to 8/0 is bad, but that enough provision has been made in the current year's maintenance estimate and that the road will be repaired and made fit for normal requirements of traffic very soon.

“(b) Yes.

“(c) In view of the action already taken by the Chief Engineer (Highways) no further action by Government is called for.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Sir, in connexion with the provision that is said to have been made for the repairs to the roads between the places mentioned, may I know whether provision has also been included for the construction of the causeway?”

THE HON. SRI M. BAKTHAVATSALAM:—“No, Sir.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Does not the Government know that it is the flimsy character of the causeway that creates all the troubles which the people are complaining of, with reference to the road?”

THE HON. SRI M. BAKTHAVATSALAM:—“We shall examine the question separately, Sir.”

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Post-war Reconstruction measures in this Province.

* 9 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Finance be pleased to state—

(a) the total amount promised by the Government of India for post-war reconstruction measures in this Province;

(b) how much of this amount has been received by this Government up to date; and

(c) the various purposes for which this amount has been and is to be utilised?

THE HON. SRI B. GOPALA REDDI:—“(a) The Government of India have not so far determined the total amount of ‘block’ grant to be given by them towards the expenditure on post-war reconstruction schemes of this Province during the quinquennium 1947-48 to 1951-52. The question of the basis for the distribution of Central grants to Provinces is under the consideration of the Government of India. This question was considered, among other things, at the Conference of the Representatives of Provincial Governments held at New Delhi on 20th May 1946, and the conclusion then reached was that pending the introduction of any alternative formula for the distribution of development grants to Provinces (e.g., the Australian Federal Grants System), the grants should be made on the basis of population strengths, subject to special consideration being given to the poorer Provinces and those affected by enemy action.

“(b) ‘Advance’ grants amounting to Rs. 230 lakhs were received from the Government of India towards the expenditure incurred during 1945-46 and 1946-47 on certain post-war development schemes which were taken up with the prior approval of the Government of India, for execution during the interim period [i.e., the period between the termination of the War and the beginning of the post-war quinquennium (1st April 1947)]. These ‘interim’ schemes were undertaken with the special object of counteracting deflation and unemployment.

The ‘advance’ grants will be counted against the total ‘block’ grant to be made to Provinces by the Central Government during the first quinquennium of the post-war period (1947-48 to 1951-52).

A provision of Rs. 625 lakhs has been made by the Central Government as ‘block’ grant to this Province in 1947-48 to cover expenditure on unproductive post-war development schemes, Grow More Food Schemes and schemes for the further education of ex-servicemen and training abroad of students, medical personnel and nutrition workers. This grant will be paid by the Central Government in the course of the current year in two half-yearly instalments.

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"(c) The 'advance' grant of Rs. 230 lakhs received for post-war 'interim' schemes has been utilized to recoup *in full* the expenditure incurred from Provincial revenues on those schemes during 1945-46 and 1946-47.

The 'block' grant of Rs. 625 lakhs promised by the Central Government for 1947-48 is likely to fall short of the expenditure likely to be incurred in that year on unproductive post-war development schemes, Grow More Food Schemes, etc., which is estimated roughly at Rs. 10.5 crores. Details of the provision made by this Government for Post-war Development Schemes in 1947-48 under the respective heads of account are given in Appendix I to the 'Demands for Grants and Detailed Estimates for 1947-48'. As the name 'block' grant implies, it is not intended to be allocated among the various post-war development schemes, Grow More Food Schemes, etc.

The Government of India may increase the 'block' grant if the excess expenditure is caused by rapid progress in the execution of Grow More Food schemes. Any such increase in the 'block' grant allowed in 1947-48 will be adjusted against the 'block' grants for the subsequent years in the first quinquennium. Any expenditure in 1947-48 uncovered by the grants from the Central Government will be met from Provincial Revenues."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—
"Sir, while I am grateful to the Hon. the Finance Minister for the long and full reply to the question, may I request him to be good enough to print and place the answer on the table of the House so as to enable Members to study it and put supplementary questions? Might I also request you, Mr. Speaker, to allow a half-an-hour's debate on this matter in view of its great importance?"

MR. SPEAKER:—"Regarding the first point, the answer will be printed and placed on the table of the House for supplementary questions.

"Regarding the request for a half-an-hour's debate, I shall give my ruling to-morrow."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Mr. Speaker, Sir, may I beg to remind you in this connexion of the frequent and insistent requests of the House to have such long answers printed in advance and copies supplied to Members? We have made such requests frequently to you, Sir, and you may at least hereafter rule that answers exceeding a certain number of words should be printed and copies supplied to Members in advance?"

MR. SPEAKER:—"I shall consider the suggestion of the Hon. the Leader of the Opposition."

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Allotment of revenues by the Government of India to the Government of Madras.

* 10 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Finance be pleased to state—

(a) what proportion of the revenues realized by the Government of India from this Province is allotted by that Government to this Province; and

(b) whether the Government of Madras have made any representations to the Government of India for increasing this amount?

THE HON. SRI B. GOPALA REDDI:—" (a) A statement* showing the revenues realized by the Government of India in this Province and the amount allotted by them to this Province in 1945-46 is laid on the table of the House. Final figures for 1946-47 have not yet become available.

The total amount allotted to this Province (Rs. 455.62 lakhs) works out to 14.64 per cent of the total amount realized (Rs. 3,112.83 lakhs).

" (b) The distribution of the net proceeds from income-tax among Provinces is governed by section 138 of the Government of India Act, 1935, and the Government of India (Distribution of Revenues) Order, 1936. No representation has so far been made to the Government of India for increasing the amount assigned to this Province under the provisions mentioned above. The fees realized on licences and permits issued by district authorities under the Petroleum and Explosives Act, and the cash receipts of District Magistrates under the Indian Arms Act are allotted to this Government in full, and the question of making any representation for increasing these amounts does not therefore arise. There is a proposal to address the Government of India for increasing the amount paid by them to this Province as compensation for the loss of the revenue previously derived by this Province from the Madras Tobacco (Taxation of Sales and Licensing) Act, 1939, which was repealed at the instance of the Government of India when they introduced legislation for levying Excise duty on tobacco."

MR. SPEAKER:—"The Hon. the Leader of the House has given notice of a resolution to discuss the powers of the Province as well as of the Centre. It will come before the House in a day or two and we shall have an opportunity to discuss the subject in full. In view of that, I shall pass on to the next question."

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Rural guides training centre at Chinnur.

* 11 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that the Government have started a rural guides training centre at Chinnur village, Cuddapah;

(b) whether the local residents have contributed any money for the upkeep of the training centre;

(c) how many have undergone training there; and

(d) of them how many were provided with jobs by the Government?

THE HON. MR. DANIEL THOMAS:—“(a) Yes; a rural uplift school was held at Chinnur from 5th January 1947 to 4th February 1947.

“(b) Yes; a sum of Rs. 100 was contributed by the local residents.

“(c) Out of a total strength of 40 men, 38 underwent training and 2 were discharged due to ill-health.

“(d) Three have been appointed as village guides. Only selected students of these rural uplift schools are appointed as village guides at the rate of one for each taluk.”

SRI S. NAGAPPA:—“May I ask the Government whether the students who were appointed as guides belong to the same locality or do they come from some other taluks?”

THE HON. MR. DANIEL THOMAS:—“Surely, the hon. Member does not expect me to answer the question off-hand.”

SRI S. NAGAPPA:—“Will the Hon. Minister be pleased to call for the information, Sir?”

THE HON. MR. DANIEL THOMAS:—“Very well, Sir.”

SRI P. NATESAN:—“May I know, Sir, what is the amount that is paid for these guides?”

THE HON. MR. DANIEL THOMAS:—“All the remaining expenditure is met by the Government.”

SRI P. NATESAN:—“Sir, the answer is somewhat vague. I want to know the exact amount spent on the training of village guides?”

THE HON. MR. DANIEL THOMAS:—“I have not got the figures on record at present, Sir, but I shall call for them, if required.”

MR. SPEAKER:—“The hon. Member may put a separate question.”

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Alternative employment for labour thrown out due to closing of distilleries.

* 12 Q.—SRI B. S. MALLIKARJUNA RAO: Will the Hon. the Minister for Prohibition be pleased to state—

(a) what provision has been made so far to secure alternative employment for labour, thrown out of work, consequent upon the closing of the distilleries in the Province; and

(b) whether the Employment Exchange Bureau has been asked to tackle the problem of this type of unemployed labour?

THE HON. MR. DANIEL THOMAS:—“(a) & (b) There were only three distilleries in the eight districts in which Prohibition was introduced in October 1946, as shown below:—

(1) Coimbatore Distillery.

(2) Tadpatri Distillery in Anantapur district.

(3) Bellary Distillery.

The number of labourers thrown out of work on the closure of the Coimbatore, Tadpatri and Bellary distilleries was 70, 69 and 36, respectively. The Collectors of Coimbatore and Anantapur report that no representations were received by them for providing alternative employment to these ex-labourers. It is presumed that the discharged men have found other employment.

The Collector of Bellary reports that all the 36 ex-labourers of the Bellary distillery have found work elsewhere.”

SRI B. S. MALLIKARJUNA RAO:—“May I submit, Sir, that there is one distillery at Vizagapatam, where a number of workers were thrown out of work on account of its closure and that a representation has been made to the Collector about the lot of those unemployed people? May I suggest that the Collector may be instructed to enquire into the matter and give an opportunity for those unemployed people to represent their case and to see that they are provided with alternative employment so far as it is possible?”

THE HON. MR. DANIEL THOMAS:—“The suggestion of the hon. Member will be considered.”

Publicity and Information Department.

* 13 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Industries be pleased to state—

(a) the functions of the Publicity and Information Department;

(b) the salary given to each category of officers and staff employed in this department; and

(c) the total amount of expenditure incurred so far in respect of this department?

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THE HON. SRI H. SITARAMA REDDI:—“(a) The Department of Information and Publicity has been set up in order to maintain an intimate and close contact with the Press and the public and give publicity to the policies and activities of the Government, so as to keep the public informed of all the ameliorative schemes and nation-building programmes of the Government.

This Department is concerned with the issue of Press Notes and Press Communiqués; scrutiny of newspapers in English, published within the Province and outside, in the regional languages of the Province, and in Urdu, for bringing to the notice of the Hon. Ministers all important matters mooted in the Press as well as the reactions of the public to Government measures, both inside and outside the Province; preparation in English as well as in the regional languages of pamphlets on all matters of importance from the point of view of the public and their distribution; arrangement of radio and film publicity of all important developmental and nation-building activities of the Government; and publication of a fortnightly magazine called “Madras Information” in English, the regional languages and Hindustani. Programme-planning for the rural broadcasts from the All-India Radio is also being dealt with by this Department.

- “(b) (1) Director of Information and Publicity on Rupees 1,000 in the scale of Rs. 1,000—100—1,200 with house-rent allowance of Rs. 100 per mensem and conveyance allowance of Rs. 150 per mensem.
 (2) Assistant Information Officer on Rs. 300—25/2—400.
 (3) Assistant Publicity Officer on Rs. 250—15/2—280—20/2—300.
 (4) Publicity Assistants (two) on Rs. 150—10/2—200.
 (5) Journalist (English) on Rs. 200 per mensem (one).
 (6) Journalists (Regional Languages) (four) on Rs. 150—5—200.
 (7) Translators on Rs. 95—5—125—Four as Assistant Journalist—Seven translators.
 (8) Staff photographer on Rs. 150 per mensem (one).
 (9) Artist on Rs. 90—3—120 (one).
 (10) Accountant on Rs. 140—5—190 (one).
 (11) Editor for the Hindi edition of the “Madras Information” on Rs. 250 per mensem.
 (12) Sub-Editor for the Hindi edition of the “Madras Information” on Rs. 150 per mensem.
 (13) Assistant Editor for the Hindi edition of the “Madras Information” on Rs. 100 per mensem.
 (14) Moulvi (part-time) on Rs. 50 per mensem.

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- (15) Superintendents (two).
 (16) Upper division clerks (three).
 (17) Lower division clerks (four).
 (18) Steno typist (three).
 (19) Typists (three).
 (20) Attenders (two).
 (21) Peons (nine).

} On Secretariat
scales of pay.

“(c) An expenditure of Rs. 1,58,000 was incurred up to end of March 1947 on Establishment charges, ‘Madras Information’ and its counterparts, Newspapers and Periodicals, special printing and advertisement campaign relating to popularisation of unfamiliar foodstuffs, which has since been discontinued. Out of this amount, Rs. 85,000 was spent on advertisements relating to food problems. For 1947-48, an expenditure of Rs. 1,87,000 has been provided, for in the Budget for the Department.”

BEGUM SULTAN MIR AMIRUDDIN:—“Sir, I think it is sheer waste of public funds to have a Publicity and Information department in peace time. Will the Government consider the desirability of closing up this department?”

THE HON. SRI H. SITARAMA REDDI:—“Sir, I cannot agree with the views of the hon. Member that it is a waste; it is a useful expenditure in view of the answer that I have already given.”

MR. SPEAKER:—“We have taken up half an hour for the formal resolution that was moved. So I shall allow some more time for the Questions to-day.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Sir, may I know whether the Government have got any information on the question of the number of people who have become wiser on account of the activities of this department?”

THE HON. SRI H. SITARAMA REDDI:—“Sir, my hon. Friend himself can answer that question.”

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—“Sir, will the Hon. Minister agree that in other countries, larger amounts of money are being spent on information and publicity work; and will he be good enough to consider the desirability of increasing the activities of this Information and Publicity department?”

THE HON. SRI H. SITARAMA REDDI:—“Sir, it is true that other countries and other provinces in India are spending something more, and sometimes much more than what Madras is spending; the suggestion of the hon. Member will be considered, Sir.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I enquire, Sir, of the Hon. Minister, which other countries of the world are having a department such as this in peace time?”

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THE HON. SRI H. SITARAMA REDDI:—" May I suggest to the hon. Member to put down a separate question on this point?"

BEGUM SULTAN MIR AMIRUDDIN:—" May I ask the Hon. Minister whether in view of the fact that the ' Madras Information ' does not serve any useful purpose and it usually contains news which have already appeared in the other papers, the Government will consider the desirability of discontinuing the publication of ' Madras Information '?"

THE HON. SRI H. SITARAMA REDDI:—" Sir, the hon. Member seems to view the problem from her own point of view; she is a city dweller and is likely to read the news every day from the papers. But she must also consider the position of people who are distributed all over the Province. I know, Sir, several members of the public have been appreciating the publication of the Madras Government's journal and there have been demands also for copies of it."

SRI N. S. VARADACHARI:—" Will the Hon. Minister be pleased to remember that it is not merely a question of spending money as in the other provinces or in the other countries, but it is a question of making provision for useful expenditure in regard to this item?"

THE HON. SRI H. SITARAMA REDDI:—" Sir, I accept the advice of my hon. Friend, Sir, and it will be noted also."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" May I know what are the special qualifications of the Director of Publicity who has been getting a salary which is more than that of the Minister himself?"

THE HON. SRI H. SITARAMA REDDI:—" I may remind the hon. Member that there are many officers who get much more salary than the Ministers get. But salary is not the standard, Sir, for any particular post, I may just remind the hon. Member about it."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" My question is about the qualifications of the person occupying the post?"

THE HON. SRI H. SITARAMA REDDI:—" I understood from my hon. Friend's question that he was emphasising the salary aspect of it."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" At least now the Hon. Minister may tell us what are his qualifications?"

THE HON. SRI H. SITARAMA REDDI:—" My hon. Friend may put a separate question to enable me to give him the information he wants. But the one qualification is that the man is competent for his job."

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SRI S. NAGAPPA:—" May I know, Sir, whether this Information Department is getting any information as regards corruption and black-marketing from the public?"

THE HON. SRI H. SITARAMA REDDI:—" This is question, Sir, that ought to be directed to another quarter."

Cloth rationing scheme.

* 14 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Industries be pleased to state whether the Government intend to—

(a) increase the quota of mill cloth now allotted to consumers;

(b) exclude from rationing varieties like towels, sheets and upholstery material; and

(c) review the working of the cloth rationing scheme to introduce such changes as are necessary?

THE HON. SRI H. SITARAMA REDDI:—" (a) As there is no increase in the quota of mill cloth allotted to this Province under the All-India Cloth Distribution Scheme, it is not possible to increase the mill cloth ration in this Province.

" (b) The following varieties of mill cloth have been excluded from the Rationing scheme:—

(1) Rodier and Savana Mill cloth from Pondicherry Mills.

(2) Khaki and green drill and khaki twill and matty produced by Buckingham and Carnatic Mills or imported from Bombay surplus area.

(3) Towels—Turkish Bath Towels produced by Buckingham and Carnatic Mills, Madras and other towels not exceeding (63 inches by 27 inches).

(4) Tapestry and upholstery cloth.

It is not desirable to exclude sheets from rationing as they are broad pieces of thick cloth which can be easily converted into any kind of apparel. The exclusion of sheets from the ration will facilitate the sale of any kind of cloth outside the ration by the simple device of converting it into sheets.

" (c) The working of the cloth rationing scheme is constantly reviewed by the Government and changes that are deemed necessary are promptly carried out."

BEGUM SULTAN MIR AMIRUDDIN:—" Is the Hon. Minister aware that the cutting up of the five-yard ration into four equal quarterly instalments has added to the hardships of the consumer? Will he take steps to rescind that order?"

THE HON. SRI H. SITARAMA REDDI:—" There was a complaint that the cloth was stagnating in some places and that some of the consumers were not taking the cloth as early as possible; and with a view to facilitate the easy disposal of

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cloth, it was suggested by the public and some representations were made that it would be easier if this kind of arrangement could be made. It was done to help the public. If the hon. Member feels that it is causing any particular inconvenience in any particular place, I should like to examine the suggestion. I would invite my hon. Friend to bring to my notice any hardships that have been caused in any particular place, and I shall see that adequate steps are taken to see that such hardships are removed."

SRI B. S. MURTHI:—"Is the Hon. Minister aware that in the mufassal areas, Harijans are not getting their quota of rationed cloth?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, up till now I have not had this representation from my hon. Friend though he has seen me quite often about this matter; but I know that Harijans are not excluded from the five yards ration. Everybody is entitled to it and if any case is brought to my notice that in any particular place Harijans have been excluded from the five yards cloth, I shall take immediate action."

SRI B. S. MURTHI:—"May I inform the Hon. Minister that in my recent tour in the East and West Godavari, Kistna and Guntur districts, Harijans complained to me that their memorials to the Minister or to the officers concerned were of no avail, to get them the rationed cloth?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, this is a very very general and vague way of stating things. I would request my hon. Friend to give me specific places and facts; and as I have already said, I shall see that the hardships are rectified immediately."

SRI B. S. MURTHI:—"May I request the Hon. Minister to issue specific orders that Harijans must be given first preference in the distribution of cloth?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, I consider it will be an unfair order. Everybody has now got a right to get the five yards cloth; there is sufficient cloth, and we cannot discriminate as between one community or set of persons and another. Everybody is entitled to get five yards, and he will get it along with the others."

SRI B. S. MURTHI:—"May I request the Hon. Minister to issue such an order, because Harijans are even to-day not allowed to approach the ration shops in several districts?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, I do not agree with my hon. Friend. There are some shops which have been specially allotted for the Harijans, and I am sure there is no difficulty. I have not received any such representation up till now, and if my hon. Friend shows me any instance in any place where Harijans have found difficulty of approaching a shop, I assure him that I shall take immediate action."

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SRI T. VISWANATHAM:—"May I ask, Sir, whether the Government are aware that in several shops in the Vizagapatam district and possibly in other districts also, there is a surplus of cloth and quota-holders are not coming forward to buy and the cloth stock is not exhausted?"

THE HON. SRI H. SITARAMA REDDI:—"I take the information from my hon. Friend."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know why special shops have been allotted for the Harijans?"

THE HON. SRI H. SITARAMA REDDI:—"Because there was some representation made previously that there was some difficulty for the Harijans to get cloth from the usual shops; and with a view to help them to get it more easily, it was thought necessary that some shops might be allotted for the Harijans. And in pursuance of that policy, some shops have been allotted in some districts for them, and that is the only purpose."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Arising out of the answer of the Minister, may I ask whether he will not make even a distinction as between those who have cloth and who have not got sufficient cloth?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, that will lead to an enquiry which is not possible for any Government to undertake. As it is, we have got enough of trouble in distributing cloth, and we cannot go on investigating who has got cloth and who has not got. That will be endless and I do not think the game is worth the candle."

SRI V. I. MUNISWAMI PILLAI:—"Sir, in reviewing the working of the cloth ration, will the Government consider the question of increasing the yardage to the people who live in extreme climates such as the Nilgiris, Kodaikanal and other cool places?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, I can only express sympathy for my hon. Friend's question; but if it is possible, the Government will consider it and try to help. But the whole difficulty is that mill cloth is available in small quantities and we have tried to fix as far as possible a uniform ration."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, I am not clear about the answer which the Hon. Minister gave to my question. I wanted to know why special shops have been set up for the Harijans. I want to know what are the difficulties experienced by the Harijans that have necessitated the setting up of the shops. Are they prevented from buying from the shops run by the others?"

THE HON. SRI H. SITARAMA REDDI:—"There was no question of anybody being prevented. They also wanted to do shopping business and they got a few shops."

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SRI S. NAGAPPA:—" May I ask the Hon. Minister whether these shops are intended only for the Harijans or whether the Harijan dealers are allowed to cater to the needs of the general public? "

THE HON. SRI H. SITARAMA REDDI:—" Yes, Sir, anybody that wants to purchase coming from within the area attached to the shop can go and buy. Such a shop is not exclusive to Harijans only."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know why the present Government have not been able to do anything as yet in the matter of easing the cloth scarcity in the Province and whether they have evolved any scheme for increasing the production in the mills within this Province? "

THE HON. SRI H. SITARAMA REDDI:—" Sir, the question of cloth is dealt with on an All-India basis. It is not a Provincial question; it is an All-India question. More cloth can only be available in this Province or in any other Province in India if there is increased production all over India. There are certain proposals now pending with the Government of India to increase production of cloth and yarn; when they are published, the hon. Member will have an opportunity of knowing the details and the methods to be adopted for increasing production."

BEGUM SULTAN MIR AMIRUDDIN:—" The second part of my question has not been answered."

THE HON. SRI H. SITARAMA REDDI:—" Even the mills within the Province come under the All-India Scheme."

SRI V. RAGHAVAYYA:—" May I know from the Hon. Minister whether the Government have recently issued instructions for arbitrarily reducing the number of wholesale and retail dealers irrespective of the fact whether they were dealing in black-market or not?"

THE HON. SRI H. SITARAMA REDDI:—" The question of re-organization of the scheme was left to the textile committees and to the various District Collectors. If there has been any hardship, it is for that particular dealer or any other person who has been suffering under the scheme to put in a representation to the Government and it will be considered."

SRI R. V. SWAMINATHAN:—" By allowing separate shops for the Harijans, do not the Government encourage the living of Harijans in cheries instead of mixing with the high-class Hindus? "

THE HON. SRI H. SITARAMA REDDI:—" I do not agree with the view expressed by the hon. Member."

SRI N. M. R. SUBBARAMAN:—" May I know, Sir, whether the Government are aware that the distribution of cloth in many villages in the district of Madura is being delayed for want of approval by the Government of the list of retail dealers."

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THE HON. SRI H. SITARAMA REDDI:—" I take the information, Sir."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" May I know, Sir, whether while granting permits to dealers, the qualification of jail-going has been taken into consideration and, if so, whether this will not come in the way of the working of the normal trade channels? "

THE HON. SRI H. SITARAMA REDDI:—" I cannot answer a vague question like this, but if my hon. Friend puts a separate question, I shall be able to answer."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I know from the Government whether they have not received a strong representation protesting against the discrimination that has been meted out to this Province in the allotment of cloth and, if so, what reasons have been given by the Government of India for the very reasonable request to increase the allotment of cloth to this Province? "

THE HON. SRI H. SITARAMA REDDI:—" May I suggest to the hon. Member to put a separate question on this matter and then, I shall be able to give an exhaustive answer."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I request the Hon. Minister to take note of my question and answer it to-morrow or day after? "

MR. SPEAKER:—" The hon. Member cannot expect the answer to the question to-morrow. All that the hon. Member can do is to put a separate question."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" The answer to my supplementary question may be postponed to to-morrow or day after."

MR. SPEAKER:—" It cannot be done under the rules."

SRI N. S. VARADACHARI:—" May I ask the Hon. Minister that if the Government of India are not sending more allotments of cloth to this Province, then the only alternative left to us is to increase our own production of cloth as the handloom cloth."

(No answer.)

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" On a point of order. When a main question has been put and answered and when I put a supplementary question and when that has been allowed, answer must be given to that supplementary question. If necessary, the Hon. Minister may want notice and he may take one or two days for answering it. When you have been postponing answers to main questions for one or two days, that principle should equally hold good in the case of supplementary questions."

MR. SPEAKER:—" That has not been permitted by me. Now we shall pass on to the next question."

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Village panchayat boards.

* 15 Q.—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) when the Government propose to introduce legislation for the reconstitution and effective administration of the village panchayat boards in the Province; and

(b) whether it is the intention of the Government to abolish the district boards?

THE HON. SRI K. CHANDRAMOULI:—“(a) & (b) The Government have under consideration the question of introducing in the near future legislation to provide for the better administration of panchayats. The question of retention or abolition of district boards will come up for decision in that connexion.”

H. S. HUSSAIN SAHIB BAHADUR:—“In view of the answer given by the Hon. Minister to clause (b) of my question, may I know whether elections to the district boards will be held in December or January?”

THE HON. SRI K. CHANDRAMOULI:—“I think the question will be decided much earlier than the holding of elections.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Does the Hon. Minister consider that the abolition of district boards and the reconstitution of village panchayats will solve all the problems in the world?”

THE HON. SRI K. CHANDRAMOULI:—“At least most of the problems of the villagers.”

Opening of weavers' co-operative societies in Coimbatore district.

* 16 Q.—SRI R. KUPPUSWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) the number of applications received by the Co-operative department in Coimbatore for opening new weavers' co-operative societies in the district and how many applications are still pending; and

(b) whether there was any application for registration of a weavers' co-operative society at Uttukuli from the members of the branch of the Coimbatore District Handloom Weavers' Congress and, if so, how long is the matter pending?”

THE HON. SRI K. CHANDRAMOULI:—“(a) Fifty-five applications were received during the period January 1947 to 24th July 1947 by the Deputy Registrar, Coimbatore, for organization and registration of the new weavers' co-operative societies in the Coimbatore district. Of these, 15 applications are pending investigation.

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“(b) Yes, Sir. An application for the registration of a Co-operative Society at Uthukuli was received by the Deputy Registrar, Coimbatore, on 6th January 1947. There were also other applications from the same area, namely, Chengapalli and Morattupalayam villages which are situated within a radius of 5 miles. The Morattupalayam Weavers' Co-operative Society was registered on 31st May 1947, and started work on the 25th June 1947. The villages of Chengapalli and Uthukuli are included in the area of operations of the Morattupalayam Weavers' Co-operative Society. No separate society was therefore registered for Uthukuli village. Morattupalayam was selected as the headquarters of the society in view of the large number of looms, existing in the village and the central position it occupies.”

SRI R. KUPPUSWAMI:—“May I know, Sir, what action has been taken by the authorities with regard to the pending applications?”

THE HON. SRI K. CHANDRAMOULI:—“The remaining applications are under investigation by the Registrar and necessary action will be taken as early as possible.”

Test for Deputy Inspectors and School Assistants.

* 17 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state the reason why a differentiation is made between Deputy Inspectors and School Assistants in the matter of passing the Deputy Inspectors' Test, Part II (Language), the former being given the option of passing the test at their convenience while the latter are debarred from rising above Rs. 100 in the time-scale of pay for them on their failure to do so within the prescribed time?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“The interpretation that a differentiation is made between the Deputy Inspectors and School Assistants in the matter of passing the Language test is not correct. Rule 14 of the special Rules for the Madras Educational Subordinate Service clearly states that all Deputy Inspectors, School Assistants and Headmasters or Sub-Assistant Inspectresses, School Assistants and Headmistresses shall not be eligible for increments above the stage of Rs. 100, unless they pass the test. Proviso (1) to the above rule, however, makes an exception in case of officers appointed before 1st April 1942 who are in charge of a Muslim or a Mappilla Range, so long only as they continue to be in charge of such a range. In respect of all others including all those who are appointed after 1st April 1942 to any of the posts the passing of the test is obligatory and thus the concession was withdrawn long ago. No Officer appointed after 1st April 1942 is now eligible for exemption. The exemption in the case of even those referred to in the above proviso is only to enable them to draw

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increments over Rs. 100. Passing the test by these officers also is quite obligatory for their entering the selection grade or for getting any other promotion and also for a transfer to a non-Muslim or Mappilla Range."

BEGUM SULTAN MIR AMIRUDDIN:—"May I ask, Sir, whether the Hon. Minister has received a representation as regards the abolition of this test?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Yes, Sir."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, what the Government have decided with regard to this matter?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Sir, so long as we have various regional languages in this Province, it is difficult to abolish this test."

BEGUM SULTAN MIR AMIRUDDIN:—"Is the Hon. Minister aware that this test is practically of no use to Muslim school assistants who are working in Muslim schools and who are not likely to be transferred as Sub-Assistant Inspectresses. In view of this, will the Government abolish this test for school assistants or at least will the Government consider the desirability of lifting the bar to their increment to the selection grade on their failure to pass the Examination?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"I do not think the hon. Member's presumption is correct. School assistants in Muslim schools cannot become school inspectresses unless they pass this test. If they want to become school inspectresses, this test is necessary."

BEGUM SULTAN MIR AMIRUDDIN:—"May I inform the Hon. Minister that there is a great dearth of Muslim school assistants and thus there is very little possibility of their becoming Sub-Assistant Inspectresses and so, will the Government consider the lifting of the bar in the case of these school assistants to the selection grade?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Yes, Sir. When a proper representation is received, it will be considered."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know what the Hon. Minister means by proper representation?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Representation from people who are actually affected by it."

SRI T. VISWANATHAM:—"May I know from the Hon. Minister that since there are orders to post in the linguistic area officers of that region generally speaking, there is no necessity to pass a second language test, and so, whether the second language test cannot be abolished?"

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"The orders are that generally speaking, the persons should know the regional language but in view of the composite nature of our Provinces those tests continue to be necessary."

SRI T. VISWANATHAM:—"In view of the answer given by the Hon. Minister, may I ask whether it is not possible to alter the rules, consider the abolition of the second language test, allowing second language allowance to those who pass it?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"The matter was recently considered and the Government have come to the decision that in the case of the existing personnel, they may not abolish these tests."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Will Government consider the question of consulting expert opinion on this matter?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"If the hon. Member who has put the question is an expert himself, I shall consider this view very carefully."

Admissions to the Engineering and Medical Colleges.

* 18 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state whether the Government have rescinded the new rule that 20 per cent of admissions to the Engineering and Medical Colleges should be on the basis of merit?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"Yes."

BEGUM SULTAN MIR AMIRUDDIN:—"Will the Hon. Minister give me an assurance that this rule will not be reintroduced during his regime?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"No Government will give any such assurance, but they will consider whatever that is best for the future."

SRI N. S. VARADACHARI:—"May I know whether any substitution of this entire scheme has been thought of and whether Government, before finalising orders under this head, would consider revisions for altering the present scheme of things?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"Government will always consider proposals which would be better not only in regard to this but in every other matter."

Opening of a Veterinary College in Andhra Desa.

* 19 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government propose to open a Veterinary College in Andhra Desa; and

(b) if so, whether the claims of Nellore will be considered?

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THE HON. SRI K. MADHAVA MENON:—“(a) The question of opening a Veterinary College in Andhra Desa is under consideration.

“(b) The modern tendency is to have Veterinary College in a farm or to have mixed farm attached to the College. The Committee on Veterinary Education of the Indian Council of Agricultural Research has also recommended the establishment of Veterinary Colleges in India in or near Livestock Farms. In this view the only place in the Andhra area suitable for the opening of a Veterinary College is the Livestock Research Station, Lam, Guntur. It may, therefore, be not advisable to open it elsewhere. The Government are not aware of any particular claims of Nellore for a Veterinary College.”

SRI V. RAGHAVAYYA:—“May I know if the existence of a farm alone is not the most essential condition for the opening of a college, because a college of agriculture can best be situated where there is plenty of land for cultivation and plenty of good lands already under cultivation?”

THE HON. SRI K. MADHAVA MENON:—“The existence of a farm is one of the main considerations, but instead of having a farm in a new place, it will be better in the opinion of the Government to open a college where a farm already exists.”

SRI T. S. PATTABHIRAMAN:—“In view of the fact that there is already a Veterinary College in Madras and Madras is being claimed by the Andhras as their headquarters, will not the Government consider the advisability of not opening another Veterinary College in Andhra Desa?”

THE HON. SRI K. MADHAVA MENON:—“Government cannot consider the question until the question of Madras is decided.”

MR. SPEAKER:—“The answers to the rest of the questions will be printed in the proceedings.”

Extension of Pawn Brokers' Act to Nellore district.

* 20 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the districts to which the Pawn Brokers' Act is extended in this Province;

(b) why it was not extended to other districts;

(c) whether it is a fact that several Labbais and Kabulis are carrying on a busy trade in Nellore Town charging 50 to cent per cent interest from labourers and collecting the same with physical force or threat of force;

(d) if so, what steps the Government propose to take to put down the same; and

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(e) whether the Government propose to extend the Act to the Nellore district?

THE HON. SRI K. MADHAVA MENON:—“(a) & (b) The provisions of the Madras Pawn Brokers' Act have recently been extended to the whole of the Madras Province.

“(c) The Government have no information.

“(d) & (e) As the Act has been applied now to the Nellore district also the Government do not think any further special steps are called for at present.”

Promotion of upper division clerks as Deputy Tahsildars in East Godavari district.

* 21 Q.—S. MUHAMMAD ISMAIL SAHIB BAHADUR: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) how many upper division clerks were recommended to the Revenue Board for promotion as Deputy Tahsildars by the Collector of East Godavari during this year;

(b) whether any among them are Muslims; and

(c) if not, why no Muslims were recommended?

THE HON. SRI KALA VENKATA RAO:—“(a) The Collector of East Godavari recommended the names of 12 upper division clerks for inclusion in the list of Deputy Tahsildars this year.

“(b) Yes. One Muslim candidate was recommended by the Collector and he was included in the list.

“(c) The question does not arise.”

Additional taxation on agriculturists of Tanjore, Pattukkottai and Arantangi taluks.

* 22 Q.—SRI M. MARIMUTHU: Will the Hon. the Minister for Land Revenue be pleased to state whether there is any proposal to levy additional taxation on the agriculturists in the Tanjore, Pattukkottai and Arantangi taluks, who after the Mettur water became available to Tanjore, have converted at much labour and expense the uneven dry lands into wet?

THE HON. SRI KALA VENKATA RAO:—“When water from a Government source of irrigation is supplied to lands classed as dry, water-cess is levied in addition to land assessment. If the dry lands referred to by the hon. Member are after reclamation irrigated by Cauvery-Mettur Project water they will be liable to pay water-cess in addition to the dry assessment. There is no proposal to levy any additional tax in respect of these lands.”

* 23 Q & 24 Q.—Postponed.

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Restriction on Boarding grants.

* 25 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether there is any restriction on the grant of boarding grants, that the recipients should not be residents of the village or villages within five miles of the place where the Boarding home is located; and

(b) whether the Government propose to waive this condition?

THE HON. SRI V. KURMAYYA:—“(a) & (b) There was a rule that pupils whose parents or guardians lived within a radius of 5 miles from the boarding homes in which they resided, were not eligible for boarding grants from the Labour Department. In the case of girls, the rule was that their parents or guardians should live at least two miles away from the boarding homes. The Government have since directed that this rule regarding the distance of the houses the pupils from the boarding homes should be deleted subject, however, to the condition that not more than 10 per cent of the boarders in any boarding home who are subsidised by Government should have their parents or guardians living within a distance of less than three miles from the boarding home.”

House-sites for Harijans in Bezwada taluk.

* 26 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether it is a fact that 114 Harijan and Harijan Christian families of Labbipet and Patamata village, Bezwada taluk, Kistna district, have paid at the rate of Rs. 32 per head as deposit money for a plot of 5 cents each during the months of November and December 1943 to the Labour Inspector of Bezwada for acquiring house-sites in N.T.S. No. 116 belonging to Valluri Keshavarao and S.R. Nos. 25/1, 25/2, 25/3, 25/4 and 22/1 belonging to the ryots of Patamata village; and

(b) if so, why the Government have failed to acquire the land so far?

THE HON. SRI V. KURMAYYA:—“(a) & (b) Some Harijan residents of Labbipeta, Isrealpeta and Patamata of Bezwada town, who are mostly workers in the tanneries in the vicinity applied for the acquisition of N.T.S. Nos. 88, 89, 116, 117, 119, 124 and 125 and R.S. Nos. 24, 25 and 119 for provision of house-sites. They also deposited a sum of Rs. 4,678 as initial deposits. The land applied for is included within the Town-planning Scheme of the Bezwada Municipality sanctioned in G.O. No. 1795, P.H., dated 12th June 1942 and the area is reserved for heavy industries and cannot therefore

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be assigned as house-sites. The land is also very costly. There is neither congestion nor danger of eviction in the case of these applicants. The area is also within the Municipality. The scheme of acquisition of lands for the provision of house-sites to eligible communities will not therefore apply in the case of these applicants and hence they were informed that the acquisition would not be proceeded with. Out of the initial deposit of Rs. 4,678, an amount of Rs. 1,472 was refunded to the parties, and the balance lapsed to Government as the applicants declined to receive the refunds in time.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“On a point of information, Sir. May I know whether this House has been summoned by His Excellency the Governor or by the Premier?”

MR. SPEAKER:—“By His Excellency the Governor.”

BEGUM SULTAN MIR AMIRUDDIN:—“Will you allow my two questions to be taken up tomorrow, Sir.”

MR. SPEAKER:—“The hon. Member may give her request in writing.”

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

V.—PANEL OF CHAIRMEN.

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

- (1) Abdul Hamied Khan Sahib Bahadur,
- (2) Sri P. Natesa Mudaliyar,
- (3) Sri K. A. Nachiyappa Gounder, and
- (4) Sri B. S. Murthi.”

VI.—GOVERNMENT MOTIONS.

(1) PUBLIC ACCOUNTS COMMITTEE.

THE HON. SRI B. GOPALA REDDI:—“Mr. Speaker, I move—

‘That with reference to rule 134 of the Madras Assembly Rules, this Assembly do proceed, on a date to be fixed by the Hon. Speaker, to elect nine members to be Members of the Committee on Public Accounts for the Third Session of the Madras Legislative Assembly.’”

The motion was put and carried.

MR. SPEAKER:—“In accordance with the regulations framed by me for conducting elections according to the principle of proportional representation by means of the single transferable

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vote, I fix 3 p.m. on Friday, the 19th September 1947; as the time within which notice of nominations for election to the Public Accounts Committee should be given to the Secretary. The nomination forms can be obtained from the Secretary. There will be an election if the number of candidates exceeds the number of vacancies, namely, nine. In that event, the date of the election will be announced on Monday, the 22nd September 1947."

(2) HOUSE COMMITTEE.

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

'That, under rule 152 of the Madras Assembly Rules, this House do proceed to elect six Members to the House Committee according to the principle of proportional representation by means of the single transferable vote in accordance with the regulations made in this behalf by the Speaker.'"

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, on this motion I beg to say a few words. In the first instance, I would have suggested that there was no need for constituting this Committee at all, because the Members are evidently not satisfied with the work of the Committee in the past. Secondly, it would be very much better if the functioning of the Committee is done either entirely by the Leader of the House himself or by the Deputy Speaker herself or departmentally and if all these alternatives are not acceptable and if it is considered that this Committee should be constituted, I would suggest that the Committee should consist only of lady Members of this House."

THE HON. DR. P. SUBBARAYAN:—"Sir, the hon. Gentleman has been long enough in the Legislature to know the practice that has been followed for many years. At the same time, the hon. Gentleman may also realize that we are in a period of transition and therefore things that might have been done cannot possibly be done, because we do not know how the province will be constituted when the new constitution comes into force. So naturally the Government of the day does not want to let this in with extra expenditure which may be of no value in the future. Therefore, everything being in a transition stage, I shall, as far as possible, try to meet the amenities and comforts of Members, but at the same time they should be limited by these considerations that I have mentioned."

The motion was put and carried.

MR. SPEAKER:—"In accordance with the regulations framed by me under rule 152 of the Madras Assembly Rules for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 5 p.m. on Friday, the 19th September 1947 as the time within

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which nominations of candidates for election to the House Committee should reach the Secretary. The nomination forms can be obtained from the Secretary. There will be an election if the number of candidates nominated exceeds the number of vacancies, namely, six. In that event, the date of the election will be announced on Monday, the 22nd September 1947."

(3) ELECTION OF ONE MEMBER TO THE CONSTITUENT ASSEMBLY.

MR. SPEAKER:—"I have to announce to the House the following:—

'Whereas a vacancy has arisen by reason of the resignation tendered by His Excellency Sri C. Rajagopalachariar of his office as Member of the Constituent Assembly of India elected by the General part of the Madras Legislative Assembly representing the Province of Madras;

And whereas a request has been made by the President of the Constituent Assembly of India for the purpose of filling the said vacancy;

Now, therefore in pursuance of the provision contained in clause (b) of sub-rule 6 of rule 5 of the Constituent Assembly Rules, I hereby—

(a) call upon the General part of the Madras Legislative Assembly to elect a member to fill the vacancy according to the principle of proportional representation by means of the single transferable vote, in accordance with the rules and regulations for the time being in force in regard to elections held by the Provincial Legislative Assembly; and

(b) appoint the following dates for the several stages of the election:—

* Nomination of candidates—Not later than 3 p.m. on Thursday, the 25th September 1947.

Scrutiny of nominations—2 p.m. on Friday, the 26th September 1947.

Withdrawal of candidature by candidates—Not later than 3 p.m. on Monday, the 29th September 1947.

Poll (in the event of contest)—Between 11 a.m. and 1-30 p.m. and 2-30 p.m. and 5 p.m. on Tuesday, the 7th October 1947 in the Chamber of the Returning Officer, Fort St. George, Madras.

Counting of votes—11 a.m. on Wednesday, the 8th October 1947.

* Nomination forms can be obtained on application to the Returning Officer, Fort St. George, Madras.

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"I have to announce that in exercise of the powers conferred on me by sub-rule (6) of rule 5 of the Constituent Assembly Rules, I appoint Sri D. K. V. Raghava Varma, Secretary, Madras Legislature, to be the Returning Officer for the election of a Representative to the Constituent Assembly of India by the General part of the Madras Legislative Assembly.

"Further, I appoint also Sri T. Hanumanthappa, Assistant Secretary, Madras Legislature, to perform, subject to the control of the Returning Officer, all or any of the functions of the Returning Officer at such election."

(4) AMENDMENT TO RULE 17 OF THE MADRAS ASSEMBLY RULES.

THE HON. DR. P. SUBBARAYAN:—"Sir, I move, under rule 142 of the Madras Assembly Rules, for leave to amend rule 17 of the Madras Assembly Rules as under:—

'For the word "Wednesdays" wherever it occurs, the word "Thursdays" shall be substituted.'

"This is due to the fact that non-official days in both Houses come on the same day and lead to difficulties and hon. Members have been feeling that a whole day is not given over to this Chamber or the other. Therefore, I move that Thursday will be a non-official day in this House."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, while appreciating the move of the Hon. the Leader of the House in bringing forward this motion, I would like to ask the Leader of the House to tell us that there will not be a session of the Upper House on that day, as otherwise we would only be given half a day."

THE HON. DR. P. SUBBARAYAN:—"I regret very much that I cannot answer this question at once, because it will depend on the exigencies of the situation."

MR. SPEAKER:—"Under rule 143 of the Madras Assembly Rules, I have now to read the draft amendment and ask whether the Hon. Member has the leave of the Assembly. The amendment is as follows: In rule 17, for the word 'Wednesdays' wherever it occurs the word 'Thursdays' shall be substituted. I wish to know whether the hon. Member has the leave of the House. (After pause.) Since no Member objects, I take it that the hon. Member has the leave of the House."

"Under rule 144 of the Madras Assembly Rules, the draft amendment is now to be referred to a Select Committee. Six members of the Select Committee have to be elected by the Assembly by means of the single transferable vote in accordance with the regulations framed in this behalf, the Speaker, the Deputy Speaker and the Hon. the Leader of the House, being ex-officio members of the Committee. One of the Members of

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the panel of chairmen is to be nominated by me as a member of the Committee. I fix 3 p.m. today as the hour within which nominations may be handed over to the Secretary.

"If the number of candidates nominated exceeds the number of vacancies to be filled in, namely, six, then there will be an election between 4 and 5 p.m. on Wednesday, the 17th September 1947."

(5) FOOD SITUATION IN THE PROVINCE.

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

'That the food situation in the Province be taken into consideration.'

12-45
p.m.

In moving this motion, Sir, I would like to inform the House that whatever statement I intended to make has already been submitted to all the Members of this House sufficiently well in advance. I hope that they have all got copies of the same with them. I wish to make only some corrections with regard to the figures that are latest regarding procurement and which will place the document on an up-to-date position. These corrections have also been circulated to the Members and these along with the statement already circulated will form the main speech that I intended to make. I therefore request the Members to begin discussion and take the statement as having been read."

SRI B. S. MURTHI:—"Mr. Speaker, Sir, as this is an important question, may I request the Hon. the Prime Minister to be present here?"

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I second this request, Sir."

MR. SPEAKER:—"The Hon. the Leader of the House is here."

THE HON. DR. P. SUBBARAYAN:—"Sir, all that the Members wish to say will be conveyed to the Prime Minister and he will also be present if the occasion demands. I think the Member in charge of Food is quite capable to handle the situation even in the absence of the Prime Minister."

SRI B. S. MURTHI:—"I do not wish to say that the Hon. Ministers are not capable of dealing with the situation. They are all competent and good men. I would however request the Hon. the Leader of the House to request the Hon. the Prime Minister to be here when an important question like this is being discussed."

MR. SPEAKER:—"I cannot compel a Minister to be present here. I have already said that the weapon is in the hands of the Members of this House, i.e., when the question of salaries of Ministers comes up during the Budget discussion. They may freely use that weapon then."

"Now I am going to allot 15 minutes for every Member who wishes to speak and the Leaders some more time."

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* **SRI V. I. MUNISWAMI PILLAI:**—"Mr. Speaker, it is a matter of great satisfaction that the Hon. Food Minister has made a detailed speech on the food situation. He has given in right earnest the position of food in this Province. It is needless for me to say, Sir, that the Ministers as a team have been to the various districts in the matter of procurement and from what we see they have done well. Though the Hon. the Prime Minister may not be in his seat in this House today, he has on several occasions, while he was in Delhi, approached the Hon. Member in charge of Food, Dr. Rajendra Prasad, and made representations as to the acuteness of the food position in this Province. It also fell upon me, Sir, to approach that Hon. Member of the Dominion Cabinet and place before him what will be the fate of the scheduled castes who are living in the various parts of this Province if they are not given sufficient food in time. It is most unfortunate that due to the war and other conditions, both in the matter of production of food in this Province and exports to this Province from other countries have been less and consequently the whole food position has reached a crisis. Sir, I know, as a matter of fact, in many of the districts where the surplus is found they could not be given because they were not given bonuses in due time but with the recent rules made by the Government both by way of bonuses and other facilities, I am sure that the procurement will reach the target figure so that the Province may not meet with a crisis.

"Sir, I would like to refer to one point that has been referred to in this report or rather speech, of the Hon. the Food Minister. Coming as I do from a rural part of this Province, suggestions have been made that the rationing must disappear. It will be a sad plight if the rationing system is slackened or abolished in any of the rural parts. In the rural parts, Sir, where most poor people, I mean the agricultural labourers and those who are engaged in textile and other mills, are living, if rationing is taken away, it will be a good opportunity for the capitalist to hoard up grains and sell them at a higher price. The poor men will become poorer not only in the matter of physical strength but they will practically be driven to a state of despair. So I plead, Sir, that on no account should the present system of rationing can be done away with. As a matter of fact, until the position improves and until we are in a better position to receive imports from foreign countries, rationing must stand. It is acknowledged on all hands that so far our Government have not made a proper planning for food in this Province. It is only recently that the Provincial Government got full control over its affairs. Sir, I was told that a big Conference of Agricultural Ministers took place in the month of August last year in Poona. There, I am told, resolutions were passed authorizing the Provincial Governments to bring in ordinances or legislation to curtail the money crops in their province. I want to know, Sir, whether our Government have taken that suggestion and have been thinking of bringing in legislation in this province to curtail the cultivation of price crops. For instance, I am told that wherever there is agrarian trouble, the people have

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given up the cultivation of paddy and have taken to the cultivation of such crops which could be done without much labour. This is a suicidal policy on the part of Government and I am sure the Government will bring legislation so that they can extend cultivation of paddy instead of these price crops.

"Sir, I find the Government have substituted potatoes for some portion of the rice ration. Coming as I do from the Nilgiri district which produces a large quantity of potatoes thereby supplying to the needs of not only this province but also of others, I may mention some facts. During the recent war the Government banned the export of potatoes to other provinces and also imports within this province without a permit, but this control was abolished on 1st January of this year. When the Government found a shortage of food in this province, they again brought this control over the potatoes. Sir, the potato industry is now undertaken by the hill tribes of the Nilgiris and also by the Scheduled Castes including the domestic servants who are mainly drawn from the Scheduled Castes. These poor people have taken to this as there is no other work for them after the Europeans left the district. Now, Sir, due to the unseasonal rains in the Nilgiris the crop that was got this year is much below the average that was got last year. Representations have been made to the authorities concerned that the position is very hard on the people. Potato is a crop that will not stand for many months. As a matter of fact, the main potato crops in the Nilgiris are grown only during the months of July to November and we have now got only two months and unless Government come to the rescue of these poor cultivators, they will be faced with a great crisis and they will be ruined. I have already made representations to the Hon. the Minister for Food that this ban can be lifted as far as this province is concerned. I find that the Government are proposing to give a subsidy for transport to the extent of 5 lakhs of rupees. What happened in the year 1942? There were only thirteen merchants who were selling potatoes in this city and as soon as the new ban came, the Government wanted these people only who were doing the business in 1942 and some of whom had left the trade but instead of increasing the quota to these people and also enlisting some of the other people who had come into the field, they have only taken the remnant of these thirteen people for doing this business. If there is a free movement from the Nilgiris to Madras and other districts and rural areas, I am sure, Sir, the poor people will be able to get sufficient supplies. It is not necessary for the Government to subsidise to the extent of Rs. 5 lakhs for transport but if they only allow free movement of potatoes from the Nilgiris to other places, they will save the expenses and there will be free movement to every nook and corner and supplies will reach all the poor people. So, Sir, I hope that Government will see that the ban on this important commodity of food is lifted so that there may be free movement to other places from the Nilgiris. Government can adjust their ban on export to other provinces in such

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a way that other people also get their food. I know, Sir, recently the Government ordered some 2,000 tons of potatoes to be sent to West Bengal and Bombay. We have no objection to their sending to those places but what we feel is that the Government must apportion a share to the growers and not to the big merchants who style themselves as 'A class merchants' and who are really big capitalists. I implore the Government to see that these poor growers get a reasonable price for their produce. I also want the Government to give them other facilities, such as fertilisers and other agricultural implements whereby they could increase their produce and also bring them better percentage of profits.

"With these observations, Sir, I hope the Government will see that some facilities are given to the agriculturists and also see that the rationing system in rural areas is not abolished."

1 p.m. MR. B. W. BATCHELOR:—"Mr. Speaker, the Hon. Minister for Food has given us a clear picture of the present difficulties. Certain striking facts emerge from his speech. The first is that the gap between production and needs, after allowing for natural increase in the population, is certainly below 15 per cent; it is probably not much more than 10 per cent.

"The next thing we learn is that methods generally successfully employed last year to meet a similar emergency, were not repeated in 1947 and the third is, of course, the failure to deal successfully so far with the emergency this year. The gap between production and needs is physically a small one and certainly within the capacity of the province to bridge if the right measures are taken. We are confronted with the immediate problem of an empty larder and we infer from the Hon. Minister that it is those very methods which were successful in meeting a similar emergency last year which are the main causes of the present embarrassment.

"The Hon. Minister has explained how the various bonuses and inducements offered at this time last year have led the ryots, very naturally, to expect that they have only to hold out now with the same happy consequences. Many believe that this is only a question of price, and given a fair price, the ryot will part with his grain. Those who think thus should define what is a fair price. Ultimately, they are bound to define it in terms of goods and services rather than of paper currency. They will be compelled to recognize that price is of less importance than of increased production not only of foodgrains but particularly of all manufactured products. In other words, we are up against the problem of inflation which the question of price alone has never yet solved and it is only with this background that the Government of India have so far resisted any increase in the price of foodgrains.

"Now, Sir, the failure to meet the 1947 emergency arises directly out of this factor and various other subsidiary causes, all of which found their place in the Hon. the Minister's speech.

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"If these difficulties arise in a bumper crop year of food-grains within two lakhs of tons of pre-war consumption, it is quite clear that the methods of procurement, leading as they do to speculative uncertainty in the mind of the ryot as to what he is going to get and now much he can screw out of the Government, must be wrong. It is also clear if this can happen when nature has been bountiful, that a lean year would spell catastrophe.

"It is better to realize that the problem of the immediate replenishment of the larder cannot be separated from the whole problem of food and that is a threefold problem. The first is the problem of food and that is a threefold problem. The first is the short-term problem of staving off starvation, the second is a mid-term problem of securing a better crop yield, and the third is the long-term objective of bringing more land under cultivation. The best hope comes from a vigorous prosecution of the mid-term objective of improving the yield. Any scheme which effectively raises production makes the best possible contribution to the disappearance of the immediate emergency of an empty larder. It also makes the best possible contribution towards the suppression of the blackmarket which, the Hon. Minister has informed us, is flourishing and, for want of public support, is a contributory factor in the failure of procurement.

"Now, Sir, what is being done to improve the crop yield? Surely, it cannot be beyond the capacity of the province, given a favourable season, to raise yields by 10 or 12 per cent. But we are not told how this objective is to be pursued. The Hon. Minister tells us that the Grow More Food Campaign has failed. This province has the advantage of an Agricultural Department staff with highly qualified officials and this House would like to be informed that a large proportion of their total energies are being harnessed and harnessed successfully towards ensuring the success of a new Grow More Food Campaign.

"Will it not be a better move on the part of the Government to award prizes in the form of remissions of land revenue to those villages or ryots whose production does in fact exceed a pre-determined level? Is it a practical plan for the Agricultural Department to supervise the application of fertilizers on a province-wide scale? Would it not be possible, and very much cheaper than the vast subsidies now being paid for food, to direct quite large sums of money towards the improvement of production using the resources of all those departments of the Government which can further this end? It is surely far better to spend quite large sums of money on the improvement of crop yield which will bring you results in 1948 than on the policy of catch penny bonuses which may have to be increased as season succeeds season.

"It is only the successful pursuit of this objective to raise crop yield that will save us in 1948 from a worse fate than in 1947 and if that near term problem can be mitigated, then only is it possible to devote more time, more money and attention to the vital long-term objective of bringing more land under cultivation without which this province and its people will never be properly fed."

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* M. V. HYDROSS SAHIB BAHADUR:—“ Mr. Speaker, after going through the entire paper very carefully, I am sorry to say that I have been left with the impression that the Government at present wants to shirk their responsibility of distribution of food stuffs. No Government is worth functioning unless it is able to provide food and clothing for the people. No doubt the food problem as it is to-day is one which is of an international character; but the Government shirk their responsibility which is not only one of distribution but also of production. The statement shows the manner in which food has been distributed by Government to the people at large but it does not envisage any scheme or rather any effort for making this province self-sufficient in the matter of food. I can even go to the extent of saying that it is the policy of this Government that had landed this province in this pitiable plight. Every one is aware that all the other provinces except Madras are supplying 12 ounces of rations to-day. Then why is it that this Government alone has not even given 10 ounces but eight ounces of food stuffs of different categories? I may tell you that the times are hard up so much so that we cannot envisage any scheme that may help to provide food for the people at large. I may tell you that even very small changes in the ration rules that exist at present will help us to bring more land under cultivation and it might serve to augment the food resources at our disposal. I shall give you an example; I shall give you some facts which I have gathered from enquiries I have made in one of the taluks of Malabar, namely, Ernad. Ernad taluk; I may tell you, Sir, is a very very deficit area in the matter of production of food stuffs. For 1946, in that taluk the area under paddy cultivation was 57,000 acres; but the area in 1947—I am speaking of figures as on August 1947—is only 55,000 acres. You will see there is a fall of 2,000 acres for the year 1947. It is on account of a small rationing rule that we find ourselves reduced to that position. There is a category of agricultural tenants who are called petty cultivators; these are the persons who cultivate the lands and most of their holdings are below one acre. Now according to the rules, they have to supply the paddy they produce either to the jenmi or to the nearest depot. You know, Sir, even in 1945, these people were permitted to appropriate the paddy they cultivated towards their own rations and it was not compulsory for them to supply the paddy to the jenmi or the depots. The result is—I have made some enquiries about the cost per acre which according to my estimate is about Rs. 87—that he is not so enthusiastic to spend this amount and hand over the rice to the jenmi or the depot. If it is a matter of growing his own food for himself, he may with some difficulty try to cultivate the land and keep the paddy for his own use. But on the other hand, if he is to spend Rs. 87 for cultivating one acre of land, and supply it to the jenmi or to the depots, he feels he can as well keep quiet when his food is guaranteed and he can get his eight ounces all right. Now, on account of this about 2,000 acres are lying without cultivation in one taluk of Ernad. I have made a commutation of the probable yield from these 2,000 acres and according to me it will

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be about 20,000 paras of paddy which may come to about 10,000 tons of paddy. This I give as an example of the failure of Government to meet the contingency and cope with the position. Their policy has been one of trying to milk a dry cow, a cow which cannot yield any milk at all. The procurement scheme is there and they want to procure and not to cultivate. We have heard that the Ministers have been going round and anyhow there is some effect on account of it but it is only a question of milking the dry cow. As I have already suggested they should try to see that people cultivate more; they should devise some scheme for the cow to yield and then milk it. It is on account of these small rules, small circumstances that we have been deprived of our needs. I shall give you another example. There is in Malabar what is called the punam cultivation; this is done in hill tracts and forest areas; the agriculturists who cultivate in the hills live there for about three months and after attending to cultivation and harvesting they come down after the paddy is harvested. On account of the present rules applicable to these cases also, the agriculturists are not going up and they do not cultivate. The result is that we are losing a considerable portion of the paddy yield out of this punam cultivation. If we will simply record the figures relating to the rent collected by Government for some three or four years out of punam cultivation in Malabar, those figures will convince you that now the whole thing has come to a standstill on account of the rule that labourers have to be paid in cash and the paddy has to be supplied to the depot. In punam cultivation what is being done is that the agriculturists take their own servants. They are given a portion of the paddy as their wages. They take it and they appropriate it. Paddy is bought either by the actual man who is in charge of cultivation or by the jenmi. The whole system is now at a standstill. There is no cultivation whatsoever. Sir, these are some of the examples I give. It is not so much of distribution, but it is the policy of production that has brought about this state of affairs. Therefore, I would say that the time is up, that we cannot lose a moment, and that we cannot shirk our responsibilities. When once we promise food for all, we should carry on the work whatever be the circumstances. At this particular time, we say that we are going to abolish rationing in rural areas. The result will be that a large number of people, will have to suffer or die of starvation, their resources have been almost completely exhausted. There is no paddy at their disposal. There is nobody to supply them, and unless Government go to their help, these people will have to suffer and die.”

1-15
p.m.

* SRI T. VISWANATHAM:—“ Mr. Speaker, Sir, I just want to say a few things on this subject (A voice: ‘ You can say as many as possible.’) In a monograph published by Mr. S. Y. Krishnaswamy under the authority of this Government, certain figures have been given as regards the population and the needs of this Province. While the estimated population of this Presidency is put at 50 millions, Mr. Krishnaswamy has reduced that figure in terms of adults, to 38 millions and 24 thousands and odd. For

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this adult population, allotting at 28 ounces per head he has calculated that the population that require millets and are subsisting on millets are 10 millions. The balance of population, according to him, that should depend upon rice as their staple eating material is 27 millions and 93 thousands. In that monograph he has given the *per capita* requirement of rice as 24 ounces. On that basis the requirement of rice for the Province is put as 6,827,000 tons. We are not having 24 ounces. We are having only 8 ounces now. Even assuming we require that 12 ounces ration is to be distributed, we would require only 3,415,000 tons of rice, whereas the estimated production is put as nearly 5 million tons. These are very extraordinarily confusing figures published under the authority of this Government. In the figures published by the Food Minister, it is said that this is a deficit Province, but we also say that under the existing system of rationing, there will be no deficit. There is something wrong somewhere. This you will find from the figures which have been given on page 9, and then again in the correction slip. I have added another column to the statement, that is population of the districts. East Godavari has got a population of 2,161,000. In the correction slip production of rice is given as 313,000 tons. In 1945-46, 120,735 tons have been procured. That is 93,000 tons for a population of 21 lakhs in East Godavari. Now let us go to the last item of the statement. The last item is Tanjore. Production of rice in tons is 572,000, and 283,492 tons have been procured in 1945-46. That is to say 2.89 lakhs of tons were left for 25 lakhs of people. As I have said already, 93,000 tons of eating and all other purposes have been left for a population of 2,161,000 whereas 289,000 tons have been left in Tanjore for a population of 2,500,000, just four more lakhs of population than in East Godavari. You will also find that 92,000 tons in East Godavari, 92,000 tons in Kistna, 74,000 tons in Guntur, and 44,000 tons in Nellore districts have been left. This was the position. Recently some questions have arisen. The Food Minister also was pleased to give us a view of the necessities of labourers. Assuming for the moment, and also forgetting that the Food Minister has got other sources of income, according to the figures he has supplied in the newspapers, practically out of the produce from his farm he took for himself and his labourers nearly 50 per cent, whereas in the districts of East Godavari, Kistna, Guntur and Nellore, only about 33-1/3 per cent had been left for the producer. These are certain basic facts which this House has got to take into account in considering any remarks that might be made either in respect of a particular region or against a particular district. I would not have mentioned these things but for certain remarks in a paragraph which are specially directed to the four delta districts of East Godavari, West Godavari, Kistna and Guntur. In paragraph 11, referring to the cause of retardation in procurement, the Hon. Minister has stated—

'There were other causes too that retarded procurement. The village committees in general showed themselves incapable of considering the needs of areas outside their own villages and invariably underestimated the surpluses for procurement.' . . .

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I would have been very glad if the House were given information as to any complaints from Tahsildars, Deputy Collectors and Collectors that these village committees were unhelpful. I wonder whether, from my own district of Vizagapatam, there is any report before this Government from any Collector or Deputy Collector or Tahsildar that these village committees were unhelpful. On the other hand, I know they were very helpful, and most of the Tahsildars were very glad that these committees which came into existence were from the people and were for the people. Particularly in Vizagapatam district, I know that there was absolutely no complaint against these food committees. The next cause is put as—

' . . . There was a general failure of millets in the upland areas of the Circar districts and rice was smuggled to those areas and sold at very high prices. . . . '

From the pronouncements of Hon. Ministers who recently toured the southern districts, it did not appear that smuggling was the monopoly of the Circars only. Again in the same paragraph it is stated—

' . . . People in those areas could afford to pay heavy prices as they were making large sums of money by raising industrial crops like tobacco. It is not possible to say how much rice was lost for Government procurement in this way, but there is no doubt that it was considerable. '

You will see from the figures which I have read in the beginning of my speech that much was not left to the producers, and there was not much for procurement either. Again it is said—

' . . . This black-market is reported to continue to flourish in spite of official vigilance for want of public support. '

It looks as if this black-market goes on only in the four Circar districts. But, I believe it exists everywhere, throughout the Province. From what I have heard from members in our party meeting the day before yesterday, and also from several speeches of Hon. Ministers themselves, I believe this black-market is everywhere. To continue the quotation—

' . . . Last, but not the least, the newly-formed Producers cum Consumers' Societies in the Circars were not pulling their weight in procurement as they were new to the business. '

This, I submit, Sir, is a very unmerited remark. As a matter of fact, this Government have appointed a committee to enquire into the working of these societies. It is for the Hon. Minister to say how he concluded beforehand that these societies were not pulling their weight. We will be very glad to have some information. In their weight. We will be very glad to have some information. In East Godavari district they got these societies licensed on the 5th February. In Kistna they got the licence to start procurement work on 15th February. In Guntur they got it on 5th March. But in those days, hon. Members are aware, there was some political cloud hanging over this Province, and within those 15 or 20 days it was really not possible for these societies to start any work. Therefore, how can it be said that these societies did not pull their weight? Where is the evidence? Of course the Hon. Minister was pleased to say that procurement by the societies in the districts of East Godavari and West Godavari was not bad, but it

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was bad in another district. I have already shown that there was really not much left in the hands of producers as the previous years showed. There was not much to be procured at all. The targets were fixed too high, and the gap was made to look high. The figures were simply puzzling. Therefore, I submit, that in the light of the figures given by the Hon. Minister himself these remarks do not seem to apply to those districts.

“ Sir, there has been a talk of abolition of this informal rationing. This is not a very easy question. Those who come from surplus areas who are bothered with the ration system say that this informal rationing must go, while those who come from deficit areas say ‘ we do not feel that we can look in the same way as you do.’ It is always a question of difference of outlook between ‘ haves ’ and ‘ have-nots ’, whether in this field or elsewhere. Those who grow want something and those who do not grow want something else. This rationing system must, in my humble opinion, be made more perfect rather than be abolished.”

MR. SPEAKER:—“ If the hon. Member can finish in one or two minutes, he may continue. Otherwise he will continue after lunch.”

SRI T. VISWANATHAM:—“ I shall continue after lunch, Sir.”

MR. SPEAKER:—“ The House will now rise and meet again at 2-30 p.m.”

(After lunch—2-30 p.m.)

MR. SPEAKER:—“ Mr. T. Viswanatham will continue his speech.”

* SRI T. VISWANATHAM:—“ Mr. Speaker, Sir, I was dealing with paragraph 11 of the Food Minister's statement. I was trying to point out that certain things which are said with particular reference to the Circars districts are not quite charitable. It is also said in the statement ‘ this black-market is reported to continue to flourish in spite of official vigilance for want of public support.’ What is the sort of public support Government expect from the people and which the Government do not get? I really believe that the public are only anxious, very anxious to support Government. I do not know how it has entered the mind of anyone to say that the public do not want to give their support to the procurement drive. All people are equally anxious in this Presidency about it. There is no territorial distinction, there is no linguistic distinction in the question; all these distinctions are there only in the minds of somebody. Now, what is the correct way of assessing, whether public support is there or not? The House may remember, there were complaints, quite a number of complaints, during the last debate on the food question on the floor of this Assembly, that it was the officials, who were not vigilant, when the public were anxious, when the societies were anxious, when everybody was anxious to help procurement as much as possible.

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Moreover, there is no particular point in always accusing the public. What is wanted particularly at this moment when we are in a great fix—there is no use of casting the blame upon one or the other—is the straight and reasonable course of commending all measures of Government for the wholehearted support of the public. I assure, Sir, the public in the Circars districts are equally anxious to help this procurement business as much as anybody else. Government should take into consideration certain economic factors common to all producers, and not simply blame a particular region. I have already submitted that all the available stock in the Circars was procured in 1945-46, and those very figures have been repeated for 1946-47. Therefore I submit in all humility that those remarks are not justified.”

MR. SPEAKER:—“ The hon. Member has exceeded his time-limit.”

* SRI T. VISWANATHAM:—“ I am sorry. I will finish very soon. I say, we are equally anxious that this black-marketing operations should be put down. In order to put down black-marketing, for example, I would not do certain things; I would not intercede on behalf of any black-marketer. I am a member of this Assembly; I know there are certain people who have a reputation for hoarding and I would not intercede on their behalf. The officers also should be certain that if they catch hold of black-marketers, somebody would not intercede on their behalf. The officials should have that certainty. And then we should not in our conduct encourage these black-marketers and those persons who have hoarded and continue to hoard all the available rice. It may be due to several factors. For example, certain people on account of procurement agency which they have obtained from Government are in a position to take a good lot of surplus paddy which is not brought into Government accounts, either in the procurement accounts or ration accounts. Therefore I submit, if I go and always put up as the guest of a procurement agent as some Ministers do, how can the black-marketer be put down? I am not saying this by way of criticism. As a humble submission to Dr. T. S. S. Rajan, I may say, when he went to my district, he was the guest of the District Superintendent of Police. I know he has a right to choose his own host; and there is nothing wrong in it. I have no doubt the District Superintendent of Police is an excellent man by himself. But when we speak of public co-operation and when Dr. T. S. S. Rajan is the guest of the District Superintendent of Police it will be somewhat difficult for the public to be with him. Once more I submit, it is not by way of criticism I am saying this. But certain things create a particular kind of atmosphere. As Members of the Legislature we should not do certain things, on account of which it will be possible for these hoarders and blackmarketers to say; ‘ I can do this and I can escape with impunity, because I have somebody to intercede on my behalf’. In saying this I do not want to wound the feelings of anybody. I only say this, because there are certain things which we should not do.

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"Only one word more. While talking of co-operation we should not talk of force. I know all Government is based on force. But that is not the point; it must be really run with the willing co-operation of the people. The moment any Government says, 'we shall use force' it will be an occasion for overzealous or the low-paid official to play the tyrant in the village area. As a matter of fact, for the procurement purposes the tahsildar does not go alone. If he goes to a village by himself for procurement he will get something. But when he goes with reserve constables, all the trouble begins. These things must cease. For the information of the House I may say in this very Fort St. George, about two hundred years ago an incident happened. There was a famine then in the city. Ships from Ganjam and Vizagapatam did not arrive with the required quota of rice. Then immediately prices shot up; and then Government controlled the price. As soon as that was done rice disappeared. When rice disappeared Government sent their Police officials, and when the Police officials went there, there was a row, nothing could be done, and then Government had to make peace with those persons. Therefore this force will not avail. It is an appeal to reasonableness and co-operation that will succeed. The public from Vizagapatam in the north down to Tinnevely in the south, right through the Presidency, are absolutely prepared to co-operate with every officer of Government."

MR. SPEAKER:—"The hon. Member has far exceeded his time-limit. Mr. Raza Khan will now speak."

SRI T. VISWANATHAM:—"I am sorry I have exceeded the time-limit."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, I understand this statement was drafted by the Hon. Minister for Food a fortnight before, if not earlier. Therefore it would have been much better if he had given some more information about food when he initiated the debate this morning, particularly the latest information so that we might have more information at our disposal for the debate. Well, Sir, I feel at least when replying to this debate he will give us the latest information."

"With regard to the statement itself, I am sorry to say—not that I want to cast any aspersions—it only gives us a very brief history of the conditions which existed before or a few months back, and does not contain any suggestions or remedies. We are not concerned with the past; for, we know what the past is. What really matters to us is, what the Hon. Minister is going to do to remedy the situation. We want to know what are his remedial measures. When we have gone through the whole statement we do not see any clue in it. I think in the last part of the statement he has given us some suggestion. I may draw your attention to the last paragraph where the Minister admits that the Grow More Food Campaign has not increased the yield of food crops. Why is it so, in spite of the fact that the Government has

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been doing its best—not only the present Ministry but the past Advisers' Government have been spending a good deal of money. Why is it that in spite of so much efforts and money spent, this campaign has not helped us to raise more food crops in this province? It is the duty of the Hon'ble Minister to enlighten us. Then the Hon'ble Dr. Rajan speaks of increase of population. It is a natural phenomenon and nobody can prevent it. You have yet to find a remedy for it. I agree with him that it is a deplorable thing particularly for an agricultural province that our presidency should be going about asking for alms or doles either to the Government of India or other Governments. It is the duty of the Minister to find out where the real mistake is, so that our people may be able to prevent it from becoming an annual phenomenon. Last year we had to face a similar situation, and then, at that time, nobody thought we would have a similar situation this year. There are a number of common remedies for this food problem. One remedy is outside help and public support.

"Well, Sir, as far as our party is concerned, as we have said last year, we are with the Government in this problem, and we are ready to give every support and help and co-operate with them in every possible way, so that we may face the storm because this is a matter which has nothing to do with local party politics and because our procurement policy is intended to protect our people."

"Well, Sir, a number of points have been raised by this statement, and the most important point is, why procurement has failed. I think the Hon'ble Food Minister admits, there is enough food in this province. Why is it you have failed to procure it? Is it because you have fixed your target figure too high?"

"Some figures given for the year 1945 show that you could procure more than the target fixed. When that was so, how is it that you have failed? One of the reasons given is that in view of the high cost of living, in view of the increase of prices, our producers want that they should get the price of rice properly fixed. They feel that the prices fixed and paid are not proper and are not equitable. Therefore they feel that better prices should be given. The Hon'ble Minister has in his statement stated that while he himself feels that there is some justification for our producers to demand a higher rate, he could not do it because the Government of India are not prepared to allow it. Well, I may say that it is not the mere concern of the Government of India. This is a problem which affects our province. If there is going to be a storm, it is we who are going to suffer and not the Government of India. Sir, I am not saying this as an aspersion on the Government of India. The statement admits that there is some amount of reasonableness for increasing the prices. When that is so, it is the duty of the Government to persuade the authorities in the Government of India at least to allow our Province to give higher rates, because when it is reasonable it should be done."

"In this connection I may invite your attention to one point. We see that the Provincial Government and the Government of India are spending large sums of money in purchasing foodstuffs."

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from outside. They are subsidised to the tune of crores and crores of rupees. I make pointed reference to the fact that you pay more for the food which you purchase from other provinces. The other day there was a reference in the Press that you pay double the price for the foodstuffs from Bombay whereas you pay only half the price to the growers in our own Province. Therefore when you are paying greater prices for the foodstuffs imported from foreign countries, I ask what prevents you from giving at least a reasonable margin to our growers. When they have got such a good case, it is for the Government to solve the problem. In this critical situation let us not simply stand on formalities. Our main concern should be to produce as much as possible and to see that we face the storm; and if it can be done by giving an increased price, I appeal to the Hon. Minister to consider the matter very seriously and see that better prices are given to them, so that we may procure as much as possible.

"The other point is about our Food Committees."

THE HON. DR. T. S. S. RAJAN:—"On a point of information, Sir. I may inform the hon. Member that the Provincial Government never paid anything extra for the imported grains. The Government of India only charges us the basic price and whatever is given, is given by the Government of India."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"I am sorry, Sir, that does not meet my point. Whether it is paid by the Government of India or the Government of Madras, it is paid. When it is paid to an outside agency why should it not be paid to our producers? That is my point, Sir."

"With regard to the other point, Mr. T. Viswanatham has really very much supported the idea of continuing the Food Committees. Well, Sir, I really appreciate the stand of the then Government on these Food Committees, the Village Committees, the Taluk Committees and the District Committees, who were to help the Government and their officials in procurement. I do not like to cast any aspersion on them, Sir, but with the little knowledge which I have by way of touring my constituencies and some other places, I dare say, that these committees, instead of being any help to the Government, particularly in the matter of procurement, have been a real hindrance to the Government. I say this, because, whenever the local official, be it the Tahsildar, the Taluk Supply Officer or the Revenue Inspector, whoever he may be, prepares an estimate that, say, 500 tons could be procured, immediately the President of the Food Committee intervenes and reduces the estimated target to 200 tons, if not less. Instead of being a help to the Government, particularly in the matter of procurement, they have really been a sort of impediment. Therefore, it is time that the Hon. Minister, now that he has referred that matter to the Provincial Food Advisory Committee, which has been recently set up, goes into this matter fully, and if he feels and if he is really convinced that these committees are not a help to the Government, it would be better for the Government

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to abolish these committees once for all, the sooner the better. I do not say, Sir, that they should be done away with completely. Instead, we can have District Food Advisory Committees, so that we may help the officials. I do not cast any aspersions on the people of the villages who really want help. What I want is that they should not hinder the officials, because they are performing a very delicate task. It is rather difficult for these Village Committees which are full of factions and trouble, to help in the matter of procurement, particularly in a few districts.

"Sir, I shall touch another point and it has been rightly stressed during the past half-an-hour debate, I come to the point about the future existence of the producers-cum-consumers societies. Sir, this is a particularly long name and we are apt to forget. I shall say the producer societies. Sir, we have stated at the very outset, at the time when we were passing through a very difficult period, that it would not be right for the Government to experiment it. Co-operative measures may be very good if they are done voluntarily by the people. But these societies were merely forced by the Government on the people. I may compliment Dr. Rajan at least to this extent, that when the food situation was very critical in Guntur, he abolished those societies and allowed the usual channel, the millers to do the work. Sir, this had to be done, because it was not possible for these societies, which were formed only the other day with their limited capital and with no trained personnel to do the particular task of procurement, to do this procurement work, with the result that these producer-cum-consumer societies have really failed to perform their task. Therefore it would be quite right on the part of the Government, particularly when a committee, as has been pointed out, could not do its work, to say, that they have not done their task properly and I believe it will be quite proper for the Government to close down those societies and entrust their work to ordinary channels.

"In the last part of the statement the Hon. Minister has said something about rural rationing particularly in the surplus areas. Well, Sir, I entirely agree with the Hon. Minister for Food that it would not be possible for our Government with their limited finance and also with their extension of the Prohibition Scheme (with eight more districts to be introduced this year) to spend year after year crores of money on its food policy. But now, for the present, I may say that the situation is really critical. The idea is really very good that city rationing or rural rationing in surplus districts should be abolished so that the Government might concentrate only on the deficit districts. While I admit the principle is right, now when things are not normal and when things will not return to normal for sometime, I think we should not give up rural rationing in those districts and areas.

"I do not like to take much more of the time of the House, Sir. I shall speak for a few minutes more and then I shall conclude my speech. In all these matters we have seen a good deal

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of controversy in the press. As I have said earlier, the Members of our Party, particularly the Muslim League Party has had little to do with it. Just now the speech of Mr. T. Viswanatham was a little bit different from what it ought to have been. Blackmarketing is going on. I am sure the Government will never tolerate blackmarketing whoever might be the culprit. Sir, it concerns the question of food. We must face the realities. You have got to get your food particularly from the surplus districts, in the Tanjore district, or the Circars, the East Godavari, West Godavari and the Kistna districts. Sir, we have a popular Ministry. We have been elected by the people and it is not right on the part of the Government to simply say that force will be used against the blackmarketers. I could understand that coming from the Advisers' Regime. I cannot understand the statement, as reported in the Press the other day as having been made by the Hon. the Premier, while he was speaking at a place in Tanjore—Sir, I do not remember the place—that if there is not going to be any satisfactory result in procurement from a part of the Province, the Circars, he would use force. I do not understand such a statement from one in the position of the Hon. Premier. It is their duty to use persuasion. Sir, instead of going to Tanjore, he could have gone to the Circars and appealed to the big dealers and millers and producers to part with their paddy and persuasion would have succeeded, much more than whatever force could have.

“Another thing, Sir, and I am done. When there was a threat of famine in another Province, the Government of India went to their rescue. They helped them to the maximum extent possible. How is it, Sir, that the Government of India seem to be so indifferent? They may not have enough stock at their disposal. But the real point is whether they have given us enough. Have they given us sufficient? What were our Ministers doing when they had been to Delhi? Have they convinced the Government of India, particularly the Food Minister to the Government, about the seriousness of the situation in our Province? I would like to know from the Hon. Minister as to what was the result of his representation. I would like to know from the Hon. the Premier in what way he represented to the Government of India the seriousness of the situation, particularly to the Food Minister.

“Sir, Mr. B. S. Murthi raised a very important point. I think the Hon. the Premier should be present in the House when such an important debate is proceeding. I quite understand that Dr. Rajan is responsible for the administration of Food and he is going to reply. Dr. Rajan is only one of the Ministers. Sir, it is but right that the Hon. the Premier ought to be here to see what are the feelings of the people both on that side and on this side of the House and also to participate in the discussion and give us something concrete as to what steps he has taken and also as to what steps he will be taking in the future. Sir, the Premier's place is here. It is not enough for him to occupy the place in the office leaving the Assembly here.

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“Sir, I do not like to take up more of the time of the House because you have allowed only 15 minutes. Surely . . .”

MR. SPEAKER:—“The hon. Member has only one minute more.”

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“Well, Sir, even now it is not too late, even now I appeal that we all put our heads together and come to a decision. I feel, Sir, it is not worthwhile for us to continue to be Members of the Assembly if there is really famine in the Province, and it would not be worthwhile for Dr. Rajan to continue to be Minister for Food when there is going to be a famine in the Province. The remedy has to be sought and it should be done. Otherwise, better we resign and leave this Assembly.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“May I know how long this Hon. House will go on, Sir? I want to know the programme of work and the number of days the sittings will take.”

MR. SPEAKER:—“I consulted the Hon. Leader of the House as well as the Leader of the Council and the Hon. President. We came to the conclusion that to-morrow the Assembly will sit for half a day in the morning, the day after to-morrow for half a day in the morning, i.e., a non-official day. Thursday is a holiday for Vinayaka Chathurthi. On Friday, we will work the whole day. Saturday (penultimate Saturday), the Council will work. Sunday is a holiday. On Monday the Council will work. From Tuesday till the 29th the Assembly will work.”

* SRI K. R. KARANTH:—“Sir, while there has been in this part of the country scarcity and eight ounces rationing, I would like to bring to the notice of this House how rationing has broken down in my district for over a month now. It broke down once in the month of June and I wrote to the Hon. the Minister for Food and also to the Hon. the Premier but I was sorry to find that they had no time even to acknowledge the letters. Later on practically in the whole month of August and till now, the moment I am speaking, lakhs of people in my district have been starving for days together. (At this stage the Deputy Speaker took the Chair.) How has that been brought about? Madam, I will place before you certain pictures which are not to be found elsewhere because I find there is a discussion going on in the papers whether force should be used or should not be used.”

AN HON. MEMBER:—“Only in the Andhra!”

* SRI K. R. KARANTH:—“I do not know whether it should be only in the Andhra or elsewhere but it is in a discussion stage still. Madam, I will tell, how in my district, procurement is made from growers with force for the last two months.

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With the aid of the Police whatever the people had has been taken away. There seems to be a feeling that if it is rural rationing the Government owes no duty: the rationing may break down and the Government can sit quiet. I will leave it to the House to decide and to judge whether that is the proper attitude at all to take. What has happened is this. What happens in the name of procurement is simply to pile figures upon figures. The drive is given from Fort St. George or the Board of Revenue: 'More Procurement.' It is not the people who have got anything to give who are seriously affected, but the poor kisans and the cultivators. The procurement officials have gone house to house and taken away all that they have to eat in the last two months. Nowhere else in this Province has such a thing taken place. If a man had two maunds of paddy he was asked to give one maund or both the maunds and take a ration card. Procurement figures pile up but at the same time, ration cards also pile up. The poor grower is asked to give almost everything. When it is a case of big people it is said: 'So much for farm labour, so much for seeds and so on,' but there is no such thing in the case of the poor growers. He must give whatever he has. I shall quote chapter and verse to show what the position of the poor cultivators is. In the last three or four weeks there have been places in my district where the poor people have not had anything to eat for more than three or four days a week. I will give three or four actual instances. There is a village called Alike near Puthur. The total population is 2,450. Nine hundred and twenty-seven people who are not cultivators are given A cards, and B cards are given to 678 people who are cultivators. They together form 65.5 per cent of the population of the village. The remaining are landholders who are given permits. The people who have been given ration cards A and B have had only 32 ounces a week during the last one month. It works out to eight ounces for four days a week and for the remaining three days they have nothing to eat. Everything has been taken from them under threat of force or compulsion and they are left to themselves. I ask, Sir: 'Is it a more sacred duty to feed the townspeople at the cost of the people living in the villages? Is this the kind of help that you are giving the cultivator?' In another village Peruvai, the total population is 1605, the non-cultivators number 627 and the cultivators number 841. These amounting to 92 per cent of the people of the village have been reduced to taking ration cards. Procurement figures go up, but if 60 thousand tons are procured 30 or 40 thousand tons are given back to those who grow it by ration cards. The ration given to the people in some villages is only 32 ounces a week and in some others 40 ounces a week. This means food for three days in some places and for four days in others. There have also been places where the depots have failed altogether and for even a week people have not had any food. Some rich people have given the poor people a maund or two of rice with which to prepare a kanji and in some places they have eaten roots from the neighbouring jungles. With regard to procurement, it has been said that there is some trouble in Andhra districts and in Tanjore. But I wish to give

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the figures for South Kanara. From 1st November 1946 to 31st July 1947 the procurement has been 52,340 tons and for the corresponding period in the previous year it was 52,587 tons. There is barely a difference of 200 and odd tons. Madam, I was therefore surprised to hear from the Hon. Minister for Agriculture after his tour in Malabar, as reported in the *Hindu* of 9th September that South Kanara has failed to give nearly 8,000 tons and that the weekly off-take is only 750 tons. I do not know wherefrom he got those figures. The figures I have given were supplied by the Hon. Minister for Food at a recent meeting of the Food Council. The weekly off-take is not less than 1,300 tons, if not a little more. The above procurement has been achieved in spite of the fact that according to official estimates the production last year was worse than in the previous year. We have not merely to see the beauty or magic of the figures, but we have also to see the actual sufferings of the large body of people who are growers. The grain has been taken away from them. If they are rich men who have surplus, I should not complain and waste my sympathy on them. I have no doubt that if people have got a surplus and if they hoard, the State should use force. I cannot agree with the statement that we should stop with the persuasion only. Persuade by all means, and try to take the people with you in your measures but where, in the last resort you find that it is of no avail, and you find the people starving, force has to be used. But it is the reverse that is the case in my district. The poor people who are helpless have been forced to give what they have. I will mention the difficulties they have to undergo. The entire bulk of the cultivators have been reduced to this position. What they have got they have to carry for 5 or 6 miles. The villages in South Kanara and Malabar unlike those on the East Coast are scattered and spread all over the districts. They are not concentrated in one place. The growers for whom so much sympathy is shown, has to take his paddy on his head for 5 or 6 miles and wait at the store at the sweet will and pleasure of the depot-keepers there. There he has always to give much more than the proper measurements. If it is 42 seers for a mura (nearly a maund) he should give 44 or 45 seers; otherwise the man at the depot would say he has no time today and the poor grower would have to go home and come back again. There he delivers his rice at Rs. 9 or Rs. 10 a maund. After that is over, and after three or four months, he has to take his ration card and walk 5 or 6 miles to take Sind rice at Rs. 12 or Rs. 13 a maund. When he takes the rice, the measure becomes less. That is the hardship suffered by these poor people. What is the result? This so-called Grow-More Food Campaign is only on paper. In my district, lands have been taken by rich people. Recently I saw even a road poramboke leading to a travellers' bungalow and which had a fine avenue trees planted by the old Mysore Rulers, taken up under the guise of Grow-More Food, in the hope that the land would be assigned permanently on some future date. Their only idea is to get these lands and nothing more. It may be that in some districts people have spent some money to grow more food, but that is not the case here.

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"What is happening now, when you make the life of the grower a burden to him, is this. There are two distinct results. The first is less and less intensive cultivation and hence less output of food. The second is that the grower is stopping growing paddy and is taking to growing commercial crops like sugarcane. Why should the farmer grow paddy if he is to give what all he grows and take a B ration card? I do not know why the Hon. Members on the Treasury Benches should have so much sympathy with the sugarcane growers who get about Rs. 1,000 an acre. The grower of paddy supplies the food which is necessary for the people. Sugarcane is of course necessary, and many farms grow it. Assess them at Rs. 50 or Rs. 100 an acre and reduce the acreage under it. Take coconut. As you pass through Malabar you find that the extent under coconuts is increasing year by year. Malabar does not produce more than three or four months' food for the district. Every other district will have to grow food and send it to Malabar. But day by day, paddy lands are being converted into coconut gardens, because coconut fetches more income than paddy. They expect the people of the other districts to go on starving so that coconut may be grown in Malabar. The same is the case with regard to areca, groundnut and other cash crops in other districts. I ask is there any distinct policy in regard to all this? I heard, Sir, hon. Members sayings that the food position will be eased after two or three months. I hear hon. Members on the Treasury Benches give the impression that if 300,000 tons are procured the trouble would be over. Nothing of the kind will happen. Day after day, for the next two or three years famine is going to be with us in a more and more severe form, if only we have got the eyes to see the problem properly. I find, Sir, that throughout the Province without any control people are taking to tobacco, sugarcane, groundnut and so on and giving up paddy partly because the former give them more money and also because of the positive ill-treatment and harassment on the part of the procurement officials. The grower is treated like a thief or a robber. I know of supply officers telling the growers: 'Let your fields go to dogs. . . . Don't grow paddy next year; you give us what you have now and take a ration-card.' If the Hon. the Food Member has got the time, I would take him to my district and show the position to which the grower has been reduced in the name of procurement. There is no charm in mere figures. If you get the thing from the rich people by all means get it from them. But what is happening is, generally, I do not mean to say in all cases, some of these gentlemen are able to evade procurement. The supply officers and the village karnams connive at them. Unfortunately the officers have no sympathy for the poor people. The pronouncements made by the Ministry since they took office and their actions have been such that the impression has gone abroad that they stand for the interests of the merchants and landlords, and not for the masses of the people. That is the unfortunate position.

"With regard to the village committees, I have also gone carefully through what these village committees are doing. They

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are not such a bad lot as one of the previous speakers tried to make out. They were formed in haste. The Tahsildars were given orders that things should be done without sufficient time to them. Let us not therefore blame the village committees for reduced procurement figures. The lists of procurement were given to some of the committees long after the harvests were over. In some cases they were given just ten minutes to verify the lists and the lists had simply to be approved. These committees have never been given a chance to work and in many cases wherever they have been given a chance, they have worked well. It is true there are factions and cliques amongst them but where have there not been factions and cliques? They are everywhere—in this House and outside also. Therefore let us not blame them for this.

"My Hon. Friend, the Minister for Local Administration, has been talking of panchayats and of entrusting them with more powers. The members of the committees are the very people who will be on the panchayats and you will be entrusting them with more powers. Therefore why condemn them? The figures of procurement estimated by the karnams should not be taken as absolute as it is done to-day. The procurement should not be made to depend on the sweet will and pleasure of the karnams. To-day no higher officer has got the time and patience to check the karnam's figures. The Board of Revenue figures are the karnam's figures. Therefore if it pleases the karnam, he puts one figure for procurement in the case of one man and another figure for another man."

• THE DEPUTY SPEAKER:—"The hon. Member has out of minute more."

SRI K. R. KARANTH:—"I request you to give just two or three minutes."

"I will only say that these estimates of the surpluses have been arrived at random and in a reckless manner. I do not say that the village committees should be made the final authorities. But they are necessary as a check to the estimates of the karnams. If they do not do their duty properly, the Tahsildars have got the power to revise their figures. I shall now give one or two examples to show how hopeless are the figures of surpluses and how on these figures you are prosecuting people in my district. I have got the names, but I do not want to trouble the House with them. In one case, six murras is the rent a man has got to pay, and his surplus is estimated at 33½ murras. I can prove before any tribunal that all this is bogus and nothing more. If a man pays a rent of 6 murras of rice, he cannot have more than 3 or 4 murras as the balance. Even bare subsistence cannot be had out of it for him. In another case the rent is 6 murras and the surplus is said to be 36 murras. I can give many more instances. In any village these figures may be verified to see if the estimates are right. I would only say that the entire procurement policy of this Government should be overhauled. Till now we thought that this deficit in food would disappear as if by magic. But it is not going to disappear. I am sorry that the speech of the Hon. 3-15 p.m.

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Food Minister does not at all contain any suggestions as to how this long-term problem is going to be tackled. It is no use simply crying hoarse over present procurement as if the whole thing will be solved by that means."

SRI T. VISWANATHAM:—"While speaking with reference to East Godavari, I seem to have said that the figure is 93 lakhs, whereas it is 1.93 lakhs. I am sorry for the mistake and I want to make this correction."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"This is a debate in which, I am sure, every Member of this House representing several lakhs of people cannot but express his opinion on the present condition. Our province has always been a deficit province but for the import of foodgrains from Burma, Siam and other Eastern countries. I was surprised to find in the speech of the Hon. Food Minister, which has been circulated to the Members beforehand, that suddenly in the year 1941 our province was able to help Travancore, Mysore and Cochin, even though imports from Burma had stopped. No explanation is given as to how such a metamorphosis in the food position of our province took place during that year.

"The Grow More Food Campaign seems to have been in existence in this province for the last four or five years, having been started even before this Government came into office. The production under this campaign had been set off against the losses as a result of floods or inadequate rainfall and decrease in production in certain parts of the province. What exactly was the normal production and the increase due to the impetus of the Grow More Food Campaign have not been stated. I wish the figures had been given, so that one can understand how the very important problem of increasing food production had been dealt with.

"Madam, as I said, ours has been a deficit province so far as foodgrains are concerned, and we have to depend upon imports. When we are faced with a very serious situation, I am sorry to say that there are differences of opinion on this very vital question of preventing the starvation of our people. Instead of every one of us making a serious effort to increase food supply, I am afraid we are indulging in differences and vying with one another to reduce the quantity of supply. My Friend, Mr. Karanth, had taken us into his confidence regarding the woeful state that existed in his district and explained how rationing had broken down. I do not think that rationing has broken down only in South Kanara; I am afraid that rationing has broken down in many other parts of the province. Rationing is certainly very good so far as the principle goes. Before resorting to rationing, it is absolutely necessary to have a minimum reserve stock to keep rationing going and work it successfully. Without reserve and without reliable prospects of sufficient production, it is rather dangerous to resort to rationing. Rationing has failed because the reserves have been emptied. Then the question arises whether the increase

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of population has brought about reduction in the ration per head. From 16 ounces, we have now come to 8 ounces. The quantity has been more or less brought to its end.

"There has been difference of opinion regarding the methods that should be employed for increasing procurement. I am sorry to have to say that. The Advisers' Government did not function satisfactorily in procurement and they were not sure of the methods that should be employed. There has been a change in policy with the advent of the popular Government. My Friend, Mr. Karanth, has given us the information that in procuring foodgrains, we were more considerate towards rich landlords, who had surplus and who could easily surrender it and that the poor villager, who really did not have surplus, was compelled to hand over even the little stock that he had for himself and his family. On account of their influence with the officials, the rich ones were free from compulsion being used against them in procurement.

"I believe that what is now wanted is that we should give up fighting among ourselves. We must come to an understanding and prevent starvation of our people. Another important thing is that we must have confidence in those who deal with this question, and they must do the very sacred work of collecting foodgrains to the utmost possible extent. It is a regrettable thing that we are fighting among ourselves, careless of the situation in the province. They have not yet begun to realize that, should they conduct themselves in the manner they have been doing, there will be starvation of hundreds and thousands of people in the province. What is wanted is character. People should not indulge in an effort to become rich quickly or adopt short cuts to enrich themselves. People should not try to become rich at the expense of the lives of other people. Corruption, wherever it exists, should be dealt with seriously. This is not the time to allow corruption or for the people to indulge in very undesirable methods to become rich as is being done to-day.

"It is therefore necessary that we should give our utmost attention to the grow-more-food campaign, which should become real and not artificial as it is to-day. The producers on their part should also begin to feel the responsibility that they owe to the public more and more and then the Government themselves should create a situation for the producers to co-operate with them and discharge their responsibilities to the public in a serious manner and be of use to the people. If they stand on their own prestige and think that they could solve the problem without the help and co-operation of the people, they will be seriously mistaken and they will not be really in a position to help the people. It is therefore necessary that the Government, if they feel that they must have the co-operation of the other people with whom they might have differed at some time or other, must seek their co-operation and not stand on prestige; and to those who, on account of their differences with the Government in the past have not actively co-operated with them till now and who feel it is their

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p.m.

[Sri Kalluri Subba Rao]

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పెద్ద పెద్ద భూస్వాములవద్దను జమీందార్లవద్దను ఎంత భాగ్యము నిలువవున్నదో, ఎంత భాగ్యము దొంగమార్కెట్టులోనికి పోవుచున్నదో గమనించవలయును. ఇట్టి చర్యలను ఉపేక్షించక తగుచర్య తీసుకొనవలయును. అప్పుడే మన ఆహారకారక తీరగలదు.

“ఈ ఆహారకారకకు ఇతర కారణములు కూడావున్నవి. వీటిలో ముఖ్యమైనది రాష్ట్ర ఆహార కారకను గుర్తించక కేవలము హెచ్చు లాభములనే ఆశించి పండించుట పంటలు (Commercial crops) ఈ పంటలన రైతులకు హెచ్చు డబ్బు వచ్చునేగాని కోట్లాది ప్రజలకు కావలసిన ఆహారమురాదు. ఈమధ్య చాలా ప్రదేశములలో ఇదివరలో ఆహారభాగ్యములు—వరి, చిరుభాగ్యములు పండించే ప్రదేశములలో ఇప్పుడు పొగాకు, శనగగ్రాయ మొదలగు పంటలను పండించుచున్నారు. వీటివలన హెచ్చుడబ్బువచ్చుననియే రైతులు చూచుచున్నారని, వారికి ఆహార భాగ్యములు ఎట్లు వచ్చునాయని ఆలోచించుట లేదు. ముఖ్యముగా మా రాయల సీమ ప్రాంతములలో ఈ శనగగ్రాయ “శనికాయ”గా పరిణమించినది. ఈ పంటలు పండించుటవలన మాకు ఆహార భాగ్యములపంట తగ్గిపోయినది. ఆహారమునకు “అన్నమే రామచంద్రా”యని ఇతర ప్రాంతములకు ముప్పిత్తే పోవలసియున్న దుస్థితి ఏర్పడియున్నది. అందుచేత ప్రభుత్వమువారు ప్రతి రైతు అతనికి ఉన్న భూమిలో సగభాగములైనను ఆహార భాగ్యములను పండించవలయునను (Ordinance) శాసనము నొకటిగానిని ప్రభుత్వమువారు వెంటనే ఆమలులో పెట్టవలయును.

“మరొక విషయము మనవిచేస్తాను. ఇప్పుడు రైతులకువారు ఇచ్చిన భాగ్యముకు Bonus ఇస్తున్నామని ప్రభుత్వమువారు చెప్పుచున్నారు. కాని ప్రభుత్వవారు ఇచ్చుచున్న Bonus పూర్తిగా ఇప్పుడు రైతులకు అందుటలేదు. ఈ Bonus లో కొంతభాగము మధ్యస్థులకు ముట్టుచున్నది. ఈ విధమునకూడా ప్రభుత్వోద్యోగులలో లంచగొండితనము అభివృద్ధియగుచున్నది. రైతు స్త్రీ ఆధోగతి పాలగుచున్నది. దానికి కారణము ఈ Bonus అలస్యముగా వచ్చుచున్న కారణమువలన నేనని మనవిచేయుచున్నాను. ఈ విధము రైతులకు అలశ్యముగా విడిగా ఇచ్చు Bonus రైతులకు ఈ D.S.O., F.S.O., Revenue, Inspector, Revenue Tahsildar ల చేతులలోనుంచి రావలసియున్నది. ఈ విధముగా రావలసియున్నపుడు వారు కొంతమీన హాయిచుకొనవచ్చును. ఇకముందు అట్లుగాక భాగ్యపుధర, Bonus ను అంతయు చేర్చి ఒకే సర్కారుయము రైతునకు ఇచ్చినచో రైతునకు హెచ్చుధరముట్టి, వెంటనే అతనివద్ద నున్న భాగ్యమును ప్రభుత్వమునకు అమ్ముటకు అతనికి ప్రోత్సాహము కలుగును.

“ఇప్పుడు మా జిల్లాలలో కొన్నిచోట్ల ఈ భాగ్య నేరణ జిల్లాలలోని హెబార్ నేట్ కో-ఆపరేటివ్ సొసైటీలకు ఇచ్చివున్నారు. ఈ కో-ఆపరేటివ్ సొసైటీలకు తగినంత డబ్బుగాని, ఈ భాగ్యమును నిలువాయించుటకు గడ్డగులుగాని లేవు. క్లిష్ట కారణముచేత ఈ సొసైటీలు భాగ్యమును సంకల్పిరముగా నేరణలేకపోవుచున్నవి. ఈ పరిస్థితులను జాగ్రత్తగా పరిశీలించి భాగ్యనేరణ విధముగాకుండా పంట కాలములోనే జాగ్రత్తపడి కొనువారికి వలయు సదుపాయములు చూడవలయునని ప్రభుత్వమువారిని కోరుచున్నాను.

“ఇంతేకాక ప్రభుత్వమువారు రైతులవద్దనుంచి భాగ్యము కంట్రాక్ట్ రేటులకు తీసుకొనుచున్నప్పుడు వారికి కావలసిన ఎరువులు, వ్యవసాయపు పనిముట్లు సరసమైన ధరలకు సకాలమున వారికి అందునట్లు చేయు బాధ్యత ప్రభుత్వమువారిదే నున్నది. ఈ పనిముట్లు, ఎరువులు, పనుకుబడిగల పెద్ద భూస్వాములకు, జమీందార్ల కే అందుచున్నవి గాని పేద రైతులకు సరిగా అందుటలేదు.

[Sri Kalluri Subba Rao]

[15th September 1947]

“ప్రస్తుతము రూరల్ రేషనింగు ఉంచవలయునా, తినివేయవలయునా అనే ప్రశ్న మనకై నున్నది. ఈ విధముగా రూరల్ రేషనింగు తినివేసినచో పల్లెలలోని పేదవారికి, కూలి నాలి చేసుకొనువారికి ఆహార భాగ్యము సరసమైన ధరలకు దొరుకదు. ఈ ఇచ్చే 8 డో, 10 డో టౌన్సుల రేషను పట్టుకొనుట, పల్లెలు అనే వివక్షత లేకుండా అందరకూ సమానముగా తప్పక ఇవ్వవలయునని మనవిచేయుచున్నాను. పట్టుకొనుట కోసమే పల్లెలలోనివారి కష్టనష్టములను ఆలోచించక కారవద్దనున్న కొద్ది భాగ్యము నైనను బలవంతముగా తీసుకొనుట మంచి పద్ధతి కాదు. ఇప్పటి రూరల్ రేషనింగు విధానమువలన వారికి ఈ ఇచ్చు 8 టౌన్సుల రేషను అయినను వారములో ఏ మూడు రోజులకో, నాలుగు రోజులకో సరిపోవునదే ఇచ్చుచున్నారు. దీనివలన పల్లెలలోని పేద రైతులు, కూలి నాలి చేసుకొనువారు పస్తులు పడుకొనవలసివచ్చుచున్నది. ఇట్టి విషయముల నన్నింటిని ప్రభుత్వమువారు జాగ్రత్తగా పరిశీలించి సక్రమ పద్ధతులలో ప్రభుత్వ మొదలు పల్లెటూరి రైతు, కూలివరకు ఈ రేషనింగును ఆమలుపరచవలసినదిగా కోరుచున్నాను.

“మరొక ముఖ్యవిషయమును మనవిచేయదలచినాను ఇప్పుడు పట్టుకొనుటలోనున్న కాఫీ హెబార్ వలన చాలా ఆహార భాగ్యములు ఖర్చు అగుచున్నవి. ఈ పదార్థము లన్నియు పల్లెలనుంచి వచ్చినవే. ఇకముందు ఈ కాఫీ హెబార్ వలన, శనగపిండి, చక్కెర మొదలగు పదార్థములతో తప్ప ఇతర ఆహార భాగ్యములతో చేయబడే తినుబండారముల నేమియు చేయకూడదని నిశ్చయించవలయును. ఇట్లు నిశ్చయించినచోగాని బందారముల నేమియు చేయకూడదని నిశ్చయించవలయును. ఈ విషయములలో ప్రభుత్వమువారు తగు శ్రద్ధ ఈ ఆహార భాగ్యముల కారక తగ్గు. ఈ విషయములలో బియ్యము, గోధుమ, జొన్న మొదలగు తీసుకొనవలయును. ఆహార పదార్థములు అనగా బియ్యము, గోధుమ, జొన్న మొదలగు భాగ్యములతో తయారుచేయు పదార్థములను కాఫీ హెబార్ వలన నిశ్చయించకపోయినచో ఈ గండము గడవదని ఈ రెండు నెలలు గడవవని మనవిచేయుచు ఇంతటితో విరమించుచున్నాను.”

* SRI CHANDULAL MOTILAL KOTHARI:—“Madam 3-45 Deputy Speaker, I congratulate the Minister in charge of Food p.m. for giving us a lucid explanation of the facts, without any colour or without giving out his mind in this connexion. I am also gratified that the Government of India have announced a food commission of officials and non-officials in connexion with the food problem in the country and I hope the results of this commission will be encouraging enough to avert the crisis both for long and short terms. Madam, I will divide the subject of food into five parts, viz., production, procurement, distribution, cost and price, and the availability of the foreign exchange for purchase of food in foreign countries.

“Coming to the question of production, the Hon. Minister in charge of Food has given us the figures as regards production and as regards imports from outside countries. If I am able to read the figures correctly, the deficit comes to about 12½ per cent; but when we go to the consumption side, in pre-war times, in 1933 to 1936, the country had consumption of 1 lb. per capita while to-day we are consuming only 8 oz. and even less than that. I am unable to realize why there is this deficit of 50 per cent in respect of consumption, while there was a deficit of only 12½ per cent in respect of production and procurement.

[Sri Chandulal Motilal Kothari] [15th September 1947]

"Coming to procurement, I may suggest that the disturbance of the time-old practice of having middlemen may have played its havoc in different procurements. The Government, in trying to achieve the object of removing the middleman who was presumed to be an unnecessary load on the economics of the country, have perhaps overlooked the fact that procurement would be more difficult without the aid of this middleman who, by virtue of the experience and tradition for generations in this business, had acquired a knowledge of the system of procurement and distribution which has not been equalled by the Government agencies.

"Madam, as we come to cost and price, the Hon. Minister in charge of Food had been pleased to say that the Government of India, because of its uniform policy of one price in respect of food in the whole country, has been able to say 'no' in respect to an increase in the price of food in this presidency. I feel that it is very hard on this presidency, when we are passing through such critical times, that the bonus is not allowed to be increased or the farmer is not allowed to be paid more. The farmer in the past never used to get an economic price. If we look at the farmer's condition for the last fifty years, I am sure every one in the country will agree that he was in heavy debt, that he never used to get an economic price, and if to-day he gets two to three times more than the pre-war price, I still feel he is justified in asking for more. The reasons are that the cost of his consumption goods has gone up enormously. The cost of labour has gone up and the economic price of the pre-war times was not sufficient to make him keep his head even then above the level of poverty. In spite of that, the Central Government says 'no' to the Ministry here in respect of an increase of price for food. Now let me analyse their mind. They are thinking of the index in the cost of living, the spiral of inflation and also the reduction of prices which they are thinking of in the future. If the spiral of inflation is to be thought of, I would say that a little increase in the food price to the farmer would not largely increase the index of cost of living. I feel that the bogey of an increase in the index of cost of living is unnecessarily being thought of. In spite of it, I think it is a question which the Ministry here and the Food Commission which is going to sit in the country may enquire into for the advantage of the country.

"Madam, there is one thing which must take paramount importance over almost everything else in this country, and that is firstly the emergency of the situation and secondly the availability of the foreign exchange. The hundred crores that we require for our food from outside is a drain on the foreign exchange of this country. The result is that we are not able to import capital goods, necessary stores and materials for our industries and thus production is hampered. If production is hampered, how is it that this country will fill up the vacuum in the want of goods? I feel that the only way for this inflation to go is first of all to raise the production and for the raising

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of that production, the farmer should be given more in respect of price, so that he may produce more and, as a necessary result, we may not have to import from foreign countries more of food.

"Madam, I come from a constituency where the agriculturists and the planters have to work nine hours outside in the fields. I am sadly grieved to tell this House that an agriculturist cannot live on a 8-oz. ration, and that, as he has got to work nine hours every day, you are simply rationing on a famine basis. If you go to the plantations and the farms, you will see there many people all bones, without any fat and without any nerves; and if this thing is going to continue for any length of time, I am afraid, there will be something like wreckage and you will be mortgaging the future generations for the next fifty years. It is time, Madam, that this House and the people outside put their brains and strength together to have more production and to have more of distribution. I appeal that this is not the time for talking about, this is a time for action to be taken, and if we all unitedly sit together, I am sure some way will be found out within the next two or three months—which is the critical period for this country—and possibly God will be gracious enough to give us good rains in October."

* K. M. SEETHI SAHIB BAHADUR:—"Madam, Deputy Speaker, more than one hon. Member was referring to the complaint of the actual producer and the petty agriculturist that the attitude of the authorities engaged in procurement towards them is anything but sympathetic, and they have no inducement to produce more in response to the appeal made to them all not only by the authorities but by the representatives of the people. That is a very real and genuine complaint, as my experience goes in my own constituency and in other parts of Malabar. In fact, the small producer-agriculturist feels that the procuring authorities are absolutely hostile to them and that they (producers) are deprived of the last grain which they are possessed of, with the result that they think that to possess ration cards would be much better than to produce and be victims to persecution by the procurement authorities.

"That has really adversely affected production as far as 4 p.m. Malabar is concerned. I am speaking with my experience of the various taluks in Malabar and I can say that except in the case of Palghat and Walluvanad, there has been a perceptible decrease in procurement in other taluks. The latest figures of procurement will prove my statement. This decrease is mainly due to the reluctance on the part of producers to produce more owing to the absence of encouragement from the authorities in the matter of their subsistence. As has been pointed out, instead of producing paddy, they produced some money crop in order to avoid persecution at the hands of the procuring authorities besides making some money. Again, in the matter of enhancement of prices to be paid to the agriculturists also, no action has yet been taken. I appeal to the Members on the Treasury Bench that they should try to do everything to encourage the producers and begot trust

[Sri Alluri Satyanarayana Raju] [15th September 1947]

మనకు తగినంత. కాటకమువలన మన రాష్ట్రములో ఎవ్వరును మరణించకూడదు. ప్రజలందఱకు ఆహారమును supply చేయ వాస్తవ ప్రభుత్వమువై నున్నది. అట్లు చేయక ప్రజలను కరువునకు ఎరగా వదలిన మన ప్రధాన మంత్రిగారిని, ఇతర మంత్రులను, మన శాసన సభ్యులందఱను కారాగారములలో పెట్టవలయుననియే నేను చెప్పుచున్నాను. అందువలన మనమందఱము రాజకీయ భేదములను పాటించక, ఈ ఆర్థిక ఆహారోత్పత్తి విషయంలోను, ధాన్య నేకరణ విషయములోను ప్రభుత్వమువారికి వ్యధయ పూర్వకముగా తోడ్పడవలెనని మనవి చేస్తున్నాను."

4-15 * M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—
p.m. "Madam, Deputy Speaker, the problem of food has been agitating the minds of the people of this Province not only for the last one or two years but for a large number of years past. When I read the statement which was circulated by the Food Minister, I was wondering whether the problem could at all be humanly solved. If the Government had taken proper steps even in the beginning, could we not have solved the problem by this time? After all, the figures furnished to us show only a deficit of five lakhs of tons for the whole Province, and when we can produce seven million tons and more, can we not produce this small deficit? If by this time proper attention had been paid in the direction of Grow More Food Campaign, could we not have solved the problem? Are we always to be dependent on the Central Government for meeting this deficit? These things come uppermost when we read the statement of the Hon. the Food Minister.

"This problem of food can be looked into only in two ways. If it is only for a period of one or two years, there is of course enough food for our people and every possible attempt should be made by procurement, as well as by strict rationing or other possible means to see that the necessary quantity is procured. I even suggest that Government might take power to seize paddy when the crop is actually on the land and make arrangements to harvest the whole paddy and add to their stock and give the ryot concerned the paddy required by him according to rules regarding rationing. This method may be adopted if the food shortage is only for a short duration of one or two years. If, on the other hand, it is of a longer duration, we have to think of some other methods. Can we not after all produce the deficit required by our own concerted effort in surplus districts? We have about five surplus districts in our Province and if we adopt suitable measures, the problem of deficiency of foodstuffs can be easily solved. The first one thing that Government should take into consideration is in regard to the question of prices.

"In regard to the question of prices, every Hon. Minister and even the Hon. the Prime Minister has admitted that the price paid to the producer is very very small. At the same time, they plead that the Government of India stand in their way and therefore the Provincial Government cannot do anything. I only ask, has not the Provincial Government power enough, resources enough or funds enough to purchase from the producer and sell to the consumer at a lower price, even by incurring a slight loss in the transaction? I want an assurance from the Ministers

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concerned whether the Provincial Government, as at present constituted, has not at all any power to make their own laws in the matter of purchasing and selling paddy to the consumer at the lower price confirming all-India price basis and whether this is not of a secondary nature that we have to reckon with in the matter of cost. We should know that we are concerned with the lives of thousands of people and therefore the problem is a bigger one and any amount spent in this behalf is worth spending. As a matter of fact, we can even postpone some of the nation-building schemes for the sake of giving relief to the people even if it be paying increased prices. If the price of the producer is increased or if the Government purchase from the producer at a higher rate, then alone the producer will have an actual interest in the matter of production and then alone production will be carried on on a satisfactory basis. (A voice: 'That is only one of the problems.') Yes, there are also other considerations which have to be looked into in this connexion. We can postpone some of the nation-building activities, as I suggested before.

"I wish to suggest another point in this connexion. After all, even supposing we cannot increase the price to the producer, can we not at least give him sufficient facilities or inducements by way of seeds, cattle, manure and other agricultural implements necessary for him to help him in the production of foodstuffs at reasonable prices? The department of Agriculture and the Co-operative department have not really come to the rescue of the producer all these years. One finds Minister after Minister travelling throughout the province for the sake of procurement. I ask, are they really doing so for the sake of procurement or for the purpose of advertisement? If they really want the province to be self-sufficient, they ought to have begun the 'Grow More Food Campaign' much earlier and the departments of Agriculture and Co-operation should have given proper directives to their subordinates for supplying manure, etc., to the ryots at reasonable prices in sufficient time. If the Ministers had only taken a long view of things and given due consideration to these suggestions sufficiently early, the food problem could have been solved easily.

"There is also another point of view which I would like to place before the Government. The producer should be made to take some more interest in the matter of yield of the crop he produces. Because his ration is limited to 8 or 10 oz. generally he loses his interest in production. I therefore support the view that rural rationing should be abolished altogether at least so far as the surplus districts are concerned.

"I would like to draw the attention of the Ministers to the question of control of crops. They knew that the Government had been faced with the problem of food during the war period and also in subsequent years. So, when the Congress assumed charge of the Government their main consideration should have

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been to plan the production of more crops. If they had only tackled the problem in a reasonable manner they would have solved the problem. They should have banned the growing of all commercial crops and seen that only paddy and other food crops were allowed to grow in this province. By this means we should have had enough foodgrains grown in this province and also sufficient foodstuffs for exporting to other deficit areas. Therefore, I say the Ministry has not done their duty properly. I have recently seen in the papers that in the Trichinopoly district no one could produce cane except with the permission of the Collector. It is good that they have thought over this at least now and if they had introduced this sort of control about two years ago the province would have been spared this threatened famine. After all we have to procure rations required for the next two months. I find in this connexion the idea of the Ministry is to get all the available stock from the surplus districts. I invite the attention of the House to the remarks made by the Hon. the Premier at Tanjore recently. He said that he has fixed the quota for the district at 30,000 tons. He has fixed 80,000 pounds for kuruvai. So far as this crop is concerned, if the crop is normal we can produce to that extent. To procure 30,000 tons even at this stage of samba paddy from Tanjore is not an easy task. It will mean depriving the producers and agricultural labourers of their hard-earned produce. There is no other basis. According to the statement of the Minister, we have produced 212 thousand tons of rice from Tanjore up till now this year. Our target is fixed at about 260 thousand tons for the whole samba and kuruvai but before kuruvai comes we have produced about 212 thousand tons. Still if you procure 30 thousand tons more from Tanjore it means an impossible task and it will be depriving the producer of his own necessary stock produce and I therefore appeal to the Minister concerned to see that the figures are not exaggerated and that the officials are not coercing the producers in this matter. One other matter I may be allowed to refer to.

"I may refer to the use of force in the matter of procurement. I really do not understand what is the Government's intention by using the word 'force' in the Premier's statement. You have rules and regulations with regard to rationing and rural rationing and therefore if anybody has not done or refuses to part with stock the law is there to take its own course. It is not justifiable to use force irrespective of the fact whether it has behind it the sanction of the law courts or not. Such action becomes illegal and arbitrary. With regard to that point, I want an answer from the Hon. Minister whether by executive means they are going to use force and procure paddy from the producers? If that is so, we are not under the rule of law. The rule of law is a proud achievement of British administration and we have inherited that rule of law. I want to know from the Government whether they are going to conform to that rule of law or are they going to procure from the producers by the executive fiat by their force?"

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"Sir, after all the kuruvai crop also seems to be better and therefore God willing if we can stave off this trouble in our district and also the whole province and the population will be glad. With these words I close my speech."

SRI P. KAKKAN:—“சபாநாயகி அவர்களே, இப்பொழுது உணவு நிலையைப்பற்றி சர்ச்சை நடக்கிறது. இதுவரையில் உணவு நிலைமை கொஞ்சம் மேசமாக இருந்து வருவதை இனிமேல் உணவு பொருள்களில் அவ்விதமான நிலைமை இல்லாமல் செய்வதற்கு கவர்ன்மெண்டுக்கு வழி சொல்ல சில முயற்சியும் அவசியமுமான சில விஷயங்களை முதலில் நான் சொல்ல விரும்புகிறேன். அதாவது மாகாணத்தில் விவசாயிகளின் தரன்ய விலை உயர்வு இல்லாமலிருப்பதாலும் அவைகள் விவசாயம் செய்வதில் அதிக லாபம் கிடைக்காமலிருப்பதாலும் அவர்கள் இப்பொழுது தான்யங்களை விவசாயம் செய்வதற்கு பதிலாக கரும்பு முதலியவைகளை அதிகம் விவசாயம் செய்கிறார்கள். அவ்விதம் செய்வதில் அவர்களுக்கு அதிக லாபம் கிடைப்பதால் அதை அதிகம் விவசாயம் செய்ய இன்னும் ஏற்பாடு செய்து வருகிறார்கள். ஆகையால் இனிமேல் ஒரு விவசாயிக்கு சுமார் 10, 15 ஏக்கர் நிலம் இருந்தால்கூட அவன் தான்யம் விவசாயம் செய்யாமல் கரும்பையே விவசாயம் செய்து அதிக லாபமடையலாம் என்று ஏற்பாடு செய்துவருகிறான். அதனால் தான்ய உற்பத்தியும் பாதிக்கப்படும். அதிலிருந்து உணவு நிலைமையும் மேசமாகிவிடும். ஆகையால் அந்த நிலைமை ஏற்படாமலிருக்க சர்க்கார் அதை தடைசெய்து அதிகம் கரும்பு விவசாயம் செய்வதை தடுக்கவேண்டியதவசியமாக இருக்கிறது.

“அதை மட்டும் செய்தால் போதாது. இன்னும் விவசாயிகளுக்கு உரத்திற்காக புண்ணுக்கு சப்ளை செய்வதை காலாகாலத்தில் செய்யவேண்டிய தவசியமாக இருக்கிறது. இப்பொழுது புண்ணுக்கு சப்ளை செய்வது சரியாக இல்லை. அதிகாரிகளுக்கு எப்பொழுது புண்ணுக்கு சப்ளை செய்வது என்று தெரியாமல் சப்ளை செய்வதால் விவசாயிகள் அந்தப் புண்ணுக்கை தான்யம் விவசாயம் செய்வதற்கு உபயோகிக்காமல் கரும்பு விவசாயம் செய்வதற்கு உபயோகித்து வருகிறார்கள். அதனால் தான்ய உற்பத்தி குறைகிறது. ஆகையால் இந்த புண்ணுக்கு சப்ளையை ‘அக்ரிகல்சரல் டிபார்ட்மெண்டில்’ கண்காணிப்பில் வைத்துக்கொண்டு விவசாயிகளுக்கு தான்ய உற்பத்திக்காக காலாகாலத்தில் புண்ணுக்கை சப்ளை செய்யும்படி ஏற்பாடு செய்யவேண்டியது அவசியமாக இருக்கிறது. இப்பொழுது மாதா மாதம் கொடுத்துவரு அவசியமாக இருக்கிறது. இப்பொழுது தான்ய உற்பத்திக்கு உபயோகப்படும்படி கிறார்கள். அது சரியாக இல்லை. தான்ய உற்பத்திக்கு உபயோகப்படும்படி யான் அந்தக் காலத்தில் கொடுக்கும்படியாக ஏற்பாடு செய்யவேண்டும். மாதா மாதம் கொடுப்பதால் அவர்களுக்கு அது கரும்புக்குத்தான் உபயோகமாக இருக்கிறது. எந்த சமயத்தில் புண்ணுக்கை கொடுத்து உதவி செய்யவேண்டுமோ அப்பொழுது கொடுத்து உதவி செய்வதற்கு” அதன்படி செய்தால் இன்னும் அதிக தான்ய உற்பத்தி செய்வதால் பெரிய செளகர்யமர்க இருக்கும். இவ்விதத்தில் சர்க்கார் உதவிசெய்தால் பெரிய உதவியாக இருக்கும். ஆகையால் கரும்பை ஜாஸ்தி உற்பத்தி செய்வதை தடுக்கவேண்டும். அதற்கு வேண்டிய சட்டம் பிறப்பிக்கவேண்டும்.

“அடுத்தபடியாகப் பார்த்தால் மதுரை ஜில்லாவில் தான்ய உற்பத்திக்காக அநேகம் ஏக்கர் நிலங்கள் தடுக்கப்பட்ட ஜாப்தாவில் இருக்கின்றன. அவை களில் சிலவற்றை இப்பொழுது புஞ்சையிலிருந்து நஞ்சைக்கு மாற்றியிருக்கிறார்கள். அப்படி மாற்றியும் கூட விவசாயிகள் அவைகளை தரிசாக போட்டிருக்கிறார்கள். ஏன் என்று கேட்டால் சாகுபடிசெய்ய தண்ணீர் வசதி இல்லை என்று சொல்லுகிறார்கள். அந்தமாதிரி இருப்பவைகளை மராமத்து இலாகா மந்திரி அவர்கள் கவனித்து அவைகளுக்கு வேண்டிய தண்ணீரை விட்டு சாகுபடிசெய்ய ஏற்பாடு செய்யவேண்டும். இந்த உணவு நெருக்கடி காலத்தில் இந்த செளகர்யம் செய்துகொடுத்தால் இன்னும் தான்ய உற்பத்தியை அதிகப்படுத்தலாம். இவ்விதம் மதுரையில் சாகுபடிக்கு லாயக்குள்ள நிலங்களுக்கு தண்ணீர் வசதி இல்லாமலிருக்கிறது. அந்த வசதி செய்து கொடுக்கவேண்டும். பெரியாற்றுக்கால்வாய் தண்ணீர் பாயும் பக்கங்களில்

[Sri P. Kakkan]

[15th September 1947]

பெரிய குளங்கள் இருக்கின்றன. அந்த குளங்களுக்கு அதிகமான தண்ணீர் கொடுத்து உதவிசெய்தால் அதிக உணவு தானியம் உற்பத்தி செய்வதற்கு உதவியாகியிருக்கும். பக்கத்திலிருப்பவனுக்கு தண்ணீர் கொடுங்கள் என்று சொன்னால் கூட கொடுக்க சட்டம் இல்லை. ஆகையால் விடமாட்டோம் என்று சொல்லுகிறார்கள். அந்தமாதிரி இருக்கும் இடங்களில் சர்க்கார் அக்கரை எடுத்துக்கொண்டு தண்ணீர் விடும்படி செய்து விவசாயம் செய்யும்படி சொல்லி தான்யத்தை உற்பத்திசெய்ய திட்டம் செய்யவேண்டும். விவசாயிகளுக்கு போனால் கொடுத்திருப்பதற்கு சந்தோஷமடைகிறேன். இப்பொழுது மான்யம் கொடுத்தது போதாது. தண்ணீர் விட்டுக்கொடுத்து செளகரியம் செய்யவேண்டும். இன்னும் கிணர் வெட்டிக்கொள்வதற்கு கூட கடன் கொடுத்திருக்கிறார்கள். அதுமட்டும் போதாது. ஒருவன் 1,500 ஏக்கர் வைத்துக்கொண்டு கிணர் வெட்டி எப்படி விவசாயம் செய்யமுடியும். அரியலூர் டிவிஷனில் பெரம்பலூர் தாலுகாவில் நூற்றுக்கணக்கான கிணறுகள் இருக்கின்றன. அவைகளைக்கொண்டு விவசாயம் செய்வதற்கு மின்சார வசதி செய்து கொடுக்கவேண்டும். அதற்கு சர்க்கார் உதவிசெய்யவேண்டும். இம்மாதிரி உதவிகள் சர்க்கார் செய்துகொடுத்தால் அதிக தான்ய உற்பத்திக்கு செளகரியமாக இருக்கும்; அடுத்த பிரதேசத்தில் உற்பத்தி ஜாஸ்தியாக இருக்கிறது என்கின்றார்கள். அங்கே காலாகாலத்தில் உரம்போட்டு விவசாயம் செய்கிறார்கள். கிணர் வெட்டிக்கொடுத்து மின்சாரவசதி அளித்துக் கொடுத்தால் போதாது. காலாகாலத்தில் புண்ணைக்கு உரம் கொடுத்து உதவி செய்யவேண்டும். இவ்வித செளகரியம் செய்துகொடுத்தால் அதிக தான்ய உற்பத்திசெய்ய செளகரியமாக இருக்கும்.

“இன்னும் கொள்முதல் விஷயத்தில் அதிகாரிகள் சரிவர நடந்து கொள்ளவில்லை. ஹரிஜனங்களை விரட்டி கொள்முதல் செய்கிறார்கள். ஆனால் ஆயிரம் ஏக்கர் வைத்திருக்கும் பணக்காரர்களிடம் அவ்விதம் கொள்முதல் செய்வதில்லை. ஏனென்றால் அவர்களுடைய தாட்சண்யம் அதிகாரிகளுக்கு வேண்டியதாக இருக்கிறது. அவர்கள் ஆயிரம் மூட்டைகள் வைத்துக் கொண்டிருக்கிறார்கள். பிரதம மந்திரிகூட ஒழுங்காக தான்யம் கொடுத்து உதவி செய்யாவிட்டால் கட்டாயப்படுத்தி தானியக் கொள்முதல் செய்வோம் என்று கூட சொல்லி இருக்கிறார். பலாத்காரம் அவசியம் இல்லை. பதுக்கி வைத்திருக்கிறவர்கள் கொடுக்காவிட்டால் கிராம உணவு கமிட்டி மூலம் அவர்களை நியாயமாக கொடுக்கும்படி செய்யவேண்டும். கிராம உணவு கமிட்டியும் அதிகாரிகளும் ஒத்துழைத்து கொள்முதல் செய்யவேண்டும். ஒத்துழைக்காத உணவு கமிட்டிகளை கலைத்து விடலாம். நமது உணவு மந்திரி ஜில்லாவாகிய திருச்சியில்கூட அந்த மாதிரி இருக்கிறார்கள். அங்கே ஹரிஜனங்கள் வீட்டிற்குள் நுழைந்து கொள்முதல் செய்கிறார்கள். கேஸ் போட்டுள்ளார்கள். அந்த மாதிரி dishonest கேஸ்கள்கூட அநேகம் இருக்கிறது. இந்தமாதிரி ஹரிஜனங்களின்மேல் கேஸ் போடுகிறார்கள். அவர்கள்மேல் போட்டுள்ள கேஸ்களை அவசியம் சர்க்கார் வாபஸ் செய்ய உத்திர விட வேண்டும். இந்த மாதிரிகாரியங்களை செய்தால் நிச்சயம் உணவு பிரச்சனை தீர்ந்துவிடும். எந்த கிராமத்தை எடுத்துக் கொண்டாலும் அங்கே ரேஷன் சரியாக நடக்கவில்லை.

‘சொல்லுதல் யார்க்கு மெனிய வரியவாஞ்
சொல்லிய வண்ணஞ் செயல்’

என்று சொல்லுகிறபடி சொல்வது யாருக்கும் எளியது. நடை முறையில் செய்வது கஷ்டம். மேலே சொன்னமாதிரி செளகரியங்களை செய்து வந்தால் நிச்சயமாக உணவு பிரச்சனை தீர்ந்து இப்பொழுது இருக்கும் 8 அவுன்ஸ் ரேஷன் 10 அவுன்சாகிவிடும். இப்பொழுது உணவு மந்திரி அவர்கள் இவ்வளவு பிரயாசை எடுத்துக்கொண்டதற்கு நான் அவரை பாராட்டுகிறேன் என்று சொல்லிக்கொண்டு என்னுடைய பேச்சை முடித்துக்கொள்ளுகிறேன்.

* MUHAMMAD HUSSAIN SAHIB BAHADUR:—“Mr. Speaker, Sir, it is really very unfortunate that in the very first sitting after we gained the freedom from bondage for our country, and became masters of ourselves to shape our destiny in the future,

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we have to face such a threatening famine and sit to consider how to tide over such a crisis. Sir, the statement of the Minister for Food does not seem to grasp the real point which we have to consider to solve this menace which is recurring year after year. There has been figures given with comparative tables from one year and another as to how procurement has been effected and which district has offered more than the other, but I wonder how all these are going to solve the crisis which is staring us in our face. It is only if we produce enough, we can procure more and solve the problem. Sufficient attention does not seem to have been paid for production but much more attention, more than what is necessary, seems to have been paid and concentrated upon the way and the method of procurement. Sir, it is after all evident from the statement that only about 7 per cent of what is being now produced is in deficit in our province. Can we not do something to make up this deficiency? Has sufficient attention been paid to produce more than what is now being done? We find, Sir, that the presidency average of production is 1,369 pounds of paddy per acre. If this paddy crop is increased, we can easily tide over the difficulty. We find, Sir, that about 4,500 pounds of paddy is being produced per acre in the Government Paddy Farm at Ambasamudram, Tinnevely district. The Presidency average yield is less than one-third of what is being produced in a Government paddy farm. If a 5-year programme is enforced with a view to increase the production by 50 per cent over the average, we can very easily solve the problem and also be free from any fear in the future. If we make an attempt to increase production by 10 per cent every year, we will not have to waste the time of the House for days together over this problem at every sitting in every year. After all it is not a thing which is beyond our powers of achievement.

“Whenever an increase of production is attempted the only point which is given more attention is, bringing of waste lands under cultivation. The extent of money, labour and time spent in bringing waste lands under cultivation is not at all commensurate with the help that such a thing affords us in tiding over the difficulties with which we are face to face at the present time. At best it can only be included as a long term measure. What we should concentrate upon should be the things which will help us to solve the crisis immediately and in the near future. What we should do is to increase production in the lands already under cultivation; they must be made to yield better results. There are three things necessary for this purpose; in the first place, irrigation facilities must be made available; secondly there is the question of agricultural implements and thirdly manure is an important point. The tiller of the soil would be helped to a great extent if only the Government would allot required sums—I do not mind even if it amounts to a crore of rupees—for repairing tanks, clearing silts in irrigation channels, digging wells, making electrical energy available for pumping water from wells, etc. Regarding implements, it is said, that iron materials are in short supply. Whatever it is, it is worthwhile trying to supply them; it

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may be got from outside and the local manufacture of implements might be taken up. Whatever you do in this direction is worthwhile doing. The supply of manure has been sadly neglected by the Government; the pity of the whole situation is that the tiller of the soil, the peasant, does not get sufficient supply from the sources of supply, through which Government are arranging for the distribution. Whatever manure is available goes to the black marketer and he is in a position to get more than what actual cultivator is able to get. I ask whether Government cannot solve this problem and weather they cannot check black marketing in manure. If successful efforts are made in seeing that the actual cultivator gets enough supply of manure, then it will go a long way in increasing production and solve the problems we are faced with to-day. After all what we need is only an increment of 7 per cent of our production. I am sorry to say, Sir, that I am unable to see from the statement made by Hon. the Minister for Food what he has done in the past and what he proposes to do in the future to increase production which is the crux of this problem of shortage of food. We see that the Hon. Ministers have been making an all out effort to procure; but I am inclined to ask why they did not make such an all out effort to help the cultivator to produce more and more. Instead of fleecing him and asking him to surrender more and more of paddy, it will help if you make him produce more so that he might meet our needs. When you fail to supply them with the necessary facilities for production, certainly they will also fail to supply you with the quantities of foodgrains that you expect of them. That is the secret of it. I request you to pay more attention to help them to produce than on procuring more and more from them. It will be no act of super oration on my part if I just touch upon one point that has been referred to by other hon. Members. I am repeating it because it can bear repetition and it is important. It is admitted on all hands that the avocation of agriculture has become a losing concern. If you allow things to continue in the self-same manner, certainly nobody will be encouraged to cultivate paddy or foodgrains; therefore, it is the duty of Government to make this a paying concern. Means should be devised to see that the cultivator is not merely kept on a bare subsistence level; he must be able to make both ends meet and he must be enabled to save something. In this connexion, it is said that the Central Government do not allow an increased price for paddy. If they do not permit it, are there not ways by which you can help the producer to get more money? You can reduce the land tax to fifty per cent; you can supply manure at controlled rates and to that extent you are cutting down his production costs and you are helping him by preventing his purchasing them at exorbitant rates. There are several other ways by which this can be done but the only thing is that you must have a mind to do it. It has been pointed out that by paying him compensation or giving him other concessions, the exchequer of the province will be affected. If the Government cannot afford to lose a certain sum of money, can they in the future afford to lose

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human lives, innumerable lives for want of food? This is a question which has to be very seriously considered; it is a question of playing with human lives. I beseech you, therefore, to help the cultivator to produce more and in time. You must remember that people engaged in other avocations of life are saving much more and it will not affect your Province but any money spent for cultivator is grudged though it will stand you in good stead in times to come. If you sleep during the cultivation period, without rendering needful help to the cultivator certainly you need not be going about for procurement. There is a proverb in Tamil: “உழுதிறகாலத்தில் ஊர்வழிபோனால் அறுக்கிற காலத்தில் ஆள் தேட வேண்டாம்” You had not been helping the ryots during the cultivation season and yet much against the sense of the proverb I have quoted, you are now going about to procure and the results will be as the proverb says useless. Unless you are going to pay more attention to make it a paying concern and enable the tillers of the soil to produce more and more and in proper season, the permanent solution of the difficulty of food shortage would not have been attempted and we would be faced every now and then with the same difficulty.”

SRI R. RAGHAVA MENON:—“Mr. Speaker, the question before the House is not how to provide food for the years to come nor is it a question of what we must do to fill up the gap between production and demand. The real question is how to get over the food crisis that is now facing us very badly. There are three methods. If you have long period of time before us, you can build up a big organization and put up an effective machinery in the field for procurement. But it is not so. The only thing that you can do is to see how we can make the grains that are hoarded come out. Persuasion can be employed and that will go a great way as the tours of the various Ministers have shown us. Secondly there is the question of employing a little force against those black marketers, however rich or powerful or influential they might be for it is their big position that they are using for purposes of getting higher and higher prices for their grains, call it black marketing rates or huge or exorbitant profits. I do not blame them; the war has turned the heads of everybody and nobody thinks that selling rice and other things during starvation period when people are going down the plane inch by inch, is sinful. It has become respectable to make money when making of it is possible regard not being had to the circumstances. Force is very good when it is to be used at such critical times and nobody can find fault with you for it. Alongside that, I would also request a little bit of inducement. Our Government has been saying that they would not give any more bonus and also they would not increase the price of paddy. The cultivator finds himself in a very helpless position. He finds that the prices of other articles which he has to purchase have risen six-fold because the Central Government went on with the theory that when once things were left to themselves, everything would adjust and that was a very wrong policy. They were not good enough to control currency in order to check inflation. They ought to have thought

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that without control things would never reach a normal level. They expected the prices to come to normal level in the course of a few months. But did not happen? Take blackgram; it is not available for less than Rs. 2-4-0 per measure. We have seen that whenever controls are removed, prices go up and up and the prices of other stuffs also rise. Merchants feel, especially, with regard to articles which are not perishables that they might keep them on for any length of time. But all the same the poor man has need for them and he has to pay the rates charged for them. I say, Sir that the Central Government ought to have controlled everything. When that is removed, its concomitant results are black marketing, hoarding and abnormally high prices. When things are in short supply, what ought any Government, either the Central or Provincial Government, to do? Complete control is the only thing to be done. The price of paddy has been controlled; but when the cultivator has to purchase gram or cattle, he has to pay six times their normal price; prices are like that for every essential article that he needs for his daily use. There must be fair price fixed with reference to production costs and labour or with reference to the price of other articles required for his daily use and everything should be controlled. In the context of the present events, people are even saying that informal rationing must be abolished. What will be the position; a bag of rice will cost Rs. 250 and there will be nobody living for the next year."

MR. SPEAKER:—"The hon. Member will continue his speech tomorrow."

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

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

* 1. Notification issued with G.O. No. 1701, Home, dated 28th April 1947, making certain amendments to the Madras Motor Vehicles Rules, 1940, published with Home Department Notification No. 357, dated the 29th March 1940, as subsequently amended.

† 2. Acts and Rules—Market Committees—Provident Fund Rules—G.O. No. 1888, Development, dated 29th April 1947.

3. Madras Estates Communal, Forests and Private Lands (Prohibition of Alienation) Ordinance, 1947, Madras.

‡ 4. Salem District Board—Exclusion of villages notified—G.O. No. 1003, L.A., dated 9th June 1947.

§ 5. Elections—Kurichi Panchayat Board, Coimbatore district—Stay ordered—G.O. No. 1139, L.A., dated 3rd July 1947.

* Despatched to Members by post on 14th June 1947.

†	Do.	4th July 1947.
‡	Do.	9th July 1947.
§	Do.	24th July 1947.

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6. (i) *Appropriation Accounts of the Government of Madras for 1945-6 and the Audit Report, 1947.*

(ii) *Finance Accounts of the Government of Madras for 1945-6 and the Audit Report, 1946.*

7. Notification issued with G.O. No. 2738, Home, dated 13th July 1947, making certain amendments to the Madras Motor Vehicles Rules, 1940, published with Home Department Notification No. 357, dated the 29th March 1940, as subsequently amended.

8. Notification issued with G.O. No. 2920, Home, dated 26th July 1947, making certain amendments to the Madras Motor Vehicles Rules, 1940, published with Home Department Notification No. 357, dated the 29th March 1940, as subsequently amended.

9. Notification issued with G.O. No. 2562, Home, dated 13th July 1947, making certain amendments to the Madras Motor Vehicles Rules, 1940, published with Home Department Notification No. 357, dated the 29th March 1940, as subsequently amended.

10. Notification issued with G.O. No. 2650, Home, dated 8th July 1947, making certain amendments to the Madras Motor Vehicles Rules, 1940, published with Home Department Notification No. 357, dated the 29th March 1940, as subsequently amended.

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APPENDIX I.

[Vide answer to starred question No. 10 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly held on the 15th September 1947, page 17 supra.]

Statement showing the total revenues for 1945-46 realized by the Central Government; the portion of the revenue derived from Madras Province and the amounts allotted to the Madras Province.

Major head.	Revenue collected from Madras Province.	Share paid to Madras.
(1)	(2) RUPEES IN LAKHS.	(3) RUPEES IN LAKHS.
A. Principal heads of revenue—		
I. Customs	8,55.20	Income Tax .. 431.25
II. Central Excise Duties ..	6,36.46	Excise 22.00
III. Corporation Tax	5,64.86	Petroleum and
IV. Taxes on income other than Corporation Tax.	7,48.76	Explosives Acts 0.13
V. Salt	2,16.10	Arms Act .. 2.24
VI. Opium	..	
VII. Land Revenue	..	Total .. 455.62
VIII. Provincial Excise	..	
IX. Stamps	..	
X. Forest	..	
XI. Registration	..	
XII. Receipts under Motor Vehicles Taxation Acts.	..	
XIII. Other Taxes and Duties ..	..	
Total	30,21.38	
C. Irrigation, Navigation, Embankment and Drainage Works—		
XVII. Works for which Capital Accounts are kept—		
Gross Receipts	..	
Deduct—Working Expenses ..	..	
XVIII. Works for which no Capital Accounts are kept.	..	
Debt Services—		
XX. Interest	6.98	
F. Civil Administration—		
XXI. Administration of Justice ..	0.12	
XXII. Jails and Convict Settlements.	..	
XXIII. Police	..	
XXIV. Ports and Pilotage	0.21	

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Major head.	Revenue collected from Madras Province.	Share paid to Madras.
(1)	(2) RUPEES IN LAKHS.	(3) RUPEES IN LAKHS.
XXV. Lighthouse and Lightships ..	2.73	
XXVI. Education	0.07	
XXVII. Medical	0.10	
XXVIII. Public Health	..	
XXIX. Agriculture	..	
XXX. Veterinary	..	
XXXI. Co-operation	..	
XXXII. Industries	..	
XXXIII. Aviation	0.03	
XXXIX. Broadcasting	0.85	
XXXVI. Miscellaneous Departments ..	8.83	
Total	12.94	
G. Currency and Mint—		
XXXVII. Currency	0.23	
XXXVIII. Mint	..	
Total	0.23	
H. Civil Works and Miscellaneous Public Improvements—		
XXXIX. Civil Works	0.05	
I. Miscellaneous—		
XLII. Receipts from Indian States.	29.33	
XLIV. Receipts in aid of Super-annuation.	0.85	
XLV. Stationery and Printing ..	0.79	
XLVI. Miscellaneous	3.22	
Total	34.19	
L. Contribution and Miscellaneous Adjustments between Central and Provincial Governments—		
L. Miscellaneous Adjustments between Central and Provincial Governments.	..	
M. Extraordinary Items—		
LI. Extraordinary Receipts	..	
LII. Receipts connected with the war, 1939.	36.73	
LII. A. Transfers from Revenue Reserve Fund.	..	
B. Civil Defence	0.33	
Total	37.06	
Total Revenue Heads	31,12.83	

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APPENDIX II.

[Vide item 5 at page 39 supra.]

STATEMENT ON THE FOOD SITUATION.

At the end of May 1946, in moving that the food and the cloth situation be taken into consideration, the Hon'ble Sri Prakasam gave a detailed review of the food position of the province and the steps taken since 1942-43 by the Government to handle the problem. It is therefore unnecessary for me to cover the same ground again now. I propose therefore to place before you only a few salient facts which will show how our food resources have been steadily dwindling leading to the present crisis.

2. The Madras Province has been even in normal times deficit in foodgrains and has been dependent largely on imports from Burma and other eastern countries to make up its deficits. The net average annual imports were about 451,000 tons of rice and 10,000 tons of millets. The average annual production of the four pre-war fasli years 1935-36 to 1938-39 was about 4.6 million tons of rice and 2.9 million tons of millets. The average annual imports for the same period were 381,000 tons of rice, 12,000 tons of millets and 64,000 tons of wheat and wheat products. Deducting seed requirements the quantity of cereal foodgrains available for consumption annually amounted to about 7.7 million tons.

3. 1939-40 to 1944-45 were the war years. During the first three years of the war this province was not seriously affected and there was no food problem as such. There was, of course, a rise in the price of foodgrains; but the rise was not very great and foodgrains were available to consumers at reasonable prices. The fall of Burma towards the end of 1941 deprived not only Madras but also other parts of South India (Hyderabad, Mysore, Travancore and Cochin) as also Ceylon of the usual source of imports. In the first half of 1942 these areas bought in Madras to the extent of about 155,000 tons of rice for their immediate needs. Thus, Madras for the first time became a net exporter of rice though as I have said above it has always been deficit in rice and a net importer. The assistance to the adjoining areas was continued in 1942-43 also; the net exports during that year amounted to about 262,000 tons. Towards the end of the year, the Government of India took over the control of the distribution of foodgrains from surplus to deficit areas under their Basic Plans and Madras was relieved of the demands from her neighbours. In 1943-44 and 1944-45, the Government of India gave some assistance to our province. The net imports of rice in 1943-44 were 56,000 tons, and in 1944-45 about 130,000 tons. These quantities do not compare with the normal pre-war annual import of 451,000 tons; but were no doubt of great help. The Grow More Food Campaign

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showed an increase of area under food crops and a reduction in the area under non-food crops. But the effects of the campaign were neutralized by the bad seasons and there was no substantial addition to the food resources of the province. The position of the province in the last three years of the war was as follows :—

Name of the foodgrains.	Average annual production. (TONS.)	Net imports. (TONS.)	Quantity available for consumption deducting seed. (TONS.)
Rice	4,866,667	(a) (—) 76,713	4,632,362
Millets	2,652,000	22,666	2,616,896
Wheat and wheat products ..	1,730	60,436	62,033
	<u>7,520,397</u>	<u>6,389</u>	<u>7,311,291</u>

(a) Net exports as explained above.

It will be noticed from the above that the average quantity available for consumption in the last three years of the war decreased to 7.3 million tons from about 7.7 million tons pre-war. This was partly due to the prevalence of famine in the Ceded Districts which affected the millet yield but chiefly due to the decline in imports. It must be remembered that all this while the population has gone on increasing at the rate of one per cent or nearly five lakhs of persons per year. But no scarcity was actually felt as the normal carry-over was being used up.

4. We thus began the first post-war year 1945-46 year under very difficult conditions. I must explain that the year referred to here and in what follows is the kharif year commencing on the first November. This has been adopted because the Government of India adopt the kharif year for their distribution plans of rice and millets to suit the all-India conditions. We had practically exhausted all our reserves and had to rely entirely on current production supplemented by imports for current consumption. Both the monsoons were in defect and the cyclone did great damage to the crops ripe for harvest in parts of the Circars. The estimated production of rice was 4,241,000 tons against the average of 4,866,667 tons for the previous three years and 2,127,000 tons of millets against the average of 2,652,000 tons for the same period. The year was a bad year for rice and millets all over India, particularly South India. A famine was apprehended and plans were made to mitigate its effects.

5. Though the war had ended normal imports could not be resumed for the countries which used to export rice to India were devastated by war and conditions all over were very unsettled, and sufficient shipping was not available. Besides there were many other countries which had suffered during the war and were claimants for such surplus rice as was available. The Allies set up a body called the I.E.F.C. (International Emergency Food Council) at Washington to pool the available resources and distribute them equitably. The Government of India had to convince

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this body of the justness of the claim of India and as several political and economic considerations swayed the decisions, the assistance given fell short of India's requirements. In any case there was not enough rice to go round and the Government of India had to accept wheat, maize, barley and such other foodgrains, which are not in ordinary use in South India, to make up the quota. From out of the imports and from what could be secured from other parts of India, the Government of India supplied 603,000 tons of foodgrains made up of 268,612 tons of rice, 184,631 tons of wheat and wheat products, 149,757 tons of millets, maize and other unfamiliar grains.

6. At a conference held at Bangalore in February 1946, presided over by His Excellency the Viceroy, it was agreed that, whatever assistance might be forthcoming from abroad, the country should husband its resources carefully, and the decision was taken that the over-all ration in all rationed areas in the country should be reduced to 12 ounces. Immediate effect was given to this decision in this province. The province had naturally to make the best use of its own resources before it could convince the Government of India of its needs and obtain the required help. Statutory rationing and monopoly procurement were already in force in the district of Malabar from 1944. Rural rationing and the system of procuring the entire surplus with the producers on Government account which were in force in six other deficit districts were extended to all the remaining districts in the province, including the surplus areas.

7. It has been the practice to fix the prices of rice and millets at the commencement of each kharif year and keep them unchanged during the year. The prices prevailing at the end of 1944-45 were left unchanged for 1945-46 as it was expected that the season would be normal and that the wages for labour would go down consequent on the closure of military works at the end of the war. Neither of these expectations turned out to be correct and it became necessary to encourage the cultivation of short-term crops and to stimulate procurement by means of bonuses. A bonus at the rate of Rs. 15 per acre was offered for the area brought under food crops in March and April 1946. A bonus at the rate of Re. 1 per maund of paddy and 12 annas and 8 annas per maund of major and minor millets respectively were given for deliveries made during the 1st June and 15th August 1946. Another bonus of Re. 1 per maund of paddy and 8 annas per maund of millets was given for the short-term crops delivered in the months of September to November 1946. An additional bonus of Re. 1 per maund of paddy was given for paddy delivered between 16th September and 31st October 1946, the most critical period. These inducements produced the desired effect and procurement was very successful. Against a target of 1,402,500 tons of rice, the quantity procured amounted to 1,354,766 tons. The millets procured amounted to 120,887 tons against the target of 409,000 tons. Incidentally I may add that these inducements were too successful in that they brought out whatever resources that remained and emptied the granaries. The quantities of rice procured and the

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rice imported were not however enough to maintain the 12 oz. ration. The ration of the rice eaters was first reduced to 10 oz. of rice and 2 oz. of other foodgrains, and then in August 1946 to 8 oz. of rice and 4 oz. of other foodgrains. Besides foodgrains, foodstuffs like dehydrated potatoes, sweet potatoes, groundnut toffee and milk powder were imported and sold at subsidized rates. The crisis was tided over, but it cost the Government on the relief measures taken about ten crores of rupees.

8. I must also refer to two new institutions set up during the year as they have a bearing on the food situation during the current year. With a view to associate the non-officials with the food administration and to obviate complaints of high-handedness on the part of food officials, Village, Taluk and District Food Committees were formed. In regard to procurement, they were authorized to scrutinize the demand lists prepared by the officials and settle the quantities to be collected from individual producers and from each village. As you are fairly familiar with the functions and duties of these committees, it is unnecessary for me to go into greater details. The second institution set up was the Producer-cum-Consumers Societies with the aim of eliminating middlemen and black-markets and securing the largest benefits to the producers and consumers alike. The scheme was first tried in the district of Malabar where it worked with a fair amount of success. It was then extended to the delta taluks of East and West Godavari, Kistna and Guntur districts, and the societies were in the course of organization at the end of the calendar year 1946.

9. The year 1946-47 started well. The rainfall in the two monsoons was adequate and there would have been a normal and even a bumper crop but for the heavy rain in December and January. The yield of paddy was in consequence reduced in some districts and millets were affected in several districts. Taking due account of this damage, the yield of rice has been estimated at 4,795,000 tons, that is, 554,000 tons more than the yield in the previous year, and of millets at 2,114,000 tons, about 13,000 tons less than in the previous year. As the prospects thus seemed more favourable, and in the belief that the Government of India would be able to continue their help to the extent required, the rice portion of the ration of rice eaters was raised to 10 oz. from the middle of December, and the decision was being given effect to in the districts as stocks were built up. In December it became known that the Government of India would not be in a position to supply any wheat or wheat products or maize to this Province for some time to come and there was no other grain that could be given for the balance of 2 oz. to make up the 12 oz.. In January it was therefore decided to raise the rice content of the ration to the full 12 oz. But this order could not be introduced in some districts or kept in force for long in other districts as procurement was not proceeding according to expectations and in view of the subsequent intimations that the help the Government of India could render was problematical.

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10. As usual the question of fixing prices for 1946-47 was considered in September 1946 and the recommendation of an *ad hoc* committee that the price of paddy should be raised by a rupee a maund was sent up to the Government of India for approval. The arguments that the prices of foodgrains in Madras were the lowest in India and that the prices had not been allowed to rise to the same extent as in other parts of India were not disputed. But the Government of India decided against any increase in any Province as a matter of all-India policy. They were also against the grant of any bonus either, as it was considered to be a way of getting round the decision against price enhancement. There was great disappointment among producers who considered that they did not have a fair deal since nothing was being done to check the rising costs of cultivation, or the soaring prices of consumers' goods. The grant of the bonuses in the previous year had roused expectations which were rudely quenched by this decision. Procurement did not in the circumstances make a good start and gather momentum as usual. Producers in general refused to give up all hopes of either price increase or bonus later in the year despite frequent denials by the Government and were slow in making deliveries.

11. There were other causes too that retarded procurement. The Village Committees in general showed themselves incapable of considering the needs of areas outside their own villages and invariably underestimated the surpluses for procurement. They increased the strain on rice by freely reclassifying millet-eaters as rice-eaters whenever there was the slightest difficulty in supplying millets. There was a general failure of millets in the upland areas of the Circar districts and rice was smuggled to those areas and sold at very high prices. People in those areas could afford to pay heavy prices as they were making large sums of money by raising industrial crops like tobacco. It is not possible to say how much rice was lost for Government procurement in this way, but there is no doubt that it was considerable. This black-market is reported to continue to flourish in spite of official vigilance for want of public support. Last, but not the least, the newly formed Producers-cum-Consumers Societies in the Circars were not pulling their weight in procurement as they were new to the business, and were in the throes of organization battling with the vested interests which they were intended to supplant. As the following figures show, procurement by the societies in the districts of East and West Godavari was not bad, it was unsatisfactory in Kistna and most disappointing in Guntur:—

PROCUREMENT FROM JANUARY TO MARCH.

(Figures in tons.)

	January to March 1946-46.	January to March 1946-47.		
		By millers.	By societies.	Total.
East Godavari	15,605	16,790	11,501	28,291
West Godavari	83,939	20,620	30,421	51,041
Kistna	52,004	46,400	9,410	55,810
Guntur	57,619	10,807	4,060	14,867

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This would not have mattered if the deficit districts could have afforded to wait but they were working with very low stocks and were in need of replenishment.

12. The Government of India had their own difficulties. The millet crop in other parts of India was below normal. The wheat crop over a large part of Central India extending from Hyderabad almost to the foot of the Himalayas was affected by rust and the yield was negligible. The allotment of rice to India for the first half of 1947 was about 400,000 tons and 200,000 tons for the second half of the year. But as the chief source of supply is Burma where conditions are unsettled, receipts were uncertain; only a little over 200,00 tons were actually delivered during the first half of the year. Whatever wheat was imported was required for the wheat importing provinces in North India and the Government of India could spare none for Madras from January onwards. A tentative allotment of 160,000 tons of rice both from internal and external sources was made to this Province for the Kharif year, but we were told that deliveries particularly of rice from overseas was uncertain and depended on actual arrivals. As the availabilities was so uncertain and varied from month to month, the Government of India started the practice of holding a monthly conference of the officers of the deficit provinces and States and distributing what could be fairly depended upon to arrive during the next month among the deficit areas so as to leave them at the end of the month the same proportion of stocks with reference to their commitments. This distribution is equitable as far as it goes; but places the Province in a disadvantageous position owing to universal rationing. In other administrations, people in rationed areas, if stocks run out, could go out to non-rationed areas and buy what they can afford to; specially because producers are not rationed. The consequence of failure of supplies will therefore be more serious in Madras than elsewhere. The prospects of imports for the second half year steadily deteriorated and the Government of India warned us that we should rely mainly on our own resources and make the best use of them. If they can, they will help, but it would be most imprudent to base our plans on their help. The quantities imported up to 28th August 1947 are 121,970 tons of rice, 56,210 tons of wheat and wheat products and 35,073 tons of millets. The Government of India have made an allotment of 7,500 tons of overseas rice and 500 tons of wheat and flour for the month of September and about 6,000 tons of rice are due from Central Provinces and Sind against the quotas previously allotted. It is hoped that these allotments will materialize in time. It seems very unlikely that the Government of India can supply any more rice till the commencement of the next Kharif year on 1st November 1947, but they may be able to spare some wheat and milo from October, onwards when it begins to arrive from America.

13. When I took charge as Minister for Food along with other Ministers forming this Government at the end of March 1947, procurement had stopped in Guntur district and there were reports.

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that there were only about a week's stocks in the statutorily rationed towns and that rural rationing had broken down; this in a district surplus in rice. As the situation was serious and brooked no delay, the agency for procurement entrusted to the producers-cum-consumers societies was suspended and handed back to millers and dealers. The Commissioner of Civil Supplies was deputed to make a special investigation and he reported that restoration of millers was necessary in the districts of Guntur and Kistna and though the societies had not done badly in East and West Godavari districts, millers could have done better. As the stocks in the deficit districts were dropping steadily, it was considered unsafe to continue the experiment of the societies and the procurement agency was restored to the millers in the other three districts also. Other impediments were also removed. Collectors were asked to instruct their officers to fix the targets for procurement for villages themselves based on the performance of last year and the yields this year irrespective of the village committees. They were also authorized to remove co-operative organizations which had been entrusted with procurement in several districts where they found them inefficient and substitute other suitable agencies to do the work. These measures had some effect and procurement improved slightly; but the main grievance of inadequate prices remained. The best that we could do consistent with the price policy of the Government of India was to raise the village-site prices by 4 annas a maund of paddy by adjustments of the margins to the wholesalers and millers. But this was not considered adequate by the producers. The stocks on hand and the future prospects did not warrant the hopes of being able to continue the overall 12 oz. ration and it was reduced to 10 oz. in all districts with effect from 25th May 1947.

14. The Hon'ble Minister for Food and Agriculture (Dr. Rajendra Prasad) visited this Province in May to study the conditions for himself and the Hon'ble Prime Minister and myself had several discussions with him particularly on the question of prices. He found himself unable to agree to any price revision; but promised to consider if a scheme for assistance in the shape of manure was sent up. Procurement was again slowing down, and it became evident that very drastic and urgent steps were necessary if the situation was to be saved. The composition of the ration was readjusted to reduce the demand for rice; it is now 8 oz. rice and 2 oz. of millets (milo), etc., for rice eaters; 1 oz. of rice and 9 oz. of millets, etc., for millet eaters and 3 oz. of rice and 7 oz. millets, etc., for mixed diet eaters; and if they forego rice altogether they may take 12 oz. of millets, milo, maize, etc. The bonus scheme was also sanctioned with retrospective effect, under which for every maund of paddy delivered, half a rupee would be paid in cash and half a rupee will be given as a bonus coupon exchangeable for manure or other accessories of production. The scheme in the light of criticism has been slightly modified to make it more tempting. Assuming $1\frac{1}{2}$ million tons of rice are procured during the years, this scheme will cost approximately six crores of rupees;

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it is proposed to recover half from the consumers, and the Government of India and this Government bear the other half in equal shares. The cost to this Government will be at the least a crore and half of rupees.

15. As the ration particularly the rice ration is very meagre, the Government have arranged for the sale of potatoes in all ration shops at the same rate as it is sold on the Nilgiris, the Government bearing the cost of transport. This subsidy is expected to cost about five lakhs of rupees. Rice imported from other parts of India is sold at the same rate as rice grown in this province to avoid hardship to consumers. As working stocks are low, they have to be frequently transferred from one place to another to avoid a breakdown and the Government bear the transport charges in the interest of consumers. The Government will thus have to spend from 3 to 4 crores of rupees this year also on food subsidies apart from the large staff employed in the Civil Supplies Department.

16. Procurement has of late shown some improvement, but still falls short of expectations. Against a target of 1,787,600 tons of rice, the quantity procured up to 31st August 1947 amounted to 1,204,303 tons and 87,638 tons of millets have been procured out of the target of 148,560 tons and there are only 2 months left. I will not trouble you with detailed figures for districts, but would invite your attention to the procurement in the usually heavy rice surplus districts.

Kharif year 1946-47.

Districts.	Production of rice.	Target fixed for procurement of rice.	Actual procurement from 1st November 1946 to 31st August 1947.
	TONS.	TONS.	TONS.
East Godavari	348,000	121,500	83,686
West Godavari	413,000	289,100	172,264
Kistna	336,000	194,900	128,950
Guntur	200,000	64,000	49,065
Nellore	156,000	69,800	43,468
Tanjore	587,000	264,200	212,254

Details of procurement for the last Kharif year 1945-46 were as follows:—

Districts.	Production of rice.	Target fixed for procurement of rice.	Actual procurement in 1945-46.
	TONS.	TONS.	TONS.
East Godavari	313,000	135,458	120,735
West Godavari	309,000	210,325	227,454
Kistna	272,000	215,684	180,167
Guntur	191,000	114,074	117,581
Nellore	109,000	48,439	63,741
Tanjore	572,000	29,626	283,492

It will be observed from the above that the northern surplus districts have had a better crop in 1946-47 and all the districts except Tanjore have still considerable quantities to deliver.

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"The variations in the target fixed for procurement and the actual procurement in 1945-46 are due to the fact that the target had to be revised thrice during 1945-46 for the following reasons:

1. There was a cyclone about October 1945 which caused a lot of damage to the crops, in the Circar districts. As a consequence the target had to be lowered.

2. On account of the failure of the Mettur Dam the *thaladi* (Second crop) in Tanjore district was similarly affected.

3. In May-June 1946, the yield of *Dalwa* crop in the Circar districts was much higher than was anticipated with the result our target was also raised, and the procurement made accordingly to the target figure."

17. The requirements for the rest of the Kharif year on the present revised scales of rations have been estimated as follows:—

	Rice. TONS.	Other grains (millets, wheat, etc.). TONS.
August 28th to 31st	14,500	1,820
September	141,800	17,800
October	138,600	17,400
One month buffer stock	140,000	17,500
	434,900	54,520
Stocks on 28th August 1947 under Government control	153,378	25,843
	281,522	28,677
Additional quantity required		

The stocks on hand represent nearly five weeks' requirements, but they are very unevenly distributed. Thus Kistna, West Godavari, Tanjore, with reference to their rationed requirements have stocks for about 12 weeks, 20 weeks and 14 weeks respectively, while Malabar, South Kanara, and Coimbatore and Madras have stocks enough for 2 weeks, under a week, 3½ weeks and 2 weeks only. The danger of a breakdown in the deficit districts if supplies do not reach them promptly and regularly is evident. As I have said above, the Government of India are not likely to be able to give any more rice beyond the 13,500 tons referred to above during the rest of this year and the other grains they may spare are not likely to be considerable. It is therefore imperative that if a breakdown and possibly starvation are to be averted, the Province must raise another about 268,000 tons of rice from its own resources. This will have to be done as soon as possible, as the ensuing months are rainy months when processing of rice is likely to be impeded for days and communications are likely to break down. This is our immediate task. We should address ourselves to it with a will. I have visited several districts already and propose to tour as many more as possible to explain the seriousness of the situation and enlist the support and co-operation of the public. My colleagues have also undertaken to do the same and if there is adequate response, we should pull through.

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18. The next Kharif year is not far off, and it is necessary to think of the arrangements for the next year. As the Hon'ble Members are aware, a Provincial Food Council consisting of representatives of all interests was recently constituted and it held its first meeting on 11th August 1947. All the outstanding problems were discussed by that body and I am very grateful for its valuable suggestions. A sub-committee of the Council has been set up to go into the question of prices and suggest suitable prices to be paid for the new crop. As soon as its recommendations are received and examined by the Government, they will try their best to persuade the Government of India to agree to the fixation of prices which, while bearing the interest of consumers in mind, do justice to the producers.

19. The experiences of 1945-46 and 1946-47 serve to show that the Government have taken on themselves a very heavy responsibility by embarking on universal rationing. I compare below the resources for last year and this year:—

	1945-46. TONS.	1946-47. TONS.
Production of rice	4,241,000	4,795,000
Production of millets	2,127,000	2,114,000
Imports	603,000	213,253
		(Up to 28th August 1947).
Total	6,971,000	7,122,253

The resources in the year 1946-47 are slightly more than in the previous year. Last year, the overall ration never went below 12 oz., this year the maintenance of rationing even at 10 oz. is in grave doubt. The truth is that people are getting tired and impatient of the never ending demands on behalf of the Government. It seems therefore sufficient if the Government limit their responsibilities to areas which need protection, such as towns, industries, deficit parts of districts. It has therefore been suggested that rural rationing may be discontinued except in Malabar and statutory rationing be given up in towns in surplus districts as the crops of the next year are harvested. After all the Government cannot undertake indefinitely the direct feeding of the people and steps should be taken some day, the sooner the better, to restore, as far as may be, the normal channels of distribution.

20. Before I close, I wish to refer to the long range aspect of the food problem. Statistics show that, whatever the results of the Grow More Food campaign may have been, the area under paddy and the yield are almost stationary during the last decade while the area under millets has decreased and the yield has gone down by nearly a million tons. The population keeps on increasing inexorably in geometric ratio of about 1 per cent per year, thus widening the gap between the resources and the demand for food. In the last two years the Government have been spending

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about 14 crores of rupees on food subsidies alone and the Government cannot afford to continue to do so indefinitely. With all its vast resources of land and rivers, Madras has been lining up in a queue begging of other areas for food; it has not been able to buy enough and will not be in the near future able to do so, particularly to feed its increasing population. If the humiliations, anxieties, sufferings and expenses of the last six years are to be avoided, this Province should grow food to provide its population with at least enough for subsistence, if not enough to satisfy the nutritional standards. There should be a reorientation of the Grow More Food Policy and it should be pursued with vigour and with top priority over all other post-war schemes. Else, all talk of progress will come to naught and we shall be in peril.

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SRI T. PRAKASAM:—"I was going to refer to that point just now. There is, what is called an Adaptation Order. It is printed as a leaflet, and it gives details of all the sections of the Government of India Act, 1935, that were intended to be adopted by the Constituent Assembly. In that Adaptation Order it is provided that so much of the Government of India Act regarding legislatures of the provinces and other things is included. And that would be a point that would be raised against me in the Constituent Assembly and in this House. Therefore I have started with the point that Adaptation Order has no sanction behind it; because what was advised by the British Parliament in the Indian Independence Act, as I stated, Sir, was only an advice, and the British Parliament had no power to treat it as any mandate or direction. Therefore if the British Parliament itself had no power to say or to give any advice, any such advice of the newly formed Union Dominion Government would also be *ultra vires*. I am placing before you section 7 of the Indian Independence Act, which lays down that after the power is transferred, the British Government or Great Britain would have no responsibility whatever for anything done in India either in the Centre or in the Provinces. That is the real Section which settles the whole matter. The moment on the 15th of August power was transferred or declared as having been transferred in Delhi by the Viceroy on behalf of Britain, Britain ceases to have any responsibility for anything done here, that is, either in the Centre or in the provinces. Regarding the Central Legislature, provision is made in the Indian Independence Act. It is said there that the Central Legislature shall cease to operate from the 15th of August, and that the powers of the Central Legislature may vest in the Constituent Assembly, which becomes a sovereign body. No one can dispute that point."

MR. SPEAKER:—"I think the hon. Member has made his position clear."

SRI T. PRAKASAM:—"The point I placed before the Constituent Assembly in the form of a resolution—a copy of which I have already placed in your hands—and the point I am making to-day is that the Madras Legislature or rather, the Madras Provincial Assembly stood dissolved on the 15th of August; not only the Madras Assembly but all the Provincial Assemblies of India stood dissolved. They must be taken as dissolved on that date. For the Central Legislature provision has been made, but for the provincial legislatures no provision has been made in the Indian Independence Act. My point before you is when a legislature stands dissolved on the 15th August, what is it that should be done. Are you entitled Sir, as Speaker of the old House to continue as Speaker?"

MR. SPEAKER:—"Yes, I am entitled to continue as Speaker." (Laughter.)

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SRI T. PRAKASAM:—"You say you are entitled to continue as Speaker; I say, you are not entitled to continue." (Laughter.)

MR. SPEAKER:—"I am entitled to continue."

SRI T. PRAKASAM:—"I question it."

MR. SPEAKER:—"I shall give my ruling."

SRI KALLURI SUBBA RAO:—"When you are not Speaker, how can you give the ruling?" (Laughter.)

A VOICE:—"When he is not a Member how can he speak." (Laughter.)

MR. SPEAKER:—"The hon. Member may continue his speech."

SRI T. PRAKASAM:—"Sir, you will find in the Indian Independence Act provision is made to the effect that nothing done in the provincial governments or in the provincial legislatures should be sent up to the higher authorities as provided in the Government of India Act, 1935. Similar provisions are made in sections 7, 8 and 9 to make it clear that after the 15th of August all legislatures which came into existence under 1935 Act would cease to function. The elections to this Assembly were held under that old Act. All of us were returned under that Act and we were functioning until 15th August as members of the Legislature under that old Act. Now, Sir, what is the oath now administered. I did not catch yesterday the terms of the oath that was administered to certain new hon. Members."

MR. SPEAKER:—"The oath is given in the Order made by the Governor-General on 2nd September 1947."

SRI T. PRAKASAM:—"Yes, that is the new oath; and that is the oath that is expected to be administered after 15th August after power had been transferred to the people of India. The people of India after that date are entitled to say that the old Legislatures in all the provinces stood dissolved on 15th August and the people who have become entitled to govern themselves through the exercise of franchise are entitled to have a fresh election so that they will be returning their own representatives who would be competent to govern the country. That right cannot be taken away by anybody, much less by a Parliament that had parted with all its powers. Therefore I am submitting that hereafter the question may come up before the Federal Court or the Supreme Court relating to constitutional matters of this nature, if these things go on at this rate."

MR. SPEAKER:—"The hon. Member has made his point clear and he may finish his speech."

SRI T. PRAKASAM:—"I am glad the matter has been made clear not only to you but to every other Member; but I am only of hands." (Laughter and clapping)

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MR. SPEAKER:—"Clapping of hands is not allowed."

SRI T. PRAKASAM:—"With reference to what may be happening after decisions are taken and if work is proceeded with without examining all these things my submission to you, Sir, is this. I thought, in my conversation with you yesterday, you told me that the Members of the Legislature which continues to be the old one, are on the old oath. That was an oath of loyalty to His Majesty the King Emperor and we are all continuing as Members of the old Legislature with our loyalty pledged to His Majesty the King Emperor. Until all of us are entitled and until we are made to take the new oath, which would be possible only after new elections take place, this Legislature cannot be said to be functioning in proper order. . . . The new oath is 'I owe my loyalty to the Constitution'. That is the language of the new oath. Compare and contrast this oath with the old oath of loyalty to His Majesty the King Emperor. The 'King Emperor' has dropped out of the scene altogether. There is no longer the King Emperor. There is no longer Emperorship here. The whole loyalty is to the people; those who have got the right to come into the Legislature and work on behalf of the people should be the people who are competent to take the new oath after the new election and should not continue under the old oath and try to do things in the manner in which we are attempting to do. The whole thing is out of order. That is my point."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information. Sir. If according to Mr. Prakasam the Assembly cannot function, may I know from him, whether this Province can be ruled by the Ministers, and if not by whom it should be governed?"

MR. SPEAKER:—"I will give my ruling now."

SRI V. I. MUNISWAMI PILLAI:—"Is it not advisable for us as Members of the Constituent Assembly . . ."

MR. SPEAKER:—"Not necessary at all, when I am going to give my ruling."

"The hon. Member, Sri Prakasam, assumes that we are not working under the Government of India Act, 1935, as amended by the Indian Independence Act and the Adaptation Order. It must be made clear to the House that we are working still under the 1935 Act as amended by the Adaptation Order made under the Indian Independence Act. The 1935 Act was not repealed by the Indian Independence Act but on the other hand it was modified. I will read the heading alone: It will make my position clear. This is the heading for the setting up in India of two "An Act to make provision for the setting up in India of two independent Dominions, to substitute other provisions for certain provisions of the Government of India Act, 1935 (note the words 'to substitute other provisions for certain provisions of the

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Government of India Act, 1935') which apply outside those Dominions and to provide for other matters consequential on or connected with the setting up of those Dominions."

MUHAMMAD ISMAIL SAHIB BAHADUR:—"Does it form part of the Act, Sir."

MR. SPEAKER:—"It is the heading to the Act. Section 8 was quoted by my Friend Mr. Prakasam himself. "Temporary provision as to Government of each of the new Dominions": That is the heading. The sections reads as follows:—

'In the case of each of the New Dominions, the powers of the Legislature of the Dominion shall, for the purpose of making provision as to the constitution of the Dominion, be exercisable in the first instance by the Constituent Assembly of that Dominion, and references in this Act to the Legislature of the Dominion shall be construed accordingly.'

Mr. Prakasam has told us that the Constituent Assembly is a sovereign body. That Constituent Assembly has accepted the Independence Act."

SRI T. PRAKASAM:—"Let me interrupt you, Sir. I did not say that the Constituent Assembly was a sovereign body . . ."

MR. SPEAKER:—"You did say so and you have given it in writing."

SRI T. PRAKASAM:—"Although it is called a sovereign body as such it is not."

MR. SPEAKER:—"In the statement that you have given in writing you have mentioned that the Constituent Assembly is a sovereign body."

"Sub-section (2) of section 8 of the Independence Act makes the position still more clear. I think every Member has a copy of it. Sub-section (2) reads as follows:—

'(2) Except in so far as other provision is made by or in accordance with a law made by the Constituent Assembly of the Dominion under sub-section (1) of this section each thereof shall be governed as nearly as may be in accordance with the Government of India Act, 1935; and the provisions of that Act, and of the Orders in Council, rules and other instruments made thereunder, shall, so far as applicable, and subject to any express provisions of this Act, and with such omissions, additions, adaptations and modifications as may be specified in orders of the Governor-General under the next succeeding section, have effect accordingly.'

So it will be seen that the Independence Act has not repealed the 1935 Act. On the other hand as I have already made my position clear it has simply modified it or amended it.

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"Secondly, there is the Order in Council made by the Governor-General. It was published in the *Fort St. George Gazette* on September 2nd. I will read the first two paragraphs: They run as follows:—

'Whereas by sub-section (2) of section 8 of the Indian Independence Act, 1947 (hereafter in the recitals to this Order referred to as the said Act) it is provided that except in so far as other provision is made by or in accordance with a law made by the Constituent Assembly of the Dominion under sub-section (1) of the said Section, each of the new Dominions and all Provinces and other parts thereof shall be governed as nearly as may be in accordance with the provisions of the Government of India Act, 1935 and that the provisions of the Act shall so far as applicable and subject to any express provisions of the said Act, and with such omissions, additions and adaptations and modifications as may be specified in Orders of the Governor-General under the next succeeding section of the said Act, have effect accordingly . . .'

So we are still under the old Government of India Act, 1935 as amended by the Independence Act as well as by the Order in Council as published in the *Fort St. George Gazette* on September the 2nd.

"I therefore rule the point of order raised by my hon. Friend, Mr. Prakasam, as out of order.

"Now we are in question time."

SRI B. S. MURTHI:—"On a point of information, Sir. The hon. Member, Mr. Prakasam, stated that we are all Members having taken an oath of allegiance to the King-Emperor. That oath has not been changed for us although the Ministers and the Governor have taken the changed oath."

MR. SPEAKER:—"Please refer that question to the Constituent Assembly."

II.—QUESTIONS AND ANSWERS

STARRED QUESTIONS.

MR. SPEAKER:—"We left over two or three questions yesterday. The answer to question No. 9 has been printed and placed on the Table. Members may put supplementary questions on that."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether there has been any deviation or any alteration in regard to the priorities for Post-war Schemes that have received block grants, and if so, whether the Government of India have been informed about those deviations and change in priorities?"

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THE HON. SRI B. GOPALA REDDI:—"As far as I am aware there has been no deviation from the previously arranged grants and if there is any change certainly the Government of India will be informed."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know what amount has been allotted by the Government of India for the Muslim Women's College at Madras and how much of that amount has been utilized till now?"

THE HON. SRI B. GOPALA REDDI:—"It is called a block grant of Rs. 625 lakhs and they do not specify how much is earmarked for any particular item."

SRI C. M. KOTHARI:—"Are these grants of Rs. 625 lakhs utilized for productive purposes or unproductive purposes?"

THE HON. SRI B. GOPALA REDDI:—"They are spent on unproductive purposes, Sir."

SRI C. M. KOTHARI:—"Will the Hon. Minister be pleased to appoint a Committee to have these grants examined and used for productive purposes?"

THE HON. SRI B. GOPALA REDDI:—"I cannot straightway give any positive answer to the question, Sir. If there is a need I will certainly appoint a committee."

BEGUM SULTAN MIR AMIRUDDIN:—"Is it not a fact, Sir, that the Government of India which was functioning during the Advisors' regime here allotted a sum of Rs. 5 lakhs for the Muslim Women's College at Madras?"

THE HON. SRI B. GOPALA REDDI:—"The present quinquennium starts from 1947 April. It goes on for five years and the total amount of Rs. 625 lakhs that were given during the Advisors' regime were not taken cognizance of when this Rs. 625 lakhs . . ."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know then what happened to the amount that was allotted by the Central Government to this Government when the Advisors' Government were in power?"

THE HON. SRI B. GOPALA REDDI:—"It is open to the Provincial Government to scrutinize all the items and again refer them to the Government of India for sanction."

[* Questions 10 to 22 answered on the 15th September 1947.]

Specialists who have been released from the army.

* 23 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to state how the Government intend to make use of the Specialists that have been released from the army?

THE HON. SRI K. MADHAVA MENON:—"The intention is to make use of these specialists for specialist and teaching appointments in the Madras Medical Service to the extent necessary."

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BEGUM SULTAN MIR AMIRUDDIN:—"May I know whether the Hon. Minister is aware that the Bhore Committee has recommended that medical specialists should be appointed to the various headquarters hospitals as honorary surgeons or honorary physicians?"

THE HON. SRI K. MADHAVA MENON:—"The Bhore Committee might have recommended so, Sir."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know whether the Government intend to implement the recommendation of the Bhore Committee?"

THE HON. SRI K. MADHAVA MENON:—"I have already stated, Sir, that it is the intention of the Government to make use of these war returned men for being appointed in teaching and specialist appointments in the Madras Medical Service to the extent that is necessary. We cannot guarantee that every recommendation of the Bhore Committee will be accepted and acted up to."

SRI P. NATESAN:—"May I know how many specialists have returned from the army?"

THE HON. SRI K. MADHAVA MENON:—"We have no definite information about it. About 900 applications have been received from the discharged men and the Public Services Commission have been asked to select the specialists and other members who are required."

BEGUM SULTAN MIR AMIRUDDIN:—"While there is an honorary surgeon in the Madura hospital, may I know why some of these specialists are not appointed as honorary surgeons in the Headquarters Hospitals at Trichinopoly, Tanjore and other places?"

THE HON. SRI K. MADHAVA MENON:—"The question of appointing these war returned men is still under the consideration of the Public Services Commission."

Lady doctors in the Maternity Hospitals.

* 24 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to state what steps the present Government intend to take in the matter of appointing more lady doctors in the Maternity Hospitals of this Province?

THE HON. SRI K. MADHAVA MENON:—"The Government have recently sanctioned the employment of a Woman Sub-Assistant Surgeon in the Government Women and Children Hospital, Calicut. They will consider the question of employing a Woman Assistant Surgeon in the same hospital in connexion with the budget for 1948-49. The question of appointing more Women Medical Officers in the Maternity hospitals will be considered as and when necessity arises."

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BEGUM SULTAN MIR AMIRUDDIN:—"In view of the fact that the majority of Indian women are opposed to being treated by men gynaecologists and obstetricians; will the Government do their best to see that the majority of medical officers in all maternity hospitals not only in the City but throughout the Province are women?"

THE HON. SRI K. MADHAVA MENON:—"I have still my doubt whether the majority of Indian women have a preference like that. Still I may say that the appointment of more women medical officers in all maternity hospitals is under the consideration of the Government."

SRI T. VISWANATHAM:—"May I ask, Sir, whether the Resident Medical Officer of the Maternity Hospital here is a lady or gentleman?"

THE HON. SRI K. MADHAVA MENON:—"I am speaking subject to correction, Sir. My recollection is that he is not a lady." (Laughter.)

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know, Sir, what militates at present against the appointment of more women doctors in these maternity hospitals?"

THE HON. SRI K. MADHAVA MENON:—"Dearth of women doctors."

[* Questions 25 and 26 answered on the 15th September 1947.]

Appointment of Parliamentary Secretaries.

* 27 Q.—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state whether it is proposed to appoint Parliamentary Secretaries; and if not, why not?

THE HON. DR. P. SUBBARAYAN:—"Government do not consider it necessary to have Parliamentary Secretaries at present."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, whether the Congress High Command has advised the Madras Government not to appoint Parliamentary Secretaries?"

THE HON. DR. P. SUBBARAYAN:—"I think that it is not a matter for question in this House."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I ask, Sir, who is discharging the duties of the Parliamentary Secretaries?"

THE HON. DR. P. SUBBARAYAN:—"The duties are being carried out by the various Ministers concerned."

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Instructions to officials regarding letters and complaints from members of the Legislature.

* 28 Q.—HAJEE KOYAPPATHODY M. AHMED KUTTY SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(a) what instructions, if any, have been issued by the Government to the District and Taluk Officials regarding letters and complaints from the Members of the Legislature; and

(b) if no instructions have been issued, whether the Government propose to instruct all officials to acknowledge and take action on all letters received from Members of the Legislature?

THE HON. DR. P. SUBBARAYAN:—" (a) & (b) Extracts of instructions issued to Collectors and Heads of Departments are laid on the Table of the House."

Strength of the Police force in Madura.

* 29 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of Sinna Kaziar Haji Moulvi S. A. F. Ibrahim Sahib Bahadur): Will the Hon. the Home Minister be pleased to state—

(a) the number of Deputy Superintendents of Police, Inspectors of Police, Sub-Inspectors of Police, head constables, sergeants and constables in Madura on 31st March 1946 and the number of police stations and out-post;

(b) what the strength is in each category to-day;

(c) the number of cases registered by the Madura Town Police for the period from 31st March 1945 to 31st March 1946 and 31st March 1946 to 15th March 1947; and

(d) whether there has ever been a Muslim District Superintendent of Police or Deputy Superintendent of Police or Inspector of Police in the Madura town and if so when?

THE HON. DR. P. SUBBARAYAN:—" (a) & (b) Madura North and South districts.

	On 31st March 1946.	On 31st March 1947.
Number of Deputy Superintendents of Police.	5	6
Number of Inspector of Police ..	16	15
Number of Sub-Inspectors of Police ..	88	82
Number of Sergeant-Major ..	1	1
Number of Sergeants ..	7	10
Number of Head constables ..	218	233
Number of Havildars Major ..	6	7
Number of Police constables ..	1,607	1,661
Number of Police Stations ..	46	46
Number of Out-posts ..	9	9
Temporary food-grains anti-smuggling out-posts.	4	3

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“(c)

	From 31st March 1946 to 31st March 1946.	From 1st April 1946 to 31st March 1947.
Number of cases registered by Madura Town Police.	2,583	3,640

“(d) Not in recent years.”

Prisoners under Criminal Tribes Act.

* 30 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Home Minister be pleased to state—

(a) how many Criminal Tribe members are undergoing sentences under section 23 of the Criminal Tribes Act in all the jails of this Province, and how many under section 22 for breaches of rules made under sections 10 (1) (a) and 10 (1) (b) of the Criminal Tribes Act; and

(b) what is the unexpired sentence in each case under section 23?

THE HON. DR. P. SUBBARAYAN:—“(a) On 1st June 1947, the number was forty-nine under section 23 and fifty-four under section 22 (1) of the Criminal Tribes Act. Information is not readily available as to how many of those who were undergoing sentences under section 22 (1) of the Act were sentenced for breaches of rules under sections 10 (1) (a) and 10 (1) (b) of the Act.

“(b) All these convicted under section 23 of the Criminal Tribes Act were also convicted under the provisions of other laws, such as the Indian Penal Code. It is not therefore possible to specify separately the unexpired portions of sentence under section 23 of the Criminal Tribes Act.”

SRI V. RAGHAVAYYA:—“In view of the repeal of the Criminal Tribes Act will the Hon. Minister be pleased to remit entirely the unfinished sentences or that portion of the sentences which was given by virtue of section 23 of the Act and which would not have been given but for the application of that section?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Gentleman is aware as myself of the provisions of the Indian Penal Code and as I have pointed out already, punishments have been meted out to some of these people both under the provisions of the Criminal Tribes Act and under the Penal Code. The question of remitting the unexpired portion of the sentences as far as they are concerned with the Criminal Tribes Act will be considered by the Government, though I would not give an undertaking as to what will be the effect of such consideration.”

SRI R. V. SWAMINATHAN:—“May I ask the Hon. the Home Minister why the Government have not notified the Criminal Tribes Repeal Act which was recently passed by this House?”

THE HON. DR. P. SUBBARAYAN:—“I submit for your consideration, Sir, that the question does not arise out of this question.”

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SRI V. RAGHAVAYYA:—“May I know, Sir, whether these criminal tribes members who are now in the various prisons by virtue of section 23, stand in any chance of their being sent to the criminal tribes settlements in case their sentences are not remitted?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Gentleman is aware like myself that these people are sent to the settlements if they make a voluntary offer of going to such settlements.”

SRI V. RAGHAVAYYA:—“In view of the policy of the Government to discontinue the Criminal Tribes Act, may I know why the Criminal Tribes Settlements have not been abolished yet?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Gentleman is aware as myself that some work is provided for these people there and we are considering what should be done.”

Purchase of millets by wholesale merchants.

* 31 Q.—M. V. HYDROSS SAHIB BAHADUR: Will the Hon. the Minister for Food be pleased to state, whether the wholesale merchants in this Province are allowed to get millets to cater to the needs of the public, and if not, why not?

THE HON. DR. T. S. S. RAJAN:—“Millets are rationed cereals and procurement and trade therein are therefore controlled. The surpluses available with ryots are procured by the Government wholesale procurement agents and distributed through ration shops to cardholders. District surpluses if any are exported to deficit districts for distribution to consumers through ration shops.

“Imports from outside the province are restricted to sources and quotas allotted by the Government of India in their basic plan and are made by the Government direct, on their own account.”

M. V. HYDROSS SAHIB BAHADUR:—“May I know whether all the categories of millets are included in the list of rationed articles?”

THE HON. DR. T. S. S. RAJAN:—“All the important articles are included.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“May I know what grains are not included in the rationing system?”

THE HON. DR. T. S. S. RAJAN:—“It is a difficult question to answer. As far as I am aware, all major millets such as cholam, kambu, varagu and similar grains are included.”

Foodgrains from Orissa.

* 32 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of S. Muhammad Ismail Sahib Bahadur): Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government are importing any foodgrains from Orissa Province; and

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(b) if the answer to the above is in the affirmative, whether there is any agency on behalf of the Madras Government to look after the weighing, clearing and forwarding of these food-grains in Orissa Province?

THE HON. DR. T. S. S. RAJAN:—“(a) Yes.

“(b) Yes. An official agency under a special officer has been appointed by the Madras Government for the purpose.”

Irrigation scheme in Ramnad district.

*33 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there is any irrigation scheme in Ramnad district under consideration of the Government; and

(b) if not, what the Government propose to do to give irrigation facilities to the people of Ramnad district?

THE HON. SRI M. BAKTHAVATSALAM:—“(a) Yes. A scheme for the execution of improvements to the Kollangondan Periyakulam in Srivilliputhur taluk by constructing scouring sluices, etc., at an estimated cost of Rs. 18,000 is under consideration. The general question of revival of tank restoration scheme operations in all districts including Ramnad is also under consideration. Any other possible scheme that may be proposed by the Chief Engineer (Irrigation) will be considered by Government in due course.

“(b) Does not arise.”

SRI R. V. SWAMINATHAN:—“In view of the fact that the answer given by the Hon. Minister refers only to the schemes in one taluk, i.e., Srivilliputhur taluk, may I ask whether the Government will consider the desirability of appointing an expert committee to go into the question of irrigation in the whole of Ramnad district and chalk out a bigger scheme?”

THE HON. SRI M. BAKTHAVATSALAM:—“The difficulty about this district is that it is mostly zamindari. When the zamindari system is abolished as we hope it will be done, we can examine the conditions of the district afresh and see what improvements can be made. The facilities for irrigation are poor in this district. However, I can assure my hon. Friend that the Public Works Department is doing everything possible to explore all possible resources and bring into existence new irrigation sources for the district.”

SRI S. NAGAPPA:—“In view of the answer given by the Hon. Minister that such schemes are under contemplation by the Government, may I ask the Government whether in view of the backwardness of Rayalseema . . .”

MR. SPEAKER:—“We are now in Ramnad district. The hon. Member may put a separate question.”

SRI R. V. SWAMINATHAN:—“In view of the fact that we are going to abolish the zamindari system even during the present sitting of the House, and the Minister himself is thinking of some

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new schemes for the district, may I ask what is the difficulty in appointing an expert committee which is competent to consider the question, because the Hon. Minister has himself admitted that Ramnad district is a very difficult area so far as irrigation is concerned.”

THE HON. SRI M. BAKTHAVATSALAM:—“I have already stated in my answer that the general question of reviving the Tank Restoration Scheme operation is under consideration of the Government. Therefore another committee may not be necessary.”

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—“May I remind the Hon. Minister of the kind reply he gave a few months ago to the effect that he would seriously consider the suggestion of digging a canal from the Cauvery through Pudukottah to Ramnad district?”

THE HON. SRI M. BAKTHAVATSALAM:—“That has been duly examined and we have found, to our regret, that no water will be available for being brought to Ramnad.”

SRI R. V. SWAMINATHAN:—“May I submit, Sir, that the answer given by the Hon. Minister for Public Works to my question is very unsatisfactory, because the conditions in my district are deplorable and . . .”

MR. SPEAKER:—“The hon. Member is making a speech.”

Irrigation tanks in Pollachi and Udumalpet taluks in Coimbatore district.

*34 Q.—SRI P. R. KANDASWAMI GOUNDAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) the total number of irrigation tanks in Pollachi and Udumalpet taluks in Coimbatore district;

(b) the number in disrepair;

(c) whether any representations have been received by the Government to completely repair them and increase their storage capacity and thereby the cultivable area under them; and

(d) if so, what orders have been passed on them, and whether any steps have already been taken in the matter and if not, why not?

THE HON. SRI M. BAKTHAVATSALAM:—“(a) Pollachi taluk—2. Udumalpet taluk—9.

“(b) One Revenue Department tank called the Kothavadi tank in the charge of the Public Works Department in the Pollachi taluk.

“(c) Yes. A petition, dated 21st May 1946 was received from Sri K. R. Ramakrishna Ayyar, mirasdar in Kolumam village in Udumalpet taluk requesting certain improvements to one of the tanks called the Thevadiakulam tank in the Udumalpet taluk.

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"(d) *Kothavadi tank in the Pollachi taluk.*—The tank breached in 1939. The work of restoration of the tank was sanctioned in G.O. Ms. No. 1235, P.W., dated 27th April 1946, at an estimated cost of Rs. 1.95 lakhs, inclusive of direct and indirect charges. The contract was settled and the site was handed over to the contractor in April 1947. The work is in progress.

"*Thevadiakulam tank in Udamalpet taluk.*—The present capacity of the tank is reported to be 51.5 m.cft. against 30.69 m.cft. noted in the T.R.S. Memoirs. The existing ayacut of the tank is 385 acres and the storage capacity of the tank is more than ample for the ayacut. There is, therefore, no necessity to raise the F.T.L. of the tank as prayed for in the petition referred to above. The supplies to the area in question will be further improved by the Amaravathi project which is under detailed investigation and there will then be no necessity to take up further improvements to the tank."

MR. SPEAKER:—"We have taken up half an hour on the point of order. So I am going to allow some more time for questions."

SRI B. S. MURTHI:—"Will the Government consider the desirability of changing the name of the (Thevadiakulam) tank?"

THE HON. SRI M. BAKTHAVATSALAM:—"Yes, Sir, I shall consider."

SRI P. NATESAN:—"Why should the name be changed?"

THE HON. SRI M. BAKTHAVATSALAM:—"It is for the House to give me a direction, Sir."

* 35 Q.—THE HON. SRI B. GOPALA REDDI:—"The answer is long and I shall get it roneed and circulated to-morrow."

MR. SPEAKER:—"The question will be taken up to-morrow."

Revised scale of Pensions.

* 36 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Finance be pleased to state—

(a) whether representations have been made to the Government that the revised scale of pensions to the pensioners is not adequate;

(b) if so, what steps the Government propose to take in the matter; and

(c) whether the revised scale is fixed with reference to the rising cost of living and in conformity with the revised scale for the other services?

THE HON. SRI B. GOPALA REDDI:—" (a) & (b) The Government have not so far revised the scale of pension admissible under the Civil Service Regulations to Government servants in Superior Service. If the question relates

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to the revised rates of temporary increase in small pensions sanctioned recently the following information is supplied. The rates of temporary increase as revised are:—

	RS.
Persons drawing less than Rs. 40	8
Persons drawing Rs. 40 and above but not exceeding Rs. 100	9

"The above rates remain in operation until further orders.

"Representations have been made that the above relief is not adequate. The rates fixed were based on the recommendation of the Cabinet Salaries Sub-Committee. The Government after careful consideration decided that the rates need not be revised further.

"(c) The revised rates are given by the Government as a concession in view of the increased cost of living and on the recommendation of the Cabinet Salaries Sub-Committee. They are not linked by any formula to the cost of living.

"The pensioners do not stand on the same footing as Government servants on duty and therefore the Government do not admit that the rate of temporary increase in pension sanctioned to pensioners should be proportionate to the rates of dearness or cost of living allowances sanctioned to persons in service."

BEGUM SULTAN MIR AMIRUDDIN:—"When officials drawing a salary of Rs. 1,000 and above are in receipt of dearness allowance, may I enquire why dearness allowance should not be given to those in receipt of a pension below Rs. 200?"

THE HON. SRI B. GOPALA REDDI:—"I may inform the hon. Lady Member that Government servants drawing a salary of over Rs. 1,000 do not get any cost of living allowance after 15th August 1947.

"As regards the other point, I have made enquiries in Delhi. Neither the Government of India nor any other Provincial Government have given enhanced pensions. I do not see why pensioners here alone should be given."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know on what basis the Government arrived at their conclusions regarding the temporary increase?"

THE HON. SRI B. GOPALA REDDI:—"Last year, the Cabinet Salaries Sub-Committee went into the whole question and, perhaps in view of the inadequacy of the pension, recommended that Rs. 8 and Rs. 9 might be given to low-paid pensioners."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"Having regard to the rise in the cost of living to the extent of 500 per cent, will the Government be pleased to better the lot of pensioners drawing less than Rs. 40 by further enhancing the temporary increase?"

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THE HON. SRI B. GOPALA REDDI:—"As far as I am aware, this is the only Government that have increased the pensions. I do not see why they should be increased still further."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the answer that the Central and other Provincial Governments are not giving increased pensions, are we to take it that we have a Finance Minister who has no initiative?"

THE HON. SRI B. GOPALA REDDI:—"It is this Government and the Cabinet Salaries Sub-Committee that have taken the initiative in giving enhanced pensions."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know on what basis the Government arrived at these amounts of Rs. 8 and Rs. 9?"

THE HON. SRI B. GOPALA REDDI:—"I shall be glad to give the information if the hon. Member puts a separate question."

Loss of revenue in South Kanara due to prohibition.

* 37 Q.—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Prohibition be pleased to state—

(a) the estimated annual loss of revenue by introducing prohibition in the district of South Kanara from October 1947; and

(b) what steps the Government propose to take for preventing smuggling of liquor from the contiguous Provinces of Bombay, Coorg and Mysore into South Kanara?

THE HON. MR. DANIEL THOMAS:—" (a) Rs. 50 lakhs.

" (b) The matter is engaging the attention of the Government. I may also add that last Saturday, there was a conference of representatives of the State and territories adjoining the prohibition districts and our Government officials. Representatives from Mysore, Cochin, Pudukottah, Sandur, Banganapalle and also from French India, attended the conference. On behalf of Madras we asked, *inter alia*, for a belt area along our boundary lines free of liquor shops and for effective co-operation to prevent smuggling of liquor. The representatives have given us assurance of co-operation and support subject to present commitments."

H. S. HUSSAIN SAHIB BAHADUR:—"May I know whether the introduction of prohibition in South Kanara from the first of October is finally settled and irrevocable?"

THE HON. MR. DANIEL THOMAS:—"Yes, Sir."

SRI N. S. VARADACHARI:—"Will the Government take steps to see that after assurances are given, no deviation is allowed, as in the case of the Banganapalle State which has taken off a distillery from our area and is simply distributing liquor all over the surrounding area?"

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THE HON. MR. DANIEL THOMAS:—"So far as States are concerned, it is only a question of goodwill and agreement. There can be no compulsion."

SRI C. M. KOTHARI:—"In view of the heavy cost of prohibition, will the Government consider the postponement of extension to other districts till such date as the success in the prohibition districts is assured?"

THE HON. MR. DANIEL THOMAS:—"Sir, the Government are definitely committed to implement the policy of prohibition. In the meantime we have appointed a committee to go into the working of prohibition in the eight districts in which it has been in force from October 1946."

SRI N. S. VARADACHARI:—"Will not the Government consider the desirability of stopping the plying of lorries with liquor from and to Banganapalle State?"

THE HON. MR. DANIEL THOMAS:—"I believe this question is already engaging the attention of the Government."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer, will the Government give an assurance that they will stop Prohibition, if the Committee so recommends?"

THE HON. MR. DANIEL THOMAS:—"No such assurance can be given, but the report of the Committee will be duly considered."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"What is the purpose of appointing a committee and wasting its time if its recommendations are not going to be implemented?"

THE HON. MR. DANIEL THOMAS:—"I think it is too early to say what the Committee is going to recommend. We have appointed the Committee to consider and report on the situation as a result of prohibition during the last one year."

SRI N. VENKATA SUBBAYYA:—"May I suggest to the Hon. Minister that arrangements may be made with the Banganapalle State to have distillation made under the joint supervision of the State authorities and the officials of the Provincial Government?"

THE HON. MR. DANIEL THOMAS:—"The other day, it was definitely put to the representative of the Banganapalle State that their production of liquor should be reduced to the pre-prohibition level. It has also been suggested that the Sub-Inspector of Police lent to Banganapalle by the Madras Government should be put in charge of the distillery to see that the distillation is limited to the pre-prohibition level."

SRI R. SUBBA IYER:—"May I know whether the Committee is free to recommend an alteration in the policy of the Government such as giving up of prohibition under the terms of reference?"

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THE HON. MR. DANIEL THOMAS:—"The Committee has a very wide field for investigation and report."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government are not committed to a policy of total prohibition throughout the Province?"

THE HON. MR. DANIEL THOMAS:—"Absolutely so, Sir."

SRI D. V. RAMASWAMI:—"May I know whether the representative of the Banganapalle State has given an assurance that he will carry out the suggestion of the Madras Government?"

THE HON. MR. DANIEL THOMAS:—"After all, he was only in the position of a representative. He had no absolute power and he could not give any assurance. He has promised to place the matter before the Durbar and he hoped that the suggestion would be carried out."

SRI V. I. MUNISWAMI PILLAI:—"May I know whether there were any members in the conference just now referred to by the Hon. Minister representing the districts in which prohibition is already in force?"

THE HON. MR. DANIEL THOMAS:—"Collectors and the Prohibition Officers of the districts were present at the conference."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know the names of the members of the Prohibition Enquiry Committee?"

MR. SPEAKER:—"A separate question may be put."

SRI R. RAGHAVA MENON:—"Can it be taken that the decision to introduce prohibition that has been decided upon in eight districts from 1st October 1947 will not be revised by the Committee?"

THE HON. MR. DANIEL THOMAS:—"Prohibition is going to be implemented in these districts from the 1st of October. Any suggestions or recommendations of the Committee will be duly considered."

Nationalisation of Motor Transport.

* 38 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that the Government have decided to nationalise the Motor Transport by stages; and

(b) if so by how many stages and when the Government expect to complete it?

THE HON. MR. DANIEL THOMAS:—" (a) The answer is in the affirmative.

" (b) It has been decided that the passenger transport services in Madras City should be taken over by 1st October 1947 or as soon after as possible. In respect of the mufassal areas (excepting the ghat routes) Government have under

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consideration the possibility of commencing their programme of nationalisation from next year and completing it in a period of five years. As regards the ghat routes, the Government will take over the bus services from Madura to Kodai-kanal and from Coimbatore to Ootacamund as early as possible. Government are also considering the question of taking over the City Bus Services in Coimbatore and Madura so as to make them economic units."

SRI S. NAGAPPA:—"May I know, Sir, whether the motor transport servants who are working under the State Motor Transport Service are given the same facilities as are given to other Government servants?"

THE HON. MR. DANIEL THOMAS:—"Sir, we recently appointed an arbitrator to go into the conditions of service of workers employed in private bus services and I think he has submitted an interim report. The Government are considering the recommendations contained in that report."

SRI S. NAGAPPA:—"May I know, Sir, whether old servants who were taken over from private service to Government service were given any gratuity or anything of that sort for their previous service?"

THE HON. MR. DANIEL THOMAS:—"I would ask the hon. Member to put a separate question."

SRI S. NAGAPPA:—"May I know whether the Government have given any consideration for the previous service of persons taken over from private bus owners to the Government transport service?"

THE HON. MR. DANIEL THOMAS:—"I am afraid, the hon. Member's supplementary question is based upon a misconception that employees of private bus service are taken over to run the Government Transport Service. As a matter of fact, no employees of private operators have been taken over by Government as yet."

SRI V. I. MUNISWAMI PILLAI:—"Arising out of the Hon. Minister's answer, may I ask, what is the necessity for speeding up nationalisation of motor transport on the ghat routes?"

THE HON. MR. DANIEL THOMAS:—"May I state, Sir, that the complaint, on the other hand is, that we are slow in the process of nationalising motor transport."

SRI PILLALAMARRI VENKATESWARLU:—"Arising out of the answer given by the Hon. Minister, may I know what is the principle adopted by the Government in trying to nationalise all district motor transport services? And in view of the fact that the mufassal bus services are most inefficient and ineffective will the Government consider the question of nationalising all the mufassal bus services immediately?"

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THE HON. MR. DANIEL THOMAS:—"Sir, as I have already stated, the Government are committed to a policy of nationalisation. But there are two points of view to be considered in connexion with this question. The first is the question of the administrative possibility and effectiveness of taking over the bus service throughout the Province. The other thing is not to deprive the private bus operators of their business all of a sudden. In view of these considerations, it has been decided that it would be administratively more convenient to take over the City Motor Transport first and then take over other districts."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer given by the Hon. Minister that the scheme will be completed in five years, may I take it that this wonderful Government will continue to administer this Province for five more years?"

MR. SPEAKER:—"I rule this question out of order."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, whether in view of the fact that the motor transport service, particularly in the Andhra districts is most inefficient and insufficient, the Government will consider the question of taking over the service immediately and relieve the people of the transport difficulty?"

THE HON. MR. DANIEL THOMAS:—"I have already said, Sir, that the nationalisation scheme will be implemented by the Government as early as possible according to the stages laid down by them."

SRI B. S. MURTHI:—"Are the Government considering the question of giving a proper place to the co-operative motor transport companies composed of workers?"

THE HON. MR. DANIEL THOMAS:—"The matter is engaging the attention of Government, Sir."

SRI K. ANANDAN NAMBIYAR:—"Why should the Government care for private owners of buses, whether they gain or lose on account of nationalisation? Why not the Government take over the mufassal transport straightaway?"

THE HON. MR. DANIEL THOMAS:—"Private operators are also citizens of this Province."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the fact that we are going to have linguistic provinces very soon, and in view of the fact that no less a person than the Hon. Sri Kala Venkata Rao has said that we are going to have the Andhra Province in another three months, will the Hon. Minister for Transport, consider the advisability of not proceeding with the scheme till the Provinces are separated?"

THE HON. MR. DANIEL THOMAS:—"If a separate Andhra Province will be formed in three months, our programme will fall outside that date."

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SRI PILLALAMARRI VENKATESWARLU:—"Is the Hon. Minister aware that relief recommended by the interim award given by the Arbitrator has not been given effect to by certain bus companies?"

THE HON. MR. DANIEL THOMAS:—"I am aware that some representations have been made that certain companies have not implemented this award. The Government are taking action in those cases. The Government will be glad to be informed about other cases where the award has not been implemented and necessary action will be taken."

SRI D. V. RAMASWAMI:—"May I know whether the Government are aware that the question of nationalisation of transport is assuming very serious proportions even in Great Britain under the Labour Government?"

THE HON. MR. DANIEL THOMAS:—"I understand Sir, that just now a Bill has been passed in the House of Parliament to deal with this problem and I do not know whether sufficient period has elapsed to arrive at a judgment in this matter."

SRI S. C. BALAKRISHNAN:—"May I know, Sir, whether the Government are aware that there is a strong agitation in Kodai-kanal that the bus service there should be taken over by the Government?"

THE HON. MR. DANIEL THOMAS:—"The Government have received certain representation on the subject and that is why they are considering the question of taking over the nationalisation of the motor transport in Kodai-kanal and Coimbatore as early as possible."

SRI B. S. MURTHI:—"Is the Hon. Minister aware that several applications for the grant of bus routes have been made by co-operative motor transport companies started by workers and that they were not given proper consideration by the Government?"

THE HON. MR. DANIEL THOMAS:—"Sir, the Government are not directly dealing with the question of granting routes or permits to bus companies. In the first place, applications should be made to the local transport authorities, and in case they are rejected, an appeal will lie with the Madras Central Road Traffic Board and then only the matter should come up to Government. If and when such matters come up to the notice of the Government, they will give proper consideration to them."

SRI R. SUBBA IYER:—"May I know whether the employees in the state transport service are paid daily allowance as in the case of private services?"

THE HON. MR. DANIEL THOMAS:—"Yes, Sir."

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SRI S. NAGAPPA:—" May I ask the Government whether they are aware that most of the applications for the registration of co-operative societies which are formed for the labourers have been pending for a long time and how long will it take to register them? "

THE HON. MR. DANIEL THOMAS:—" I believe the Co-operative Department have laid down certain conditions and regulations which have to be complied with before a society could be registered. If there has been any delay in the matter, I believe it should have been due to the non-observance of those conditions."

SRI S. NAGAPPA:—" Will the Government give an assurance that the authorities concerned will be instructed to expedite such matters? "

THE HON. MR. DANIEL THOMAS:—" That will be done so far as may be possible, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know whether in connexion with the nationalisation of motor transport, the claims of local bodies and municipalities to run new buses or for new routes will be considered favourably by the Government? "

THE HON. MR. DANIEL THOMAS:—" I believe, Sir, the position has not been fully understood by my hon. friend. Under the motor transport nationalisation scheme, all the services and all the routes will be taken up by the Government, but the local bodies will be allowed the option of taking a certain percentage of the shares in the capital investment of the scheme."

SRI T. VISWANATHAM:—" What are the districts in which the Government propose to introduce the scheme next year? "

THE HON. MR. DANIEL THOMAS:—" It is so far ahead, Sir, especially in view of the impending formation of the Andhra Province."

MR. B. W. BATCHELOR:—" May I know whether the Hon. Minister will lay before the House the financial results so far obtained from the nationalisation of motor transport? "

THE HON. MR. DANIEL THOMAS:—" A separate question may be put by the hon. Member."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I know what exactly is the object of nationalisation, whether it is for profit or for better efficiency? "

THE HON. MR. DANIEL THOMAS:—" The object is two-fold. It covers both the points suggested by the Hon. Leader of the Opposition. It aims at better service to the people and is also a source of income for the Government."

SRI T. VISWANATHAM:—" Sir, my question has not been answered clearly and so I am putting the question again. May I

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know, what are the districts which the Government have in contemplation to bring under the scheme next year, apart from the question of separation of Andhra Desa and Tamil Nad? "

THE HON. MR. DANIEL THOMAS:—" It will be considered in due course, Sir; and I believe it is too early to consider the question now."

SRI T. VISWANATHAM:—" If it has not been considered, then how can the Government say that they could complete the scheme in the whole Province in five years? "

THE HON. MR. DANIEL THOMAS:—" That is the scheme."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—" In view of the importance of the subject and arising out of the question of Mr. Batchelor and the reply of the Hon. Minister, will the Hon. Minister consider the desirability of taking the House into confidence and placing on the Table of the House a statement explaining the policy and the success that has so far been achieved in the working of the scheme and the further schemes that he has in mind? "

THE HON. MR. DANIEL THOMAS:—" Hon. Members of the House will have an opportunity of debating the question when the motion for a supplementary grant comes before the House."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" In view of the fact that Motor Transport is a Provincial subject, will the Hon. Minister see that no shares are given either to the Central Government or to the Railways, as it will be difficult to control the Central Government and the Railways? "

THE HON. MR. DANIEL THOMAS:—" Sir, it is a well-established principle that Railways form a most important channel of transport and therefore it is necessary to aim at a certain amount of co-ordination between road and rail transport. The Government have, therefore, decided that it would be advantageous to take in the Railways also in this scheme."

SRI PILLALAMARRI VENKATESWARLU:—" May I know whether the Government are aware, that in the mufassal, particularly in the Andhra districts, there are not sufficient number of buses and will the Government consider the question of starting state transport service there? "

THE HON. MR. DANIEL THOMAS:—" I think, I have already answered the question."

SRI ALLURI SATYANARAYANA RAJU:—" May I know why the Government have adopted the process of nationalisation by stages and not introduce it all at once throughout the Province? "

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THE HON. MR. DANIEL THOMAS:—"Sir, I am afraid, I will have to refer the Hon. Member to the answer that I made on the floor of this House a few minutes back."

SRI B. S. MURTHI:—"In view of the fact that several of the co-operative concerns of workers are experiencing hardships, may I request the Minister to see that all desirable co-operative transport companies started by workers are given preference?"

THE HON. MR. DANIEL THOMAS:—"Sir, the Government will view with sympathy the claims of these co-operative union companies."

SRI C. M. KOTHARI:—"In view of the supplementary budget coming before the House in respect of the nationalisation of motor transport, may I know whether the Government have taken into consideration the Sales Tax to be debited to Revenue Account in respect of the vehicles on the road which will have been taken over under Government management, and if so, the House may be better able to judge the supplementary demand which is coming before the House."

THE HON. MR. DANIEL THOMAS:—"I would ask the hon. Member to put a separate question."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, as a result of the experience of scheme of nationalisation, which the Government have had so far, can the Government tell us whether they are realizing their objective, namely, efficiency and profit?"

THE HON. MR. DANIEL THOMAS:—"I think, Sir, it can be said that the introduction of some Government buses in certain routes in the Madras City, particularly along the Marina has been very well appreciated by the Public. So far as the financial side is concerned, the position has been satisfactory, if not encouraging."

SRI V. M. RAMASWAMI MUDALIYAR:—"Sir, my question regarding local bodies and municipalities did not relate to the question of their participation in the scheme of nationalisation adumbrated by the Government, but what I wanted to know was, that if certain local bodies and municipalities want to run a bus service within a municipal town during the interim period, will permission be given to such authorities?"

THE HON. MR. DANIEL THOMAS:—"Sir, I believe during the interim period of gradual nationalisation, if any particular local body wishes to run a service for a temporary period, then it will have to make an application to the Local Road Transport Authority."

SRI N. S. VARADACHARI:—"Sir, will the Government be pleased to say whether owning a few buses and running them in the City can be called nationalisation?"

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THE HON. MR. DANIEL THOMAS:—"Well, Sir, there is no magic or virtue in a name; I will ask my hon. Friend to call it by any name he likes."

SRI S. NAGAPPA:—"May I ask the Government whether they will consider the desirability of taking up the nationalisation of mufassal buses first and then take up in the City?"

THE HON. MR. DANIEL THOMAS:—"I have already stated, Sir, that from the point of view of administrative convenience, it is more advantageous to start from the City of Madras and then spread out to the mufassal."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I ask the Minister whether the Government do not consider it advisable and just to hand over the bus service in the City to the City Corporation instead of managing it themselves?"

THE HON. MR. DANIEL THOMAS:—"The scheme does not include the Madras City alone; it is an all-provincial scheme."

SRI K. ANANDAN NAMBIYAR:—"May I know under what principle the shares are to be given to the members of the public, and if any such principle is laid down, will the Government see that they do not go to the blackmarketer?"

(No answer.)

MR. WALFORD:—"May I ask whether the Government have any scheme of road construction and improvement for the next five years to coincide with the development of nationalisation of transport?"

THE HON. MR. DANIEL THOMAS:—"The Government have various schemes for the improvement of the roads in the province."

Communal representation in the Textile Control Department in Madura, Ramnad and Tinnevely districts.

* 39 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state how many Muslims, Non-Brahmins, Christians, Brahmins and Scheduled Caste men have been appointed in the Madura, Ramnad and Tinnevely districts for the following offices (officers as well as the staff employed under them):—

(a) Textile Control Officers;

(b) Assistant Textile Control Officers; and

SRI S. NERKS?

rooms exist? SRI H. SITARAMA REDDI:—"There is no post yarn?" Assistant Textile Control Officer. The number of THE HON. Assistant Textile Commissioners, Textile Control Commission upper division clerks and lower division clerks

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appointed for textile work in the districts of Madura, Ramnad and Tinnevely and the communities to which they belong are given in the statement placed on the table of the House."

SRI B. S. MURTHI:—"May I know why there is a dearth of Harijans in the department in these three districts?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, the question of adequacy or otherwise is to be judged on a province-wide basis. We cannot take two or three districts and say that it is not adequate there."

SRI B. S. MURTHI:—"I agree that adequacy should no doubt be judged on a province-wide basis; but the districts should not be left out of consideration when giving jobs to Harijans."

THE HON. SRI H. SITARAMA REDDI:—"Sir, it is an advice and not a question."

Supply of yarn to weavers in Erode taluk.

* 40 Q.—SRI M. A. EASWARAN: Will the Hon. the Minister for Industries be pleased to state—

(a) how many were given licences to deal in yarn in Erode taluk and of them how many are in class A, class B and class C;

(b) whether the weavers are supplied with yarn for weaving regularly in Erode taluk; and

(c) if not, whether the Government propose to make arrangements to see that they get yarn regularly?

THE HON. SRI H. SITARAMA REDDI:—" (a) Eighty-two licences have been given to dealers in yarn in Erode taluk. The number of licences under each category is—

Class A	...	...	...	...	23
Class B	...	...	...	...	10
Class C	...	...	...	...	49

" (b) & (c) The weavers are supplied with yarn at present only once in two months. The supply position in Coimbatore district has become difficult due to the existence of bogus looms. The genuine looms will get regular supply only after these bogus looms are eliminated. There is a revised scheme of price control over handloom cloth providing for the appointment of Stamping Inspectors. Then correct census of looms will be taken by the Inspector and all the bogus looms will be eliminated."

SRI B. S. MURTHI:—"May I know the steps taken by the Government to eliminate the bogus looms?"

THE HON. SRI H. SITARAMA REDDI:—"The Government have indicated one of the steps in my answer." *As Government be taking them in*

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SRI S. NAGAPPA:—"May I ask the Government, why when preparing the list, so many genuine looms have been left out, especially those belonging to Harijans?"

THE HON. SRI H. SITARAMA REDDI:—"I can only suggest to the hon. Member that he can bring to the notice of the concerned authority wherever there are genuine looms that have been left out of account."

SRI Y. C. PALANISWAMY GOUNDER:—"May I know what is the policy of the Government in the matter of supplying mill yarn to the weavers within the area of rural development in the Coimbatore district?"

THE HON. SRI H. SITARAMA REDDI:—"I suggest to the hon. Member that he may put a separate question on this matter."

SRI K. VARADACHARI:—"May I ask, with regard to the bogus looms, whether instructions will be given to the Registrar of Co-operative Societies also that he must make an intensive drive towards eliminating these bogus looms from the societies?"

THE HON. SRI H. SITARAMA REDDI:—"The suggestion of the hon. Member will also be considered, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know for how long the Government know that these bogus looms are in existence?"

THE HON. SRI H. SITARAMA REDDI:—"I think, Sir, ever since they came into existence, they must have known it."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I want to know when they came to know that these bogus looms were in existence."

THE HON. SRI H. SITARAMA REDDI:—"They have come to know for some time now, and right from the time they came to know of it, they have been taking action to eliminate these bogus looms."

SRI P. NATESAN:—"May I ask whether the Government have any information as to the number of looms that now exist in Erode?"

THE HON. SRI H. SITARAMA REDDI:—"We are trying to find it out, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"May I know how many bogus looms were eliminated up to this time?"

THE HON. SRI H. SITARAMA REDDI:—"I would like to have notice of this question."

SRI S. NAGAPPA:—"May I know whether it is a fact that looms existing in the firka development area are not supplied with yarn?"

THE HON. SRI H. SITARAMA REDDI:—"I have no information about it."

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SRI B. S. MURTHI:—"I want the information, Sir."

THE HON. SRI H. SITARAMA REDDI:—"I will suggest that he may give notice of this question."

SRI M. KANNIYAPPAN:—"ஆலைகளில் ஆள்கள் இல்லாமல் நூல் வாங்கி வருவதை தடுப்பதற்கு சட்டம் ஒன்று இருக்கிறது என்று ஆபீசர்களுடைய கவனத்திற்குக்கொண்டு வந்தால் அதை அவர்கள் கவனிப்பது இல்லை என்பது தெரியுமா?"

THE HON. SRI H. SITARAMA REDDI:—"If the information is brought to my notice, I will take the necessary action."

SRI M. KANNIYAPPAN:—"தயவு செய்து தெலுங்கில் சொல்லு மாறு கேட்டுக்கொள்ளுகிறேன். எனக்கு இங்கிலீஷ் தெரியாது தயவு செய்து தெலுங்கில் சொல்லவேண்டும்."

THE HON. SRI H. SITARAMA REDDI:—"தெலுங்கில் கேட்டால் எனக்கு தெலுங்கில் சொல்ல முடியும்."

SRI V. C. PALANISWAMY GOUNDER:—"May I ask if the Government know that considerable hardship is felt by weavers in the Coimbatore district within the areas of rural development?"

THE HON. SRI H. SITARAMA REDDI:—"I have already answered this question, and I will suggest to the hon. Member that he may bring to my notice any specific cases in any specific area where such things happen, and I shall take the necessary action."

SRI V. C. PALANISWAMY GOUNDER:—"They have already put in a representation and nothing has been done; that is why I raise the subject in this Assembly."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"In view of the categorical and specific statement of the Government that bogus looms are in existence, may I know in what way they are being eliminated? When the Government say there are bogus looms, they must be satisfied that there are such looms; what steps are being taken to eliminate them, may I know?"

THE HON. SRI H. SITARAMA REDDI:—"I have already said that we are trying to eliminate them by finding them out."

[* Questions 41 and 42 postponed.]

Schemes for the improvement of agriculture in Malabar.

* 43 Q.—M. V. HYDROSS SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) what schemes the Government have under consideration for the improvement of agriculture in the district of Malabar; and

(b) whether any of the schemes have been put into operation?

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THE HON. SRI K. MADHAVA MENON:—" (a) & (b) (1) The following schemes are under operation for the improvement of agriculture in Malabar district:—

(a) *Schemes relating to the Agricultural department.*—

(i) Free distribution by the Agricultural department of manures to the extent of Rs. 2,000 and seeds up to Rs. 100 per year to poor and deserving ryots;

(ii) stocking by the Agricultural department of paddy seeds to serve as a reserve to meet unforeseen contingencies which may result in dearth of seed supply;

(iii) multiplication and distribution of improved seeds of paddy and green manure as part of the All-Province Comprehensive Scheme; and

(iv) establishment of a coconut nursery in South Malabar at Pattambi.

(b) *Irrigation schemes.*—Grant of subsidies for digging new wells and tanks and improvement of old tanks.

"(2) The following schemes are under consideration of the Government:—

(a) *Schemes relating to the Agricultural department.*—(i) Establishment of an horticultural farm in Wynaad for investigating the possibilities of introducing fruit trees, grasses, medicinal plants, etc.;

(ii) opening of an Arecanut Research Station at Kumara-nallur of Ponnani taluk;

(iii) opening of a regional station for conducting research on fruits and propagation of grafts and seedlings; and

(iv) possibilities of controlling orange diseases by long-term experiments.

(b) *Irrigation schemes.*—The Malampuzha Major Project and 34 minor irrigation schemes are under consideration. The preparation of plans and estimates for the major scheme is nearing completion. Plans and estimates have been completed for two of the minor irrigation schemes and are under preparation for seven more. The investigation of the remaining schemes will be taken up after the completion of works on hand. Four Public Works Department subdivisions are working on the investigation of the schemes referred to above."

[* Questions 44 to 47 postponed.]

Tuberculosis Sanatorium at Tambaram.

* 48 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to state—

(a) the number of beds in the Tuberculosis Sanatorium at Tambaram;

(b) the number of in-patients treated in the above Sanatorium in 1946;

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(c) the number of persons who had applied for admission to that Sanatorium in 1946;

(d) when the proposal for the construction of

(i) a hundred additional beds, and

(ii) an up-to-date theatre and laboratory for the above Sanatorium will be taken up?

THE HON. SRI A. B. SHETTY:—“(a) The number of beds in the Tuberculosis Sanatorium, Tambaram, is 100 at present; but the bed-strength would be 244 when the additional buildings for which sanction has already been given are constructed.

“(b) The number of patients treated in 1946 was 408.

“(c) The number of persons who made written application for admission to the Sanatorium was 109. Besides this, 3,249 persons who attended the Out-patient department at Egmore asked orally for admission either into the Sanatorium or in the Tuberculosis Hospital at Royapetta.

“(d) (i) The proposal has already been sanctioned and the Public Works Department are arranging to start the construction at an early date; and

(ii) the scheme has been deferred on account of financial stringency.”

* Recognition for sixth and seventh standards in Higher Elementary School run by Labour department in Dokiparru village Kistna district.

* 49 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether it is a fact that a Higher Elementary School run by the Labour department in Dokiparru village, Gudivada taluk, Kistna district, has not fulfilled the conditions imposed by the Education department at the time of granting recognition for sixth and seventh standards and if so, why not;

(b) whether it is a fact that the time-limit fixed by the Education department is fast approaching; and

(c) if so, what action the Government propose to take in the matter?

THE HON. SRI V. KURMAYYA:—“(a) to (c) Standard VI was opened in the Labour Higher Elementary School at Dokiparru in July 1945, Standard VII in June 1946 and Standard VIII in June 1947. The District Educational Officer, Kistna, accorded temporary recognition for two years from 1st July 1945 for Standard VI and for one year from 1st June 1946 for Standard VII. On an application for renewal of recognition, the District Educational Officer has recently accorded permanent recognition for these two standards. The Collector has applied also for the recognition of Standard VIII and the reply of the District Educational Officer is awaited.”

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UNSTARRED QUESTIONS.

Disparity in the salary of Men and Women Physical Training Instructors.

1 Q.—K. M. SEETHI SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) whether there is any disparity in the salary of Men and Women Physical Training Instructors in the Government schools in Malabar; and

(b) the reason for the disparity, if any?

A.—(a) & (b).—There is no disparity in the scale of pay of Physical Training Instructors and Instructresses on the ground of sex in Malabar or elsewhere,

All the Physical Training Instructresses employed in Government Schools for Women in Malabar with the exception of 3 are secondary grade trained teachers with Physical Education Certificates, and were, therefore, drawing the scale of Rs. 35—35—1½—50—1—60 or Rs. 30—3½—45—2½—55 plus Rs. 10 special pay according as they were recruited prior to 1933, or after 1933 and will be drawing the scale of pay of Rs. 50—3—65—2—95 in the 1947 revised scales of pay.

The Physical Training Instructors employed in the Government Training Schools for Masters in Malabar are holding only old Gymnastic Teachers' Certificate and would, therefore, come under grade II in the 1947 revised scale. They were drawing the pre-1933 scale of Rs. 25—1—50 and according to the 1947 revised scale they are entitled to the Grade II pay of Rs. 35—1—55.

Import of copra from Ceylon.

2 Q.—K. M. SEETHI SAHIB BAHADUR: Will the Hon. the Minister for Food be pleased to state whether any action has been taken to point out to the Government of India the great hardship caused to the Coconut industry of this Province in general and the West Coast in particular, by the import of copra from Ceylon?

A.—Does not arise as there has been practically no import of copra from Ceylon during the past three years.

Opening of a Medical College in Rayalaseema.

3 Q.—SRI D. KADIRAPPA: Will the Hon. the Minister for Public Health be pleased to state—

(a) the number of applications received for admission into the Medical Colleges, and among them, how many were from Rayalaseema and how many have been admitted from each district in the colleges; and

(b) the reason for not opening a college in Rayalaseema?

A.—5

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- A.—(a) One thousand three hundred and seventy-four applications were received and out of them 117 were from Rayalaseema (Anantapur, Bellary, Cuddapah and Kurnool). The number admitted is 41 from Madras, 11 from Chingleput, 12 from Coimbatore, 16 from Madura, 2 from the Nilgiris, 12 from North Arcot, 12 from Ramnad, 13 from Salem, 10 from South Arcot, 10 from Tanjore, 17 from Tinnevely, 10 from Trichinopoly, 9 from Anantapur, 5 from Bellary, 9 from Cuddapah, 9 from Kurnool, 8 from Chittoor, 10 from West Godavari, 14 from East Godavari, 15 from Guntur, 9 from Kistna, 11 from Nellore, 16 from Vizagapatam, 29 from Malabar and 12 from South Kanara.
- (b) The existing colleges in the Province will serve the needs of Rayalaseema.

Communal representation in certain departments of Government in Madura district.

4 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Home Minister be pleased to state how many Muslims, Non-Brahmans, Christians, Brahmans and Scheduled Caste men have been appointed (working at present there) in the Madura district for the following posts:—

I. Petrol Rationing department.

- (i) Area Rationing Officers.
- (ii) Assistant Area Rationing Officers (1st Grade).
- (iii) Assistant Area Rationing Officers (2nd Grade).
- (iv) Assistant Area Rationing Officers (3rd Grade).

II. Commercial Tax department.

- (i) Deputy Commercial Tax Officers.
- (ii) Assistant Commercial Tax Officers.
- (iii) Clerks—Upper Division.
- (iv) Clerks—Lower Division.

III. District Administration (under the Madura Collector).

- (i) Assistant Collectors and Sub-Collectors.
- (ii) Deputy Collectors.
- (iii) Sheristadars.
- (iv) Tahsildars.
- (v) Deputy Tahsildars.
- (vi) Revenue Inspectors.
- (vii) Clerks—Upper Division.
- (viii) Clerks—Lower Division.

IV. Police District Executive Force (in the Madura and Ramnad districts).

- (i) District Superintendent of Police.
- (ii) Assistant District Superintendent of Police.
- (iii) Deputy Superintendent of Police.

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- (iv) Inspector of Police.
- (v) Sub-Inspector of Police.
- (vi) Sergeant-Major.
- (vii) Sergeants.
- (viii) Havildar-Major.
- (ix) Head constables.
- (x) Constables.

V. Administration of Justice (Madura and Ramnad districts).

- (i) District and Sessions Judges.
- (ii) Sub-Judges.
- (iii) District Munsifs.
- (iv) Sheristadars.
- (v) Head clerks—Upper Division.
- (vi) Clerks—Lower Division.
- (vii) Official Receivers.
- (viii) Copyists—Superintendents.
- (ix) Assistant Superintendents.
- (x) Examiners.
- (xi) Readers.
- (xii) Copyists.

A.—The attention of the Hon. Member is invited to the statement^a placed on the table of the House.

Number of Muslim officers in certain departments of Government in the Madura and Ramnad districts.

5 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state the number of Muslim officers with their pay in the following offices of the Madura and Ramnad districts:—

- (1) Revenue Department (Collectorate);
- (2) Excise Department;
- (3) Education Department;
- (4) Co-operative Department;
- (5) Textile Department;
- (6) All the subdivision of the P.W.D.;
- (7) Registration Department; and
- (8) The Police Department.

A.—It is presumed that the Hon. Member requires information only in respect of Gazetted Officers employed in the departments and in the districts mentioned in the question. There are no Muslim Gazetted Officers employed in any of the specified departments in the Madura and Ramnad districts, except in the Public Works (Highways) Department. In that department there is one Assistant Engineer in the Ramnad district. His scale of pay is Rs. 260—30/2—380—40/2—500.

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Number of tanneries governed by the Factories Act.

6 Q.—SRI M. A. EASWARAN: Will the Hon. the Minister for Food be pleased to state the number of tanneries governed by the Factory Act districtwar?

A.—The number of tanneries governed by the Factories Act as on 30th April 1947, districtwar, is as below:—

Anantapur	...	2
Arcot, North	...	67
Bellary	...	12
Chingleput	...	40
Chittoor	...	1
Coimbatore	...	15
Godavari, East	...	4
Godavari, West	...	15
Guntur	...	2
Kistna	...	11
Madras	...	9
Madura	...	16
Trichinopoly	...	9
Vizagapatam	...	16
Total	...	219

Programme for prevention of disease among the public.

7 Q.—SRI MANIKOTH KUMARAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have any definite programme for prevention of disease; and

(b) if so, what steps are being taken to propagate it among the public?

A.—(a) Yes.

(b) The officers and subordinates of the Public Health Department are carrying on systematic propaganda about the causation, mode of transmission and prevention of the most important communicable diseases and on the necessity for a clean and hygienic living, adequate nutrition, proper housing and water-supply and efficient disposal of waste matters.

Lectures and short talks with or without magic lantern demonstrations, cinema shows, health exhibitions, distribution of leaflets and pamphlets and display of illustrated posters are the methods used for this educational campaign.

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Reorganization of village panchayats.

8 Q.—SRI MANIKOTH KUMARAN: Will the Hon. the Minister for Local Administration be pleased to state whether the Bill for the reorganization of village panchayats said to be under preparation is nearing completion and when it may be expected to be introduced in the Assembly?

A.—The question of introducing legislation for the reorganization of panchayats is under active consideration. But, it is not possible at present to say when exactly a Bill will be ready for introduction in the Assembly.

Distribution of breeding bulls to Malabar.

9 Q.—SRI MANIKOTH KUMARAN: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the post-war scheme for the purchase of breeding stock for rupees 2 lakhs per annum has been sanctioned; and

(b) if so, whether the question of distributing more bulls in the Malabar district will be considered now—(Vide answer to unstarred question No. 58 of 11th September 1946?)

A.—(a) The Post-war Scheme has been sanctioned subject to the condition that the expenditure on the scheme in 1947-48 is restricted to Rs. 50,000.

(b) Yes.

Opening of a Sub-Registrar's office in Kotagiri in the Nilgiris.

10 Q.—SRI K. BOKKAI GOWDER: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether there is any proposal to open a Sub-Registrar's office in Kotagiri in the Nilgiris district;

(b) if the answer is in the affirmative, what is the stage at which the matter stands;

(c) whether it is a fact that the Sub-Registrar's office at Gudalur (in the Nilgiris district) was closed, and if so why; and

(d) whether the Government have any proposal to re-open the same?

A.—(a) Yes.

(b) The proposal is under the consideration of the Inspector-General of Registration.

(c) Yes. The ex-officio Sub-Registry office at Gudalur was closed as the Sarishtadar-Magistrate who was ex-officio Sub-Registrar was not a departmental man and as he was finding it difficult to get on with the work. There was also the language difficulty as it was found not always possible to post Sarishtadar-Magistrates acquainted with the language of the area—Malayalam. In addition there were very low registrations in the area and the revenue derived did not justify the opening of a separate office. The

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itinerating system of registry has however been introduced and is in vogue now. Under this system the Sub-Registrar of Ootacamund is going to Gudalur twice a month for registering the documents presented to him there and for accepting applications for copies, searches, etc.

(d) No.

Supply of yarn to South Arcot district.

11 Q.—SRI S. A. DEVANAYAGA IYAH: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the quota of yarn allotted to the South Arcot district is supplied properly; and if the supply is not adequately made, the reasons therefor; and

(b) whether the bales allotted to the district are supplied through the local wholesale dealers or through outsiders?

A.—(a) The answer to the first part of the question is “Yes” so far as the Government is aware. The second part of the question does not arise.

(b) The total quota of yarn allotted to the South Arcot district is 756 bales out of which 75 bales have been allotted to Madras Handloom Weavers Provincial Co-operative Society for distribution to weaver members. The remaining 681 bales are distributed as follows:—

By local dealers	...	...	303 bales
By the Madura Colour-yarn dealers	...	...	114 bales
By the Madras Yarn Retailers Company	...	...	264 bales

Compensation to the families of the politicals who died in jails.

12 Q.—SRI S. A. DEVANAYAGA IYAH: Will the Hon. the Home Minister be pleased to state—

(a) how many applications have been received by the Government with reference to the notification announcing the payment of compensation to the families of the politicals who died in jails during the 1942 movement;

(b) whether the Government are aware that one Mr. Krishnaswami Pillai of Tirukkoyilur (South Arcot district), a political prisoner, died in Vellore and if so, what action has been taken to pay compensation to his family;

(c) whether the Government are aware that a young boy, aged below 15 years, died during the shooting at Kumbakonam in the year 1942;

(d) whether the Government have received any representations from the old parents of the young boy requesting payment of compensation to the family; and

(e) if so, what action has been taken thereon?

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A.—(a) Twenty-five applications.

(b) Yes. The Government have sanctioned a compassionate grant of Rs. 1,500 to the widow of the deceased.

(c) to (c) The Government have received an application for financial assistance from the father of the deceased boy and the matter is under investigation.

Opening of first-grade college at Tanjore.

13 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state whether the Government have received any representation from the District Board, Tanjore, for opening a first-grade college at Tanjore?

A.—Yes, from the Special Officer, District Board, Tanjore.

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

III.—ANNOUNCEMENT *RE* ELECTION OF MEMBERS TO THE SELECT COMMITTEE ON AMENDMENT TO THE ASSEMBLY RULES.

MR. SPEAKER:—“I have to inform the House that the following six gentlemen were nominated for election to the Select Committee to consider the amendment to the Madras Assembly Rules:—

- (1) Muhammad Ismail Sahib Bahadur,
- (2) Abdul Hameed Khan Sahib Bahadur,
- (3) Sri B. Venkatachalam Pillai,
- (4) Sri V. I. Muniswami Pillai,
- (5) Sri T. K. T. N. R. Tatachari,
- (6) Sri T. Viswanatham.

As the number of candidates nominated is equal to the number of vacancies to be filled, namely, six, I hereby declare the above-mentioned gentlemen to be duly elected under Regulation II (4) of the Regulations for the holding of elections by means of the single transferable vote.

“Under rule 144 of the Madras Assembly Rules, the Deputy Speaker and the Hon. the Leader of the House are ex-officio members of the Select Committee and I have to nominate a Chairman of the Assembly to serve in the Committee. I hereby nominate Sri P. Natesan as a member of the Committee.”

SRI K. ANANDAN NAMBIYAR:—“On a point of information, Sir. May I know why communists are not represented on this Committee and why this discrimination?”

MR. SPEAKER:—“Nobody prevented the communist member from giving his nomination to the Secretary.”

SRI K. ANANDAN NAMBIYAR:—“But he must have the support of the majority?”

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MR. SPEAKER:—"Let the hon. Member have a talk with the Hon. Leader of the House, and if he wants, he will give him a seat in the Committee."

SRI K. ANANDAN NAMBIYAR:—"It is noted for future action, Sir."

IV.—SUPPLEMENTARY STATEMENTS OF EXPENDITURE FOR 1947-48.

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, I present the Demands for Grants for further expenditure and Detailed Supplementary Estimates thereof for the year 1947-48. The report is laid on the table of the House."

SRI A. KAMESWARA RAO:—"On a point of information. May I know what happened to the Food Debate?"

MR. SPEAKER:—"The debate on the Supplementary Estimates will be taken up on Tuesday the 23rd and Friday the 26th instant."

SRI K. BHASHYAM:—"Will the Hon. Finance Minister make a statement on the Supplementary Budget?"

MR. SPEAKER:—"If the Hon. Minister wants to explain any of the items, I have no objection."

THE HON. SRI B. GOPALA REDDI:—"The Supplementary Estimates are laid on the table of the House; it is not usual to make a statement."

V.—GOVERNMENT MOTIONS.

(1) ELECTION OF ONE MEMBER TO THE SOUTH INDIAN RAILWAY ADVISORY COMMITTEE.

12-45 p.m.

THE HON. SRI M. BAKTHAVATSALAM:—"Sir, I move—
'That as the South Indian Railway have, in accordance with the decision of the Railway Board, recently reconstituted their Local Advisory Committee making provision for two members to represent the Madras Legislature—one from the Legislative Assembly and the other from the Legislative Council—on the reconstituted Advisory Committee, and as the General Manager has requested the Government to communicate to him, the names of the members, this Assembly do recommend to the Government to communicate to the South Indian Railway, the name of one person elected by this Assembly to serve on their Railway Advisory Committee for a period of two years from 1st November 1947.'"

The motion was put and carried.

MR. SPEAKER:—"With reference to the motion of the Hon. the Minister for Public Works regarding the election of one Member of this Assembly to the Advisory Committee of the South

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Indian Railway passed by the Assembly just now, I am to state that the nominations should be handed over to the Secretary before 5 p.m. on Tuesday, the 23rd September 1947. The nomination forms can be obtained from the Secretary.

"There will be an election if the number of candidates nominated exceeds one. In that event the date of the election will be announced on Friday, the 26th September 1947. The election will be by the ordinary method and not according to the method of single transferable vote."

We now proceed to the next time.

(2) ELECTION OF TWO MEMBERS TO THE STANDING ADVISORY BOARD FOR TECHNICAL EDUCATION.

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Sir, I move—

'That this Assembly do proceed on a date to be fixed by the Hon. the Speaker to elect two Members of this Assembly to be members of the Standing Advisory Board for Technical Education, constituted by Government in G.O. No. 1829, Education, dated 19th August 1947.'

"This is a new Board which was appointed on the recommendation of an expert committee in connexion with the re-organization of the Engineering colleges and on this Board, Sir, three members of the Legislature are to be represented, two from the Assembly and one from the Council. This motion is to elect two members from the Assembly to be represented on the Board."

* SRI T. VISWANATHAM:—"Sir, I want to raise a point of order on this. This Assembly can proceed to elect members only to Committees which are formed under a Statute or a Resolution passed by this Assembly or by the Central Assembly to the extent to which they are binding; but if the Government forms a Technical Education Advisory Committee by an executive order—and we are not aware of the scope of that order and the principle underlying that order—it will not be in order to ask this Assembly to elect two of its members to be represented on the Committee. But if a resolution has been passed by this House to form such a body, then of course election of members of this House can be conducted."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Sir, if the objection of the hon. Member is that there are not sufficient details of the Board, I can give them."

* SRI T. VISWANATHAM:—"It is not merely to understand the details. Sir, it is the fundamental right of this House to pass its own judgment. If there is a resolution or if there is a legislation under which this Advisory Board is formed, certainly we can take part in the election but Government was pleased already to nominate some members and so they may, if they want, proceed with further nominations, but any election from members of this Assembly at this stage will not be in order."

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“The hon. Member's objection is that there is no previous resolution passed by this House on this subject. The very fact that previously the subject has been moved in this House does give sanction for electing two members. It is not necessary that the body should have been formed in pursuance of any legislation or resolution passed by this Assembly. There is also another matter which I raised about committees. If the hon. Member wants, I will explain it. The functions of this Board will be to advise Government on all matters of technical and technological education such as the university standard, the diploma standard and the artisan standard on a properly co-ordinated basis to meet the requirements of this Province. The Committee will examine the technical and technological education of this Province in all their aspects and make recommendations to the Government so that such education will be more useful, efficient and up-to-date. On such an important body, it is but proper that legislators should find places. So, they must have their own representatives on the Committee. In deference to the wishes of the members of the Legislature, this motion has been brought forward. As I have stated, the point of order is met by the motion which has just now been put before the House.”

THE HON. DR. P. SUBBARAYAN:—“I think there is a lot of point in what Mr. Viswanatham has raised in his point of order. I would, therefore, advise my hon. Colleague to withdraw the motion and bring forward a resolution for the constitution of the Committee and then this House can recommend the election of two members to be represented on the Committee.”

MR. SPEAKER:—“I wish to know whether the Hon. Minister is withdrawing his motion.”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“I withdraw it, Sir.”

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—
“Sir, I want to make one important submission. Previously once, I have suggested and other hon. Members of this House have also suggested that there should be advisory committees consisting of members of the Legislature to advise on the various portfolios. We have seen various advisory committees having been formed consisting of members of this House, the Upper House and outsiders also. I am not going to question the rightness or wrongness of the procedure but I only wish to impress on the Leader of the House and the other members of this House that they should table regular resolutions before this House constituting these advisory committees, if they feel that these committees should consist solely of Members of this House and the Upper House. If they feel that it might consist of outsiders also, they can specify it in the motion or resolution. I would also suggest on this occasion that Government may take early opportunity to table similar resolutions for constituting such advisory committees. I think it is worthwhile doing because Government

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will be taking the House into their confidence in regard to all matters. I hope Government will come forward with such resolutions for constituting such advisory committees.”

The motion was then by leave of the House withdrawn.

VI.—FOOD SITUATION IN THE PROVINCE—cont.

* SRI R. RAGHAVA MENON:—“Sir, yesterday, I was referring to the fact that to face the present crisis and for better procurement, three things are necessary; one was persuasion, the other was force against implacable black-marketers and the third was the grant of temporary bonus to the producer. (At this stage, the Deputy Speaker occupied the Chair.) Madam, the Government have not thought it fit to control the essential commodities which the cultivators required. If the Government had been wise enough, both the Central and Provincial Governments should have brought within control the essential articles that are required not only by the consumers but also by the producers. The question of paying bonus to the cultivator arises only because the cultivator is unable to meet the prices of the commodities which he has to purchase. In the present conditions of to-day, there is no use of compelling the producer when he is in a helpless condition. I would submit that at least for next year, when our food position will be no better and when there will be again a deficit, the Government should control all essential articles. It is informal control that we want. We want a province-wide control of the prices of essential commodities. There is no use shirking the issue as the times are very hard. There is a great deficit of foodgrains and other essential articles. There is the inflated currency. In the circumstances, what any Government can do is to control the prices of foodgrains and other essential articles. It may sound a little astonishing to some hon. Members who are advocating even the lifting of the informal control in villages and the removal of statutory control throughout the Province. I submit that nothing short of statutory control throughout the Province is going to solve the problem. We are much behind and there is a deficit of five or six million tons of rice. In spite of bonuses and other things, producers have not been able to produce more. The Government should take note that the extent of land cultivated for rice is gradually dwindling. Producers are beginning to cultivate tobacco, sugarcane and such other money crops because they are more paying. I can say that about 1,000 acres more of land was cultivated for sugarcane and about 3,000 acres for tobacco in excess of last year. In the Andhra areas, tobacco cultivation is going on on a large scale. Government must put down these things. Of course, influential Members of the House and other big persons may come before you and say that the cultivators have already started cultivation of tobacco and thus plead on their behalf. I speak with some experience and I can say that unless the Government are strong in this matter, the production of rice and other foodgrains is not

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going to increase either next year or the year after or even in the course of six years. Government must requisition the necessary man-power for production of foodgrains on a large scale. Government should recruit the necessary men for this purpose. Some hon. Members may say that it is a very disgusting business. But we see so many complaints that ration shops have not been served with adequate supply of foodgrains. The foodgrains are not moving from district to district. How can a Government calling itself a popular Government shirk the issue? How can the Government solve the problem unless they take steps to produce more foodgrains in the Province? If you want the position of food-supply in this Province to be easy, then you must control it. Control is not after all very obnoxious. Previously the producers used to take only as much money for their commodities which was considered to be their fair price. But, war has changed people's mind and every producer is trying to extract as much as possible and trying to get even twenty to thirty times the normal price. I am giving a timely warning and you may take it. In a moment of crisis, in a moment of insuperable difficulty, you cannot give up control. On the other hand, stand up boldly and say, we are going to introduce rationing not only with regard to foodgrains but also with regard to all other essential commodities.

1 p.m. "You see what amount of money is being spent on procurement. Why are you giving bonus to the cultivator? It is because he is not able to purchase the other articles that he requires from the sale proceeds of his produce. But, on the other hand, if you control the prices of other articles, you can ask him, you are getting other articles at a reasonable price, why do you want increased prices for your produce. The Hon. Minister has been saying that during the last two years he has spent about 14 crores but that could have been avoided if they had introduced the control of other articles. It is said that the Central Government find great trouble over this, this Government also say there is great trouble involved in this and all big people who want to earn as much as they can say that this rationing is unnecessary. They say they will look after this. How will they look after the welfare of the poor people? I am placing this before you because it is my duty to say that nothing short of province-wide rationing could meet the needs of the poor people. I hope that for Heaven's sake Government will consider the position.

"The question may, of course, be put, where is the machinery for this province-wide rationing? There are the village committees, though it is easy for political purposes to condemn these village committees. We have 29,000 food committees in this Province. Because a few of them, say, a hundred or even five hundred are not properly functioning because of some black-sheep, is it proper to condemn them wholesale? If some of them representing the villages help you in the programme should you not praise them and give them their due praise. My hon. Friend Mr. Seethi Sahib has been saying from the very beginning, it is a critical time, kindly scrap these committees and the producer-cum-consumer co-operative societies. I am not aware that it is one

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of the planks of his party (M. Muhammad Ismail Sahib Bahadur: 'He only referred to particular societies.') If it is so, he should not have condemned all of them. Government have a right to nominate members to these committees and they could have eliminated bad people from these committees. So far as I know, these food committees have done their duty splendidly in the matter of procurement as a result of which procurement has been higher than last year. When it is so, how can you say that the food committees are not functioning properly. We have got both the producer *cum* consumer co-operative societies as well as food committees in Malabar and let us see what is the condition in Malabar? In my taluk we have procured ten thousand tons more than the previous year. Even this year the rice produced is higher by five to six times than last year and the procurement is also higher than last year. Population is increasing and there are also various other reasons and we have got some two months more to tide over the difficulty. After all this is not too much and I can assure the Hon. Minister in charge of Food that he need not be afraid of tiding over the difficulty. If only we can promise to give them something more they would certainly come forward and help the Government and we can certainly get over the trouble.

"Another thing I want to say is this. I request you, Madam, to give me some more time to deal with the subject. You have introduced co-operative societies in each district and they have been functioning better in the matter of procurement. But, everybody is under the impression that they have failed without knowing what was the period fixed and what was the actual quantity procured. If you look into the figures it will be seen that they have done better than private parties and others. Therefore, introduce co-operative societies throughout the province because they are the only proper institutions for this purpose and if they are worked under Government control and without the intervention of party politics and by removing the old co-operators of those societies, because they are the worst enemies of the people, good results will be achieved. If you only introduce the co-operative societies and the food committees coupled with statutory rationing for a period of 5-6 years there will be no trouble at all. Otherwise, whatever you may do, procurement will not be satisfactory in spite of the lot of money you may spend and you will be only faced with trouble and food deficiency. You should therefore take a bold step in regard to the matter to avoid the trouble.

"Then you have the advisory committees. You will excuse me when I ask, who are the members constituting these advisory committees. Every man thinks that he is as good or as great as any other man. You must take in only people who know something about food and that is a matter on which I wish to speak to the Hon. Minister and not here. There should be introduced only one card for all the requirements of a family. In this matter you should take the village committees into confidence. There are many essential articles required for each family and the village

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committees know the requirements of each family and also which family requires all the things and which do not require them. If you take them into your confidence people are prepared to help you. I can assure the Hon. Minister that if he introduces a province-wide rationing when times are hard and till the Grow More Food campaign is able to get the necessary food for the consumption of the people of the province, the trouble will be avoided. If you put your shoulders together, it will do credit to the Government and people will say that during critical times, Government rose to the occasion and introduced rationing so that every man in the province was saved. Otherwise with this fever of black-marketing it will not be possible to save the people. These black-marketers should be punished if possible and by taking a long view of the matter and by a systematic working of statutory rationing throughout the Province, the life of the people will be saved. It is not as if that everybody is interested in the life of the poor man.

“One word more, Madam. I would say that in the present year, something has to be done immediately, especially by making an appeal to the Central Government to help this Province. Since the bonus scheme is a little complicated there is some trouble. I would suggest your sending about a hundred persons who are prepared to go and tell the people so that they can use their influence in the matter of procurement and thus tide over the crisis without any difficulty. If this is followed I am sure you will get the necessary quantity of paddy and there is also enough paddy in the country. Only a little amount of coaxing and persuasion is required and you should also introduce, as I have already suggested, province-wide rationing in respect of all essential articles, so that there will be no question of bonus in the future and no uncertainty also will arise in regard to production of food-stuffs. Otherwise, even though you spend crores and crores you will not be able to save the people from starvation. I only hope that Government will consider the matter and do the needful and prove that we are all here for the welfare of the Province, especially for the well-being of the common man who is helpless in the matter and not the big men who think that in adversity they can make use of the occasion to better their own lot.”

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—
“Madam Deputy Speaker, the food crisis over which a debate has been arranged to-day has naturally brought to light the figures relating to procurement and other details and I shall not weary the House over those figures. I will only say in a few words that the food problem is a matter above politics and above party. If that attitude is taken by all in this country I should easily say that it will be the best remedy for the crisis. The food problem has engaged the attention of the House on three or four occasions during the last two or three years. If the situation is worse to-day than before, it is due to the fact that we have had five or six years of war and two or three bad years before, coupled with the fact that we have had no reasonable imports to-day.

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“Madam Deputy Speaker, when we consider the food problem we are naturally anxious to discuss the immediate future, the short-term problem, namely, we do not have enough food to-day and we must have enough food for the coming two months before the next harvest. We appreciate the great efforts that the Members of the Government have done during the last few weeks by going round the districts and appealing to the people and asking them to forget local troubles over the producer-cum-consumer co-operative societies and complaints against one another over small differences and to give the paddy or rice that they had in their hands. When we are on the question of immediate procurement we are now faced with the difficulties that have come in the way and which have been widely publicised. This is one of the main reasons. Why procurement has not been plentiful is due to the natural expectation of the landowners and the producers that they were not given the same bonus as last year. In spite of the best efforts of the Government, it is a pity that the producers have not been able to get the bonus, but the Government should at least have thought of some other substitute. If they have not been able to induce the Government of India to allow the local Government to give bonus they should have resorted to some other alternative measures in order to encourage the cultivator and the producer. I have no doubt there will be ways and means to show encouragement to the producer. On this occasion, we should certainly say that on the whole the producer has done well and if there should be defects in procurement you cannot completely blame the producer. It is not wrong on his part to expect one or two rupees more considering the fact that he has to pay for his other essential requirements much more than what he had to pay a year or two ago. It is not possible for this Government or for the Governments in this country to bring about a level in regard to all other essential commodities. That is the main problem and we are now in a stage of inflation of prices in regard to all essential commodities. It is therefore essential that this House should strengthen the hands of the Government with reference to their demands from the Government of India, but the Government of India do not seem to show that amount of co-operation in this matter this year as they have shown in the past. We find from the reports in newspapers that ships have been arriving in Bombay but we do not find any grain ships arriving in any of the southern ports as often as we should expect. I should say that we should go into the root of the matter, namely, in regard to the question of supply. We are mainly concerned with rice at present and we are immediately reminded of Burma and its position in this connexion. It is no doubt a fact that not more than 60 per cent of lands in Burma have been cultivated this year and out of this 60 per cent of the land that is cultivated, I do not think it is impossible for the Government to procure the necessary quantity of foodstuffs. Of course there is lawlessness in the country at present but whatever be the circumstances prevailing in the

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country, I urge on the Government of India through this Government that they should establish a permanent purchasing machinery in that country and that in that office there should be a large number of Madrasis.

1-15
p.m.

"It is only then the Madrasis will have the feeling of satisfaction. The Government of India may say that a High Commissioner there would do. The High Commissioner there has enough work to do with regard to the labour and political problems and he will not be in a position to attend to this procurement work. We should not merely rely upon the allocation made by the world organization that Burma should allot so much rice to India but there should be an organization of our own in that place which could procure the promised quantity and also a bit more. I am not speaking about the coming months of October and November this year but about the rice promised to us in the coming year and I am glad the Government and the Minister for Food know the conditions in Burma well.

"Madam, we should also press on the Government of India to spare us more wheat somehow or other. They should press the other wheat-producing countries in the world. When rationing was reduced on previous occasions, we had substitutes like wheat of two ounces to four ounces. The present eight ounce rice ration is the barest and I may say even below the minimum that is required. It is a remarkable thing that the people have been able to carry on with the present ration of 8 ounces of rice. I hope this House will appreciate the people of this Presidency on their forbearance over this matter and I do hope that this 8 ounce ration will be continued without any more reduction.

"Madam, this question of procurement of foodstuffs should not be mixed up with the rationing system. The question of rationing can be discontinued only when the necessity for procurement of goods has ceased in this country. When there is plenty of rice and other foodstuffs are available, there is no need for this rationing. Due to the present short supply, rationing is very necessary. We can take legitimate pride in the fact that in the Madras Presidency rationing has been successful. The rationing in the rural parts and the informal rationing have also been very satisfactory.

"I hope the Food Minister has only referred to the abolition of rural rationing as a feeler to know what the people think about it. I may state that there are hundreds of people in the rural parts who have no land of their own. They are all workers and are following different avocations. Supposing you abolish rural rationing, what happens? The person who has got land gets his rice and when the procurement is effected, the additional paddy in the village gets into the hands of Government and what is to become of the people who have no lands and have not produced anything? Do you mean to say that the ordinary shop man would hand over so many bags of rice to these people? It will be a very difficult position without rationing in these parts. It is

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therefore very necessary to continue informal rationing in rural areas and also rationing in the towns of the Province. Take for instance, Tiruvarur and Kumbakonam in the Tanjore district and Bezvada in the Telugu districts. There are hundreds of people there without any land and they will be put to great difficulty and there will be terrible inflation. I think it will be very wise to continue rationing till such time as you feel that there is enough paddy and rice in this country to go round for all people and there is no necessity for procurement. Till such time, in my opinion, rationing should be continued.

"Madam Deputy Speaker, this procurement and rationing will have to be continued for another three to five years and that is the opinion shared by many people. So it is not wise to break up the administration that has been built up so carefully. If there are difficulties and defects in the system, it is up to the Government to rectify such defects.

"When we are considering the long-term question we are concerned with many of the problems dealing with distribution of food. It has been mentioned and very rightly by the Hon. Minister for Food that he would like very soon to give to people in the normal trade this business. If they are entrusted with the work of procurement as in the past two years, their work will be efficient and there will be the human incentive to work. There is the efficient administration to check up the figures of production of grain in particular areas and you can certainly give help and insist on the people to procure more. I do hope that the Government will implement the idea of entrusting procurement and distribution to the normal trade channels. They should not be distrusted so long as rationing is there. Once you are going to enforce rationing there is no fear in entrusting procurement and distribution to normal trade channels.

"When we are on the question of food, we are concerned with our growing population and the long-term policy to tide over the food crisis. All over the world there is the Food Ministry established. Whether it is a small State or a Province, the Food Ministry will always be there even in good times.

"We wish that we had more information about the Grow-More Food Campaign. I realize it will not be possible to go into this question in detail on this occasion. I only say that our problem regarding food can only be solved if we spend more money on Grow-More-Food Campaign and we have a re-orientation of policy. It is a pity that we have been told that an appreciable quantity of grain has not been grown on account of reasons beyond the control of the Government. The Government should adopt more schemes for this purpose and bring the same before the House on a day specially set apart for this when the whole question can be gone into.

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"Finally, Madam Deputy Speaker, it is but right that we should thank the people of this Province for having responded so well to the reduction of rationing to 8 ounces and ask for their co-operation in the matter of procurement and rationing."

(At this stage, Mr. Speaker resumed his seat.)

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, it has been suggested yesterday that the Hon. the Prime Minister should be present in the House when such an important debate like the present food situation is being discussed. It is an insult to the Members of the House that he is absenting himself."

MR. SPEAKER:—"The Members should not take his absence in that sense and I have also answered this point yesterday."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"It is nearly five months since this Assembly met last time and when it has re-assembled and is discussing a very serious situation created by the food position, the Premier is not found in his seat. I do not know whether he is observing his day of silence. We do not want to be governed by people who will be observing silence and not attending this Assembly."

MR. SPEAKER:—"I do not think there is any necessity for giving a ruling on this point. The hon. Member has simply made a statement."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I raised it as a point of information for the Food Minister."

MR. SPEAKER:—"I have no objection if the Minister wants to make a reply."

(There was no response from the Hon. Dr. T. S. S. Rajan.)

MR. SPEAKER:—"I cannot force a Minister to answer."

SRI P. NATESAN:—"We are grateful to the Hon. the Food Minister for giving an exhaustive note dealing with the food situation in the Province. Sir, it appears to me that there are two things that we have got to look to. One thing is the procurement and the other is the production. We are obliged to the Hon. Ministers who have been able to understand the seriousness of the situation and have made extensive tours in the Province to make requests to the producers to see if they would part with whatever they could spare. The position to-day, Sir, is not one of shortage. It is really the anti-social acts of man we have to deal with. This is evident from the way in which the producer is not coming forward with his stock. That is one thing that the Food Minister has not tackled for the present. The rice is there, the paddy is there, but the trouble is that they are not coming forward to the Government. That will only require the co-operation of the members of this House. It requires intensive propaganda in the rural districts."

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"It has been said that blackmarketing is growing. It is present in all commodities. Blackmarket exists all over the world. Blackmarketing exists only when the demand is more than the supply. Unless you are going to see that the supply is increased, it is impossible to deal with blackmarkets. So, Sir, we must turn our attention to see how far the existing harvest with the producers reaches the Government. I consider that it is very important that the Collectors and the Revenue officials should be instructed to advise the ryots to part with their grain. Then there is the question of price. It is an important question; the producers should be paid more than the existing price. The Hon. the Premier in one of his speeches at Tiruturaipundi said that the Government of India had imported rice from Burma and from Brazil. This is an extract of his speech as reported in the press:

"While the Central Government are setting their face against any further increase in price locally, they are prepared to pay Rs. 150 more for Burma rice than for the same quantity of locally grown rice and Rs. 250 more for the rice grown in Brazil. By this method of buying foodgrains from foreign countries at a higher price and selling them here at a lower price, the Central Government are incurring a loss of nearly Rs. 30 crores yearly. Similarly, the Madras Government are the poorer by Rs. 9½ crores annually. This topsy-turvy system should be reorganised so as to make the cultivator here benefit by the increased prices paid by the Government."

1.30 p.m.

"This is not my statement; this is the statement of the Hon. the Premier himself. He has confessed that he is powerless to do anything in the matter as he found that the entire machinery of the Central Government is opposed to give any more price by way of improving the lot of the producer. What is provincial autonomy worth if the discretion of the Central Government prevails in the matter of prices. It is for the Provincial Government to take up the matter with the Central Government. I can understand there is an all-India food policy and the Central Government have got their own troubles. But here the people are starving: we cannot be indifferent. It is our duty as guardians of the public interest to see that this sort of thing does not happen again. As I said already, we are not so much concerned with getting more lands under foodcrop cultivation as to get more paddy from the producers."

MR. SPEAKER:—"We are to rise up now and we will be taking up this subject either on Thursday or Friday. So it is better that we sit till the hon. Member finishes his speech."

THE HON. DR. T. S. S. RAJAN:—"There is a function at half-past-two."

MR. SPEAKER:—"I believe the hon. Member will be finishing his speech before 1.45."

SRI P. NATESAN:—"I have no objection to continue my speech when next this motion is taken up."

MR. SPEAKER:—"The hon. Member will continue his speech on the next official day."

The House adjourned to meet again at 11 a.m. on Wednesday, the 17th September 1947.

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APPENDIX I.

[Vide answer to starred question No. 28 asked by Hajee Koyappa-thody M. Ahmed Kutty Sahib Bahadur at the meeting of the Legislative Assembly held on 16th September 1947, page 105 supra.]

Extracts of instructions to Collectors and Heads of Departments regarding the disposal of petitions and complaints sent by or through the Members of the Legislature.

In Board's Standing Order No. 172 it is laid down that petitions may be presented to Government officers in person or sent through the post and that they should be received whenever, by whomsoever, and in whatever language, they may be presented.

2. Petitions may also be presented through duly authorized vakils. When a petition is submitted through a Member of the Legislature as such (i.e., not as an authorized wakil or agent) the following instructions should be observed:—

(1) If the petition relates to a matter of public concern in the district within his cognizance, the Collector should deal with the petition, and give the Member a final reply if the disposal of the matter falls within his power or submit the petition after enquiry with his remarks to the Board of Revenue in other cases.

(2) If the petition relates to an individual case of alleged hardship, not raising a question of public concern, and the matter is one within the competence of an officer subordinate to the Collector, the Collector should send a courteously worded acknowledgment to the Member informing him that orders will be communicated in due course to the petitioner or the person on whose behalf the Member has written. The Collector should then forward the petition (without the Member's covering letter) to the subordinate concerned for disposal.

(3) If the petition is of the nature described in clause (2) above, but the matter cannot be disposed of by a subordinate, the Collector should send an acknowledgment to the Member and deal with the petition himself sending his final order to the petitioner and not to the Member.

(4) Petitions forwarded by Members of the Legislature should be properly stamped and if insufficiently stamped may be dealt with accordingly in direct correspondence with the petitioner and not with or through the Member.

(5) If a Member sends a petition to an officer subordinate to the District Collector, that officer should forward the communication without remarks for orders through the usual channel to the District Collector who should deal with it as if it had been presented to him direct.

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(6) If a Member makes verbal representations to an officer subordinate to the District Collector, that officer should make a note of them and send the note without remarks to the District Collector through the usual channel.

(7) These instructions will also apply *mutatis mutandis* to officers of other departments.

Appendix II.

[Vide answer to starred question No. 39 asked by Sinna Kaziar, Haji Moulvi S. A. F. Ibrahim Sahib Bahadur at the meeting of the Legislative Assembly held on 16th September 1947, page 122 supra.]

The number of Inspecting Assistant Textile Commissioners, Textile Control Officers, upper division clerks and lower division clerks appointed for textile work in the districts of Madura, Ramnad and Tinnevely classified according to the communities.

Designation.	Muslims.	Non-Brah- mans.	Brah- mans.	Scheduled Caste.	Chris- tians.
Madura district—					
Inspecting Assistant Textile Commissioner.	..	1	..	..	..
Textile Control Officers	..	4	1	..	..
Upper division clerks	..	2	..	1	..
Lower division clerks	..	5	1	1	..
Ramnad district—					
Inspecting Assistant Textile Commissioner.	..	1	..	..	..
Textile Control Officers	..	..	1	..	..
Upper division clerks	..	2	..	..	..
Lower division clerks	..	3	1	..	..
Tinnevely district—					
Inspecting Assistant Textile Commissioner.	..	1	..	..	..
Textile Control Officers	..	..	2	..	..
Upper division clerks	..	1	..	..	..
Lower division clerks	..	1	2	1	1

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APPENDIX III.

[Vide answer to unstarred question No. 4 asked by Sinna Kaziar Haji Moulvi S. A. F. Ibrahim Sahib Bahadur at the meeting of the Legislative Assembly held on 16th September 1947, page 129 supra.]

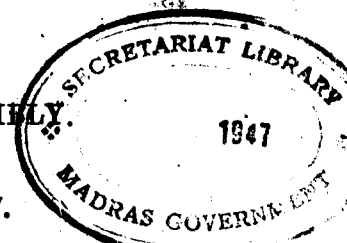
Statement showing particulars of communitywar representation in the Madura and Ramnad districts.

Posts.	Muslims.	Non-Brahmins	Christians.	Brahmins.	Scheduled Caste.
(1)	(2)	(3)	(4)	(5)	(6)
I. Petrol Rationing Department—					
<i>Common to Madura, Ramnad, Tinnevely and Trichinopoly districts.</i>					
(i) Area Rationing Officer	1	..	..	..	..
(ii) Assistant Area Rationing Officer—					
Grade I	..	..	..	..	..
Grade II	..	..	..	..	..
Grade III	..	..	..	..	..
There are no Assistant Area Rationing Officers in the districts of Madura and Ramnad.					
II. Commercial Tax Department (Madura district)—					
(i) Deputy Commercial Tax Officers (total posts 6).	1	1	..	4	..
(ii) Assistant Commercial Tax Officers (total posts 13).	..	5	1	7	..
(iii) Clerks—Upper division (only one post).	..	..	1	..	..
(iv) Clerks—Lower division (total posts 47).	7	24	3	11	2
III. District Administration (Madura district)—					
(i) Assistant Collectors and Sub-Collectors.	..	1	..	..	..
(ii) Deputy Collectors	2	4	2	3	..
(iii) Sarishtadars	..	..	..	1	..
(iv) Tahsildars	..	5	2	3	..
(v) Deputy Tahsildars	6	23	3	11	..
(vi) Revenue Inspectors	10	25	15	5	1
(vii) Clerks—Upper division	3	13	8	20	1
(viii) Clerks—Lower division including Firka Supply Officers.	31	146	54	88	8
IV. Police District Executive Force posts—					
Madura North—					
(i) District Superintendent of Police ..	..	..	..	..	..
(ii) Assistant District Superintendent of Police (in the grade of Deputy Superintendent of Police).	..	1	..	..	..
(iii) Deputy Superintendent of Police ..	..	1	1	1	..
(iv) Inspector of Police	..	7	..	1	..
(v) Sub-Inspector of Police	7	27	2	8	1
(vi) Sergeant-Major	..	..	..	..	..
(vii) Sergeants	..	4	1	..	..
(viii) Havildar-Major	..	7	..	..	..
(ix) Head constables	13	124	6	7	3
(x) Constables	71	783	83	9	50
Madura South—					
(i) District Superintendent of Police ..	..	1	..	..	..
(ii) Assistant District Superintendent of Police (in the grade of Deputy Superintendent of Police).	..	..	..	..	..

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Posts.	Muslims.	Non-Brahmins.	Christians.	Brahmins.	Scheduled Caste.
(1)	(2)	(3)	(4)	(5)	(6)
IV. Police District Executive Force posts—cont.					
Madura South—cont.					
(iii) Deputy Superintendent of Police ..	..	..	..	2	..
(iv) Inspector of Police	1	3	..	2	..
(v) Sub-Inspector of Police	2	20	5	2	1
(vi) Sergeant-Major	..	..	..	..	..
(vii) Sergeants	..	..	..	..	..
(viii) Havildar-Major	..	..	..	..	..
(ix) Head constables	12	59	2	6	1
(x) Constables	45	422	28	3	13
Ramnad district—					
(i) District Superintendent of Police ..	..	..	1	..	..
(ii) Assistant District Superintendent of Police (in the grade of Deputy Superintendent of Police).	..	1	..	..	..
(iii) Deputy Superintendent of Police ..	..	1	..	2	..
(iv) Inspector of Police	3	1	3	3	..
(v) Sub-Inspector of Police	6	37	4	5	1
(vi) Sergeant-Major	..	..	..	..	..
(vii) Sergeants	1	4	..	..	..
(viii) Havildar-Major	1	3	2	..	..
(ix) Head constables	5	112	10	7	1
(x) Constables	82	1,295	124	25	80
V. Administration of Justice—					
Madura—					
(i) District and Sessions Judge	..	..	..	1	..
(ii) Sub-Judges	..	1	..	2	..
(iii) District Munsifs	2	3	..	2	..
(iv) Sarishtadars	..	..	1	2	..
(v) Head clerks—Upper division	..	..	2	16	..
(vi) Clerks—Lower division	7	35	1	45	1
(vii) Official Receivers	..	..	..	1	..
(viii) Copyist Superintendent	1	..	..	1	..
(ix) Assistant Superintendents	..	..	..	1	..
(x) Examiners	1	4	..	3	..
(xi) Readers	1	1	..	2	..
(xii) Copyists	3	8	1	13	..
Ramnad—					
(i) District and Sessions Judge	..	..	..	1	..
(ii) Sub-Judges	1	1	..	2	..
(iii) District Munsifs	..	6	1	..	..
(iv) Sarishtadars	..	..	..	5	..
(v) Head clerks—Upper division	1	3	4	12	..
(vi) Clerks—Lower division	3	18	3	71	..
(vii) Official Receivers	..	..	..	1	..
(viii) Copyist Superintendent	..	..	..	3	..
(ix) Assistant Superintendents	..	..	..	..	..
(x) Examiners	..	6	..	4	..
(xi) Readers	1	1	..	3	..
(xii) Copyists	1	6	1	27	..

THE MADRAS LEGISLATIVE ASSEMBLY



Wednesday, the 17th September 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Monetary aid to the families of Government servants who die while in service.

* 35 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Finance Minister be pleased to state—

(a) what the policy of the Government is in regard to giving monetary aid to the families of (i) non-gazetted officers and (ii) gazetted officers, who die while in service; and

(b) the names and designations of the officers who died in service and whose families have been given aid by the Congress Government since it assumed charge in 1946 and the amount of aid given to the family of each of the above officers?

THE HON. SRI B. GOPALA REDDI:—“(a) Every Government servant is ordinarily expected to make reasonable provision for his family and the general policy of the Government is therefore not to recognize any claim by the families of Government servants who die before retirement. However, in order to provide some relief for the families of low paid Government servants who die while in service, the Government have instituted a scheme of compassionate gratuities. The grant of compassionate gratuities under this scheme is regulated by the Madras Compassionate Gratuities Rules, 1932, and Madras Compassionate Gratuities (Non-Pensionable Establishment Rules, 1941). The main features of these rules are—

(1) The Government may grant a compassionate gratuity to the family of a deceased Government servant whose circumstances (rate of pay, etc.) were, in their opinion, such that he could not have made some provision for his family.

(2) Compassionate gratuity shall not ordinarily be granted: (i) where the deceased Government servant—

(a) was in receipt of pay exceeding one hundred rupees per mensem, or

(b) had rendered less than 10 years' service, or

(c) had left net assets of value exceeding 24 months' pay,

(The rules are, of course, relaxed in deserving cases); and

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(ii) where the application for the grant is submitted more than one year after the death of the Government servant, unless there are special circumstances for condoning the delay.

(3) The amount of gratuity to be paid in each case is fixed by the Government but shall in no case exceed rupees one thousand two hundred or twelve months' pay *plus* dearness allowance, whichever is *less*.

(4) The grant may be paid in annual instalments in order to defray the educational expenses of the children of the deceased Government servant.

Families of Gazetted officers are generally not eligible for any relief under the scheme. But in very exceptional cases, the Government may make ex-gratia grant for meeting the educational expenses of the children of such Government servants, if they have been left in very indigent circumstances, on the merits of each case.

The families of all Government servants, whether gazetted or non-gazetted, who die in the execution of public duties are given gratuities and pension under the Extra-ordinary Pension Rules, Madras.

The Government expect all Government servants in superior service to take full advantage of the system of General Provident Fund in order to ensure some provision for their families in the event of their death while in service. A small monthly subscription to the fund goes on accumulating from year to year and the accumulated savings become payable on retirement or death of the subscriber.

The Reorganization Committee appointed by the Government has under consideration a proposal to introduce a Pension *cum* Provident Fund Scheme with compulsory insurance. The details of the proposed scheme have been referred to certain service associations for remarks.

“(b) The number of cases in which monetary aid was given from May 1946 to 31st May 1947 are—

	RS.
Compassionate gratuities to families of non-gazetted officers	563
Extraordinary family pension and gratuity to families of non-gazetted officers	11
Ex-gratia grant to families of gazetted officers	3

The list being very long the Government consider that no purpose will be served by compiling the names and designations of the officers and the amount of monetary help given in each case.”

BEGUM SULTAN MIR AMIRUDDIN:—“ May I know, Sir, whether in view of the fact that Government officials who die in harness usually cannot make due provision for their families, will

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the Government revise these rules with regard to monetary grants to the families of Government servants who die while in service and make them more liberal? ”

THE HON. SRI B. GOPALA REDDI:—“ I would refer the hon. Member to the very first sentence of the answer which states that every Government servant is expected to make due provision for his family and I may also add that the Reorganization Committee to be appointed will certainly go into this question.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“ Is the Hon. the Finance Minister aware that in other places, particularly in some States, provision is made for giving gratuity or even pensions to the families of the people who die in harness? ”

THE HON. SRI B. GOPALA REDDI:—“ I am not aware of any State that has such systems. We have instituted similar benefits for people drawing below Rs. 100.”

BEGUM SULTAN MIR AMIRUDDIN:—“ Will the Hon. the Finance Minister investigate the practice obtaining in the State of Hyderabad where I understand families of the gazetted officers who die in harness have been receiving pensions? Will the Hon. Minister see if he cannot adopt this practice in this Province? ”

THE HON. SRI B. GOPALA REDDI:—“ I shall enquire into what is obtaining in Hyderabad State but I may also add that here in this Government also gazetted officers in exceptional cases receive ex-gratia payment.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ Will the Government consider instituting compulsory insurance for Government servants in order that there may be provision for their families if an untoward event happens? ”

THE HON. SRI B. GOPALA REDDI:—“ The question of having pension and provident fund is under the consideration of Government but the question of compulsory insurance is not under their consideration, as far as I am aware.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I know, Sir, whether the question of compulsory insurance for Government servants will be taken up as a matter of policy? ”

THE HON. SRI B. GOPALA REDDI:—“ I shall be very glad to consider the matter if the information is supplied to me.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ Arising out of the answer to the last paragraph furnished, will the Hon. Minister define what he means by ‘ Extraordinary Family Pension ’? ”

THE HON. SRI B. GOPALA REDDI:—“ It means for the education of their children, etc.”

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"If there is to be provision for the education of the children of non-gazetted officers, why not provision be made for the children of the gazetted officers also?"

THE HON. SRI B. GOPALA REDDI:—"The gazetted officers are supposed to save some little money for their families."

BEGUM SULTAN MIR AMIRUDDIN:—"How far has this Provincial Government accepted the recommendations of the Central Pay Commission in this matter?"

THE HON. SRI B. GOPALA REDDI:—"This Government has nothing to do with the Salary Commission of the Government of India."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, on what basis the Finance Minister has come to the conclusion that only gazetted officers save money and the non-gazetted officers do not?"

THE HON. SRI B. GOPALA REDDI:—"The non-gazetted officers are those who are paid Rs. 200 and below."

[* Questions 36 to 40 answered on 16th September 1947.]

Grant to the University of Madras for extra-mural studies.

* 41 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state—

(a) the grant given to the University of Madras during each of the past five years;

(b) whether the University has asked for a grant for starting a new department of extra-mural studies;

(c) if the answer to (b) is in the affirmative, whether any amount has been sanctioned for this purpose, and if so, how much; and

(d) whether it is a fact that the grant now given by the Government to the University of Madras is the same as it was in 1923?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) Grant paid to the University—

		Recurring. RS.	Non-recurring. RS.
1942-43	..	3,15,000	
1943-44	..	3,15,000	..
1944-45	..	3,55,000	..
1945-46	..	4,00,000	50,000
1946-47	..	4,00,000	2,00,000

"(b) Yes.

"(c) The application of the University for a grant for this item has been placed before the University Grants Committee along with other items and since then the University Grants Committee have reported that for want of details they have been unable to recommend any grants in this connexion.

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"(d) No; the recurring grant itself has been enhanced, and, besides, subsequent help has been in the shape also of grants made from time to time in respect of new courses of study."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, on what grounds the Grants' Committee has not recommended the grant to the University of Madras for extra-mural studies?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Because there are not sufficient details furnished."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Are the Government aware of a feeling in the country that this Government is against the spread of higher education and that is why grants are being refused to the Universities?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"That is a very mistaken impression. Whatever other people may think a Member of his House should not hold such ideas."

BEGUM SULTAN MIR AMIRUDDIN:—"In view of the fact that Government are doing nothing for adult education, will they at least encourage the University of Madras to proceed with the establishment of an 'Extra-mural Department'?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"The Government is considering schemes for adult education and if any details are given with the applications made by the University, Government will always consider them."

Building for the Islamiah High School at Trichinopoly.

* 42 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state in what stage the question of providing the Islamiah High School at Trichinopoly with a suitable building is?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"A committee consisting of Messrs. V. S. Muhammad Ibrahim, M.L.A., A. K. Sherfuddin, Chairman of the Advisory Board of the Islamiah High School, Trichinopoly, P. Ratnavelu Thevar, M.L.A., Dr. Muhammad Safulla, L.M. & S., and the District Educational Officer, Trichinopoly was appointed to suggest a new place of about 10 acres of ground which will be suitable for the Islamiah High School. The committee's report is awaited."

[* Question 43 (a) answered on 16th September 1947.]

Supply of agricultural implements to Ceded districts.

* 44 Q.—SRI A. RAYAPPA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Ceded districts, especially Anantapur district, are not supplied with any agricultural implements this year as yet;

(b) if so, why;

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(c) the quantity of agricultural implements supplied in detail for each district in the Province for the year; and

(d) whether the Government propose to supply agricultural implements to Anantapur district?

THE HON. SRI K. MADHAVA MENON:—“(a) The answer is in the negative. A statement^a showing the agricultural implements supplied by the Agricultural department to the Ceded districts including Anantapur district from January to May 1947 and the stocks held on 1st January 1947 is placed on the table of the House (Statement A).

“(b) Does not arise.

“(c) A statement^a is placed on the table of the House (Statement B).

“(d) A statement^a showing the agricultural implements held in stock on 30th June 1947 in Anantapur district is placed on the table of the House (Statement C). The district will continue to be supplied with agricultural implements. The Director of Agriculture has instructed the District Agricultural Officer to obtain indents from fabricators for iron and steel for fabrication. Due, however, to the overall shortage of iron and steel there is bound to be a wide gap between demand and supply.”

SRI A. RAYAPPA:—“In the District Food Committee meeting of Anantapur held three months back at Guntakal, consequent upon the persistent demand made by the District Agricultural Officer, by the ryot for supplying agricultural implements he said that he had not received supply from the Director of Agriculture? May I request the Government to make an enquiry into the matter as to what had happened to the implements supplied?”

THE HON. SRI K. MADHAVA MENON:—“The position of agricultural implements in the Anantapur district is clearly shown in the statement that has been placed on the table. There were no agricultural implements there for a particular period cannot be correct. Anyhow, I shall call for the necessary information as suggested by the hon. Member.”

SRI V. RAGHAVAYYA:—“Is it a fact, Sir, that a man from Madras has been asked to take delivery from a merchant at Nellore and a ryot from Bezvada to take delivery from Tuticorin, of a pair of tyres. Has he to travel for this such a long way?”

THE HON. SRI K. MADHAVA MENON:—“I cannot vouch for the correctness of the statement made by the hon. Member. No doubt there are some such difficulties as mentioned by the hon. Member because of the method of distribution adopted under instructions from the Government of India since January 1947. The Director of Industries is the Provincial Steel Controller and he has to give his permits on stockholders who possess the particular implement and

^a Printed as Appendix on page 203 infra.

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if a ryot of Nellore had asked for tyres and if the local dealer had not the same it will be necessary for the Controller to give his permits on some stockholder who had it elsewhere.”

SRI S. NAGAPPA:—“Sir, may I ask the Government why there is so much disparity from district to district as is evident from the statement placed on the table of the House? What is the policy of the Government in this regard?”

THE HON. SRI K. MADHAVA MENON:—“The disparity will depend upon the area of paddy cultivation and other cultivation. A district which does more cultivation requires more implements.”

SRI B. S. MURTHI:—“Will the Hon. Minister take early steps to see that these irregularities are put an end to?”

THE HON. SRI K. MADHAVA MENON:—“I do not think there was any irregularity in the past nor do I think it is the case now.”

SRI S. NAGAPPA:—“Am I to understand from the answer given by the Hon. Minister that the disparity is due to the area of cultivation in the Ceded districts being less than the area cultivated in the other districts?” 11-15 a.m.

THE HON. SRI K. MADHAVA MENON:—“That will be one of the main consideration in the matter of distribution.”

SRI V. RAGHAVAYYA:—“When the Hon. Minister was answering my question, he was pleased to observe, I think unwittingly, that he could not vouch for the statement coming from me. I wish to know whether it is in order; I can understand his saying ‘yes’ or ‘no’. Before verifying that, can a Minister say off-hand that he cannot vouch for the correctness of a statement coming from a Member. That is the point I wish to clear. I wish to know whether it is in order for an Hon. Minister to say that he cannot vouch for the correctness of the statement made on the floor of the House by a Member.”

MR. SPEAKER:—“It is in order.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Evidently, he wanted to ask whether the use of the word ‘vouch’ is parliamentary or not.”

MR. SPEAKER:—“That is perfectly parliamentary.”

Transfer of headquarters of Ramnad district from Madura.

* 45 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether there is any agitation from the people of Ramnad to transfer the headquarters of their district from Madura district to any place in Ramnad district; and

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

THE HON. SRI KALA VENKATA RAO:—“After deciding that this question will have to be answered to-day, I should

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also have been informed. As a matter of fact, I never knew that this question will be taken up to-day. But, however, there is no difficulty and I will answer.

“(a) Applications as well as memoranda have been received requesting the transfer of the headquarters of the district from Madura to some place in Ramnad district.

“(b) Government are already examining the question and the latest order is to consult the legislators of the district concerning the same.”

SRI R. V. SWAMINATHAN:—“In view of the fact that the Engineering department have selected Sivaganga town as their district headquarters, may I request the Hon. Minister to see that Sivaganga town is selected as headquarters for Ramnad district?”

THE HON. SRI KALA VENKATA RAO:—“Sivaganga is at present the headquarters of the zamindar; it will come under our aegis shortly and after that becomes a ryotwari area, we will consider the question.”

SRI P. S. KUMARASWAMI RAJA:—“May I know whether the Government are aware that more than 19 lakhs of people in the district are against the transfer of district headquarters from Madura to any other place?”

THE HON. SRI KALA VENKATA RAO:—“The hon. Member being one of the legislators will be invited to the discussion and he can represent his views there.”

MR. SPEAKER:—“The Hon. Minister stated that he had no information that the question would be taken up to-day. His department has been informed and his personal clerk was also informed that the question would be taken up to-day. Therefore, that statement is not correct.”

Removal of the Leper Asylum in Manamadura.

* 46 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Minister for Public Health be pleased to state whether any memorandum has been received by the Government to remove the Leper Asylum situated in Manamadura to some other place, in view of the fact that it is situated on the bank of the river Vaigai?

THE HON. SRI K. MADHAVA MENON:—“No such memorandum has been received by Government.”

SRI R. V. SWAMINATHAN:—“In view of the fact that the leper asylum is situated on the banks of the Vaigai in an important town of our district and the fact that it is a highly contagious disease, will the Government consider the desirability of shifting the asylum to some other place, from where the disease will not spread?”

THE HON. SRI K. MADHAVA MENON:—“The Government will make the necessary enquiry into the matter.”

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Preparation of vital statistics.

* 47 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to state—

(a) the method adopted in this Province as regards the preparation of vital statistics;

(b) whether it is a fact that mortality and morbidity statistics are not recorded correctly; and

(c) the steps the Government intend to take to rectify the exciting defects?

THE HON. SRI K. MADHAVA MENON:—“(a) Registration of births and deaths is compulsory in villages where the Madras Births and Deaths Registration Act, 1899 (Act III of 1899) is in force. In villages where the Act is not in force, the registration of births and deaths is done under executive instructions of the Revenue department. In 1941, the Act has been extended to almost all the villages in the Province except certain excluded areas and backward tracts. Both in compulsory and non-compulsory areas, the agency for registration of vital events is the village headman. He registers births and deaths that occur in the village in such birth and death registers prescribed under the Act, as and when they are reported by parties concerned or when he himself comes to know of such cases. At the end of each month, he prepares an abstract for the month from the birth and death registers in a special form prescribed under the Act, and sends it to the Tahsildar concerned who, in turn, forwards it to the office of the Director of Public Health. These monthly returns are posted in a separate posting register and the figures for each taluk, district and Province are compiled. The statistics for rural towns are also separately compiled.

In municipal areas, the registration of births and deaths is compulsory and specially trained birth and death registrars (Sanitary Inspectors) are appointed for the purpose of registering vital events that occur within the municipal area in the prescribed birth and death registers. An abstract therefrom for each week and each month is prepared and forwarded to the office of the Director of Public Health, Madras. The monthly and weekly figures given in the returns are compiled separately for municipal areas.

In municipal areas with Health Officers, the classification of causes of deaths is done under the supervision of Health Officers and as such, detailed returns showing detailed causes of deaths correlated with ages are also obtained for special study.

The monthly vital statistics recorded in municipal and non-municipal areas in the Province are published in the *Fort St. George Gazette*.

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“(b) No morbidity statistics are maintained except in regard to cases of cholera, smallpox, plague and fevers. Recently, malaria has also been included as a separate item under ‘fevers.’ As regards the mortality statistics, omission to register deaths and wrong classification of the causes of death do occur sometimes in villages due to ignorance of the people. Every endeavour is however being made to improve the registration by frequent check by the public health staff and the Inspecting Officers of the Revenue department.

“(c) The following measures have been taken to improve the collection of vital statistics:—

(i) Extension of the Madras Births and Deaths Registration Act to almost all villages to make registration of births and deaths compulsory in them.

(ii) The following diseases are made notifiable under the Madras Public Health Act of 1939:—

Cerebro-spinal fever.	Plague.
Chickenpox.	Rabies.
Cholera.	Relapsing fever.
Diphtheria.	Scarlet fever.
Enteric fever.	Smallpox.
Leprosy.	Tuberculosis.
Measles.	Typhus fever.

It is obligatory on the part of the Medical Practitioner to report cases of these diseases that come to his notice, to the village headman or the health staff. It is also obligatory on the part of the head of the family, etc., to report such cases except typhoid fever and tuberculosis.

(iii) Frequent check of the work of the registrars by Inspecting Officers.”

BEGUM SULTAN MIR AMIRUDDIN:—“Is the Hon. Minister aware that the village headman is too much over-burdened with other work and hence he is not able to satisfactorily discharge his duties in regard to the collection of vital statistics?”

THE HON. SRI K. MADHAVA MENON:—“I do not think the number of births and deaths in the village are so numerous as to make the work of the headman more heavy by this work.”

BEGUM SULTAN MIR AMIRUDDIN:—“Is the Hon. Minister aware that the Bhore Committee have stated in their report that the village headman is not able to discharge his duties satisfactorily; in view of this, may I suggest that instead of the village headman alone undertaking this work, a committee may be set up for this purpose, of which the village headman may be the chairman?”

THE HON. SRI K. MADHAVA MENON:—“I do not think how the committee will reduce his work in any way in this matter.”

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BEGUM SULTAN MIR AMIRUDDIN:—“Will the Government consider the ways and means of improving the collection of vital statistics?”

THE HON. SRI K. MADHAVA MENON:—“I have already given categorically all the improvements that the Government have already made and the suggestion of the hon. Member will be certainly considered.”

BEGUM SULTAN MIR AMIRUDDIN:—“Will the Government consider the desirability of asking the members of the Public Health staff to check up the registers by house to house enquiry when they go to these villages on their routine duties and also will the Government see that courts and schools insist upon the production of births and deaths certificates?”

THE HON. SRI K. MADHAVA MENON:—“The suggestion of the hon. Member will be considered.”

[* Questions 48 and 49 answered on 16th September 1947.]

Payyanur Khadi Centre.

*50 Q.—SRI MANIKOTH KUMARAN: Will the Hon. the Prime Minister be pleased to state—

(a) when the Payyanur Khadi Centre was taken over by the Government for intensive khadi development;

(b) the estimated number of charkas required for the area;

(c) the arrangements made for the manufacture of charkas;

(d) the number of charkas already distributed; and

(e) when the centre is expected to be in full working order?

THE HON. DR. P. SUBBARAYAN:—“(a) The Payyanur khadi centre was taken over by the Government for intensive khadi development on 11th January 1947.

“(b) On the basis of allotment of one charka for each house in the centre the requirements of charkas come to 14,800. At present there are 1,060 charkas available in the area and 13,740 are still required.

“(c) 14,000 cubic feet of seasoned timber (Venteak) for the manufacture of 14,000 vertical charkas (Wardah Model) has been released by the Forest Department to a contractor for being sawn into required sizes. Out of these, sized pieces sufficient for the manufacture of about 4,000 charkas will be supplied to the Payyanur centre in the course of six months.

“The iron parts required for the charkas have been ordered to be manufactured and these will be supplied in convenient instalments to the centre.

“An order for the supply of 2,000 duralium speed wheels has been placed. The possibilities of getting speed wheels from suitable private agencies or the Government Industrial work-shops are also being explored.

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"Further arrangements are being made through the Forest department for the supply of sawn sizes of seasoned timber required for the manufacture of carding bows, slivering sets and other spinning implements to the intensive khadi centres. The Payyanur Centre will be given its quota of these implements.

"(d) Eighty-one kisan charkas have so far been distributed. A local carpenter who plies his trade at the premises of the zentie khadi office, Payyanur, has manufactured 103 charkas. Besides this, arrangements have been made for getting sawn timber for manufacturing 1,000 more charkas.

"(e) The centre is expected to be in full swing in the course of two years."

SRI V. I. MUNISWAMI PILLAI:—"In view of the long answer . . ."

MR. SPEAKER:—"The Hon. the Leader of the House has not quoted any figures; he made only a statement and I do not think it necessary to have it printed and laid on the table of the House and taken some other day."

SRI V. I. MUNISWAMI PILLAI:—"Being a very lengthy answer, I suggest the answer being printed and placed on the table of the House."

THE HON. DR. P. SUBBARAYAN:—"I do not think I will consent. If the hon. Gentleman has not listened to my reading of the answer, I am prepared to read it again but I am not prepared to have it printed and laid on the table of the House."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Will the Government give an assurance that all the articles mentioned will be bought on the tender system and that the lowest tender alone will be accepted."

THE HON. DR. P. SUBBARAYAN:—"I am not prepared to give any such undertaking."

SRI S. NAGAPPA:—"May I know what the outturn is and whether it is sufficient for the firka?"

THE HON. DR. P. SUBBARAYAN:—"As I have pointed out during the course of the answer about 14,800 charkas are required. Only 1,060 charkas are available because wood and steel implements are required and arrangements are being made so that the number of charkas required will be supplied in due course."

SRI S. NAGAPPA:—"I wanted figures of production concerning yardage and whether it is sufficient for the firka."

THE HON. DR. P. SUBBARAYAN:—"May I submit for your consideration, Mr. Speaker, that the question of yardage is not considered in this question at all."

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SRI K. ANANDAN NAMBIYAR:—"May I ask if the Government will give mill yarn also to the hand-loom weavers in this area."

THE HON. DR. P. SUBBARAYAN:—"That again does not arise out of the question."

SRI P. NATESAN:—"May I know the cost of each charka?"

THE HON. DR. P. SUBBARAYAN:—"It works to about Rs. 10-8-0."

SRI P. NATESAN:—"Is it proposed to spend at the rate of Rs. 10-8-0 per charka for all the 10,000 odd charkas that are intended for this particular firka?"

THE HON. DR. P. SUBBARAYAN:—"Certainly because it is the policy of the Government."

H. S. HUSSAIN SAHIB BAHADUR:—"May I know, Sir, 11-30 a.m. what the total estimated cost is for developing this khadi scheme in Payyanur?"

THE HON. DR. P. SUBBARAYAN:—"I am afraid I cannot ^{com}ll a answer. If the hon. Gentleman will put a separate ^{sen}mn, I shall supply him the information."

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M of t MMAD RAZA KHAN SAHIB BAHADUR:—"May I enque, Sir, whether the policy of the Government regarding the khadi scheme is the same or it has undergone any change after the 15th August 1947?"

THE HON. DR. P. SUBBARAYAN:—"I did not quite catch what the hon. Gentleman said."

(The question was repeated.)

THE HON. DR. P. SUBBARAYAN:—"It has not undergone any change at all. The Government still believe in the development of khadi."

SRI M. KUMARAN:—"In view of the great disparity between the estimated number and the actual supply, will the Government please see that things are made to move a little more quickly?"

THE HON. DR. P. SUBBARAYAN:—"Every attempt is being made to supply these charkas as quickly as possible."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, whether, when the Government took over the centre, they considered its financial soundness?"

THE HON. DR. P. SUBBARAYAN:—"It is not a question of financial soundness at all because the Government do feel that the proposition of supplying hand spun and hand woven cloth is an economic proposition."

SRI P. NATESAN:—"Have the Government any idea as to the turnover of these 10,000 charkas (costing Rs. 1,05,000 and how much of cloth will be produced out of them?"

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THE HON. DR. P. SUBBARAYAN:—"My reply to the hon. Gentleman will be that when other cloth is not available this cloth does supply the need of the population."

SRI N. S. VARADACHARI:—"Is the Hon. Minister aware that in this centre every new spinner wears the cloth made out of his own yarn?"

THE HON. DR. P. SUBBARAYAN:—"That is so; that is the advantage of this scheme."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the fact that a very huge amount is involved in this matter, and in view of the answer given that the Hon. Minister is not prepared to accept tender system, will the Hon. Minister at least tell us in what system he believes and what system he wants to have in giving contracts?"

THE HON. DR. P. SUBBARAYAN:—"I thank the hon. Gentleman for his long question, but I think it may be put as a separate question."

Vanniakula Kshatriyas in high posts.

* 51 Q.—SRI A. SUBRAHMANYAM: Will the very hon. Prime Minister be pleased to state—

(a) how many persons belonging to the community called "Vanniakula Kshatriyas" are holding the posts of District Collectors, Revenue Divisional Officers, Sub-Collectors and Tahsildars in the Revenue Department of this Province; and

(b) how many of them are District and Sessions Judges, Sub-Judges, Additional Judges, District Munsifs and Prosecuting Inspectors in this Province?

THE HON. DR. P. SUBBARAYAN:—" (a) & (b) The Government have no information and they consider that no useful purpose will be served by collecting such information."

SRI A. SUBRAHMANYAM:—"இந்த மாகாண ஜனத்தொகையில் இந்தில் ஒரு பங்காகிய ஒரு பெரும் சமூகத்தினர்கள் அரசாங்கத்தார் பிற்போக்கு சமூகத்தினர் என்று சொல்லி இருப்பதாலும் இவர்களுடைய விஷயத்தை அரசாங்கத்தார் கவனித்து உத்தியோகங்களில் இவர்களை அதிகமாக நியமிக்க அரசாங்கம் முன்வருமா?"

THE HON. DR. P. SUBBARAYAN:—"I am not prepared to give any such undertaking because this question of communal representation according to various communities is becoming rather a headache to the Government of Madras."

SRI A. SUBRAHMANYAM:—"கிருஸ்தவர்கள், முகம்மதியர்கள், ஜாதியினர்கள் இன்னும் மற்றவர்களைவிட மிகவும் பிற்போக்காக இருக்கும் இந்த வகுப்பினருக்கு இனியாகிலும் சலுகைகூட்ட அரசாங்கத்தாருக்கு முடியுமா?"

THE HON. DR. P. SUBBARAYAN:—"I do not grant the hon. Gentleman's promises."

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SRI A. SUBRAHMANYAM:—"இதேயே இந்த பெரிய சமூகம் படியே இருந்து வரவேண்டியது. இவையே மந்திரி அவர்கள் விருமடாரர்களா?"

THE HON. DR. P. SUBBARAYAN:—"Well, Sir, every community must try and advance its economic interests by its own self-work."

SRI A. SUBRAHMANYAM:—"அவர்களுக்கு தகுந்த படிப்பு, பேச்சு, அனுபவம், யோக்கியம் முதலியவைகள் இருக்குமானால் அவர்களுக்குத் தகுந்த அரங்கத்தார் முன் வருவார்களா?"

THE HON. DR. P. SUBBARAYAN:—"They can take the place in the queue." (Loud laughter.)

SRI R. SWAMINATHAN:—"Arising out of the answer given by the Hon. Minister, may I ask, Sir, whether the headache is due to the Government pursuing the policy of the communal Government Order?"

THE HON. DR. P. SUBBARAYAN:—"I am afraid the hon. Gentleman is entirely mistaken. I was not referring to the communal Government Order with regard to appointments at all. What I was referring to was with regard to various communities among the Non-Brahmans demanding representation in the services."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer that the Government got headache, is it not better for them to take leave and go to rest?" (Laughter.)

THE HON. DR. P. SUBBARAYAN:—"That is a matter for me to consider and not for the hon. Member." (Renewed laughter.)

Number of companies of the Malabar Special Police.

* 52 Q.—M. V. HYDROSS SAHIB BAHADUR: Will the Hon. the Home Minister be pleased to state—

(a) the number of companies in the Malabar Special Police at present;

(b) how many of them are permanent and how many temporary;

(c) the years in which the temporary companies were formed

and whether the Government have any idea of making the temporary companies permanent?

HON. DR. P. SUBBARAYAN:—" (a) Thirteen companies.

(b) Five are permanent companies and eight are temporary companies.

(c) Of the temporary companies formed during the period, two temporary companies were formed in 1941, six in 1942.

"(d) "

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SRI K. ANANDAN NAMBIYAR:—"Do the Government consider demobilizing this Malabar Special Police?"

THE HON. DR. P. SUBBARAYAN:—"Certainly not, Sir."

Kallar Reclamation Scheme.

* 53 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Home Minister be pleased to state—

- (a) when the Kallar Reclamation Scheme was introduced;
- (b) what is the object of starting this work;
- (c) what is the amount spent by the Government from the beginning till 1946;
- (d) whether the scheme has been productive of any result, and if so, what;
- (e) how many people of the Kallar community were educated under this scheme;
- (f) how many of them had passed S.S.L.C. and how many of them got University degrees;
- (g) how many of them so educated are employed in the Government service;
- (h) how many of them are in gazetted rank and in subordinate service rank; and
- (i) whether any special preferences are shown to reform the adults of this community?

THE HON. DR. P. SUBBARAYAN:—" (a) The Kallar Reclamation Scheme was inaugurated in the year 1920.

" (b) The object of undertaking the reclamation of Kallars is evidently to reform them and make them law-abiding citizens."

" (d) The reclamation scheme has produced very satisfactory results; many have reformed themselves and have been honest law-abiding citizens and many of them have been educated."

" (i) The answer is in the affirmative. It has been realized that the best way of reforming a community is by educating its children and accordingly 258 elementary schools have been started in the Madura and Ramnad districts for the education of Kallar children. The children who show special aptitude for studies are encouraged by grants of scholarships, boarding grants, etc., to continue their studies in higher classes both in the literary and in the technical lines.

" (e) to (h) The information required is not readily available. The collection of the information will involve a considerable amount of work. The result achieved will be made known to the public, but any, that

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SRI R. V. SWAMINATHAN:—"Is the Hon. Minister aware that the results stated to have been achieved by this Kallar Reclamation Scheme are all imaginary, and may I ask the Hon. Minister whether he himself is personally satisfied with this report submitted by his department?"

THE HON. DR. P. SUBBARAYAN:—"As the hon. Gentleman has expressed his opinion, I must take time to consider whether the opinion expressed is correct or not."

SRI R. V. SWAMINATHAN:—"May I ask the Hon. the Leader of the House that in view of the assurance given by him during the debate on the Criminal Tribes Repeal Bill in the last session that he will hand over the education section of the scheme to the Education Department, what action has he taken till now?"

THE HON. DR. P. SUBBARAYAN:—"The matter is being considered."

Bonus for mill-workers in Coimbatore.

* 54 Q.—SRI R. KUPPUSWAMI: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that the award of the ex-Premier regarding the five months' bonus has not been given effect to in the Palamalai Ranganathar Mills, Coimbatore; and

(b) if so, what action the Government propose to take?

THE HON. DR. T. S. S. RAJAN:—" (a) Yes, Sir.

" (b) The ex-Premier and the South Indian Mill Owners' Association came to a gentlemen's agreement which is not enforceable as an award. The Government referred the question whether the management's attitude is reasonable for adjudication, but the matter was settled amicably between the parties."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, how many Mill Managements did not implement the award that was arrived at by the Hon. the ex-Prime Minister and the mill managements?"

THE HON. DR. T. S. S. RAJAN:—"Just now I said that it has been amicably settled."

Loss of dry crops in certain areas.

* 55 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that the major part of Rapur, Atmakur and Udayagiri taluks has lost the dry crops owing to heavy rains;

(b) whether it is a fact that all the grain shops in these taluks have no adequate stocks of grains for the last three months and whether the public, particularly labourers in these areas, are suffering from misery and starvation;

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(c) whether the Government have received any report on the situation till now; and if so, what steps the Government propose to take to remedy the distress;

(d) whether it is a fact that thoroughly rotten and worm-eaten wheat, barley and maize flour and maize are compulsorily sold to ration card-holders at the instance of firka and other supply officers to save Government loss caused by careless and indiscreet distribution to districts;

(e) whether the Government have received samples from these ration shops at Podalakur and Kuluvo of Nellore district of these articles;

(f) whether the Government have sent the stuff to the proper authorities for examination; and

(g) what steps the Government propose to take to stop the distribution of this unwholesome stuff?

THE HON. DR. T. S. S. RAJAN:—“(a) It is true that the dry crops in the major part of the three taluks had failed.

“(b) It is not a fact that all the grain shops in Rapur and Udayagiri taluks had no adequate grains for the last three months (i.e.), during the quarter ending 31st March 1947. In one or two shops in Atmakur taluk, the stocks were inadequate in April 1947 owing to some change in the distributing agency in the taluk and lack of sufficient transport facilities. But immediately the matter was brought to the notice of the Collector and supplies were rushed to the shops and thus nobody in these areas really suffered.

“(c) No report has been received by the Government. But the Collector of Nellore who was aware of the acute position of millets in the district ordered as a temporary measure supply of rice towards the millet requirements of mixed and millet diet eaters. One thousand and five hundred tons of millets have since been supplied to Nellore district. This supply has eased the situation of the millet position. The district had a closing stock of 1,732 tons of millets on 26th June 1947 while the offtake of the commodity was only 311 tons during May 1947.

“(d) Some quantity of wheat and maize in the retail shops in the villages was really bad as this was the balance of stocks imported months ago, no fresh stocks have been supplied to the province after January. The stuff was withheld when found unfit and issued only after cleaning, but there was no case of compulsion on anybody.

“(e) to (g) No samples were received by the Government. But the Assistant Entomologist, Bezwada, inspected the stocks of maize and wheat available in the ration shops in those taluks. Excepting a small quantity of wheat the rest was found to be fit for consumption. The quantity which could be consumed was cleaned, sundried and issued. The stuff which was found to be unfit for use was ordered to be

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withdrawn from the ration shops. All Collectors have been informed that grains fit for human consumption but which are not in good condition should be cleaned before issue to the public.”

SRI V. RAGHAVAYYA:—“May I know, Sir, in view of the fact that much of the quantity of wheat has been moth-eaten and worm-eaten, would it not be advantageous for the purchasers to purchase in terms of measures, and may I ask whether the Government will see that such unwholesome stuff is either destroyed or, if it is wholesome partly, it is sold out by weight and not by measures?”

THE HON. DR. T. S. S. RAJAN:—“Sir, I have already informed the hon. Member that no purchaser is compelled to buy rations if he finds them not to his satisfaction. With regard to the quality of the stuff, the Entomologist has already inspected the stuff. Also the stuff is always being cleaned and sundried before it is sold to the public. Therefore, under these conditions I do not see where the difficulty comes in.”

SRI V. RAGHAVAYYA:—“My question has not been answered. I have been asking about the manner of selling out rations, which is a loss to the purchaser. I want to know whether the Government are prepared to order the sale of the stuff not by measurement, but by weight, because it will save the purchaser of the loss?”

THE HON. DR. T. S. S. RAJAN:—“This is a general statement, Sir. Rations are issued according to the standard measure prevailing. If any ration shopholder does not issue rations according to the standard measure, it is open to hon. Member to bring it to the notice of Government, and the Government will then consider.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Apart from the badness of the food discovered and detected by accident, will the Government, Sir, consider the possibility of setting up a permanent machinery to check and find out the quality of the articles before they go into distribution?”

THE HON. DR. T. S. S. RAJAN:—“The question of inspecting the remnant stock is too big an undertaking. But the Government are prepared to see that the stock that is left over is made capable of consumption by the purchaser. It is open to the purchaser to bring it to the notice of the Government. The Entomologist is one employed by the Provincial Government in areas covering large tracts of the Presidency while ration shops are very numerous and are scattered in almost every village. Therefore, it will not be possible for an inspection of all the ration shops throughout the Province. But the fact remains that these ration shops are not plentifully supplied with stocks. It is only in occasional cases, that is, in cases where the stock is particularly

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of a material that is not in common use, that stocks are left over. The man who buys it is fully within his rights to say that that stuff is bad and that he would not take it."

SRI T. VISWANATHAM:—"Sir, it is not on this question that I rise. I want to ask you whether, in view of the shortness of time, it would be possible for you to take up question No. 60?"

MR. SPEAKER:—"No; it is not possible. The order cannot be changed."

Extension of Periyar Irrigation Scheme to Tirumangalam taluk.

* 56 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the question of extending the Periyar Irrigation Scheme to Tirumangalam taluk in Madura district is under consideration of the Government; and

(b) if so, when it is proposed to start the work and whether this will be beneficial to the area where the Kallar Reclamation Scheme is in force?

THE HON. SRI M. BAKTHAVATSALAM:—" (a) Yes. In order to extend the Periyar Irrigation, a scheme to construct a dam across the river Vaigai is under the consideration of the Government. The scheme will benefit the Tirumangalam taluk also.

" (b) It is proposed to take up the scheme for execution after the completion of the investigation. It will be beneficial to the area where the Kallars Reclamation scheme is in force."

SRI R. V. SWAMINATHAN:—"Sir, in view of the importance of the matter and in view of the fact that the scheme has been delayed for a long time, may I request the Hon. Minister for Public Works to consider the desirability of expediting the scheme?"

THE HON. SRI M. BAKTHAVATSALAM:—"I may assure the hon. Member that we are doing everything possible to expedite the scheme."

Irrigation facilities in Pollachi taluk.

* 57 Q.—SRI P. R. KANDASWAMI GOWNDER: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether in view of the food shortage the Government have investigated the possibility of increasing the irrigation facilities provided by the Aliyar river in the Anamalai area in Pollachi taluk;

(b) what arrangements are being made to ensure the maximum use of the irrigation facilities and fair distribution of water among the ryots;

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(c) how many of the channels are under the supervision of the Revenue authorities and of the Public Works Department; and

(d) whether the Government propose to take steps to place all the channels under the supervision of the Public Works Department?

THE HON. SRI M. BAKTHAVATSALAM:—" (a) Yes. The possibility of increasing the irrigation facilities under the Aliyar river is being investigated. Proposals for the formation of a reservoir across the Aliyar are reported to be under examination by the local officers.

" (b) Irrigation under the various channels of the Aliyar river is at present carried on through open cuts and a large volume of water is being wasted in the upper reaches with the result that the tail end ryots do not get adequate supply. To prevent this wastage, the Chief Engineer (Irrigation) proposed that, as an initial measure, all the open cuts in the channels might be piped so as to ensure equitable supply and that the question of remodelling the channels might be taken up as the next step. The staff necessary for this work has been sanctioned.

" (c) All the five channels taking off from the Aliyar river in Pollachi taluk are maintained by the Public Works Department. The regulation of water under the Vadakkalur channel is in charge of the Public Works Department and of the remaining four channels in charge of the Revenue Department."

" (d) The channels are already being maintained by the Public Works Department."

Special pay for stenographers.

* 58 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the special pay for stenographers has been increased from Rs. 25 to Rs. 35 in the recent G.O. No. 347, Finance, dated 16th May 1947;

(b) whether the Cabinet Salaries Committee has recommended that the typewriting 'personal pay' granted to shorthand typists prior to 1928 in addition to shorthand special pay should be abolished; and if so, whether it is applicable only to future entrants; and

(c) if not, whether there is any difference in the status and pay including allowance between the old shorthand typists holding such posts and new entrants?

THE HON. SRI B. GOPALA REDDI:—" (a) Yes.

" (b) The Cabinet Salaries Committee recommended the grant of—

(1) shorthand special pay at Rs. 35 per mensem to stenographers qualified by the Higher Grade test in shorthand; and

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(2) typewriting special pay of Rs. 10 to persons qualified by the Higher Grade test in typewriting and holding sanctioned posts of typists.

"The Committee did not recommend the grant of typewriting special pay to stenographers in addition to shorthand special pay even if they are qualified by the Higher Grade test in typewriting. Consequently it has been ordered that the old typewriting special pay (which was treated as personal pay) should be merged in the higher rate of shorthand special pay in the case of stenographers and this will not affect their total emoluments. The new typewriting special pay is not admissible to future entrants in addition to shorthand special pay.

"(c) No."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether the principle of equal pay for equal work is being adopted with reference to women stenographers that are employed?"

THE HON. SRI B. GOPALA REDDI:—"I have no information."

Convertible assets of the Government of Madras.

* 59 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Finance be pleased to state:—

(a) whether it is a fact that the Madras Government had liquid or readily convertible assets to the extent of Rs. 32.7531 crores on 31st March 1946; and

(b) if so, the necessity for the Government to borrow subsequently about Rs. 4 crores in the open market?

THE HON. SRI B. GOPALA REDDI:—" (a) The answer is in the affirmative, if the terms 'assets' mentioned in the question was meant to represent the cash balance and securities held in the cash balance investment account as on the 31st March 1946. Details of the value of the assets are given below:—

	RS.
	LAKHS.
Cash balance	3,10.09
Securities held in the cash balance investment account—Central Government three months' treasury bills (purchase price)	49.96
Central Government medium and long term securities (purchase price) ...	29,15.14
Total ...	32,75.19

Or Rs. 32.7519 crores.

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"The bulk of the assets in medium and long term securities of the Central Government is not as readily convertible as the three months' Central Government treasury bills. The sale of securities without loss to the Government depends on favourable market conditions.

"(b) It was not essential to raise a new open market loan in order to provide funds for capital expenditure and loans and advances in 1946-47. The Government, however, raised an open market loan for Rs. 4.09 crores for the following reasons:—

During the year easy money conditions continued to prevail. The Government considered that under such conditions they would be able to raise a loan at a comparatively cheap rate, and that the proceeds might be utilized towards their future requirements for post-war development. They also considered that borrowing on a large scale would eventually be necessary to provide funds for the development programme, and that it would be advisable to spread out their open market borrowings and raise as much as could be raised on reasonable terms each year. They further considered that borrowing in the open market in 1946-47 would enable them to avoid selling any appreciable amount of their holdings in the cash balance investment account in that year to provide funds for the ways and means requirements of the year, and that it would also serve to assist in checking inflation.

"The result of the loan issue was satisfactory, as the Government obtained the amount required at the nominal rate of interest of $2\frac{3}{4}$ per cent with a premium of 8 annas per cent in the issue price."

SRI C. M. KOTHARI:—"Arising out of the answer, Sir, may I know whether Government wish to speculate on easy money conditions?"

THE HON. SRI B. GOPALA REDDI:—"Will the Hon. Member repeat his question?"

SRI C. M. KOTHARI:—"Is it a fact that Government want to take advantage of the easy money condition and borrow capital at $2\frac{3}{4}$ per cent or something like that? Was it necessary that Government should also speculate and was not the last loan a failure?"

THE HON. SRI B. GOPALA REDDI:—"The result of the last loan was satisfactory, as Government borrowed at $2\frac{3}{4}$ per cent, and it is not the monopoly of private borrowers to raise money at cheap rates in the open market." (Laughter.)

SRI P. NATESAN:—"May I know how much money was raised direct? Was not underwriting done?"

THE HON. SRI B. GOPALA REDDI:—"I think, yes."

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M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"Is it not a fact that 20 lakhs out of 32 crores was directly subscribed by the Government in the last loan; and if that is so, why did not Government subscribe the full money out of their short term securities and short term reserves?"

MR. SPEAKER:—"The hon. Member will repeat his question."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"In the last loan Government themselves have subscribed to the extent of 20 lakhs of the public loan. If that is so, if the Government have got reserves, why did they not subscribe the whole amount themselves out of the reserve fund, as they had 17 crores in their reserve fund in that year?"

THE HON. SRI B. GOPALA REDDI:—"Government had a reserve of 17 crores in their reserve fund not in that year but in the previous year."

SRI C. M. KOTHARI:—"Is it a fact that the underwriters had to take some responsibility for the loan as Government did not get the full amount from subscription?"

THE HON. SRI B. GOPALA REDDI:—"The very fact that we gave commission to underwriters shows that the loan was not fully subscribed."

SRI T. VISWANATHAM:—"Is it not a fact that in the floating of loans, underwriters are allowed a particular amount even before open subscription begins; and it is not after the failure of subscription that underwriters are allowed a particular amount?"

THE HON. SRI B. GOPALA REDDI:—"Perhaps so, Sir."

SRI C. M. KOTHARI:—"Does it mean, that when underwriters had to undertake subscription of large amount, to that extent Government credit was at stake?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir."

SRI P. NATESAN:—"Does the Hon. Minister concede, that when you have to pay the underwriters, does it not mean that everything is not well with the finances of the Provincial Government?"

THE HON. SRI B. GOPALA REDDI:—"It does not mean that."

SRI B. S. MURTHI:—"Is it not a fact that the last loan was more underwritten than subscribed?"

THE HON. SRI B. GOPALA REDDI:—"It is not a fact."

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Travelling allowance to Hon. the Speaker, Hon. the President, etc.

* 60 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the travelling allowance facilities afforded to Hon. Speaker, Hon. President, the Deputy Speaker and the Deputy President, while touring on public business have been cancelled by the Government;

(b) if so, why; and

(c) whether they were consulted before the order was cancelled?

THE HON. SRI B. GOPALA REDDI:—" (a) Yes.

" (b) As they have no official duties as such.

" (c) No."

SRI S. NAGAPPA:—"May I ask Government, in view of the fact that the Hon. Speaker has been practically implementing the Temple Entry Act, will Government consider the desirability of granting travelling allowance to the Hon. Speaker so that he will be in a position to implement the Act that are passed by this House."

THE HON. SRI B. GOPALA REDDI:—"He is not an official and so no travelling allowance is admissible to him."

SRI S. NAGAPPA:—"Is it the intention of this Government to make the Acts passed by this House a dead letter by not creating machinery to implement them?" (Laughter).

MR. SPEAKER:—"The hon. Member has lost his temper." (Laughter.)

SRI S. NAGAPPA:—"May I ask Government what machinery has been set up to see the enactments passed by this august body put into practice?"

THE HON. SRI B. GOPALA REDDI:—"I request hon. Members of the House to implement the Acts passed by this august body."

SRI K. T. KOSALARAM:—"May I ask, Sir, when travelling allowance was first sanctioned to these people?"

THE HON. SRI B. GOPALA REDDI:—"It was first sanctioned in 1920 and it was revised in February 1947."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, is it not a fact that the hon. Gentlemen whose names are mentioned in the question are really implementing the policy of Government in putting into effect the Acts passed by the Government, and therefore, should they not, at least as a matter of policy, be given travelling allowance for the work they do, not in their own behalf, not in their individual capacity, but in a way as members of Government?"

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THE HON. SRI B. GOPALA REDDI:—"They are not members of Government."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"That is why I said 'in a way'."

THE HON. SRI B. GOPALA REDDI:—"No, not even 'in a way,' are they members of Government."

SRI T. VISWANATHAM:—"May I know what was the occasion for the Government to take up the question of revision of travelling allowance?"

THE HON. SRI B. GOPALA REDDI:—"We thought what was good in 1920 was good also in 1947."

SRI D. V. RAMASWAMI:—"Am I to understand, Sir, that those Hon. Gentlemen should not go about on public business?"

THE HON. SRI B. GOPALA REDDI:—"They can certainly go, but it is not part of their official business."

SRI T. VISWANATHAM:—"Sir, my question was, what was the occasion for revising the order? What is it that prompted the Government to take up the question of revising the travelling allowance order?"

THE HON. SRI B. GOPALA REDDI:—"It was not taken up as an isolated question. The whole question of revision of travelling allowance was taken up, I mean, the travelling allowance of gazetted officers, of executive officers, of members of Government and so on, and along with that, this question also was taken up."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"On a point of order. Are you Mr. Speaker not part of the Government machinery?"

MR. SPEAKER:—"No, I do not belong to the executive branch."

SRI M. G. NATESA CHETTIYAR:—"May I know the practice obtained in other Provincial Legislatures in respect of these allowances to the Speakers and Deputy Speakers?"

THE HON. SRI B. GOPALA REDDI:—"So far as I am aware no travelling allowance is allowed to any Speaker or Deputy Speaker of Provincial Assemblies or to the President, Central Legislature, when they go on such tours."

SRI P. NATESAN:—"May I know if the Hon. the Minister has any figures as to the amount spent already on the travelling allowance of the President, Speaker or whoever it might be?"

THE HON. SRI B. GOPALA REDDI:—"It is not a relevant factor Sir, to this question. If he wants I shall supply him with the information."

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SRI S. NAGAPPA:—"My question was not answered, Sir. (Laughter.) My question was: 'What is the machinery the Government has set up in order to see that the temples are thrown open to the people.' As the Hon. the Speaker has been doing the work of that machinery, is it not necessary that we should allow him some travelling allowance?"

THE HON. SRI B. GOPALA REDDI:—"He must address the question to the Hon. the Prime Minister, who is in charge of Endowments, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I have also a complaint, Sir, that my question has not been answered. He took up only one phrase, Sir, i.e., 'Member of Government.' He did not take the other part which qualified that phrase. I said that the Hon. Speaker has been doing what the Ministers should otherwise do. In view of that does not equity demand that he must also be given some facilities as the members of the Government are being given?"

THE HON. SRI B. GOPALA REDDI:—"It is not only the Hon. the Speaker, but also several Members of this House and members of the general public who have been doing very valuable work in this connexion."

Liquor shops in residential areas.

* 61 Q.—SRI B. S. MALLIKARJUNA RAO: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether permission is given to the concerned officers to allow liquor shops to be located in residential areas of towns and cities; and

(b) whether any steps have been taken so far by the Government to instruct district excise authorities to prohibit the location of such shops amidst family quarters and for their removal to secluded bazaars?

THE HON. MR. DANIEL THOMAS:—" (a) Instructions regarding the selection of sites are contained in Excise Standing Order No. 10 (b) (2). According to these instructions, liquor shops in towns are to be located in the quarters in which there is demand for them and preferably near Police stations. As far as possible, shops are not to be located near places of worship, schools, hospitals, factories, bathing places, cheris or other localities inhabited by the members of the Harijan community and other places of public resort.

" (b) In individual cases, where representation is made of improper location, necessary action is taken by the authorities."

MR. SPEAKER:—"I shall try to finish the other questions in about five or ten minutes."

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SRI B. S. MURTHI:—"Is it the intention of the Government, Sir, by locating these liquor shops near the police stations to give police aid to the people who go there to drink?"

THE HON. MR. DANIEL THOMAS:—"I am sure, Sir, that if my hon. Friend has had the experience of going down to a toddy shop he would have seen the necessity for their location near police stations. It is in order to prevent brawls or any unpleasant happenings, Sir."

Language test for Sub-Registrars.

* 62 Q.—SRI K. T. KOSALRAM: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether sub-registrars are subject to transfers from one linguistic area to another and are in consequence compelled to pass a language test before they are confirmed; and

(b) whether the Government propose to abolish such transfers and language test?

THE HON. MR. DANIEL THOMAS:—" (a) under the rules for the Madras Registration Subordinate Service, a person appointed as Sub-Registrar should, within the period of his probation, pass the second-class language test in a language other than that taken by him for the S.S.L.C., University or other public examination and when he has passed that test, he is liable to be transferred to any place where either of the two languages in which he has passed is spoken.

" (b) No."

Licences for Paper Mills.

* 63 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of S. Muhammad Ismail Sahib Bahadur): Will the Hon. the Minister for Industries be pleased to state—

(a) how many licences to start paper mills were issued during the period of Mr. T. Prakasam's Ministry;

(b) whether any shares were purchased by the Government; and

(c) whether the Government have given loans to these licensees under the Industries Loan Act and if so, to what extent?

THE HON. SRI H. SITARAMA REDDI:—" (a) No licence is required for starting any paper mill. The previous Ministry did not pass any orders on the question of starting paper mills in this Province.

" (b) & (c) These questions do not arise in view of the answer to (a) above."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is the Hon. Minister for Industries aware that the existing mills themselves are not working and they are in need of Government help?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, I submit that it does not arise out of this question."

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SRI C. M. KOTHARI:—"Is the Hon. Minister aware that for the starting of a paper mill the necessary machinery will have to be imported and that licences are given by the Import Controller and for which Government help in regard to priority is necessary?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, I may invite the hon. Member's attention to the question as it is put here. The question reads: 'How many licences to start paper mills were issued during the period of Mr. T. Prakasam's Ministry.' The Provincial Government does not issue any licences to start paper mills. That was the answer."

Accommodation in Government Muslim Boys' High School in Georgetown.

* 64 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Government Muslim Boys' High School in Georgetown, Madras, is in dire need of better accommodation;

(b) what steps the Government are taking to provide this school with a suitable building; and

(c) whether it is a fact that the old Civil Jail building which was promised to this school has been allotted for some other purpose?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" (a) The Director of Public Instruction has reported that the school is in need of better accommodation.

" (b) The Government have asked the Director of Public Instruction to take necessary steps to obtain a suitable building for the school.

" (c) The buildings were allotted to the Government training school in 1940. They have since been allotted to the Industries Department for the use of the School of Technology."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, how long will it take the Government to provide this school with a suitable habitation?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"I am unable to say, Sir."

Building and playground for Government Secondary School for Muslim Girls in Georgetown.

* 65 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Minister for Education be pleased to state—

(a) whether it is a fact that the Government School for Muslim Girls in Georgetown is in need of building with an adequate playground; and

(b) what steps the Government are taking to school with a suitable building?

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) Yes.

“(b) The Director of Public Instruction has been asked to find out whether any suitable building can be secured for the school.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I know, when the Director of Public Instruction was asked, Sir? How long is it since he was asked to do this?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“Must have been some months, Sir.”

BEGUM SULTAN MIR AMIRUDDIN:—“How many months will expire before the school is provided with another building?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“I am sorry I am unable to say anything in the matter.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I request the Hon. Minister to expedite the matter as many girls have been refused admission into the school for lack of accommodation. There is great scope for opening a number of sections in the school which could absorb the pupils who have been refused admission, but insufficiency of accommodation prevents this.”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“May I inform the hon. Lady Member, Sir, that on the suggestion of the Muslim Association the grounds of the High Court were examined but they could not made available because the High Court wanted them for the extension of the High Court buildings? If the hon. Member will co-operate with us and try to find out a building we shall certainly do what we can.”

Conveyance allowance to Muslim women teachers.

* 66 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that Muslim women teachers in the non-gazetted services do not receive any conveyance allowance; and

(b) if the answer is in the affirmative, whether there is any proposal to give these teachers some conveyance allowance?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) Yes.

“(b) No.”

BEGUM SULTAN MIR AMIRUDDIN:—“Is the Hon. Minister re that in these hard days, Muslim women teachers are very a out of pocket by reason of the conveyance charges that they to pay and will the Government therefore come to their rescue for them some relief?”

M. HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
Hon. A. the hard days are for both the Hindus and the Muslims, selves at and we cannot do anything only for one community in THE matter.”
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BEGUM SULTAN MIR AMIRUDDIN:—“Is the Hon. Minister aware that on account of the purdah system the Muslim women teachers are not able to go by bus and hence they have to engage rickshaws, and that thereby they have to incur much more expenses than the Hindu women teachers do?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“I do not think, Sir, there is any ban on people with purdah going in buses.”

Supply of pump-sets to cultivators.

* 67 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government are giving pump-sets for hire to cultivators in pursuance of the Grow More Food Campaign;

(b) if so, how many sets of pumps have been given and how many applications are pending;

(c) whether it is a fact that the hire was fixed at Rs. 10 per mensem for each pump-set;

(d) what is the cost of production per acre in Government Agricultural Farms from ploughing to harvesting of paddy; and

(e) whether it is a fact that the Government have enhanced the rates of hire from Rs. 10 to Rs. 75 without giving notice; if so, why?

THE HON. SRI K. MADHAVA MENON:—“(a) The answer is in the affirmative.

“(b) The number of pump-sets given on hire from January to June 1947 is shown below:—

Month.	Petrol engine sets.	Oil engine sets.	Tractor trailer sets.
January 1947 ..	550	2	6
February 1947 ..	580	2	6
March 1947 ..	622	2	5
April 1947 ..	602	3	6
May 1947 ..	584	3	2
June 1947 ..	605	4	2

“No applications for hiring of petrol engine sets are pending in the office of the Director of Agriculture. The District Agricultural Officers are empowered to receive such applications from ryots and allot petrol sets on hire according to the priority of applications. As regards oil engine and electric motor pump sets the following number of applications for purchase are pending in the office of the Director of Agriculture:—

Number of applications pending.

Oil engine pump sets	...	850
Electric motor pump sets	...	630
		1,480

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“(c) The hire for petrol-driven pump sets was fixed at annas 8 per day subject to a maximum of Rs. 10 per mensem as a concessional measure. This concession lapsed on 5th March 1947 but it has since been extended up to 30th September 1948.

“(d) The average cost of production of paddy is Rs. 110 per acre.

“(e) The hire rate of Rs. 10 per mensem was only concessional in the case of petrol pumps. When this concession lapsed, the normal rate of Rs. 75 per mensem prescribed for oil engine pump sets was intimated by a District Agricultural Officer under the impression that the ryots concerned had oil engines with them, while in fact they had only petrol pump sets. The Director of Agriculture has since rectified the mistake.”

SRI A. VEDARATNAM PILLAI:—“May I know, Sir, whether the Government is selling any pump sets to the agriculturists and if so at what rate and how many pumps were sold?”

THE HON. SRI K. MADHAVA MENON:—“We are selling oil and electric motor pump sets. As and when orders are placed they are executed.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Is the Hon. Minister aware of a statement made by the Hon. Minister for Food that the Grow More Food Campaign in the Madras Province was a failure and in view of that is not the money spent in this matter a huge waste?”

THE HON. SRI K. MADHAVA MENON:—“It is a matter of opinion, Sir.”

SRI N. S. VARADACHARI:—“Are the Government aware, Sir, that much of the petrol issued for these petrol pumps is being sold as petrol in the black-market and not being used for agricultural purposes?”

THE HON. SRI K. MADHAVA MENON:—“The Government received certain complaints like that and on enquiry it was found that out of the 605 pumps that were working there were two cases of bad dealings like that.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I know what steps have the Government taken to acquire oil and electric pumping sets and to supply them to the agriculturists and are they in a position to give the figures as to the numbers that have been so supplied?”

THE HON. SRI K. MADHAVA MENON:—“I cannot at present give the number of sets sold but a considerable number has been sold. As I said the number of applications for purchase pending with the Government for oil engines is 850 and for electric motor pump sets it is 630. We have placed orders with the firms and we are expecting them very soon.”

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SRI V. C. PALANISWAMI GOUNDER:—“May I ask the Government, Sir, that in view of the scarcity of petrol in this Province will it be pleased to consider the question of ordering for more number of diesel oil engines of the portable type which can be easily managed and because it will be less costly?”

THE HON. SRI K. MADHAVA MENON:—“That is exactly what we have done, Sir.”

SRI N. S. VARADACHARI:—“Are the Government aware that petrol is being issued to pumps which are not in working order?”

THE HON. SRI K. MADHAVA MENON:—“No such thing has come to the notice of the Government yet, Sir.”

SRI V. C. PALANISWAMI GOUNDER:—“May I know whether the Government will order for more number of diesel oil portable type engines instead of petrol engines which are costly and are liable to be misused?”

THE HON. SRI K. MADHAVA MENON:—“We have already ordered for diesel oil engines.”

SRI V. RAGHAVAYYA:—“May I know whether the Government has not taken any action even though the District Agricultural Officer, Nellore, reported that most of the sets were used for receiving petrol and not for agricultural purposes?”

THE HON. SRI K. MADHAVA MENON:—“I have not yet seen any report from the District Agricultural Officer, Nellore, like that, Sir.”

MR. SPEAKER:—“Question hour is over. The answers to the rest of the questions will be printed in the proceedings.”

Supply of manure, etc., to cultivators.

* 68 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state which Departments of the Government supply the following items to the ryots and the procedure for the supply of the same:

- (1) Manure;
- (2) Oil-cake;
- (3) Iron and steel implements;
- (4) Cattle; and
- (5) Seeds.

THE HON. SRI K. MADHAVA MENON:—“(1) *Manure*.—The quotas of chemical fertilizers, Ammonium Sulphate and Ammonium Phosphate allotted by the Government of India to this Province are taken over by this Government and distributed as straight manure partly through the agricultural depots and partly through the Imperial Chemical Industries (India), Ltd., after giving a small quantity to manure mixing firms for making manure mixtures for crops and to sugar factories for manuring sugar crops.”

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(2) *Oil-cake*.—The entire production of groundnut cake from the power driven mills and hand presses is acquired by the Agricultural Department and sold to ryots through the Agricultural Depots on priority given by village committees. The district and taluk quotas are fixed by the Director of Agriculture. The taluk committees decide the village quota in consultation with the Agricultural Demonstrator in charge of the taluk. The village committees decide the quantity of cake to be sold to each ryot within their jurisdiction and issue permits in the prescribed form. The permit-holders take delivery of the cake from the Agricultural Depot on payment of cash or against agricultural loans if any granted by the District Agricultural Officers. In places where village committees are not functioning properly, the distribution is done by the Agricultural Demonstrator himself on individual applications from ryots. The sale of oil-cake is on a subsidized basis by not including in the sale price the overhead charges up to 10 per cent of the cost of cake and the entire establishment charges.

(3) *Iron and Steel Implements*.—The Department of Industries and Commerce distribute iron and steel to the ryots. The Director of Industries and Commerce issues permits for the acquisition of the materials from the registered stockholders for all purposes. For agricultural purposes, permits are issued on the recommendations of the Agricultural Demonstrators.

(4) *Cattle*.—The Veterinary Department is supplying breeding bulls to ryots. The Director of Veterinary Services is also assisting the ryots in procuring work and milch cattle.

(5) *Seeds*.—Improved strains are purchased by the Agricultural Department from seed farm ryots and sold to ryots through Agricultural Depots on a subsidized basis by not including in the sale price the overhead charges up to 12½ per cent of the cost of the seeds and the entire establishment charges."

Communal ratio for the appointment of Tahsildars and Deputy Tahsildars.

* 69 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the communal ratio for the appointment of Tahsildars and Deputy Tahsildars;

(b) whether there is any maximum and minimum age limit appointments in the above posts;

(c) what was the last year in which a Muslim was appointed as Tahsildar; place why no Muslims were appointed as Tahsildars after soon."

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(e) after the last appointment of the Muslim Tahsildar whether the chances of any Muslim were overlooked, and if so, why?

(f) whether it is a fact that no Muslim Deputy Tahsildar was appointed in Madura since 1935 (excepting in the year 1944) till to-day;

(g) how many Muslims were overlooked from the said date till now, and why; and

(h) whether there are any Muslim Government servants in Madura who are qualified for the post of Deputy Tahsildar?

THE HON. SRI KALA VENKATA RAO:—“(a) The rule of communal rotation does not apply to appointments to the posts of Tahsildars from among the Deputy Tahsildars, as they are made by promotion of men from among Deputy Tahsildars on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.

“(b) The rule of communal rotation is applied at the time of appointments to the posts of Deputy Tahsildars in accordance with the following communal ratio:—

“(c) Out of every 12 vacancies—

Non-Brahmans	...	...	...	...	...	...	5
Brahmans	...	...	...	...	...	...	2
Anglo-Indians or Christians or Non-Asiatics	...	...	...	...	...	...	2
Muslims	...	...	...	...	...	...	2
Scheduled Castes	...	...	...	...	...	...	1

“(d) The conventional age-limit followed by the Board of Revenue for Tahsildars is 45 years. The age-limit for inclusion in the list of Deputy Tahsildars is 40 years, and the age-limit for appointment as Deputy Tahsildars is 43 years. These limits are statutory.

“(e) About 1926. This date refers to Madura district.

“(f) No Muslims were appointed as Tahsildars in Madura district after 1926, as no qualified and suitable persons were available.

“(g) In Madura district two Muslims were technically qualified in 1944, but they have been found unsuitable on their record for inclusion in the Tahsildars' list.

“(h) No. Besides two Muslims appointed in 1944, one was appointed in 1937 and another in 1946 as Deputy Tahsildar.

“(i) One Muslim was overlooked in Madura district after 1935. He had been appointed as Deputy Tahsildar in 1936, but his probation was terminated later. His claims for re-appointment were considered in later years, but his poor record did not warrant his re-inclusion.

“(j) Only one. He qualified himself in February 1947.”

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Requisition of the staff of the Accountant-General's office for work in certain offices.

* 70 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Land Revenue be pleased to state whether there are any proposals to requisition to services of any of the Accountant-General's office staff to strengthen the staff of District Treasuries, District Supply Officers' offices and offices of the Commercial Tax Officers?

THE HON. SRI KALA VENKATA RAO:—"The Government have sanctioned the appointment for a period of three months of six clerks to be deputed from the Accountant-General's office to work in the treasuries in the districts of Vizagapatam, Coimbatore, Madura, West Godavari and Kistna, to clear off arrears in those districts. There is no proposal to requisition the services of any of the Accountant-General's staff for the offices of the District Supply Officers and of the Commercial Tax Officers."

Municipalities and Panchayats coming under Madras Town-Planning Act.

* 71 Q.—M. V. HYDROSS SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(a) the number of Municipalities and Panchayats to which the provisions of the Madras Town-Planning Act, 1920, are made applicable;

(b) whether the present Director of Town-Planning is a person having technical knowledge of town-planning; and

(c) if not, whether there is any proposal to appoint an expert with technical knowledge as the Director of Town-Planning?

THE HON. SRI K. MADHAVA MENON:—" (a) The Town-Planning Act automatically applies to 82 municipalities including the City of Madras and the provisions of the Act have also been extended and made applicable to 92 panchayats.

" (b) The Inspector of Municipal Councils and Local Boards is the Ex-officio Director of Town-Planning and does not possess any technical knowledge of the subject but he is assisted by experts in town-planning with technical qualifications.

" (c) There is no such proposal before the Government."

Government Hospital, Erode.

* 72 Q.—SRI M. A. EASWARAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether there is any proposal to improve the present Government Hospital, Erode, which is in very bad condition;

(b) whether there is any proposal to shift the present Government Hospital to a new place in Perundurai Road; and

(c) if so, when this is going to take effect?

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THE HON. SRI K. MADHAVA MENON:—" (a) to (c) The question of reconstructing the Government Hospital, Erode, according to the post-war standards of a taluk headquarters hospital, on a site near the junction of the Mettur and Borough roads is under consideration. There is no proposal to put up the new buildings on a site in the Perundurai Road."

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

II.—QUESTION RE PRIVILEGE OF MEMBERS.

* SRI V. I. MUNISWAMI PILLAI:—"Sir, as the custodian and defender of the privileges of the Members of this House, I have to make an appeal to you; Sir. When he replied to question No. 50, the Hon. the Leader of the House stated that I did not listen to the answer that he just then read. I got a copy of this question only just now. Sir, Khadi is an important subject in the body politics and I do not think I can usefully take part in the question hour unless I know the question. This is my submission to you, Sir, that the Hon. the Leader of the House has cast this remark and insulted me, however small I may appear. I request you to deal with it, Sir."

THE HON. DR. P. SUBBARAYAN:—"I am afraid, Sir, the hon. Gentleman has entirely misunderstood what I said. What I said was that if the answers I read had not been properly followed, because it might have been read out quickly, I was prepared to re-read them."

MR. SPEAKER:—"In view of the explanation given, the hon. Member need not press the question." 12-15 p.m.

III.—NON-OFFICIAL BUSINESS.

THE MADRAS HINDU BIGAMOUS MARRIAGES PROHIBITION AND DIVORCE BILL, 1947 (L.A. BILL NO. 6 OF 1947)

* SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I beg to move—

that the Madras Hindu Bigamous Marriages Prohibition and Divorce Bill, 1947 (L.A. Bill No. 6 of 1947) be referred to a Select Committee consisting of fifteen members.

I shall submit the names as soon as the House grants permission to refer the Bill to a Select Committee.

"I consider that this Bill, placing women on a position of equality with men in the most important matters of marriage and divorce, is a charter of freedom to women. We are now in an independent India. Our Constitution is being framed by the great Constituent Assembly sitting in New Delhi on the basis of human equality. Adult and universal franchise will be the basis of the new Constitution. No discrimination between man and man, between caste and caste and religion and religion, and between man and woman can be made or shall be made in the Free India. In these matters we are in advance of even some of the so-called civilized countries. United States of America, which claims to be

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the most advanced country in the world, is still suffering from racial arrogance and colour disabilities. Even in the year 1947, lynching of the blacks is going on there with impunity. In some other countries like France, women are not entitled to be members of Parliament. In India we are advancing very well. Even when we got some instalments of Swaraj, we gave equal rights for all communities and removed the disabilities of the Depressed Classes. Our women also have marched along with men in the progress of Swaraj. Now that we have got complete independence, all inequalities should be wiped out completely. Women also are suffering under certain disabilities. They should get equal property rights with men and also an equal status with men in regard to marriage and divorce. The time for hesitation, doubt and questioning has gone and this Bill represents the public opinion of the country to-day. It is a Bill of to-day and to-morrow, not of yesterday. No doubt, there are still reactionaries in the country, who are afraid of all progress, of all march forward. From the opinions on this Bill that we have received, I am glad to say that all progressive elements have given their wholehearted support. There are some who have opposed, and they are mostly Matathipathis, pseudo-religious heads and some orthodox Sastris. Except these, distinguished men, whose opinions count for something in the country, have all supported this Bill. I value most the opinions given by representative Women's Associations. The Women's Indian Association, which represents the women of this Province without distinction of caste or creed, has given wholehearted support to this Bill. This is what it says: 'Our Association wholeheartedly supports the principles of the Bill to prohibit bigamous marriages and permit divorce among Hindus. This measure has been long overdue. We welcome this Bill and hope it will pass into law without further delay.' The Secretary, Mahila Seva Mandal, Masulipatam, writes that at a meeting of the women of Masulipatam, it was resolved to support the Bill in whole."

MR. SPEAKER:—"Members have been supplied with copies of the opinions on the Bill from which the hon. Member is now reading."

* SRI A. KALESWARA RAO:—"Yes, Sir, but I am reading some of the 'important' opinions . . ."

"The President of the Andhra Provincial Mahila Sangam, Bezwada . . ."

SRI P. NATESAN:—"May I know who the President is?"

* SRI A. KALESWARA RAO:—"I do not know, because there will be change in the office bearers. Whoever it is, she represents the women of Andhra Desa in this matter. That is all I know. She has supported the Bill wholeheartedly."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information. The hon. Mover of the Bill said that Indian Women's Association represented the women of the Province."

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Again, he said that the Andhra Provincial Mahila Sangam represented the women of the Andhra Province. Then, may I know who is represented in the Andhra Desa by the Congress, Mr. Speaker?"

* SRI A. KALESWARA RAO:—"These Associations represent women in social and legislative matters concerning them. They are not political bodies. My respected Friend should have already known it. They are social and cultural bodies and they represent women in that sense."

"Distinguished men like the Advocate-General, Madras, Vice-Chancellor of the Andhra University, Mr. T. R. Venkatarama Sastriar, Sir Vepa Ramesam, retired High Court Judge, and the ex-Minister Mr. Ranganatha Mudaliar, and the Theosophical Society have supported the Bill. (Sri C. M. Kothari: 'What about the youths?') All the youth of the Province are behind me. I know it very well. The youth committees and students committees are entirely in favour of this Bill and if you do not pass it, you will become unpopular with them. (Sri K. Varadachari: 'Are these married or unmarried youths?') Both, married and unmarried youths."

"As the hon. Members know, the Bill consists of three parts. The first part prohibits bigamy, the second part relates to divorce under certain conditions, and the third part relates to the provision, by a court of law, of maintenance to the divorced women and her children except in cases where the woman herself is the offending party."

"With regard to bigamy, some persons, while supporting the Bill generally, say that in certain exceptional cases, permission should be given to the husband to marry a second wife. They say that, when there are no children for some years, the husband may be allowed to marry a second wife with the consent of the first wife. I am opposed to that. That is wrong. Supposing he has no children by the second wife also! Then he has to marry a third wife. There is no limit."

SRI P. NATESAN:—"On a point of information. The hon. Member said that if the wife was not in a position to produce children, the husband wanted to have a second wife. In case it is the fault of the husband, is it right to allow him to get married and married on the plea that there are no children?"

* SRI A. KALESWARA RAO:—"They say that there is such a custom as the husband marrying a second wife when there are no children. It is wrong, and the Hindu Law provides for adoption if they want. Of course, old ideas have changed. Many people do not care whether they have children or not. But men with orthodox opinions can adopt. Therefore, his demand is meaningless."

"Then they ask: 'Why do you introduce a Bill to reform the Hindu Society alone? Why not bring in a Bill to reform the whole Indian Society including Muslims?'"

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12-30 p.m. Sri R. V. Swaminathan stood up in his seat.

* SRI A. KALESWARA RAO:—"I am not going to yield sir; no yielding any longer."

* SRI R. V. SWAMINATHAN:—"On a point of order, Mr. Speaker, will this Bill have retrospective effect?"

* MR. SPEAKER:—"It is not a point of order; the hon. Member may raise it as a point of information."

* SRI A. KALESWARA RAO:—"No Sir, the Bill will not have retrospective effect, because the married couple, including the second wife have already settled themselves in life. But divorce will apply to all marriages whether they take place after this Act comes into force or whether they had taken place before the coming into force of this Act, under particular circumstances. No liability or disability is imposed on the existing marriages. If a man misbehaves towards his wife or a woman misbehaves towards the husband, then either of them will have a right to take advantage of the provisions under this Bill. I wish to submit that this Bill is of a semi-religious character and its main aim is to reform the Hindu society in the matter of marriages and divorces. I cannot say anything about the existing customs among Muslims, Christians and members of other communities, nor am I going to make any suggestions for reform of their society. It is their look out to reform their community in any way they like, if they feel the necessity to do so. But of course, I know that the Muslim community is fast advancing over other communities in these matters and I was very glad the other day to read a statement made by Miss Jinnah that in Pakistan women will have equal rights with men in respect of all matters and that there will be as much progress there as in the Indian Union. Therefore I have no doubt that the great Muslim Community will reform itself in its own way when it feels the necessity to do so. I have nothing to do with other communities and that is why my Bill is confined to the Hindu community."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"They have already reformed themselves."

* SRI A. KALESWARA RAO:—"Sir, some people ask 'if the wife is suffering from some disease, why not the husband have the right to marry another?' That is a dangerous thing. It is only in cases where the husband or the wife is suffering from lunacy or leprosy that provision has been made for divorce in the Bill. But if it is allowed that he could marry another wife because his wife is sickly, then the wife also should be given the right to marry another man, if the husband is sickly. This will lead to furthered complications and there will be danger in permitting such things. The fundamental principle underlying this Bill is that there should be equality between man and woman in all matters which contribute to happiness in the marital life. If that principle is destroyed, the whole Bill will become useless."

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SRI R. V. SWAMINATHAN:—"I want to know, Sir, whether the hon. Mover is really serious in moving this Bill, because he is an aged man, and only aged people will be tempted to marry more than one wife." (Laughter.)

* SRI A. KALESWARA RAO:—"Sir, because I am an aged man, I can be impartial. I am not so impulsive and emotional as my hon. Friend Mr. R. V. Swaminathan, who may have his own individual interest in these matters."

"Now, Sir, with regard to divorce, I have put in some general grounds which may appeal to all. In this, we are introducing a divorce law for the first time applicable to the Hindus in this Province. Therefore we must be very careful. We must be sure of our ground and proceed slowly."

"Sir, some people have suggested that if both parties agree, why should you not give the right of divorce? That is also a dangerous ground in western countries, particularly in Russia they have gone to that extent. We are a religious people. The civilisation of India, whether of the Hindus or Muslims or Christians, is spiritual. The basis of our family life is spiritual and therefore we must believe that a man and his wife will adjust themselves mutually. Our unit of society is a family and not an individual, and the husband and wife will somehow adjust themselves and try to be happy. All communities, whether Hindus, Muslims or Christians take a pride in their domestic happiness and therefore we should not introduce things which will be quite contrary to the notions of the people. Therefore I want to proceed slowly and to avoid things which will make the marital life impossible. My object is that the man and his wife should be able to live together and discharge their Grahasta duties. If any reasonable suggestions come from this House, then I am sure, they will be considered by the Select Committee. For instance, impotency or sterility of women have not been put in by me as grounds which can admit of another marriage. I do not know whether it is necessary to introduce it as a part of the draft Bill, because according to the Hindu Law, and according to the latest decisions, e.g., 48. Calcutta Weekly Notes, 689, impotency existing at the time of marriage and continuing till the date of petition, gives a right to a woman to get the marriage dissolved. Similarly is the case with sterility. There are already provisions for divorce under the existing Hindu law. But if a specific provision is to be provided for, it may be done at the Select Committee stage."

"Sir, some have said that the terms 'concubinage', 'cruelty' and certain other terms mentioned in certain clauses of the Bill and in the portions relating to divorce, have not been defined properly. I submit, Sir, that it is not necessary to define them, because there are numerous decisions given by law courts defining those terms in connection with cases that have come up before them for decision. We have before us two acts separately passed on this subject by the Bombay Legislature. I have obtained a copy

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of those acts from my friend Mr. Morarji Desai, the Home Minister of Bombay. Although I have given notice to introduce this Bill earlier in this Province, the Bombay Government have given notice of a divorce Bill later and got it passed before us. Therefore Bombay is now in advance of our Province in matters of social reform. I want that Madras also should go ahead with these social reforms and be far in advance of other Provinces. Sir, Madras has produced many great reformers who have distinguished themselves in the whole of India. One of them was Dr. Subbarayan's father-in-law. He was a great social reformer in Mangalore. There was also one Mr. Veeresalingam Pantulu who was also a great social reformer in the Andhra. There was also the late Sir R. Venkataratnam, who was my guru, and there were also various other great social reformers and it is their spirit that is permeating this generation in our Province. Sir, we have now far advanced in our social reform, so much so, that we have taken the lead in throwing open all the temples of this Province, as also the hotels and chatrams, to Harijans. We are the first to pass such a comprehensive enactment. Therefore it will be to our credit if we pass this good bill also giving equal status to women in important matters.

12-45 P.M. "Sir, I wish also to point out that our old Dharma Sastras are not against the principle of divorce. Some people are thinking, "Oh, this is against the Sastra of Manu" and like that. It is not correct. It has been extensively quoted from the Sruthi Kartas of Parasara and Narada in Mr. Srinivasa Ayyangar's Hindu Law, to show that both of them permitted divorce under certain circumstances. Though they were centuries old, they even then permitted divorce. That means that divorce must have been in existence during those times. What were the circumstances under which divorce is permitted and permission given for remarriage? One is Nashte. If a man abandons his wife and goes away for a long number of years, and nothing is heard of him during those years, then divorce is allowed and remarriage is permitted. If a man dies, then according to the Widow Remarriages Act, remarriage is allowed. The other circumstance under which divorce is permitted is, Pravagitha, that is, when the husband becomes a Sanyasi. Here, the husband voluntarily gives up the family life and goes out. He has no family ties as a Sanyasi; when he becomes a Sanyasi, his wife can marry again. In that case, there is no bar to divorce and remarrying, and the question of consent does not arise. If she does not like to remarry, of course there is nothing to be done. But afterwards, bad customs and superstitions grew up and so many changes, sometimes good and sometimes bad, have come into Hindu society. We should not say that bad changes alone have come; good changes also have come in. Again, *pathithe*, i.e., if he becomes sinner, remarriage is allowed. For instance, a man may keep a concubine and thus become a sinner; or if the man treats his wife with cruelty, i.e., he may allow his friends and parents also to take up sticks and beat her; we have heard of cases of parents of the boys throwing hot liquid on their daughters-in-law and treating them so cruelly that their parents have had to come

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and take them to their own houses. In such cases the boys are helpless and in some cases the parents do such things even with the boy's connivance. Again, there is the lunatic. According even to the existing law, a lunatic cannot enter into the ceremony of marriage. The two conditions on which a woman can go to court and get a decision in her favour under the Hindu Law are insanity and impotency. I have provided in this Bill for insanity and leprosy. Certain castes and communities are governed by rigid rules framed by themselves and they have tied themselves round with iron shackles in the name of some superstition. But there are other communities, what are called the lower communities, which are more and more guided by principles of natural justice and equity. Now, for the sake of the so-called higher communities, we have to remove those shackles and introduce such laws as this.

"Sir, I do not want to take up more time of the House. I have dealt with some of the clauses regarding divorce. The first clause is that if the man keeps a concubine, the woman can divorce, or if the woman herself is the concubine of another man the man can have it. I have not introduced adultery because it may lead to false evidence. The provisions are contained in the Rao's Committee proposals and also in the Bombay Bill. Then I have also introduced cruel treatment on the part of man or woman and also desertion by either of them. Also incurable insanity and incurable leprosy,—these things I have introduced. If one or two reasonable suggestions, acceptable to society and to public opinion as it prevails at this time are suggested, we are prepared to take them into consideration at the Select Committee stage. I have also provided that when a woman is obliged to sue for divorce or if the man divorces her—except when she herself misbehaves as in the case of concubinage or desertion—the court should give maintenance to the woman and her children till she chooses to remarry. They are the main provisions, they are commonsense, they are acceptable to public opinion prevailing at present, though some reactionaries are opposing these provisions. I crave leave of the House to send this Bill to a Select Committee."

SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I have great pleasure in seconding the motion moved so ably, eloquently and with gusto with a peculiar sense of humour by my hon. Friend Mr. Kaleswara Rao. This is an enabling measure; it is agreeing with the real spirit of our ancient traditions and also with the spirit of the present times. It embodies propositions which are usually generally acceptable and so it does not require much persuasion and a further speech on my part. I have therefore great pleasure in seconding the motion."

MR. SPEAKER:—"The motion before the House is that the Madras Hindu Bigamous Marriages Prohibition and Divorce Bill, 1947, be referred to a Select Committee. The names of the members will be announced later. The motion is before the House."

* SRI P. NATESAN:—"Sir, I was not really ready to talk on this motion; but after hearing the excellent speech made by the

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Mover of the Bill, I am inclined to take part in the debate. Sir, I am supporting the motion before the House, because I have always felt that equality of men and women must come as soon as possible in this country. We have been giving collegiate education to our girls. (Interruption). I am an old man, I am over 55; I are not ashamed, because I can yet talk about women generally for the simple reason that"

SRI K. VARADACHARI:—"On a point of order, Sir. Can any male Member give out his age?"

MR. SPEAKER:—"Why not? It is not a point of order at all."

SRI A. KALESWARA RAO:—"I thought that a man can disclose his age, but not a woman her age."

* SRI P. NATESAN:—"Sir, the idea of my giving out my age was to show that I am not a youngster; that I was sufficiently old and was therefore fit to take part in the motion before the House."

MR. SPEAKER:—"The hon. Member should know that irrespective of the age, every Member has a right to take part in this discussion."

* SRI P. NATESAN:—"I had to say it, Sir, as a retort to Mr. V. M. Ramaswami Mudaliar who said I was an old man."

"Sir, we have been giving collegiate education to girls and it has been very useful. We have a number of girl students coming out of the colleges every year, most of them highly brilliant, probably much better on an average than the boy students. These girls—I have myself seen them in most of our families—are unable to get married, because if a girl is qualified as an M.A., she naturally looks out for a husband who is of an equal standard. In Hindu society, it is not possible for us to get from our own relations decent boys to get married to such girls; and if there are boys, probably they are S.S.L.Cs., and the girl who is a B.A. or an M.A. usually objects to get married to such a boy. So, this collegiate education to girls is actually becoming embarrassing. I know many Mudaliar girls, Nayudu girls, many girls"

SRI K. BRAHMANANDAM REDDI:—"On a point of order, Sir. How is this point relevant to the Bill before us?"

* SRI P. NATESAN:—"What I wanted to show was how society was getting into a confusion by having marriageable girls, highly educated not being able to find proper husbands. That is the one reason why, having agreed to the principle of giving collegiate education to girls, we should agree to their being treated without any difference from men."

"One unfortunate thing in our society is that Hindu girls are accustomed to—probably it is in their very nature—shyness. Supposing for instance there is a Tea Party and a number of ladies also are invited; all the ladies go together and sit together, without coming forward and talking to the men, although they know the men very well." They may even have some particular friends

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among the men and I want to know—I am expecting some of the lady members here to reply to what I say—why these ladies all crowd together on one side when both men and women have been invited for a public function."

MR. SPEAKER:—"Birds of the same feather flock together."

* SRI P. NATESAN:—"I know Mr. Kaleswara Rao said that the Women's Indian Association and some Sangam in Bezwada have been demanding such a measure as this; I also agree that women should be given equal treatment with men, they must mix up with men just like they do in the western countries. Otherwise, I say your collegiate education is no good to them. If you are not going to mix with and exchange your views with the men, what is the use of your having college education and what is the difference between you and a girl who has not had collegiate education? Of course, we all know that some men have wives who are very reserved and others whose wives are cantankerous; and some wives are a bit shy and do not adjust themselves to modern times. Unfortunately, parents of the old type when they see the modern girls and women wanting to do this and that and the girls wanting to go with the boys and trying to copy the western customs, won't allow them to do so. I am only trying to show that unless and until our girls are willing to come forward just like the western girls and mix with the men in public functions, no useful purpose will be served by giving them any more liberty than what they have already got. Although my heart is there to give them the liberty, I want to see that they make use of the liberty. If they are as good as the men, let them come out and share all the burdens of the men. Supposing there is a war on in this country, will our ladies come forward to work with men?"

"During war time, Russian women were working very hard 1 p.m. and they were assisting the men in all ways. They were working as lorry drivers, engine drivers, etc. They put all their energies along with the men and were working day and night. The point is that our people are not moving with the modern times. If they want to take care of their future generations, they must move with the modern times. There is no use talking about Manu and the Sastras in these days because those Sastras will not allow you to move with the modern times. When people in other countries are going forward and are progressing rapidly in the social and economic sphere, our people in this country are lagging behind. If our people also want to progress, our womenfolk also must be prepared to work and assist the men and thus they must move along with modern times."

"Sir, leaving that point, there are one or two humorous things which I want to point out. I hope the House will not mind if I am a bit loose to-day in my talk on this subject because Mr. Kaleswara Rao himself, the mover of the Bill, talked about impotency, sterility, insanity, cruelty, and so on. (Laughter.) Insanity, I can understand. But provision has been made in the Bill for divorce in cases of impotency and sterility. These words are very difficult

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to define. Even in England, many a divorce case comes up for decision in courts as Dr. Subbarayan who was in England for a number of years can testify.

“ Then, there was the question of cruelty. What is the cruelty that a husband can inflict on a wife? Do you mean to say that a husband gets married to his wife just for the purpose of beating her. If there is something wrong with the wife, then the husband must naturally give her a hiding. (Interruption). The-converse is also true and it does happen. When the husband is in the wrong, the wife gives him a hiding. I have known cases of beating both in Indian and European society. But that is beside the point. I am only pointing out that cruelty also cannot be defined. Mr. Kaleswara Rao himself has not defined the word cruelty properly. Under cruelty, an elaborate list can be given but you cannot exactly define it. Anyhow, when the Bill goes to the Select Committee, the members who happen to be on the Select Committee will, I hope, take these things into consideration.

“ Then, there is divorce. Divorce is a great problem. In the section relating to divorce, my hon. Friend, Mr. Kaleswara Rao has stated that a marriage may be dissolved on the ground that the husband has any other women as a concubine or that a wife is a concubine of any other man or leads the life of a prostitute, I mean both cases are there. These are very difficult things to define. But in western countries they have been more definite, and I do not know how far we can adopt those definitions. On principle, Sir, I want to give equality to women.

“ Then, Sir, there is the question of partition of properties. I am sure the Select Committee will consider this carefully. What I submit is that the Hindu society to-day must be made to move with the modern times. Hindu society as it exists to-day is not progressive. I do not wish to say anything more at this stage. I would therefore reserve my remarks to a later stage.”

SRIMATHI V. SITAMAHALAKSHMAMMA :—“అధ్యక్షా :—

కాశీశ్వర రాత్రుగారు ప్రతిపాదించిన ఈ బిల్లును నేను హృదయపూర్వకముగా విమర్శ
చేచున్నాను. ప్రపంచములోని మతములలో మన హిందు మతము చాలా ఉత్తమమైనది
చాలా దర్శనపాత్రమైనటువంటిది అయినప్పటికి కూడా అందులో కొన్ని లోపము
లున్నాయి. అందువలన మనము ఈ లోపములను సరిచేయుటకుగాను మన శాసన
సభలద్వారా 'హిందూ లా' (Hindu Law) ను సవరించవలసిన అవసరము ఎంతో
ఉన్నది. ఇప్పుడు శ్రీ కాశీశ్వరరాత్రు శంకులుగారు ఉద్దేశించినటువంటి ఈ బిల్లు
అట్టి సవరణలే ప్రతిపాదించుచున్నది. ఈ బిల్లును గౌరవనీయులగు సభ్యులందరు అంగీ
కరించి చట్టముగా చేసినట్లైతే సాంఘికముగా ప్రజలకు, అంశలూ ముఖ్యముగా
స్త్రీలకు చాలా ఉపకరిస్తుందని మనవిచేస్తున్నాను. ఎందువల్లననగా ఇప్పుడు మన
హిందూసంఘములో వాటికున్న చలామణీబట్టి 'హిందూ లా' (Hindu Law) లో
వారికున్న ఆనുകూలతను బట్టి పురుషుల స్త్రీల యెడల ఏ విధమైన లోపమూ లేక
పోయినప్పటికి ఆ కారణముగా వారిని విడచిపెట్టుచు రిరిగి వివాహములను చేసుకొను
చున్నారు. మన న్యాయశాస్త్రములో ఇటువంటి వారిని శిక్షించుటకు ఆవశ్యకములేమి
యులేకుండా ఉన్నాయి. ఈ ఆచారములను అవశ్యకములను చూచుకొని కొంతమంది

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పురుషులు హెచ్చుకట్టుము ఇచ్చలేదనో, లేక పెట్టుబడులు సరిగా జరుగలేదనో, లేక కట్టుము మీది పెట్టి సరిగా ముట్టలేదనో లేక మరో కారణముచేతనో తమ భార్యలను విడచివేసి తిరిగి వివాహములు చేసుకొనుచున్నారు. దీనివలన చాలామంది నిరపరాధులై స్త్రీలయొక్క జీవితములు దుర్భరమగుచున్నవి. వారికి వారిదొడుట పి విధమగు దోషము లేకపోయినను సంఘములో గౌరవము పోవుచున్నది. దీనికంతకును కారణము బహు భార్యాత్వము పురుషులకు నిశ్చింతబడకుండుటయే అని యభిప్రాయమైనాను. పి పురుషుల ఆవిరీణివలన స్త్రీలకు ఇంత అన్యాయము జరుగుచున్నదో అట్టి పురుష జాతివారై నటువంటి శ్రీ కాకత్వర రావుగారు ఈ బిల్లును ప్రతిపాదించినందుకు వారికి మా స్త్రీల తరపున ధన్య వాదముల నర్పించవలసిన పాద్యత నానై ఉన్నది.

“ఈ విల్లును ఇదివరలో మన శాసన సభాపరి అనుమతితో ప్రజా అభిప్రాయమునకై ప్రచురించియున్నారు. దీనిని చాలామంది ముఖ్యులు, All India Womens సంఘమువారు కూడా పూర్తిగా support చేసారు. ఈ విల్లు స్త్రీల పురుషుల భేదములకు సమానమైనటువంటి అవకాశము ఇచ్చుచున్నది. ఈ విల్లు అందరకీ సామాన్యముగా సమానమైనటువంటి హక్కులను ప్రసాదించుచున్నది. అందువల్ల మన గౌరవముగా సమానమైనటువంటి హక్కులను ప్రసాదించుచున్నది. అందువల్ల మన గౌరవనీయులగు శాసన సభ్యులందరూ దీనిని ఏకగ్రీవముగా బలపరచవలసినదిగా కోరుచున్నాను.

“ ఈ స దర్శములో ఈమధ్య జరిగియుండుంటి ఒక విషయమునే తమ ముందు పెట్ట
దలచుకొన్నాను. ఈ సంగతి 4 మాసముల క్రిందట జరిగినది. మా జిల్లాలో ఒక
గ్రామములో ఒక కుటుంబము ఉన్నది. వారు భార్య భర్తలను నేను దాదాపు 10
సంవత్సరముల నుంచి ఎరుగుదును. వారిలో వారికి ఏ విధమైనటువంటి బేధాభిప్రాయ
ములు లేక చాలా అవ్యవస్థముగా కౌపురముచేయుచున్నారు. ఆయన మనస్సులో ఏమి
ఉన్నదో ఎవరికి తెలియదు. ఆయన ఏమి ఆలోచన ఏమియో ఎవరు గుర్తించలేదు.
వాల్లె నెలల క్రిందట ఆయన తన భార్యను నేను మద్రాసులో ఉన్నప్పుడు నావద్దకు
ఏదో వ్యవహార విషయములూ నీతా మహాలక్ష్మమ్మగారితో మాట్లాడి రావలసినదిగా పంపి
నాడు. ఆ విషయం ఇక్కడకు వచ్చినది. నాతో 2, 3 రోజులు ఇక్కడ ఉన్నది. ఆ విషయం
వచ్చిన తరువాత విషయములూ నాతో మాట్లాడి తిరిగి స్వగ్రామమునకు వెళ్ళినది. ఆ విషయం
తిరిగి ఇంటికి వెళ్ళినప్పుటికి ఎంత అస్వస్థ్యము జరిగినదో చూడండి. ఆ విషయం
ఆ విషయం మద్రాసులో ఉండగా మరొక ఆమెను వివాహముచేసుకొన్నాడు. ఈ విషయం
ముగా ఆమెయంద. ఏ లోపములేక పోయినప్పుటికి ఆయన చాలా అస్వస్థ్యముచేసిన
నాడు. ఆయన 30 ఎకరముల భూమిపై కలిగియుండుంటి ఆనాడు. ఆమెయంద ఒక
పొందుతుంది భార్య, తన భర్త వేరొక స్త్రీని వివాహముచేసుకొనగానే తనటాటికి తిండి
లేక, కట్టుటానికి బట్టలేని చాలా పీడన స్థితిలోనికి రావలసినదనినది. ఆ ఇల్లాలు ఈ విషయం
ముగా ఆ మాసములు బాధపడిన తరువాత నాకు ఈ విషయములనన్నింటినీ జ్ఞాపకము
కముగా తెలియజేసినది ఇటువంటి సందర్భముల మనదేశములో ఎన్నో ఉన్నాయి.
కాబట్టి శ్రీకాశీశ్వర రావుగారు ప్రతిపాదించిన ఈ బిల్లును నేను పూర్తిగా విలక్షణము
చేస్తాను. శ్రీ కాశీశ్వర రావుగారు ప్రతిపాదించిన బిల్లులో భార్య భర్తలలో ఎవరై
నను ఉన్నారైతనను, కుమ్మతారైతనను, నపుంశకులైతనను లేక ఇతర రోగములచే బాధపడు
తున్నవారు ఇరువురు వివాహం తిమ్మకొనవచ్చునని తిరిగి వివాహము చేసుకొనవచ్చు
ననియు తెలిపియున్నారు. ఇది అందరికీను ఉపకరించేటువంటి నియమము. దేశములో
అందరు స్త్రీలు సాంగీతముగాను, ఆర్థికముగాను అభివృద్ధి పొందవలసిన కోరుతు
న్నారు. ఇటువంటి యుగంలోనే శ్రీ కాశీశ్వర రావుగారు ఈ బిల్లును ప్రతిపాదించి
న్నారు. ఇటువంటి యుగంలోనే శ్రీ కాశీశ్వర రావుగారు అభివృద్ధి అగుటకు చాలా అవకా
యమున్నారు. దీనివలన స్త్రీలు సాంగీతముగా చాలా అభివృద్ధి అగుటకు చాలా అవకా

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சீமத்தி. வி. சிதாமாஹலக்ஷம்மா [17-9-47]
சீமத்தி. வி. சிதாமாஹலக்ஷம்மா [17-9-47]

* SRIMATHI V. LAKSHMI AMMAL :—“ அக்ராசனாதிபதி அவர்
களை :—நான் இந்த பில்லை ஆமோதித்துப் பேசுகிறேன். நான் தமிழில்
பேசுவதால் ஆந்திர சர்க்காருக்கும் தமிழ் தெரியாத மற்ற சர்க்காரர்
களுக்கும் இது அர்த்தம் ஆகாது என்று நினைக்கிறேன். இருந்தாலும்
அதை அவர்கள் ஒருவிதமாகப் பத்திரிகையின் மூலமாக அர்த்தம்
பண்ணிக்கொள்ளலாம்.

“மிஸ்டர் காளேஸ்வர ராவ் அவர்கள், ஜனங்களுடைய அபிப்பிராயத்
திற்கு விரும்போது இந்த பில்லைப்பற்றி பேசி இருக்கிறேன். அப்பொழுது
நான் பேசும் காலத்தில் ஒவ்வொரு ஆண்டும் ஒரு ஸ்திரீயைத்
தான் கல்யாணம் செய்துகொள்ளலாம் என்பதை பூர்ணமாக ஆமோதித்துப்
துப் பேசினேன். அடுத்தபடியாக விவாக ரத்து விஷயமாக நான் அதை
எதிர்த்துப்பேசினேன் என்பது இங்குள்ள எல்லா மெம்பர்களுக்கும்
ஞாபகம் இருக்கும். அதையே நான் இப்பொழுது சொல்லிக்கொள்ள
முன் வந்திருக்கிறேன்.

“முதல் முதலாக ஒருவர் ஒரு ஸ்திரீயைத்தான் கல்யாணம் பண்ணிக்
கொள்ளலாம் என்பது நம்முடைய நாட்டில் புதிது அல்ல. மனு சாஸ்திர
காலத்திலிருந்தே ஒரு ஸ்திரீயைத்தான் கல்யாணம் பண்ணிக்கொள்ள
லாம் என்பது மனுவின் சட்டமாக இருந்துவந்திருக்கிறது. அது இப்
பொழுது புராணம் நான் அளவில் அதற்கு கௌரவம் குறைந்துவிட்டது.
ஆனால் அந்தக்காலத்தில் இராஜாக்களும் மற்றும் குழந்தைகள் இல்லாத
பேர்களும் கல்யாணம் செய்துகொள்ளலாம் என்று நம்முடைய சாஸ்திரங்
களில் சொல்லப்படுகிறது. ஏனென்றால் ஒருவனுக்கு பிள்ளைக் குழந்தை
இல்லை என்றால் அவர்கள் பெரிய நாகத்திற்கும் போய்விடுவதாக நம்முடைய
சாஸ்திரம் சொல்வதால் அந்த விதிவிலக்கு செய்யப்பட்டிருக்கிறது. ஆனால்
எகபத்தினி விரதத்தை விசேஷமாக கொண்டாடின தேசம் இதுதான். அந்த
மாதிரி இல்லாமல் போனால் இராமாயணத்திற்கு இவ்வளவு பெரிய கௌர
வம் இருந்திருக்காது. எகபத்தினிவிரதத்தை நாம் கொண்டாடுவதில்லை என்
றிருந்தால் இந்தப்பெரிய இராமாயணத்தில் மூலிராமனை எகபத்தினி
விரதம் கொண்டவன் என்றும் அவனையும் அவனுடைய செய்கையையும்
இவ்வளவு பெரிய விசேஷமாக கொண்டாட மாட்டோம். ஒரே ஒரு ஸ்திரீ
யைத்தான் கல்யாணம் பண்ணிக்கொள்ள வேண்டுமென்பது நம் எல்லோ
ருக்கும் புதிது அல்ல. ஆகையால் இதை நாம் எல்லோரும் வரவேற்க
வேண்டுமென்பதை நான் மனப்பூர்வமாக கேட்டுக் கொள்ளுகிறேன். ஏதோ
போகத்திற்காக 20 பேரைக்கல்யாணம் பண்ணிக் கொண்டால் என்ன 30 பேரை
கல்யாணம் பண்ணிக்கொண்டால் என்ன என்று சொல்லலாம். ஆனால்
ஒரே ஒரு ஸ்திரீயைக்கல்யாணம் பண்ணிக்கொண்ட அவர்களுடைய குடும்ப
வாழ்க்கையும், அவருடைய சந்தோஷ வாழ்க்கையும் அதேகம் ஸ்திரீகளை
எந்த காரணத்தை முன்னிட்டாவது கல்யாணம் பண்ணிக்கொண்டு வாழும்
குடும்பத்தையும் பார்த்தால் அதில் எவ்வளவு கஷ்டங்கள் இருக்கிறது
என்பதை நான் சொல்லாமலே உங்களுக்குத் தெரியும். ஆகையால் ஒரே
ஒரு ஸ்திரீயைத்தான் கல்யாணம் பண்ணிக்கொள்ள வேண்டும் என்னும்
விஷயத்தை எல்லோரும் வரவேற்கிறார்கள்.

“சென்ட் கூட்டத்தில் இதை ஜனங்களுடைய அபிப்பிராயத்திற்கு விட்
டிருந்ததில் அதேகம்பேர்கள் அவரவர் அபிப்பிராயங்களை எழுதி இருக்கி
ருர்கள். அல் எல்லோரும் ஒரு பெண்ணைக்கல்யாணம் பண்ணிக்கொள்
வதை யாருட்கூடேசேபனை சொல்லவில்லை. ஆனால் அதற்கு சில திருத்த
விலக்குகள் இக்கவேண்டுமென்றும் அதை இந்த பில்லில் சேர்க்க
வேண்டுமென்பதையும் அதேகம்பேர்கள் வற்புறுத்தி இருக்கிறார்கள்.
அதாவது நம் நாட்டில் குழந்தை இல்லாமல் போனால் பெரிய பாதகம்
என்று நினைக்கிறார்கள். நம் நடைமுறையில் எத்தனையோ காரியங்களைச்
செய்துக்கொண்டு வருகிறோம். அதற்கு யாதொரு தண்டனையும் இல்லை.
குழந்தைகள் இல்லை என்ற காரணத்திற்காக முதல் பெண்டாட்டியின்
சம்மதத்தைக் கேட்டு மீட்கல்யாணம் பண்ணிக்கொள்ளலாம் என்று இதற்கு
விலக்கு இருக்க வேண்டுமென்று அவர்கள் அபிப்பிராயம் கொடுத்திருக்கி

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ருர்கள். இன்னொன்று எந்தவிதத்திலாவது அவர்களால், அதாவது முதல்
பெண்டாட்டியால், குடும்பத்தை நடத்திக்கொண்டுபோக முடியாமலிருந்
தாலும் சரி அல்லது குணம்செய்ய முடியாத வியாதிகளால் கஷ்டப்பட்டுக்
கொண்டிருந்தாலும் அவர்கள் கல்யாணம் செய்துக்கொள்ளலாம் என்ற
விதி விலக்கு இருக்கவேண்டு மென்பதை அவர்கள் அபிப்பிராயமாக
தெரிவித்திருக்கிறார்கள். நான் ஒன்று மாத்திரம் கேட்க விரும்புகிறேன்.
ஆடவர்களுக்கு எவ்வளவு சங்கடங்கள் வருமென்று எதிர்பார்க்கிறார்களோ
அதேபோல் பெண்களுக்கும் அதே சங்கடங்கள் வராதா என்று கேட்கி
றேன். இந்தமாதிரி ஆடவர்களுக்கு கஷ்டமான வியாதிகள் வந்தால்
நாங்கள், ஸ்திரீகள், வேறு கல்யாணம் செய்து கொள்ளலாமா என்று
கேட்கிறேன். அவர்களுக்கும் குழந்தைகள் இல்லையென்றால் வேறு
ஒருவனை கல்யாணம் செய்துக்கொள்ளலாமா என்று கேட்கிறேன். அதற்கு
இடம் ஒன்றும் இல்லை. ஆனால் மிஸ்டர் காளேஸ்வர ராவ் அவர்கள்
சரிசமமாக உரிமை வேண்டும் அதற்காக இந்த சட்டத்தைக்கொண்டு
வருகிறோம் என்று சொல்லி இருக்கிறார். நானும் அதை ஒப்புக்கொள்ளு
கிறேன். ஆனால் ஆடவர்களைப்போல் ஸ்திரீகள் கல்யாணம் பண்ணின
புருஷனுக்கு வியாதியைத் தவிர்ப்பதற்கு அவனைவிட்டு வேறு கல்யாணம் பண்
ணிக்கொள்ளவேண்டுமென்று நான் வேண்டிய இல்லை. வெகு
நாள் பரியந்தம் ஸ்திரீகள் எந்த நிலைமையில் இருந்துக்கொண்டிருந்
தீர்களோ, எந்த விதமான கஷ்டங்கள் வந்த போதிலும், எந்த வித
மான வியாதிகள் வந்த போதிலும் அவர்கள் ஒன்றாக இருந்து தொண்டு
செய்கிறமாதிரி ஆடவர்களும் முன் வரவேண்டும். வியாதி வந்து விட்டது
அதனால் கல்யாணம் பண்ணிக்கொள்ளவேண்டுமென்பது இல்லாமல்
அவர்களும் இதுபரியந்தம் எப்படி இருந்தார்களோ அதே மாதிரி
ஸ்திரீக்கு உதவி செய்யவேண்டும். அந்த நிலைமை ஆடவர்களுக்கும் வர
வேண்டும் என்று இந்த சட்டம் வரும் என்று நான் நினைத்திருந்தேன்.
ஆகையால் ஒரு ஸ்திரீயைத் தான் கல்யாணம் பண்ணிக்கொள்ளவேண்டு
மென்பது ரொம்பவும் சிலாக்கியமாக இருக்கிறது. வியாதி வந்துவிட்டால்
அவளை விலக்கி விட்டு அவளை அதைவாசாக பண்ணி சாப்பாட்டிற்கு
கொண்டு மூலமாக ஏதோ 10, 15, 20 என்று கொடுத்து விடுவது அதற்கு
மேல் ஏதோ property rights என்று சட்டம் இருக்கிறது என்கின்றார்களே
அதற்கு ஆனால் அப்படியாப் ஸ்திரீகளுக்கு மனித உதவி இல்லாமல்
போனால் ரொம்பவும் கஷ்டமாக இருக்கும் கல்யாணம் பண்ணிக்கொண்டு
வாழ்ந்து விட்டு குழந்தைகள் பிறந்தால் அவளுக்கு வியாதி வந்து
விட்டால் அவளை பிரித்தெடுத்திருக்கிறார்களே என்று கல்யாணம் செய்துக்
கொள்வது என்பது முற்றிலும் தவறு. இம்மாதிரி இருக்கக்கூடாது.
கணவன் அவர்களுக்கு உதவி பண்ணவேண்டும். அதனால் இவர்கள் மறு
விவாகம் செய்துக்கொள்ளாமல் இருக்கவேண்டும் என்று நான் வற்புறுத்தி
கிறேன். குழந்தை இல்லாமல் போனால், மனைவிக்கு வியாதி ஏற்பட்டாலோ
அவள் சம்மதத்தின்பேரில் கல்யாணம் பண்ணிக்கொள்ளலாம். அதற்கு
ஆட்சேபனை இருக்கப்படாதென்று சொல்லப்படுகிறது. ஆகையால் தன்
புருஷன் செத்துப் போனாலும் வியாதியால் போனாலும் எப்படி ஸ்திரீகள்
கஷ்டப்பட்டுக் கொண்டிருக்கிறார்களோ அதே மாதிரி ஆடவர்களும் இருக்க
வேண்டும் என்பது தான் என்னுடைய முழு அபிப்பிராயம். இதில் அபிப்
பிராயம் தெரிவித்திருக்கிறவர்களில் நமது முஸ்லிம் நண்பர் கூட ஒருவர்
அப்படி சொல்லி இருக்கிறார்.”

S. MUHAMMAD ISMAIL SAHIB BAHADUR :—“ On a point
of information, Sir. May I know whether there is any change in
the programme which you announced on Friday ? ”

MR. SPEAKER :—“ Yes. We won't have work on Friday,
the 19th instant, because some Members want to go back to
their homes. We will meet again on the 23rd.”

* SRIMATHI V. LAKSHMI AMMAL :—“ அவர்களில் Mr. S. M. Hasan
என்பரும் ஒருவர். அவரும் தன்னுடைய அபிப்பிராயத்தை தெரிவித்து
க்கொண்டிருக்கிறார். அவர் அதில் சொல்லி இருக்கிறது என்னவென்
றால் :

[Srimathi V. Lakshmi Ammal] [17th September 1947]

“One male deer ordinarily has as many as 12 female mates. Many other animals and birds are polygamous. Man is no exception and to suppress this natural tendency by legal sanction is to fight against the forces of nature”.

என்பதாக அவர் அபிப்பிராயம் கொடுத்திருக்கிறார். சாதாரணமாக சொல்வது உண்டு:

‘அரிது அரிது மானிட பிறவி அரிது’. பிறவிகளில் உயர்ந்த பிறவி மானிட பிறவி தான் என்பதும் நாம் மனித பிறவியே ரொம்ப மேன்மையானதாக சொல்லிக்கொண்டு வருகிறோம். எத்தனையோ பிறவிகள் உலகத்தில் பிறந்து கடைசியில் மனித பிறவியாக உலகத்தில் வந்திருக்கிறோம். அதனால் பெரிய அறிவை அடைந்திருக்கிறோம். அந்த அறிவை உபயோகப்படுத்தி அந்த அறிவினால் நாம் அநேக நல்ல காரியங்களைச் சமூகத்திற்கும் உலகத்திற்கும் தொன்று தொட்டு காலமாக செய்துக் கொண்டு வருகிறோம். இதையே எல்லா மனிதர்களும் ஒப்புக்கொள்ளுகிறார்கள். மனித சமூகங்களில் நேரான அறிவு கூட இல்லாமல் மிருக ஜாதியைப்போல் 10, 12 என்றும் இன்னும் அதற்கு மேல் கூட ஜாஸ்தி ஸ்திரீகளை கல்யாணம் பண்ணிக்கொள்ளும் உரிமையை சட்டப்பூர்வமாக மறுக்கக்கூடாது என்று ஸ்ரீ ஹாசான் கூறுகிறார். மனிதருக்கு சட்டத்தைப் போட்டு அவர்களை நிர்ணயம் செய்வது என்பது ரொம்பவும் தப்பு என்பதாக அவர்கள் அபிப்பிராயம் எடுத்துக் கூறியிருக்கிறார்கள். அப்படி சொல்லி யிருப்பவர்கள் ஒரு நீதிபதி மனித மிருக சபாவம் ஒருபுறம் இருக்கட்டும் இந்த மாதிரி அபிப்பிராயம் கொடுத்திருக்கிறவர் 40, 45, 46 பேர்களில் ஒருவர் தான் அப்படி அபிப்பிராயம் கொடுத்திருக்கிறார். அவருடைய சமூகத்தை இந்த பில்லால் பாதிக்கப்படவில்லை. இது ஹிந்து சமூகத்திற்கு மாத்திரம் தான் இந்த சட்டம் கொண்டுவரப்பட்டிருக்கிறது. முதல் மனைவி யிடத்தில் அனுமதி பெற்றுக்கொண்டு இரண்டாவது கல்யாணம் பண்ணிக் கொள்ள இதில் ஒரு இடம் இருக்கவேண்டும். அது மாதிரி சட்டத்தில் இருக்க வேண்டுமென்று அநேக வக்கீல்களும் ஜட்ஜுகளும் இன்னும் மற்றவர்களும் சொல்லி இருக்கிறார்கள். இந்த பில்லை ஒரு Select Committee க்கு விடப் போகிறார்கள். அதில் இதைப்பற்றி தீர விசாரித்து வேண்டியதை செய்து கொள்ள வேண்டும். ஆகையால் இந்த ஏகபத்தினி விஷயத்தை எல்லோரும் பூர்ணமாக ஒத்துக்கொள்ளவேண்டும் என்று சொல்லவேண்டுமென்று இந்த விவாக ரத்து என்னும் விஷயத்தை நான் எதிர்த்து இரண்டொரு வார்த்தை சொல்ல விரும்புகிறேன்.

“விவாக ரத்து என்பதை சொல்லும் காலத்தில் ஒரு ஸ்திரீயை விலக்கி விட்டால் அவர்களுக்கு செய்ய வேண்டிய கடமையெல்லாம் விட்டு போகிறது. நாம் சாஸ்திர பிரகாரம் கல்யாணம் செய்து கொள்வதில் புருஷனும் பெண்ணும் தாங்கள் செய்யவேண்டிய இந்த தேசத்திற்கும் சமூகத்திற்கும் மேல் உலகத்திற்கும் எல்லா கடமைகளையும் செய்யவேண்டுமென்ற ஒப்பந்தத்தை கல்யாயாண காலத்தில் செய்து கொண்டிருக்கிறோம். விவாகம் செய்துவிட்டு கேவலம் மிருக ஆசைக்கு இஷ்டப்பட்டு divorce என்று சொல்ல வேண்டியிருக்கிறது. ஸ்திரீ மாத்திரம் அம்மாதிரி இருக்கவேண்டுமென்று இருக்கும்போது புருஷனும் ஏன் அம்மாதிரி இருக்கக்கூடாது என்று நான் கேட்கிறேன்.”

MR. SPEAKER:—“நீங்கள் இது விஷயத்தைப்பற்றி அடுத்த non-official day-ல் பேசிக்கொள்ளலாம் இப்பொழுது முடித்துக்கொள்ளுங்கள்.”

* SRIMATHI V. LAKSHMI AMMAL:—“நானே முடித்து விடுவதாகத்தானிருந்தேன் நானும் இப்பொழுதே முடித்துவிடுகிறேன்.”

17th September 1947]

MR. SPEAKER:—“I told the House the other day that we would be meeting again on the 19th instant, but since then there has been a change in the programme. We are not meeting on Friday because Members want to go back to their homes.”

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—“Can we know the programme roughly for the sittings from 23rd?”

MR. SPEAKER:—“We meet again on the 23rd September 1947 at 11 o'clock and from the 23rd till the 29th there will be regular sittings of the Assembly.”

“I adjourn the House to 11 a.m. on the 23rd September 1947.”

[17th September 1947]

APPENDIX

[Vide answer to starred question No. 44, asked by Sri A. Rayappa at the meeting of the Legislative Assembly held on the 17th September 1947, page 155-156 supra.]

STATEMENT A.—Statement showing the agricultural implements supplied to the Ceded districts, including Anantapur district, from January to May 1947 and the stock held on 1st January 1947.

Stock held in the Ceded districts on 1st January 1947—

Implements.	Anantapur.	Cuddapah.	Kurnool.	Bellary.
Mammotties	548	494	5,484	2,282
Ploughs	310	53	64	23
Pickaxes	26	222	204	83
Crowbars	183	52	8	105
Plough shares and spares	1,170	90	..	1,129

Stock supplied to the Ceded districts from January to May 1947—

Implements.	Anantapur.	Cuddapah.	Kurnool.	Bellary.
Mammotties	970	..	..	5,242
Ploughs	68	5	2	12
Pickaxes	24	..	..	..
Plough shares and spare parts	508	152	..	708

STATEMENT B.—Statement showing the quantity of agricultural implements supplied to each district in the Province during the period from January to May 1947.

	Plough shares and spare parts.		Mammotties.		Ploughs.		Pickaxes.		Crowbars.	
	Opening balance.	Receipts.	Opening balance.	Receipts.	Opening balance.	Receipts.	Opening balance.	Receipts.	Opening balance.	Receipts.
1 North Vizagapatam	..	1,251	..	194	..	..	34	..	..	..
2 South Vizagapatam	..	2,180	..	..	..	..	..	..	..	..
3 East Godavari	21	..	178	..	..	..	..	..	..	..
4 West Godavari	1,245	..	560	608	..	..	56	..	..	..
5 Kistna	..	..	28	986	..	..	3	..	..	3,213
6 Guntur	..	1,094	119	..	..	..	24	..	..	2,887
7 Nellore	..	..	8	..	..	..	67	..	..	6
8 Kurnool	..	..	5,484	..	64	..	480	..	1,125	..
9 Anantapur	1,170	508	548	970	310	66	204	..	8	..
10 Bellary	1,129	708	2,282	5,242	23	12	26	24	183	..
11 Cuddapah	90	152	494	..	53	..	83	..	105	..
12 Chittoor	162	2,423	1,479	948	117	811	222	..	52	..
13 North Arcot	350	4,478	2,543	4,272	16	89	265	..	97	..
14 Chingleput	159	..	2,110	3,748	234	..	92	200	66	794
15 South Arcot	5,409	3,542	5,797	1,091	114	255	..	..	427	..
16 Tanjore	528	224	3,473	3,300	46	269	..	..	344	100
17 Pudukottai	93	500	3,040	..	75	225	..	..	18	..
18 Trichinopoly	1,387	3,297	854	4,887	98	..	347	200	294	..
19 Madurai	439	5,071	3,749	2,996	107	24	15	168	294	101
20 Tirunelveli	..	800	16	..	21	170	..	..	100	..
21 Ramanad	446	3,480	1,525	3,712	..	6	63	..	127	..
22 Salem	208	68	37	150	..	..	..	..	211	..
23 Coimbatore	163	1,090	48	223	75	83	..	..	..	..
24 Nilgiris	..	..	71	..	8	4	..	..	..	..
25 Malabar	685	156	1,450	442	39	70	21	..	..	..
26 South Kanara	571	..	296	5,893	81	..	..	3,937	..	..

STATEMENT C.—Statement showing the quantity of agricultural implements held in stock on 30th June 1947 in Anantapur district.

According to the statement for June 1947, the following implements are held in stock on 30th June 1947 in Anantapur district:—

Ploughs	65	Plough shares and spares	850
Mammotties	319	Pickaxes	24

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SRI A. KALESWARA RAO:—“ May I know, Sir, by Kallars it is the official opinion of the Madras Government that the Co-operation of Madras should be left to a Boundary Commission that there should be no quarrel in regard to these things.”

THE HON. DR. P. SUBBARAYAN:—“ I am glad to that serious assurance from the hon. Gentleman, Sir. The fact that each of these people seem to be so keen on this, to appoint a there being no understanding or undertaking, the remarks which lead to counter remarks.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“ Answer is found of the answer given by the Leader of the House that, not see any Premier's speech was not correctly reported, may I matter.”

stands he is taking to see that correct news are published in the Press? ”

THE HON. DR. P. SUBBARAYAN:—“ I do not think. Therefore, any need to take any steps in this matter, Sir.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ I submit for Sir, whether the matter of a separate Province is under consideration of the Local Government and whether any complaint Government has been in consultation in the matter, or in Provincial Firka I ”

P. SUBBARAYAN:—“ As a matter of fact, the fact that (b) if so, when it has been taken up in connexion with the fact that (c) whether the police officers are active, slow or late consider ”

THE HON. DR. P. SUBBARAYAN:—“ May I know whether ”

“ (b) The post was created in the Kannada people have policy of the ”

“ (c) No; the post was not advanced and whether it will be a court of law ”

derations were taken into account? ”

made:— **YAN:—**“ I am not a committee to ”

(i) Possession of necessary entitlements are getting increased by been given by ”

reconstruction work; ”

(ii) organizing capacity; **ADIN:—**“ Is it necessary ”

(iii) ability to feel at home in rural surroundings, study the ”

needs of the villagers with sympathy and understanding ”

and evoke their confidence and secure their willing co-operation in pushing through schemes of rural uplift.”

SRI T. VISWANATHAM:—“ May I know, from the Hon. Minister how many Regional Firka Development Officers are there now, Sir? ”

THE HON. DR. P. SUBBARAYAN:—“ I am afraid, Sir, have not got the figures on hand.”

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“ Is it a fact that the Firka Development Scheme is kept in abeyance? ”

THE HON. DR. P. SUBBARAYAN:—“ The hon. Gentleman is mistaken.”

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THE HON. DR. P. SUBB.

Mr. Swaminathan, Sir, saying *Kallar Reclamation Scheme*.

complaint then I would see INATHAN: Will the Hon. the prepared to act merely on the given in the House."

SRI K. VARADACHARI:—"I have seen the Kallar active societies under the Kallar in the Madura district; to consider whether control by the police exists in Madura North and with?"

THE HON. DR. P. SUBBARAYAN:—"Starting these societies; views on this subject and I am, derives any benefit from, these for his advice, but it is for n

SRI R. V. SWAMINATHAN:—"are controlled by the Police; by the Hon. Minister to the last was given to shareholders. he assure me that he will take necessary steps and deriving any particular case before him? As from the inception of these co-operative societies all the police officials are taking this kind of bribery, Sir."

MR. SPEAKER:—"The hon. Member is making a speech."

SRI R. V. SWAMINATHAN:—"I want to know the answer from the Hon. Minister, Sir."

THE HON. DR. P. SUBBARAYAN:—"I do not know what exactly the hon. Gentleman wants to know, Sir." (Laughter.)

The "Kallar Common Fund".

* 77 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Home Minister be pleased to state—

(a) whether a fund named "Kallar Common Fund" was raised under the Kallar Reclamation Scheme in Madura district by the police;

(b) if so, when it was started;

(c) what is the object of raising the fund;

(d) how the money was raised and the total amount raised;

(e) how much is now on hand;

(f) whether any part of this fund was lost on account of police interference; and

(g) how the fund is being managed?

THE HON. DR. P. SUBBARAYAN:—" (a) The answer is in the affirmative.

" (b) It was started in 1924.

" (c) The object of the fund is to improve the general condition of the Kallar community. This is done by granting loans for agricultural and other purposes and by giving grants for purposes conducive to the general welfare of the community, in particular, for assisting poor Kallar students to continue their education.

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" (d) The money was raised by contributions from charitable Kallars, remittances from Kallar panchayats and donations from well-wishers. The total assets of the fund at the end of 1946 were Rs. 1,16,664.

" (e) A sum of Rs. 17,137 has been invested on lands and buildings. There is a fixed deposit of Rs. 30,000 in the Madura District Central Co-operative Bank, Limited, and a sum of Rs. 10,000 is in current account with the Indian Bank. A sum of Rs. 57,068 has been lent to Kallar Co-operative Societies and individual Kallars.

" (f) The answer is in the negative.

" (g) The fund is being managed by a Committee of twelve elected Kallars of whom one is an Assistant Secretary. In addition to these elected members, the District Superintendent of Police, Madura South, is the President ex-officio, the District Superintendents of Police, of Madura North and Ramnad districts are Vice-Presidents and the Deputy Superintendent of Police for Kallar Reclamation is the Secretary. There is also a paid clerk employed for the fund with the Manager of the District Police office, Madura South, scrutinizing all scriptory work as treasurer, ex officio. The Committee meets periodically, usually once a month and transacts business in accordance with its rules."

SRI R. V. SWAMINATHAN:—"In view of the answer given by the Hon. Minister, may I request him to hand over the fund entirely to the Kallar community and release the Kallar community from the clutches of the police?"

THE HON. DR. P. SUBBARAYAN:—"If I am sure that the fund will be managed properly, I am prepared to consider the suggestion, though I give no undertaking whatsoever."

Grant of Labour Scholarships to students of the Kallar community.

* 78 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Home Minister be pleased to state—

(a) whether Labour Scholarships are being given to the students of the Kallar community in the Madura district under the Kallar Reclamation Scheme in the colleges and technical institutions;

(b) if so, how many students are benefited by this;

(c) how many Kallar boarding homes are there under the Kallar Reclamation Scheme in Madura district; and

(d) whether these boarding houses are controlled by the Police officials?

THE HON. DR. P. SUBBARAYAN:—" (a) The answer is in the affirmative.

" (b) During 1946-47, 248 Kallar students were granted scholarships and stipends.

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“(c) There are two boarding homes, one at Usilampatti and the other at Uthamapalayam.

“(d) The answer is in the affirmative. The District Superintendent of Police, Madura South, who is in charge of the Kallar Reclamation Scheme is responsible for the administration of these two boarding homes.”

SRI R. V. SWAMINATHAN:—“The Minister has not given a definite reply to clause (b).”

MR. SPEAKER:—“The hon. Member has not followed the answer.”

SRI R. V. SWAMINATHAN:—“I have followed, Sir. It is not like the other day's incident.”

THE HON. DR. P. SUBBARAYAN:—“I said that in 1946-47, 248 Kallar students were granted scholarships and stipends.”

SRI R. V. SWAMINATHAN:—“I want to know, Sir, whether the Government have helped any of the students to get employment in Government service.”

THE HON. DR. P. SUBBARAYAN:—“We can only educate them but employment depends on their ability.”

SRI KALLUR SUBBA RAO:—“May I know how many Kallars are there in the province?”

THE HON. DR. P. SUBBARAYAN:—“I must look into the Census Report which I have not had time to do.”

SRI M. G. NATESA CHETTIYAR:—“May I know what are the communities which have the privilege of getting scholarships from the Labour Department?”

THE HON. DR. P. SUBBARAYAN:—“We are dealing especially with Kallars and I do not see how the other communities come in now.”

Committees set up to enquire into workers' condition, wage, etc.

* 79 Q.—SRI B. S. MALLIKARJUNA RAO: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government intend to co-opt labour M.L.As. to the committees set up to enquire into the workers' condition, and wage standards in factories, fields and workshops; and

(b) whether the Government have considered the desirability of appointing as Conciliators, Adjudicators or Arbitrators only such persons as have previous knowledge, experience and service in trade disputes?

THE HON. DR. T. S. S. RAJAN:—“(a) The Government have no intention at present to set up any such committees.

“(b) Yes, Sir.”

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SRI B. S. MALLIKARJUNA RAO:—“Will it not be helpful to take the services of the labour representatives in the Assembly for such committees?”

THE HON. DR. T. S. S. RAJAN:—“It is a matter of opinion. The Government are not prepared to do it just now.”

SRI B. S. MALLIKARJUNA RAO:—“May I know whether Government are aware of the fact that there is a universal feeling of mistrust in the settlement or adjudication of disputes due to the appointment of strange persons as adjudicators and courts of enquiry?”

THE HON. DR. T. S. S. RAJAN:—“The Government are not aware of any such universal feeling.”

SRI S. NAGAPPA:—“Are the Government aware that so far as the food situation is concerned, the labourers are the worst sufferers?”

MR. SPEAKER:—“That supplementary question does not arise.”

The Malappuram Village Food Committee.

* 80 Q.—HAJI KOYAPPATHODY M. AHMED KUTTY SAHIB BAHADUR: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that two petitions by six members of the Malappuram Village Food Committee expressing no confidence against the chairman (the seventh member) were sent to the Tahsildar and the Taluk Food Committee and, if so, what action was taken on them;

(b) whether it is a fact that a subsequent petition sent to the Sub-Collector, Malappuram, was taken up by the official in question and that an enquiry was held;

(c) if so, what were the findings of the officer at the enquiry;

(d) whether it is a fact that at this enquiry the Sub-Collector offered the petitioners the choice of either working under the orders of the existing chairman or resigning en bloc;

(e) if so, whether the Government have approved of this action of the Sub-Collector; and

(f) if not whether the Government have taken any steps to set matters right?

THE HON. DR. T. S. S. RAJAN:—“(a) Yes. Two letters, dated 5th March 1947, were sent to the Tahsildar, Ernad. One was from the Secretary, Village Food Committee, Malappuram, complaining that the chairman had not handed over to him any of the records. The second letter was from the Secretary and the remaining five members of the Committee which expressed their want of confidence in the Chairman and requested that either he should be removed

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from the post or their letter should be treated as one intimating their resignation from the Committee. The Sub-Collector, Malappuram, directed the Tahsildar to place the second letter before the next Taluk Committee meeting for consideration.

"(b) Yes. A third letter was addressed to the Taluk Committee and the allegations made therein were enquired into by the Sub-Collector, Malappuram.

"(c) & (d) The findings of the officer were that there was no ground for removing the chairman from his office. As the petitioners were not prepared to work with the chairman, the Sub-Collector accepted their resignation.

"(e) & (f) The Government have since issued orders directing that the existing Committee should be dissolved and that no new committee need be formed in its place for the present."

The Andhra Paper Mills, Rajahmundry.

* 81 Q.—SRI B. S. MALLIKARJUNA RAO: Will the Hon. the Minister for Food be pleased to state—

(a) what action has been taken against the management of the Andhra Paper Mills, Rajahmundry, for declaring a lock-out, pending the present adjudication proceedings between them and their workers' union before the District Judge, East Godavari;

(b) whether any orders have been issued to the management of the mill to open the mills forthwith in the interests of the several hundreds of workmen thrown out of work since 24th May 1947; and

(c) whether there is any proposal to take over the mill under Government management?

THE HON. DR. T. S. S. RAJAN:—“(a) The Government have prohibited the lock-out in the Mill.

“(b) Yes, but it is not clear who is the management at present.

“(c) No, Sir.”

SRI B. S. MALLIKARJUNA RAO:—“Has not the President of the Union communicated to the Government who is the management at present who was responsible for the closing of the mills?”

THE HON. DR. T. S. S. RAJAN:—“To-day the Government have made enquiries about that and they know there is nobody there managing it and that the whole thing is under liquidation.”

SRI B. S. MALLIKARJUNA RAO:—“Are the Government aware also of the fact that the matter was referred to adjudication and the management of the mills was represented before the adjudicator and as application was made to the Government on behalf of the Union to take proceedings against that party which was representing the management of the Mills?”

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THE HON. DR. T. S. S. RAJAN:—“Yes, Sir, when a concern is under liquidation, it is very difficult to know which is its management.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“In view of the shortage of paper in this Province, will the Government consider the advisability of taking over the management of the Mill especially as they are wedded to the policy of nationalization everywhere?”

(No answer.)

SRI ALLURI SATYANARAYANA RAJU:—“Are the Government aware, Sir, that every management of the Rajahmundry Paper Mills including the present management has bungled the whole affair in the past?”

THE HON. DR. T. S. S. RAJAN:—“They may be aware of it, Sir. But what is it that the hon. Member wants the Government to do, I do not understand.”

SRI PILLALAMARRI VENKATESWARLU:—“May I ask whether the Government will give an assurance that the machinery will not be removed from Rajahmundry as there is a rumour that the management is contemplating the removal of the machinery to another Province?”

THE HON. DR. T. S. S. RAJAN:—“The Government cannot give any such undertaking. It is a private limited company and the property belongs to the company. The Government cannot give an undertaking like that.”

MR. SPEAKER:—“The Leader of the Opposition.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Do you want me to put any question, Sir?”

MR. SPEAKER:—“No, no. I thought the hon. Member wanted to put a question.” (Laughter.)

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Sir, in the absence of the regular management, may I know whether the Government cannot take the liquidator as the *de facto* management and address their orders to him?”

THE HON. DR. T. S. S. RAJAN:—“I said the Government were considering the whole matter including the question of taking over the whole concern. When we know who is the proprietor with whom we have got to deal, we shall certainly consider the matter.”

SRI T. VISWANATHAM:—“In the answer read to the House by the Hon. Minister it was stated that the question of taking over the management was not under consideration, but in answer to supplementary questions, it was stated that that question also was under consideration. May I ask, Sir, whether in the interests of the Province the Government will take immediate steps to take over the management of the Mill themselves and purchase it?”

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THE HON. DR. T. S. S. RAJAN:—"The question of taking over a defunct concern is one which the Government should consider. The whole matter is under the consideration of the Government."

SRI T. VISWANATHAM:—"May I submit, Sir, it is not a defunct concern; the concern has gone into liquidation because of certain quarrels. I want to know whether the Government in the interests of the Province will be prepared to take up the Mill?"

THE HON. DR. T. S. S. RAJAN:—"I have already stated that the matter is under consideration."

SRI B. S. MURTHI:—"Are the Government aware that 90 per cent of the shareholders belong to this Province? If the management were to take away the machinery elsewhere, will it not do harm to the people of the Province and therefore will not Government prevent any such action by the management?"

THE HON. DR. T. S. S. RAJAN:—"Information has got to be called for as to who are all the directors and to which Province they belong?"

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Since the Government have stated that the question of taking over the concern by them is under their consideration, will they see that the machinery in the factory is not dismantled before they come to a decision in the matter?"

THE HON. DR. T. S. S. RAJAN:—"The question is one on which the Government cannot give any such undertaking."

SRI P. NATESAN:—"If according to Mr. B. S. Murthi 90 per cent of the shareholders belong to this Province, why do they not take steps to turn out the management?"

(No answer.)

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I ask, Sir, why the Hon. Dr. Rajan is replying to these questions relating to industries and whether there has been any change in portfolios?"

THE HON. DR. P. SUBBARAYAN:—"The original question was with regard to labour and therefore the Hon. Dr. Rajan replied to it. If hon. Members chose to go outside the province of the original question in asking supplementary questions, the Hon. Minister has got to manage as best he can."

SRI K. BHASHYAM:—"Is it a fact that most of the creditors of the company are outside this Province?"

THE HON. DR. T. S. S. RAJAN:—"I should like to have notice of the question."

SRI C. M. KOTHARI:—"If 90 per cent of the shareholders belong to the Andhra districts of this Province, it will be very easy for these shareholders to oust the present management and take over the management themselves and manage it well."

MR. SPEAKER:—"It is a statement."

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SRI K. LINGA RAJU:—"May I ask whether there is any proposal for the reconstitution of the company?"

THE HON. DR. T. S. S. RAJAN:—"The Government have nothing to do with that; it is a matter for the shareholders to do whatever they think best in the circumstances."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I would like to know from the Hon. Sri H. Sitarama Reddi, Minister for Industries, what he thinks about the Andhra Paper Mills."

MR. SPEAKER:—"The hon. Member cannot dictate terms. The Hon. Ministers can adjust among themselves."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I am only requesting and not dictating. Am I not in order when I say that I would like to know what the Hon. Minister for Industries thinks about this important matter?"

THE HON. SRI H. SITARAMA REDDI:—"May I suggest that the hon. Member puts a separate question on the matter?"

SRI B. S. MURTHI:—"May I inform the Leader of the House that all supplementary questions relate to clause (c) of question 81 which asks whether there is any proposal to take over the mill under Government management?"

MR. SPEAKER:—"No answer."

Dearness allowance, etc., for husband and wife in Government service.

* 82 Q.—**BEGUM SULTAN MIR AMIRUDDIN:** Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any representations about the adverse effect of the Government Order which states that when both the husband and wife are in Government service, only one of them is entitled to draw dearness allowance or war allowance; and

(b) if so, whether the Government propose to rescind their new order?

THE HON. SRI B. GOPALA REDDI:—" (a) The position is that when both the husband and wife are entitled to dearness allowance, both are allowed to draw it. When one or both are entitled to cost of living (war) allowance, only the allowance at married rates may be drawn by one party.

"A representation was received from the Non-Gazetted Officers' Association under a misapprehension that when both the husband and wife are drawing dearness allowance, only one may continue to draw it. This is not correct. The scope of the order is being explained to the Association.

" (b) No."

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BEGUM SULTAN MIR AMIRUDDIN:—" May I know, Sir, why in these days of equality, the husband and wife should not be treated as different entities and each one of them allowed to draw the full reward of his or her labour? "

THE HON. SRI B. GOPALA REDDI:—" I do not know whether they should be treated as different entities. When they draw less than Rs. 200, they are treated as different entities. But when they both draw above Rs. 200, they are clubbed together."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know how the position becomes different in regard to them being separate entities when they both draw above Rs. 200? "

THE HON. SRI B. GOPALA REDDI:—" When both draw above Rs. 200, together they are in a much better position."

H. S. HUSSAIN SAHIB BAHADUR:—" Does not the Hon. Minister recognize the economic independence of man and woman equally? "

THE HON. SRI B. GOPALA REDDI:—" In this matter, we are following the example of the Government of India."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—" Arising out of the answer that when both the husband and wife draw above Rs. 200, allowance may be drawn by one party only, may I know who gets and who does not get when there is a dispute between them? " (Laughter.)

THE HON. SRI B. GOPALA REDDI:—" If they get a divorce from a Court, both can draw the allowance."

SRI S. NAGARAJA MANIGAR:—" Is it not necessary that both the husband and wife should live in the same place to draw the allowance? "

THE HON. SRI B. GOPALA REDDI:—" We want them to live together."

SRI D. V. RAMASWAMI:—" May I know whether the Government have not received several representations from affected parties? "

THE HON. SRI B. GOPALA REDDI:—" The representations were made under a misapprehension that only one was eligible for the allowance even though each earned less than Rs. 200."

BEGUM SULTAN MIR AMIRUDDIN:—" As the Hon. Minister might be well aware that in a majority of cases the husband allows his wife to earn only when compelled to do so by force of indigent circumstances, will the Government revise the rule, as it works a great hardship, and treat the husband and wife as separate entities irrespective of the salary they draw? "

THE HON. SRI B. GOPALA REDDI:—" I do not accept the plea that the rule causes hardships to many people. There

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are not many cases where both the husband and wife draw more than Rs. 200. As far as I know, only one lady made an application some time ago."

SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR:—" In the case of long separation between the husband and wife with the hope of reunion, who will get the allowance, Sir? " (Laughter.)

THE HON. SRI B. GOPALA REDDI:—" As long as they are husband and wife, they will get only the higher rate."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know from the Hon. Minister whether this rule applies when the husband and wife are in different places? "

THE HON. SRI B. GOPALA REDDI:—" If specific cases are brought to the notice of the Government, they will consider the matters."

SRI B. S. MURTHI:—" May I know whether the allowance is granted on a family basis or individual basis? "

THE HON. SRI B. GOPALA REDDI:—" There are two rates, the married rate at 17½ per cent and the unmarried rate at 7½ per cent."

Appointments in subordinate services in the Agency tracts.

* 83 Q.—SRI K. VEERANNA PADAL: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that vacancies occurring in Government Departments in subordinate services or inferior service in several offices located in the Agency tracts are being filled in by plains men only and that no steps are being taken to appoint agency people; and

(b) if so, what steps are being taken by the Government to employ agency people in these vacancies?

THE HON. SRI B. GOPALA REDDI:—" (a) It is not correct to say that vacancies in the Agency offices are filled by plains men only. Several Agency people are employed in those offices. Plains men are appointed only if qualified candidates are not available from among the Agency people.

" (b) With a view to encouraging the employment of Agency people in inferior service the Government have included certain special provisions in the rules for that service such as dispensing with the literacy qualification and a provision to prefer members of indigenous castes in the Agency to others. Rules also provide that no preference need be shown to men with war service when filling up of vacancies arising in the Agency offices. Preference is also given to Agency candidates in certain posts in the subordinate services, for example, Demonstrators and Farm Managers in the Madras Agricultural Subordinate Service and Foresters and Forest Guards in Madras Forest Subordinate Service."

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SRI V. RAGHAVAYYA:—"Are the Government aware that it is the present policy of several Provincial Governments to encourage the appointment of tribal people for administering tribal areas and will this Government try to implement that policy in the interests of the tribal people?"

THE HON. SRI B. GOPALA REDDI:—"We are already doing it. From my answer it is clear that there is ample scope for the employment of trained Agency people. The reports that we have received in this connexion from the tribal areas are very encouraging."

Bus service between Kodaikanal Road and Kodaikanal.

* 84 Q.—SRI T. K. T. N. R. TATACHARI: Will the Hon. the Minister for Prohibition be pleased to state what are the reasons for turning down the proposal to introduce a healthy competition in the bus service between Kodaikanal Road Station and Kodaikanal?

THE HON. MR. DANIEL THOMAS:—"The reasons for not allowing competition in the bus service on the Kodaikanal Ghat Road are as follows:—

- (1) The Ghat road is so narrow that it is very undesirable and dangerous to allow any competition on it.
- (2) The Government have under consideration the rationalization of the buses on this road as early as possible.
- (3) The number of buses now on the road is enough to meet the demand, particularly as the Kodaikanal season has now drawn to a close and before the commencement of the next season the Government will be able to put its buses on the road.

It may also be stated here that in one sense this is a case of healthy co-operation as a number of private operators who were formerly indulging in unhealthy competition joined up and formed themselves into a union, viz., the Kodaikanal Motor Union."

SRI P. KANDASWAMI PILLAI:—"Will it not be possible to fix up the time for each and every bus on the Kodaikanal Ghat Road, so as to avoid collision due to unhealthy competition?"

THE HON. MR. DANIEL THOMAS:—"A number of buses ply up and down, and they have necessarily to cross and recross each other."

SRI N. S. VARADACHARI:—"Will the Government consider the desirability of taking over the services, especially on Ghat Roads like the Ootacamund Ghat Road and the Kodaikanal Ghat Road?"

THE HON. MR. DANIEL THOMAS:—"The matter is under the consideration of the Government."

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SRI S. NAGAPPA:—"May I ask whether there is the monopoly of any one individual or company or more than one company?"

THE HON. MR. DANIEL THOMAS:—"It is not a company. A number of private operators joined up and formed themselves into the Kodaikanal Motor Union."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the answer that no new permits will be issued as the Government are going to take over all the buses, will the Hon. Minister give an assurance that no new permits will be issued to any person in this Presidency in future?"

THE HON. MR. DANIEL THOMAS:—"The present questions and answers relate only to the Ghat Roads."

SRI S. NAGAPPA:—"Is it a fact that a particular company has been holding the monopoly for running buses for the past eight years without allowing anybody else to come into the trade?"

THE HON. MR. DANIEL THOMAS:—"As I said, it is not a monopoly of a particular person. A number of operators have joined up into a union. In fact, there was trouble four or five years back, and the Government suggested that the operators should form an union if they wanted to get the right to ply buses on the Ghat Road."

SRI S. C. BALAKRISHNAN:—"May I know by what particular date the Government will nationalize the bus service between Kodaikanal and Kodai Road?"

THE HON. MR. DANIEL THOMAS:—"I think the hon. Member is rather hard on the Government if he wants them to mention a particular date. We have to begin nationalisation some time early in January 1948."

SRI K. P. KAMAKSHI CHETTIYAR:—"Sir, may I inform the Hon. Minister that it is not all the operators who have joined, but only two people joined leaving out the others."

THE HON. MR. DANIEL THOMAS:—"I take the information from the hon. Member."

SRI V. I. MUNISWAMI PILLAI:—"Arising out of the answer that the bus transport on the Ghat Roads will be speedily nationalized, may I know whether the Government have in the list the Ghat Road from Anamalais to Coimbatore?"

THE HON. MR. DANIEL THOMAS:—"Not yet, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"May I know on what other bus routes the Government intend to nationalise the bus transport early in January 1948?"

THE HON. MR. DANIEL THOMAS:—"The Government have already made it clear in a communiqué issued some time ago

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that, after nationalisation in the City, they intend to nationalise the bus transport from Madura to Kodaikanal via Kodaikanal road and from Coimbatore to Ootacamund via Mettupalayam."

Prohibition work in the Province.

* 85 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that he stated that prohibition work in the Province was after all a negative programme; and that he had no faith in it; and

(b) whether the Government also treat it merely as a negative programme?

THE HON. MR. DANIEL THOMAS:—“(a) The statement in the first part of the question is true; the second part is absolutely unfounded.”

“(b) The Government consider Prohibition to be one part of a great programme of social and economic uplift of the masses of the people in this Province. Prohibition may be said to be the negative part of this programme whereas the ameliorative activities which are carried on in the eight Prohibition districts form the positive or constructive side of it.”

SRI T. VISWANATHAM:—“May I know whether the Government have referred the policy of prohibition to the Committee appointed by them?”

THE HON. MR. DANIEL THOMAS:—“Not exactly the policy, but the working of prohibition in the eight districts in which it was implemented from October 1946.”

SRI S. NAGAPPA:—“May I know whether the Government are contemplating to amend the Prohibition Act so as to make drunkenness in a prohibition area a crime?”

THE HON. MR. DANIEL THOMAS:—“Yes, Sir.”

SRI C. M. KOTHARI:—“Will the Government be pleased to place on the Table the report of the Committee which is in their hands?”

THE HON. MR. DANIEL THOMAS:—“The Committee has not submitted its final report. It has submitted only an interim report with reference to the position in the eight districts.”

SRI K. ANANDAN NAMBIYAR:—“May I know from the answer whether the Hon. Minister has no faith in the programme?”

THE HON. MR. DANIEL THOMAS:—“I deny it categorically.”

SRI M. G. NATESA CHETTIYAR:—“May I know what led the Government to appoint a committee?”

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THE HON. MR. DANIEL THOMAS:—“Prohibition is a new policy and it is an important policy also. The Government are losing a large revenue due to prohibition and it is up to them to adopt every possible measure to make the policy a success. Therefore the Government appointed an independent committee to enquire into the working of prohibition and to suggest ways and means to successfully implement the policy.”

SRI V. RAGHAVAYYA:—“May I know, Sir, whether the Government have circularized to the District Collectors to celebrate the 1st October 1947 by collecting thousands of rupees for these celebrations, and if so, will the Government realize that it is going to hinder their procurement programme, if the subordinate officials are placed in that embarrassing position?” 11-45 a.m.

THE HON. MR. DANIEL THOMAS:—“No such circulars have been issued, Sir.”

SRI P. NATESAN:—“May I know, Sir, whether the Hon. Minister considers that Congressmen on this Committee were a dispassionate body?”

THE HON. MR. DANIEL THOMAS:—“Sir, Congressmen are public-spirited people who would be able to approach this question from a dispassionate point of view in the interests of the country.”

SRI P. NATESAN:—“May I request the Hon. Minister to see if he can appoint two or three members from this side and see the effect of the Committee's report?”

THE HON. MR. DANIEL THOMAS:—“I thought, Sir, that the Muslim League and the Leader of the Opposition are equally committed to the policy of prohibition.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I know, Sir, in view of the fact that prohibition has yet to be introduced in those districts, what the terms of reference of the committee are?”

THE HON. MR. DANIEL THOMAS:—“A separate question may be put, Sir.”

SRI P. NATESAN:—“Arising out of the answer of the Hon. Minister, will he consider the desirability of putting the Leader of the Opposition and one or two Members on this side of the House on the Committee to enquire into the success of the prohibition experiment?”

THE HON. MR. DANIEL THOMAS:—“I think, Sir, the Committee has already started its work and it is now halfway through it and therefore no useful purpose will be served by putting some additional members on the Committee.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know, Sir, whether the Government will consider the question of publishing the interim report of the Committee?”

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THE HON. MR. DANIEL THOMAS:—"The Government do not consider it necessary to publish it."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, why the Government do not consider it necessary to publish it?"

THE HON. MR. DANIEL THOMAS:—"Because it is an interim report, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, knowing as the Hon. Minister does that the majority of the opposition is also on the side of prohibition, may I know, why, members of the Committee have not been taken from this side of the House?"

THE HON. MR. DANIEL THOMAS:—"It is not a committee of the Legislative Assembly, Sir."

MR. SPEAKER:—"The first demand under Demands for grants for further expenditure is Provincial Excise and hon. Members can speak on the subject of prohibition, if they like. So I pass on to the next question."

Distribution of mill yarn.

* 86 Q.—SRI M. A. ESWARAN (on behalf of Sri R. Kuppuswami): Will the Hon. the Minister for Industries be pleased to state the procedure that is being adopted in the distribution of mill yarn to various districts of this Province?

THE HON. SRI H. SITARAMA REDDI:—"According to the census of looms taken in 1945 there were 496,000 active looms in the Province. Under the All-India Yarn Distribution Scheme, 21,305 bales of yarn have been allotted to this Province. This is strictly rationed among all the hand-loom. The quota of yarn for each district has been fixed with reference to the number of looms in the district, the counts of yarn required and the ration allowed to each loom."

"The greater part of the yarn supplied to the several districts is from the mills in this province and the balance comes from mills outside the province. The mills despatch the yarn to specified centres in each district. If the quota-holders have a branch at that centre, yarn is sent to that branch. Otherwise the yarn is sent to a wholesale dealer selected by the Collector."

"In order to speed up the supplies of yarn and to ensure an equitable distribution of available supplies to all districts, a permanent quota has been fixed for all the mills specifying the quantities which should be supplied by them to each district and the Collectors have been informed of these details. Though a permanent quota has been fixed for all the mills, there may be variations in the actual quantities and counts of yarn supplied, and the excess or deficiency in any particular month is adjusted subsequently."

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Abolition of controls.

* 87 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government have been receiving frequent representations from responsible public bodies for the early abolition of all kinds of control; and

(b) if so, whether the Government propose to set up an independent non-official machinery to investigate the desirability or otherwise of retaining controls?

THE HON. SRI H. SITARAMA REDDI:—" (a) It is presumed that the question relates to the controls administered by the Departments under my control, viz., the controls over cloth, yarn, dyes and chemicals, artificial silk yarn, paper, iron and steel. Representations for the early abolition of these controls are being received by Government."

" (b) No. The controls over cloth, yarn, dyes and chemicals, paper, iron and steel have been promulgated by the Government of India. The question of retaining or abolishing the control over these articles is therefore a matter for consideration by the Government of India. This Government consider that control over cloth and yarn including artificial silk yarn is at present necessary in the interests of this Province."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"Sir, will the Government consider the desirability or otherwise of retaining control over all articles other than cloth at the present stage?"

THE HON. SRI H. SITARAMA REDDI:—"I have already replied to this question, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I tell the Government that the question is whether the Government will consider the desirability of making any recommendation to the Government of India on the removal of controls?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, the answer to clause (b) is very clear and it explains the position."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know whether the Provincial Government have addressed the Central Government in regard to decontrol of textiles?"

THE HON. SRI H. SITARAMA REDDI:—"No, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"May I know whether the Government are satisfied with the working of the controls?"

THE HON. H. SITARAMA REDDI:—"Yes, Sir."

SRI V. I. MUNISWAMI PILLAI:—"In view of the control over iron and steel, the agriculturists are hard put for their implements. Will the Government consider the necessity of at least giving up the control over these articles?"

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THE HON. SRI H. SITARAMA REDDI.—“ Sir, I believe that the removal of control will lead the agriculturists to greater hardship. The Government are doing their best to see that adequate quotas of implements are supplied to the Agricultural Department for distribution among the agriculturists.”

SRI B. S. MURTHI.—“ Is the Hon. Minister aware that due to controls, Harijans are not able to get implements for cultivation and necessary iron and steel materials for the construction of their houses? ”

THE HON. SRI H. SITARAMA REDDI.—“ These kinds of complaints have been received from non-Harijans also, Sir.”

H. S. HUSSAIN SAHIB BAHADUR.—“ Do the Government contemplate the re-introduction of controls over motor vehicles and motor cars? ”

THE HON. SRI H. SITARAMA REDDI.—“ I must submit, Sir, that this question does not arise.”

SRI S. NAGAPPA.—“ Arising out of the answer given by the Hon. Minister to the supplementary question put by my hon. Friend Mr. Murthi may I ask the Hon. Minister what attempts have been made by the Government in order to minimize the hardship, Sir? ”

THE HON. SRI H. SITARAMA REDDI.—“ As I have already submitted, Sir, the Government are making arrangements to supply more iron and steel implements to the Agricultural Department for distribution to the agriculturists.”

MOHAMED ABDUL SALAM SAHIB BAHADUR.—“ Sir, arising out of the answer to clause (b), may I know from the Hon. Minister, why he is fighting shy to appoint a Committee at least, consisting of independent and impartial Congressmen, taking a hint from the Hon. Minister for Prohibition? ”

THE HON. SRI H. SITARAMA REDDI.—“ I refuse to be shy, Sir. I am not at all shy about the appointment of a committee; but I see no need to appoint such a committee at present.”

DR. S. SUBRAHMANYA AYYAR.—“ Is it a fact, Sir, that the Government have got an idea of increasing the price of yarn? ”

THE HON. SRI H. SITARAMA REDDI.—“ The increase in the price of yarn is in the hands of the Government of India and not in the hands of this Government, Sir.”

N. MUHAMMAD ANWAR SAHIB BAHADUR.—“ Arising out of the answer of the Hon. Minister that he is satisfied with the working of the present controls, may I tell him that public opinion is vehemently opposed to all control of textiles? ”

THE HON. SRI H. SITARAMA REDDI.—“ I take the information from the hon. Member, Sir.”

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Newspapers and periodicals published in this Province.

* 88 Q.—**MOHAMED ABDUL SALAM SAHIB BAHADUR.** Will the Hon. the Minister for Industries be pleased to state—

(a) the number of newspapers and periodicals that have been started and published in this Province since April 1947;

(b) the conditions prescribed by the Government before permission to start a newspaper or a periodical is granted; and

(c) whether the Government are satisfied that such permission is granted by the District Collectors after a thorough enquiry?

THE HON. SRI H. SITARAMA REDDI.—“ (a) About 71.

“ (b) Under clause 9 (a) of the Paper Control (Economy) Order, 1945, permission from the Government of India is necessary for starting publication of any newspaper or periodical that was not regularly published immediately preceding 7th November 1942 on paper other than newsprint. No such permission is, however, necessary for the starting of any new newspaper or journal issued at regular intervals of not more than one month, if it is published on newsprint. The Government have not prescribed any conditions which the applicants have to satisfy before permission to start a newspaper or periodical is granted. But publishers of newspapers, both on newsprint and on paper other than newsprint, have to file the necessary declarations under section 5 of the Press and Registration of Books Act, 1867, before the Chief Presidency Magistrate, Madras, or the District Magistrates or the Subdivisional Magistrates, as the case may be, before starting publication of their newspapers.

“ (c) There is no provision in the Press and Registration of Books Act, 1867, according to which a District Magistrate should hold an enquiry when a declaration for starting a newspaper is filed. The District Magistrates have no power to refuse the declarations and they will have to accept the declarations, if filed by any party, under section 5 of the Act. But, if the circumstances warrant such a course, they can direct any publisher of a newspaper to deposit security under section 7 of the Indian Press (Emergency Powers) Act, 1931, within ten days from the day on which the declaration is made.”

Constitution of panchayat unions in all villages.

* 89 Q.—**SRI R. V. SWAMINATHAN.** Will the Hon. the Minister for Local Administration be pleased to state whether it is a fact that the Government are considering a proposal to abolish all the district boards in the Province and constitute compulsorily panchayat unions in all the villages?

THE HON. SRI K. CHANDRAMOULI.—“ The whole matter is under the active consideration of the Cabinet Committee.”

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SRI R. V. SWAMINATHAN :—“ How long will it take for the Government to come to a decision, Sir? ”

THE HON. SRI K. CHANDRAMOULI :—“ As soon as it is possible, Sir. ”

SRI PILLALAMARRI VENKATESWARLU :—“ May I know, Sir, whether it is a fact that railway workers in panchayat areas are not allowed to contest elections even though the railway management has given them permission to contest the elections? ”

THE HON. SRI K. CHANDRAMOULI :—“ The Government are not aware of it, Sir. ”

Compensation to Cocanada Municipality for damage caused by military traffic.

* 90 Q.—SRI P. VENKATANARAYANA : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Cocanada Municipal Council has approached the Government with a request to recommend to the Government of India in respect of a grant or compensation in view of the damage caused to several of its roads by the heavy military traffic during the war time;

(b) if so, whether the Government of Madras have recommended to the Government of India any such grant or compensation; and

(c) whether the Government of India have taken any action in the matter?

THE HON. SRI K. CHANDRAMOULI :—“ (a) Yes.

“ (b) Yes.

“ (c) Yes. The Government of India have intimated that the Military necessity for maintenance work on the roads in question ceased with 31st August 1945. They have given a contribution of Rs. 53,830 towards the expenditure incurred by the Municipality up to that date.”

College and schools for Muslims in Madura.

* 91 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR : Will the Hon. the Minister for Education be pleased to state—

(a) whether there is any Muhammadan college, high school or secondary school in Madura Town;

(b) how many non-Muhammadan municipal primary boys' and girls' schools are there in Madura City;

(c) how many municipal Muhammadan primary or elementary boys' and girls' schools are there in Madura Town;

(d) how many non-Muhammadan colleges, high schools, secondary schools and elementary schools are there in the City; and

(e) whether it is a fact that the medium of instruction in the said Muhammadan schools is Urdu?

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“ (a) None.

“ (b) 31 schools for boys and 22 for girls.

“ (c) 5 schools for boys, and 6 for girls.

“ (d) There are nothing like non-Muhammadan Colleges, High Schools, etc. There are only general schools and colleges to which Muhammadans also are eligible for admission. Their number is as follows:

(i) 2 Colleges for boys;

(ii) 6 High Schools for boys and 3 for girls.

(iii) 2 Secondary and middle schools for girls.

(iv) 59 Elementary schools for boys and 31 for girls.

“ (e) The medium of instruction is Tamil in boys' schools and Urdu in girls' schools.”

SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR :—“ Will the Government be pleased to restore the post of supervising headmaster for the model schools? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“ This question certainly does not arise from the main question, Sir.”

BEGUM SULTAN MIR AMIRUDDIN :—“ May I know whether it is the intention of the Government to abolish Muslim schools in Madura and elsewhere? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“ No such decision has been taken till now, Sir.”

SRI S. NAGARAJA MANIGAR :—“ May I know, Sir, how long are these friends going to hug on to these terms ‘ Muslim ’ and ‘ Non-Muslims ’? ”

MR. SPEAKER :—“ The question does not arise.”

Number of Muslim and non-Muslim board schools in Ramnad district.

* 92 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR : Will the Hon. the Minister for Education be pleased to state—

(a) the number of Muslim and non-Muslim board schools in the Ramnad district (elementary);

(b) whether it is a fact that in many Muslim schools there are not as many teachers as there should be as per Educational Rules; and if so, why; and

(c) whether it is a fact that Muslim teachers have been transferred from Muslim schools to the Hindu schools and hence the shortage of the teachers in the Muslim schools? *

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) The figures are given below:—

			Boys' schools.	Girls' schools.
For Muslims	..	--	57	22
For Non-Muslims	..	..	396	90

“(b) Yes, in certain cases. Necessary instructions have been issued to the Special Officer in the matter of appointment of additional teachers.

“(c) There have been cases of transfers of Muslim teachers from Muslim Boys' Schools to non-Muslim Schools. These transfers did not however affect the staff of Muslim schools as it is reported that substitutes were posted to the Muslim schools then and there.”

SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR:—“Is it not a fact, Sir, that for want of a teacher, in the Vedalai (Ramanad district) School which is a Muhammadan school was closed for a period of about one and a half months?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“Certainly, Sir, the hon. Member does not expect me to know everything about the various elementary schools in the whole Province; their number is about 25,000.”

BEGUM SULTAN MIR AMIRUDDIN:—“When the Hon. Minister is abolishing Muslim training institutions, may I know how he expects the Muslim schools to be manned without teachers?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“There are plenty of training schools which can train Muslims as well as others.”

SRI KALLUR SUBBA RAO:—“May I know from the Hon. Minister how long these separate schools for Muhammadans will continue in this Province?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“The House will have an opportunity to express itself on that matter very soon.”

Office of the Divisional Inspector of Schools, Madura.

* 93 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) whether the office of the Divisional Inspector of Schools (Madura) is treated as a separate unit for the purpose of appointments and transfers of clerks and peons;

(b) whether the Divisional Inspectors are allowed to take their managers with them on inspection tours; and

(c) how many complaints have been received by the Divisional Inspector, the Director of Public Instruction and the

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Government against the present Manager of the Divisional Inspector of Schools, Madura, when he was in Coimbatore and after his joining duty in Madura Division?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) Divisional Inspectors can order appointment and transfer of lower division clerks within their divisions. The power to appoint upper division clerks, and managers vests in the Deputy Director of Public Instruction (Personnel).

“(b) Yes, with the special permission of the Director.

“(c) Certain complaints have been received against Sri C. V. Subramania Ayyar, the present Manager of the office of the Divisional Inspector of Schools, Madura. They are under investigation.”

Age-limit for promotion of Veterinary Assistants as District Veterinary Officers.

* 94 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that Veterinary Assistants who have reached the age of fifty are debarred from promotion as District Veterinary Officers;

(b) if the answer to (a) is in the affirmative, the reason why promotion of such officers is blocked five years before their retirement;

(c) the number of officers thus adversely affected since the introduction of that rule; and

(d) whether it is a fact that some of those who have been adversely affected have undergone post-graduate training?

THE HON. SRI K. MADHAVA MENON:—“(a) The answer is in the affirmative.

“(b) The reason seems to have been that a District Veterinary Officer after appointment takes a year or so to get to know his duties and with experience he is gradually improving. If he is appointed after his 50th year he has to retire from service on reaching the age of superannuation just when he is becoming useful to the Department. Further many officers who are due to retire in a few years are not at their best and are very often thinking more of their retirement than applying themselves to their duties. For these reasons especially as the District Veterinary Officers are the key-men of the Department, the age-limit of 50 years for promotion was introduced. The question of abolishing the age-limit is, however, under the consideration of the Government.

“(c) Eighteen Veterinary Assistant Surgeons who are at present in service were affected so far by the introduction of the age-limit, but not all of them would be considered suitable.

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"(d) Yes. Fourteen Veterinary Assistant Surgeons out of the eighteen have undergone the refresher course at the Madras Veterinary College."

SRI S. NAGAPPA:—"May I know whether it is a fact that the claims of Harijans to Veterinary Assistant Surgeons' posts are overlooked or by-passed at the time of promotion?"

THE HON. SRI K. MADHAVA MENON:—"That is not a matter which arises out of this question, Sir."

BEGUM SULTAN MIR AMIRUDDIN:—"In view of the fact that it works a great hardship to officers to be denied promotion five years before retirement, especially to those who are well-qualified and have undergone post-graduate training, will the Government consider the desirability of amending these rules?"

THE HON. SRI K. MADHAVA MENON:—"I am sorry the hon. Lady Member did not catch the last sentence of my answer to (b); I said the question of abolishing the age-limit is under the consideration of the Government."

SRI K. VARADACHARI:—"Is it not a fact that a simple matter like this has been under the consideration of the Government for too long a time?"

THE HON. SRI K. MADHAVA MENON:—"No, Sir, we took it into consideration only about a month ago."

False measures used in villages for measuring wages.

* 95 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have received any reports that false and unauthorized measures are being used in villages for measuring wages to the agricultural labourers;

(b) whether these measures are smaller by one-fourth to one-third and vary from village to village; and

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

THE HON. SRI K. MADHAVA MENON:—" (a) The Government have not received any reports.

" (b) The Government have no information.

" (c) The Government have been considering the question of undertaking legislation to establish a uniform standard of weights and measures in the Province for a long time. A small conference of trade interests was held on 25th July 1947 for discussing the subject. Steps are being taken to introduce legislation at an early date."

SRI V. RAGHAVAYYA:—"Are the Government aware that cane baskets which are far smaller in measurement than the standard measures are the order of the day in the villages and that consequently many labourers are being deceived and cheated

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of their daily earnings, and if so, will the Government under the present law, standardize the measures and prohibit such things?"

THE HON. SRI K. MADHAVA MENON:—"No such complaint has yet come to the notice of the Government."

The nursing orderlies in hospitals in Coimbatore and Calicut.

* 96 Q.—SRI M. A. ESWARAN (on behalf of Sri R. Kuppuswami): Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the nursing orderlies of Coimbatore General Hospital and Calicut General Hospital have refused to receive their salaries; and

(b) whether the Government received any representation from them regarding the same?

THE HON. SRI A. B. SHETTY:—" (a) The nursing orderlies of the Headquarters Hospital, Coimbatore, first refused to receive their pay for April 1947 and the arrears of pay for the months from January to March 1947 which they were entitled to, according to the revised scales introduced from 1st January 1947. Subsequently, however, they accepted payment of these salaries. So far as the nursing orderlies of the Headquarters Hospital, Calicut, are concerned, the answer is in the negative.

" (b) The Government have not received any representation from the nursing orderlies."

Letting in of sewage water into the Thirumanimuthar in Salem town.

* 97 Q.—SRI A. SUBRAHMANYAM: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that sewage water is let into the river Thirumanimuthar running in the centre of Salem town thereby affecting the whole sanitation of the town; and

(b) if so, what measures the Government propose to take in the matter?

THE HON. SRI A. B. SHETTY:—" (a) No sewage is let into the river but sullage water from certain areas which have not yet been provided with open drains finds its way into the river. A drainage scheme for the municipality consisting of ten instalments has been drawn up and five instalments have been completed. The work on the sixth instalment is in progress. With the completion of instalments VII to X, every possibility of even the sullage getting into the river will disappear.

" (b) Certain improvements to prevent sullage entering into the river even now have been suggested by the Chief Engineer, Public Works Department (General, Buildings and Defence) and they have been communicated to the municipal council for guidance."

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SRI A. SUBRAHMANYAM :—“ கனம் சுகாதார மந்திரி அவர்களே, பரிசுத்தமான ஆற்று ஜலத்தில் சாக்கடை ஜலத்தை விட்டு நகர மக்களுக்கு பலவிதமான வியாதிகளை உண்டாக்குவதைவிட Drain மூலம் கொண்டுபோய் ஒரு தகுந்த இடத்தில் காய்கறி பயிர் செய்வதற்கு ஏற்பாடு செய்தால் லாபகரமாகவும் பிரஜைகளாகமாகவும் இருக்கும் அல்லவா.”

THE HON. SRI A. B. SHETTY :—“ It may be translated into English, Sir.”

MR. SPEAKER :—“ It is better for the Hon. Minister to ask any of his colleagues to translate it for him.”

SRI PILLALAMARRI VENKATESWARLU :—“ We also want a translation, Sir.”

MR. SPEAKER :—“ It is not possible.”

SRI PILLALAMARRI VENKATESWARLU :—“ We want to follow his question.”

THE HON. SRI A. B. SHETTY :—“ I have nothing more to add to what I have said in the answer, Sir.”

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

III.—POINT OF ORDER *RE* THE POSITION OF THE LEADER OF OPPOSITION IN THE ASSEMBLY.

* **SRI N. S. VARADACHARI** :—“ Sir, I wish to raise a point of order. The point of order in my opinion arose out of the fact that you called the Leader of the Opposition to answer. Even then I wanted to raise the point of order whether in the changed circumstances of to-day, Mr. Ismail, the Leader of the Muslim League Party in this House, can claim to be the Leader of the Opposition. It is an important point and I press it purely from the constitutional point of view. I would like you to consider it. I will briefly state my case, Sir.

“ In democracies of the British model—and we are supposed to be still on that model—the Leader of the Opposition must satisfy two tests; the first is that he should lead the largest group amongst those who sit in the Opposition; to that extent, the Leader of the Opposition to-day satisfies the test. But the other test is this: he alone can be Leader of the Opposition who, in the event of the Government of the day resigning or ceasing to function, can take its place.”

MR. SPEAKER :—“ May I know from the hon. Member in which constitution it is so mentioned? ”

SRI N. S. VARADACHARI :—“ I would respectfully submit that the Hon. Speaker may refer to May's Parliamentary Practice.”

MR. SPEAKER :—“ Which page please? ”

SRI N. S. VARADACHARI :—“ I think I can give it after I finish my case; I have not brought the book with me.”

POINT OF ORDER *re* THE POSITION OF THE LEADER OF OPPOSITION IN THE ASSEMBLY

[23rd September 1947]

MR. SPEAKER :—“ The book is with me and I shall pass it on to the hon. Member.”

* **SRI N. S. VARADACHARI** :—“ It is a well-known principle of constitutional law in Great Britain that the Leader of the Opposition should be one who would be capable of replacing the Government of the day when the Government of the day is either compelled to resign or ceases to function. Now, Sir, my point is this; would this Leader of the Opposition satisfy this test? The test can only be satisfied when he recognizes that he is one with the rest of the House, that he is one with you in every respect—in respect of the electoral machine, in respect of your transaction of business and all that. If you consider yourself as one with the rest of the House, only differing on matters of policy which you are able to emphasise, there is just a chance of the Opposition, however small and insignificant it may be to-day, taking the place of the Government at a later stage. If, Sir, you are wedded for instance to the policy of separation and separate electorates, certainly there is no chance of the Leader of the Opposition ever getting into the Government of this province. I will only add one more word, Sir. Later, if necessary, others will elaborate the point. The point I wish to emphasise is this: there is just a chance for instance for some of my Friends here who may number only three or four, becoming the Government of a later day because they believe in certain principles common to all of us, on which the electoral law of the country to-day is based. What I mean is this: I would ask straightway the Leader of the Opposition whether he wants to be perpetually in the Opposition? If that was the case, then I say it introduces an absolutely different constitutional principle. If he in his heart of hearts some day desires or covets the honoured place of Prime Minister and leading the House as to-day my friends on this side do, then I say he must revise his whole attitude to the Government of the day, renounce the idea of separate electorates which has been abandoned already by the Constituent Assembly of the country to which he belongs and also re-frame general policy both in respect of the country and in the House on matters relating to the constitution. This is my point, Sir. If you will refer in detail to Parliamentary practice, you will find that the Leader of the Opposition . . .”

MR. SPEAKER :—“ I will pass on the book to the hon. Member. Let me have the relevant page in the book. Then I can give a ruling.”

SRI N. S. VARADACHARI :—“ You can give a ruling. Sir, but after consideration of the points that have been raised in this matter. Nobody should take it that I am raising a point merely because it is a point. It is a point vitally affecting our constitution, and our rights. It is a point about which I have no doubt. It is a well-known principle of British Constitutional practice that the Leader of the Opposition should satisfy both these tests.

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If the Leader of the Opposition here is not able to satisfy the Members of this House that we can look to both these tests being satisfied in the present Leader of the Opposition, he cannot function as such in the Dominion Provincial Legislature."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I have to say only this thing, Sir. The hon. Member himself has answered one of the points, whether the Leader of the Opposition leads the next biggest group in the Legislature. The other point reduces itself to this. Can a Member who has been returned by a separate electorate occupy the position of Minister? Under the existing law of the land, he can be a Member of the other House and he can be anything. The existing law of the land provides for separate electorates. When it is scrapped in future—it has not yet been scrapped—when the Constitution Act is passed and as in that Act, separate electorates should not exist, then it is another matter. Then, it will be time enough to question but now, as it is, we are here under the existing law of the land and my hon. Friend forgets one important fact that has taken place. Not only the previous Ministry but also in the present Ministry there are Members who have been elected by separate electorates. A member who has been elected by the separate electorates can as well be a Premier or anybody else. There is nothing in law which prevents him from being so. That is my view, Sir."

SRI T. VISWANATHAM:—"Arising from what the Leader of the Opposition has said—he was referring to persons on the Treasury Bench coming from separate electorates—it is a point which I am unable to understand, and I will be grateful to be enlightened on this point."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"The hon. Member has utterly forgotten and he has been very unkind in doing so. One of the Members on the Treasury Bench, Mr. Daniel Thomas, is returned by separate electorates and another Member who died, the Hon. Mr. Yakub Hasan, who was occupying the Treasury Bench, was also returned by separate electorates."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, my friend Mr. Varadachari should have been fair instead of mixing up political issues with constitutional issues. They are two different things. Politics had betrayed him. He lost sight of the constitutional aspect of the question. We are now working under a constitution which recognizes separate electorates. So, this point is certainly superfluous. Sir, in view of the ruling you gave on the point of order raised by Mr. Prakasam, this is superfluous because a definite ruling was given by you on a like point of order. The point was already raised by Mr. Prakasam and Mr. Varadachari has again brought it forth in the guise of a point of order and he has given expression to his own political views. That is all what he wanted to do."

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"Mr. Speaker, Sir, so far as this point whether the present Leader of the Muslim League Party can be the Leader of the Opposition, it is very clear. As stated already, we are working under a Constitution which has not yet been supplanted and there is no other group, except the ministerialist group, larger than the Muslim League group in this House. As it happens elsewhere in the world, democracies work on the basis of numbers. It so happens here that the Leader of the largest group has become the Leader of the Opposition in this House. Sir, the point raised by my Friend Mr. Varadachari that it is not possible for the Leader of the Opposition to form a Government tomorrow is not correct, for the future may tell a very different story. It is not possible to envisage to-day what will be the composition of the Government tomorrow and who will constitute the Government tomorrow. It is just possible that the Leader of the Opposition may form the Government tomorrow. We cannot eschew the possibility of this thing. My Friend Mr. Varadachari should have done well if he thought it wise to come forth with a point of order. But his point was more political than constitutional."

SRI T. PRAKASAM:—"The hon. Mr. Hameed Khan pointed out that the point raised by me on the constitutional issue has covered the point raised by Mr. Varadachari now and in that connexion, he also pointed out that we are still governed by the Government of India Act of 1935. It was also ruled out by you as such."

MR. SPEAKER:—"I have added one sentence there, viz., as amended by the Independent Act and the Adaptation Orders made thereunder."

SRI T. PRAKASAM:—"Yes, you did. But I would like to point out, Sir, that the Hon. the Speaker of the Bombay Legislative Assembly recently ruled that the Members of the Assembly there should take a new Oath as propounded by the Constituent Assembly and that then only they were competent to sit in the Assembly."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know whether it is any point of order. It is a repetition of the old point."

SRI T. PRAKASAM:—"Because the hon. Member has raised that point, I will now give all the facts, and will try to throw more light upon it. Well, the Hon. Speaker of the Madras Assembly has ruled that we are governed by the Government of India Act of 1935 as amended by the Adaptation Act or something else. But the Speaker of the Bombay Legislative Assembly ruled that no Member should take his seat in the Assembly unless he takes the new Oath. The person who raised the objection walked out of the House. There is a conflict between the rulings of two great Speakers of two great Provinces."

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MR. SPEAKER:—"I understand the point. I want to know whether the Hon. the Leader of the House wants to say anything on the subject."

THE HON. DR. P. SUBBARAYAN:—"Sir, I have been taken by surprise and I would like to point out that May's Parliamentary Practice contains nothing about parties, etc., but only deals with procedure. The present point will have to be considered from books on Constitutional Law. There are two books, Dicey's Law and Constitution and Ivor Jennings' Parliament. If you will give me a little time and postpone the question till tomorrow, I may be able to refer to these books and enlighten the hon. Members. Only procedure is contained in May's book, procedure with regard to how questions are put, how objections are raised, how financial statements are presented and so on. This is a matter of constitutional law, and I would like to have a little time to consider this point."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I submit that May's Parliamentary Practice does not relate to such questions as seating arrangements in the House and so on."

MR. SPEAKER:—"Have you located that point, Mr. Varadachari?"

SRI N. S. VARADACHARI:—"I was only speaking from my knowledge of constitutional law. I thought it might find a place in this book."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is it right on the part of the hon. Member to refer to British Constitutional Law when a Swadeshi constitution is going to be formed?"

THE HON. DR. P. SUBBARAYAN:—"I am afraid the hon. Gentleman is wrong. We are thinking of the constitution under which we are working. We can only follow the constitutions which are in practice elsewhere. It is wrong for the hon. Gentleman to theorise and he is not entitled to do so."

MR. SPEAKER:—"First, I will answer the hon. Mr. Prakasam. He raised the other day a constitutional point and I gave a ruling that we are still working under the Government of India Act, 1935, as amended by the Adaptation Order and the Independence Act. The hon. Mr. Prakasam told us to-day that the Bombay Speaker said something about the new Oath. I have not seen it in the papers. Moreover, simply because the Bombay Speaker said something about it, it does not mean that I should follow it. (Laughter.) I have very great respect for the Bombay Speaker. Leaving aside that point, regarding Mr. Varadachari's point of order, that the Leader of the Opposition should lead the biggest group, Mr. Muhammad Ismail is leading the biggest group. He is leading twenty-nine members. The second point, whether the Leader of the Opposition can form the Government or

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not remains to be seen and it is too early to say whether he can or cannot form a Government. So, I rule the point of order raised by Mr. Varadachari out of order."

SRI B. S. MURTHI:—"On a point of information, Sir. On the same day when Mr. Prakasam raised the constitutional point, your particular attention was drawn to the ruling given by the Bombay Speaker."

MR. SPEAKER:—"I told the House that the existing Members need not take the new Oath of Allegiance. I have received a letter from the Secretary of the Constituent Assembly that except the new members, the others need not take the new Oath."

"Now we pass on to the next item in the Agenda."

MR. SPEAKER:—"I suppose the Hon. Dr. Subbarayan is not moving the motion that stands in his name."

THE HON. DR. P. SUBBARAYAN:—"No, Sir."

IV.—DEMANDS FOR GRANTS FOR FURTHER EXPENDITURE
IN THE YEAR 1947-48.

DEMAND II—PROVINCIAL EXCISE.

THE HON. MR. DANIEL THOMAS:—"Mr. Speaker, Sir, 12-30
I move— p.m.

'that Government be granted a further sum not exceeding Rs. 100 under Demand II—Provincial Excise.'

"The circumstances under which this demand is made are set out on page 4 of the Memorandum. I move that the demand be sanctioned."

* SRI P. NATESAN:—"I want to make a submission with regard to the arrangement of business by the Government. I do not mean any discourtesy either to the Government or to anybody responsible for arranging the business of the House. I find, Sir, that although the food debate was initiated in this House it is practically over in the upper House, so that the Legislators of that House have had an opportunity of bringing forward their grievances by taking part in the debate and the Hon. the Food Minister has given a comprehensive explanation and there is nothing more, I expect, for him to say in reply to the debate which will go on here. It looks as if we are in a state of unreal atmosphere. I would like to request you to see if you can ask the hon. Ministers that in the future at least, they suspend their replies to the debates in the Council in cases where the discussion in this House is not over or to so arrange the date that this House may have an opportunity of discussing everything and that there may be a sufficient interval before the subject is taken up in the Council."

MR. SPEAKER:—"I have received the same complaint from Hon. Colleague, the President of the Council. It appears

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that simply because we debated the point first and then sent it to the Upper House, the complaint from the Upper House is that we have exhausted all the points and that they have no other point to give. Of course, nothing prevents the Upper House from debating a question and then come to a conclusion independently of this House or to have a debate of their own."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Sir, I want to know whether constitutionally this is not the original House? It has been an accepted convention that all matters originate in this House. Then I say, on all matters of policy, the other House is only a House to revise any decision arrived at here. That is the convention and if this House is not given the opportunity to finish the business before the other House takes it up, it becomes rather unreal that we should continue here.

"Besides, I wish to submit that the other House has been brought into existence in order to revise what has been done here. Sir, there may be cases in which this House might have come to a decision which will not be acceptable to the public and the public should have sufficient opportunity to express its opinion through the other House, which is called the Second Chamber, and a House which exists for the purpose of revising the decisions of this House. In view of all these circumstances will it not be better and proper for the Government to arrange the business in such a way that the business should be first finished in this House before it is taken up in the other House."

* THE HON. DR. P. SUBBARAYAN:—"Sir, I am afraid hon. Members who have spoken on the question have entirely misunderstood the position and the powers of both the Houses of the Legislature. It is open to the Government, for instance, in the matter of any Bill, to introduce it in the Upper House, pass it and bring it down here and have it passed. The contrary also holds good. Now, in the matter of the food debate, there was no resolution or any consideration of the question which took away the power of this House as against the power of the other House. All that was done was to consult the opinion of the Members of both Houses and as only two days were allotted and the debate in the Upper House was concluded, naturally the Minister in charge of the Department had to reply to the points that were raised there. Therefore, nothing has been concluded. New points may arise out of the speeches of hon. Members in this House and a definite reply to the points raised by hon. Members of this House will be given by my Hon. Colleague, the Minister for Food, when it comes to him to reply to the debate. So, there is no question of any disrespect to either House. I would like hon. Members to understand that the Houses of the Legislature have co-extensive powers, except in the matter of Money Bills. In the matter of Money Bills, they can only initiate in this House and go up to the other House. You will see that in the matter of supplementary demands and the voting of the Budget, the Upper

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House is given an opportunity of expressing their opinion on the financial proposals of the Government of the day, whereas the voting of demands takes place in this House, which is the final authority for the spending of the money raised in this province. Therefore, I cannot see what grievance the hon. Member representing the Southern India Chamber of Commerce could have with regard to the procedure that Government have adopted in this matter. I am afraid they seem to be getting on each others nerves or toes in such a fashion that anything done seemed to have annoyed Members of this House or the other House. As you have said, because there is a complaint, they seem to think that Government have not taken notice of it in the arrangement of business. This sort of complaint is bound to go on but Government will see that every opportunity is given to hon. Members of this House as to the other one, to criticize the policy of the Government, to help the Government to come to conclusions and to give their definite opinions on points that may arise for discussion either on the floor of this House or the other Chamber."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"On a point of information, Sir. May I know whether there was a resolution in the other House on the food question. There was an amendment moved by one of the hon. Members of the Council to the food resolution, which was afterwards withdrawn. I do not know whether it is correct to say that there was no resolution there. Even in regard to supplementary grants, I know they have no power to vote on them. But, certainly their discussion would have been more fruitful and more proper if it took place after this House had given its decision. These are certain points which I would like you to clarify."

* THE HON. DR. P. SUBBARAYAN:—"I am afraid the hon. Member is just like the Irish—always complaining against Government. All that I wanted to point out was that when the Government propose that so and so should be taken into consideration, it is allowed to any hon. Member to propose that 'on such consideration the House resolves that this should be the resolution.' This was done in the other House. Hon. Members here do not take the trouble to do this. They have still got an opportunity if they wish to do, because the debate is not concluded yet, but they need not have a sense of grievance because some hon. Member in the Upper House chose to put down a particular proposition for the consideration of the Government. If the hon. Member has any grievance of that kind he is certainly entitled to propose such an amendment here also and I am sure the Hon. Minister in charge of Food will consider the proposal he might make, but as he himself has said, after the reply of the Hon. Minister, the hon. Member who proposed the amendment in the other House withdrew it. If he is given the opportunity here, he might also choose to do the same—of course, I am not asking him to withdraw it because it is a matter for his own volition. At the same time, I want to point out that no right has been taken away by the discussion in the other Chamber."

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MR. SPEAKER:—“The hon. Member, Mr. P. Natesan has not raised any point of order, but simply he brought it to the notice of this House. I may add one or two words to what has been said by the Hon. the Leader of the House. Sections 73 and 74 of the Government of India Act, 1935 refer to powers of the Lower House as well as the Upper House. So, there is nothing wrong in discussing the food situation in the Upper House. It is not against the constitution or against any rule.”

SRI P. NATESAN:—“I did not say that it was against any constitution, but what I say is, we might take a sensible or practical view of the question so that any discussion here may not be unreal.”

MR. SPEAKER:—“Only financial bills should be initiated here and go before the other House. I do not see there is any insult to this House nor any grievance need be felt by the Members of this House.”

* SRI K. ANANDAN NAMBIYAR:—“Sir, I move the amendment that stands in my name, namely—

‘To reduce the allotment of Rs. 100 for Provincial Excise by Re. 1.’

The demand asked for under this head is Rs. 100 and it is intended to increase the number of Prohibition Guards. The cost for this comes to Rs. 71,208 per annum recurring. This is only a preventive measure. I beg to submit to Government that there must also be measures introduced for the amelioration of the condition of the people who are asked to give up drinking. You must also bring forward measures to see that they are given alternative food or other items to compensate such loss. At the same time, I would also submit to Government that there are thousands of workers who have been thrown out of job and they are now without any employment and in these hard days they have no means of providing themselves with any employment. But, Government have not brought forward any scheme to see that they are employed and fed. I see that only on the negative side the Government are working, but on the constructive side they have not brought forward any scheme. I would therefore request the Government to take steps to see that these men are employed. In all the eight districts where they have introduced Prohibition the tappers are out of employment. I would like to bring these two points to the notice of the Government for necessary action.”

* SRI PILLALAMARRI VENKATESWARLU:—“Sir, while seconding the cut motion I would like to bring to the notice of the Hon. Minister another additional point for consideration. Our present Ministry is only functioning in the old groove and they have not changed any of the methods adopted previously. They plead want of funds, but at the same time they increase the staff in order to make Prohibition a success. I say that all the Congress members of the House should carry on effective propaganda

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among the toddy tappers. Instead of doing that, the Hon. Minister is merely following the old bureaucratic method of increasing the staff and putting people in prison. Even during the 1937 Congress Ministry the complaint was that they resorted to such measures. If they want to make Prohibition a success, they should not adopt such repressive measures and particularly after August 15. After August 15 we expected a change in the policy of the Ministry, but that has not been done; only they are continuing the old policy. What I say is, our Congressmen, social reformers and other reformers can replace the existing staff without making the Government spend a single pie on the Prohibition programme. I therefore take objection to the demand and support the cut motion.”

* SRI P. NATESAN:—“I do not wish to speak at great length. I find in the Explanatory Memorandum they are asking for Rs. 71,208 recurring. That is only for a portion of the province, the Ceded districts, Sir, the other day the Hon. the Finance Minister stated in the Council that he was going to find extra revenue from out of the Reserve Fund that is kept there by the Advisers' Government. If at this rate you keep on expanding the prohibition programme I do not know how the Finance Minister will be able to find the necessary money. Already they have suggested the increase of sales tax and increase in the betting tax. You cannot be killing the golden goose all the time in order to find money. I understand that in Bombay although the Congress Government is wedded to the policy of Prohibition they are not going as fast as Madras, but probably the Congress Government here will say, we are not going to follow Bombay. Of course, that is a different matter. I do not know, Sir, how the Finance Minister is going to find money for the extension of this Prohibition programme. Sir, after all there must be a limit for this prohibition programme. Where is the need for this hurry especially when people are starving for want of sufficient food. The Hon. Dr. Rajan, the Food Minister, has said that they have to give twice the amount of revenue they get from lands for procurement. The land revenue is about 7 crores and by way of bonus the Madras Government has to give 14 crores. I am subject to correction. When the Finance Minister says that my figure is not correct let me refer him to the statement made by the Food Minister published in *Hindu* as follows:—

“It was impossible for any Government to go on paying from 11 to 14 crores only on this account (i.e.), bonus account.”

“I do not know who is right, whether the Finance Minister or the Food Minister. The point is that when food has to be got at a great price, what is the idea in extending prohibition from district to district. I think the Congress party is most vociferous. Even if the Members of the Government are not willing to go as fast as this members of the legislature are there who keep on asking about this extension. They do not know how to find the extra money that would be lost on account of this abolition of drinks.

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During the election times they were talking about food for all, clothing for all and shelter for all. Now what is it that we have? We have no food, no clothing and no shelter. That is the only reason why I am talking on this motion. I am not against prohibition as such. There is plenty of time to introduce this in all the districts. Let there be a sort of long range planning with one district per year. I understand that in Bombay they are having prohibition for three days in a week. The Bombay Government has been wise enough to see that prohibition is introduced by stages and that people get accustomed to prohibition slowly whereas here they want to rush through this programme. The Muslim Leaguers are no doubt for this programme as they consider drink as an evil but their Pakistan Government is not going to introduce this immediately and lose all the revenue derived therefrom. After all Pakistan is wiser and they are going on with this only slowly. Of course they have the goal of prohibition before them but they are not going to rush it through. Sir, I see that the Government of Madras speak of the success of prohibition not only here but also in Bombay. That reminds me of the statement made by Mr. Bapineedu probably as the Chairman of a Committee and he categorically states that it has been a failure. If he was not the Chairman at least he is a prominent member of the party, was Parliamentary Secretary last time and is an ardent follower of Mahatma Gandhi. People are also talking about the failure of this and the increase in illicit trade. That is the position and therefore at question time I asked the Hon. Minister to consider the desirability of appointing the Leader of the Opposition and one or two of us and also three more congressmen for making an enquiry into this matter. We do not want voting strength of the party to be considered in appointing this Committee. What we want is men with good common sense to find out the facts. I am sure that the Hon. Minister will reply that the party is wedded to this programme of prohibition and it cannot be helped. I ask him where is the need for this hurry. Would the Heavens fall if this prohibition programme is not rushed through especially at this critical moment. Sir, I want this party to go to the country and tell the people that when food is scarce they want to put through this prohibition programme. Let us see how the country will react. I was myself in the Congress party and I say with authority that what the Congress promised the country was something different from what they are doing now. If I were in the Congress it was because I agreed with the party in trying to wrest power from the Britisher. To that extent I was a member of the party. Only this morning people came and asked me to subscribe funds for the Gandhi Jayanti. I asked them to go and look to the starving people around the streets and do something for them. No doubt our cry will be a cry in the wilderness. The 'Madras Mail' has been taking the trouble of writing day after day against the rushing through of the prohibition programme by the Government and even the 'Hindu' has written cautioning the Government to proceed slowly. Let the Congress Government here please take

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note of what the public opinion is in this matter of prohibition. This is a programme which requires money and I say you should not spend it. Let the Government go slowly and give an explanation as to why this extra staff in the Ceded Districts is necessary."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I rise to support the cut motion moved by Sri Anandan Nambiar. At the question hour, Sir, the Hon. Minister for Prohibition has stated that prohibition is only a negative policy and not a constructive or any other policy. We can clearly see that this Ministry in all the portfolios are following only a negative policy and is not capable of following any other policy except this negative policy. This can be seen in every case. For instance, the Government is not prepared to publish the report of Mr. Bapineedu or the report in which he was a member. We can see from the whispers around and in the papers, that all is not well with the prohibition programme in the areas and districts in which it has been introduced. One fine morning we see in the papers that this august body of the Cabinet met, discussed and after long discussion have decided to entrust this work of prohibition to the Police Department and not to any other department. Knowing as we do the Police Department, it is not proper that we should entrust this work to the Police Department. It is true that we are not having trained personnel to do this job but it is high time that Government should take up this matter. We cannot entrust this work to people without any training especially when it involves large amounts of revenue. It is high time for the Government to realise this fact and not fritter away large amounts due to their incapacity to have control over prohibition in an effective manner and I want a categorical reply from the Hon. Minister why the Government are not able to start an institution to train persons for this special work. Again, Sir, we are happy that the Minister for Transport is the Minister for Prohibition. The other day while answering a question about nationalisation, he said that the City of Madras will be taken up first due to administrative convenience and the adjoining districts at a later date. Why not a similar rule be applied in the case of prohibition also? Why not take the city first? For administrative convenience it would have been better for this Government to have introduced prohibition here rather than in distant places. By the time they introduce prohibition here they may not probably be in office and others who are there may not be able to carry on with such speed as the present Government are doing. Perhaps the Government are not aware that Madras City consumes half the quantity of liquor of what is consumed in the whole Presidency put together. Why are the Government closing their eyes to this fact? Is it due to the pressure exerted by some influential and vested interests that is deterring them? No doubt the Muslim League party is for the prohibition programme but this party will not tolerate the way in which this Government are managing this affair."

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* SRI K. VARADACHARI:—"Mr. Speaker, Sir, I was rather amused by the eloquence of my hon. friend, Mr. Natesan. He said that the programme of prohibition was being gone through in a hurry by this Government and that the time was very inopportune for this speed. If there was any need for speed in the extension of prohibition, it is just now because if you have to solve the problem of food and famine, and if you have to see that the poor man gets his square meal at least twice a day, it is by preventing him from wasting his little earnings on drink so that he may utilise the same for the purchase of the poor fare that he is obliged to buy. Therefore, from the point of view of his food and the necessity for preserving his health and his life, both, it is absolutely necessary that this policy of prohibition which is a main plank in our programme, must be made a complementary programme to the food programme that we have got to work out during these coming years. I therefore submit that Mr. Natesan has gone wide of the mark in mentioning that we are wrong in going ahead with this scheme.

"My hon. Friend also forgot that this supplementary grant was confined to the appointment of a few more Police guards in the Ceded Districts only. Therefore, no question of the extension of prohibition to other districts in the next year would come under this motion regularly but he will be in order in speaking about this during the budget when he could criticise the policy of the Government. A note has also appeared, Sir mentioning that these supplementary grants will be absorbed in the budget which will be placed before the House in 1948.

"I may be permitted to state a few things with regard to the working of this prohibition or the enforcement thereof. The Hon. Minister for Excise was kind enough to tour Chittoor recently and I had to present a memorandum before him with regard to certain aspects of enforcement which have to be improved if prohibition was to be made a success and if we had to justify the loss of a big revenue, to the tune of 16 crores. I have mentioned several points therein the chief of them being that so far as this enforcement of prohibition is concerned, the personnel, whether it is police or excise, it does not matter which it is, must be fired with a missionary zeal in the working of this programme. If it is not so, the whole scheme will be a failure because we find from actual experience that the old constabulary in the police force as well as in the excise force, are not so pure as they should be for the purpose of this enforcement. Many of them were themselves addicts and it is very difficult for us to get them into a proper frame of mind for the enforcement of prohibition in a really genuine and honest spirit. Therefore, I suggest to the Hon. Minister the desirability, at least for the present, of mixing up with the police force attached to every Prohibition Sub-Inspector, a few men who are not already regularly borne on the establishment of the police force; I suggest to him to pick up educated young men, educated at least up to the S.S.L.C. standard and they might be

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made a part of the constabulary so that they might be a check on the malpractices of the constabulary itself. Detection of prohibition offences in the villages must be preceded by a detection of the abetment on the part of the existing constabulary and unless you take on a few young, educated men for the purpose of detecting the malpractices of their own colleagues in the department, it will not be easy for us to achieve good detection of crime.

"I also suggest that the jurisdiction of the Prohibition Sub-Inspectors must be smaller and manageable. Prohibition Sub-Inspectors are called upon to manage about 100 villages whereas the jurisdiction of ordinary Police stations is smaller. Illicit manufacture of liquor and other prohibition offences cannot be dealt with unless this is also taken up. The Hon. Minister knows that in a mood of exaggeration it has been given out by some hon. Members that illicit manufacture of liquor has almost become a cottage industry. If you wish to stop this, the jurisdiction under the charge of each Prohibition Sub-Inspector should be made as limited and small as possible so that the Sub-Inspector may do effective work in the discharge of his duties. Illicit manufacture of liquor does not ordinarily go on in enclosed buildings; it is done in secret and far away places; in the hill sides, in the forests and dales and sometimes even within the walls of wells."

SRI P. NATESAN:—"Why then do you say it is exaggerated."

SRI K. VARADACHARI:—"I did not say it has become a cottage industry. Owing to the prevalence of this crime and in a spirit of exaggeration that it has become a cottage industry; they are goaded to describe it in that manner. I do not admit that the situation is so very bad; but I say it is very necessary that we take note of these criticisms and take effective steps to ensure the success of the scheme of prohibition.

"I have been led away from my point. What I was saying was that for the purpose of getting the maximum of good work from the Sub-Inspector, you ought to make their jurisdiction as compact as possible by reducing the size of their jurisdiction to a fairly manageable level.

"There is one other aspect that I wish to impress upon the Government and upon those who are interested in the scheme of prohibition. Somehow or other in the administrative arrangements that we have made for the purpose of enforcing prohibition, we have forgotten to make the offence of manufacture of illicit liquor as part of the duty of the village officer to report just as he has to do cases of rioting, murder and other cognizable offences to the nearest magistrate or police station. This is a very serious defect, but somehow or other it has escaped our attention from the beginning. I suggest that it be made a part of the duties of the village-headmen to report cases of illicit manufacture of liquor and other prohibition offences to the nearest police station or the magistrate. Unless it is done, you will not be able to check offences in the villages. It is common knowledge

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that if anybody knows what is going on in the village by way of illicit distillation, it is first the village-headman; he cannot be in ignorance of the state of things in his limited sphere and if he persists in not reporting such matters to the authorities, there must be sanctions to enforce it by taking disciplinary action against him which may either be fine, dismissal or suspension in suitable cases. Already we are up against a difficult problem; with all these difficulties, it is better to be hard on the village headman on the question of enforcement of your policy rather than be soft to your subordinate who either willingly or unwillingly, abets this crime.

"The next thing I wish to say is that there is nothing in the Act which compels a Court of Law to punish a man for being in a drunken state. The burden is put on the prosecution in such cases to prove where the person got his drink which by the very nature of the case is an impossibility. On the other hand the burden must be placed on the accused to state where he got his drink from and then alone you will be able to get at many of the persons who infringe the law.

"The other point is that there is absolutely no provision in the law to get at the bootlegger. Unless suitable powers are taken to lug in people behind this trade for purposes of prosecution, you will find that illicit distillation is carried on with impunity by the man really behind the trade and you will be only trying to catch the underling. A poor man, who acted as agent of the man who really is the offender, is brought to book. So, I submit that some provision must be made for proceedings being taken against such men. If there is information that so and so is employing men for purposes of making or selling illicit liquor, such statements and evidence when available, must be made the basis for prosecuting such people; at any rate one thing can be safely done; where there is good information, and strong information that so and so is behind this business and that the actual man selling is a different person, security proceedings must be taken against them, just like the preventive provisions that you have got in the Criminal Procedure Code. There are several things which may be done and which I had noted in the memorandum. I hope the Government would consider them and bear these proposals in mind in any scheme that they are going to lay down for the future in the enforcement of prohibition."

MR. SPEAKER:—"The hon. Member should turn to the Chair while addressing the House."

* SRI K. VARADACHARI:—"I am sorry, Sir. I submit that enforcement of prohibition may be made stricter. I am afraid that the appointment on a petty salary of uneducated men as Police guards, who will not have the missionary spirit or zeal to carry out this policy will be absolutely unfructuous and ineffective, so far as enforcement of prohibition is concerned."

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MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, I am afraid that, as we have already voted for the policy of prohibition, we cannot now vote against this supplementary demand. It is plain that the Government have experienced certain difficulties in bringing to book the offenders, specially in the Ceded districts and so the Government have come up to this House with a supplementary demand. I think it is a legitimate demand and we cannot possibly vote it down. But it is no doubt true that in a measure like this, it is the privilege of the House to point out how the policy of extension of prohibition is wrong, especially when the presidency is faced with starvation. As my hon. Friend, Mr. Natesan, put it, is it wise on the part of Government to extend the area of prohibition when people are starving? That is what occurs to anybody living in this presidency and to outsiders who are acquainted with the facts and figures of production and distribution of foodgrains. The answer that Mr. Varadachari gave to that point that people will be enabled to save money by the introduction of prohibition, is no answer to that point at all. The question is not as if people have not got the money; people have got it but they have no food to buy with it. People are there with enough money; I myself know in many districts poor people go about with money in their hands but they could not get food for it. Naturally to any person interested in the lives of the people, it seems preposterous that Government should be spending vast sums of money on Prohibition when people are dying. But as I said having once voted for this policy, we cannot now vote against this demand and in that aspect this demand has to be considered. One is entitled to ask, since these four districts alone have been chosen, whether in the other districts, crime is less. If that is so, we should like to congratulate him. But that does not appear to be so. In the other districts also, as the report of the committee appointed to go into the working of prohibition shows, it is not all very well. Prohibition is there no doubt; but it is not working in a way in which we should very much like it to work. If it is not possible for the Government to work it out well in the districts in which it has been introduced, what are the reasons? Is it due to the fact that only a few districts have been chosen for prohibition and not the whole province? What are the methods that the Government have for dealing with the situation? For, it would resolve itself into this. The Government are losing crores of rupees on account of Prohibition in this Province. If the desired result is not produced, naturally we would like to ask why extend prohibition to double the number of districts. That is a point to be considered by any responsible Government. The critics of the Government are right, as stated by the committee. The committee's report is there. If what the committee has stated is true, then the critics of the Government are right in saying why spend the money and why lose money and spend more. Sir, this is a very serious matter. I want that the Government should make a searching enquiry into the matter and satisfy not only themselves—they may be satisfied because they are wedded to the Prohibition policy—but also satisfy us, we, the Muslim Leaguers,

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because we are also wedded to that policy. The criterion is that you must satisfy all people expressly on the financial side and on the side of efficiency of your programme. Or else you are liable to the charge of being inefficient and of frittering away your money, and not being economic in these matters while the country is starving, and when you can usefully spend money on matters, for instance, agriculture, rural reconstruction and other things. It is a very serious thing to be considered. As a Government in charge of the public, health of the people, and good finance of this Province, your reputation depends upon this. It is said by the critics of Prohibition 'it is impossible to undertake a venture of this kind; it is human nature for a person to indulge in drinking; it is impossible.' We had experienced for two years, and previously also we had a few years' experience, altogether four or five years' experience of Prohibition. Tell us what the real matter is. Have you done real propaganda? How long would you take to succeed in this Prohibition? Have you taken sufficient steps to do propaganda in this matter? It is not by increasing the number (of course I did say it was necessary) of Prohibition guards alone or increasing the number of Police or Excise people alone that you can succeed. Bring the offenders to book and punish them. I quite agree with my hon. Friend Mr. Varadachariar that we should introduce some legislation in this matter so that there may not be defects in the procedure."

MR. SPEAKER:—"I wish to remind the hon. Member that we have got a number of Demands. If at least half the Demands are not passed to-day, there is no chance of discussing all the Demands by the end of the sitting on the 26th."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"So, Sir, it is necessary that we should make the law more stringent. There again, there is much scope for abuse. We cannot help it. While I agree that we must make the procedure more stringent, I submit, Sir, you are not going to succeed in Prohibition by more prosecutions, or by sending more persons to jail or by increasing the number of your guards. That is not the policy. Try to introduce a method. Adopt a procedure which will be more effective, and which will go into the minds of the people. Do as much propaganda and adopt such methods as your experts and psychology would dictate to you. That is the method to adopt. We will be more sympathetic; we will certainly be more ready to help in these demands if only the Hon. Minister will tell us 'these are the things we want.' That is the spirit in which Prohibition should work. Effective Prohibition should rest on this spirit. Or else you will be liable to the charge of losing crores of rupees and spending more upon Prohibition while the country is starving."

* SRI S. NAGAPPA:—"Mr. Speaker, Sir, I rise to support the demand moved by the Hon. Minister and at the same time oppose the motion moved by my friend Mr. K. Anandan Nambiar. In doing so, Sir, I have some suggestions to offer to the Government as I come from one of the dry districts. Sir, the

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Government have decided to introduce Prohibition in eight more districts. I am glad to say that the Government have moved in the right direction. Having watched the working of Prohibition in my own district, I would like to place before the Ministry some suggestions. The first and foremost is that the Government should amend the Prohibition Act so as to make drunkenness a crime. Unless and until you do that, it is not possible to check illicit distillation. For instance by the time the Police officer or the Prohibition officer approaches a drunkard, who is in possession of drink, immediately he drinks it. How can he be then charged or put in prison? That is how Prohibition has been a failure. Sir, my town happens to be on the border of the Nizam's State. Most of my district people who are addicted to drink cross the river, go into the Nizam's State, get themselves drunk there, and then come back into the district. They have been committing all sorts of nuisance. It was not possible for the Police to charge them under the Nuisance Act. So, Prohibition would have been much more successful if the Government continued, as they did in the beginning, arresting and convicting those that were found drunk in the Prohibition area. I have been urging this upon the Government ever since they relaxed this rule. The Hon. Minister even to-day has promised that he would amend the Act at an early date. I hope before he introduces Prohibition in other districts, he will amend the Act.

"Sir, you have been filling the jails with those convicted for illicit distillation. I would request the Hon. Minister and the Government to see that the able-bodied manual labourer does not idle inside the prison. Direct these men to one of the project places, and extract work from them. Complete the projects at an early date. This will be a kind of supply of labour. You can make use of this labour in the best interests of the country as well as of the Government.

"Another thing, Sir. In my district, there is a State called Banganapalle State where some people have been licensed to distil arrack. Government must take into consideration . . ."

SRI B. S. MURTHI:—"I would like to know the name of the State, Sir."

SRI S. NAGAPPA:—"I did say the name of the State, Sir. My hon. Friend has not listened to me. It is Banganapalle State. It is rather a source of supply to the Ceded districts. I would request this Government to enter into an agreement with that Government and see that the supply is confined to that State only. Or else, see that the State does not distil any arrack at all. This would be a much wiser policy than what is being done to-day.

"Sir, all my friends from the other side have been criticising the policy of Prohibition, and they have been saying it was a waste of public funds. I do not agree with them. The amount

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comes from the poorest of the poor. I know how much it has reflected on these poor people now. Now, most of the labourers' families in Prohibition areas are happy, especially during sunset. Previously, the drunkard would give trouble to his wife and children, and he would not at all look after them. Now at least they are happy. Not only they are happy, they are also economically much elevated. I will give you my own experience. I, as the President of the Co-operative Labour Society, have been granting loans to those addicts on condition that they should return the loans they take within the prescribed time. They have been regular. I have advanced Rs. 25,000. I have been collecting at the rate of Rs. 100 in 100 days. That is how it is working. I do not agree with the Opposition Members when they say it is a waste of public funds. It is a boon to these poor people who are accustomed to this dirty habit. There is still some illicit distillation going on. What is it due to? Most of the staff that we have recruited happen to be from the Excise department. These were the people who knew the renters and who were receiving *mamools*. Some of them have been allowing these renters to carry on their shops. So, I would request Government to overhaul the very system, and introduce new people and a new machinery which will take up this question, tackle it ably, and see that prohibition is made a cent per cent success. It is no use of entrusting this work to the Excise department. I am prepared to quote instances where such things are going on. These Prohibition officers themselves know where this illicit distillation is going on. They ignore this distillation and allow people to carry on the shop. It would be better if we amalgamate the Excise department and Police department into one and see that the people who are interested in the success of prohibition are recruited more and more. Sir, there are four of my Harijan friends. Some of them come from families which were addicted to drink. They would prove better people to man these departments. As the saying goes 'set a thief to catch a thief', I think these people will be better fitted for the job.

"Now, as regards the ameliorative side. No doubt, the Government have taken up that job. But they have not been doing to the extent we expected. Most of the Special Development Officers and Assistant Development Officers have been idling away their time and eating away the public funds. What is the programme you have given them? What is the body you have set up? You have not given them any programme at all. You have asked them to contact the addicts. How can they contact? They do not know who are the addicts. They do not know the correct method of approach. They have been bungling there. People who are well versed in social work must be entrusted with this task, and they should approach these addicts, and see that they form into co-operative societies. Their economic standard should be raised. At the same time, you set up some competition between one Divisional Officer and another. Say that whoever does the best work will be promoted earlier than other. You put it

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like that. Instead of doing that, you have your own rules, your own regulations, etc. How can there be enthusiasm for these men?

"Sir, I expect the Government and the Hon. Minister concerned to take into consideration all these suggestions and see that the Prohibition Act is amended at an early date, and bring about prohibition by next October in eight more districts. With these few remarks, Sir, I support the demand moved by the Hon. Minister."

MR. SPEAKER:—"The debate will be continued after lunch. We will now adjourn and meet at 2-30 p.m."

(After lunch—2-30 p.m.)

SRI T. VISWANATHAM:—"Before we proceed to the business on hand may I know when will you be able to announce when this session will close and when we will reassemble?"

MR. SPEAKER:—"This evening at 5 p.m. I shall do it."

* MR. L. C. PAIS:—"Mr. Speaker, Sir, I rise to support the Demand, and in doing so, I may be permitted to make a few observations on a subject in which Christians are intimately interested. And that is the subject of the mass wine. Now that the Government of Madras have committed themselves to a policy of absolute Prohibition and it is being extended to eight more districts, it may be necessary to observe that the Madras Prohibition Act which is in force now does not adequately meet the claims of Christians so far as the use of the mass wine or Altar wine is concerned. The Altar wine is bound up with the sacrifice of the mass wine, which is the central act of Christian worship. Every Roman Catholic Priest has to say every day his mass and for the mass, wine is absolutely necessary. It is a matter of regret that while exemption is given in the case of liquors required for medicinal and industrial purposes and in possession of bona fide travellers there is no statutory exemption in the case of Christians so far as the use of sacramental wine is concerned. Let me refer to the Prohibition Act of 1937. As the Act stood before it was amended there was no legal recognition of the Christian demand. Every Christian priest had to apply for a permit. And you know very well a permit may be given or may not be given; and you are aware that the Government can cancel permits without assigning any reasons. As a result of the agitation carried on by the Christians two amendments were made in the Act, and they were embodied in section 16-A and section 3 (21). Under section 16-A the issue of authority was made compulsory. And I may observe at once that what was given by section 16-A was taken away by section 3 (21). By section 3 (21) the authorities were placed on the same footing as permits enabling the Government to cancel the authorities without assigning any reasons. In the light of what I have said, the Christians feel that the present Prohibition Act has to be amended to suit the particular claims of Christians. I had a discussion on

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this subject with the Hon. Minister who being a Christian, was able to understand and appreciate our view-point. I have suggested to him an amendment of the Act on the following lines, which I will read to the House:—

‘ Section 3 (2) may be deleted.

‘ In the place of section 16-A the following may be substituted:—

“ 16-A (1) The provisions of this Act shall not apply to sacramental wine required by the Roman Catholic Church and the Church of England for bona fide religious purposes in accordance with the ancient custom.

(2) The Provincial Government may, without prejudice to the exemptions granted under the foregoing clause, issue authorities prescribing terms and conditions and penalties for infringement in respect of the import, brewing, possession and the use of sacramental wine.”

“ Lastly, I may be permitted to point out that the suggested amendment is more or less on the lines of exemption already granted by the Bihar and United Provinces Government. With these words I support the Demand.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ Mr. Speaker, Sir, it is very unfortunate that some hon. Members tried to give an impression that prohibition is failing. If the Government have not done sufficient to prevent such an impression gaining ground, I would say, it is again unfortunate. Of course there have been a large number of cases of illicit trade in liquor, illicit distillation and illicit distribution. This is only quite natural for people at the beginning of putting into operation of such a scheme as this that they should try to circumvent it. There are elements in human society who are not amenable to public opinion and to Government control. But that need not serve as an argument against such a beneficial measure as prohibition. I do not think it is an argument against the scheme, which the Government have launched forth. Even a habitual addict to drink says openly, if he is questioned, that it is a sin to indulge in drunkenness. That shows the force of public opinion, and that is the mentality of the society here in our country so far as drink evil is concerned. Therefore this is really an assistance and aid to the Government in the effort they are making to put through this beneficial measure for the good of society and the country. Now, Sir, the Government in doing it must firstly be earnest and very serious about it. It may be negative, it may be positive; but they must really be serious about it. Now they have launched forth a scheme which is going to create profound changes in the Province. For example, Sir, once upon a time the revenue from land was a major item of income for the Province. Now that has been thrown into shade by the revenue which the Government has been obtaining from Excise. Though

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the land revenue has not dwindled it has been thrown into shade by the vast amount of Excise revenue, which the Government have been having for a long time. Now under the scheme of prohibition you are going to forego all this revenue gradually. But then the Government cannot get on without so much money they get under Excise. So they have to find other sources of income. Other taxation measures, you have to adopt. That does not simply mean that you are replacing one source of income by another. It is not like removing one part of a machine and replacing it by another. A new taxation means a profound change in the structure of the Government economy, the structure of finance and taxation. And that again means, i.e., when Government finance machinery and taxation methods undergo a change they produce changes in society as well. For example, Sir, take sales tax, which is being proposed by the Government to be increased. If the Government finally increase the sales tax, and if they go on increasing it, one of the results of that will be to throw out small men who have been eking out an independent living. That will increase the number of paid men, and it will add to the riches of rich men. That is really the change you are effecting by introducing this prohibition measure, because by adopting prohibition you are losing a large amount of money and to make up that loss, you have to go in for new sources of money, for which you adopt fresh taxation. So, Sir, you are making tremendously big changes in society for the sake of putting through this scheme of prohibition. I do not complain. But I want the Government to realize that they are doing things which affect society very vitally and fundamentally. I want them to be very serious and very earnest. They want, Sir, money for the appointment of more guards. Even now, if they are serious, in the appointment of more guards, they must be very careful. Some of my hon. Friends have been saying that a thief must be set to catch a thief. I do not think that it will hold good always and under all circumstances. A thief must be set to catch a thief, no doubt. But that thief must be under the control of a man who does not believe in thieving. Here, the men who will control and the men who will assist in carrying out this measure must have absolute faith in this measure. Therefore, I say, even the guards must be such people as would be complete and absolute teetotallers. They must be abstainers from the drink evil and also the officers who are being appointed to administer this department must be above suspicion, even as Caesar's wife had to be above suspicion. Unless you do that you cannot get as much success as you ought to get for such a measure as this.

“ Another point is, Sir, that these small guards and also the other people must be placed beyond temptation. They must be paid adequately. They must not be forced to adopt corruptive methods to reimburse themselves for their wants. Generally

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speaking these ill-paid Government servants must be paid adequately so that they may not be the victims of temptation. You may speak of sacrifices, sacrifices that can do for a week or two weeks. If you ask them to be sacrificing all their lives, that will be rather superhuman on their part to agree to or to carry out and it will also be cruel on the part of the proposer to make such a proposal as that. Therefore you must pay them adequately.

"Then again, Sir, even at the outset we said that the Excise man may be used for carrying out the prohibition policy. We said that so that an independent department might grow out of that and the Police who are already overburdened with various tasks might not be entrusted with this work. This will be one of the many tasks which they have to deal with. Therefore it may not be possible for them to help you successfully in this attempt of yours to carry out this very great and important reform. Therefore, now again I would ask the Government to think whether it will not be better to gradually develop a separate department for Prohibition.

"My hon. Friends have been speaking against Prohibition and they have been citing the examples of other provinces. What the other provinces do and what their policies are we cannot say. We for our part think that this is the fight thing and that this is the beneficial thing. Therefore we must insist on continuing what we have begun. Money we may lose; but it has been said a hundred times that this tainted money cannot achieve any good purpose. ('Hear, hear'.) Therefore I do not want to repeat that argument.

"Then again, Pakistan was brought in. There is a difference between Pakistan and our province. You know Pakistan consists of a majority of Muslims. They not only believe in Prohibition but they also have adopted practically Prohibition to a very large extent as no other group of men have adopted in the world. Therefore their case is different. And even the other non-Muslims who are living there have by association taken to Prohibition to a very large extent. Therefore the question of Prohibition is not so very pressing in Pakistan as it is in our province. That is the difference. According to their conditions and circumstances they may have certain methods which may not be applicable to our province. Now we have decided, we have explained and we know for a fact that it is not good for our province. Therefore it is up to us to do what we think right, in spite of the sacrifices which we may be called upon to make. I want the Government to bear in mind, therefore, these two factors, that is to have men who have got absolute faith in Prohibition in that department for carrying out this reform, and to pay them adequately and make it worth their while to carry out this programme."

MR. SPEAKER:—"Many hon. Members have given their names expressing their intention to speak on this motion. I have to remind the House that if we go on like this I will have to apply the guillotine to most of the Demands. Therefore, it is better that a few hon. Members speak on each Demand."

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N. MUHAMMAD ANWAR SAHIB BAHADUR:—"What is our further programme, Sir?"

MR. SPEAKER:—"At 5 o'clock I shall announce the programme."

SRI A. SATYANARAYANA RAJU:—"అధ్యక్షా, నా తెలుగు ఉపన్యాసము మంత్రిగారు అర్థము చేసుకొనగలిగి ఉంటే నేను మరింత ఆసందించి ఉండేవాడిని. ఇంగ్లీషులోకన్న తెలుగులో నా అభిప్రాయములను విపులముగాను, బాగుగాను తెలియజేయగలను కనుక నా స్వభాష, నా తల్లిభాష అయిన తెలుగువంటి తెలుగులోనే మాట్లాడుట మంచిది.

"మధ్యపాన నిషేధముపై మన మంత్రిగారు తెచ్చినటువంటి ఈ డిమాండును నేను వ్యవస్థాపకమంత్రిగా బలపరుస్తూ నేను కొన్ని సలహాలు చేయదలచుచున్నాను.

"ఇప్పుడు ఈ మధ్యపాన నిషేధ సందర్భములో ప్రచారము చాలా తక్కువగా ఉన్నది. ప్రచారము లేనిచో త్రాగుటకు అలవాటుపడిన వీధి ప్రజలలో మానసిక చైతన్యము కలుగుట చాలా కష్టము. ఇట్టి చైతన్యము ఎప్పుడైతే ఈ దుర్వ్యవస్థనాసక్తులైన ప్రజలలో కలుగునో అప్పుడే మన మధ్యపాన నిషేధ కార్యక్రమము జయప్రదముగా కొనసాగకలదని మనవి చేయుచున్నాను."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, Mr. Speaker. At least the Speaker should know what is going on in this House and I take it, Sir, that the Speaker follows the Telugu speech."

MR. SPEAKER:—"To some extent."

SRI A. SATYANARAYANA RAJU:—"నా మిత్రులు సభాంగారు గుంటూరు జిల్లానుంచి వచ్చినవారు. వారికి తెలుగు తెలియదనుట నాకేమియు అర్థమగుట లేదు."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"నాకుకాదు, speaker గారికి."

SRI A. SATYANARAYANA RAJU:—"ఈ విధంగా మనము తెలుగులో మాట్లాడుతూ ఉంటే speaker గారికి బుడా కొద్దికాలంలోనే తెలుగు వస్తుంది.

"మధ్యపాన నిషేధ కార్యక్రమము సక్రమముగాను, జయప్రదముగాను జరుగవలసిన యడల త్రాగుటకు అలవాటుపడినవారిలో మానసిక పరివర్తన రావలయును. ఈ దుర్వ్యవస్థను మానుకొనవలయునని, సాంఘికముగాను, ఆర్థికముగాను అభివృద్ధి పొందవలయునని అభిలాష వారిలో కలుగవలయును. ఇట్టి అభిలాష, కుతూహలము వారిలో కలుగుటకు చక్కటి ప్రచారము కావలయును. ఇట్టి ప్రచారము జరిగినపుడు మధ్యపాన నిషేధ కార్యక్రమము జయప్రదముగా జరుగుననుటకు నాకు ఎట్టి సందేహము లేదు.

"ఈ సందర్భములో ప్రభుత్వమువారికి ఓక విషయము మనవి చేస్తాను. ఇప్పుడు ఈ ప్రచారముచేయు బాధ్యత ఇదివరకటినుంచి సామ్రాజ్యవాదులగు బ్రిటిషు ప్రభుత్వమువారికి వుండేటులుగా పనిచేసేటటువంటి ఉద్యోగులైననే ఉంచినారు. ఈ ఉద్యోగులు, అధికారులు ఇదివరలో మధ్యపాన నిషేధముపై విశ్వాసమున్నవారుకారు. ఇటువంటివారిని ప్రచారకులుగా నియోగించినవారు ప్రజలలో చక్కని ప్రచారము కలుగజేయలేదు. దీనివలన త్రాగుడుతో అలవాటుపడినవారిలో మనోపరివర్తనము,

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చైతన్యము కలుగదు, మన సంకల్పము జయప్రదముగ ఉండునట్లు సందేహము. కాబట్టి ఇట్టి ప్రచారమునకు ముఖ్యముగా ప్రజల సాంఘికాభివృద్ధికి పాటుపడేటటువంటి నిర్మాణ కార్యక్రమములలో విశ్వాసము ఉన్నటువంటివారి నే ప్రచారకులుగా నియమించవలయును. ఇందుకు తగినవారు కాంగ్రెసువారేనని మనవి చేయుచున్నాను. వారందరూ గాంధీ గారి ఆనుచరులు; నిర్మాణ కార్యక్రమమునందు, మధ్యపాన నిషేధమునందు, ప్రజల సాంఘికాభివృద్ధియందు సంపూర్ణ సహకారము చేయగలిగినటువంటివారు. ఇట్టి కార్యక్రమములలోను, ప్రచారములలోను వారు చాలాకాలమునుంచి ఆనుభవము సంపాదించారు. ఇట్టివారిని నియమించిన వారు ఈ ప్రచారమును హృదయపూర్వకముగా జరిపెదరు. అప్పుడే ప్రజల మనస్సులలో మనము మార్పుచేసుకొని రాగలమని, వారిని ఈ దుర్వ్యసనమునకు విముఖులను చేయుగలమని ప్రభుత్వమువారికి తెలియజేయబోయినది. కావున కాంగ్రెస్ ప్రచారకులను, కాంగ్రెస్ కార్యకర్తలను ఇతర సాంఘిక ప్రచారకులను, అసభివారులను మాత్రమే ప్రచారమునకు నియోగించవలసినది మనవి చేయుచున్నాను. కాని ఇప్పటి ప్రభుత్వద్వీపగులనే వేసిన సరియైన పని జరుగదు.

“నా సోదరులు శ్రీ కె. వరదాచారిగారు ఆధమము School final ఫరీక్ష ప్యాసు అయినటువంటివారిని ప్రచారకులుగా వేసిన వాగుండునని చెప్పారు. వారి అభిప్రాయముతో నేను విశేషించను. చక్కగా ప్రచారము చేయుటకు, దుర్వ్యసనానకు లెనవారిలో నూతన చైతన్యము, మనోహరితరసము కలుగజేయుటకు, School final ఫరీక్ష ప్యాసు అయినవారు, B.A. డిగ్రీ సంపాదించినవారు, లేక M. A. ఫరీక్షలో ఉత్తీర్ణులైనవారు అవసరము లేదని మనవిచేస్తున్నాను. ఇట్టివారు ముఖ్యముగా ప్రజల సాంఘికాభివృద్ధికి పాటుపడేటటువంటివారై వుండాలి. అప్పుడేవారు ప్రజలలో పరివర్తనము కలుగజేయగలరు. ఇటువంటి ప్రచారకులు చాలామంది ఇప్పుడు నిరుద్యోగులై ఉన్నారు. వారిని మధ్యపాన నిషేధ కార్యక్రమములలో నియమించిన మన సంకల్పము చాలామధ్యప్రదముగా జరుగగలదు.

“ఇప్పుడు ఈ కార్యక్రమమును Police Department వారు నిర్వహించబోవుచున్నారు. మన ఆనుభవములబట్టి ఈ Police ఉద్యోగులు ఎటువంటివారో తెలివిన విషయము. వారిలో కొంతమంది త్రాగుడు దుర్వ్యసనము కలిగినటువంటివారు. అటువంటి వారిని నియమించినచో వారు ప్రజల మనస్సులలో మార్పులు లేకుండాపోతారు. కావున వారిస్తానే social workers ను మాత్రమే నియమించవలసినదిగా కోరుచున్నాను.

“ఇప్పుడు మధ్యపాన నిషేధ కార్యక్రమము అమలులోనున్న జిల్లాలలో ఎక్కడెక్కడ చాలుగా త్రాగుడుపట్టు తెలిసిన వారు పట్టుబడిన, అట్టివారిని శిక్షించుచున్నారు. ఈ విధముగా శిక్షించి వారిని ఏ రాయవేలూరు జైలులో, ఏ తిరుచినాపల్లి జైలులో పంపుచున్నారు. ఈ విధముగా వీరు జైలులో ఉంచబడినప్పటికిని, తిరుగ విడుదలైన తరువాత మరల త్రాగుచున్నారు. అనగా జైలులో ఉంచినంత మాత్రముచేత వారికి హృదయ పరివర్తన కలుగలేదన్నమాట. కావున ఇట్టివారిని శిక్షించి జైల్లో నిర్బంధించుటకన్న చక్కని ప్రచారమును నిపుణులగు సాంఘికాభివృద్ధి నానించు ప్రచారకులద్వారా చేయించి వారి మనస్సులను మార్చుచుట ఉత్తమము. ఇట్టి ప్రచారమును (ameliorative measures) కాలక్షేపములద్వారా, ప్రదర్శనములద్వారా, నాటకములద్వారా, హరికథలద్వారా, బుర్ర కథలద్వారా (cultural programmes) ద్వారా, చేయించవలెను. కాని త్రాగుటకు అలవాటుపడినవారిని శిక్షించి జైల్లో నిర్బంధించినంతమాత్రమున విమియ లాభములేదని మనవి చేస్తున్నాను.

23rd September 1947] Sri A. Satyanarayana Raju]

“మన సోదరులు శ్రీ న. తేజ మొదలియ్యారు వారిపన్యాసములలో రాష్ట్రములలో ఆందరు (Food, Food) అహారము, అహారము అని అలమటించి పోతుంటే ఈమధ్యపాన నిషేధ కార్యక్రమమేమిటి, ప్రభుత్వ ఆదాయమును ఈవిధముగ తగ్గించుకొనుట ఎందులకు, విదో (election manifesto) ఎన్నికల ప్రకటనలో చెప్పినాము కదా అని మాత్రము ఈ కార్యక్రమమును జరుపుచుండుట తప్పు, ప్రమాదకరము అని చెప్పారు. వీరియభిప్రాయము సరియైనదికాదు. ప్రజలకు చాలినంత అహారము లేనిమాట వాస్తవము. అందుచేత వీరువారు కూలిసాలి చెనుకొని జీవించేటటువంటి పాటకజపం కల్గి, సారాయా, బ్రాండ్, పేక ఇతర లిక్కర్స్ త్రాగి పొట్టనింపుకొని, బిటిసి, ఇంటిసి, గుల్లచేసుకొనుట సహించమనుట న్యాయముకాదు.

“కావున ఈ మధ్యపాన నిషేధ కార్యక్రమమును క్రమంగాను, జయప్రదముగాను, జరుపుటకు, నిపుణులగు అసభివారు ప్రచారకులను నియమించవలసినదని మంత్రిగారిని మరల కోరుచు వారి దేహిండును హృదయపూర్వకముగా బలపరుస్తున్నాను.”

MR. SPEAKER:—“I am going to fix a time limit of ten minutes each for future speakers.”

SRI K. A. NACHIYAPPA GOUNDER:—“Mr. Speaker, Sir, I was rather surprised to find such a long discussion over a matter such as this on a supplementary demand. Prohibition is the accepted policy of all sections of the House except the European Group which does not exist now. I quite appreciate the spirit and the anxiety which the Hon. the Leader of the Opposition expressed with regard to this matter. If the other friends on the Opposition had exhibited the same amount of earnestness to find ways and means of bringing prohibition to a successful conclusion, it would have been very well. We are all agreed that prohibition has done great good particularly to the poor people. When such is the case, it should be the earnest desire of one and all to see that prohibition is a complete success. The constructive suggestions given by the Leader of the Opposition are worthy of consideration as they are meant to help the successful working of prohibition. As far as the policy is concerned, there is no difference of opinion. The time has been agreed upon and the stages also have been agreed upon and we are going ahead with the scheme. If hon. Members opposite can give suggestions to achieve our aim within the period and continue the scheme for all time to come, it will be very good. I hope such suggestions will be forthcoming so that we will be able to claim that Madras has achieved an object which very forward countries like the United States of America have failed to achieve. I would strongly urge that anything that may be said in this House may be by way of constructive suggestions which will help to achieve our object. That is all what I wanted to place before this House.”

SRI N. ANNAMALAI PILLAI:—“கனம் சபாநாயகர் அவர்களே. கனம் மதுவிலக்கு மந்திரியார் அவர்கள் கொண்டு வந்திருக்கும் தீர்மானத்தை மனப்பூர்வமாக ஆதரித்தும் அதை எதிர்த்து cut motion கொண்டு வந்திருப்பதை எதிர்த்தும் சில வார்த்தைகள் சொல்ல விரும்புகிறேன்.

[Sri N. Annamalai Pillai] [23rd September 1947]

“கிராமாந்திரங்களிலுள்ள எங்களுக்கு இந்த மது விலக்கினால் ஏற்பட்டிருக்கிற நன்மை என்ன என்பது நன்றாகத் தெரியும். பட்டணத்தில் வசிப்பவர்களுக்கு அவ்வளவு நன்றாகத் தெரியாது. ஏனென்றால் ஒவ்வொரு நாளும் கடை வீதிகளிலும் கிராமங்களிலும் குடித்து விட்டு ரோட்டில் பிரண்டு உருண்டு அடித்துக் கொண்டும் ஒருவரை ஒருவர் அடித்து சண்டைபோடும் காட்சியைப் பார்த்து பார்த்து நாங்கள் களைத்துப்போனோம். காங்கிரஸ்காரர்கள் அதிகாரம் ஏற்ற பிறகு சென்ற சில வருஷங்களாய் இந்தக் கள்ளுக் கடையையும் சாராயக் கடையையும் மூடி விட்டதனால் ஏற்பட்டிருக்கிற நன்மையைக் கண்டு யாரும் மகிழ்ச்சியடையாமலில்லை. இவ்வாறு நடைபெறுவதற்கு சாட்சியாக சர்க்கார் கணக்கில் பார்த்தால் கிரிமினல் குற்றம் குறைந்திருக்கிறது. கொலை குறைந்திருக்கிறது. சோரம் குறைந்திருக்கிறது. வியாபாரம் குறைந்திருக்கிறது. மற்றும் ஜனங்களிடம் பணப் புழக்கம் அதிகமாகி இருந்து வருகிறது. அதனால் இந்த உணவு பஞ்ச காலத்தில் கள்ளு சாராயத்தை குடித்து விட்டு நஷ்டமடையாமல் உணவு பஞ்சத்தை சமாளித்துக் கொள்வதற்கு ரொம்ப வசதி உள்ளதாக இருக்கிறது. ஆனால் எதிர்க்கட்சியினர் வருமானத்தில் குறைவு ஏற்பட்டிருக்கிறது என்று சொன்னார்கள். அதில் உள்ள நஷ்டத்தை சரிக்கட்டுவதற்காகவே இதற்கு முன் இருந்த பிரதம மந்திரி கனம் இராஜகோபாலாச்சாரியார் Sales Tax வரியை விதித்தார். அந்த வரியில் வரும் வருமானத்தைக் கொண்டு இந்த நஷ்டத்தை ஈடுசெய்யவே இந்த வரி விதிக்கப்பட்டது. மத்தியில் இடைக்கால ஆலோசகர்களினால் மருபடியும், 1936-37-ம் வருஷத்தில் மூடின கள்ளுக் கடைகளை 2½ வருஷங்களுக்குப் பிறகு, ஆலோசகர் ஆட்சி வந்த போது மீண்டும் கள்ளுக்கடைகளை திறந்து வைத்து விட்டார்கள். அதனால் பொது ஜனங்கள் கூக்குறலிட்டார்கள். மந்திரி சபை போடப்பட்ட வரியை . . .”

MR. SPEAKER:—“போனதடவை பேசினமாதிரி பேசக்கூடாது. மந்திரி அவர்கள் கேட்கப்பட்ட காரணத்தை மட்டில்தான் பேசவேண்டும் Ceded Districts-ல் அநேகம் பேர்களை அதிகமாக நியமிக்கவேண்டுமென்று கேட்கிறதைப்பற்றி பேசவேண்டும் அதைப்பற்றி தான் பேசவேண்டும், போன தடவை பேசின general discussion மாதிரி பேசக்கூடாது. இப்பொழுது நீங்கள் பேசுங்கள்.”

SRI N. ANNAMALAI PILLAI:—“கள்ளுக்கடை சாராயக்கடைகளை எடுத்ததற்கு விரோதமாக பல பிரயத்தனங்கள் மறைமுகமாக கள்ளுக்கடைகளை வைப்பதற்கு சதி நடந்து வருகிறது. அதனால்தான் நான் பொதுவாக பேசினேன். இப்பொழுது கள்ளு சாராயக்கடைகளை எடுத்தவிட்டதனால் மக்கள் மிகவும் திருப்திகரமாகவும் சந்தோஷகரமாகவும் இருந்து வருகிறார்கள். எந்த ஜில்லாவில் இந்த வேலையானது செவ்வனே நடைபெறவில்லையோ அந்த ஜில்லாவிலும் சரி மற்ற ஜில்லாக்களிலும் புதிதாக மதுவிலக்குக் கொண்டு வரப்போகும் ஜில்லாக்களிலும் கடுமையான நடவடிக்கைகளை எடுத்துக்கொள்வதற்கு சர்க்கார் ஏற்பாடு செய்யவேண்டும். இந்த சபையில் யோசனை செய்யப்படுகிறவர்கள் ஒரு நல்ல காரியத்தை ஆரம்பித்து வைத்திருக்கிறார்கள். இந்த நல்ல காரியத்திற்கு இன்னும் நன்றாக திரும்பட யோசனை கூறவேண்டும். மற்றும் இப்பொழுது இருக்கும் நிலைமையில் குடியினால் குற்றம் குறைந்து இருக்கிறது என்று சொன்னேன். இன்னும் இந்தக் குடியை உற்பத்தி செய்வதை, அதாவது மறைமுகமாக உற்பத்தி செய்கிறவர்களை தடுப்பதற்கு கடுமையான தண்டனை விதிக்கும்படி சட்டத்தை இயற்றவேண்டும். அப்படி இயற்றினால் தானாகவே மறைமுக சாராய உற்பத்தி நின்றுவிடும். மீறி செய்கிறவர்களுக்கு ஒவ்வொருவருக்கும் மூன்று மாத தண்டனை ஆறு மாத தண்டனை தற்போது விதிக்கப்படுகிறது அதை மாற்றி அதிக தண்டனை விதித்து இந்த மது விலக்கு காரியத்தை நன்றாகச் செய்ய சர்க்கார் யோசிக்கவேண்டும், அப்படி செய்தால் தான் முன்னேற்றத்திற்கும் ஜன சமூகத்திற்கும் நல்லது ஏற்படும். ஜனங்களும் தெய்வபக்தியிலும் சமத்துவத்திலும் நல்வழிபட்டு வருவார்கள். அதற்காகவே கடுமையான தண்டனையும் விதிக்கலாம். ஆறு மாதம் என்று தண்டனை இருப்பதை குறைந்த பட்சம் இரண்டு வருஷ தண்டனை என்று விதிக்கவேண்டும்.”

[Sri N. Annamalai Pillai] [23rd September 1947]

சாராயத்தை காய்ச்சுகிறவர்களுக்கும் சட்டத்தை மறுக்கிறவர்களுக்கும் இரண்டு வருஷ தண்டனை கொடுக்கவேண்டும். முதல் முறையாக குற்றம் செய்கிறவர்களுக்கு இந்த விதமாகவும் இரண்டாவது தடவை இதை மாதிரி செய்தால் ஆயிரம் ரூபாய் வரையில் அபராதம் விதித்து இரண்டு வருஷமும் தண்டனை கொடுக்கும்படியாக சட்டத்தை இயற்றவேண்டும். இவ்வளவு பெரிய உயர்ந்த தண்டனையை விதித்தால் மதுவிலக்குச் சட்டத்தை மீறி காரியம் செய்கிறவர்கள் தானாகவே அடங்கி விடுவார்கள். இதுவே அரசாங்கத்தாருடைய கடமையாக இருக்கவேண்டும். தவறுதலான வழியில் செல்லும் ஜனங்களை திருப்பி நல்ல வழியில் செலுத்திக்கொண்ட வந்திருக்கும் இந்த சட்டம் ஒரு நல்ல காரியம் செய்திருக்கின்றது. இதை எல்லா ஜனங்களும் சமூகமும் வரவேற்கிறது. ஜனங்கள் நல்வழி படுவதற்கு சௌகரியமாக இருக்கிறது. இச் சட்டத்தால் மக்கள் திருப்தி அடைவதாலும் இந்தச் சட்டத்தை ஜாக்கருதையாய் காக்கவேண்டும். ஆனால் சட்டத்தை துறுத்து அமைக்கவேண்டுமென்று நான் கேட்டுக்கொண்டு என்னுடைய வார்த்தையை நிறுத்திக்கொள்ளுகிறேன்.”

MR. SPEAKER:—“I have now reduced the time to 5 minutes for each speaker.”

* SRI P. KANDASWAMI PILLAI:—“Sir, I rise to support the Demand. It was suggested by some members on the Opposition that the Committee appointed by the Government gave rise to some suspicion. It was said that some members of the Opposition also should be added to the Committee. Sir, if anyone is interested in prohibition, the Congress workers come first. I do not deny that other members of the public are also interested in prohibition, but it is only Congressmen who are willing to give their lives even to work prohibition to success. After Gandhiji entered the Congress he chalked out several programmes and prohibition is one of them. There was a time when we stood before the toddy shops and gently persuaded and requested the drunkards not to drink. They did not listen and gentle persuasion failed. Then when the Congress formed the Government in this Province, they enacted legislation and we are now working it with full vigour and enthusiasm. Simply because the Hon. Minister appointed a Committee, nobody need suspect the sincerity and enthusiasm of the Hon. Minister. He has appointed the Committee simply in order to find out ways and means of working prohibition to the satisfaction of the public and the satisfaction of the common man and working it more efficiently and vigorously. That is the object of the Government in appointing the Committee. I am here to support entirely the efforts of the Hon. Minister to work prohibition successfully.”

“One more suggestion I wish to offer and from the beginning I have been insisting upon it. Prohibition has two aspects—the enforcement aspect and the ameliorative aspect. The enforcement side is entrusted to the Police. Policemen addicted to drink should not be posted to places where prohibition is in force. Because he would encourage the manufacture of illicit liquor and would fail in his duty. Therefore my request to the Government is that as far as possible constables and Police officers who are addicted to drink should not be posted to places where prohibition is in force.”

[Sri P. Kandaswami Pillai] [23rd September 1947]

"With regard to the ameliorative side of prohibition, the work should be entrusted to the non-official members of this House who are tried Congressmen and who have more enthusiasm and sincerity to work prohibition successfully than other people, comparatively speaking. If the work is entrusted to these hon. Members it will be carried out more vigorously and more successfully than if it is entrusted to officers who are appointed for mercenary considerations."

9-15
p.m.

SRI P. KAKKAN:—“சபாநாயகர் அவர்களே, மதுவிலக்கு மந்திரி அவர்கள் கொண்டுவந்திருக்கும் மான்ய கோரிக்கையை நான் ஆதரித்து கனம் தோழர் அனந்த நம்பியார் அவர்கள் கொண்டுவந்திருக்கும் வெட்டு பிரேரணையை நான் எதிர்க்கிறேன். இந்த மான்ய விஷயமாக கனம் மந்திரி அவர்களுக்குத் தெரிவித்துக்கொள்வதென்னவென்றால் சென்னை மாகாணத்தில் அதிகமாக குடிப்பவர்கள் ஹரிஜனங்கள் தான். வருமானம் வருவதும் இந்த ஹரிஜனங்களால் தான் இதனால் ரூ. 73,000 செலவிடப் போகிறார்கள். இந்த குடியை ஒழிப்பதனால் ஹரிஜனங்களிடையே ஏழ்மையை போக்கப்படுகிறது. இப்பொழுது அதனால் அநேகம் ஹரிஜனங்கள் படித்துக்கொண்டிருக்கிறார்கள். உத்தியோகத்திற்காக ரூ. 73,000 செலவிடப்போவதாக சொல்லுகிறார்கள். இந்தமாதிரி நியமனங்களில் அதிகமாக ஹரிஜனங்களை நியமித்தல் ரொம்பவும் நன்மையாக இருக்கும். இப்பொழுது எத்தனையோ பெர்கள் (ஹரிஜனங்களில்) B.A. வரை படித்துவிட்டு உத்தியோகத்திற்கு கஷ்டப்பட்டுக் கொண்டிருக்கிறார்கள். ஹரிஜனங்களை ஜாதி ஹிந்துக்களையிட அதிகமாக நியமிக்கவேண்டுமென்று சொல்லுகிறேன். உத்தியோகத்திற்கு படித்துவரும் ஹரிஜனங்களை அவர்கள் நியமித்து அவர்களுக்கு வேலை கொடுக்கவேண்டுமென்று கேட்டுக்கொள்கிறேன்.”

“இன்னும் இந்த நாட்டின் விடுதலைக்காகவும் மதுவிலக்குக்காகவும் கனம் கடைகளில் மறியல் செய்து தண்டிக்கப்பட்ட அநேகம் தயாகிகள் இருக்கிறார்கள். இவர்களை நியமித்தால் இவர்கள் நிச்சயமாக மதுவிலக்கைப் போக்க பூர்ண உதவி செய்வார்கள் என்பதை சொல்லிக்கொண்டு என்னுடைய வார்த்தையை முடித்துக் கொள்கிறேன்.”

SRI M. BAPINEEDU:—“Mr. Speaker, Sir, I am very grateful to some of the Members of the Opposition for the reference they made to my statement about the working of prohibition in the Ceded Districts. May I point out at the outset that mine was only a statement or an impression and not a report? I only meant that we should have a greater drive in carrying out prohibition in those districts. I do not know how my friends got the impression that prohibition was a failure in those districts. On the other hand, I am a firm believer in this great ameliorative work of prohibition. India is a country where impossibilities will be possibilities. India is a country under the leadership of the greatest of human-beings, Mahatma Gandhi. Being his servants or *sevaks*, we are sure that we can make prohibition a grand success. All that I wanted to point out was that some of the legislators and the public must take greater interest in the work.

“I can understand the anxiety of the Leader of the Opposition; he wanted to make prohibition a success. In this country, the Hindus and the Muhammadans are enjoined by their religion and culture . . .”

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MR. SPEAKER:—“It is better that the hon. Member confines himself to the Demand proper.”

* **SRI M. BAPINEEDU:**—“Prohibition should not be entrusted to the officers of the Excise department who were formerly working in the same district. They must be posted to outside districts.

“There is also the State or the boundary problem in the Ceded Districts. More than one speaker drew the attention of the House to the borders of the States of Banganapallee, Hyderabad and Mysore. These borders are giving some trouble. I only wanted to give some suggestions to the Ministry and the workers how best we could do prohibition work. But some of my friends on the Opposition, especially some members of the Independent Group, mistook my suggestions. I rise only to correct it. If we create greater enthusiasm among the public, with the drive we are going to have from the 1st of October, I am sure, and I assure the members who oppose that, we can make prohibition a grand success. I am sure that our Province will give a lead to other Provinces not only in prohibition but also in other fields of activity.

“With these words, I support the Demand.”

* **THE HON. MR. DANIEL THOMAS:**—“Mr. Speaker, Sir, the Government are grateful to the hon. Members who have participated in the discussion of this very important subject. You, Mr. Speaker, have very rightly pointed out that the issue before the House is not the general question of Prohibition but the demand for a further sum for additional staff for the purpose of enforcement in the Ceded Districts. In view of your ruling, it may not be necessary for me to deal with the points raised by hon. Members on the general issues of the problem. But I may say that the entire House, with doubtful exceptions, is agreed on the soundness of the policy of Prohibition adopted by the Government.

“My hon. Friend Mr. Ismail, Leader of the Opposition, has with his usual thoroughness and sense of responsibility given a lead to this House. He has pointed out that the incidence of taxation due to policy of Prohibition should be borne by the entire people of this province. On the 15th of August, we have attained freedom from foreign rule. But, Sir, that is a beginning and not an end. The freedom which we have attained must be made freedom in various fields of activity for the common man. It is up to us to so shape our policies and programmes that the common men in the villages and the cheries and labourers get benefited by them. This policy of Prohibition which has been implemented in eight districts and which is going to be implemented in eight more districts from the 1st of October is one of the beneficial measures that could be conceived of for elevating the social and economic life in the villages and hamlets throughout our Province.

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"It has been mentioned by hon. Members that there are two aspects of this problem: enforcement on the one side and amelioration on the other. I believe amelioration does not come under the present Demand. There is a separate Demand for it—Demand XI—under which amelioration could appropriately be discussed. So far as enforcement is concerned, it has been suggested by hon. Members that there is a large amount of failure and leakage in the enforcement of prohibition and that therefore it is time for the Government to reconsider the position. So far as enforcement in the Ceded Districts is concerned, there are some special difficulties. The Ceded Districts touch various Indian States including the State of Banganapallee which has been particularly referred to. These adjoining States are wet areas. Not only are they wet, they are trying to become more and more wet in view of the Prohibition policy implemented by the Government of Madras in the adjoining areas. In connexion with this matter, recently a conference was held in Madras, attended by the representatives of Banganapallee, Sandur, Mysore and some other Indian States at which an agreement has been arrived at that these States will co-operate with the Government of Madras in their prohibition policy. With the co-operation of the States, I believe that in future illicit smuggling of liquor from Indian States will be very effectively prevented.

"The second difficulty in the Ceded Districts is the nature of the country. Cuddapah is a district which is full of hills and there are various places where arrack can be clandestinely distilled and smuggled into the villages. Contiguity to various Indian States and the nature of the terrain have made enforcement in the Ceded Districts more difficult than in other parts of the province. That is the reason why the Government have come forward with a Demand for grant for employing additional staff for carrying out enforcement in these districts more effectively.

"My friend Mr. Salam said that prohibition was a negative programme. I believe he has got an eye for the negative programme forgetting its positive aspects. There is another aspect of this programme, namely, the ameliorative aspect. I may tell him that the Government are anxious to carry out, side by side with enforcement, various activities for the amelioration of not only the ex-addicts but also of the other people living in the area. The Government have launched various ameliorative activities in districts where prohibition has already been introduced, and they will be continued in the other eight districts where prohibition is going to be introduced.

"My friend Mr. Salam asked: 'With regard to nationalization of transport, you started first with Madras; but with regard to prohibition, you are putting Madras last. Well, that is perfectly consistent with our policy. Our policy is the uplift of the poorer classes, the peasants, the labourers and the villagers. I submit it is very right that the Government should start prohibition in the districts and not in Madras. So far as nationalization is concerned, Madras people have plenty of money and they

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can spend more money on buses. I would invite them to travel in Government buses and thus make their contribution to the success of nationalization. So far as prohibition is concerned, I say Madras people can afford to drink for another year and therefore the City can be relegated to October 1948.

"Sir, my hon. Friend Mr. Natesan asked: 'Why is this hurry about prohibition? Is the Heaven going to fall if prohibition is not enforced throughout the Province by 1948?' I do not know, Sir, whether the hon. Member was really serious in having made such a remark. I shall be glad, Sir, if he would tell us on what lines and how he would like us to proceed. He says that Heaven would not fall if we proceed slowly. But, Sir, I may say that Heaven has not fallen and will not fall whether we do a thing or omit to do a thing. If my hon. Friend believes in prohibition, then, Sir, the faster we proceed, the better it will be for the people of the Province."

SRI P. NATESAN:—"I did not say that I had belief in prohibition."

THE HON. MR. DANIEL THOMAS:—"Sir, my hon. Friend Mr. Natesan does not say that he believes in prohibition, but from the remarks he has made, I take it that he is in general agreement with the policy of prohibition initiated by the Government. But then he says, 'Why don't you go slower; why do you take eight districts this year and complete prohibition throughout the Province by 1948?' Sir, I submit, that if prohibition is a beneficial policy, if prohibition is a sound policy which brings about a higher standard of life to the common man, if it gives him greater contentment, greater peace and greater happiness, then the quicker, the faster and the more promptly we are able to implement that policy, the better will it help the people of this Province."

SRI P. NATESAN:—"But the people are starving now!"

THE HON. MR. DANIEL THOMAS:—"My hon. Friend says that the people are starving. Then what is the remedy he suggests for preventing starvation? That very remedy, Sir, is the policy of prohibition which we are implementing. The other day we paid a visit to a scavenger colony in an area where prohibition was introduced last year. We saw some people in that colony and asked them, 'What do you do with the money which you save from drink?' They said that formerly they were having one meal a day and that now they were having two meals a day. Sir, that is the answer to my hon. Friend Mr. Natesan. Every hon. Member of this House knows and every visitor to any of the hotels in Madras knows how difficult it is to obtain food, how the food is served there, and with what difficulty rationed articles of food are being obtained. Therefore, the very remedy, the very solution which my hon. Friend wants us to seek to prevent starvation and which he mentioned as a criticism against the policy of Prohibition is itself the strongest argument that we can conceive of,

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for implementing our policy as quickly, as promptly and with as great efficiency as possible. Therefore, Sir, the question of starvation and the difficulties of obtaining rationed articles of food, far from being an argument against the extension of this policy, is the strongest argument in favour of implementing that policy.

"Then, Sir, as regards the success or failure of the enforcement of the policy of prohibition, I would ask hon. Members to look at the question from a proper perspective. Well, Sir, in spite of the Inspector-General of Police and in spite of the existence of a hierarchy of Police officials working under him, crimes are still being committed and riotings are still taking place in certain parts of the Province. But I don't think that any hon. Member in the House will get up and say as a solution of the problem, 'Well, let us abolish the Police Department'. I submit that such a solution would be a sort of drastic solution. Such a remedy would be worse than the disease. I know that there are difficulties in implementing the policy of prohibition; I know there are instances of failure, but I submit, Sir, that ways and means will be found to work it out successfully and to enforce it with greater strictness. I am thankful to the hon. Members of the House for the various suggestions they have made. They are very valuable and very helpful. For example, a suggestion has been made that the laws as regards prohibition and particularly in the matter of punishment awarded to persons who are guilty of violation of such laws should be more strictly enforced and that the punishments should also be more stringent. I am in entire agreement with that suggestion, Sir. As I have already stated on the floor of this Assembly, the Government have got a measure for the purpose of penalising drunkenness and we have also under contemplation various other measures designed to put an end to prohibition offences. Therefore in these circumstances, I would appeal to hon. Members of the House to consider these leakages and these lapses that occur in the enforcement of prohibition not as an argument against it, but as an incentive and stimulus for greater activity and for greater watchfulness, to find out ways and means of enforcing it more efficiently and with greater vigour, so that the policy of prohibition may enure to the lasting benefit of the masses of this Province.

"Sir, I ask, after all who are these persons who resort to illicit distillation? About 80 to 90 per cent of these illicit distillers are the toddy drinkers. It is only the poorest section of the toddy drinkers that go in for illicit toddy. The middle class people who are addicted to arrack will go in for illicit arrack. Sir, unfortunately in our country, there are certain sections of people who are out for making money by any means, like the blackmarketer, the illicit distiller and the man who wants to grab money by taking advantage of the distress of the people and the weakness and sufferings of the toddy drinkers. Therefore it is up to us to formulate ways and means of tightening the prohibition laws so as to make illicit distillation impossible, or at least to bring it down to the minimum extent possible.

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"I may mention here, Sir, that some of the difficulties we are now experiencing in the matter of the enforcement of prohibition are due to the provincial character of our arrangements. We are now enforcing prohibition in eight districts and we are about to enforce it in eight more districts. In October 1948 we would be enforcing it in the remaining districts, so that the whole Province will become dry by the end of 1948. Such of the difficulties that we are now meeting with will be tackled in the meantime and gradually overcome as we increase the sphere of our activities and as we complete the programme of prohibition, so that when the whole Province becomes dry, there will be no question of smuggling of any liquor from the wet areas to the dry.

"Then, so far as the Indian States are concerned, I may say that there is a general move there also towards the introduction of prohibition. Mysore has already started a programme of prohibition. The Native State of Cochin has also chalked out a programme of prohibition and I am sure that the other States will also follow suit and gradually become dry in the course of the next few years. Then the question of enforcement would become much easier for us."

AN HON. MEMBER:—"What about Hyderabad?"

THE HON. MR. DANIEL THOMAS:—"Sir, I understand that the State of Hyderabad is also considering the question of introducing prohibition in that State. They have also acceded to our request to keep a five miles dry-belt area adjoining our border free from toddy shops.

"Sir, in spite of these, there are yet certain classes of people who are addicts throughout their lives, who cannot live without drink, who are aged and helpless victims of drink and for them nothing could be done. But surely such people are not going to live for long. Therefore my belief is that the younger generation and the majority of the people who are at present addicted to drink—and after all it is only a small minority of the people who will be able to obtain illicit liquor—will be saved from the drink evil by our policy prohibition. Sir, what we are doing is therefore not for to-day only. It is a work for the future and it is my hope and belief that the fruits of our labours will be enjoyed by the mass of the people of this Province ten years hence or fifteen years hence, in fuller and in larger measure.

"Sir, various other points have been raised in the course of the debate to-day. Arguments, for and against, have been advanced as to the agency that is best suited to implement the policy of prohibition and of enforcing the prohibition laws. For instance, it was suggested that the police are more effective in enforcing prohibition laws and detecting crimes. It was at the same time pointed out that most of these police people themselves are addicted to drink and that they are not the fit persons to whom Prohibition should be entrusted. It was suggested with equal force that the Excise staff are the most competent people to do the job,

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because they have been in the field so long and they could enforce prohibition laws more successfully. Well, Sir, the Government have at present divided the prohibition work in the districts between the Police staff on the one hand and the Excise staff on the other and have put the Police staff in charge of certain districts and the Excise staff in charge of certain other districts. Thus we shall be in a position to judge which department is able to enforce prohibition more efficiently and with utmost advantage to the public, for in such matters, we must proceed slowly and cautiously. Sir, it must be remembered that Rome was not built in a day. It is not possible for us to create an entirely new department overnight consisting of the Police and the Excise staff. The Government are taking the utmost care in selecting the personnel who have been in charge of prohibition both from the Excise and the Police areas and we shall thus gradually be able to build up an efficient prohibition staff, which will run the department efficiently and with advantage to the public in the years to come. Perhaps ultimately it may be that the Police department may be in a position to enforce the policy of prohibition more effectively with their trained personnel; but when the full complement of staff has been finally selected, we will see that we have a set of people who will be loyally, zealously and enthusiastically wedded to the policy of prohibition.

"Sir, it has been suggested by the hon. Friend Mr. Alluri Satyanarayana Raju and by certain others, that we should have a band of independent non-official propagandists to assist us in our prohibition work. Sir, I am sure he has convinced us of the soundness of his suggestion. The Government have also under consideration a scheme for enlisting non-official co-operation for purposes of propaganda in these 16 districts, for we fully realise the importance and the value of non-official assistance in matters like prohibition, which has two aspects. One is the administration of the penal laws and the other is the social reform aspect of it. To carry out the latter, we are really in need of non-official workers. I can assure hon. Members that the mass of the public are behind our policy. If prohibition is to succeed anywhere in the world, it must succeed in India, and if prohibition is to succeed anywhere in India, it must succeed in the Province of Madras, because ours is the first Province that has already given a lead in this matter to all other Province in 1937, and to-day also we are giving the lead. Therefore we are anxious to enlist the maximum co-operation of the public not merely for purposes of propaganda but also for various other purposes in order to make prohibition a success, and we also fully realise that it is only the non-officials who are able and best fitted to carry out the social reform side of the movement, because they have the necessary background and the spirit of social service, which are so essential for its success. Therefore, I once again appeal to this House and also to the general public outside to give us their fullest, freest and whole-hearted support and aid for implementing our policy of prohibition.

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"Well, Sir, let me say a word in regard to the statement made by my hon. Friend Mr. Pais. He referred to the difficulties in regard to obtaining mass wine in connection with religious worship among Christians. I may assure him, Sir, that the policy of the Government of Madras is to adopt an attitude of strict neutrality in religious matters and to allow every religious community and every section of the religious community to have their religious worship and their own religious rites and we are willing and anxious to provide every facility to the Christian community to conduct their religious worship in the way they like, uncontrolled by any Government measures and unhampered by the laws of Prohibition which may interfere with the regular observance of their rites. It is Sir, consistent with the policy of the Government and consistent with the policy of Prohibition. The Government are therefore prepared to consider the suggestions made by our Christian friends on the floor of the House and see what we can do to meet the wishes of the Christian community in the matter of religious worship.

"Finally, Sir, let me once again thank you for your having rightly reminded the House at the very outset that this is only a demand for the grant of further expenditure with reference to the additional enforcement staff in the Ceded districts and to ask us to confine our discussions to that demand, and also the other members of the House for the various suggestions they have made and let me assure them that those suggestions will be duly considered by the Government. Sir, I have fully explained to the House the conditions and the circumstances which have necessitated the Government to come before the House with a demand for grant of further expenditure towards the additional staff for enforcement work in the Ceded districts and I therefore hope that my hon. Friend Mr. Nambiar will withdraw his cut motion and that the Demand will be granted by the Assembly."

SRI K. ANANDAN NAMBIYAR:—"Sir, I have no objection to withdraw my cut motion, but the purpose for which the cut motion was tabled by me was to elicit from the Government what they propose to do with regard to the toddy tappers who are thrown out of employment on account of prohibition in the Ceded districts. If the Hon. Minister can say a word on that subject, I am prepared to withdraw my cut motion, Sir."

THE HON. MR. DANIEL THOMAS:—"I wanted to make it clear that this question of ameliorative activities will come in properly when I move Demand No. XI on the agenda; that is a definite Demand which will cover the question of ameliorative activities."

SRI K. ANANDAN NAMBIYAR:—"But where does it come in, that these people will be given employment?"

* THE HON. MR. DANIEL THOMAS:—"The ameliorative activities which have got to be carried out by the Government are two-fold, one is to provide employment for these people who are

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thrown out of employment in the course of implementing Prohibition, and the other is to wean away the addicts from their old habits and give them counter-attractions."

SRI K. ANANDAN NAMBIYAR:—"I am withdrawing my cut motion, Sir."

The motion was by leave withdrawn.

MR. SPEAKER:—"The question is—

'that the Government be granted a further sum not exceeding Rs. 100 under Demand II—Provincial Excise'."

The Demand was put and carried and the Grant was made.

DEMAND IV—FOREST.

* THE HON. SRI K. MADHAVA MENON:—"Sir, I beg to move—

'that the Government be granted a further sum not exceeding Rs. 200 under Demand IV—Forest'."

"The purpose for which the Grant is sought is mentioned at page 4 of the memorandum supplied to the Members, and I have nothing more to add to it."

SRI K. ANANDAN NAMBIYAR:—"Mr. Speaker, I move my . . ."

THE HON. SRI K. MADHAVA MENON:—"On a point of order, Sir. The purpose for which the cut motion is given is 'To discuss the Post-War reconstruction schemes in the Forest department'. This particular Demand is not about the general post-war development. The post-war schemes of the Forest department are legion and there are about 50 or 60 big schemes. We are now concerned in this particular Demand only with casuarina plantation in the Rameswaram island. That the amount is sought for the plantation in the Rameswaram island which can be brought under post-war reconstruction schemes, is a very far-fetched idea. I therefore submit that a discussion generally on post-war reconstructions schemes is out of order under this Demand."

MR. SPEAKER:—"The hon. Member cannot talk of the general schemes. He can talk on the Demand only so far as it affects the subject that is mentioned here. I shall closely watch the discussion and see that it is confined to the subject dealt with here."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, I say that a discussion or a reference to the general policy of post-war reconstruction schemes can very well come under this head. I submit it can come in this way. The hon. Member is entitled to say that another scheme, a scheme other than the one which is now taken up by the Government, will be more beneficial. He might say that the Government would have done better by bringing in another scheme of post-war reconstruction. For that purpose, he must refer to the general post-war reconstruction schemes."

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MR. SPEAKER:—"In order to compare it, he may refer to one or two items, but he cannot dilate solely on the post-war reconstruction schemes."

* SRI K. ANANDAN NAMBIYAR:—"Sir, I beg to submit that in this Demand it is stated that Rs. 3,36,000 is required to get 7,150 acres and this plot is to be obtained from the Raja of Ramnad. The Raja of Ramnad is an hon. Member of this House; he is a big zamindar and he can give this land free of cost to the Government. I submit the Government may request the Raja of Ramnad to give it free of cost, so that this huge sum may be saved to the people. That is the first point I wanted to bring to notice. My second point is: in the explanatory note it is stated 'The question whether the scheme may be worked departmentally or whether the lands, after acquisition may be leased for casuarina cultivation on contract is under consideration of the Government'. When we are all taking the view that all lands can be taken and controlled by the Government and divided between the tillers of the land and when the policy underlying the Zamindari bill which has been brought in is also that, there is no meaning in purchasing this land from the zamindar, paying him a huge sum and afterwards leasing it out on contract. That is a bad policy and it should be given up by the Government. There can be no question of giving it to a contractor. The people are not interested in getting a private land and giving it to a private contractor for raising casuarina trees, thereby enabling him to make large profits when there is so much scarcity of firewood in the country."

"In this connexion, I have to bring to the notice of the House two or three points regarding the working of the Forest Department, as the Hon. Leader of the Opposition stated that the general question also may be referred to in the larger interests. Sir, now agricultural lands are being taken over by the Government and considered or treated as forests. A particular instance was in North Malabar, in the Kurumbranad, where about 2,000 acres of agricultural land in Koothali P. taluk, was taken under the control of the Government and it is an investigation whether they were getting about 20% of any bold and clear-cut policy. It is only by the details and by making an investigation that we can help the people, not by wasting money like this."

position of "As regards the second item, i.e., the Mannarghat-Attapady under this in the Palghat division, the general road system is very supplementary. It brings no credit to any of the Hon. Ministers. The effect should be dealt with comprehensively. There is no use imprisoning a road here and a road there. That will satisfy only commendatory people; but if you want to help the people as a whole, it is a job to see that all these rotten roads are metalled and the road system is improved. That is why I again stress the point before this the Government must have a comprehensive plan."

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are cultivable. I therefore submit to the Government that the suggestions which I have made, namely, first to request the Raja of Ramnad to give the land free of cost may be actively considered, secondly letting it out to a contractor should be given up and thirdly the Koothali Estate issue should be taken up seriously and the agricultural land should be given back to the tillers, as this step will be bringing in one lakh of paddy bags every year. I think the Kisan Sabha in that area has also given an assurance to the Government that the Government may remove all the produce from that particular area, and thus do considerable good to the grow-more-food campaign. With this purpose, I move this cut motion to reduce the allotment of Rs. 200 for Forest by Rs. 2."

* SRI PILLALAMARRI VENKATESWARLU:—"Sir, while seconding the cut motion, I would like to bring to the notice of the Hon. Minister one or two points. My friend has referred to payment of money for the acquisition of the land; I fear our Hon. Minister is a bit lenient towards the Raja of Ramnad. Whereas our Hon. Revenue Minister intends to pay only Rs. 5 or 6 per acre to the zamindar for acquiring land, here as much as Rs. 47 per acre has been fixed for payment to the Raja. I do not like our finance to be wasted and especially when our Finance Minister says that even for payment of a better Dearness Allowance and salaries to the Government employees he has no money in the exchequer. When such is the case, I do not know why the Minister for Forest should say that he will pay Rs. 3,36,000 to the Raja. I think there is no justification for this and I am sure the Hon. Finance Minister will make a protest in the Cabinet against such payment. This is a very serious matter, and if the Raja of Ramnad is not willing to give away the land free, we are all agreeable to paying no compensation at all for the acquisition. Under these circumstances, there is no point in paying Rs. 3 lakhs and odd to the Raja.

"As regards the plantation, we are told that they have chosen the Rameswar area. As a matter of fact, the Government ought to have made an investigation whether it would be possible to grow the plantation. Nowhere have the Government given an indication of any bold and clear-cut policy. It is only by going into the details and by making an investigation that we can help the people, not by wasting money like this.

"As regards the second item, i.e., the Mannarghat-Attapady that in the Palghat division, the general road system is very poor. It brings no credit to any of the Hon. Ministers. The suggestion should be dealt with comprehensively. There is no use saying that a road here and a road there. That will satisfy only a few people; but if you want to help the people as a whole, it is the job to see that all these rotten roads are metalled and the road system is improved. That is why I again stress the Government must have a comprehensive plan.

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There is no use saying that in this supplemental budget we cannot refer to the general plan; that means you have no plan at all; if you have no plan now, you cannot produce one in two or three months more or for some time to come. With these words, I second the cut motion moved by my hon. Friend."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, while supporting the motion for the grant, I want only to point out one important matter. While complimenting them on the fact that they are trying to improve the fuel situation which is pretty bad in Madura and which apparently is thought would relieve my district and the surrounding districts, I must say that the proposal to acquire some thousands of acres of forest land from the Raja of Ramnad means that he has to alienate that land. And if he alienates that land, you have another Bill about which notice has been given that it would be introduced, that is the Bill to prohibit the alienation of communal, forest and private lands in estates in the Province of Madras. That Bill seeks to give retrospective effect to all alienations of forest land after 1939 up to date. So, that, even though this contract or arrangement is entered into, it means that so far as forest land is concerned, it is prohibited and alienation is rendered void, so that the Government will be in the happy position of having paid some lakhs of rupees to the Raja of Ramnad and at the same time have a section here, section 4 of the Bill which says that all such alienations shall be void and inoperative and shall not confer or take away, or be deemed to have conferred or taken away, any right whatever on or from any party to the transaction.' So, if the Government pays Rs. 3 lakhs and odd to the Raja of Ramnad, they will be in the happy position of having paid it and seeing at the same time that the transaction will be absolutely void. That is one part of it. Again, there is the other part of it—I do not know whether the Government will be just because they have added another section which is a portion of the Ordinance and which is sought to be replaced by the Bill which runs thus: 'Any landholder who contravenes the provisions of section 3 and any agent of the landholder who abets such contravention shall be punishable with 4 p.m. imprisonment which may extend to two years or with fine which may extend to five thousand rupees, or with both.' The poor Raja whose estate is likely to be taken by the Government and who is pleased to oblige the Government will be in the happy position of being prosecuted by the Government for two years under this section! Is that just? While I heartily support the supplementary demand, I am of the view that no retrospective effect should be given to this section so that the two years imprisonment may not apply in this case. With these words of commendation, I support the supplementary grant."

* M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"Sir, in speaking on the cut motion, I want to place three considerations before this House. The first consideration is of a general

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nature. Under section 81 of the Government of India Act, supplementary grants are allowed to be placed before this House and that section envisages only two classes of circumstances for placing supplementary grants. They are extraordinary circumstances such as famine conditions or war conditions. Supplementary grants may come before this House on any of these conditions. Government cannot come forward with supplementary demands simply to implement their new policies. So, the implementation of new and definite schemes ought not to be placed before this House as a supplementary demand in normal times. If this is an abnormal time, then I can understand the position. But, Government have actually come forward with these supplementary demands for giving effect to their various new schemes.

"Sir, then there is the other consideration whether it is advisable or feasible or not for the Government to carry out such schemes. In my opinion, it is not important and the House should not waste its time in considering these supplementary demands. The scheme for the alienation of forests and the plantation with casuarina are not very important items in the Policy of the Government to be brought before the House as Supplementary Grants. The second point, I wish to place before the House is this"

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"My hon. Friend is raising a point of order."

MR. SPEAKER:—"He is not raising any point of order. He merely says that these supplementary demands ought not to have been brought before this House at this juncture. The hon. the Leader of the Opposition is assuming things which he should not. It is for the hon. Member to say whether he is raising a point of order or not."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"I want to raise a point of order, Sir." (Laughter.)

MR. SPEAKER:—"There is no point of order. The hon. Member can continue his speech."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"Sir, the Government have stated that they want to make a supplementary demand under this head for the purpose of cultivating casuarina. I ask whether that scheme is feasible and advisable as an economic proposition. Perhaps the Government will be able to get an income from this scheme only after a period of about ten years. Again there is the question of expenses that the Government have to bear on this scheme. I can understand if the Government take lease of those lands for a long number of years on cheap rental and if they do this work of planting casuarina either departmentally or on contract basis. I submit, Sir, that cultivation of casuarina is not an economic and a feasible proposition. It will be a waste of

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money if this Government is launching upon this scheme. I want to stress upon this point having regard to coming legislation with regard to the zamindari areas. Whether a certain property is private or not can be understood only by launching an enquiry. So, before that legislation comes into force and before an enquiry is launched upon this matter, what is the necessity for the Government to come forward with this supplementary grant for acquisition of a particular land for the purpose of casuarina cultivation? If you want to know the result of enquiry whether a particular land is private or zamindari and whether the property can be vested in the Government, then the Government should wait till the new legislation regarding zamindari lands comes into force. With these words, Sir, I support the cut motion."

* SRI V. I. MUNISWAMI PILLAI:—"Mr. Speaker, Sir, I rise to support the demand moved by my Hon. Friend, the Minister for Agriculture. While I do not wish to traverse the whole ground on the general policy of the Forest department, I would like to confine myself to the points raised under this Demand. Sir, in the Post-War Reconstruction Scheme that has been recommended by the Sub-Committee, it is claimed that the Government can acquire 15,000 acres of land every year and that policy seems to meet the fuel deficiency in the City of Madras and in some other places. On page 96 of the report of the Sub-Committee—the personnel of which I do not know, although it seems to be a Committee that was got up during the Advisers' regime—it is stated that it is the recommendation of the Sub-Committee that there should not be anything which is in the nature of a capital expenditure. It will be in the interest of the Government and in the interest of the country if a small Committee is appointed to go through these post-war schemes that have been suggested by the Sub-Committee. As just now referred to by my hon. Friend, Mr. Vaidyanatha Ayyar, I do not know the reason why such a large amount as Rs. 3,36,000 should be spent as capital expenditure and invested on acquiring land. The report provides for working expenditure such as staff and other things. But, I find, Sir, that there are several districts in this Province in which forests have already been gradually denuded due to exploitation for fuel and other things. These things have all now to be gone through and the forests regenerated. So, I do not find the reason why such large amount should be spent in the matter as capital expenditure. If you take the case of some of the important industrial areas such as Coimbatore which has several factories working there, though they may get electric power from the Nilgiris, still to meet the demands of the general populace, Government have to spend large amount on these fuel areas. This can be done by concentrating on the fuel areas in Western Ghats and the Nilgiris which have supplied large quantities of fuel during the time of war.

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Secondly, Sir, it is said in this demand that they require Rs. 2,32,000 for metalling the Mannarghat-Attapady road in the Palghat Forest Division. I do not know for what reason this particular road is to be metalled. But as I see from the Sub-Committee report, they have only provided one lakh of rupees for this purpose. That is on page 193. In this demand, the explanatory note says that the Government have sanctioned in July 1947 the metalling of the road at an estimated cost of Rs. 2,32,000 whereas the Post-War Reconstruction Sub-Committee recommended only one lakh of rupees for this purpose. Now the Hon. the Minister has come with a supplementary demand for one lakh of rupees. I do not know the reason why. I do not know whether by spending this one lakh of rupees, it will be possible to open up large extent of forest area. I think the Hon. Minister will be kind enough to throw more light on this matter. With these observations, I support the demand."

* SRI N. S. VARADACHARI:—"Sir, I would request the Government to go ahead with their plans for fuel forests. There is going to be, I predict, an acute fuel crisis in this Presidency in the next five years. We always think of a crisis only as it occurs. It has been our habit. But let us in this instance at least, provide against a possible crisis that may arise in the immediate future."

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p.m.

"Regarding fuel supplies, casuarina is a very important source of fuel supply. So, let it not be left on contract to indifferent men to work these areas. You acquire any amount of land; you invest properly after calculating your returns and expenditure. I would also like to say that conservancy should be improved in the forest areas. It has not been done so far. If you take the vegetative reproductive capacity of the land, whether it be forest or private land, there should be an yield of two tons of fuel per acre per year in the next few years. It may be so for the first few years and later, the yield may be less and less. We have to go through the casuarina plantations programme. Government should give a rotation of eight to ten years in the case of casuarina and even from thirty to forty years in the case of other fuel forests. So, care should be taken by the Government to ascertain that the yield from these forests will certainly not be below the minimum limit fixed. I would only point out to one instance. Recently sir, in the last two or three years, large extent of land has been planted with casuarina in the Chingleput district. It was intended that these plantations should supply the Madras City with fuel. But, I find that out of these seedlings put in the Chingleput district, nearly 60 to 70 per cent have not germinated on large acreages and I do not know whether responsibility has been fixed on the officers concerned. This merits examination at some length. I do not even insist on looking into the past so much as to prevent the recurrence of such things for the future. We must see that the casuarina gives proper

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results. For this we must have proper fencing and proper preparation of the soil so that the yield, at least in the initial years, of 2 tons per acre is got at by the Forest department.

"Now, I would go to the second point, the Mannarghat-Attapady road. Of course, it is an important road. The Minister tells me that a portion of it leads to the Silent Valley. Let me tell the Hon. Minister that we have already spent over 2½ lakhs on this road and it is proposed to spend another 2½ lakhs nearly on this road again. You know, sir, I raised some questions on the floor of this House regarding the contract in the Silent Valley forest. The Silent Valley no doubt is an important forest and it must be exploited properly. Unless you have a proper road—and a metalled road at that—it may not be possible to do full justice to the work in that forest area, but before you undertake all this expenditure, you must make sure that the terms of your contract are being strictly carried out by the party concerned and you are putting that new scheme into effect where you will carry seasoned timber direct from the forest, if possible by making use of the latest plant and also treat the timber and then transport supplies which will perhaps save you transport charges. Once timber is freed from the moisture which it retains when it is cut and dries up, the weight becomes much less and a railway waggon can perhaps carry a larger weight of timber—or at least a little more than the weight of timber which it carries at present. There is also the question of scientific treatment of this timber. The idea is to locate an experimental centre within the forest zone and then treat the timber properly and release it for public use. Is all this being done to-day, I ask? I insist on these conditions being properly fulfilled by the contractor and if the road expenditure is to be justified and I am one of those who wish that the road is metalled at an early date. I say we must see to it that the Forest department hold itself responsible for the work they had planned in the Silent Valley and which ought to be carried out strictly according to the terms of the lease of that valley. I first asked a question of the Minister whether this road does not lead to the Silent Valley, because I found in the statement it is put down as 'Forest roads in Javadi.' That is why I ask whether it is not really in the Palghat division. If it is so, I say, will the Government look into the matter and undertake the expenditure after getting a categorical assurance from the person who has taken on lease the Silent Valley that he would observe in letter and in spirit all the conditions of the contract which he has entered into with the Government. I say that all expenditure is welcome but the expenditure should be justified in view of the results. Of course, it is easy to make calculations. We have made the calculation, for instance, for a net income of Rs. 17,000 per year after providing for all expenditure including interest on capital and the cost of land at the end of 10 years. Well, Sir, I only want that we should make sure, not about these figures on paper, but about the work that is put in which will bring in these results. It

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is of the utmost importance to see that every one of the items under 'Conservancy' and 'Works' in the Forest department, which are the mainstay of the department, for, the more you put on forest land the more you will get for the benefit of the people, is carefully looked into. Then, if that is going to be, I say that every pie that is spent on this constructive expenditure must be fully justified.

"The Hon. Minister would see that in the first few years—not at the end of 10 years—utmost scrutiny is needed so that we may be amply justified in regard to the expenditure demanded of this House. It is no use questioning anybody because at the end of ten years the officers would have changed and everything else would have changed and that is why in the first, second and third years utmost scrutiny is needed."

* SRI R. V. SWAMINATHAN :—"Mr. Speaker, I rise to support the demand and oppose the cut motion. I thank the Hon. Mr. Madhava Menon for introducing this new scheme in my district of Ramnad. I have to point out that in my district there are more than a million acres of land left uncultivated because they are sandy and they lie along the sea coast. So, people do not know what to grow in that land. As a result of this, thousands of people had to leave the district to find employment elsewhere. They went to far off countries like Burma, Malaya and Ceylon and are still living in those places. But, on account of the last war and on account of Japanese occupation of those countries thousands of people belonging to my district have come back to India and are without any means of livelihood. Even now, on account of the disturbed conditions in Burma and other places, many people are willing to come back to India and particularly my district people. Here, I would like to make one suggestion to the Hon. Minister, and that is, if the Government distribute the 7,000 acres of land which they propose to acquire for this experiment in my district to all agriculturists who belong to my district it will be greatly helpful to the people in the district. If it is not possible, I would suggest that Government might acquire all the 7,000 acres and after plantation they can distribute them to those people who are at present landless. This is not a new thing which they will be doing, for in Ceylon I understand the Government acquire tea estates and give 5 acres, 10 acres and so on to agriculturists free. I would urge on the Government to consider this aspect of the question so that the 7,000 acres which they propose to acquire in my district may be distributed to cultivators and those who have come back to the district on account of the disturbed conditions in Burma and other places so that they may be provided with work. With these few words, I support the Demand."

* BEGUM SULTAN MIR AMIRUDDIN :—"Mr. Speaker, Sir, I should like to make a few observations on this Demand. I am glad to find that at last after three long years the Government have come forward to implement the recommendation of the Post-war Reconstruction Committee in regard to the planting of

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casuarina trees. In view of the fact that this province had for a considerable time been passing through a fuel crisis, this matter should have engaged the attention of the Government long before this. Of course, the present Government are not responsible for the acts of Advisers. Nevertheless, this matter could have been brought forward in this House by the Congress Government a year ago. As is well known, the province and particularly the City of Madras has been suffering acutely on account of fuel scarcity and I am therefore glad that the Government have brought forward this measure which will ease the fuel situation in the province in course of years and which incidentally also will also prove a source of benefit to agriculture which also needs encouragement in these days because when villagers are provided with the necessary fuel a large amount of cattle manure which they are now using as fuel will be saved for agricultural purposes. Hence I am glad to find that the Government have brought forward the scheme at least now. In their report it is stated that this scheme will also help to supply fuel to a factory which is to be designed for the purpose of producing sulphate of ammonia. I wish to know whether this factory is working and, if so, where it is located and if it has not yet come into existence, when it is likely to be started. With regard to planting of casuarina trees, I should like to make one observation and that is that it is not sufficient merely to plant trees and leave them to nature. As has been pointed out by Mr. Varadachari, in the district of Chingleput many casuarina trees were planted but after some time they died. So, it is very necessary on the part of the officials in charge to see that these trees are nurtured in a proper manner so that they may flourish and the money spent by the Government on this item may not prove a waste.

"Another matter to which I should like to advert is that it will be unfortunate if the Raja of Ramnad is to be penalized on account of this transaction by reason of a Bill that is to be brought forward shortly during this session. If the Government acquire the land from the Raja of Ramnad, they should see to it that he is not penalized on that account. Therefore, Government should take steps to see that the retrospective effect of the clause in the Bill they will be introducing in this House shortly is suitably amended.

"Sir, I am glad to find that the Government are concentrating their attention on afforestation because we are all aware that during the last war there has been a terrible denudation of forests in this province and that it is very necessary for the well-being of the country that the area under forests should be increased. In this connexion, I should like to draw the attention of the Government to one important need and that is, that side by side with increasing the plantations they should see that the people who reside there are provided with the necessary amenities, especially medical and maternity relief. As far as I understand, those who live in the forests do not have sufficient facilities in regard to

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these matters and that especially women suffer greatly for lack of due provision in regard to maternity relief. Therefore, I request the Government to see that due provision is made with regard to these matters also. The Government should also try to tackle the problem of malaria which is proving a source of great distress to many inhabitants residing in the forests. I understand that during the last war when the military were encamping in the forests they devised measures for protecting themselves from this disease. I should like the Government to investigate into the matter and institute similar suitable measures so that the lives of the people residing in the forests may be protected from this dire disease.

4-30 p.m. "There is another matter to which I would like to draw the attention of the Hon. Minister. While I am glad they are going to plant casuarina trees, they should also take some steps to provide teakwood for this province. May I know what the Government are doing to increase the plantation of this sort of timber in this province? We have been discussing in the Housing Committee as to the ways and means of securing more teakwood for this province which is urgently required for house construction purposes. In the past, teakwood was imported from Burma but in these days the quantity of teakwood that we get from Burma is very little. Mr. Speaker, Sir, we cannot eternally depend upon Burma for our essential needs, viz., for our food and for our timber. Therefore, I request the Government to take steps to see that this province is made self-sufficient not merely with reference to its food but also with reference to good timber. The Government should also formulate their policy with reference to introducing new trees in this province. With these words, Mr. Speaker, I support the cut motion."

* SRI T. VISWANATHAM:—"Mr. Speaker, I want to say just a few words. Here it is said '75,000 acres being required for the supply of firewood to the factory designed to produce sulphate of ammonia.' We would very much like to know where that is. Secondly, it is said that this area is within an economic distance of Madura Town, whereas the Rameswaram island is 100 miles away from Madura. This is also a matter on which we would like to hear from the Minister. Another point which I might have very well said but which has already been referred to by our Friend, Mr. Vaidyanatha Ayyar, is the fact that when the Zamindaris are being abolished and when the Revenue Minister is proposing to pay Rs. 4 and Rs. 5 to lands on which paddy and sugarcane are growing, the Forest department proposes and the Minister acquiesces to the acquisition of the land at Rs. 47 per acre and this is not a small slice of land intended for some Police quarters or anything of the sort, but 7,150 acres, the cost amounting to Rs. 3,36,000. This is somewhat puzzling. I believe the noting was made long ago when there was not much of co-ordination between what was going on in the Revenue Department and in the Forest department and I believe the Hon. Minister, in view of the pending legislation on Zamindari

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lands, would not very much wish to press his proposal to acquire the land which is coming to the Government almost for a song. There are also some figures which are also puzzling. He says that there will be an annual income of Rs. 250 per acre and on 7,150 acres it must be much more than Rs. 1,78,750 which is shown here. This point also requires some enlightenment.

"Then it has been already pointed out that this acquisition is not really urgent. While certainly the Government should take all steps to increase and improve the fuel situation, it does not seem to be so urgent at all for it is stated that the question whether the lands are to be departmentally controlled or leased for casuarina plantation on contract, is under consideration of the Government and the Government have not made up their minds as to what is to be done. It looks there is something wrong and they are simply trying to acquire some piece of land from the Zamindar of Ramnad in order to hand it over to some private gentleman in order to work it up for his own private profit and therefore the whole thing requires, what we may term, re-looking into the matter. On looking into the heading of his Demand we thought item (ii) referred to some forest road in Javadibut in the explanation refers to the Palghat Forest Division. As Sri Varadachari has pointed out, a good lot of amount has been spent on this and there is already an unmetalled road and additional expense of Rs. 2,32,000 is to be sanctioned on this, leading to some valley which they call "silent." There is not much hope of any returns from this valley which is silent. I would request the Hon. Minister to look into these matters once again and satisfy the House as to the urgency of the Demand and of the necessity for this expenditure. I only require some enlightenment upon these subjects."

* SRI S. NAGAPPA:—"Mr. Speaker, Sir, now I rise to support the motion moved by the Hon. Minister in charge of Forests. Now, Sir, in doing so, I should like to bring to the notice of the Hon. Minister the forest conditions in my district, particularly Kurnool and Rayalaseema. There is a lot of forests there, Sir, which have not been exploited to the extent they ought to be exploited. There are many mineral resources that have not at all been exploited and there is a lot of cultivable waste land which has been remaining as waste land."

MR. SPEAKER:—"Does the Member require the Hon. Minister, to spend all the money on forests in Mr. Nagappa's district?"

* SRI S. NAGAPPA:—"I am only mentioning the conditions that are prevailing in my district. The point, Sir, that I would like to place before the Ministry is this. They have announced that they are going to purchase lands at the rate of Rs. 47 per acre. I do not know, Sir, how the Hon. Minister was able to arrive at the particular figure. Is it that the lands are only worth Rs. 47 per acre? In view of the fact that there is a Zamindari Bill already on the anvil of the Assembly and we are

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going to pass it shortly, where is the necessity to purchase lands at a cost of Rs. 3,36,000 from out of public funds? Why not Government wait for some more time? Now in order to ease the fuel situation in Ramnad district and Madura district is it not possible to plant casuarina all along the West Coast or the East Coast? Why should Government be in a hurry to spend this amount? I would like to have an answer from the Hon. Minister on this point.

“As regards the various Forest Panchayats . . .”

MR. SPEAKER:—“The hon. Member will understand that this is not like a general discussion. We have certain points for discussion and the hon. Member will confine himself to those points.”

* SRI S. NAGAPPA:—“Sir, I hope in Madura district alone there are so many minor Forest Panchayats which can be used for the purpose of planting these casuarina or kumari cultivation. We will thus be able to produce enough fuel for those in Ramnad and Madura districts. With these few observations, I support and I expect the Hon. Minister to answer the points I have raised.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Mr. Speaker, Sir, I have to make one or two remarks. The Forest Sub-Committee of the Post-war Reconstruction Committee has recommended a total area of 1,50,000 acres for planting of casuarina in an 8 to 10 years rotation in this Province. Now what the Government propose to do is only to acquire during this year a tract of 7,150 acres. I think, Sir, this is a very niggardly step that they are taking in implementing this important recommendation of the Post-war Reconstruction scheme. At this rate it will take more than 20 years to complete this one particular item of Post-war Reconstruction. I think, Sir, the Government might have taken a bolder step than this so that the pressure on fuel supply in this Province might be relieved at a somewhat earlier date than can be done at the present rate.

“In this connexion I would like to remind the Government of another item of forest development which has got incidentally a bearing on fuel supply. The Government know, Sir, that there is a tree called the wattle tree and Government have allotted or the Forest Department have allotted certain acreage of land for growing these trees. These trees are important from more than one point of view. That is the bark which is supplied by them is required by the most important industry of this Province and for which bark we have to depend upon the hostile country of South Africa to-day. The Government we were told a few months ago planted a few hundred acres of land with this plantation. Now if they had only expedited this plantation work, it would have benefited the most important industry in this Province and at the same time it would also have supplied fuel after a number of years. I urge upon the Government to see that this scheme of wattle plantation is expedited as much as possible. I am not

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concerned with the question whether it is to be done departmentally or by any private enterprise. So far as I am concerned, what I am particular is about the results being obtained as quickly as possible and as economically as possible.

“Again, I do not think that I need go into the other question of involving the Raja Sahib of Ramnad into any trouble with the transaction which the Government propose to enter into with him. Of course, we can depend upon the Raja Sahib to take up the matter with the Government and go in for damages against the Government for any such trouble which they may cause. Perhaps this proposal is an indication on the part of the Government to show that they do not grant retrospective effect to the proposal which they have sought to bring before us in a week's time. Therefore, Sir, so far as I am concerned, I am not troubled with that question. I request the Government to see that they enlarge this step by supplying fuel and manure to the province and see that the pressure and the need for fuel and manure is met as quickly as possible.”

* THE HON. SRI K. MADHAVA MENON:—“Mr. Speaker, Sir, I am thankful to the valuable suggestions that have been put forward by the various Members and there have also been some misapprehensions expressed in regard to this Demand that I have made. The hon. Member, Mr. Anandan Nambiar, would have it that the Raja Sahib of Ramnad should be persuaded to give the land free for casuarina plantation. Certainly, Sir, it will be most welcome if the Raja Sahib could do that, but there is no power under which Government could induce anybody to give anything free to the Government and so if anybody or Mr. Anandan Nambiar himself would help the Government in getting it free, so much the better for everybody concerned.

“It was asked why estimate has been made on the basis explained in the Note when the zamindari legislation is on the anvil and when zamindaris are going to be wholly acquired on payment of some compensation. I cannot now say what the title of the Raja of Ramnad is to this area, whether it is his private land or homefarm land or what exactly is going to be acquired. This question was decided when the present zamindari legislation was not on the anvil but on the footing of the other zamindari legislation going to the 1802 rates of rent and other things. I assure the House that in the light of this the question will be re-examined whether the acquisition is necessary at the cost of Rs. 47 per acre or whether the compensation that we are going to pay for the zamindari lands will cover this area. This question will be considered before we invest further money on the scheme. But I may tell the House that the note itself explains that it is not alone the Raja of Ramnad's lands that are involved but a certain portion of zamindari ryots also; we are not in a position to say how much belongs to the Raja and how much to the zamindari ryots.”

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Even in that matter it will be further examined and the question of acquisition proceedings has been kept pending since the zamindari legislation has been taken up.

"I am rather surprised that the hon. Leader of the Opposition and Begum Amiruddin fell into the trap set by Mr. Vaidyanatha Ayyar, when he referred to retrospective effect being given to the Communal Forests and Private Lands Prohibition Bill and the zamindar being liable for prosecution for alienation. I may tell you that he never meant it seriously and he was pointing out in a funny manner how the Government after themselves paying the money and acquiring the land, might themselves proceed against him for having alienated the land in their favour. Any acquisition by the Government from a party under the Land Acquisition Act will never make the party liable under any other penal law. As a matter of fact, the Bill referred to by him has not yet become law and as I said at the beginning, the whole thing will be examined in the light of the provisions of the new zamindari legislation.

"The question was raised whether the cultivation of casuarina plantation should be on contract or done directly by Government. I wish to make one point clear and that is that it is not the idea of the Government to give the entire area of plantations a responsibility of the contractors. The only thing under consideration is whether the plantation of seedlings should be done departmentally or entrusted to contract and looking after the seedlings thereafter by Government; that is the only thing under consideration and not the entire work of the whole area. The suggestions and objections raised during the course of the debate to the work being entrusted to contractors will be borne in mind in deciding this question.

"Incidentally, I may mention that expression was given to certain views, absolutely irrelevant to the subject under discussion—to my mind, it was made with the idea of propaganda—by Mr. Anandan Nambiyar in referring to the promulgation of orders under section 144 of the Criminal Procedure Code in the Koothali Estate in Malabar. He said that there were some forest lands there brought under punam cultivation but that orders were issued by the Government to stop it. It is strictly irrelevant to the Demand under consideration but as it has been raised, I wish to clear the misapprehension. The estate was the property of a jenmi and on his death, there were no heirs and the property reverted to the Government by escheat; but certain friends of Mr. Anandan Nambiyar's persuasion—of his political and social philosophy—thought it fit to occupy them thinking that it is theirs and anybody's land can be taken hold by anybody else whether it is one's private land or not. They trespassed upon the property and tried to cultivate in the name of the grow more food campaign. Whether it is done in the name of grow more food or not, the Government could not tolerate it as under the law as it stands trespass into another man's lands is an offence and so the Government had to intervene and that is why action under section 144 was taken.

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The point was made out by my hon. friend that far from encouraging the grow more food campaign the Government were issuing prohibitory orders discouraging punam cultivation. My idea is to correct that misstatement.

"I have already replied that the question of payment at the rate of Rs. 47 per acre will be looked into in the light of the measure that we have on hand. But on that point Mr. Viswanatham took me to task about certain mathematical inaccuracies; at 250 per acre, he said it could not be Rs. 1,78,750. I am afraid that it is not my arithmetic that is wrong; he did not read the whole thing; it is for 715 acres that the price has been fixed and the mathematics is quite correct. The question whether it would be a remunerative concern or not has been properly examined and it is only after the Government had satisfied themselves that it would be so, that they entered into this venture.

"My Friend Mr. Venkateswarlu, referring to the Attapady-Mannarghat road, said that there must be a comprehensive road plan for the whole presidency. He said this under a misapprehension. It is not a public road built for passenger or other traffic. It is being built in a forest to exploit the forest, to bring the timber cut in the forests and a comprehensive plan for exploitation is there in this part of the area. We have already spent over two lakhs of rupees for a non-metalled road and unless we spend more money on metaling it, the money already spent will go waste and will not yield any results. For proper exploitation of forests like that, we want proper roads. I am glad Mr. Varadachari, though he cautioned me about other things, observed that this was necessary. In that connexion, I may assure Mr. Varadachari regarding the Silent Valley exploitation though Mr. Viswanatham would doubt it, I have no doubt about it that if it is properly exploited and if the Government were to put proper money upon it, nothing will be more profitable than the exploitation of the Silent Valley forest. Mr. Varadachari cautioned me about attention being paid to the strict adherence to the very letter of the contract. I am trying it and it will be adhered to to the very letter and I can assure him that it will be adhered to.

"Mr. Ibrahim said something about the supplementary demands being brought in in the middle of the year. May I remind the House that it was at the request and suggestion of the House that though the supplementary demands used to be brought at the end of the year in March after every expenditure had been incurred, it is being brought up now so that it may be presented earlier in order to enable the House to have a voice in sanctioning the expenditure before it is actually incurred. That is the reason why we have brought them before the House so that we might get the sanction of the House beforehand for proceeding with the schemes we have on hand.

"Mr. Muniswami Pillai has given us various good suggestions and these will be examined and acted upon. He suggested that forest areas that had been denuded might be planted with casuarina.

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plantations. But there is some difficulty about it. It cannot grow in all soils. That is the reason for our failure in Chingleput but in this connexion also I may tell the House that it is not such a dismal failure as it is made out to be. It is not a 60 per cent failure as Mr. Varadachari thought but it has now considerably improved. Further in any scheme of fuel growing, availability of transport facilities also enters into the picture; it is not possible to plant it anywhere and in all places where the forests have been denuded.

"Mr. Swaminathan made certain suggestions and these will be considered and I will see what can be done to implement his suggestions.

"Begum Amiruddin raised the question of the condition of the people residing in the forests. Though that matter does not refer to me or to the Demand under discussion, my hon. friend Mr. Shetty will go into the matter because it is a very vital thing that forests cannot be worked without the help of these people who are residing in the forests and unless proper amenities are made available to them and their welfare attended to properly, the exploitation of forests will not be easy.

"She also raised the question of planting teakwood in that area. I may tell her that teakwood cannot grow in places where casuarina is planted and that is the most unfit place for teak plantation. As a matter of fact, Rameswaram sands are not in any way suitable for teak plantation. Probably in the whole of South India except in my district of Malabar and a part of Vizagapatam district it cannot grow elsewhere. Our teakwood plantations are going on apace and in the matter of these housing schemes, the forest have agreed to supply all the timber demanded for these houses to be put up under the scheme for this year's programme.

"Mr. Nagappa asked the question why the panchayat forests should not be made use of for planting casuarina. But my hon. friend forgets that they are intended for grazing cattle and if we take away forest panchayats and plant the forests with casuarina plantations, he will come up again and ask for grazing facilities to cattle; so it is not possible to act on his suggestion and raise this plantation in all the panchayat forests.

"The Leader of the Opposition said that the area taken for this cultivation is very niggardly. As he will see from the Note 1, the Post-War Reconstruction Committee has recommended a total area of 150,000 acres for this purpose. The 715 acres is only by way of introduction and it is not the whole scheme; this is only a portion of it. As regards wattle, we have increased the area under cultivation in the Nilgiris and in Palni forests. Though its bark is useful for tanning leather, I am told that its bark is not quite so good for firewood. We require wattle bark because we are not getting supplies from South Africa. The Government have realized the importance of it and have increased the area of plantation by more than a thousand acres and are pushing it on very vigorously."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information, the tree is only grown for the bark and it is the bark that is required for tanning industry. After the tree has yielded all the bark for a number of years, the wood can be used for firewood."

THE HON. SRI K. MADHAVA MENON:—"I was informed by experts that the wood of wattle after taking the bark is not quite good as firewood. Some sort of fibre can be made out of it by crushing it; that is what the experts say.

"Concerning the question of wattle cultivation, we are proceeding with it. I have nothing more to add except to say that the various suggestions that have been made will be taken into consideration before we actually proceed with this work. I hope the hon. Mover of the cut motion is satisfied."

SRI K. ANANDAN NAMBIYAR:—"I am prepared to withdraw my cut motion provided the Hon. Minister will clear my doubts that the Koothali Estate will not be brought under the forests, and that it will be given to cultivation purposes. I do not mean that it should be given to Communists alone. Give it to some human beings. Communists are also human beings." (Laughter.)

MR. SPEAKER:—"Where is this estate?"

SRI K. ANANDAN NAMBIYAR:—"This Koothali Estate is in Malabar."

* THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, we have nothing to do with this estate. The hon. member referred to this estate in his speech. I am well aware that Communists are also human beings. I have no doubt about that in my mind at any time, but I must say that Koothali Estate or any other estate or any land that is available for cultivation will be given for cultivation even to Communists provided they take it on legal terms and not on trespass."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"How are Communists different from human beings?" (Laughter.)

SRI K. ANANDAN NAMBIYAR:—"It is not in that spirit that I said. Communists have been specially mentioned as not humans. That is why I want to make it clear to the Hon. Minister so that there need be no special reference to Communists. It is not for Communists that the land is required, but it is required for cultivation purposes. Communists, Muslim Leaguers and Congressmen are all human beings. I am withdrawing my cut motion, Sir."

SRI T. VISWANATHAM:—"Sir, with reference to the reply of the Hon. Minister, I want to offer a word of personal explanation. I threw in some doubts about the Silent Valley forest scheme, because I wanted to get an assurance from the Hon. Minister that it is not an unprofitable concern. I have got the assurance, and I am thankful to him for it."

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* THE HON. SRI K. MADHAVA MENON:—"Sir, as I said, it is not an unprofitable concern if the Government are to get a proper price for it."

The cut motion was by leave withdrawn.

The motion that under Demand IV—Forest, the Government be granted a further sum not exceeding Rs. 200 was then put and carried, and the grant was made.

V.—ANNOUNCEMENT *RE* HOUSE COMMITTEE.

MR. SPEAKER:—"I have to announce to the House that the following candidates have been nominated for election to the House Committee:—

- (1) Kumararaja Sir Muthiah Chettiyar of Chettinad.
- (2) Sri P. Venkatanarayana.
- (3) Sri P. Kakkan.
- (4) Srimathi K. Lakshmi Ammal (Lakshmi Bharathi).
- (5) K. M. Seethi Sahib Bahadur.
- (6) Srimathi Vallabhaneni Seethamahalakshamma.

"As the number of candidates nominated is equal to the number of vacancies to be filled, namely, 6; I hereby declare them to have been duly elected to the House Committee.

"In addition to the above, under Rule 152 of the Madras Assembly Rules, I nominate the following two members to be members of the said committee:—

- (1) Mr. L. C. Pais.
- (2) Sri P. Kandaswami Pillai."

VI.—ANNOUNCEMENT *RE* PUBLIC ACCOUNTS COMMITTEE.

MR. SPEAKER:—"I have to inform the House that the following candidates were nominated for election of nine members of the committee on Public Accounts for the Third Session of Madras Legislative Assembly:—

- (1) Sri N. S. Varadachari.
- (2) Sri Kallur Subba Rao.
- (3) Sri V. M. Ramaswami Mudaliar.
- (4) Sri K. Brahmanandam Reddi.
- (5) Sri C. K. Govindan Nair.
- (6) Sri V. C. Palaniswami Gounder.
- (7) H. S. Hussain Sahib Bahadur.
- (8) M. Muhammad Ismail Sahib Bahadur.
- (9) Sri C. M. Kothari.
- (10) Sri K. Bokkai Gowdar.

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[Mr. Speaker]

Sri K. Bokkai Gowdar has since withdrawn his candidature. As the number of candidates remaining is equal to the number of vacancies to be filled, namely, 9, I hereby declare—

- (1) Sri N. S. Varadachari,
- (2) Sri Kallur Subba Rao,
- (3) Sri V. M. Ramaswami Mudaliar,
- (4) Sri K. Brahmanandam Reddi,
- (5) Sri C. K. Govindan Nair,
- (6) Sri V. C. Palaniswami Gounder,
- (7) H. S. Hussain Sahib Bahadur,
- (8) M. Muhammad Ismail Sahib Bahadur, and
- (9) Sri C. M. Kothari

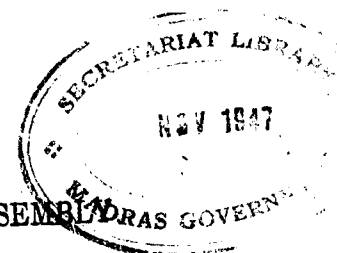
to have been duly elected to the committee on Public Accounts."

VII.—PROGRAMME OF WORK.

MR. SPEAKER:—"Tomorrow is a non-official day. We meet in the morning, and in the evening the Upper House meets. Day after tomorrow (the whole day) there will be debate on food. On the 26th, there will be discussion on supplementary demands. We adjourn on the 26th and meet again on the 7th October. We meet on that day not for any work but for purpose of electing a member to the Constituent Assembly. I will announce on the 26th instant whether there will be an election or not. If we do not have election, we will not meet on the 7th, but will meet on the 9th October. I have fixed 7th only tentatively. If we have election we will meet on the 7th, if not on the 9th October.

"Now we adjourn till 11 a.m. tomorrow."

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



THE MADRAS LEGISLATIVE ASSEMBLY

Wednesday, the 24th September 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Promotion of officers blocked on reaching the age of fifty.

* 98 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Prime Minister be pleased to state—

(a) the departments in which the promotion of officers is blocked on reaching the age of fifty; and

(b) the reasons for the existence of such a rule?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) the attention of the hon. Member is invited to the statement * placed on table of the House.”

BEGUM SULTAN MIR AMIRUDDIN:—“Sir, in view of the fact that it is a great hardship to an individual to be denied promotion for five long years prior to the termination of his service will the Government consider whether they can abolish these rules particularly with regard to the Education, Public Works and Public Health Services just as they are considering the abolition of the rules in the Veterinary Department and if they cannot abolish the rules, at least to relax them by making the period two or three years instead of five years?”

THE HON. DR. P. SUBBARAYAN:—“Sir, I would like to point out there are difficulties in this matter. If a person is lucky enough to get a job at a particular age, the rules governing it are there; and he knows very well that this is the maximum he can get, and if the rules are to be relaxed it will lead Government into difficulties by way of financial complications, and therefore it is very difficult to give any undertaking in the matter. But I shall consider the suggestion of the hon. Member and see what can be done; but let it be definitely understood that no undertaking by Government is given.”

SRI V. I. MUNISWAMI PILLAI:—“In the case of revenue officials, is it not a fact that a person who is to retire in three years before attaining his age-limit is not promoted?”

THE HON. DR. P. SUBBARAYAN:—“Yes, that is the rule. But the difficulty raised by the hon. Lady Member refers to cases where if a person is not promoted in time he does not

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reach the maximum in the scale. The Government in certain cases have relaxed the rules for the simple reason that the officer's work is such that he deserves promotion."

SRI V. I. MUNISWAMI PILLAI:—" May I know whether Government will consider the desirability of relaxing the rules in very hard cases? "

THE HON. DR. P. SUBBARAYAN:—" Yes, I have already said that the Government do relax the rule in cases where there is great hardship; but it cannot be done in every case for the simple reason that the maximum for certain appointments would not be reached if he is not promoted beyond the age fixed by the Government."

Maintenance of confidential sheets by officers.

* 99 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Prime Minister be pleased to state—

(a) whether the practice of maintaining confidential sheets in respect of subordinates by their superior officers in the Revenue and other departments of the Government is still in vogue;

(b) if so, what is the method of its working;

(c) whether under this system the man against whom an adverse remark is made is given an opportunity to know the adverse remarks and the causes for the same; and

(d) whether there have been any representations in the past for the abolition of this procedure?

THE HON. DR. P. SUBBARAYAN:—" (a) The answer is in the affirmative.

" (b) Confidential sheets or personal files as they are called, are maintained in respect of each officer and are prepared every half year or at such intervals as may be prescribed. The object in instituting this system is to have on record all information necessary for correctly assessing the character, ability, etc., of the officer, which will be particularly useful when considering his case for promotion to higher posts. Personal files are maintained generally by an officer's immediate superior and scrutinized by the next higher authority.

" (c) The answer is in the affirmative only where the adverse remarks relate to remediable defects.

" (d) The Non-Gazetted Officers' Association, Madras, made a representation last year for the abolition of the system of maintaining personal files of officers. The recommendation was not accepted."

SRI V. RAGHAVAYYA:—" Do not the Government think that this system of maintaining confidential sheets highly confidential is likely to result in favourites and inefficient people getting promotion to the detriment of really efficient people? "

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THE HON. DR. P. SUBBARAYAN:—" The Government think this system will give the best result with regard to the efficiency of the service and the capability of officers."

SRI V. RAGHAVAYYA:—" May I know whether the Government have any particular reasons, and if so, what they are, for not giving an opportunity to the concerned person to vindicate his conduct before he is punished, so that justice may be done to him? "

THE HON. DR. P. SUBBARAYAN:—" I have said in my answer to clause (c), that where the adverse remarks relate to remediable defects the concerned person is given an opportunity to know them, but in cases where there is nothing to correct in him there is no use in bringing the adverse remarks to his notice."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Sir, will the Hon. Minister be pleased to state whether it is advisable to condemn a man behind his back without giving him an opportunity to explain himself whenever a blackmark is to be recorded in the sheet? "

THE HON. DR. P. SUBBARAYAN:—" The Government have fixed a particular yard-stick to go on; and this is the yard-stick they have taken; and I can take the question no further."

SRI S. NAGAPPA:—" Sir, may I ask whether the Government in view of the fact that most of the confidential reports are more whimsical than practical (laughter) will consider the desirability of obtaining the remarks of the non-officials of the districts concerned about their officers? "

THE HON. DR. P. SUBBARAYAN:—" Certainly not. Because I do not share the hon. Member's opinion which he has put forward here with regard to reports that come to the Government."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—" May I know as there are cases where the remarks are adverse and not communicated to the parties reported against will the Government investigate and see whether they are justified? "

THE HON. DR. P. SUBBARAYAN:—" As I said, it is remedial defects that are communicated to the concerned party, as the hon. Member knows as well as I do, because he had been in Government service; and those points are considered before the confidential sheet is closed."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Sir, in view of the fact that the Government yard-stick of justice is at variance with the universally accepted one, will the Government consider the desirability of giving the condemned man an opportunity to explain himself? "

THE HON. DR. P. SUBBARAYAN:—" Sir, it is a relative opinion and I do not grant the hon. Member's premises."

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SRI P. NATESAN:—" May I know, Sir, if a subordinate gets into a superior position, he has got an opportunity of seeing his own confidential sheets?"

THE HON. DR. P. SUBBARAYAN:—" No, Sir."

SRI V. I. MUNISWAMI PILLAI:—" Is it not a fact, Sir, that the working of this system has been very satisfactory?"

THE HON. DR. P. SUBBARAYAN:—" I think, and the hon. Member will take it for granted, that I have had long experience of administration of this province, and I can say with my experience that this system has worked satisfactorily."

H. S. HUSSAIN SAHIB BAHADUR:—" Is it not possible that under this system different superior officers will enter different remarks conflicting with each other?"

THE HON. DR. P. SUBBARAYAN:—" If that happens it is for the Government to decide which remark of which superior officer they should take into consideration, because they know the capabilities of the officers who make these remarks."

SRI PILLALAMARRI VENKATESWARLU:—" As the Non-Gazetted Officers' Association are thoroughly dissatisfied with the present system, will the Government consider to revise and change these rules?"

THE HON. DR. P. SUBBARAYAN:—" I am obliged to the hon. Member for the information he gives; but the Government have their views on the subject."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I know whether there is a code of justice by which a man is condemned without giving him an opportunity to have his say, except perhaps in the case of detenus?"

THE HON. DR. P. SUBBARAYAN:—" The hon. Member knows with regard to this matter, and as far as I can see, as I said, I have had fairly long experience of administration, and I think, justice is being done. Persons who enter Government service know what the rules are, they know what the view of the Government is in these matters, and on the whole I feel the system has worked satisfactorily."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" Has the Hon. Leader of the House any objection to consult the non-official Members of this House about the officers in the districts?"

THE HON. DR. P. SUBBARAYAN:—" I am afraid if non-officials are allowed to look into confidential sheets it will lead to things which I do not think should happen in this province. I think it is not doing the right thing. I do not know where it will end."

SRI M. G. NATESA CHETTIYAR:—" Is it not a fact that confidential reports are mere personal opinions and they have no bearing on the inspection remarks?"

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THE HON. DR. P. SUBBARAYAN:—" I am afraid I cannot take the opinion of the hon. Member that they have no bearing on the inspection remarks. Confidential reports are based on the work and conduct of the subordinate officers."

SRI D. V. RAMASWAMI:—" May I ask, when there is conflicting opinion between personal remarks of different officers, which will get higher value in the eyes of the Government?"

THE HON. DR. P. SUBBARAYAN:—" I have already said, Government know the capabilities of their officers and they take into consideration the opinion of the person whom they consider is entitled to weight."

Status of the Legislature Secretariat.

*100 Q.—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Home Minister be pleased to state in what stage the proposal to raise the status of the Legislative Secretariat referred to in Legislative Assembly Question No. 774 answered on 29th March 1947 stands now?"

THE HON. DR. P. SUBBARAYAN:—" Attention is invited to the answer given on 25th April 1947 to question No. 1206. The matter is still under the consideration of Government."

H. S. HUSSAIN SAHIB BAHADUR:—" May I take it that as the matter has been under the consideration of Government so long, will a decision be reached by the end of this year at least?"

THE HON. DR. P. SUBBARAYAN:—" I cannot say exactly when the decision will be taken; because this is being considered on a very high level."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" As the matter is under consideration on a high level, may I know what amount will be involved in this new secretariat?"

THE HON. DR. P. SUBBARAYAN:—" I have not got the figures with me. If the hon. Member puts a separate question I may be able to give the figures."

Inadmissibility of confessions under section 27 of the Evidence Act.

*101 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Home Minister be pleased to state—

(a) whether there has been a recent decision of the Privy Council declaring as inadmissible, confessions under section 27 of the Evidence Act, in a Madras case that went up for decision; and

(b) whether the Government have received any communication from the Madras Bar Council in this connexion, and if so, what steps the Government propose to take in this matter?

THE HON. DR. P. SUBBARAYAN:—" (a) The Privy Council recently held in the case Pulukuri Kotiah and others vs.

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King Emperor that Full Bench decision of the Madras High Court *In re Athappa Goundan*, I.L.R. (1937) Madras, page 695, was wrong and placed certain restrictions on the admission and use in evidence, under section 27 of the Indian Evidence Act, of confessions made by accused persons while in the custody of a police officer."

"(b) The answer is in the negative. The Advocates' Association, Madras, has forwarded the resolution passed by its Council on the subject. The matter is under the consideration of the Government."

SRI V. RAGHAVAYYA:—"In view of the glaring injustice done to several people on account of the erroneous decision of the Madras High Court, will the Government be pleased to use its powers under section 401 of the Criminal Procedure Code . . ."

MR. SPEAKER:—"As it is under the consideration of Government, is it not better the hon. Member waits for some time?"

SRI V. RAGHAVAYYA:—"I am only asking whether it will not be better that Government consider as part of the general proposal to remit the unexpired portion of the sentences which are still being run as a result of the erroneous decision and also give solatium to the families of those who have been hanged on account of such decision."

THE HON. DR. P. SUBBARAYAN:—"I cannot give a definite answer at the present time."

K. M. SEETHI SAHIB BAHADUR:—"May I know what is the purport of the resolution received by the Government from the Council of the Madras Advocates' Association? The Hon. Minister said, the matter is under consideration. What is the matter?"

THE HON. DR. P. SUBBARAYAN:—"The matter is that in view of the decision, there have been certain injustices done; how such injustices could be rectified is the matter under consideration, and more than this I cannot give any further information at present."

* 102 Q.—

MR. SPEAKER:—"The hon. Member is not in his place. The answer will be printed in the proceedings."

Transport of rice bags without permit.

* 102 Q.—SRI K. A. KOSALARAM: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that one head constable in Devakottai Circle, Ramnad district, carried two bags of rice from the house of the Sub-Inspector to the house of the Circle Inspector of Police on 6th May 1946 in bus No. 1510 without a permit;

(b) whether any action was taken by the Rationing authorities under section 81 (2) of the Defence of India Rules read with Madras Rationing Order;

(c) if so, with what effect;

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(d) whether it is a fact that in the explanation given by the head constable in the departmental charge he admitted having carried two bags of rice from the house of the Sub-Inspector to house of the Circle Inspector and that he did it as an obligation; and

(e) whether that explanation was accepted and he was confirmed and promoted as Motor Vehicles Taxation Head constable, Ramnad at Madura?

THE HON. DR. P. SUBBARAYAN:—" (a) It is a fact that one head constable in Devakottai Circle, Ramnad district, carried two bags of rice from Tiruvadanai to Devakottai in a bus without a permit on 6th May 1946. There was no evidence whatsoever that the two bags of rice were being transported from the house of the Sub-Inspector to the house of the Circle Inspector of Police.

" (b) The head constable was prosecuted under section 81 (2) of the Defence of India Rules read with Madras Rationing Order.

" (c) The head constable was convicted and sentenced to pay a fine of Rs. 60 and in default, rigorous imprisonment for one month.

" (d) He made a statement to that effect during the departmental enquiry.

" (e) The explanation was not accepted as there was no evidence to corroborate his statement. He was confirmed as head constable as it was considered very unfair to overlook his claims in the circumstances of the case."

* 103 Q.—

MR. SPEAKER:—"The hon. Member is not in his place. The answer will be printed in the proceedings."

Publication of adjudication reports of labour disputes.

* 103 Q.—SRI K. T. KOSALARAM: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government considered the advisability of publishing adjudication reports in case of labour disputes; and

(b) if so, with what results?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) Yes, Sir. Arrangements are being made to print the reports and make them available for sale to the public."

Complaints from the Mannargudi Taluk Food Committee.

* 104 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Food be pleased to state—

(a) whether any complaints have been received from the Taluk Food Committee, Mannargudi, Tanjore district; and

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(b) if the answer is in the affirmative, what is the nature of the complaint and what the Government propose to do in the matter?

THE HON. DR. T. S. S. RAJAN:—“(a) No.

“(b) Does not arise.”

Co-operative Housing Schemes.

* 105 Q.—SRI V. RAGHAVAYYA: Will the Hon. Minister for Prohibition be pleased to state—

(a) how many Co-operative Housing Schemes have been planned in this Province so far and in what places;

(b) whether any of these schemes are intended for homeless labourers; and if so, in what places; and

(c) whether it is a fact that there is growing dissatisfaction among the poor people that their housing needs are being ignored by the Government?

THE HON. MR. DANIEL THOMAS:—“(a) It is proposed to start a Co-operative Housing Scheme in every Municipality and major panchayat area where there is shortage of housing accommodation. Co-operative House Construction Societies have so far been registered in Madras, Tanjore, Trichinopoly and Palamcottah. The organization of house construction societies is pending in Madras and Ramnad. A co-operative township has been organized at Katpadi. Proposals for the formation of similar townships are under consideration in respect of Podanur and Padavu (Mangalore).

“(b) These schemes are intended for persons who have resources to pay the initial deposit towards the value of the site and who possess repaying capacity to discharge loans that may be advanced by Government for the construction of houses. The question of providing housing accommodation for the poor classes is being examined by the Provincial Housing Committee.

“(c) Yes and no. Due to the acute scarcity of houses in the City and other urban areas there is dissatisfaction among the poorer as well as the more well-to-do classes. Government will take up the question of accommodation for industrial or other labouring classes, as soon as the report of the Housing Committee is received. Government are quite alive to the need of housing accommodation for these poor classes of people, as well.”

11-15 a.m. SRI V. RAGHAVAYYA:—“Arising from the admission of the Government, Sir, that there is growing dissatisfaction in the country among the poor people who are homeless, will the Government see its way to provide housing sites for the houseless villagers, particularly nomads, and chalk out an exhaustive and elaborate scheme for housing the houseless in all the villages of the Province?”

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THE HON. MR. DANIEL THOMAS:—“I think, Sir, the proposal of the hon. Member covers a very large area. But we are hoping that the report of the Housing Committee will refer to this aspect of the problem as well. I may assure the hon. Member that the Government will do everything possible to help these homeless people to be able to obtain sites and build houses. I may say here, Sir, that in the City of Madras last year, as a result of the floods thousands of people were rendered homeless. The Government made a grant of Rs. 1 lakh and sanctioned a loan of Rs. 1 lakh for the provision of housing sites for such people affected by the floods and I think similar provisions will be made in other areas also after the report of the Housing Committee is received.”

SRI K. P. KAMAKSHI CHETTIYAR:—“May I know, Sir, whether the Hon. Minister will consider the desirability of extending this scheme to all the villages of the Palni and Kodaikanal hills where congestion is acute, in view of the fact that the price of house sites is abnormally high and that iron materials and zinc sheets are not available to the hill villages?” — —

MR. SPEAKER:—“The hon. Member need not give reasons.”

THE HON. MR. DANIEL THOMAS:—“So far as the Kodaikanal area is concerned there is already a proposal to start a house building society for the town of Kodaikanal which will include housing for the poorer classes of people as well. There will also be a society for the major panchayat areas in the taluks and I believe that the general question will be dealt with after receiving the report of the Housing Committee.”

SRI V. I. MUNISWAMI PILLAI:—“Arising out of the answer of the Hon. Minister for Prohibition to clause (c), will the Government consider the advisability of taking this House into confidence and create a small committee before they come to any scheme for providing houses for the houseless people and also the scheduled caste people who are living in cheris in the rural areas?”

THE HON. MR. DANIEL THOMAS:—“I am grateful to the suggestion made by the hon. Member. But I believe that the best course will be for the Government to lay the Report of the Housing Committee on the table of the House and invite a general discussion on that report.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Arising out of the answer given by the Hon. Minister, may I know why not even one housing society has been registered in the entire Andhra area whereas societies have been registered only in the Tamilnad and other districts?”

THE HON. MR. DANIEL THOMAS:—“I suppose, Sir, that is because the Andhra people are more able to help themselves than the Tamilnad people are!”

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SRI PILLALAMARRI VENKATESWARLU:—"The question has not been answered, Sir."

MR. SPEAKER:—"It has been answered."

H. S. HUSSAIN SAHIB BAHADUR:—"Is it a fact that the fixation of the minimum number of members for the purpose of starting a society is standing in the way of the starting of such societies in many of the panchayat areas in the Province?"

THE HON. MR. DANIEL THOMAS:—"I am not sure of the statement made by the hon. Member. So far as I am aware even ten or a dozen persons can join together and form a co-operative society."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is there any scheme before the Government to construct houses for their officials in the districts so that the housing problem may be solved in this Province?"

THE HON. MR. DANIEL THOMAS:—"Sir, in regard to these housing societies the rules have been relaxed so as to enable Government servants and also servants of municipal bodies to take allotments and it has also been suggested that in regard to the various co-operative societies which are started in urban areas, the municipalities can themselves go in for a number of houses to provide accommodation for their officers."

SRI K. ANANDAN NAMBIYAR:—"May I know, Sir, whether the Government are aware that the conditions of housing with regard to the railway workers who are employed in this Province are not satisfactorily dealt with by the Railway administration and will the Government ask the Railway administration to satisfactorily tackle the issue?"

THE HON. MR. DANIEL THOMAS:—"I think, Sir, the hon. Member may put a separate question again on that point."

SRI PILLALAMARRI VENKATESWARLU:—"Arising out of the answer given by the Hon. Minister, may I know where the municipalities and panchayat boards by themselves cannot have housing schemes, what measures the Government are going to take in their cases?"

THE HON. MR. DANIEL THOMAS:—"I do not grant the assumption of the hon. Member, Sir."

SRI S. NAGAPPA:—"Due to the experience gained in the Labour department as it has become clear that it is very difficult to either acquire or assign lands on account of the existing revenue rules, will the Government consider the desirability of modifying some of those rules so far as the co-operative societies are concerned?"

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THE HON. MR. DANIEL THOMAS:—"I ask for notice, Sir."

SRI A. KAMESWARA RAO:—"Will the Government think of dropping the present schemes at present and first of all construct houses only for labourers and others so that we may clear the slums of this Presidency, because we have to give the first priority to those poorer classes than to the middle and upper classes?"

THE HON. MR. DANIEL THOMAS:—"I do not think, Sir, that the dropping of these schemes will help the poorer classes."

SRI M. G. NATESA CHETTIYAR:—"May I know whether it is a fact that large tracts of wet lands are being alienated for purposes of housing sites under these schemes?"

THE HON. MR. DANIEL THOMAS:—"I have come across such cases. In fact recently during my tour in Tinnevely I found large parts of wet lands situated in the Tinnevely and Palamcottah towns are being covered by buildings. I asked the commissioner about it. He said that they could not do anything in the matter as the rules did not give them power to refuse permission to building on such sites."

SRI K. LINGA RAJU:—"May I ask, Sir, whether the co-operative house building societies that already exist will be encouraged?"

THE HON. MR. DANIEL THOMAS:—"They are being encouraged and will be encouraged."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is the Hon. Minister aware that whenever their officials are transferred from one place to another they feel it very difficult to get any accommodation and if so what steps the Government propose to take in the matter?"

THE HON. MR. DANIEL THOMAS:—"Sir, so far as the City of Madras is concerned we are trying to establish a convention, namely, that houses occupied by officers will be made available for their successors in office. So far as the mufassal areas are concerned the position is more difficult because the Government do not own any houses."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know how long the co-operative societies established in the City of Madras for the construction of houses will take to deliver them to those who have applied for them?"

THE HON. MR. DANIEL THOMAS:—"I am as keen as the hon. Member for effecting delivery as early as possible, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"May I know whether the Government will consider the desirability of having a plan for housing in the whole Province at least for the labourers and middle-class employees and chalk out a plan?"

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THE HON. MR. DANIEL THOMAS:—"We are awaiting with interest the report of the Housing Committee, Sir."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Will the Government consider the urgent necessity for building houses for their own officers at least in the Madras City and other prominent towns in the Presidency and thus relieve the housing problem to some extent?"

THE HON. MR. DANIEL THOMAS:—"In fact I have stated, Sir, somehow the Government of Madras have been behind any other Government in the matter of providing housing accommodation for their officials. When I was in Nagpur recently, I found the whole city was divided into two halves, one half providing accommodation for non-officials and the other for officials. As soon as the financial position of the Government improves, this scheme will be taken into consideration."

SRI S. NAGAPPA:—"Will the Government consider the desirability of providing the houseless, especially those living in slums and who are creating insanitary conditions in the municipalities as well as in the cities, with houses and thus clearing the slums, before taking the question of officials?"

THE HON. MR. DANIEL THOMAS:—"Sir, both the things are necessary and both the things will be tried simultaneously."

SRI T. VISWANATHAM:—"May I know, Sir, whether in view of the importance and urgency of this question the Government will assume direct responsibility for solving this problem rather than leaving it to the municipalities and co-operative societies who are handicapped on account of various disabilities?"

THE HON. MR. DANIEL THOMAS:—"We shall see, Sir, how far the present system works and then judge by results."

SRI C. M. KOTHARI:—"Will the Government be pleased to consider the question of providing houses and accommodation to all the Ministers and the Hon. the Speaker and the Hon. President of the other House?"

THE HON. MR. DANIEL THOMAS:—"We are very grateful to the hon. Member for his very helpful suggestion."

SRI T. VISWANATHAM:—"Mr. Speaker, what I was asking was that in view of the admitted handicaps which the co-operative societies and the municipalities are suffering from, whether the Government will assume direct responsibility now without waiting to see the results, because already we know the results?"

THE HON. MR. DANIEL THOMAS:—"I do not agree that that would be a wise course to adopt. A Housing Committee is now sitting and we are expecting its report. Moreover we have started housing schemes under the co-operative system

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in various parts of the Province. Let us give them a fair trial. If they do not give satisfactory results then the Government will consider and re-align the position."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask, Sir, being convinced of the urgency of this question, whether it is not proper for the Government to take direct responsibility to have a certain vigorous programme in connection with the construction of houses?"

THE HON. MR. DANIEL THOMAS:—"I am glad hon. Members of the House are of the view that if the Government took direct responsibility, things would be carried out more expeditiously."

SRI S. NAGAPPA:—"Will the Government consider the desirability of granting lands free of cost, especially to those who live in slums and cheris?"

THE HON. MR. DANIEL THOMAS:—"I think the hon. Member will do well to make a representation to the Hon. Minister for Revenue."

M. MUHA, and know, Sir, when to from want of ferred the Government's difficulties?"

SMAIL SAHIB BAHADUR:—"I want to know co-operative societies are suffering acutely materials and also I want to know how far able to help them in overcoming those difficulties?"

THE HON. MR. DANIEL THOMAS:—"Hon. Members of the House are very well aware that the position of steel in the country is extremely difficult. Representations have been made on behalf of the Government of Madras to increase the steel quota allotted to this province and a hard refusal has been given to us in view of the overall position in India. In these circumstances the Government have been negotiating with the authorities concerned through the Military depots in the Province and arrangements are being made to take over such of the materials in those depots as will be useful for housing operations."

SRI B. S. MALLIKARJUNA RAO:—"How long will the Housing Committee take to complete its report?" 11-30 a.m.

THE HON. MR. DANIEL THOMAS:—"I understand, Sir, but I am not sure that the examination of evidence is over and the report is being drafted."

SRI V. C. PALANISWAMI GOUNDER:—"Are the Government aware of the slogan 'Back to the Villages' and if so will they investigate the causes of this large exodus of village people to towns causing congestion in the towns and giving rise to several problems for Government and the municipalities?"

THE HON. MR. DANIEL THOMAS:—"I think, Sir, this aspect of the question will be discussed in the report of the Housing Committee."

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ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I ask, Sir, whether the Hon. Minister will not forget the claims of non-officials in his anxiety to find housing accommodation for the officials? "

THE HON. MR. DANIEL THOMAS:—" My anxiety is even more for the non-officials than for the officials."

SRI C. M. KOTHARI:—" Arising out of the answer given by the Hon. Minister, may I know whether he is aware that five thousand tons of defective steel have been received and it is being distributed in the country as regular steel and there is also black-marketing going on? "

THE HON. MR. DANIEL THOMAS:—" I will request the hon. Member to put a separate question to the Hon. Minister for Industries."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Government have any idea of when concrete results will be produced as a result of the efforts of the co-operative societies, the municipalities and if necessary by the Government? "

THE HON. MR. DANIEL THOMAS:—" We are trying to get concrete materials to produce concrete results."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" May I ask, Sir, whether if Members of this House are constructing houses for themselves, will the Government give them priority for iron and steel? "

THE HON. MR. DANIEL THOMAS:—" The question may be addressed to the Hon. Minister for Industries."

HON. MEMBERS:—" It is with regard to housing schemes, Sir."

THE HON. MR. DANIEL THOMAS:—" So far we have not received any application from any Member of the House."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—" If private enterprise is forthcoming to start building colonies, will the Government give facilities to them in the matter of supply of cement, steel and other building materials? "

THE HON. MR. DANIEL THOMAS:—" Owing to the scarcity of materials we have to regulate our procedure by stages. For the present we are endeavouring to supply the necessary materials to the house-building societies. As the position becomes easier, I think we would be able to give the same facilities to private builders also."

SRI P. NATESAN:—" In view of the shortage of steel materials which is likely to last for some considerable time, will the Hon. Minister kindly depute an engineer to design houses which will not require very much of steel? "

THE HON. MR. DANIEL THOMAS:—" In fact the Madras House-building Co-operative Society has already asked the Forest department for a large supply of timber."

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SRI V. RAGHAVAYYA:—" Will the Government take steps to see that certain tribes who are thousands in number and who roam from village to village are provided with cheap houses so that they may be cured of their nomadic habits and induced to settle in one place and live in houses like others? "

THE HON. MR. DANIEL THOMAS:—" I think, Sir, it is a favourite question of the hon. Member which he has already put in the Assembly and I shall give him the same answer, namely, that these ycnadis, migratory tribes, are less in need of houses than others."

*Number of licences granted to Muslim cloth dealers of
Madura, Ramnad and Tinnevely districts.*

* 106 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state—

(a) how many licences were granted in the Madura, Ramnad and Tinnevely districts to Muslim retail cloth dealers and wholesale dealers for selling mill and handloom cloth from the date on which the grant of such licences was started up to 1st April 1947;

(b) how many of the said licences were suspended or cancelled completely;

(c) how many such licences were suspended or cancelled so far as mill cloth sales are concerned and for what reason;

(d) how many petitions for the restoration of the licences are pending disposal and from what date they are pending;

(e) if the Government are going to distribute yarn and cloth through co-operative societies what relief the Government proposes to give to the wholesale and retail dealers of those business;

(f) whether the Government have taken adequate steps to get mill cloth for the whole yarn supplied from this Province; and

(g) whether the Government propose to make arrangements for the grant of special cloth purchase permits for marriage purposes?

THE HON. SRI H. SITARAMA REDDI:—" (a) to (d) The information is given districtwar in the statements^a placed on the table of the House.

" (e) The question whether the work of distribution of yarn should be entrusted to co-operative societies is separately under the consideration of the Government.

There is no proposal to give relief to the retailers and wholesalers if the work is entrusted to co-operative societies.

Regarding cloth, there is no proposal under the consideration of the Government to distribute cloth entirely through co-operative societies except in the district of Malabar.

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The question of granting relief to wholesale and retail dealers will be considered when the distribution of cloth is entrusted entirely to co-operative societies.

“(f) The question is not clear. Yarn and cloth are distributed separately under the All-India Distribution Schemes. Hence the question of replacement of yarn by mill cloth does not arise. The yarn allotted to this Province represents 26.05 per cent of the total yarn available for distribution in India. As regards cloth, mill cloth from the Bombay surplus area is supplied to this Province to the extent necessary to make up the *per capita* allotment of 10 yards per year taking into account the cloth produced by handlooms and mills in this Province.

“(g) In view of the meagre supplies of mill cloth available in this Province, the Government have ordered that no mill cloth should be granted for marriage purposes. The Government consider that handloom cloth should be generally used for that purpose.”

DR. S. SUBRAHMANYA AYYAR:—“Have the Government got any policy of issuing licenses on communal basis?”

THE HON. SRI H. SITARAMA REDDI:—“No, Sir.”

SRI K. ANANDAN NAMBIYAR:—“Why should relief be given to the wholesalers and retailers, Sir?”

THE HON. SRI H. SITARAMA REDDI:—“I have not said that relief is going to be given; I have only said that the question will be considered.”

SRI K. ANANDAN NAMBIYAR:—“I ask, Sir, why there should be this consideration at all.”

THE HON. SRI H. SITARAMA REDDI:—“This question also will be considered.”

SRI PILLALAMARRI VENKATESWARLU:—“As the normal trade channels have proved deceptive and disadvantageous to the people, will the Government consider the handing over of the distribution of cloth to co-operative societies?”

THE HON. SRI H. SITARAMA REDDI:—“The hon. Member's suggestion also will be considered.”

DR. S. SUBRAHMANYA AYYAR:—“May I ask why the Government is so well disposed towards normal trade channels?”

THE HON. SRI H. SITARAMA REDDI:—“Normal trade channels also are functioning now.”

P. P. HASSAN KOYA SAHIB BAHADUR:—“The Hon. Food Minister said that the policy of the Government was not to disturb normal trade channels. I believe that policy remains also the policy with regard to cloth distribution. May I have an assurance from the Hon. Minister that normal trade channels in the matter of cloth distribution will not also be disturbed?”

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THE HON. SRI H. SITARAMA REDDI:—“I have already answered the question. I have said these are all matters which are being considered.”

SRI PILLALAMARRI VENKATESWARLU:—“As these normal trade channels have become abnormal, people are not prepared to put up with them as they have become black-marketers. Will the Government seriously consider the matter and see that no opportunities are given to these businessmen to again deal in cloth?”

THE HON. SRI H. SITARAMA REDDI:—“All normal trade channels which have become abnormal and resorted to black-marketing will be ruthlessly eliminated.”

DR. S. SUBRAHMANYA AYYAR:—“Is it not a fact, Sir, that there is an apprehension in the minds of the co-operative workers that this Government is not giving them a fair deal?”

THE HON. SRI H. SITARAMA REDDI:—“If that is the opinion of some people I cannot help it, but so far as this Government are concerned, we are doing our best to see that the co-operative movement is helped in every way.”

P. P. HASSAN KOYA SAHIB BAHADUR:—“Is it a fact that the Textile authorities in Malabar have already reported to the Government that the distribution of cloth through co-operative societies will not be satisfactory?”

THE HON. SRI H. SITARAMA REDDI:—“I suggest the Hon. Member may put a separate question. I have not the papers regarding the matter before me.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“Will the Hon. Minister be prepared to eliminate black-marketers even among co-operative societies?”

THE HON. SRI H. SITARAMA REDDI:—“Black-marketers wherever they are found will be eliminated.”

SRI S. NAGAPPA:—“May I ask the Government how many black-marketers among the wholesale and retail dealers they have so far been able to eliminate?”

THE HON. SRI H. SITARAMA REDDI:—“I suggest that the hon. Member may put a separate question asking for details with regard to each department. No answer can be given to a vague question as this now.”

P. P. HASSAN KOYA SAHIB BAHADUR:—“May I know what are the special reasons for introducing the co-operative scheme in Malabar alone?”

THE HON. SRI H. SITARAMA REDDI:—“I am afraid the question must be addressed to the Hon. the Minister in charge of Co-operation.”

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SRI V. I. MUNISWAMI PILLAI:—"Arising out of the answer to clause (a), may I know the total number of licences granted to non-Muslims in the district?"

THE HON. SRI H. SITARAMA REDDI:—"I would suggest that a separate question may be put."

Construction of Rapur-Chitveli Road.

* 107 Q.—SRI B. VENKATANARAYANA REDDI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Rapur-Chitveli Road (Nellore and Cuddapah districts connecting road) work was started in 1945-46; and

(b) why it was stopped; and whether there is any proposal to proceed with the work in the near future?

THE HON. SRI K. CHANDRAMOULI:—" (a) Yes; in 1946-47.

" (b) The work was sanctioned to provide employment to unskilled labourers in the Rapur taluk—(Nellore district) affected by the bad seasonal conditions. As seasonal conditions subsequently improved the work was not proceeded with. It has been included in the list of road works to be executed by the Nellore District Board in the current year under the Post-war Road Development programme."

SRI K. ANANDAN NAMBIYAR:—"How many labourers have been provided work on this construction?"

THE HON. SRI K. CHANDRAMOULI:—"The work has not yet been taken up. It is going to be taken up by the District Board."

SRI K. ANANDAN NAMBIYAR:—"If taken up, how many labourers will be employed?"

THE HON. SRI K. CHANDRAMOULI:—"We cannot say offhand."

Resolution passed by the Municipal Elementary School, Teachers' Union, Madura.

* 108 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Madura Municipal Elementary School Teachers' Union has submitted its resolutions, dated 20th January 1947, to the Government;

(b) what is the reply given to them by the Government on that representation; and

(c) if no reply was given, why not?

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" (a) No representation was received on the date mentioned in the question, but a representation, dated 11th March 1947 was received. The request made in it was for an enhancement of the scales of pay.

" (b) & (c) Since then a further revision of the salaries of Elementary School Teachers has been made."

Building grant.

* 109 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Minister for Education be pleased to state—

(a) whether any request for building grant for S.B.M. High School of Nattarasankottai, Sivaganga taluk in Ramnad district, has been received by the Government;

(b) if so, whether the Government have sanctioned any amount; and

(c) if not, why not?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" (a) Yes.

" (b) & (c) The Government did not sanction the grant. The proposal was deferred pending consideration of the general question of the restrictions imposed in regard to building grants to Secondary schools."

SRI R. V. SWAMINATHAN:—"May I know the policy of the Government regarding these grants?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"As it stands, boys schools and colleges are not liable to get buildings and equipment grants."

SRI KALLUR SUBBARAO:—"May I ask whether the Government will give at least 50 per cent, where local people come forward to build high school buildings?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"What I am referring to is applicable to all aided schools where local people are coming forward to put up buildings."

SRI R. V. SWAMINATHAN:—"Will the Government consider the giving of grants to such schools where there are special reasons?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"It is very difficult to say. But the Government are feeling the hardship and are trying to reconsider the matter."

Increased pay or dearness allowance to teachers.

* 110 Q.—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the District Board of South Karaikal has not given either increased pay or dearness allowance to the teachers of its elementary schools;

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(b) if the answer to (a) is in the affirmative, for what reasons; and

(c) whether the Government propose to give any financial aid or grant, if necessary, to the said District Board, for the purpose?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) & (b) Presumably the Hon’ble Member refers to revision of salaries and grant of arrear dearness allowance to teachers. Orders of Government in regard to the revision of salaries have been issued. As regards the payment of arrear dearness allowance, it has been reported by the Special Office that arrangements have been made for the grant of the allowance.

“(c) The District Board does not now stand in need of any aid from the Provincial funds for the grant of arrear dearness allowance to teachers. As regards the introduction of revised scales of pay, the intention of Government is that the District Board should meet the extra cost from the Elementary Education fund. Advances will, if necessary, be made from the Provincial funds in the first instance and recovered from the District Board, later. The Government have decided to enhance the rate of Education tax so as to provide funds for the District Board for meeting a portion of the cost of revision of salaries. The District Board should devise means for meeting the remaining extra expenditure.”

H. S. HUSSAIN SAHIB BAHADUR:—“May I know whether the District Board of South Kanara had made any request for financial aid for this purpose recently?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“At the time of the revision, promises were made that advances would be given to district boards to enable them to give the increased salaries.”

SRI V. M. RAMASWAMI MUDALIYAR:—“Are the Government making a distinction in the revision of salaries between the ministerial servants of local bodies and the servants engaged in the Educational line?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“No, Sir. This misunderstanding was created by an order issued by the Local Administration Department. Orders relating to Ministerial servants of local bodies are issued by the Local Administration Department, and those relating to the revision of pay of teachers are issued by the Education Department. The Education Department issued orders a little later.”

SRI PILLALAMARRI VENKATESWARLU:—“Are the Government aware that most of the local bodies are not paying the increased salaries and dearness allowance?”

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“The present question relates to South Kanara and so this supplementary question may not be strictly relevant. Still, I may say that what the hon. Member says is incorrect.”

SRI S. NAGAPPA:—“As some district boards have not yet granted increased salaries and dearness allowance, will the Government issue instructions to such boards to pay them immediately?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“I am not aware of any such district board. Will the hon. Member bring to my notice specific cases so that I may go into them.”

SRI S. NAGAPPA:—“The Kurnool District Board has not yet given the increased salaries and dearness allowance to its teachers?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“I will go into the case.”

Stock of kuruvai paddy seeds.

* 111 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the stock of kuruvai paddy seeds with the ryots is not sufficient;

(b) whether it is a fact that representations have been made to the Government that the supply of kuruvai paddy seeds through the Agricultural Department, too, is not sufficient and is not easily available for the ryots; and

(c) if so, what steps the Government propose to take to make paddy seeds easily available to all classes of ryots?

THE HON. SRI K. MADHAVA MENON:—“(a) The answer is in the negative. As almost the whole area in Tanjore district is under paddy strains, every cultivator has his own stock of pure strain seeds. In this district seed is multiplied by the Agricultural Department to meet a fifth or sixth of the total requirement to enable the ryots to replace the impure seeds once in five or six years.

(b) About 735 tons of paddy seeds were held in stock in the Agricultural Depots in the Tanjore district during April to June 1947. The actual sale effected during this period was only 87 tons. Out of this quantity about 85 tons represent the quantity of various kuruvai strains distributed.

(c) A representation was received from Tanjore about the delay in the supply of seeds from the Agricultural Department. The complainant was however subsequently supplied with the seeds he required. There was also a representation from South Arcot district pertaining to Vriddhachalam taluk where it was reported that lands were lying fallow for want of seeds. On enquiry it was found that no land was left

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fallow for want of paddy seeds and that sufficient stocks of paddy seeds were distributed in all the villages of the taluk from the Agricultural Depots.

“(c) The Government are already working an all-Province comprehensive scheme for the multiplication and distribution of improved strains of paddy, etc. The seed farm produce is being purchased by the Agricultural Department and sold to ryots at the Agricultural Depots on a subsidised basis.”

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—“In view of the delay caused in the supply of paddy through the Agricultural Department, will the Government try to speed up the process?”

THE HON. SRI K. MADHAVA MENON:—“No delay has been caused in the supply, Sir.”

SRI R. V. SWAMINATHAN:—“Are the Government aware that the procuring officials take away paddy from the cultivators without leaving a margin even for seeds?”

THE HON. SRI K. MADHAVA MENON:—“The District Agricultural Officers and Agricultural Demonstrators purchase only seed paddy. The paddy purchased by the procurement staff is not seed paddy.”

SRI M. G. NATESA CHETTIYAR:—“May I know the condition on which paddy seed is distributed to the ryots?”

THE HON. SRI K. MADHAVA MENON:—“It is not a case of distribution, but of sale. Whichever cultivator wants, he can purchase it from an agricultural depot.”

SRI M. G. NATESA CHETTIYAR:—“May I know whether the Hon. the Minister is aware that seed is given on condition of return to the department with some surplus added on?”

THE HON. SRI K. MADHAVA MENON:—“It is only in the case of seed farms.”

SRI V. C. PALANISWAMI GOUNDER:—“Are the Government aware that the price of paddy seeds in Coimbatore depots is higher than the controlled rate?”

THE HON. SRI K. MADHAVA MENON:—“I am not aware.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“In view of the statement of the Hon. the Minister that whoever applies will get the paddy seed, will the Government see that the improved paddy strains are not used for consumption?”

THE HON. SRI K. MADHAVA MENON:—“I did not say that whoever applies will get it. Only the agriculturists

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who apply for seed will get it. There has been no complaint that the seed purchased for sowing has been used for feeding purposes.”

SRI A. VEDARATNAM PILLAI:—“May I know whether the Government are aware that the kuruvai seeds supplied by the Agricultural Department were quite useless?”

THE HON. SRI K. MADHAVA MENON:—“The Government are not aware that they were quite useless. There was a complaint from Tanjore that in some cases the seeds were not fully germinating.”

Higher educational qualifications to male nurses.

* 112 Q.—MAHIN SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(a) why the male nurses are required to possess higher educational qualification than the female nurses, although both get the same pay;

(b) why they are not permitted to take maternity training as in the case of female nurses;

(c) why they are not allowed to work in the female wards when the female nurses are allowed to work in the male wards;

(d) why they are not provided with furnished quarters as in the case of female nurses; and

(e) why they are not given house-rent allowance when they are not provided with free quarters as in the case of female nurses?

THE HON. SRI A. B. SHETTY:—“(a) It has been considered necessary to prescribe for women nurse pupils lesser qualifications than for male nurses as sufficient number of women candidates would not otherwise be coming up for the course particularly as the number of women nurses recruited should be thrice that of male nurses. Owing to the recruitment of a large number of women nurses to the A.N.S. also the educational qualification required for women nurses had to be lowered.

“(b) In the case of male nurses, a training in midwifery is not considered necessary as their services are intended to be utilized for departments other than maternity sections of hospitals. But they are given training for a period of three months in the Mental hospital and for another three months in venereal and genito-urinary departments.

“(c) As the number of male nurses employed in Government hospitals is in the proportion of one male nurse to every three female nurses, the recruitment of male nurses is solely with a view to their employment in mental, venereal, leprosy and other departments of hospitals where their services will be useful. Hence the male nurses are not allowed to work in the female wards.

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"(d) & (e) Proposals to provide free furnished quarters to the male nurses as in the case of female nurses are under the consideration of the Government."

MAHIN SCHAMNAD SAHIB BAHADUR:—"May I know why the female nurses are not allowed to live with their husbands in their quarters and why they are not given facilities to marry and enjoy with their husbands instead of going astray?" (Laughter.)

THE HON. SRI A. B. SHETTY:—"Only unmarried females and widows without encumbrances are recruited for training as nurses."

BEGUM SULTAN MIR AMIRUDDIN:—"Will there not be a big outcry on the part of women if male nurses are employed in female wards for maternity work?"

THE HON. SRI A. B. SHETTY:—"I think so, Sir."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Will there not be a big outcry if female nurses are employed in male wards?" (Laughter.)

THE HON. SRI A. B. SHETTY:—"That has been the practice all along, and there has been no complaint."

SRI P. NATESAN:—"Am I to understand from the reply of the Hon. Minister that there are no married nurses in Government service?"

THE HON. SRI A. B. SHETTY:—"If nurses under training get married, they will be sent away."

DR. S. SUBRAHMANYA AYYAR:—"In view of the answer that there is a proportion of one male nurse to every three female nurses in Government hospitals, are we to presume that the number of male and female patients bears the same proportion?"

THE HON. SRI A. B. SHETTY:—"No, Sir. The male nurses are recruited only for certain departments of hospitals. A committee considered the matter and they fixed the proportion of 1:3."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Will the Government see that the present practice of having only female nurses for female wards is continued?"

THE HON. SRI A. B. SHETTY:—"Yes, Sir."

SRI P. KANDASWAMI PILLAI:—"Is it a fact that nurses are allowed to marry when they become staff nurses?"

THE HON. SRI A. B. SHETTY:—"May be, Sir, I think, staff nurses can marry."

13 noon. MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, why male nurses are allowed to marry and not female nurses, and why has this distinction been made?"

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THE HON. SRI A. B. SHETTY:—"Female nurses, if they marry will have children, and they will have to take care of the children, and hence they will not be able to attend to their duties, but not so with male nurses, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"In view of the fact that male nurses are not generally liked, will the Government consider the policy of discouraging the employment of male nurses?"

THE HON. SRI A. B. SHETTY:—"It has been found necessary to employ male nurses also, Sir. Even in England male nurses are employed."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Will the Government consult expert opinion in regard to whether female nurses are more efficient than male nurses?"

THE HON. SRI A. B. SHETTY:—"Male nurses have been found to be doing their work fairly well, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, if it is fact that there is a difference in the salary between a female and a male nurse and whether representations have been made to the Government that there should be no such distinction in their emoluments?"

THE HON. SRI A. B. SHETTY:—"No, Sir."

M. S. ABDUL MAJID SAHIB BAHADUR:—"Is it a fact, Sir, that rich patients are not going to the hospital because of this system of male nurses?"

THE HON. SRI A. B. SHETTY:—"The Government are not aware of it, Sir."

MAHIN SCHAMNAD SAHIB BAHADUR:—"May I know, Sir, why, when both the husband and the wife are employed in the same hospital as nurses, they are not allowed to live together, and why they are compelled to live separately?"

THE HON. SRI A. B. SHETTY:—"Female nurses are provided with quarters in the hospital premises or near the hospital. Female and male nurses cannot live together in the hospital quarters, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"Arising out of the answer given by the Hon. Minister, suppose a nurse gives an assurance that she will attend to her duties in spite of the child, will the Government permit her to have marriage?"

THE HON. SRI A. B. SHETTY:—"If such a question arises, it will be considered, Sir."

H. S. HUSSAIN SAHIB BAHADUR:—"Is it not a fact, Sir, that female nurses have put off their marriage for fear of being discharged?"

THE HON. SRI A. B. SHETTY:—"It may be so, Sir. Married nurses will find it difficult to do whole-time work."

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P. P. HASSAN KOYA SAHIB BAHADUR:—"May I know, Sir, whether the Government are aware that when the hon. Mr. Prakasam was Prime Minister, he gave an assurance on the floor of the Assembly that the nursing profession should be confined only to females, and whether that is still the Policy of the Government?"

MR. SPEAKER:—"The hon. Member may put a separate question on the subject."

SRI P. KANDASWAMI PILLAI:—"Are the Government aware, Sir, that before the previous Congress Government, only female nurses were employed and that only after the advent of the Congress Ministry the system of appointing male nurses in the hospitals was introduced by the then Minister of Public Health, the Hon. Dr. T. S. S. Rajan?"

THE HON. SRI A. B. SHETTY:—"The system of employing male nurses began in 1939, Sir."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Sir, in answer to clause (b) of the question, the Hon. Minister said that male nurses are sent to Mental Hospital for three months; is it for training or for treatment?"

THE HON. SRI A. B. SHETTY:—"For training, Sir."

MR. SPEAKER:—"Question time over; answers to the rest of the questions will be printed in the proceedings."

Number of staff nurses discharged from Government hospitals and nursing homes.

* 113 Q.—M. V. HYDROSS SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(a) the number of staff nurses discharged from the various hospitals and nursing homes under the Government from March to July 1947;

(b) how many of them belong to West Coast;

(c) whether the Government propose to discharge any staff nurses in 1948;

(d) whether it is a fact that Missionary Nurses have been newly appointed in service;

(e) if so, how many Missionary Nurses were appointed from 1st January 1946 to 30th June 1947;

(f) the number of probationary Nurses including those undergoing Maternity Training;

(g) the average expense incurred by the Government for training a probationary nurse till one completes the probation; and

(h) whether the Government propose to reappoint the discharged nurses in service instead of recruiting probationers?

THE HON. SRI A. B. SHETTY:—" (a) The number of staff nurses discharged from the various Government medical institutions up to July 1947 is 130.

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"(b) The Government have no information and it is considered no useful purpose will be served by obtaining it.

"(c) The discharge of 52 nurses who are on contract basis from 1st July 1947 will depend upon the cadre strength on 1st January 1948 and the number of vacancies that may exist then.

"(d) Yes.

"(e) Five Mission-trained female nurses without war service were appointed on temporary basis under the emergency provisions between 1st May 1946 to 9th January 1947 and 23 war-returned Mission-trained nurses (male as well as female) were appointed between 9th September 1946 to 1st May 1947. The total number of Mission-trained nurses now in service on temporary basis is 28.

"(f) The total number of probationary nurses including those undergoing maternity training is 555.

"(g) The average expense incurred by the Government in training a probationer (nurse pupil) for a stipulated period of 3½ years is Rs. 3,068.

"(h) The question whether the recruitment of probationers should be held in abeyance till all the discharged nurses are employed in Government, local fund and municipal medical institutions is separately under consideration."

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

II.—ELECTION OF ONE MEMBER TO THE ADVISORY COMMITTEE OF THE SOUTH INDIAN RAILWAY.

MR. SPEAKER:—"I have to announce to the House that the following candidates were nominated for election of one member to the Advisory Committee of the South Indian Railway:—

(1) Sri P. S. Kumaraswami Raja.

(2) „ K. Bokkai Gowder.

(3) Muhammad Raza Khan Sahib Bahadur.

(4) Sri K. Anandan Nambiar.

"Sri K. Bokkai Gowder and Muhammad Raza Khan have since withdrawn their candidature leaving Sri P. S. Kumaraswami Raja and Sri K. Anandan Nambiar, the two candidates, for filling the seat on the Advisory Board. As the number of remaining candidates exceeds one, an election will be held in the Secretary's room between 1-30 p.m. and 5 p.m. on Friday the 26th September 1947. The election will be by the ordinary method and not by means of the single transferable vote."

III.—THE MADRAS HINDU BIGAMOUS MARRIAGES PROHIBITION AND DIVORCE BILL, 1947 (L.A. BILL No. 6 OF 1947).

(The discussion on the motion that the Hindu Bigamous Marriages Prohibition and Divorce Bill be referred to a select committee was resumed.)

[24th September 1947]

SRIMATHI V. LAKSHMI AMMAL:—“அக்ராசனாதிபதி அவர்களே,—சென்ற non-official day அன்று இந்த விஷயத்தைப்பற்றி சில நேரம் பேசிவிட்டு இன்னும் பல விஷயங்களைப்பேச விரும்புகிறேன்.

“ஸ்ரீ காளேஸ்வர ராவ் கொண்டுவந்திருக்கும் ஏகதார பில்லும் விவாக ரத்து பில்லும் சேர்ந்திருப்பதை நாம் எல்லோரும் யோசித்து செய்ய வேண்டியதாக எனக்குப்படுகிறது. விவாகரத்து என்று இருப்பது இப்பொழுது தற்கால நாகரீக முறையில் இதை எல்லோராலும் ஒப்புக்கொள்ளப்படலாம். சில பேர்களால் ஒப்புக் கொள்ளப்படாமலும் இருக்கலாம். நம்முடைய நாட்டில் இன்னும் நாம் பூராவாக எதை நம்புகிறோமோ அவைகளை எல்லாம் பூராவும் விட்டுவிடவில்லை. நாம் கர்மாவை நம்புகிறோம். நம்முடைய சாஸ்திர பிரகாரம் செய்துகொள்ளும் கல்யாணத்தையே ஒப்புக்கொள்ளுகிறோம். நம்முடைய சமூக வாழ்க்கையும் இதை ஒத்ததாகவே இருந்திருக்கிறது. நமது சமூக வாழ்க்கையில் நாம் இப்பொழுது அடியோடு மாறவில்லை. அரசியல் விஷயமாக பூராமாறுதல்கள் இருந்தபோதிலும், சமூக விஷயத்திலும் பொருளாதார விஷயத்திலும் நம்முடைய நாட்டில் இன்னும் எவ்வளவோ மாறவேண்டியதாக இருக்கிறது. அந்த நிலைமையில் நம்முடைய விவாகத்தை சமூகத்தில் ஒரு புனிதமான காரியம் என்று நாம் நினைத்துக்கொண்டிருக்கிறபடியால் இந்த விவாக ரத்து இதற்கு ஒத்ததாகுமா என்பதை யோசிக்கவேண்டும். இப்பொழுது மற்ற மேல் நாடுகளை எடுத்துக்கொண்டால் அந்த நாடுகளெல்லாம் சமூக முறையில் வேறுபாடாக இருக்கிறது. அவர்களில் எத்தனை வயது வேண்டுமானாலும் கல்யாணம் ஆகாமல் இருக்கலாம். 40, 45 வயது வரையில் அநேக காலம் அநேகம் பெண்கள் கல்யாணம் ஆகாமல் இருந்து கொண்டு வேலையில் அமர்ந்து அவர்கள் இன்னொருவருக்கு பாரமாகாமல் தங்களுடைய வாழ்க்கைக்குவேண்டிய ரூபாய்களையும் சம்பாதித்துக்கொள்ளுகிறார்கள். அப்படி அவர்கள் கல்யாணம் செய்துகொள்ளாமல் இருப்பதை யாரும் குறைசுரமாட்டார்கள். சமூகத்திலும் கட்டுப்படுத்தவில்லை. அவர்கள் கல்யாணம் செய்துகொண்டு எத்தனைதரம் விவாகரத்து செய்து கொள்வதற்கும் அவர்கள் சமூகத்தில் உரிமைகள் இருக்கின்றன. அந்த முறையில் நாம் பார்த்தால் விவாகரத்து இருக்கிற இடத்தில் நூற்றுக்கு 66-க்குமேல் விவாகரத்துக்கள் இருக்கின்றன. 3, 4, 5 தடவை விவாகரத்து செய்துகொண்டும் வாழ்க்கையை நடத்திக்கொண்டிருக்கிறார்கள். அந்த மாதிரி இருப்பது நமது சமூகத்திற்கு ஒத்ததா என்பதை யோசித்துப் பார்க்கவேண்டும். அதுமாதிரம் அல்ல. அவர்களுடைய குடும்பங்கள் சந்தோஷமாக இருக்கிறதா என்று யோசிக்கவேண்டும். இல்லை என்றுதான் நான் சொல்லுகிறேன். ஆனால் குடும்ப வாழ்க்கை சந்தோஷம் என்பது அவரவர்களுடைய மனப்பான்மையை ஒத்ததாக இருக்கிறது. நம்முடைய வாழ்க்கையில் மாறுபாடாமல் இருக்கிற முறையில் இதை நாம் கொஞ்சம் யோசித்துதான் செய்யவேண்டியதாக இருக்கிறது. ஆகையால் எனக்கு விவாகரத்து என்பதில் கொஞ்சம் பயம் ஏற்படுகிறது. எதிர் காலத்தில் எல்லா விஷயங்கள் மாறும்பொழுது இது ரொம்பவும் அவசியம் என்று எதிர்கால நாகரீகத்தில் இதை எல்லாரும் வரவேற்கலாம் என்பது எனக்கு நன்றாக தெரியும். இருந்தபோதிலும் நம்முடைய விவாகரத்தை எந்த நான் வரையில் புனிதமாக நினைத்தும் எந்த கர்மாவிலும் நம்பிக்கை இருக்கிறதோ அந்த நான் வரை விவாகரத்து இல்லாது இருப்பது நல்லது என்று எனக்கு தோன்றுகிறது. எத்தனையோ பேர்கள் அவர்களுடைய அபிப்பிராயங்களை எழுதி இருக்கிறார்கள். அநேகம் பேர்கள் அநேக விதமாக எழுதி இருக்கிறார்கள். அநேகம்பேர்கள் விவாகரத்தை ஒப்புக்கொண்டு சில சில மாறுதல்களை சில clause-ல் திருத்த வேண்டுமென்று சொல்லுகிறார்கள். ஒரு ஸ்திரீ ஒரு புருஷனை கல்யாணம் செய்து கொண்டு அவர் மூலம் குழந்தைகளும் பிறந்த பிற்பாடு ஏதோ சில காரணத்தால் ஒருவருக்கொருவர் மனம் வேறுபட்டு விவாகரத்து செய்ய வேண்டுமென்றால் அந்தக் குழந்தைகளின் கதி என்னவாகும் என்பதை நாம் யோசிக்கவேண்டும். குழந்தைகளை காப்பாற்றுவதற்கு அரசாங்கத்தில் அங்கங்கே ஒரு உதவி institution ஏற்படுத்தி இருந்தால் அது ஒரு மாதிரியாக சரியாக இருக்கும்.

24th September 1947] [Srimathi V. Lakshmi Ammal]

இன்னும் நம்முடைய சமூகத்தில் பெற்றோர்கள்தான் பெண்களுடைய கல்யாணத்திற்கு வேண்டிய ஏற்பாடுகள் செய்கிறார்கள். எத்தனையோ பெண்கள் 20, 25 வயது அடைந்திருந்தும் அவர்களுக்குக் கல்யாணம் செய்வதாக இருந்தால் அவர்கள் பெற்றோர்களும் பிள்ளைகளின் பெற்றோர்களும் சம்மதத்தைக் கேட்டுதான் கல்யாணத்தை முடிக்க வேண்டியதாக இருக்கிறது. பெண்களை பார்த்து கல்யாணம் செய்து கொள்வதாக இருந்தால் இது சரியாக இருக்கும். வயதடைந்த பெண்களை வைத்துக் கொண்டு எத்தனையோ பெற்றோர்கள் கஷ்டப்பட்ட வேண்டியதாக இருக்கிறது. முதல் கல்யாணத்திற்கே இப்படி இருக்கும்போது விவாக ரத்து ஏற்பட்ட பிறகு இவர்களுக்கு கல்யாணம் செய்ய வேண்டுமென்றால் பெற்றோர்களுக்கு எவ்வளவு கஷ்டமாக இருக்கும் என்பதை யோசிக்க வேண்டும். சமூகத்தில் யாரையும் எந்த ஜாதியிலும் கல்யாணம் செய்து கொள்ளலாம் என்றால் பரவாயில்லை ஆடவர்கள் விவாக ரத்து ஆன ஸ்திரீயின் மறு விவாகம் செய்துகொள்ள முன் வரமாட்டார்கள் என்பது எனக்கு நன்றாகத் தெரியும். முதல் கல்யாணத்திலேயே பல விதமான கஷ்டங்களிருக்கின்றன. இந்த நிலைமை யெல்லாம் இருக்கும்போது இந்த விவாகரத்தை இப்பொழுது இல்லாமல் இருப்பது நல்லது—இது, எப்படியாவது நம்முடைய நாட்டிற்கு வரத்தான் போகிறது—நான் மாற மாற காலங்கள் செல்ல செல்ல சமூகத்தில் அநேக காரியங்கள் மாறிக்கொண்டு வர வர இந்த விவாக ரத்துக்கும் இடம் இருக்கிறது என்பதில் சந்தேகம் இல்லை. இப்பொழுது பம்பாயில், பாஸ் செய்திருக்கிற பில்லை இந்த பில்லிலுள்ள objects and reasons-ல் அவர் கோட்பண்ணி இருக்கிறார்.

“The Bombay Provincial Legislature has already passed an Act as a Government measure prohibiting bigamy among Hindus in the Province of Bombay and the Home Minister of the Bombay Government has said in the Legislative Assembly that a Divorce Bill was also under the consideration and would be brought before the House as soon as possible.” என்பதாக அவர்கள் இந்த ஏகதார விவாக ரத்துத் தை மாத்திரம்தான் நிறைவேற்றி இருக்கிறார்கள். மத்ய சட்ட சபையில் இதைப்பற்றி யோசனைசெய்து எல்லா மாகாணங்களிலுமுள்ள எல்லா பெரியவர்களுடைய அபிப்பிராயங்களையும் கலந்துகொண்டுபேசியிருக்கிறார்கள். Rao Committeeயாரால் அதில் அநேகம் பேர்கள் அபிப்பிராயம் கொடுத்திருக்கிறார்கள். நம் சமூகம் Socialist ஆகவோ Communist ஆகவோ மாறும் காலத்தில் (Sri K. A. Nambiar: ‘Hear, hear’) இந்த சட்டம் மாறுமேயானால் அது ஒத்ததாக இருக்கும் என்று எனக்கு தோன்றுகிறது. நம் நாடு இப்பொழுது இருக்கிற நிலைமையில் இந்த விவாக ரத்து என்பது பல ஸ்திரீகளை பாதிக்கும் என்பது என்னுடைய அபிப்பிராயம். ஆகையால் இதை.....”

MR. SPEAKER:—“போனவாரம் 10 நிமிஷம் பேசினீர்கள். இப்பொழுது நீங்கள் கொஞ்சம் சுருக்கமாக பேசவேண்டும்.”

SRIMATHI V. LAKSHMI AMMAL:—“இந்த non-official day-ல் கூட இந்த பில்லைப்பற்றி நாங்கள் பேச எங்களுக்கு உரிமைவேண்டாமா. எங்களுடைய அபிப்பிராயத்தை எப்பொழுதுதான் தெரிவிக்கிறது.”

MR. SPEAKER:—“தெரிவியுங்கள்.”

SRIMATHI V. LAKSHMI AMMAL:—“ஆகையால் அரசாங்கத்தார் போதிய அளவு பொருளாதார துறையில் உதவி ஏற்படுத்தி குழந்தைகளை பாதுகாப்பதற்கு Institutions ஏற்படுத்தின பிறகும் இம்மாதிரியான சட்டங்கள் வந்தால் எந்த ஸ்திரீயும் எந்த ஜாதியிலும் யாரையும் விவாக ரத்து செய்துகொண்டு அந்த குழந்தைகளை அரசாங்கத்தாரால் பரிபரஸனம் செய்யப்பட்டு குழந்தைகள் முன்னுக்கு வரமுடியும் என்பதாக வந்தால் ரொம்ப சௌகரியமாக இருக்கும். முதல் கல்யாணம் செய்துகொண்டதில் பிறக்கும் குழந்தைகளுக்கு முதல் புருஷன் Mainenance கொடுப்பதாக இருக்கிறது. அந்த ஸ்திரீ மறு விவாகத்திலும் குழந்தைகள் ஏற்படுகின்றன.

[Srimathi V. Lakshmi Ammal] [24th September 1947]

பட்டுவிட்டால் அந்தக் குழந்தைகளையும் முதல் புருஷன் மூலம் உள்ள குழந்தைகளையும் காப்பாற்றுவது சந்தேகம். இந்தமாதிரியான கஷ்டங்கள் வரலாம். இதை எல்லாம் நன்றாக யோசித்துச் செய்ய ராவ் கமிட்டியில் இதற்கு வேண்டிய ஏற்பாடுகள் செய்துகொண்டிருக்கிறார்கள். இந்த விவாக ரத்து என்பது இந்த பில்லில் இருக்கக்கூடாது என்பது என்னுடைய அபிப்பிராயம்.

“அடுத்தபடியாக ஏகதார கல்யாண விஷயமாக அன்று பேசினேன். இன்னும் சில விஷயங்களை இது விஷயமாக பேசி இதை வற்புறுத்த விரும்புகிறேன். ஏகதார கல்யாணம் செய்துகொள்வது என்று சட்டம் வந்து விட்டால் நிச்சயமாக விவாக ரத்து வேண்டுமென்பதாக அபிப்பிராயம் அநேகம் பேர்கள் கொடுத்திருக்கிறார்கள். அது அவசியமே. சில சில நாடுகளில் வெவ்வேறு மாதிரியாக இருக்கின்றது. இப்பொழுது கதோலியர்களை எடுத்துக்கொண்டால் ஒரே ஒரு தாரம்தான் கல்யாணம் பண்ணிக்கொள்ளவேண்டுமென்றிருக்கிறது. அவர்கள் இந்த Divorce-ஐ எடுத்துக்கொள்ளவில்லை. அதேமாதிரி America-விலும் மற்ற நாடுகளிலும் விவாக ரத்து இல்லாமல் தனியாகவே இருந்துகொண்டிருக்கிறார்கள். தனியாக இருப்பதால் கெட்டுவிட்டார்கள். ஏதோ ஒருவருக்கு கொருவர் ஒத்துக்கொள்ளவில்லை என்றால் தனியாக இருக்கிறார்கள். அவர்களுக்கு Main maintenance-க்கு கொடுத்து வருவதால் அது அவர்களுக்கு பொறுத்தமாக இருக்கலாம். கெட்டுப்போய் விடுவார்கள் என்றும் பயம் இருக்கவேண்டியது அவசியம் இல்லை. கெட்டுப்போகிறவர்கள் எந்த விதத்திலும் கெட்டுப்போவார்கள். கல்யாணம் செய்து கொண்டிருக்கும் காலத்தில்கூட கெட்டுப்போகும் எண்ணம் இருந்தால் அவர்கள் கெட்டுத்தான் போவார்கள். ஹிந்து சமூகத்தில் சிறு பிள்ளை பிராயத்தில் விவாகமாகி அவர்களுடைய புருஷன் இறந்துபோன பிறகு தங்கள் ஆயுள் வரை ரொம்ப நல்ல மாதிரியாக அவர்கள் நடந்துகொண்டிருக்கிறார்கள். 100-க்கு 99 பேர்கள் அப்படி இருக்கிறார்கள். இவர்களுக்கு கர்மாவில் நம்பிக்கை இருப்பதனால் இவர்கள் தங்களை அடக்கிக்கொண்டிருக்கிறார்கள். அப்படி அடங்கி இருப்பவர்கள் நல்ல நிலைமையில் இருக்கத்தான் இருப்பார்கள். அதில் சந்தேகம் இல்லை. ஏகதார விஷயம் உத்தமமானது தான். ஒரு குழந்தையாவது வேண்டுமென்று இருந்தால் அவர்கள் மறு கல்யாணம் செய்துகொள்ள அதில் இடம் இருக்கவேண்டும் என்று ஆடவர்கள் நினைப்பது சகஜம். ஆனால் ரொம்ப பேர்கள் 2 3, கல்யாணம் செய்துகொண்டும் அவர்களுக்கு பிள்ளை இல்லாமல் இருக்கிறது. அவர்கள் மறு கல்யாணம் செய்துகொண்டும் பிள்ளை பிறக்காமல் பெண் குழந்தை பிறக்கிறது, அப்படி மறு விவாகம் செய்துகொண்டும் அவனுக்கு ஈஸ்வர அநுக்ரகம் இல்லாமல் போய் விடுகிறது. அதற்காக நம் ஹிந்து தர்மத்தில் தத்து எடுத்துக் கொள்ளலாமென்றிருக்கிறது ஏதாவது ஒரு குழந்தை வேண்டும். சொத்துக்களை அனுபவிக்கவும் அநதியகாலத்தில் காப்பாற்றவும் வேண்டுமென்று ஒவ்வொருவரும் நினைப்பது சகஜம். அப்படி சொத்து இருந்தால் அரசாங்கத்தாருக்கு கொடுத்துவிடலாம். அல்லது ஸ்கூல்களுக்கும், ஆஸ்பத்திரிகளுக்கும் ஒதுக்கிவைத்தால் எல்லாவற்றையும் விட நல்லதாக இருக்கும். ஆகையால் இந்த ஏகதார விவாக சட்டத்தை எல்லாரும் ஒப்புக்கொள்ள வேண்டும். இப்பொழுது ஒரு பெண் தன் பிறந்த வீட்டிலிருந்து அது கொண்டுவரவில்லை இது கொண்டுவரவில்லை என்று ஒதுக்கிவைத்து பிறந்த வீட்டிற்கு அனுப்பிவிடுகிறார்கள். மதிகல்யாணமும் பண்ணிவிடுகிறார்கள். ஏகதார சட்டம் இருந்தால் இதை நிறுத்திவிடலாம். இந்தமாதிரி சட்டம் அம்மாதிரியானவர்களுக்கு ஒரு பாடம் கற்பிக்கும் என்பதை நான் தெரிவித்துக்கொண்டு ஏகதார கல்யாண சட்டத்தை ஒப்புக்கொண்டு விவகாரத்தை மத்ய கவர்ன்மெண்டாரிடமே விட்டுவிடவேண்டுமென்று சொல்லி என்னுடைய பேச்சை நிறுத்திக்கொள்கிறேன்.”

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“On a point of information, Sir. I understand that the Mover of the Bill, Mr. Kaleswara Rao, is not conversant with the Tamil language. He has to reply to the debate. All the time the hon.

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the Lady Member was speaking in Tamil. I want to know how Mr. Kaleswara Rao will be able to reply to the particular points raised by the hon. the Lady Member.”

MR. SPEAKER:—“Mr. N. S. Varadachari, who was sitting by his side, will give him the information.”

* SRI K. BHASHYAM:—“Mr. Speaker, Sir, the Bill proposes to affect the Hindu society in a vital manner. I think, so far as this question of marriage and divorce is concerned, it is a thing which affects every Hindu, man and woman in the Hindu society and it is therefore necessary that we should consider carefully all points of view before we come to any decision on the point. In the first place, I should like to point out that this question of marriage and divorce, along with many other questions of reform in the Hindu Law, have been taken up by the Sir B. N. Rao Committee and the Committee has been going round the country and eliciting opinions; and that Committee has submitted a report to the Government of India both in respect of this matter as well as other matters which require reform. Therefore, it is best, I should think, that we wait for B. N. Rao Committee's report being either accepted by the Government or being put before the Legislature in the Central Legislative Assembly. There is also one advantage in having this reform passed by the Central Legislative Assembly, for, as the hon. Member said, it affects all the Provinces. What I want to point out is that it is better that this Bill is passed by the Central Legislative Assembly rather than by this Provincial Assembly; because, if the Bill becomes law and is in force only in Madras Province, what will happen is this: If a person marries a lady in Madras and goes to Bihar and marries another lady there, the marriage in Bihar will be quite valid, while it will be invalid so far as Madras is concerned. There will be such questions arising and the question of domicile also will arise. Again, there may be children born of the Bihar marriage and children born of the Madras marriage; and in such cases, there will be conflicts of interests and claims in respect of property left by him in the various provinces and it will be very difficult to decide the question of inheritance to them. Therefore I say it will be much better if this question is taken up by the Central Assembly. Again, supposing a person gets his divorce here because he has married somebody in Bihar; she will not be entitled to participate in his property; but she will go to Bihar and say ‘I am still the wife of that man; give me a share in the Bihar properties.’ These difficult questions will arise unless this is dealt with as an All-India matter. That is a point for the consideration of you, Sir, and of this House, before we commit ourselves to this Bill.”

“Next, so far as monogamy is concerned, though it is a very ideal state of affairs—in fact, it has been the ideal before us in this country—for a long time. But there are certain questions that will have to be taken into consideration. Supposing a person is married, has a sick wife and has two or three children; and

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she is not able to manage the household for him or meet all the demands made on her by the husband after bearing two or three children and getting sick thereafter. What is the remedy in such cases? I am told by many of my friends, and even by my doctor friends, that in many cases the woman would gladly consent to the husband marrying again rather than divorcing her. I am speaking this only in the interests of the women themselves; it is not as if I am speaking against their interests at all. Supposing a lady has become very ill and is not fit for household purposes, and this divorce is allowed in such cases, the difficulty will be that she will be thrown out with some sort of maintenance or a lump-sum payment; but what is to happen to the woman worried with sickness just when she needs the care and attention of somebody, who will look after her during her sickness? That should be the consideration for the purpose of a second marriage and in such cases second marriage should be allowed and the first wife would be left under the care and protection of a person who will look after her interests. Again, I propose for your consideration that provision may be made that in cases where a man has no sons by his first marriage, he can marry again. There are many such cases. Such cases must be exempted under this Bill. As a matter of fact, it is the religious belief of the Hindu that a man who has no son, when he dies, goes to what is called 'Puth' or hell. So, he must have a 'putra' or son to save him from the hell. That idea is ingrained in the Hindu Law and so they have made provision under the Hindu Law that a son-less husband or his wife can take some boy in adoption. After all, adoption is a poor substitute for one's own children. Of course, I know of many cases where adoption has not grafted well into particular types of families. There have also been many cases where adoption is being disputed by some interested persons and even by the mother. In spite of all these, I support this Bill because monogamy is one of the accepted principles of Hindu religion. But in cases, where the health of the wife is seriously impaired and the husband wants to contract a second marriage, he may very well do so after getting the consent of his wife and also after making due provision for her maintenance. I think such cases should be given serious consideration because of the extenuating circumstances. Generally speaking, the principle of monogamy, as mentioned in the Bill, should not be strictly applied to such cases. So far as Hindu society is concerned, the idea of monogamy is ingrained in it and it is generally believed that any person marrying a second wife is not in a very happy position. There are many proverbs in Tamil about the twice-married man which convey this idea. I only wish to draw the attention of the members of the Select Committee that they should really take seriously into consideration whether it is possible for a second marriage when the first wife is living under certain terms and conditions. Correspondingly also, there should be provision for no divorce in cases where a person has married a second wife under the above circumstances. I should think that, so far as Hindu society is concerned—though many are of the opinion that

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divorce does not precisely solve the problem—I should think that this divorce must be there. You cannot enforce monogamy unless this provision of divorce is also there. My hon. Friend, the Mover of the Bill, and the supporters of the Bill have stated that this divorce should be granted as a matter of right in certain cases. But, I should think that in the present state of development of our society, our women will not go to a court of law to enforce this divorce. You know that so far as the Remarriage Act is concerned, it has become a dead-letter. I do not object to the divorce clause in the Bill. My contention is that that clause may become another dead-letter just like the Remarriage Act. I wish also to point out in this connexion, that if a provision for divorce is there, it is all the more necessary that there should be provision for a second marriage under certain terms and conditions. With these words, I support the principle of the Bill though I would like all these various limitations being incorporated in the Bill when it is in the Committee stage."

* SRI V. I. MUNISWAMI PILLAI:—"Mr. Speaker, Sir, if India is considered to be maintaining a high place among the civilized nations in the world, I must say, it is due to the sacred matrimonial rules that are being observed and followed in the Hindu religion. Sir, we know from history the life led by Sita, Draupati, Savitri and others, who have set an example to others and whose principles of life have come to be the sacred rules that are obtaining in the Hindu society to-day. Sir, due to the advent of foreign nations, the whole system of our Hindu culture and the rules as regards matrimony have taken a different turn. It is that, Sir, that has led my hon. Friend, Mr. Kaleswara Rao, to bring in a Bill of this nature before this House. Sir, as I see it, the various provisions in the Bill are not comprehensive. I may bring to the notice of this House that there are several communities who are living in the hill slopes and who go by the name of the aborigines and profess the Hindu religion. I may here give some instances. There are the Todas, the Kurumbars and the Irulars. There are also many other aborigines, who come under the Hindu religion. But the customs observed by them in matters of marriage are different from what we see in the people who are living in the towns. Especially, speaking about Todas, Sir, a woman is generally a wife to many husbands. Such things happen because there are very few women among them. As a matter of rule, many of the women can marry more than one husband. So, Sir, among the hill tribes such as the Kurumbars, the Irulars and others, the matrimonial affair is quite different. If a man offers what is called a 'thirai panam' of Rs. 5 to Rs. 100 to a woman, then she becomes his wife. If, after a few months or years, if there is a disunion among the pair and if anyone else is prepared to pay a bigger 'thirai panam', then a divorce takes place. I do not see any provision is made in this Bill for such cases to safeguard the interests of those people.

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"Sir, in the provisions of this Bill, it is stated that in the case of divorce, the party affected must go to the court of law and get justice. These hill tribes, who are living away from the towns, cannot go to a court of law for effecting a divorce. I do not know what remedy there will be for these people. If they want a divorce, I want to know whether it will be possible for them to have a decision because they do not know the laws of the land.

"Sir, one of the objects as stated in the Bill is to give a higher status to women. I welcome this Bill, Sir, as one who has been in the field for the elevation of women not only in the matter of education but also in other ameliorative matters. But, we must see, Sir, what has been happening in the Hindu society during the last two centuries, whether a Hindu would like his children or his daughters to get divorces on ordinary petty grounds. Sir, it is also observed that the Constituent Assembly is reviewing the whole matter and when provincial autonomy is given, it is necessary that this Assembly must take up this legislation. I also feel, like my hon. Friend, Mr. Bhashyam, that we have to give great care and consideration in enacting this legislation because it affects the Hindu society vitally. It is not my object to obstruct the passage of the Bill. I welcome this Bill being referred to a Select Committee but I would like the members who are selected for the Select Committee to take into consideration the question of the hill tribes and other people who come under the category of Hindus but whose customs are quite different from the ordinary Hindus. With these few words, I support the Bill going before the Select Committee."

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, I thank you for this opportunity being given to me even so soon after the earlier opportunity you gave me to express my views on the provisions of this Bill. I am one of those who believe like a majority of Hindus in this country that we should not attempt social reform through legislation in all cases. It may have to be attempted in some very hard cases but in matters like marriage, I would hardly look on with sympathy on attempts to force changes in the general social attitude in this country. The Hindu society, as I said, Sir, has a very wide outlook on social life. Of course, it is full of anomalies too, strange conflicts some times ranging from the sublimest truths of philosophical wisdom to very cranky customs hardly understandable even to the common man. But this is at once its strength and its weakness. Its strength lies in its flexibility. Sir, to instance from Mr. Kaleswara Rao's own statement, the idea of monogamy is not foreign to Hindu religion. In so far as this Bill attempts to make monogamy compulsory on every Hindu resident in this Province, it is in accord with the general ideas of the society in which we live. Sir, it is well known to us that Hindu society has a natural repulsion to marriages of more than one wife taking place at the same time or even one after the other except in very hard cases. I welcome this idea of emphasis

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on monogamy but the purpose is hardly served by legislation. It requires, Sir, not very much reason to convince the growing population of this Province to look on monogamy as a settled virtue in our social habits. I ask Mr. Kaleswara Rao whether he will not be content with a legislation on monogamy. I think, Sir, he ought to be content with that but then he contends that the legislation will be useless without a parallel effort in making divorce also the subject-matter of this Bill. I beg to submit that his attitude is very much mistaken. Divorce, Sir, is not like monogamy. I wish to state from here that divorce is not in accord with the wishes of the vast majority of the population of our Province. Hindu religion, no doubt, has allowed divorce to take place even without legislation in certain communities where the practice of divorce is fairly common and even there social pressure in the right direction has been so effective that divorce is not sought by those communities where it could be avoided. I think, Sir, I have fairly correctly stated the position. That being so, Mr. Kaleswara Rao's Bill goes far beyond what public opinion demands. That is why, Sir, I wish even if this Bill were referred to a Select Committee, the question of divorce should be gone into *de novo*. I am not afraid that there will be many divorces in this Province immediately on the introduction of Mr. Kaleswara Rao's Bill and its being passed into an Act by this legislature. We are very sound people in regard to social advance. Even the Britisher who swears by divorce, I think, will tell you if he is asked privately that he does not very much like the idea of divorce, but, Sir, divorce there is based on a very different principle. Our ideas of marriage are different. We believe, at least I believe, that marriage leads to an indissoluble tie which will not end with the death of the wife or on the death of the husband. I believe, Sir, that propaganda, with this point emphasised properly, would lead to setting right many of the ills which we witness in our midst. I think the average man and woman in this country live a peaceful domestic life and cases of conflict are few and far between. It is the suffering of the poor woman or the poor man, who is either put to trouble by the husband or the wife—and I admit there are cases of suffering on both sides—and I want to draw everybody's attention to this statement, that the suffering of these people acts as a standing deterrent to further suffering being inflicted on others in society. But you are introducing a change, a very subtle change no doubt, in the atmosphere. It is the psychology of people that matters on things like marriage and divorce. If I look upon marriage as a sacrament, I stand by its rights and duties in the sense that I would not disregard wilfully the obligations because of my being bound by the sacred tie, but if I look upon marriage as a mere contract of convenience the whole psychology is altered and the whole of my family relationship in the family is violently disturbed, if I happen to be among the comparatively less educated people. That is what I want Mr. Kaleswara Rao and other ardent reformers to consider. I am in favour of putting down cruelty. I am not in favour of enabling man to ill-treat his wife or woman to make the life of the husband

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a nuisance in the home. But I am certainly not in favour of punishing either. We ought to leave these things safely to social pressure.

“ Mr. Murthi interjected very unreasonably, I think, some speaker when he asked, what about your Gods being permitted to marry more than one wife. Let me give him one explanation for it. Even as a poet of old said when the same question was put, Gods alone are entitled to marry as many wives as they liked, for they do not marry in the sense in which I and Mr. Murthi married. When I, a sinner go before God, He being the very just arbiter of my destinies, He says to me with his hard heart, a heart of steel which a judge ought to possess, no I cannot sympathise with you, you have committed the crime and you must pay for it. But then my mother intervenes for me saying, here is my son who comes to you in forgiveness, please forgive his sins and the God looks askance and turns to the other side where He is worried by yet another mother and the man is saved. So, the relationship between God and us is very sacred and it should not be trifled with by the thought of marriage or otherwise. I want that Hindu religion must be respected as Hindu religion, not as a mere string of sacred phrases or words but as one vital hole which knits us all into a spiritual unity which not even the violence of the whole world cast on us can destroy. That is the spirit with which I look on Hindu society and Hindu ideals. That is why we ask strenuously for the reform of society and for the abolition of inequalities wherever they stare us in the face but we shall not touch the fair side of that society and hold it up perhaps to criticism later on by people who succeed you and who may be saying that you have put in strange ideas not in consonance with the spirit of that religion or have gone wide of the mark and merely borrowed from the dictionary of other nations. That is where I differ from you. I want to stand for the ideal and not lodge a protest, but ask you still to go on after careful examination, through every clause. By all means put your new ideas into society, march with the times, do not resist the flood tide of reform but take care to see that you do not transgress on that ground, very sacred ground which alone enables us to unite as one common people.”

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—
“ Mr. Speaker, Sir, in this century we have had in India many social reformers and we have had many social reform legislations. I shall not weary the time of the House by narrating the various legislative enactments that have been passed by the Central Legislative Assembly during the last twenty years and in certain cases by Provincial Legislatures. We have social reforms with reference to untouchability, with reference to places of worship, with reference to places of usage and with reference to family affairs and property. Now, Sir, when this Bill was introduced first and referred to public opinion, I did give my whole-hearted support and even I contend that the Bill which has been

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introduced by our old and venerable friend, deserves very great consideration by this House. I should feel inclined to give very great weight to those who oppose such measures more than those who support them. I am one of those who support this measure. but at the same time I feel that the supporters should be modest in their enthusiasm and should give very great consideration to the view-points of those who differ from them, for the supporters and the enthusiasts of the Bill would not be serving the cause which it deserves if they should ignore and brush aside the opposition. The object of the mover of the Bill and of those who support him is to carry out this good reform in good faith and to carry all the people with them if possible. If it is not possible to carry out all that is best according to the sponsor and the supporters of the Bill, at least they can have that amount of satisfaction that most of the ideas contained in the Bill have got the consent of all concerned in this House and we would have the satisfaction that we have travelled many miles on this road of reform, and there would be time enough for Mr. Kaleswara Rao—though old as he is, I expect he will have many more years to live—to move any amendment he likes to his Bill later and to incorporate some of his ideas which he is not able to carry through to-day. After all, in these changing times, a Legislature should not hesitate to repeal an enactment if the people of the country of the day feel like that. We are now in the days of repealing and abolishing everything and we need not feel shy to do so when we are trying to abolish property as such. I do hope that the younger people will not stand in the way of repealing or amending an enactment if it becomes necessary. Sir, my object in mentioning this prominently is that a social reform of this nature will carry great weight and do much good to this country provided it is safe to all.

“ Sir, the Congress Party in the Legislature here, which is the biggest party and the representative of the country, I think, is not unanimous in this matter. I should certainly put this measure as above parties and above party commitments because it is a question affecting thousands and millions of people who do not take interest in politics. It is very necessary therefore, that their feelings should be considered. It may be that it has not been possible for those people to have their voices heard on the floor of this House. If some people have to-day advocated caution, I think, they will give great weight to the Bill. I am glad this measure is going before a Select Committee and in the Select Committee I do hope that members will go into the question thoroughly and I have no doubt that the legal complications that may arise out of such legislative enactments will also be considered by them. I hope that the Hon. the Leader of the House, who is himself a lawyer will be on the Committee and see that the provisions of this measure do not conflict with existing customs and usages.”

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"Sir, objection has been raised regarding simultaneous marriages in different provinces and different states. We are surrounded by Native States and other provinces and we must see whether they are also coming along with us in the matter of these social reforms. The whole House is with us on this occasion in this reform. I know instances where this bigamous marriage has become very vicious and to-day I can say even among the orthodox communities, people, men and women, do detest and condemn these bigamous marriages. I think public opinion is growing in favour of this legislation and in several communities double marriages or second marriages are being discouraged. There are ways and means of prohibiting these marriages. If we say that there cannot be a second marriage when the wife is living to that extent it may be particularly said that there is no objection because we will have not only the support of the men but of women also which is very important in a matter like this. Now the question arises as to what will happen if you restrict to one marriage only when there are difficulties in the family, ill-treatment or other inconveniences. It is not right to introduce only one kind of alternative. It may be necessary to think of other conditions and different sets of circumstances or it may be that it will be better for a period of years to omit any references to alternatives and leave for convention to grow into the various communities."

SRI T. VISWANATHAM:—"The hon. Member referred to inconveniences of other sorts. We want enlightenment on this."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"I am particularly thankful for the interruption of my hon. friend. I only say that an experienced gentleman in public affairs and private affairs that he is he should not miss the golden opportunity to speak after me. Sir, I would implore you to allow him to speak a second time to explain to the House the inconveniences that he might have felt in his private life. Sir, now that I am informed that he is unmarried, he can certainly have great hopes for the future and he can marry more than one wife if this bill is not passed. Some of us at least have no chance because once this Bill is passed we have no chance of any marriage at all. I wish my friend the best of luck."

"I hope, Sir, that legal anomalies and legal difficulties will not creep into this and I hope the lawyer members of this Committee will give more consideration to such possible difficulties. Sir, there are certain communities already in South India where voluntary divorce is being arranged. Sir, enthusiastic supporters of this Bill also should reserve their final decision when the Bill comes from the Select Committee. I do hope that the public of this country will also take this opportunity to come forward before the Committee to give evidence. Sir, I think it will not be wrong on my part to suggest to Members and the Chairman of the Committee to examine a few witnesses whom they think fit. I do not suggest any dilatory method but I do

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hope my hon. friend Mr. Kaleswara Rao and the members of the Committee will receive a few people when they are discussing the provisions of this Bill."

MR. SPEAKER:—"As many Members wish to take part in this debate, this will be continued on the next non-official day also."

SRI A. S. SAHAJANANDAM:—"கனம் தலைவர் அவர்களே, இப்பொழுது புனர் விவாகம் கூடாது என்று சொல்வதற்காக நான் சில சாஸ்திரங்களையும் சொல்லி இது சம்பந்தமாக சில கருத்துக்களையும் சொல்ல விரும்புகிறேன். சாஸ்திரங்களில் சொல்வது என்னவென்றால் மனிதன் ஒருவன் ஆடு மாடுகளைப்போல் பல பெண்களை புணரவேண்டும் என்பதற்கு இல்லை. சாஸ்திரங்களில் ஒருவன் அவனுக்குள்ள நியமநிஷ்டைகளை செய்யவேண்டியதற்காக இந்த விவாகத்தை ஏற்படுத்தி இருக்கிறது. அவன் தன்னுடைய கடமைகளை செய்வதற்காகவும் அதுவும் சாஸ்திரப்பிரகாரமும் தன்னுடைய கருமத்தின்பிரகாரமும் செய்வதற்காகவே விவாகம் செய்துகொள்ளவேண்டுமென்று சொல்லப்படுகிறது. இந்தமாதிரி, விதிகளில் இரண்டு இருக்கின்றன. அவைகளில் பர்சுக்கயாவிலி என்பது ஒன்று. அது விவாகம் செய்யவேண்டும் எனக் கூறியும் தாத்தார்யம். விஷம் சாப்பிடவேண்டாம் என்று சொல்வதற்காக விஷம் சாப்பிடவேண்டும் என்று சொல்லி அந்த விஷத்தைச் சாப்பிடுவதற்கு. அதைப்போலவே ஒரு ஆடவர் சில நியமநிதிகளை செய்வதற்கு ஒரு பெண்ணை கல்யாணம் பண்ணிக்கொள்வது ஒரு விதி. விஷத்தை நாம் கவனித்தால் ஒரு ஆடவர் ஒரு பெண்ணைக் கல்யாணம் பண்ணிக்கொள்வது கிரமம்தான் என்று புரப்படுகிறது. இன்னும் சில்காரிய கருமாக்களுக்கு ஒரு பெண்ணை முடியாமல்போனால் மறுகல்யாணம் செய்துகொள்ளலாம் என்று சாஸ்திரங்களில் இருக்கிறது. இந்த சுவதந்திரம் ஆடவர்களுக்கு இருக்கிறது. இந்தமாதிரி சுவதந்திரத்தை பெண்களுக்குக் கொடுக்கவில்லை. ஆடவர்களுக்கு தங்களுக்கு ஏற்பட்ட ஐந்துவித கடமைகளைச் செய்வதற்கு அந்த விதமான சுவதந்திரம் கொடுக்கப்பட்டிருக்கிறது. இந்த ஐந்துவித கடமைகளில் தெய்வ எஞ்சும், ரிஷி எஞ்சும் என்றும், இன்னும் ஆகிய ஐந்துவகை கடமைகளைச் செய்ய வேண்டியதாக இருக்கிறது."

"இவ்வித ஐந்துவித கடமைகளைச் செய்வதற்கு ஆடவனுக்கு அவனுடைய மனைவிதான் துணை. மனைவி உள்ளவன்தான் இந்தக் கர்மாகளைச் செய்ய வேண்டும். ஆகையால் வாழ்க்கைதுணைக்குமட்டில் கல்யாணம் செய்வதில்லை. சாஸ்திரியபிரகாரம் பாணிக்ரகணம்செய்து கொள்ளப்படுகிறது. கல்யாண காலத்தில் கையைப்பிடித்து கையில் கொடுக்கப்படுகிறது எதற்கு என்றால் தர்மகாரியங்களைச் செய்வதற்கு ஒருவருக்கு ஒருவர் துணையாக இருப்பதற்காகவே அவ்விதம் செய்யப்படுகிறது. இவ்விதமே சாஸ்திரத்திலும் சொல்லப்படுகிறது. இந்த ஆடவன்தான் அந்தமாதிரி கர்மங்களைச் செய்ய அதிகாரி. இன்னும் ஆடவனுக்கு குழந்தை இல்லாவிட்டால் மறு கல்யாணம் செய்து கொள்வதற்கு உரிமை இருக்கிறது. ஏனென்றால் அந்த புத்திரனைக்கொண்டு பல தர்ம கர்மங்களைச் செய்வதற்காகத்தான். அந்தமாதிரி புத்திரன் இருந்து அந்த காரியங்களைச் செய்யாவிட்டால் 'புத்' என்னும் நரகத்திற்குப்போவதாக சொல்லப்படுகிறது. ஆகையால் ஆடவனுக்கு புத்திரனோ, குழந்தையோ இல்லாமல் போனால் அந்தமாதிரி மறுகல்யாணம் செய்துகொள்ள உரியவன் ஆடவன்தான். அது எப்படியென்றால் இவனுக்கு பதில் ஒருவன் இருக்க வேண்டியதாக இருக்கிறது. ஒரு ஜட்டி இருக்கிறதில் அவர் இல்லாவிட்டால் இன்னொரு ஜட்டி இருக்கவேண்டியதாக இருக்கிறது. தலைவர் Speaker இல்லாமல் போய்விட்டால் Deputy Speaker வரவேண்டியதாக இருக்கிறது. இந்தமாதிரி பிள்ளை இல்லாமல் தெய்வஎஞ்சும் முதலியவைகள் செய்யமுடியாது. அக்காரியங்களுக்கு மனைவியும் கூட இருக்க வேண்டுமென்று சொல்லப்படுகிறது. ஆகையால் புத்திரன் இல்லாதவர்களுக்கு மாத்திரம் எல்லா கடமையையும் செய்வதற்கு மறுகல்யாணம் செய்துகொள்ளவேண்டியதாக இருக்கிறது. அந்தக்காரியங்களைச் செய்ய ததுப்புத்திரன் எடுத்துக்கொள்ளவேண்டுமென்று மறுவில் விதி இருக்கிறது."

[Sri A. S. Sahajanandam] [24th September 1937]

வேறு பெண்ணைப் பெற்றெடுத்த பிள்ளையாக இருந்தாலும் அதை வாங்கி
னால் அதை தங்களுடைய பிள்ளையாய் பாவிக்கலாம் என்றும் சாஸ்திரத்தில்
இடம் இருக்கிறது. அதேபோல ஆடவர் தன் மனைவியை அனுப்பி அதன்
பின் கர்ப்பம் ஆனபிறகு அந்தக்குழந்தையை தன்குழந்தையப்போல்
பாவிக்கலாம் என்றிருக்கிறது. புத்திரன் இல்லாமல் போய்விட்டாலும், மறு
கல்யாணம் செய்துகொண்டும் புத்திரன் இல்லாமல் போனாலும் ஒரு தத்து
புத்திரனை எடுத்துக்கொள்ளலாம் என்று சாஸ்திரங்களில் சொல்லி இருக்கி
றது. இந்தமாதிரி கதைகளும் பாரதத்தில் வந்திருக்கின்றன. அதேபரதக்
கதையை நாம் தமிழ் புராணமாக கருதுகிறோம். இவைகளும் சித்திராங்கதன்
கதையில் சொல்லப்பட்டிருக்கிறது. காகிராஜன் மகன்களாகிய அம்பாலி,
அம்பிகை, அம்பாலிகை முதலியவர்களுக்கு சுயம்வரம் வைத்தபோது இரு
பெண்களை எடுத்துப்போய்விட்டார்கள். அப்படி எடுத்துப்போயும் கல்யாணம்
செய்துகொண்டு குழந்தைகள் பிறக்காமல் இருந்தது. குடும்பம் நசித்துப்
போய் விடுமோ என்று பயந்துகொண்டு இருக்கும்போது அவர்களுடைய குரு
வேரோ கூடி புத்திரர்களை ஈன்றான். அதனால் பாதகம் இல்லை என்றும், குடும்
பமும் விருத்தியாகும் என்று சொன்னதன்பேரில் அவ்விதம் செய்தார்களாம்.
அப்பொழுது அப்படி கூடும்காலத்தில் ஒருவன் கண்ணை மூடிக்கொண்டிருந்த
தால் கண் இல்லாமல் திருதராஷ்டிரரும் மற்றொருவன் கூடும்பொழுது
வெள்ளையாக இருந்ததால் குஷ்டரோகத்தால் பாண்டு ஜனித்ததாகவும் சொல்
லப்படுகிறது. இவ்விதம் கதை கூறுகிறது. அதனால் புத்திரன் இல்லாமல்
போனால் இப்படி உபயோகித்துக்கொள்ளலாம் என்று சொல்லப்படுகிறது.
இன்னும் நளாயினி தன்னுடைய புருஷன் குஷ்டரோகத்தால் அவஸ்தைப்
பட்டபொழுது புருஷனுக்கு அனுமதி கொடுத்ததன்பேரில் அவன் வேறு
ஸ்திரியிடம் சென்று பிள்ளைபெற்றதாகவும் சொல்லப்படுகிறது. நாலு குழந்
தைகளைப்பெற்றால் புருஷனுக்கு இரண்டு குழந்தைகளும், மனைவி இரண்டு
குழந்தைகளையும் வைத்துக்கொள்வதற்கு சாஸ்திரத்தில் இடம் இருக்கிறது.
4, 5 பெண்களை கல்யாணம் செய்துகொண்டும், பிள்ளை பிறக்கவில்லையென்
றால் ஆடவர் மலடு என்று சொல்லி ஒரு தத்து புத்திரனை எடுத்துக்கொள்வ
தாகவும் சொல்லப்படுகிறது. அதேமாதிரி புருஷன் வியாதியால் அவஸ்
தைப்பட்டாலும் புருஷனுடைய அனுமதிபெற்று அப்படி கூட செய்யலாம்
என்றிருக்கிறது. அதற்கு புருஷன் ஒத்துக்கொள்ளவேண்டும். அப்படி
புத்திரன் இல்லாவிட்டால் குடும்பம் அடியோடு போய்விடும் என்றிருக்கிறது.
ஆகையால் இந்தமாதிரி பில்லை வராமல் இருக்கவேண்டுமென்று விரும்பு
கிறேன். ஆகையால் Mr. காளைஸ்வர ராவ், கொண்டுவந்திருக்கும் பில்லை
மறுக்கிறேன்.”

1-15
p.m. * Sri R. V. SWAMINATHAN:—“ Mr. Speaker, I rise to
support the Bill because I am entirely in favour of the principles
of the Bill; but still I have some doubts which I wish Mr. Kale
swara Rao who is speaking with another Member, will listen and
clear, when he answers. It is said that in South India in many
communities the number of girls to be married is in excess of the
number of boys; particularly in certain communities, the male
population is so very limited that the number of girls is double
or treble that number. I wish to hear what remedies Mr. Kale
swara Rao would suggest in such cases.

“ Mr. Bashyam raised the question of what would be done if
a man from Madras goes to Bihar and marries there. In our own
Province, Pudukottah State is situated near Ramnad district; most
of the Chettiar villages are situated near the Pudukottah State
boundary and Chettinad, wherefrom our Kumararaja hails, is
only on the fifth mile from the State border; he has got house
property in Pudukottah as well as in Ramnad district. Supposing
he wanted to marry another wife, he can very easily go to Pudu
kottah, marry a girl there from his own community as he has got

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many relatives there and he can live there quite comfortably
evading this Act. Even in my own community, we have got many
relations in the State.”

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—
“ Mr. Speaker, there are some people who are fond of marrying
twice or thrice but I am not one of those.” (Laughter.)

SRI R. V. SWAMINATHAN:—“ This is a thing which I
wanted to point out to the mover of the Bill.”

SRI A. KALESWARA RAO:—“ There is provision making
punishable evasion of the nature mentioned by the hon. Member.”

MR. SPEAKER:—“ The hon. Member can meet the points in
the course of his reply.”

SRI R. V. SWAMINATHAN:—“ As regards divorce, it is a
thing which obtains in our Thevar community. This system is
in vogue not only among the Thevar community but most of the
backward communities in South India which form the bulk of the
population of the country, have got this convention. It is there
in practice and so our community does not need the help of this
Bill. Nevertheless, I am in entire agreement with the principles
of the Bill; as a young man, I must support this Bill; there is no
doubt about it. In supporting this Bill I hope Mr. Kaleswara
Rao will reply to the various points raised during my speech.”

* MR. W. J. FERNANDEZ:—“ Mr. Speaker, it seems strange
that I should intervene in this discussion because the matter is one
entirely solely for the Hindu Members of this House and of the
community generally. However, I am tempted to say a few words
after hearing the very refreshing views expressed by my hon.
friend Mr. Varadachari. His views on the Hindu conception of
marriage are very much like those of the Catholic church; mar
riage, according to the Catholic church, is a sacrament not a con
tract like any other wordly covenant which can be broken at will;
it is a sacrament which binds the parties for life and it is indis
soluble except in one solitary case. The parties to the marriage
pledge solemnly to take each other for better, for worse, for richer,
for poorer, in sickness and in ill-health until death do them part.
That is the view of the Catholic church. It has remained
unchanged for the last 2,000 years and it will go on as long as the
Church lasts. It is indissoluble for very good reasons too. Now
we are concerned with organizing villages. Why? It is because
the village forms the unit upon which the structure of the whole
State rests. If the village is organized, towns are organized and
the whole Province is organized. In a like manner, the family
is the unit on which society is built and unless the family is based
on an ordered footing, there will never be an ordered society. If
you are going to have more than one marriage or if marriages are
to be dissolved or divorce permitted, then family life becomes dis
rupted and society becomes impossible and the nation itself becomes
disrupted. The family is an important unit and it is for that

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reason that the church insists though it may be even very hard indeed that once a man is married, he cannot put his wife aside and under no circumstances is divorce allowed. There are certain conditions where life may become very difficult; the husband may be cruel or may not be able to support the wife; in such cases, there is what is called a judicial separation, by which the parties can go apart but neither party can re-marry. There is no such thing as divorce which entitles the other party to re-marry. So far as the first part of the Bill is concerned, I welcome it as it is for monogamy or single marriage. But I beg to differ from the mover when he makes provision for divorce. This is in direct conflict with the teachings of the church. Divorce is not allowed and in my own opinion also, it should not be allowed. We make our choice and we must go through life with that choice. It is not fair that a man should have the power to put his wife aside and take another wife. He has made his choice not by force but by his own free will and so, he should go through life whatever his difficulties are. All the same, I welcome Mr. Kaleswara Rao's Bill because I see in it a half-way measure towards improving the moral standards of this country. I am sure that the high lights of Hindu society will, in the years to come, be convinced that divorce is bad and must not be allowed and I am hoping that they will soon come forward with a Bill making divorce impossible."

* SRI B. S. MURTHI:—"Mr. Speaker, I was wondering why so many of us should speak on a matter like this because it is a matter which is accepted on all hands, namely, that only monogamy will help for the full fruition of the love and affection that brings man and woman together and monogamy alone would pave the way for creating a happy and stable society and monogamy alone would help to realize Godhood in man."

"But the purpose of my rising is to speak in support of the Bill. Mr. Bhashyam was telling the House that monogamy was accepted in Hinduism in practice and I then interjected, I think rightly: 'What about our Gods?'"

MR. SPEAKER:—"As regards our Gods, it had much better be left to Indrasabha and not be taken up here."

SRI B. S. MURTHI:—"If you are capable of sending me to Indrasabha, I have no objection to go there, Sir, and speak to them about this."

MR. SPEAKER:—"It is the members of that Sabha that could talk about Gods."

SRI B. S. MURTHI:—"I said it in no questioning spirit. I expected Mr. Bhashyam, who is a learned lawyer and a devotee, to give me some idea so that if anybody asked me, a lay man, I could defend and prove that Hinduism is wedded to monogamy not only in mundane society but in the society of Gods also. But my friend Mr. Varadachari took objection to that and dilated

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upon the question and wanted to give a pontifical advice; let me assure him and friends of his group that Harijans do not require any advice regarding faith in Gods and devotion in Gods and Goddesses. I can quote several Harijans in the galaxy of Hindu mythology who are shining stars to speak to the world that they had lived in faith and that faith is responsible for upholding the dignity of Hinduism to-day: Nandanar for instance, the great devotee from the south; Rohidoss from the north and several others; Tiruppanalwar and the great savant who has given us the Kural, Thiruvalluvar. These are instances to show that the Harijans had always remained faithful to Hinduism in spite of the atrocities perpetrated upon them for no reason at all. Let me assure Mr. Varadachari that we, Harijans, have always been lovers of monogamy and divorce is a common practice amongst our men and women. Divorce presupposes economic independence. Harijans, men and women, are regular workers and as long as a woman is capable of earning her livelihood, she would not like to be ill-treated at the hands of her husband who cannot treat her as his wife with love and affection. Therefore, I was rather surprised at the caustic remark made by my friend Mr. Varadachari in supporting a measure which has been accepted as a beneficial thing in our society. As far as this Bill is concerned, as it is being sent to the Select Committee, I would, other the mover of the Bill, Mr. Kaleswara Rao, to see that all aspects of the question are covered before it is presented once again to this House, so that, as has been pointed out by several speakers, no loop-hole is given to any intending party to by-pass the Bill. With these words, I support the principle contained in the

* SRIMATHI A. V. KUTTIMALU AMMA:—"Mr. Speaker was depressing to some of us to notice that this Bill was treated by some of the members of the House rather lightly. The matter is very vital and such a Bill is very necessary and it is not a matter for laughter. We cannot deny that in our country, there are women who are suffering tremendous hardships for want of this kind of legislation. The Hindu Law as it stands to-day does not even allow a woman, who is discarded by her husband, to go to her own parent's house; though the man has the right to marry again, the discarded wife has to stay in the house of the man who has discarded her and carry on there itself whether she likes it or not. This is very unjust and has to be stopped. The men and women of free India should have equal status in life. Even in this Province we have this right in Malabar; we have the right of divorce from time immemorial, as many of you will be aware and also polygamy has been stopped completely. I go further and proudly say that we are the better for it. It is not alone the backward and depressed classes of people in the South as some hon. Members said, that have such a right; one of the most advanced communities in all directions of life, in education and other things, Malabar people have this right and we feel

[Srimathi A. V. Kuttimalu Amma] [24th September 1947]

we are the better for it. We feel that other people should have the right of divorce and that polygamy must be stopped as every educated person will want. My hon. Friend Mr. Natesan said the other day that Indian women were not exercising their rights even if they were given the right. I am only sorry to say that my hon. friend had not been in touch with the freedom movement of India where our women took their part and fought along with men in the historic and unique fight to attain our freedom. He need not have quoted that some women of Russia who were helping the war efforts by working as lorry drivers, etc. I feel that if all women were strong enough to desist from helping in stopping these mass murders called wars the world would have been happier. I am deviating from the point, but this is only in reply to my hon. friend. Our women have risen to the occasion when ever it was necessary and helped men. This Bill will minimise by some of the difficulties she is now labouring under. With these words, I wholeheartedly support this Bill."

MR. SPEAKER:—"The debate will be continued on the next mor-
n-official day. I now adjourn the House till 11 a.m. to-morrow."
divoi The House then adjourned to meet again at 11 a.m. the next will 7.

* SR. IV.—PAPERS LAID ON THE TABLE OF THE HOUSE.

so many.) Elections—Municipal councils—Assignment of colours
matter wdates—Directions issued—L.A. Department G.O. No. 1535
gamy wi9th September 1947.

brings n2) Notification issued with G.O. No. 2512, Home, dated
the way June 1947, making certain amendments to Madras Motor
alone wcles Taxation Act, 1931, published with Home Department
otification No. 847, dated 1st December 1936, as subsequently
amended.

a (3) Notification issued with G.O. No. 3265, Home, dated
19th August 1947, making certain amendments to Madras Motor
Vehicles Rules, 1940, published with Home Department Notifica-
tion No. 357, dated the 29th March 1940, as subsequently amended.

a Laid on the table on 23rd September.

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APPENDIX I.

[Vide answer to starred question No. 98 asked by Begum Sultan
Mir Amiruddin at the meeting of the Legislative Assembly
held on 24th September 1947, page 289 supra.]

Statement showing the posts to which persons who have reached the
age of fifty cannot be promoted.

Service or post.	Reason.
1 Madras Veterinary Service —By transfer from the Veterinary Subordinate Service.	The question of abolishing this age rule is under consideration of Government.
2 Assistant Directors of Survey and Land Re- cords and Photographic and Printing Expert in the Madras Survey and Land Records Service— Age-limit is 45 for inclu- sion in the list and 50 for actual appointment.	Promotion is on grounds of merit and ability on a competitive basis and those who have not proved good enough for recruitment before reaching the age-limit, get blocked. There is nothing inappro- priate in this. As the posts are spe ialized posts there can be no question of utilizing the services of blocked men elsewhere as usually different qualifications are required for other services.
3 Inspectors in the Madras Excise Service.	It is not desirable either in the interests of efficiency or of economy to recruitment towards the end of their service to the category of Ins- pectors. Inspectors of Excise should be active, being touring officers with jurisdiction extending to nearly half of a revenue district. The question of utilizing the services of such blocked men elsewhere need not perhaps be considered now as their absorption in other services consequent on the extension of prohibi- tion is already engaging attention.
4 Madras Educational Ser- vice— Personal Assistant to the Director of Public Instruction. District Educational Officers. Inspector/Inspectress of European Schools. Superintendent of Sanskrit Schools. Secretary to the Com- missioner for Government Exa- minations. Headmaster, Govern- ment Madrasa-i- Azam. Curator, Oriental Manu- scripts Library, and Chief Ins- pector of Physical Educa- tion. Inspectresses, Super- intendents and Headmistresses of Girls' Schools.	Administrative work (in the gazetted educational service) for an officer promoted from the subordi- nate service involves a more marked increase of responsibility and a need for flexibility of mind in dealing with a new environment of people and of situations—which will not usually be found in officers over fifty.

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Service or post.	Reason.
5 First-class Health Officers of the Madras Public Health Service.	Similar provision existed in the case of administrative officers in the Madras Educational Service and in the case of the Madras Excise Service and the Madras Registration Service. The reason given in respect of posts of the Madras Educational Service will apply to the officers in the Public Health Department.
6 Food Department— Assistant Statistical Officer, Board of Revenue. (Should not have completed 40 years of age before appointment.)	Recruitment by transfer is made of a person on the basis of his record in his parent service and if a lower limit were fixed, the record would be too meagre to facilitate selection. A higher limit on the other hand would, in conjunction with the age of superannuation, deny the statistical branch the service of an experienced officer for anything more than fifteen years. As a matter of fact, the officer may begin to be really useful to the branch only after he has been in it for three or four years; enhancing the maximum would, therefore, mean that an experienced officer will be available only for periods of less than about ten years.
7 Public Works Department— Executive Engineer (Assistant Engineers promoted as Executive Engineers should not have completed the age of 45).	It is undesirable to have a system whereby officers get a chance to be Executive Engineers only when they are fifty or more; the result of which will be that the men concerned will have no incentive to work hard and strive for promotion since they will have no chance whatever to become Superintending Engineers or Chief Engineer. But this restriction in age limit for promotion of Assistant Engineers as Executive Engineer has been relaxed during the last war and during such period thereafter as the Government may consider necessary. The question whether the concession regarding the age-limit should be discontinued or extended for some more time is under separate consideration.

APPENDIX II.

[Vide answer to the starred question No. 106 asked by Sinna Kaziar Haji Moulvi S. A. F. Ibrahim Sahib Bahadur at the meeting of the Legislative Assembly held on 24th September 1947, page 303 supra.]

	Madura district.	Ramnad district.	Tinnevely district.
(a) Licences granted to Muslims up to 1st April 1947—Mill and handloom—Wholesale and retail.	324	284	1,118
(b) Licences suspended or cancelled	9	8	38
(c) Number of mill cloth licences suspended or cancelled [out of those against (b)] and for what reason.	8	4	5
	under clause 4 (3) of the Madras Cloth Dealers (Control) Order, 1946, for violation of the provisions of the order, e.g., selling cloth at prices higher than authorized prices, etc.		
(d) (i) Number of petitions for the restoration of the licences pending disposal.	Nil	1	5
(ii) Date from which the oldest petition is pending.	24th March 1947.	21st March 1947.	

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 25th September 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Protected water-supply scheme for the Pollachi Municipality.

* 114 Q.—SRI P. R. KANDASWAMI GOUNDER: Will the Hon. the Minister for Public Health be pleased to state—

(a) when the protected water-supply scheme for the Pollachi Municipality was sanctioned by the Government and when the scheme was undertaken for execution;

(b) what the estimated cost of the scheme was and what proportion of the cost is given by Government grant and the department through which the work is being executed;

(c) what is the amount spent each year on the scheme since the work was started, what is the total amount spent so far, and whether the municipal council has paid its share of the cost in full;

(d) whether any year-wise progress was maintained as originally programmed and if not, what were the reasons for the failure to complete the work;

(e) whether several representations were received from the municipal council and the public about the distress caused by the want of drinking water and if so, what action was taken on them;

(f) whether the sanction of the Government was sought by the Council to instal a small pumping set, etc., as a temporary arrangement to start the supply of water and give some relief to the public and if so, what orders were passed and whether the permission sought was refused; and if so, why;

(g) whether the estimate for the work has been revised; and if so, what is the estimated cost now; whether it has been doubled on account of delay in the completion of the scheme; and

(h) what action has been taken by the Government to avoid further delay and complete the scheme; and when the Government propose to complete the work?

THE HON. SRI A. B. SHETTY:—“(a) The protected water-supply scheme for the Municipality was sanctioned by Government in 1937 and the work was taken up for execution in 1938–39.

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“(b) The estimated cost of the scheme was Rs. 5,16,000 and half grant excluding the cost of watchman's quarters was given by the Government. The work is being executed by the Public Works Department.

“(c) A statement ^a showing the particulars asked for is appended. The Municipal Council has paid its share in full.

“(d) Good progress on the works was maintained until 1940 when work had to be stopped due to war as a result of which import of machinery and pumping machines was rendered impossible.

“(e) Representations were received for the early completion of the scheme. As the works were deferred due to war conditions, nothing could be done to meet the wishes of the local residents. The remaining works have been taken up for execution now and all the works connected with the scheme except the “Supply, delivery and erection of pumping plants” have been completed. As regards the pumping plant, agreement has been accepted in favour of Messrs. Richardson and Cruddas, Limited, Madras; due to lack of shipping facilities it is found difficult to transport the pumps and motors from America early. The company has been reminded to expedite the matter.

“(f) In 1943, the Municipal Council wanted to get some pumps, as a temporary measure, from the Military department and instal the same in the pump house. Since the oil engines and the pumps available with the Military department were not considered suitable for the purpose, their installation was not approved, and the Municipal Council was informed accordingly.

“(g) The original estimate was recently revised to Rs. 6,41,000 and the excess was about 24 per cent over the original estimate provision. This is mainly due to war conditions.

“(h) Every effort is being made to hasten the completion of the scheme and water-supply can be made available to the citizens immediately after the pumps and motors are received from the United States of America are erected.”

SRI P. R. KANDASWAMI GOUNDER:—“May I know, Sir, whether the Government will take necessary steps to complete the scheme before the end of this year?”

THE HON. SRI A. B. SHETTY:—“I have already stated in my answer that every effort will be made to hasten the completion of the scheme.”

^a Printed as Appendix I on page 445 infra.

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Eradication of bribery and corruption from among Government servants.

* 115 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Premier be pleased to state—

(a) whether the Government have taken or will take necessary action soon to eradicate bribery and corruption among Government servants; and

(b) if so, whether the Government have considered, or will consider the necessity of forming non-official Committees in every taluk for the purpose?

THE HON. DR. P. SUBBARAYAN:—“(a) The answer is in the affirmative. The hon. Member is referred to Press Communiqué No. 26, dated 19th July 1946, which was placed on the table of the House with reference to Legislative Assembly Question No. 176 of 1946 answered on 7th September 1946.

“(b) There is at present no proposal to form non-official Committees in every taluk. The question whether any such Committees should be set up will be examined after the Committee recently constituted to enquire into corruption in Government departments have sent their report.”

SRI S. C. BALAKRISHNAN:—“Are the Government aware that the Bombay Government are reported to have taken effective measures for preventing bribery and corruption and, if so, will this Government consider the adoption of the same policy here also?”

THE HON. DR. P. SUBBARAYAN:—“Each Government have its own policy and this Government have taken a view and are trying to follow it up.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I ask whether the Government are satisfied that it has checked bribery and corruption by the steps it has taken?”

THE HON. DR. P. SUBBARAYAN:—“It is a hypothetical question and it is impossible for me to give an answer to it.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Arising out of the answer to clause (b) that no non-official committee has been appointed and also arising out of yesterday's answer to a similar question that no non-official should look into cases relating to officials, may I know why Government are feeling shy to appoint a non-official committee and why they have more confidence in officials than Members of this House?”

THE HON. DR. P. SUBBARAYAN:—“There is no question of confidence in any one but Government do what they think best in the circumstances.”

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SRI V. RAGHAVAYYA:—“Is it a fact that the people employed in detecting these offences being minor officials are being afraid of booking cases against big officials and are confining their attention only to minor fry? If so, will the Government take steps to employ honorary people with pay who have not been in service so that they may not feel inferiority complex and who will discharge their duties to the satisfaction of the Government and the people?”

THE HON. DR. P. SUBBARAYAN:—“In the first place, I would like to point out to the hon. Member that once any person takes pay he ceases to be honorary. So, I cannot understand how he talks of honorary members with pay. In the second place, Government are doing their best and I do not think the reflection that is cast on these officers who are enquiring is justified, nor can I accept it.”

SRI S. NAGAPPA:—“May I know whether the Government will consider the desirability of either suspending or dismissing such officers who are very notorious for dishonesty and corruption as such cases cannot stand in a court of law and it is also difficult to prove them?”

THE HON. DR. P. SUBBARAYAN:—“The question of notoriety is a relative term and I am not prepared to take the hon. Member's premises. I would like also to point out that it is impossible under the rules as at present to dismiss anybody or suspend anybody unless a *prima facie* case has been made out. I would, however, like the hon. Member to read the Government Servants' Conduct Rules and the rules relating to their service.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I ask in how many cases of bribery and corruption action has been taken and whether the cases detected are commensurate with the widespread extent of bribery and corruption that is rampant in Government service?”

THE HON. DR. P. SUBBARAYAN:—“I am afraid I must ask the hon. Member to put a separate question because he is asking for statistics and figures.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“In view of the fact that as a result of fear of victimization several cases of corruption have not been brought to light, will the Government give an assurance to the public that they will not be victimized if cases of corruption are reported by them?”

THE HON. DR. P. SUBBARAYAN:—“It has already been broadcast that if evidence is given, people who give such evidence of corruption will be protected.”

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“Is it a fact that false petitions are also sent to the Government trying to implicate officials with charges of bribery and corruption which are not proved on enquiry?”

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THE HON. DR. P. SUBBARAYAN:—“I am glad to have the information from the hon. Member.”

SRI K. R. KARANTH:—“May I know the reason why that even after cases of corruption are finally decided upon by Government they are not published. One can understand the reticence during the enquiry, but after the cases have been decided why not publish the names of officers who are punished, instead of simply saying that 3 cases in Revenue Department, 5 cases in Excise and so on, as it is being done now?”

THE HON. DR. P. SUBBARAYAN:—“I will consider the hon. Member's suggestion.”

SRI PILLALAMARRI VENKATESWARLU:—“Arising out of the answer of the Hon. Minister given to Mr. Salam, may I know whether it is the opinion of the Government that it is not in the best interests of our Province to appoint a non-official committee?”

THE HON. DR. P. SUBBARAYAN:—“I am not prepared to give any opinion on this.”

SRI S. NAGAPPA:—“In view of the answer given to my supplementary question, will the Government consider the desirability of changing the Government Servants' Conduct Rules as a different Government is now functioning?”

THE HON. DR. P. SUBBARAYAN:—“When the hon. Member occupies a seat on the Treasury Bench he might consider this.” (Laughter.)

SRI P. R. KANDASWAMI GOUNDER:—“Are the Government aware that when a bribery case was being conducted in a court of law, in Tinnevely, it was stayed by the intervention of the Government?”

MR. SPEAKER:—“The hon. Member may put a separate question on it.”

SRI T. VISWANATHAM:—“May I know what steps are the Government taking to bring Mr. Nagappa to the Treasury Bench?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Member knows as well as I do that it does not lie in my hands.”

SRI V. RAGHAVAYYA:—“On a point of information, Sir,

MR. SPEAKER:—“This is not the time for obtaining information. This is the time intended for putting questions. The hon. Member will be advised to put it as a separate question.”

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Arrest of persons involved in the recent disturbances in Mannargudi.

* 116 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Home Minister be pleased to state—

(a) the number of persons who were arrested in connexion with the recent disturbances in Mannargudi, Tanjore district;

(b) whether it is a fact that some persons who were said to be responsible for murder in the same area have not yet been arrested;

(c) what action the Government have taken to arrest the persons who are the real cause of the disturbances in that area; and

(d) whether it is a fact that some police officers are indirectly helping the absconders?

THE HON. DR. P. SUBBARAYAN:—“(a) 36.

“(b) Yes. One person who is suspected of being connected with the crime is absconding.

“(c) Persistent efforts are being made by the Police to arrest that person.

“(d) The Government do not think that the allegations contained in the question are true.”

SRI A. VEDARATNAM PILLAI:—“May I know whether the Government are aware that the culprit is living in the same area?”

THE HON. DR. P. SUBBARAYAN:—“I am not aware of that, Sir.”

SRI K. ANANDAN NAMBIYAR:—“May I know whether the Government are aware that these men who were murdered were brought from the Tinnevely district by the mirasdars to create disturbance?”

THE HON. DR. P. SUBBARAYAN:—“Well, Sir, the hon. Member may have different ideas on criminal law. If a person murdered another person he is liable to be prosecuted for murder.”

SRI K. ANANDAN NAMBIYAR:—“What I want to know is whether those men who were murdered were those brought from Tinnevely district?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Member may be correct in his presumption, but I have no information on the point.”

Alleged insult to the Congress National Flag.

* 117 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Home Minister be pleased to state—

(a) whether any complaint has been received by the Government regarding Muslims insulting the Congress National Flag at Ayyampet; and

(b) if so, what action has been taken on the complaint?

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THE HON. DR. P. SUBBARAYAN:—“(a) It is presumed that the hon. Member refers to the incident that occurred on 26th January 1947 at the shop of Sri Raju Pandithan. A complaint was received by the Government in June 1947.

“(b) The Papanasam Police investigated into the case and the accused have been charged before the Stationary Sub-Magistrate, Papanasam, for offences under Sections 147, 336 and 426, Indian Penal Code.”

MR. SPEAKER:—“I think the matter relating to this question is now before the court and it is therefore *sub judice*. No supplementary questions will be allowed on this question.”

Assistance by the State to the accused for defence.

* 118 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that in this Province no assistance is provided by the State to the accused to defend himself, when he has not the means to do so by reason of poverty; and

(b) if the answer is in the affirmative, whether the Government propose to bring in necessary legislation to rectify this defect?

THE HON. DR. P. SUBBARAYAN:—“(a) The High Court and the Sessions Judges are authorized to engage a pleader to defend an accused person only in cases where the charge against the accused person is such that a capital sentence is possible and it appears that he has not engaged a pleader and is not possessed of sufficient means to engage a pleader,

“(b) The question of liberalizing the existing provisions is being examined.”

BEGUM SULTAN MIR AMIRUDDIN:—“As has been pointed out by the Hon. the Leader of the House that the assistance that is given to the accused, who by reason of poverty are not able to defend themselves, is very restricted in this country, will the Government examine whether it would not be possible to make the same provisions for the defence of the accused in this country as are obtaining in England on the lines of the English Poor Prisoners' Defence Act and will the Hon. the Leader of the House also consult the Hon. the Chief Justice of Madras in regard to this matter?”

THE HON. DR. P. SUBBARAYAN:—“I am very grateful to the hon. the Lady Member for the suggestions she has made, but as I have pointed out in the course of the answer, as the rules stand at present, only those who are liable to get capital punishment are given defence counsel if they are not able to employ counsel on their account. As I said in answer to clause (b) Government are considering the question of liberalising the provisions and I will certainly bear in mind the suggestions made by the hon. Member and get into touch with the Hon. the Chief Justice for the purpose.”

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11-15 a.m. MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is the Hon. Minister aware that in a recent High Court case the Judge remarked that as defence counsels exist in England for those who cannot defend themselves so also help should be rendered here also for those who are not able to engage their own counsels. This was a recent case and was it brought to the attention of the Hon. the Minister?"

THE HON. DR. P. SUBBARAYAN:—"I am grateful for the information and it might help me to come to conclusions."

SRI K. ANANDAN NAMBIYAR:—"Will the Government also make provision for the defence of those who cannot defend themselves in Magistrates' Courts because there are hundreds of labourers who are being prosecuted and who have no means of defending themselves in these courts?"

THE HON. DR. P. SUBBARAYAN:—"This is a matter which will mean much expense to the Government and I cannot give any undertaking on the point raised by the hon. Member."

SRI K. ANANDAN NAMBIYAR:—"Will the Government consider at least this question?"

THE HON. DR. P. SUBBARAYAN:—"Well I said I will not give an undertaking which implies that consideration may be given."

SRI S. NAGAPPA:—"In view of the fact that most courts of law do no justice, will the Government consider the desirability of taking steps to see that justice is done to the poor people in those courts?"

THE HON. DR. P. SUBBARAYAN:—"Sir, I do not grant the hon. Member's premises and I think he is very wrong in casting reflections on the courts of justice which I feel, as far as this Province is concerned, are working most satisfactorily."

SRI V. I. MUNISWAMI PILLAI:—"Will the Government consider the desirability of affording assistance to schedule caste people as they are very poor and cannot defend themselves with their own counsels?"

THE HON. DR. P. SUBBARAYAN:—"I will certainly take into consideration the hon. Member's suggestion when the rules are being liberalized."

Foodgrains procured in Coimbatore district.

* 119 Q.—SRI M. A. EASWARAN: "Will the Hon. the Minister for Food be pleased to state the quantity of foodgrains procured in the Coimbatore district in the years 1944-45, 1945-46 and 1946-47, with particular reference to Erode taluk?"

THE HON. DR. T. S. S. RAJAN:—"Quantities of rice and millets procured in Coimbatore district and Erode taluk

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of Coimbatore district, during the Kharif years 1944-45, 1945-46 and 1946-47 (up to 31st August 1947), are furnished in the following statement:—

STATEMENT.

	1944-45 From 1st November 1944 to 31st October 1945.		1945-46 From 1st November 1945 to 31st October 1946.		1946-47 From 1st November 1946 to 31st August 1947.	
	Rice.	Millets.	Rice.	Millets.	Rice.	Millets.
	TONS.	TONS.	TONS.	TONS.	TONS.	TONS.
Coimbatore district.	17,612	14,410	22,449	15,166	16,198	11,413
Erode taluk.	2,919	893	3,175	1,268	1,321	582

SRI M. A. EASWARAN:—"May I know why procurement has gone down in Erode taluk gradually?"

THE HON. DR. T. S. S. RAJAN:—"The Government are aware of the deficiency in procurement in the Erode taluk and an explanation has been called for."

Printing of rationing cards and application forms.

* 120 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that all rationing cards and application forms, used in the city, are printed only in English and Tamil;

(b) if so, why these forms are not printed in Telugu, Malayalam and Kanarese; and

(c) whether the Government propose to print them in these languages also?

THE HON. DR. T. S. S. RAJAN:—" (a) Rationing cards and ration permits are printed only in English in all the specially rationed areas in the Province except in the 15 areas of Malabar district. Forms of applications for rations are printed in the languages asked for by the rationing officers. For sometime after introduction of rationing, these forms were supplied in English, Tamil and Telugu to the City Rationing Officer, Madras. Last year the City Rationing Officer did not indent for Telugu forms and hence no supplies were made to him.

" (b) & (c) Arrangements have since been made for supply of Telugu forms to all circle offices in the city and at present forms in English, Telugu and Tamil are available in all of them. As regards forms in Malayalam and Kanarese there has been no demand for such forms. If there is demand for these forms to an appreciable extent the Government will consider the question of printing the application forms in Malayalam and Kanarese as well."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—" Arising out of the answer that no Telugu forms are printed, may I ask the Government, Sir, whether they are aware that there is a feeling among the Andhras that there is a regular conspiracy between the Government and interested persons to show by this that there is no claim for the Andhras for the City of Madras? "

THE HON. DR. T. S. S. RAJAN:—" I do not know about this and this is an insinuation which the Government are not prepared to accept."

SRI T. VISWANATHAM:—" Sir, in view of the answer that there is no demand for Kanarese forms, may I draw attention of the Hon. Member that our Assistant Secretary felt great difficulty in filling up the form? "

(No answer.)

SRI C. M. KOTHARI:—" Why the ration cards are not printed in Hindustani which is the common language of this country? "

(No answer.)

SRI R. V. SWAMINATHAN:—" Is it not proper to print only in Tamil because many of the people in Madras speak Tamil? "

(No answer.)

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know from the Hon. Minister why they should wait for demand from the rationing officers for these cards in different languages and why they should not in advance print these cards according to the census figures and supply them to the people? "

THE HON. DR. T. S. S. RAJAN:—" The Minister is not concerned with questions on the linguistic problem by means of these ration cards. Province is

factually." ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I ask the Government whether they are not aware that it is not the Tamil alone that eat rice but there are also other people who speak other languages that eat rice and they must therefore know how to apply for this rice? "

(No answer.)

SRI S. NAGAPPA:—" In view of the fact that there are many languages in the city, will the Government consider the desirability of printing forms in all the languages that are spoken in the city and supply such forms that the consumers ask for? "

THE HON. DR. T. S. S. RAJAN:—" We must first of all have to collect the number of people speaking the different languages in the City of Madras to strike cards. This is absolutely unnecessary in view of the fact that cards in Tamil, Telugu and a number of other languages are made available to them and the rationing officers have been asked to demand such forms as may be necessary for distribution to

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these people. If they do not ask for cards in some languages, I do not understand why Government should be put to the expense of printing unwanted cards."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Do not the Government know the population of the city, languagewar, Sir? Do not the census figures give that information to the Government and why, Sir, Government have not taken steps to print these ration cards in advance according to the languages mentioned in the census reports? "

THE HON. DR. T. S. S. RAJAN:—" Ration card is a necessity and everybody who wants to use that, has to inform the rationing officer who in turn should indent for the same from the Government. If the rationing officers do not ask for such cards in particular languages, Government cannot print unwanted cards and waste money."

SRI V. I. MUNISWAMI PILLAI:—" May I know, Sir, whether the Government have received complaints from the ration card-holders and giving suggestions to print them in different languages? "

THE HON. DR. T. S. S. RAJAN:—" No, Sir."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" Are the Government prepared to investigate why a particular officer did not print the cards in Telugu this year? "

THE HON. DR. T. S. S. RAJAN:—" There is some misunderstanding about this. Every rationing officer knows the number of cards he requires and Government have permitted him to ask for such cards as are demanded by the persons applying for rations."

Condition of rice sold in retail ration depots.

* 121 Q.—SRI P. VENKATANARAYANA: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government are aware that the rice that is being sold to the consumers by the retail ration depots is full of bran and unfit for human consumption;

(b) whether the rice supplied contains a great percentage of paddy for the removal of which the consumers are not only being put to great inconvenience and trouble but also are denied the full benefit of even the inadequate basic ration; and

(c) whether it is a fact that the rationed rice contains about 5 per cent of foreign matter such as pebbles, etc., and if so, whether the Government propose to take immediate steps for the elimination of the same?

THE HON. DR. T. S. S. RAJAN:—" (a) The Government are not aware that the rice that is being sold to the consumers by retail ration depots is full of bran and unfit for human consumption. There is an inspecting staff in each surplus district which accepts only rice which conforms to the Civil

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Supplies specifications. Rice which is not fit for human consumption and is not free from excessive bran and other defects is rejected. Further, instructions have been issued to the effect that ration shop-keepers should not pass on to the public bad quality rice. The consumers have also the right to reject bad quality rice and get in exchange rice of acceptable quality.

"(b) According to the Civil Supplies specifications, the limit of tolerance for dirt, foreign matter and paddy or unhusked grains is 1—2 per cent. Rice containing greater percentage of paddy is not passed for distribution.

"(c) In view of the answer to sub-question (b), this does not arise."

Ramapadasagar project.

* 122 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) the amount allotted for the Ramapadasagar project during 1946–47 and 1947–48; and

(b) the amounts spent in the respective years?

THE HON. SRI M. BAKTHAVATSALAM:—

"(a)—

Year.	Amount allotted.
	RS.
1946–47	20,58,600
1947–48	5,79,000

"(b)—

Year,	Amount spent.
	RS.
1946–47	17,67,899
1947–48	4,74,028

(up to end of July 1947)."

SRI T. VISWANATHAM:—"Is the Hon. Minister aware that the allotment was about Rs. 42 lakhs and not 22 lakhs and will the Hon. Minister say how that difference has arisen?"

THE HON. SRI M. BAKTHAVATSALAM:—"The budget figures for 1946–47 show that the allotment was only Rs. 20,58,600. I do not know wherefrom the hon. Member got the other figure."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer that a small amount has been spent, are the Government aware that there is a widespread feeling that Government are following dilatory tactics to see that very little is spent till the Andhra Province materializes?"

THE HON. SRI M. BAKTHAVATSALAM:—"I do not see how that question is warranted by the answer I have given."

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SRI P. NATESAN:—"May I know whether it will be possible to spend as much as Rs. 17 lakhs in one year, 1946–47?"

THE HON. SRI M. BAKTHAVATSALAM:—"It is investigation work that is going on. We have to spend on machinery, we have to spend on foreign experts who have been invited to come and express their opinion and we have to spend on establishment."

SRI D. V. RAMASWAMI:—"May I ask the Hon. Minister whether the Government are aware that there is a feeling in the Andhra country that the progress of the Ramapadasagar Project is not what it should have been?"

THE HON. SRI M. BAKTHAVATSALAM:—"It is a very difficult project and our experts have stated that it is quite feasible and we are doing everything to expedite the scheme, its investigation and its execution. If still that kind of feeling prevails anywhere, we cannot help it, Sir."

SRI N. S. VARADACHARI:—"Will the Government see to it that regarding the money allotted for other projects, they are spent in the same proportion as that allotted for this project, that is 17 out of 20 lakhs. I wish the Hon. Minister to give an assurance that in all other projects the same rate will be maintained in respect of expenditure."

THE HON. SRI M. BAKTHAVATSALAM:—"For every project, we are trying to spend as much money as possible out of the allotment; it is not merely spending the money, we have to carry out the works and the money actually spent depends on the nature of the work."

SRI P. NATESAN:—"May I know if it will be possible for Government to place on the table of the House the amounts spent in 1946–47, showing how much has been spent on machinery and how much on experts?"

THE HON. SRI M. BAKTHAVATSALAM:—"If my hon. Friend would put a separate question, I shall answer it."

SRI K. LINGA RAJU:—"May I know if the scheme has passed the experimental stage?"

THE HON. SRI M. BAKTHAVATSALAM:—"No, Sir; we are still in the experimental stage."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know when the work of the construction of this project will actually commence and whether in view of the fact that the execution of this project will considerably help to ease the food situation the Government would expedite the matter?"

THE HON. SRI M. BAKTHAVATSALAM:—"We are quite aware of the great possibilities of this project and we are doing everything possible to expedite it; I can only say that we will commence execution as soon as investigation is over."

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MUHAMMAD RAZA KHAN SAHIB BAHADUR:—" May I enquire whether the Engineer who had been deputed to foreign countries for purposes of consultation with foreign experts, has submitted his report? "

THE HON. SRI M. BAKTHAVATSALAM:—" Yes, Sir, he has submitted his report."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" In view of what fell from the Hon. Minister, namely that the project is still in an experimental stage, may I know whether there is a possibility of the project being put into execution? "

THE HON. SRI M. BAKTHAVATSALAM:—" Yes, Sir; we have received an interim report from the experts committee which met in London recently and they say that although the project is difficult, it is quite feasible."

N. VENKATA SUBBAYYA:—" May I ask for an assurance from the Hon. Minister that because of the Ramapadasagar Project, other minor projects which could be completed very quickly, will not be hampered and they will be executed in furtherance of the 'Grow More Food' campaign? "

THE HON. SRI M. BAKTHAVATSALAM:—" Yes, Sir; there cannot be any conflict between the minor projects and this project."

SRI PILLALAMARRI VENKATESWARLU:—" May I know whether the Government are prepared to publish the interim report? "

THE HON. SRI M. BAKTHAVATSALAM:—" I cannot give an assurance; I will have to consider the question."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" While the Minister was answering a question, he was pleased to say that this was a difficult project; may we know whether the same argument will not be advanced to shelve the project? "

THE HON. SRI M. BAKTHAVATSALAM:—" I cannot understand the question of my hon. Friend."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I ask the Hon. Minister how much the Government are prepared to spend on the experiment alone? "

THE HON. SRI M. BAKTHAVATSALAM:—" We are prepared to spend all that is necessary for completing the investigation."

SRI C. M. KOTHARI:—" Will the Government be pleased to place on the table a report of the Expert Committee of London? "

THE HON. SRI M. BAKTHAVATSALAM:—" I propose to arrange for a meeting of the Members of the Legislature some time in October when the Assembly is in session when the Special Chief Engineer will give them a talk giving full particulars about this project."

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SRI S. NAGAPPA:—" May I ask the Government whether they will take up the other projects also with the same speed as they have shown with regard to the Ramapadasagar Project? "

THE HON. SRI M. BAKTHAVATSALAM:—" Yes, Sir."

Steps taken to check inflation.

* 123 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Finance be pleased to state what steps the Government are taking to check inflation?

THE HON. SRI B. GOPALA REDDI:—" A five-page treatise describing the steps that the Madras Government have taken to assist in checking the inflation of prices is placed on the table."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—" May I request the Hon. Minister through you, Sir, that the supplementary questions may be put to-morrow? "

MR. SPEAKER:—" It will be taken up to-morrow."

Accommodation for Government Muslim Women's College, Madras.

* 124 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Prohibition be pleased to state—

(a) the reasons for allotting every one of the 22 buildings allotted by the Collector of Madras since he was re-appointed Controller of Accommodation to Government officials without considering the urgent requirements of the Government Muslim Women's College, Madras;

(b) whether the Collector of Madras allotted any building to Dr. Hari Rao the present occupant of "Wellington House," Royapetta, Madras;

(c) if the answer to (b) is in the affirmative, the number of houses the Collector of Madras allotted to Dr. Hari Rao, together with their rent, and the dates on which these houses were allotted to him and the reason why Dr. Hari Rao did not choose to vacate "Wellington House";

(d) whether it is a fact that Dr. Hari Rao has stated that houses only in particular localities will be acceptable to him and not others;

(e) if the answer to (d) is in the affirmative, whether the Government proposes to issue instructions to Dr. Hari Rao that he should take up any suitable accommodation offered to him in any locality by the Collector of Madras; and

(f) whether, in view of the fact that two additional classes are to be opened in the Government Muslim Women's College from July next the Government propose to issue instructions to Dr. Hari Rao to vacate the "Wellington House" soon?

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THE HON. MR. DANIEL THOMAS:—“(a) None of the buildings so far allotted by the Collector of Madras was in the vicinity of the Muslim Women's College or was suitable for the requirements of a girls' hostel.

“(b) Yes. A house in Vepery was allotted to Dr. Hari Rao to which he shifted his residence on 15th July 1947. ‘Wellington House’ has since been given to the Director of Public Instruction for the Government Muslim Women's College.

In view of the answer to clause (b); no answers are necessary for clauses (c), (d), (e) and (f).”

BEGUM SULTAN MIR AMIRUDDIN:—“While thanking the Hon. Minister for making available ‘Wellington House’ for the Muslim Women's College, may I request him to use his influence with his colleague, the Education Minister, to see that due repairs are carried out to this building so that it might be available for use as a hostel? May I bring to his notice that though the building has been vacated more than a month ago, it has not yet been made available by the Government for being utilized as a college hostel?”

THE HON. MR. DANIEL THOMAS:—“I think, Sir, representations made by the hon. Lady Member will carry more weight than even of mine.”

Serving of foreign liquor in dining cars.

* 125 Q.—SRI T. S. PATTABHIRAMAN: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that foreign liquor is being served in the dining cars attached to mail trains between Coimbatore and Erode junctions though in that area prohibition is in force; and

(b) if so, whether the Government will take immediate steps to ban the same?

THE HON. MR. DANIEL THOMAS:—“(a) Licences have been issued by the Board of Revenue to Messrs. Spencer & Co., Ltd., Madras, to possess and serve liquor in the restaurant cars attached to No. 62 Cochin Express and No. 701 Jalarpet-Calicut Passenger.

The following are some of the conditions of the licence:—

(i) No liquor shall be served except to *bona fide* passengers travelling by the train from stations outside the area in which the said Act is in force.

(ii) No liquor shall be served to any passenger travelling only from one station to another within an area in which the said Act is in force.

(iii) On the arrival of the restaurant car at any place of halt in an area in which the said Act is in force, the licensee shall lock the stock of liquors under his seal and shall not

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serve or otherwise dispose of, or cause to be served or otherwise disposed of, any liquor during the period of such halt.

(iv) An account shall be kept of all liquors served while the restaurant car runs through an area in which the said Act is in force.

“(b) As the licences have been issued subject to safeguards against abuse, the Government do not consider it necessary to cancel them.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I request the Government to issue instructions that foreign liquors should be served only to foreigners and not to Indians?”

THE HON. MR. DANIEL THOMAS:—“I hope, Sir, Indians will agree to the suggestion of the hon. Lady Member.”

SRI S. NAGAPPA:—“Arising out of the answer of the Hon. Minister, may I ask who is to certify regarding the bona fide or mala fide of the travellers, before they sell liquor to them?”

THE HON. MR. DANIEL THOMAS:—“If the hon. Member had followed the answer, it would be apparent from the tickets which will be produced to the restaurant-keeper.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“Is it a fact that when the train is in motion in a dry area, it becomes a wet area?”

THE HON. MR. DANIEL THOMAS:—“It becomes an island in a wet area available for drinkers from non-Prohibition area.”

Notice boards in the State buses in the City.

* 126 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that notice boards showing fares, etc., in the State buses plying in the City of Madras are put up only in English and Tamil;

(b) whether the Government are aware that Madras is a bilingual area; and

(c) if so, will they please state why the notice boards are put up only in English and Tamil and Telugu is excluded from them?

THE HON. MR. DANIEL THOMAS:—“(a) The answer is in the affirmative.

“(b) Madras may be said to be not only a bilingual but a multi-lingual area.

“(c) The majority of the travelling public in the City are conversant with English or Tamil or both and thus far, no representations have been made to Government that any serious inconvenience has been caused thereby.”

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SRI T. VISWANATHAM:—"In view of the statement made by the Hon. Minister that Madras is a multi-lingual area, may I ask, Sir, whether they would themselves take this into account without waiting for complaints and put up the boards in all the various languages?"

THE HON. MR. DANIEL THOMAS:—"I would refer the hon. Member to the last part of my answer, namely, that no representations have been made to Government that any serious inconvenience had been caused thereby. Government are of the view that so far no inconvenience has been felt because of this."

SRI T. VISWANATHAM:—"Very serious inconvenience has been felt . . ."

MR. SPEAKER:—"The hon. Member is making a statement."

SRI T. VISWANATHAM:—"May I draw the attention of the Hon. Minister to the fact that serious inconvenience is felt and ask if he would take note of this statement and of his own statement that Madras is a multi-lingual area and whether he is prepared to put up these boards in the various languages?"

THE HON. MR. DANIEL THOMAS:—"I may say, with what little experience I have of Madras, that most of these buses are not known by their boards but by their numbers, 12, 17, 21-B, etc., and these numbers are fairly well-known to all people of the various linguistic gradations in the City of Madras. Moreover, how is it, Sir, if serious inconvenience has been felt, no such representations have been so far received by Government?"

SRI T. VISWANATHAM:—"May I ask in view of his self-satisfaction, he might have the name board taken away and the number alone retained?"

THE HON. MR. DANIEL THOMAS:—"If my hon. Friend makes the suggestion seriously, it will be considered."

SRI T. VISWANATHAM:—"My statement is as serious as the statement of the Hon. Minister."

THE HON. MR. DANIEL THOMAS:—"Very well, Sir."

SRI P. KANDASWAMI PILLAI:—"May I know how long this practice of writing the boards in English and Tamil has been in vogue?"

THE HON. MR. DANIEL THOMAS:—"I have no information."

SRI V. I. MUNISWAMI PILLAI:—"May I inform the Government that in other parts of the Province where there are more than one language in use, they do not put in all the languages but only English?"

THE HON. MR. DANIEL THOMAS:—"I take the information furnished by the hon. Member."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer given by the Hon. Minister that the Government do not see any inconvenience, may I enquire whether it is a Cabinet decision or the decision of the Minister only?"

THE HON. MR. DANIEL THOMAS:—"I do not think that the hon. Member is entitled to put that question to me."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"May I know whether the question of having sign-boards and ration cards in English, Telugu and Tamil occurred to Mr. Viswanatham only now or at the time when he was the Parliamentary Secretary?"

THE HON. MR. DANIEL THOMAS:—"I think it is a very pertinent question to be addressed to the hon. Member himself."

MUHAMMAD N. ANWAR SAHIB BAHADUR:—"May I enquire from the Government whether there is any organized effort of late from certain quarters to lay claim to Madras as a Telugu City?"

MR. SPEAKER:—"The hon. Member might put a separate question on the point."

SRI S. NAGAPPA:—"May I ask if the Government are aware that in the railway compartments the boards are written in the language of the land; if so, will the Government imitate that system here?"

THE HON. MR. DANIEL THOMAS:—"I think that is what the Government are now doing."

Textile control.

* 127 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state whether the Government propose to take early steps to simplify the administration of Textile Control in all its aspects—production, procurement and distribution?

THE HON. SRI H. SITARAMA REDDI:—"The administration of Textile Control is now carried on in as simplified a manner as is possible within the four corners of the Scheme as organized and directed by the Government of India. Every effort is being made to resolve the difficulties in the administration as and when they arise or are brought to the notice of the Government. Wherever possible steps are being taken to simplify administration still further."

SRI C. M. KOTHARI:—"Will the Hon. Minister recommend to the Government of India that in respect of coarser yarn, higher prices should be given to the mills?"

THE HON. SRI H. SITARAMA REDDI:—"This is one of the questions that is being considered by the Government of India at present."

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a.m.

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SRI C. M. KOTHARI:—"Is the Hon. Minister aware that among the quotaholders there are a large number of persons who had no business in 1939-42, and yet they had been given quotas?"

THE HON. SRI H. SITARAMA REDDI:—"I should like the hon. Member to furnish me further details, and I shall then take suitable action."

SRI C. M. KOTHARI:—"Is the Hon. Minister aware that quotas were given to people who had lapsed quotas, and to two other persons who had no business in the yarn market?"

THE HON. SRI H. SITARAMA REDDI:—"As I have already said, I should like the hon. Member to furnish me with details, viz., names of persons, etc., and I shall then take suitable action."

SRI C. M. KOTHARI:—"Will the Hon. Minister be pleased to cancel the quotaholders in the interests of the trade and manufacture?"

THE HON. SRI H. SITARAMA REDDI:—"I cannot give that assurance without knowing facts in detail and examining them."

SRI V. RAGHAVAYYA:—"Do the Government stick to the policy of preferring co-operative societies and stores to private agencies and entrust them with the distribution of cloth in the reorganization scheme?"

THE HON. SRI H. SITARAMA REDDI:—"In the reorganization scheme, specific instructions have been given to Collectors and the committees constituted, and they follow the instructions of the Government."

SRI T. VISWANATHAM:—"May I know, Sir, whether the Hon. Minister is aware that in the distribution of cloth, finer varieties are going to villages where they are not wanted and that coarser varieties are going to towns where finer varieties are wanted?"

THE HON. SRI H. SITARAMA REDDI:—"I have been receiving complaints previously that villagers were not given finer cloth. Now the distribution is done in such a way that some fine varieties do go to the villages also so that people in the villages who do wear finer varieties can get them. It cannot be said that villagers do not require finer cloth and that townsmen alone require it."

M. S. ABDUL MAJID SAHIB BAHADUR:—"In view of the existence of several Government Orders and executive orders, whereby the textile trade is put to considerable hardship, will the Government be pleased to see that they simplify further these orders as to help the trade?"

THE HON. SRI H. SITARAMA REDDI:—"I shall consider the hon. Member's suggestion."

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SRI K. ANANDAN NAMBIYAR:—"Will the Government assure that they will never recommend to the Government of India an increase in the price of cloth?"

THE HON. SRI H. SITARAMA REDDI:—"No such assurance can be given. It all depends upon the circumstances prevailing at each time."

SRI K. ANANDAN NAMBIYAR:—"Will the Government assure that they will never recommend to the Government of India decontrol of cloth?"

THE HON. SRI H. SITARAMA REDDI:—"No such assurance can be given. As I have already said, circumstances change from time to time. If there is adequate supply of cloth, there is no point in keeping control."

SRI KALLUR SUBBA RAO:—"May I know, Sir, whether the present textile control machinery is unable to distribute equitably the cloth to the villages?"

THE HON. SRI H. SITARAMA REDDI:—"I do not accept the proposition of my hon. Friend."

SRI P. KANDASWAMI PILLAI:—"Are the Government aware, Sir, that several months are taken by the Provincial Textile Commissioner to dispose of all the papers?"

THE HON. SRI H. SITARAMA REDDI:—"I believe, Sir, that it all depends upon the number of papers that are pending with the officer concerned. If there are a lot of papers, naturally it does take some time for any officer to dispose them of. But I can assure the hon. Member that every effort is being made to dispose of the papers as quickly as possible."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I ask the Hon. Minister, Sir, when the people of the Province can expect increased rations of cloth?"

THE HON. SRI H. SITARAMA REDDI:—"As soon as more cloth is available, Sir."

SRI P. KANDASWAMI PILLAI:—"In view of the answer given by the Hon. Minister, may I know, Sir, whether Government will make necessary arrangements to dispose of the papers as quickly as possible so as to relieve the inconvenience caused to the mufassal people?"

THE HON. SRI H. SITARAMA REDDI:—"Yes, Sir; the suggestion of the hon. Member will be borne in mind."

SRI M. P. GOVINDA MENON:—"May I ask, Sir, at what stage the proposal to distribute cloth through Co-operative Societies in Malabar is?"

THE HON. SRI H. SITARAMA REDDI:—"It is being actively considered by the Government."

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SRI S. NAGAPPA:—“ May I ask the Government whether they will consider the desirability of allotting quotas to those who have formed into co-operative societies instead of giving to tailors who have been black-marketing in ready-made garments? ”

THE HON. SRI H. SITARAMA REDDI:—“ While I cannot accept all that my hon. Friend said about black-market, I would suggest to the hon. Member to put a separate question.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ May I know, Sir, what fruits are being borne by the attempts made by Government to get an increased cloth supply to this Province? ”

THE HON. SRI H. SITARAMA REDDI:—“ I may inform the hon. Member that we have not yet succeeded in getting more cloth; but representations are being repeatedly made to the Government of India on the needs of this Province.”

SRI R. V. SWAMINATHAN:—“ Are the Government aware, Sir, that cloth rationing in villages is not being done properly, and many villages have not received their supply of mill cloth? ”

THE HON. SRI H. SITARAMA REDDI:—“ So far as I know, no complaints have been received by me.”

SRI PILLALAMARRI VENKATESWARLU:—“ Arising out of the answer given by the Hon. Minister, may I ask, Sir, whether the Madras Government are considering recommending to the Government of India an increase in the price of cloth? ”

THE HON. SRI H. SITARAMA REDDI:—“ This is not a question relevant to the question before us.”

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“ Is the Hon. Minister aware, Sir, that certain varieties of decontrolled cloth are issued to ration card holders against their rations and bills are not issued to them? If so, what steps the Hon. Minister propose to take in the matter? ”

THE HON. SRI H. SITARAMA REDDI:—“ I am not aware of this, and so I cannot answer the question.”

SRI B. VENKATANARAYANA REDDI:—“ ప్రస్తుతము జిల్లాలను అన్ని గ్రామములకు పంపకము నిమిత్తము ఇవ్వవలసిన బట్టల కోటాలను Textile Department వారిద్వారా ఇచ్చుచున్నారు. కాని అనేక సందర్భములలో పంపకము సరిగా జరుగుట లేదని ప్రభుత్వమువారికి ఆర్జీలు పంపబడినవి. కాబట్టి ఇట్టి ఇబ్బందులు తీర్చుటకుగాన జిల్లాలకు వచ్చే బట్టల కోటాల పంపకము Textile Department ద్వారా కాకుండా జిల్లా ఆహార కమిటీల ద్వారా, తాలూకా ఆహార కమిటీల ద్వారా, గ్రామ ఆహార కమిటీల ద్వారా విస్తృతము చేయుటకు ఆజ్ఞాపింతురా? ”

THE HON. SRI H. SITARAMA REDDI:—“ బట్టల పంపకము సక్రమముగా Textile Department వారి ద్వారా విస్తృతము చేయబడును.”

SRI N. VENKATASUBBAYYA:—“ May I ask if the Government are aware that tailors are experiencing great difficulty in securing sewing thread, and whether a system of rationing will be introduced to obviate this difficulty? ”

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THE HON. SRI H. SITARAMA REDDI:—“ Though the question is not quite relevant, I should like my hon. Friend to give me information about the difficulties felt in any particular area, so that the grievance may be redressed early.”

SRI P. NATESAN:—“ Will the Hon. Minister consider the desirability of giving yarn to actual weavers instead of quota-holders and master weavers by opening yarn depots and giving yarn only after getting the cloth from the weaver for the previous supply of yarn? ”

THE HON. SRI H. SITARAMA REDDI:—“ That is one of the methods that is being considered by the Government. As I have already indicated in my answers previously, Government are contemplating a method by which they will get cloth for the quantity of yarn that is given to the weaver.”

SRI S. NAGAPPA:—“ Do fents also form part of cloth, Sir? ”

THE HON. SRI H. SITARAMA REDDI:—“ Fents do form part of the cloth.”

The cloth position in the Province.

* 128 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Industries be pleased to state—

(a) what steps the Government are taking to improve the cloth position in the province;

(b) whether the Government have formulated any scheme for increased production in mills within the province and if so what the scheme is;

(c) whether the Government have received any representation against the new system of quarterly rationing of mill cloth introduced in the province; and

(d) whether the Government propose to decontrol cloth distribution?

THE HON. SRI H. SITARAMA REDDI:—“ (a) The Government have been trying their very best to get a proper share of the available supplies of cloth for this Province, but their efforts have not met with much success so far as the distribution of cloth to various Provinces and States in India is controlled by the Government of India.

“(b) The control over mills is exercised by the Government of India and the Provincial Government have no power to regulate the production of mills. The Government of India recently appointed an *ad hoc* Committee to suggest a scheme for rationalization of the production of the mills. The report of this Committee is under the consideration of the Government of India. The scheme aims at producing slightly coarser yarn and cloth so as to increase the output and at reducing the number of varieties of cloth and yarn which each mill can manufacture thereby making available only those varieties which are popular.

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"(c) Only one Collector in the Province has reported that, in view of certain arrangements made by him earlier in the year in working the Rationing Scheme, the new scheme of quarterly lapses of ration is not workable. The matter is under examination and necessary instructions will be issued to the Collector. No other representations against the scheme of quarterly lapses of ration have so far been received.

"(d) The Government have carefully examined the proposal to decontrol the distribution of cloth and have come to the conclusion that in view of short supplies, it is not possible to give effect to it for some time to come."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether the Government are going to take any further steps in regard to improving the cloth situation, and whether they have got any further representation to make to the Central Government in this matter?"

THE HON. SRI H. SITARAMA REDDI:—"I have already mentioned in answer to clause (b) that the Government of India is considering the report of the *ad hoc* committee. As soon as the Government of India take a decision in the matter, it is likely that there will be more production of yarn, and this Government will naturally take up the matter with the Government of India at that time for the allotment of more cloth and yarn to this Province."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Are the Government satisfied that the quota allotted to Madras out of the cloth available at present is equitable? If not, is it not up to them to press upon the Government of India to alter the present system of quota and give more cloth to Madras?"

THE HON. SRI H. SITARAMA REDDI:—"May I submit, Sir, that in the previous question and in this question, I have informed the hon. Member and the House of the steps that the Government have taken and I have nothing more to add to what I have already said."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"With a view to increased production of cloth, will the Hon. Minister consider the advisability of urging upon the Government of India to raise the price of coarser yarn?"

THE HON. SRI H. SITARAMA REDDI:—"These are all matters, as I have already informed the House, for the Government of India."

SRI ALLURI SATYANARAYANA RAJU:—"May I suggest to the Government that nationalisation of the textile industry will certainly improve the cloth position in the province?"

MR. SPEAKER:—"It is only a suggestion."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"If the Government are satisfied that the treatment meted out to this

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Province in this matter is inequitable and unjustifiable, are they not going to make any further attempts, and are they going to simply keep quiet until they see what the Government of India is going to say on the report they are considering now?"

THE HON. SRI H. SITARAMA REDDI:—"I do not accept my hon. Friend's suggestion that the treatment meted out to this Province is unjustifiable or unreasonable and all that. We know the difficulties of the Central Government. We are trying to persuade them to give us as much as possible. I can only say that efforts will be made to persuade the Government of India and we will see that we get as much of cloth as possible out of the All-India quota."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I want to know definitely from the Government whether they are satisfied that the present quota allotted to Madras is equitable when compared with the quota allotted to other provinces?"

THE HON. SRI H. SITARAMA REDDI:—"That question I cannot answer now. Because so far as the present quota is concerned it has been made mainly on the basis of population for each province and if any suggestions about the increase ought to be made the whole question has to be examined by the Government. At present it cannot be said that the quota now given to the province is unreasonable." 12 noon

SRI T. VISWANATHAM:—"May I ask the Hon. Minister whether distribution is made on population basis or the differential quota is based on different grounds for different provinces, and Madras suffers by comparison with Bombay and other provinces?"

THE HON. SRI H. SITARAMA REDDI:—"Yes, Sir, it is based on different grounds; and it is one of the points which the Madras Government has taken up with the Government of India stating that there should not be differential ration for different provinces."

SRI C. M. KOTHARI:—"Is the Hon. Minister aware, Sir, that while other presidencies are getting 15 yards and 16 yards per head, this presidency gets only 5 yards; and in view of the above will the Hon. Minister press for more quota for this presidency?"

THE HON. SRI H. SITARAMA REDDI:—"The hon. Member is wrong in his statement. This presidency gets 5 yards of mill cloth, and there is unlimited quantity of handloom cloth available, and that also should be taken into consideration when judging the number of yards an individual gets."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"May I inquire of the Hon. Minister how far Khadi scheme has helped to solve cloth scarcity?"

THE HON. SRI H. SITARAMA REDDI:—"I would request the hon. Member to put a separate question."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ Will Government be pleased to say whether there is an unlimited quantity of handloom cloth available in the province in view of the fact that there is a great scarcity of yarn in the province? ”

THE HON. SRI H. SITARAMA REDDI:—“ I may inform the hon. Member that he can buy an unlimited quantity of handloom cloth if he wants. There is no restriction on the quantity he can buy.”

SRI B. S. MURTHI:—“ Do Government contemplate the scheme of nationalising textile industry? ”

MR. SPEAKER:—“ That question has already been answered.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“ May I know whether the Government do not consider it advisable to take the House into its confidence in order to enable the House to express its opinion categorically on this cloth question, as then alone the Government of India may consider to meet the demand of this province? ”

(No answer.)

BEGUM SULTAN MIR AMIRUDDIN:—“ May I know when the report of the *ad hoc* committee will be ready and whether any representative of Madras is on that committee? ”

THE HON. SRI H. SITARAMA REDDI:—“ The report is ready and it will be considered in Bombay very soon by the Government of India.”

Construction of a ghat road between Palni and Kodaikanal.

* 129 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether there is any proposal under consideration of the Government to construct a direct ghat road between Palni and Kodaikanal; and

(b) if so, when the work will begin?

THE HON. SRI K. CHANDRAMOULI:—“ (a) Yes.

“ (b) There is already a road from Kodaikanal to Vilapatti in Kodaikanal taluk and from Palni taluk border to Palni. It is proposed to make provision in the revised Post-war Road Development Programme now under preparation, for the formation of a road from Vilapatti to Palni taluk border and for metalling the road right through. The work will be taken up for execution some time after 1951-52.”

SRI K. P. KAMAKSHI CHETTIYAR:—“ Sir, in view of the fact that the engineer specially deputed for the survey of this road some years back has reported that there are resources for industrial development if this road is formed, will the Hon. Minister be pleased to expedite the work? ”

THE HON. SRI K. CHANDRAMOULI:—“ I will try to expedite the matter as early as possible.”

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Lady Hope College for Girls, Guntur.

* 130 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Lady Hope College for Girls at Guntur has been handed over by Government to Christian Missionaries;

(b) whether the municipality was unable to maintain it; and

(c) whether the Government propose to take up the institution under their own management?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ (a) No.

“ (b) The Commissioner, Guntur Municipality, reported to Government that the Council would not be able to bear the increasing financial burden of the College.

“ (c) The transfer of the management of the institution to Government has been sanctioned already.”

SRI V. RAGHAVAYYA:—“ May I know, Sir, whether the Government have already taken up the management of this institution, and if so, who is the Principal that has been appointed? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ Government have already taken up management. The name of the Principal I do not remember at present.”

SRI V. RAGHAVAYYA:—“ May I know if the old Principal has been removed and, if not, whether it is proposed to remove her or continue her? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ I understand, Sir, that the old Principal has resigned.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ May I know, Sir, what the amount involved is to Government by taking over the management of the college and what the amount is likely to be spent by Government per annum over the college? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ For greater details I must ask the hon. Member to put a separate question. But some figures I can give now. The non-recurring expenditure will be 3 lakhs; and recurring expenditure will be about twenty-five to twenty-eight thousand rupees, of which for the next five years the Municipal Council, Guntur, has been asked to bear ten thousand rupees.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ May I know whether it is a fact that some missionaries have come forward and declared to spend lakhs and lakhs and are prepared to take up the management under any conditions and, if so, why Government did not accept their offer, as it would have saved to Government a lot of money? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ Yes; there was competition going on between two missionaries. We thought competition itself is unhealthy and, therefore, we took over its management.”

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Posts of Assistant Lecturers and Pandits in the Subordinate Educational Service.

* 131 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Government passed orders converting the posts of Assistant Lecturers and Pandits in Subordinate Educational Service into Madras Educational Service posts, and opening of languages under Part III of the B.A. course to take effect from the beginning of the academic year 1947-48;

(b) whether it is a fact that three posts were sanctioned for Telugu in the Government colleges at Rajahmundry and Anantapur and in the Presidency College at Madras;

(c) why a similar post was not created in the Queen Mary's College in Madras;

(d) whether it is a fact that subsequently the Director of Public Instruction issued proceedings requesting the Principals of the colleges to submit proposals stating clearly the need, if any, for such posts in their colleges and for other particulars; and

(e) whether the proceedings of the Director of Public Instruction were issued under the orders of the Government and if so, whether the Government have re-opened the matter having passed final orders already once creating these posts?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) & (b) The Government sanctioned the conversion of certain posts of Assistant Lecturers and Pandits in languages in Government colleges into posts in the Madras Educational Service with effect from the academic year 1947-48. The posts, the conversion of which was sanctioned, are—

(1) Queen Mary's College—One Assistant Lecturer in Tamil.

(2) Presidency College, Madras—One Tamil Pandit.

(3) Presidency College, Madras—One Telugu Pandit.

(4) Government Victoria College, Palghat—One Malayalam Pandit.

(5) Government Arts College, Rajahmundry—One Assistant Lecturer in Telugu.

(6) Government Arts College, Anantapur—One Assistant Lecturer in Telugu.

(7) Government College, Kumbakonam—One Tamil Pandit.

(8) Government Arts College, Coimbatore—One Assistant Lecturer in Tamil.

(9) Government Muslim College for Men—One Assistant Lecturer in Urdu.

(10) Teachers' College, Saidapet—One Assistant Lecturer in Tamil.

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The Government also sanctioned the opening in the Government Colleges mentioned below of courses in language subjects under Part III of the B.A. course with effect from the academic year 1947-48:—

Government College, Kumbakonam—Tamil.

Government Arts College, Rajahmundry—Telugu.

Government Victoria College, Palghat—Malayalam.

Government Arts College, Anantapur—Kannada.

“(c) Because it was not suggested by the Director of Public Instruction.

“(d) & (e) The Director of Public Instruction has since been asked to send proposals to Government for providing other first-grade Government colleges with posts of lecturers in the Madras Educational Service for languages as may be necessary. With reference to these instructions, the Director of Public Instruction may have asked the Principals to submit proposals in this regard.”

SRI T. VISWANATHAM:—“ May I know, if the instructions referred to in answer to clauses (d) and (e) are in respect of colleges other than those mentioned in answer to clauses (a) and (b), why effect has not been given to this particular order in the colleges at Anantapur and Rajahmundry and other places? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ May I request the hon. Member to repeat his question? ”

SRI T. VISWANATHAM:—“ If I have understood the Hon. Minister aright, the answer to clauses (d) and (e) refers to colleges other than those mentioned in reply to clauses (a) and (b). If that is so, may I know why the posts have been retained in those colleges when their conversion has already been sanctioned? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ Presumably, it refers to other colleges.”

SRI K. R. KARANTH:—“ May I ask, Sir, why when there is only one lectureship in Kannada out of the ten posts, even that one has not been filled, whereas all the other posts have been filled. If a particular institution is not suitable, why can it not be done elsewhere? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ When the allotment was made, one was intended for Kannada lectureship in Mangalore College. But, on investigation, it was found that the Mangalore College was a second-grade college, in which lecturers of M.E.S. grade were not to be appointed and so it was not done there.”

SRI K. R. KARANTH:—“ But what about Anantapur College? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ In Anantapur College, provision has been made for Telugu.”

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SRI T. VISWANATHAM:—" May I know, Sir, whether in regard to Queen Mary's College, Madras, Government will take steps to convert the Telugu post into one of Madras Educational Service? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" No, Sir, the number of pupils does not warrant it."

SRI ALLURI SATYANARAYANA RAJU:—" May I know, Sir, whether Hindustani Pandits have been appointed in all the colleges in the Presidency? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" With due respect to the hon. Member, may I submit that this question does not arise here."

SRI T. VISWANATHAM:—" May I know, Sir, whether the conversion of a post of Subordinate Educational Service into one of Madras Educational Service depends on the number of students in the college or whether it depends on the policy of Government? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" Not only on policy, Sir. It depends on the number of students also."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—" While I congratulate the Hon. Minister on his policy of raising the status of lecturers in oriental languages in colleges, may I request him to expedite his orders with regard to their appointment? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" Orders have been issued and posts have been converted."

SRI K. R. KARANTH:—" May I inquire with reference to the one post of Kanarese Pandit whether it will be made in a suitable institution, whether it is Anantapur or Mangalore or elsewhere, as the appointment has been sanctioned by the last Ministry and provided for in the budget? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" Yes, Sir."

SRI SATANATHA KARAYALAR:—" May I request the Hon. Minister to give figures in connexion with Queen Mary's College, Madras, of the number of pupils language-war? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" Yes, Sir."

Tamil—167.

Sanskrit—77.

Kannada—69.

Telugu—61.

French—53.

Malayalam—22.

Urdu—4."

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SRI T. VISWANATHAM:—" Arising out of my supplementary question, may I inquire, whether, if the number of pupils falls down in an institution for example, in the Presidency College, the gentleman from the Madras Educational Service will be de-promoted to the post of Subordinate Educational Service as his post depends on the number of pupils? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"

" No, Sir. People who hold certain posts will not be de-promoted; but the creation of new posts will depend on the number of pupils."

Groundnut cake produced in the Province.

* 132 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the total quantity of groundnut cake produced in the Presidency district-war;

(b) how much of it is being exported outside the Presidency and how much is used in the Presidency;

(c) whether groundnut cake is used as cattle fodder and, if so, how much;

(d) whether the distribution of cake is done through private individuals or by Government agencies; and

(e) the total acreage under groundnut cultivation in the Presidency district-war?

THE HON. SRI K. MADHAVA MENON:—" (a) & (e) A statement ^a is placed on the table of the House.

" (b) The export of groundnut cake is prohibited except under permits issued by the Director of Agriculture. Practically, the entire output is consumed in the Province.

" (c) Groundnut cake is used as cattle food and the estimated annual demand is about 70,000 tons.

" (d) The entire quantity of groundnut cake produced in the power mills and hand presses is acquired by the Agricultural department, and distributed to ryots through the agricultural depots on permits issued by village committees in places where they are functioning properly."

SRI S. NAGAPPA:—" Arising out of the statement placed on the table of the House, may I ask the Government, why Kurnool which produces 29,000 tons is not supplied groundnut cake for agricultural purposes in enough quantities? "

THE HON. SRI K. MADHAVA MENON:—" I submit that the quantities distributed to the various districts is not the subject-matter of this question. I may, however, say that distribution to each district depends upon the requirements of the district and the quantity available for supply."

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SRI S. NAGAPPA:—" May I ask the Government whether they are aware of the scarcity that is prevailing in the Kurnool district which is producing such large quantities, and that the ryots of the place are finding it very difficult to use groundnut for manuring purposes? "

THE HON. SRI K. MADHAVA MENON:—" There are districts where the scarcity is even more acute than in Kurnool regarding groundnut cake. As only a few districts produce this, it has to be distributed equitably between all the districts."

People from Agency tracts employed in Agricultural Station at Araku.

* 133 Q.—SRI K. VEERANNA PADAL: Will the Hon. the Minister for Agriculture be pleased to state the number of people from Agency tracts employed in the Agricultural Station at Araku including inferior service?

THE HON. SRI K. MADHAVA MENON:—" The number of people from the Agency tracts employed at the Agricultural farm at Araku valley was five of which 2 resigned of their own accord and 1 was retrenched, being the juniormost. The number actually employed now is thus 2."

Names of Treasury Deputy Collectors in Andhra districts.

* 134 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR (on behalf of S. Muhammad Ismail Sahib Bahadur): Will the Hon. the Minister for Land Revenue be pleased to place on the Table of the House a list of names of the present Treasury Deputy Collectors in the Andhra districts, community-war? "

THE HON. SRI KALA VENKATA RAO:—" The list is placed on the table of the House."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" May I know why out of the twelve posts there is not even one Brahmin Treasury Deputy Collector, Sir? "

THE HON. SRI KALA VENKATA RAO:—" Because there is no one who has got the particular qualification for appointment as a Treasury Deputy Collector."

SRI S. NAGAPPA:—" May I ask the Government why they have shown so much sympathy to the Harijans in posting two Harijans as Treasury Deputy Collectors? "

THE HON. SRI KALA VENKATA RAO:—" Because I want to improve their financial knowledge."

SRI S. NAGAPPA:—" May I ask, Sir, how long these people will be posted as Treasury Deputy Collectors which posts are equal to the post of an Accountant-General? "

a Printed as Appendix IV on page 452 infra.

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THE HON. SRI KALA VENKATA RAO:—" The hon. Member is particularly misinformed. These posts are not equal to the post of an Accountant-General. Senior men with much experience are appointed to the posts."

SRI S. C. BALAKRISHNAN:—" May I know whether one Deputy Collector, Mr. Muttirulandi, is a Harijan and are the Government aware that many people are trying to get privileges using the name of the Harijans? "

THE HON. SRI KALA VENKATA RAO:—" I cannot verify and say from the records in my hands, Sir. But as far as I know he is a Harijan."

SRI B. S. MURTHI:—" May I know whether the intention of the Government is to promote some of these Deputy Collectors and if so whether the Government would consider the appointment of Harijans to the posts of District Collectors? "

THE HON. SRI KALA VENKATA RAO:—" At any rate this year we are fortunate to have two Harijans promoted as District Collectors. One was promoted when Mr. Karanth was in charge and the other after I took charge. It is a record in this Presidency."

SRI S. NAGAPPA:—" May I ask the Government whether they will consider the desirability of posting every Deputy Collector before he is promoted as Collector, at least for three years during his regime as Treasury Deputy Collector? "

THE HON. SRI KALA VENKATA RAO:—" I do not understand the question, Sir."

SRI S. NAGAPPA:—" Will the Government consider the desirability of posting almost every Deputy Collector at least for three years in their service as Treasury Deputy Collector and not post only such poor Harijan Deputy Collectors as Treasury Deputy Collectors? "

THE HON. SRI KALA VENKATA RAO:—" I differ from the hon. Member's assumption that the Treasury Deputy Collector's post is a post which has no responsibility. He seems to labour under a difficulty. But I can tell him that everybody will have his turn in his service."

SRI R. V. SWAMINATHAN:—" Sir, Mr. Muthirulandi whose name finds a place here is really a Harijan and not a member of a backward community."

MR. SPEAKER:—" The hon. Member is giving information and he is not putting a question. Question time is now over."

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

II.—POINT OF ORDER RE OATH OF ALLEGIANCE.

SRI B. S. MURTHI:—" On a point of order, Sir. The other day when I was speaking, you were pleased to state that you

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received a letter from the Secretary of the Constituent Assembly stating that no new oath was necessary for the old Members who were continuing in the Provincial Legislatures. May I submit that the letter from the Secretary of the Constituent Assembly to us, if he is not authorized by a resolution of the Constituent Assembly, is not valid? I may also suggest to you, Sir, that the august personage, the Hon. Dr. Rajendra Prasad, who is now the President of the Constituent Assembly, is not also competent to advise or direct this Assembly if he is not fully authorized by a resolution of the Constituent Assembly. Now, Sir, section 67 of the Government of India Act, 1935, says that 'every Member of the Provincial Legislative Assembly or Legislative Council shall before taking his seat make and subscribe before the Governor or some person appointed by him, an oath according to one of the forms set out in the Fourth Schedule to this Act, which the Member accepts as appropriate to his case.' The Fourth Schedule cited here contains the form of oath or affirmation. The form of oath for Members of the Legislative Assembly is this: 'The form of oath or affirmation to be taken or made by a Member of a Legislature, who is a British subject . . . I respectfully submit, Sir, and I invite your attention to the words 'British subject.' After the fifteenth of August nineteen hundred and forty-seven all of us are not British subjects. The form of oath runs on: 'I A B having been elected a Member of this Assembly solemnly swear that I will be faithful and bear true allegiance to His Majesty the King Emperor of India, his heirs and successors and that I will faithfully discharge the duty upon which I am about to enter.'

SRI R. V. SWAMINATHAN:—"I want to say . . ."

MR. SPEAKER:—"The hon. Member (Sri B. S. Murthi) is still on his legs."

SRI B. S. MURTHI:—"This is the oath we have taken. We have taken an oath of allegiance to His Majesty the King . . ."

MR. SPEAKER:—"Does the hon. Member say that we should take a new oath?"

SRI B. S. MURTHI:—"No, Sir, my respectful submission to this House is this. Sir, this oath which we have taken does not hold good now, because the Ministers were asked to take a new oath and the Members of all administrative departments were also asked to take a different oath. Now, Sir, the Ministers are appointed by this House. If we are not called on to take a new oath . . ."

THE HON. DR. P. SUBBARAYAN:—"On a point of order, Sir. Might I point out to the hon. Member that the Ministers are not appointed by this House but they are responsible to this House."

SRI B. S. MURTHI:—"I welcome the correction, Sir. Let me tell the Leader of the House that their powers under the law are drawn from this House. Therefore, whether this House

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appoints them or not, they are entirely responsible to this House. This House has the power to dismiss them any moment the House desires . . ."

THE HON. DR. P. SUBBARAYAN:—"On a point of order, Sir. The House has no power to dismiss the Ministers but they have power to pass a motion of no-confidence."

SRI B. S. MURTHI:—"I am very glad, Sir, that the Leader of the House is keen on defending the rights of his colleagues. Let me submit, Sir, that the . . ."

THE HON. DR. P. SUBBARAYAN:—"On a point of explanation, Sir. May I point out to the hon. Member, Sir, that I am not defending anybody but that I am only stating facts as they are understood."

SRI B. S. MURTHI:—"We were told, Sir, that the Ministers were administered a new oath. The Governor has taken a new oath. The members of all departments were also administered a new oath. Therefore, it is my humble submission to you and to this House that the Legislative Assembly and the Legislative Council of this Province are the origin of all power and authority to rule this Province. Therefore if the Members are not administered a new oath how can there be a change of oath for the people who are responsible to this House for the administration of this Province, Sir?"

MR. SPEAKER:—"My ruling will be given to-morrow. I am not going to allow any one else to speak now."

SRI R. V. SWAMINATHAN:—"On a point of information on this question, Sir. Is it not irregular to raise a point of order on a particular subject which has already been ruled out by you on the other day? A similar question on the oath of allegiance you have ruled out the other day. That is why I bring this to your notice, Sir. I say this is unnecessary."

MR. SPEAKER:—"I shall take up this question to-morrow."

III.—INFORMATION ON A SHORT NOTICE QUESTION.

SRI K. ANANDAN NAMBIYAR:—"On a point of information, Sir. I have already submitted a short notice question regarding Mr. A. K. Gopalan who is on hunger strike. To-morrow is the last day of this session. I want to know whether the short notice question will be answered to-day or to-morrow because Sri Gopalan is in death bed. (Interruption.) Mr. A. K. Gopalan, Sir, is a prisoner in the Cannanore Central Jail and he is on hunger strike and a short notice question has been put by me to be answered by the Hon. Minister and to-morrow will be the last day of this session. We do not know whether the prisoner is alive or dead."

MR. SPEAKER:—"I shall take up that question afterwards. We are now on the Food debate. About thirty Members have given their names expressing their intention to speak on this motion. So I propose that we sit till 8 o'clock to-night . . ."

VOICES: 'No, no.'

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MR. SPEAKER:—"We shall have about half an hour after 5 o'clock for tea."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"No tea or coffee is available in the Fort St. George, Sir."

MR. SPEAKER:—"I shall see that it is made available."

SRI K. ANANDAN NAMBIYAR:—"My point of information is not answered, Sir."

MR. SPEAKER:—"What I say is, as many hon. Members want to take part in the debate, we shall have to sit till 8 o'clock. I shall call upon the Hon. Minister to reply to the debate at 7-15. I shall fix 10 minutes for each speaker."

12-30 p.m. M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"In view of the desire of many Members to speak on this subject, we may continue the sitting till 7 o'clock with an interval of half an hour after 5 o'clock."

MR. SPEAKER:—"Yes, we shall sit till 7 o'clock. We shall now take up the debate on the food situation."

IV.—FOOD SITUATION IN THE PROVINCE—cont.

* SRI P. NATESAN:—"Sir, the other day I was observing that all the trouble was only about procurement, that there was plenty of production but that it was the procurement that was giving trouble to the Ministry. I was very pleased to read the Hon. Food Minister's reply to the debate in the Upper House. He has dealt with almost every conceivable point that a member can put forward, except probably the one which I am now going to put forward and which may strengthen his hands. I want to talk about the increased price for paddy and about the way in which blackmarketing has been carried on not only by the richer landlords but also by the smaller people to whom ration cards are given."

"So far as the price is concerned, both the Premier and the Food Minister are agreed that it is not sufficiently attractive to the producer to make him part with the stocks. I understand that the position of the actual cultivator is pitiable. He finds it uneconomic to raise paddy, for, after meeting the cultivation expenses for seed, labour, etc., and paying the land revenue, he has hardly anything left for himself and his family."

"Sir, it is desirable now to collect statistics of paddy fields which have been turned to growing money crops during the last few years. The Hon. Food Minister is very generous, because in the other House he has said that hon. Members can afford to be a little generous on the question of growing commercial crops as all lands on which commercial crops are grown cannot be said to be fit for paddy cultivation. I agree. But I want him to see to it that when we are having all this food trouble, and when we want the maximum production out of the paddy fields no more paddy fields now under paddy cultivation are switched over for anything else. In the South Arcot district, a number of people

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have now taken to sugarcane cultivation simply because it brings them more money. I wish the Hon. Minister to see that such things are restricted. Sir, I also find he has said in his speech in the Council that it would be impossible for any Government to go on paying from 11 to 14 crores of rupees annually by way of bonus. This payment of bonus is a devious way of getting out of a difficulty when the Central Government says that it will not allow the Provincial Government to raise the price of paddy. I understand that the revenue that we get from land is seven crores of rupees. I am speaking subject to correction. If we are going to spend Rs. 10 crores annually as bonus, we can as well reduce the land tax. Congressmen and all politicians have been always saying that land revenue is a heavy burden on the agriculturists. Why should we not take this opportunity of reducing it? That is a suggestion which I want the Hon. Minister to look into."

"Again Sir, the Hon. the Food Minister said that the Government of India should come to our relief and see that price level of commodities is maintained at the same level at which the prices of agricultural produce stand. I say, Sir, that the reverse must be the case, namely, that the agriculturists must be given prices which are proportionate to the present prices of commodities. Some hon. Members think that it is not desirable to raise the price of paddy as it would add to the inflation. I am not an economist, Sir, but if it is a question of inflation, I think we had better face it now."

(At this stage the Deputy Speaker took the chair.)

"Madam, with regard to blackmarketing, I find that there are many small sources. I mean that a number of people in Madras City get their ration cards, but they really do not need probably that particular quality of rice and they pass it on to somebody else. I know in my own house my wife tells me that the poor people get their rations only for five days in the week and for the remaining two days their rations are not sufficient. For the remaining two days, these poor people go and pay a higher price to the next-door man who is somehow in a position to spare some rice. Apart from that, I am told that for sraddhas, funerals and other ceremonies and marriages, ration cards are issued. I understand, Sir, that in the case of sraddhas, sugar and bengalgram are given which are not used for that purpose by any community. If that is so, what happens to the ration? It is simply passed on to the blackmarket."

"Then Sir, this redgram, blackgram and similar things are issued according to the income of the person. If a man dies and there is a ceremony, everybody would require the same quantity. Because one is a rich man he would not require more of these things. These are some of the things which may be looked into and I have put them forward for what they are worth. Sugar and dhall are supplied according to prescribed scales to all people irrespective of the status in society to which they belong and

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whether they have been habitual users or not. This can be verified from the shops from which they have been purchasing things previously. The result is this. These articles find their way to the blackmarket.

"Madam, I have got to skip over some of the matters because most of these things have been dealt with in the Council. So far as Madras City is concerned, I understand that there is such a lot of blackmarketing that nobody is able to understand wherefrom the materials come. In fact in these Urban Co-operative Societies, people wait in long queues but do not get their rations against their ration cards. It is not usually the head of the family who goes to the ration shops; it is one of the servants. There he has to wait for hours quietly and he is told that sugar is not available and he is asked to come later. When he goes there three or four days later, he finds somebody in the store telling him that the article has not been supplied yet to the store itself. This sort of accumulated stock which evidently finds its way to the blackmarket. It is alright for the Government to say that if the matter is brought to their notice, they will look into it. The fact is that these things are handled by the servants and the important man in the house is too busy to look into all these things. These accumulated stocks go into the blackmarket. For the rest, I think, Sir, that the Hon. the Food Minister has taken such a lot of pains to explain all that is needed just now. So far as procurement is concerned, it is only the willing co-operation of the public and the members of the Assembly that can make it a success."

* SRI K. LINGA RAJU:—"Madam Deputy Speaker, while we are debating the food situation here, alarming reports have reached me from my constituency—the Rajahmundry Division—that fourteen people have died of starvation after a short period of malnutrition. This is happening in a district which is put down as a surplus district. When I was at Rajahmundry four or five days ago, several people from the upland areas came to me and said that they were given rations only for four or five days in a week. In some places, they are simply starving. Very recently some little food was given, sufficient only for two or three days. In Rajahmundry, when I boarded the train, I was told that rations were issued by the ration shops for four days and not for the whole week. Madam, a most urgent situation has arisen in a place in East Godavari which is supposed to supply other districts also. For this state of things, who is responsible? It is the distribution system that is responsible for this. This particular area in which fourteen deaths have been reported is an Agency area, a backward area, a partially administered area, which is in charge of my Hon. Friend Mr. Gopala Reddi who is not now here. There is neither formal nor informal rationing there and people are left to the mercy of the local officials to supply them with food. For a population of 24,000, four to five hundred bags of rice used to be supplied formerly. For the last one or two

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months the quota was reduced and this quota is sent there at the will of the official there. Representations have been made persistently but they have been of no use.

"East Godavari is put down as a surplus district. According to figures supplied in the Food Minister's speech, our production is put down at 348,000 tons. Last year we had a particularly bad season and due to the failure of the monsoon the upland areas have not produced any grain, while even in the deltaic areas proper yield was not forthcoming for want of seasonal rains. In spite of the irrigational facilities, the yield was not sufficient. For the data that is collected, the karnam or somebody is made responsible. At the time the estimates are prepared, the revenue officers go to the land and roughly estimate the yield as 12 annas crop or 14 annas crop and not the actual yield. Estimates were put at 13 bags per acre while the actual yield was not more than 10 bags an acre, and the experiments of crop cutting officers did not yield more than 8 bags. But the estimates were put at 13 bags per acre and our surplus decided. We have brought this matter to the notice of the Government through the food councils but we do not know what has happened to our representations. The target fixed for procurement of rice for East Godavari district is 135,000 tons, out of which about 80,000 tons have already been procured. While the surplus district is facing starvation, nearly 30,000 tons have been sent to places outside the district. I am sorry to inform this House that Tahsildars, Deputy Collectors and procurement officials are going about and procuring paddy even in places where not a grain was raised last year due to the failure of crops, and are thus trying to increase the procurement figures. This is not at all satisfactory, and the producer is getting tired of it.

12-45
p.m.

"Another difficulty is that the agricultural labourers are not able to earn their wages in kind, because every available grain is taken away from the producers. Certainly we do not object if the surplus is taken away from the big producers and hoarders. But if small producers are harassed like this, it will not be conducive to better production next year. Even now the Commissioner of Civil Supplies is going about and collecting paddy from the villages in the district. May I suggest to him to leave this district free for some time and concentrate on other surplus districts? Even if he procures, may I request the Government to retain what is procured in the district within the district for the consumption of the local people?

"One other point that I want to represent is about the quality of the rice supplied to the district. We send our best rice to some other place, but we get dalava rice of inferior quality as my friend Sri P. Venkatanarayana pointed out during question hour, the quality is really horrible. The officials are very enthusiastic about the procurement figures, and nobody cares to look into the quality of rice supplied. In the name of

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husked paddy, we are getting actual paddy itself. Let the consideration of nutrition be suspended for a time and let the rice be given a polish so that the consumers may avoid the trouble of polishing it before cooking.

“ Let me draw the attention of the House to the scare which is responsible for hoarding. From reports and from the speeches of the Hon. Ministers and other high officers that there is going to be a famine after three weeks, the producers are getting unnecessarily alarmed. So they are trying to hoard, and it is a natural, human tendency. I request the Government to take stock of the position and adopt suitable urgent measures.

“ Before I conclude, I appeal to the Hon. Minister for Food to look to the Agency tracts, because they have not produced anything and every grain has to come from the production centres. Even after the death of fourteen people, only about 200 bags have reached the place. This quantity is like a spoonful of water where an ocean is needed. I request the Hon. Minister to rush early supplies to the area, and to depute a public health unit to deal with malnutrition.”

* SRI PILLALAMARRI VENKATESWARLU :—“ Madam, while speaking on the food situation, I am sorry to point out that the Ministry has woken up very late. When we insisted on a full debate on the food situation in the previous session, the Hon. Minister for Food and the Hon. Leader of the House refused to allow a debate. Only by the grace of the Speaker, we had an half-hour debate, in which the House could not express its views fully. In those days, the Hon. Food Minister painted rosy pictures regarding the food situation, depending entirely on the reports of the District Magistrates, Civil Supply Officers, and Mr. Masterman who had got a master brain perhaps to give coloured reports regarding the food situation in the province. Those days were full of reports by the officers and this Masterman himself. We were told that procurement had failed because of the Producers-cum-Consumers Co-operative Societies and that it would be successful if the societies were taken away. The Hon. Minister goes a step further and says that, because procurement has failed, we want to give up even rationing, and thus restore the former trade channels. He has led us to that position. All the same, I thank the Hon. Minister for Food for giving us an opportunity to discuss the food situation even at this late hour.

“ No clear indication is given in the speech of the Hon. Minister whether the Government are going to continue the rationing system, whether they are going to revive the Producers-cum-Consumers Societies or whether they are going to abolish even the Food Committees and give more and more powers to the bureaucratic officials. The speech contains contradictory facts. At pages 5 and 6, the Hon. Minister says: ‘ the newly formed Producers-cum-Consumers Societies in the Circars were not pulling their weight in procurement as they were new to the

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business and were in the throes of organization battling with the vested interests which they were intended to supplant . . . procurement by the societies in the districts of East and West Godavari was not bad.’ He clearly agrees that procurement by these societies, even though they were in the beginning stages, was successful. I find that in West Godavari, procurement by the societies had been more than by the millers, to whom it had been entrusted. But unfortunately, Mr. Masterman, Commissioner of Civil Supplies, who was perhaps sent to examine the working of the societies, reported that the restoration of the millers was necessary. This was the position when the House adjourned.

“ Now you have come to the conclusion that the millers failed to procure. Why is it so? The Hon. Minister did not go deep into the matter and understand why procurement has failed. We have not got enough food and we are not producing enough food. You are aware of this thing. These are the points that he has posed. He did not say why procurement has failed, and why the kisans are demanding higher prices. My submission is that procurement has failed not because of the producers-cum-consumers societies. To-day he has done away with the societies and given procurement to the millers. All the same again procurement results are poor. Why are the kisans demanding higher prices? Because they were not supplied with agricultural implements and other necessities of life at controlled rates. If only this had been done, they would not be demanding higher prices. They would not care to carry currency notes in their pockets. To-day we find a report in the press that the Producers-cum-Consumers Co-operative Societies Enquiry Committee has recommended that the societies in the Ceded districts might be entrusted with procurement work and with the distribution of all controlled articles. A committee under the chairmanship of a non-official responsible gentleman has come to this conclusion. But the bureaucratic officials, who do not care for the people, who are more interested in the merchants and blackmarketers, have come to the conclusion that these societies must be done away with and that the Food Committee must be abolished thus spurning the people’s co-operation. Their only solace is the Police force. Unfortunately, our Hon. Prime Minister went to the extent of saying—of course, in extreme cases I agree that force is necessary—that force will have to be used. Why should he arrive at that conclusion at all? If the kisans are supplied with the necessities of life at controlled rates, they are not anxious to have higher prices. The price must be guaranteed to them. The main point is whether the Hon. Food Minister stands for controlled economy or free trade. The whole trend of his speech is for free trade. He has to realize that it is on account of free trade that 35 lakhs of people lost their lives in Bengal. That situation has not arisen in this Province because the Government have taken the responsibility of guaranteeing at least 8 ounces of ration. If even that 8 ounces are taken away, certainly the tragedy in

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Bengal will overtake this Presidency also. In Bengal, the black-marketers earned 150 crores of rupees at the cost of the lives of 35 lakhs of people. Do you want the repetition of a similar situation in this Province? You will have to go into the problem in detail. There is no use of relying on the reports of bureaucratic officials. Take the co-operation of the members of this House and the Food Committees. At best the bureaucratic officials can take the Police and procure. However much repression the Police might adopt, whatever may be the effect of the Public Safety Act, repression is bound to fail. Enlist the co-operation of the kisans; they are prepared to co-operate. There is no question of Andhra or Tamil. Guarantee them supply of the necessities of life at controlled rates, and take full procurement in your own hands. Why should it leave it to the millers? They will betray the country, and none will be alive in this Province. Let not that situation happen here.

"I now come to the question of blackmarketing. How are the merchants able to give so much rice to the Government? If the Hon. Minister goes into the villages and towns unnoticed by the officials he will see that the millers pay a higher price and sell a part of the procured paddy in the blackmarket. Not only that. They will sell coarse variety as fine variety and make profit. To-day blackmarketing is being encouraged in Government shops. That is what is happening in every shop. If the Hon. Minister does not believe my word, let him go to any ration shop. He will see that the worst variety is being sold as fine variety. That is how blackmarketing is being encouraged even in Government stores. This should be stopped.

1 p.m. "Sir, another handicap which the kisans of this Province are suffering under is this. Even though we are producing a large quantities of groundnut in this Province to-day, the kisans are suffering from want of groundnut-cake. Because the Government is encouraging free trade, all the groundnut is exported to other provinces. So the kisans do not get enough groundnut-cake for manure and thus cultivation suffers. Therefore, Sir, wherever the policy of free trade is adopted, there is bound to be starvation, and if we persist in this policy, our whole economy will collapse. Without groundnut-cake how can you expect the peasants to grow more food? Sir, it has been stated by the Hon. Minister for Food that the Grow More Food Campaign has failed. Why has it failed? Because the Government did not come forward to enlist the co-operation of the common people, the kisans and the cultivators, to help them in their Grow More Food Campaign, and provide them with necessary facilities by way of agricultural implements, manure, etc., thousands of acres of land are lying uncultivated. The Government have vast extents of land which they would not cultivate, nor would they allow others to cultivate. Thus, they are themselves creating conditions for a famine. The Government only help the landlords and zamindars but do not encourage the kisans and the cultivators. What is happening in the Chellapali Estate? There we see that 10,000

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acres of land on which foodcrops could be grown are allowed to lie waste by the difficulties placed by the zamindar in the way of the tenants; still, the Hon. Prime Minister is supporting the zamindar in his measures. That is why the Grow More Food Campaign of the Government has failed. If you want that campaign to succeed, you must enlist the co-operation of the kisans. On the other hand, you are treating them with contempt, you afford them no facilities and you say that you are even prepared to use force, if necessary.

"Sir, another point which I wish to refer to, is with reference to the formation of the Price Fixation Council. In that Council many notorious landlords have been included as members. For instance, there is one Mr. A. Gopalakrishniah and another Mr. Kuppaswami Choudari; there are a number of others who are big landlords but all of them have no sympathy with their tenants. No representation has been given to the kisan sabhas or cultivating tenants in that Council. The result is, blackmarketing is taking place everywhere, because of the high prices prevailing all round. Why not the Government enlist the co-operation of the people who are prepared to co-operate with them?"

SRI T. PRAKASAM:—"Madam Deputy Speaker, we have reached a great crisis on the food question. I was hoping that we would survive without making any sacrifice of lives. To-day I have got the news which the hon. Mr. Lingaraju has also got about 14 deaths due to starvation. We have not heard of even a single case of death due to starvation until now. The seriousness of the situation has not been noticed by the Government and by many of us. I do not blame any individual member of the Government including the Food Minister, particularly. We have become the victims of a particular system which has brought us to this condition. This Government succeeded the previous Government only six months back. What was the food position in the Province when the present Government took over the administration? And what is it that this Government has been doing until now and why is it that it has not been able to keep up 10 ounce rations? Is this a country which could not produce what is wanted? Is this a country where there are no resources that could be tapped? If you take the northern districts, you have got there mighty rivers like the Godavari and Kistna, besides a number of other small rivers. If you take the south, you have got the Cauvery, the Tambraparni and others. Although there may be much difference in the matter of the actual extent of lands cultivated and the quantity of water supplied for purposes of cultivation between the Godavari and the Kistna on the one hand and the Cauvery on the other, there is no reason why enough could not be produced in the Province to feed the entire population. Why have we come to this pass? What were the conditions in which we handed over the Government into the hands of my esteemed friends? What was the condition when we took it up in the month of May 1946? We were in the throes of a food famine. We were in the most serious trouble and we did try to manage

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the whole thing carefully with the aid of a departmental staff who had sufficient knowledge and experience of food administration and managed to build up a system which would enable us in the future to tide over any crisis. Now, what is the position? We handed over to these Ministers who succeeded us, clear-cut plan and policy and a well-laid programme for the future. But when we took over the administration from the Advisers regime, we had no such programme and we were in a very serious state with regard to the procurement of foodgrains in the Province. We were therefore forced to cut down the ration from 12 ounces to 10 ounces in the first instance and then from 10 to 8 ounces afterwards. In spite of that we were careful enough to examine what methods could be applied to get over that difficult situation. Before we came, there was a centralized system of Government in force. It was the system of the British Government. My hon. friend Mr. Venkateswarlu was talking about capitalists, middlemen and all those things. I am not using that language now. I am trying to put before you, before the House and before the country how this Province of ours had been brought to this position. At the time, when we handed over the Government, we had 29,000 food committees constituted for the purpose of distribution and procurement of foodgrains. We decentralized the entire system of administration, so that power might flow from the hands of the capitalists, from the Ministers, from the Secretariat directly down to the hands of the people themselves, so that they may carry on the administration of food in the first instance without direction and hindrance from others. There may be failures, there may be lapses and there may be mistakes in their administration, but still they are the people who should learn, sooner or later to manage the affairs of the country, and it is they that should come to the help of the Government in times of crisis, because it is their Government. It is in that way, Madam, that we organized the food administration. When we were about to collapse on one occasion for want of sufficient procurement we had to take the extreme step of appealing to the country and to the producers in particular, saying, 'We are on the breaking point the whole country will be ruined. Do come to our help'. That was the appeal that was made. What happened? A bonus was offered along with the appeal, so that it would serve as an inducement for the producers to surrender their produce. What was the result? The result was that immediately afterwards about 94 per cent of the surplus was surrendered and we got hold of all the produce and thus got over the crisis. Our efforts were much appreciated by the public and even the Food Minister to the Government of India, Dr. Rajendra Prasad, referred to this with praise in one of his statements when he visited Madras. Certain American experts who had come over to this country for studying the food situation also gave expression to similar sentiments. They have actually given their praise to the organization of the food committees which were charged with the duty of procurement and distribution of food and other articles among the people in villages.

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"Madam, such an organization was handed over to our friends when we laid down the reins of office and they also promised that they would continue the same policy and the same organization, which was also the policy of the Congress. But what is the first thing that was done by them? They were not satisfied with the organization of the food committees and they took away from them the duty of procurement.

"Madam, let me now say a word about the producer-cum-consumer societies. We all know the troubles that arose in Malabar owing to food shortage and owing to the unsatisfactory distribution of foodgrains. So when the scheme of the producer-cum-consumer co-operative societies was placed before us to deal with the situation, we took it up immediately, because we knew something about such societies previously. I took it upon myself and with the help of my colleagues and friends, we resolved upon organizing them. It was our intention that the food problem of the Province should be solved permanently and not tided over from day to day or from week to week or from month to month. These societies proved a success in Malabar. Then we introduced similar societies in the four districts of the Circars. What was the amount collected by the people in Malabar towards the share capital of those societies? I was told by the Co-operative department in a conference that Malabar would not be able to find the necessary share capital for such societies and to run them successfully. It was said that the people of Malabar were not trained men and that such societies would fail. But I told those friends who said like that,—'Go to Malabar and open some training institutes there and you will find that in three months' time, you will be able to produce as many people as you require and as competent as anybody else, to take charge of these societies'. And that proved, as I stated, quite a complete success. Then as regards money, I was told that Malabar would not be able to find Rs. 3 or Rs. 4 lakhs; but I told them 'You don't know about the actual mind of Malabar; go into Malabar and try; you will see you get money'. How much money was collected there? Not Rs. 3 or Rs. 4 lakhs but, Madam, Rs. 75 lakhs and even more was collected. These societies were organized in Malabar, they worked hard and they proved a success. Having seen the success of these societies, I turned to the four districts in the Circars, the surplus districts, whose surplus we could utilize by establishing these societies. Well, societies were established with the help of Government officials whom we supplied to the people. What was the amount collected by them? Nearly Rs. 2 crores, I think, about Rs. 180 lakhs and odd; and these societies were built up. Madam, the Co-operative department had existed for 42 years under the British Government till the time we came into office. Forty-two years of existence of the Co-operative department could not secure even Rs. 1 crore as capital for co-operative societies; we examined the conditions, we found out that they were at a very low ebb, and there might be no chance for them to survive any longer. Then we said 'start the societies'. These societies were started;

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nearly Rs. 2 crores was subscribed by the people and these societies came into existence; they began to function, earlier in East and West Godavari and later in Kistna and then in Guntur. What was the result? How can we ignore facts? Ever since the Government began to scrap these societies, I have been telling the people all over the country what this Government had been doing with regard to these societies, what trouble they were giving. Since these gentlemen came into office, calling themselves a Congress Ministry, the first act done by them was, within five days, before the fifth day was out, to find fault with the accounts. How can anybody account; somebody must render an account sooner or later. The whole thing has been brought to this condition, until at last in Rumpu Chodavaram—which has inflammable material—fourteen people have died. I got the report; I sent a telegram for confirmation; I wanted to move for an adjournment of this House and I was waiting for the names. The names have not yet come; they are very likely held up in the post office; a telegram says they have sent them by registered post and I can take the names of those who have died. Well, how is it that these deaths have come about? I have been referring to the societies in the East Godavari district; look into the accounts and the balance sheet; was there any loss? Not at all. Was there any loss in the West Godavari? None at all. In Kistna again, no loss. But in Guntur, where they were allowed to function only for 19 days, on the fifth day after the assumption of office by this Government, they were destroyed. In that way, this Government committed the worst possible offence, and crime, I should say, against the people of the whole province. We have to examine now how this has been brought about; who is responsible for this? Individually, I do not want to charge anybody; but there was the principle, the policy, the method to be adopted by them; they were not called upon to create any new policy or apply a new principle. Ready-made it was put in their hands; they could at least have the patience to try the experiment for some time; they could at least be more charitable. The moment they came into office, it looked as if they were pouncing upon their enemies with a view to put the knife straight on their throat. Anything done by the previous Government was not liked by the present Government; every policy of theirs was reversed; every action was reversed. They have to render an account to-day, or to-morrow or some day before this world. They took charge and they brought the destruction of these societies. I at once wrote a letter to the Prime Minister: 'I am not in office, I am outside; when I was in office I made myself responsible for bringing these societies into existence; if there are any defects, I am willing to go to the people to work with them, to work with your people and see that the defects are remedied; let these societies be not destroyed or removed altogether'. That was the letter I wrote to the Prime Minister. I wrote a letter to the Food Minister also; he was very courteous; he was very good. At once he sent a reply: 'Why should you come to me; I am willing to go to your

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house; I am willing to do everything you want. But, words do not solve the problem. Dr. Rajan, the Food Minister, your knife has operated successfully on many human bodies; your knife has operated"

THE DEPUTY SPEAKER:—"Is the hon. Member addressing Dr. Rajan or the Chair?"

SRI T. PRAKASAM:—"I am sorry, Madam; I think you are right; but sometimes in the course of the debate, you will find speakers straying a bit occasionally"

THE DEPUTY SPEAKER:—"That is why I pointed it out."

SRI T. PRAKASAM:—"So, whatever was done through decentralization has been destroyed with a purpose. In decentralizing, we had to remove what are called the middlemen, the rich men, the capitalists who were the people carrying on this business on behalf of the Government. We removed these people deliberately, and I said on the floor of this House that we were removing them. I plainly said that some people were affected, some people would be affected in a matter of this nature and we were removing them with a view to benefit the millions of the masses. The moment these people came into office, the first thing they did was to restore all these people that were removed, to change the whole system and allow the system to be once again what it was under the old Advisers' Government, the British Government. It is there my friends have made the worst possible mistake. After taking charge of the administration of food, what is it they should have done? They should have allowed the whole thing to continue for sometime until it was proved to be a failure. You put the knife exactly on the throat of the hen which laid the golden eggs and you destroyed it. I had the hope and the confidence that this mistake would be discovered sooner or later. I had been fighting every inch. Of course they appointed a committee, a committee for what purpose? The humiliation that had been heaped upon the previous Government and particularly upon me by putting the knife into the throats of these societies was sufficient, but on the top of it they also appointed a committee. For what purpose? Was there anything which the committee was going to find out for the first time? And presided over by whom? By my esteemed friend Mr. T. A. Ramalingam Chettiar. Mr. Ramalingam Chettiar had announced his views in a co-operative conference that was going on here, calling the whole movement a stupid movement—these producer-cum-consumer societies. He characterized the head of the Government, referring to me, as the most foolish man, ignorant man, and he characterized the man, the ablest of the men whom we could secure to organize societies of this type as the most foolish, immature school-boy. That gentleman this Government chose to appoint as president of a committee to go into the whole matter. (At this stage Mr. Speaker occupied the Chair.) I looked into the whole

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thing, but what could anybody do? I did not expect this Government to appoint a committee like that and I was really very sorry that had been done. Then I had to go a little out of the way, because it was such an outrageous proposal to appoint a committee over an admitted fact. The records were there, they were before the Prime Minister, they were placed before Babu Rajendra Prasad also when he was here. Every material was in their hands when the Committee was appointed. Let me tell you, Sir, and the honourable members, I took this appointment of the committee as a deliberate insult to those who wanted to serve the people of the country. Therefore, I issued a statement calling upon the people to boycott that committee and not to co-operate with it. Well, Sir, the next day or on the third day, thanks to the Government, they were good enough to issue a Government Order or a communiqué in which they stated 'let there be no fear that we are going to destroy these societies. We are trying to help the societies, to rebuild them and to convert them into multi-purpose societies'. I thanked myself, I thanked the Government also and I thought my purpose was served to some extent and there would be no danger. I went to Delhi with the fullest confidence that by the time I returned here, something would have been done for these societies which had been damaged so completely at that time. But what had happened by the time I returned, Mr. Speaker? Was anything good done to these societies? No; on the other hand, what was done was that all the secretaries of these societies were given notice that their services would be dispensed with. Secretaries were people whose services could not be dispensed with because there was an agreement for them to serve for at least two years. That was what I found out after I returned from Delhi. What to do? Government having issued a communiqué solemnly promising once again that these societies would be kept intact, that they would not be interfered with, they naturally took the next step by which they could disable these societies. In the West Godavari district, almost all the societies were in perfect order, so also in East Godavari. In the West Godavari district, Bhimavaram taluk, one Mr. James who was a District Food Officer, whom we had transferred before we laid down office and handed over charge, transferred on account of certain reasons and because he was not feeling very happy over this sort of work, that same Mr. James was brought back by this Government to that place."

MR. SPEAKER:—"The hon. Member may continue his speech after lunch."

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

The House met at 2-30 p.m. after lunch with the Deputy Speaker in the Chair.

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"There is no quorum."

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THE DEPUTY SPEAKER:—"There is quorum."

THE HON. DR. P. SUBBARAYAN:—"Hon. Members may be aware that there was a short interval between the meetings of the Legislature on account of Vinayaka Chathurthi. Some hon. Members have gone to their places and have come back. Government have decided that travelling allowance for those Members who have been to their places and have come back should be allowed."

SRI K. ANANDAN NAMBIYAR:—"On a point of information. This morning also I raised that point. I notice that a prisoner by name A. K. Gopalan is on hunger-strike in the Cannanore Jail. I want to know from the Hon. Minister whether he is dead or alive. It is a point which has already been raised this morning but no answer has been given."

THE HON. DR. P. SUBBARAYAN:—"I am entirely taken by surprise. I am not prepared to answer this question."

THE DEPUTY SPEAKER:—"The hon. Member may put the question to-morrow morning. Mr. Prakasam will now continue his speech."

SRI T. PRAKASAM:—"Madam, I was referring this morning to the case of Mr. James. Mr. James was sent away for good reasons from Bhimavaram, but he was brought back into that very area and that gentleman was good enough to issue an order under which he declared that out of the 37 societies in the West Godavari district, in 35 societies, secretaryships should be cancelled. I am appealing now to the Food Minister to find out whether such a thing has happened. I am not charging the Minister in charge, but I am merely saying how things have gone on in that department."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, Madam. The hon. Mr. Prakasam has told us that he wrote two letters, one to Hon. Dr. Rajan and the other to the Premier. We have not heard what happened to the letter which he addressed to the Premier, and whether the Premier had cared to reply."

SRI T. PRAKASAM:—"Nothing happened, Madam, with regard to the letter I wrote to the Premier, offering to serve the people and also the Government. Before any step was taken on these societies, every representation was made to the Premier. But nothing was done. There had been deputations on behalf of these societies; written memoranda were filed before the Premier and before the Food Minister and even before Babu Rajendra Prasad when he was here. I may also say that when Babu Rajendra Prasad was here, there were some curious happenings. He wanted to speak to me; he wrote a letter. I do not know to whom he handed it but that letter did not reach me on that day. That letter reached me only the next day after Babu Rajendra Prasad had left Madras for his tour in the south. I saw the letter; I could send a reply to him only through registered post explaining the circumstances under which I could not meet him."

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"Madam, with regard to the food muddle, you will have to take everything into account, how things are managed and how things have been done. The other question was about the increase in prices. About the second letter I wrote to the Food Minister, he was good enough to send a reply that he would be ready to meet me. But, Madam, that readiness was only in the matter of pursuing the whole policy of doing away with these societies and nothing more. Nothing more happened with regard to that letter. He was the Minister in charge; he was a very responsible man but everything had to be done only departmentally. So, nothing more happened. All that happened was, as I have already stated, that this Mr. James was brought back again. He issued an order—not a Government Order—he issued an order saying that the secretaryships of the thirty-five out of the thirty-seven societies were to be cancelled by the Deputy Commissioner. I am asking the Food Minister to verify whether the Deputy Commissioner had issued any such order. If the Deputy Commissioner had issued any such orders, then I can clearly presume that the Government could not have issued any such orders. I hold the Government directly responsible and the Food Minister directly responsible because let me tell you that if something is wrong at the top then everything goes wrong from top to bottom and everything is in such a disorder. I am quoting this only as an instance. I am requesting the Hon. the Food Minister to find out whether such orders had been issued by Mr. James in the West Godavari district asking the Deputy Commissioner to scrap the secretaryship of the thirty-five out of the thirty-seven societies. I see no such thing has happened yet, the department has been working with the officer-in-charge who is responsible for the failure of all these things. That is the point which this House and you have to consider in the matter to see how this system has been working. This is the best illustration I could give. I would request the Hon. the Food Minister to see whether the Government had issued any such orders, whether the Deputy Commissioner had issued any such orders or whether the District Commissioner had issued any such orders. If so, what would be the state of affairs with regard to the whole food administration? What would be the morale in the system that had been put into work by this Government? This is the highest example I could quote leaving aside all other considerations. I have been placing before you the pointed attacks made against these societies. Madam, statements have been published now as to who is responsible for failure of this procurement. What are the causes of the failure in procurement? Ordinarily, one can imagine not one cause but more than one cause. One of the causes is that it is due to the neglect of the management and the Government officials here interested in it. I have just now narrated the story of Mr. James with regard to this matter, I say definitely now, that the failure in procurement was due to the neglect and mismanagement of the Government officials employed in the food business. The morale has thoroughly gone and nothing has been left in the whole administration so far as the Food department is concerned.

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"The second thing is whether it is the price factor that has been responsible for this failure in procurement. Price factor, there has been, and the Hon. the Food Minister has been telling this House and the country generally that there will be no rise in the prices because the Government of India was not willing to do that. He has given the reasons also with regard to the price. He says, 'if the price is not allowed to be enhanced or increased, what is it that this Government can do'; I say that the Government should have to search for other alternatives. Madam, when we were in office, we were also searching for other alternatives when the Government of India was very resistant when a similar request about increase in prices was made to them. What did we do? We gave a bonus. We took the whole risk on our own hands, saying the Provincial Government has full autonomy with regard to other matters than prices and such things. What is the other alternative? The loss in prices should be made good to the poor ryot by other means and people should be given protection. So, we paid the bonus. The situation was saved. 94 per cent of the surplus foods had come into our hands and that saved our situation. What did this Government do? Soon after they accepted office and came into power, the first thing they said was that our policy was bad; everything done by us was bad. If you look into the speeches of the Food Minister, you will see that he has asked why should we do this and why should we do that. That was the way in which the previous Government was attacked. But, in less than four months after the assumption of office, the new Government were forced to give a similar bonus to the people, not in proper time but in an improper time because it was not given just before the season. Reference was also made in the newspapers in this City on this matter. What was given by the previous Ministry as a bonus was bad. But how could the new Government immediately after assuming office and within less than four months, grant that very bonus which they had criticised. That is the position, Madam, so far as this price question is concerned. Any day, I say, when the people are dying, if the situation becomes very serious, we have to do whatever it might cost us without losing our own rights. So far as this price question was concerned, I may say that there were officers here who were giving us the correct advice. 2-45 p.m.

"Then, the third cause for the failure of procurement was absence of public co-operation. Was there absence of public co-operation? The whole evidence of the people was there that they formed those producer-cum-consumer co-operative societies and when they were attacked by this Government in such a merciless manner and in a heartless manner, naturally public sympathy would not be with that Government. (At this moment the Hon. Sri Kala Venkata Rao had a laugh.) I find my Hon. Friend has not made any remark but he has had a hearty laugh."

THE HON. SRI KALA VENKATA RAO:—"I would like to tell my hon. Friend that I laughed because after all those societies were conducted by nominated persons."

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SRI T. PRAKASAM:—"I know the Hon. the Revenue Minister is a very resourceful man and he can give a ready reply to anything and try to justify the wrong position taken by him. But, he will have to give an account of all the wrongs that he is doing in the course of the tenure of his office."

THE HON. SRI KALA VENKATA RAO:—"I would like to place myself at the feet of my Guru."

SRI T. PRAKASAM:—"In the name of Guru, he has committed so many crimes." (Laughter from all quarters of the House.)

THE DEPUTY SPEAKER:—"First of all I would like to know who is the Guru?"

THE HON. SRI KALA VENKATA RAO:—"The Guru is no less than the hon. Sri T. Prakasam and I owe all credit or discredit to his training."

SRI T. PRAKASAM:—"In the name of Guru all crimes have been committed by him, not only as Minister here but even before he became a Minister. It was this *guruship* and *discipleship* that have brought about the overthrow of the previous Government. I have been avoiding any reference to it either in this House or in Upper India in the Constituent Assembly or anywhere because I thought we might still get along without going into those matters. Now, he has come here just for a moment to the rescue of the Food Minister and this thing has been forced out of me and he had to take it.

"I was telling, Madam, about the way in which this administration had been carried on in the Food department and I have given instances and have been dealing with the third alternative cause, namely, the absence of public co-operation. Public co-operation disappeared so far as this Government was concerned. Let us not conceal these matters and let us not cover them up for ever. What has been happening during the last five or six months in this world, in this part of the world and in this Presidency, we cannot suppress. Things have occurred and everything has been going on and every one knows, not only in this Province, but even in the rest of India that there has been no public co-operation with this new Ministry that had come into office under most extraordinary circumstances. When the occasion comes it will be proved to the hilt, instead of waiting for the time when there will be State control at which things must be opened and decided upon. Nobody can conceal these matters."

SRI K. ANANDAN NAMBIYAR:—"I am for shooting also . . . killing five workers in Golden Rock."

SRI T. PRAKASAM:—"I see my good friend Mr. Anandan Nambiyar has come out now and thinks that this is the best time for him to have a say. A time would come for anything and there is no question about it and whoever had done wrong either at Golden Rock or at the Iron Rock, all the things would come and all the persons concerned would have to render an account."

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Even now I am anxious to restrain myself without going into all the incidents that had happened in this part of our country, but all those things had happened. I am asking you, Madam, and the hon. Members of this House, is it not the time for this Ministry and for this Government to take stock of the whole situation, to review them and tell the public and the House and to tell you, how they stand with regard to public co-operation, what situation they have brought into existence in this country and what situation has been brought upon themselves and on the country."

THE HON. SRI KALA VENKATA RAO:—"We have done nothing and we are prepared to stand any trial successfully even before any International court."

SRI T. PRAKASAM:—"I am afraid we have crossed the limits of International court also; we have come to our own now. One may be imagining that whatever he is doing goes without any question or trouble from any quarter. That is not the case now. English people have gone out and the Dominion Government is in formation now and we are also in the formation of the Provincial Government. Under the new dispensation, it is the people of this Province, as the people of every other province, that would become the rulers, it is the millions of people who would be enfranchised in the course of the next few months, who will be on adult franchise and going to the polling booths, who will choose their representatives and form the Government. The whole thing is changing. Now, let us not be under any delusion that in whatever we may be doing there is nobody to look after us, but there are people themselves to take care of themselves and they have been taking care of themselves hitherto. There is no doubt about it. They have made their feelings quite clear to every one of the Ministers concerned here and to the Government as well and to every one of us, yet they have not been good enough to take them into account and say, you are good fellows, we are doing all these things for you and we will review our position. No such thing as that has been said. On the other hand, the Revenue Minister comes and sits here on behalf of all saying we are prepared for trial even somewhere else. Everybody would be prepared when the trial comes. Therefore, Madam, in regard to the question of public co-operation it has been so thoroughly absent so far as this Government is concerned. (The Hon. Sri Kala Venkata Rao: 'I deny that.') Denial comes from the Hon. the Revenue Minister. I say there is the whole country outside; there is the whole world and God above to say what is going on with this. How has it come about to this stage so far as the food question is concerned? It is a very serious matter. If my Hon. Friend has come only to give answers to everything I am saying, perhaps as a Government Member, he will have the upper hand and I may be lower. There is no difficulty about it. I will concede and I am conceding every one of the things I am trying to talk about today, because I am on the right side and am trying to do the right thing by the people in every matter and in every case. I am not trying to over-reach the Ministry in any respect by

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putting forward any specious thing. If I am wrong I am ready to withdraw; on the other hand, when they are in the wrong, I must do my duty, even if I am alone and there is no second man to support me. I must point out the mistake and the mistake must be corrected.

"Now, my friend says he will take the trial anywhere. The Hon. the Food Minister had a debate in the Secretariat. I think, in the month of August. These are his words and I have taken them from his speech: 'You also know the terrors of procurement; our officers have been assaulted and when they go out on procurement they are exposed to danger to their own life, with the result that police protection had to be provided for them and the Collectors and the whole magistracy have to be alert to this menace.' These are his words. What do they show about the state of public co-operation? Madam, I was referring to lack of co-operation. This is the first time I have learnt from the speech of the Food Minister, made in the Secretariat in August, procurement officers were assaulted and that they required police protection and so on. In the face of this admission, if matters had come to this pass, what will be the state of affairs in the country and what is the good of challenging simply without knowing what has been going on.

"Then, Madam, the other alternative we had to secure procurement was—scientifically evolved things—by special committees appointed for the purpose and that is, if Government are not able to manage except through Governmental control and distribution, they must take full power and act energetically. By this means they could take over the entire production and redistribute it on an equal *per capita* basis. That was what was done and that must be done if it comes to that. If the Government is forced, having failed in all other matters, they should take the whole thing on hand even with regard to production—and then distribute the procurement. Without procurement there can be no control, no distribution and nothing would happen. About the 3 p.m. controls, I may recall that four or five committees have been formed in India. The first committee was one called the Gregory Committee, the second committee was one called the Famine Commission Committee with special reference to the Bengal experience and sufferings of the people. The third committee was one which was an easy-going committee that did not take trouble with regard to these matters. The gentleman simply signed a report and he went home and he enjoyed his time. The last report that we have yet to get is that of Sir Purushothamdas Thakurdas who has now been appointed as Chairman of a Commission to look into the matter and to advise Rajendra Babu's Government on the policy of food, particularly with regard to decontrol. Sir, big magnates, big men are pressing for decontrol of the whole thing. Then they say everything will become normal and the situation easier. Sir Purushothamdas may enquire into this matter and advise us. We are all now awaiting the report of the gentleman.

"Now let me refer to the causes of the failure of procurement. Now, take the statement made by the Hon. Minister for Food, which has been the subject of discussion before this House and

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see what he has stated as the causes of the failure of procurement in his statement. In paragraphs 8, 9, 10 and 11 he furnishes some facts and figures and says that it was the failure of procurement by these societies that was largely responsible for the whole difficulty. It is very unfair to say that these societies were responsible in any way for the present state of affairs. I will now point out to the Hon. Minister how he started in his statement to criticize these societies. He states that these societies functioned from January to March 15. That is incorrect. He wanted to show how the societies functioned and how the millers were working. He wanted to show this by way of comparison. The first mistake was with regard to the statement he made stating that these societies functioned from January to March. The societies in West Godavari district started on 15th February and continued up to 24th April, i.e., two months and nine days. So they did not function from January to March. The procurement by millers was 20,620 tons, by the societies 30,421 tons for one month and fifteen days. This is accepted by the Food Minister in his statement. The millers procured 20,620 tons from January to February. This was when the societies did not start working and that was the best period for procurement. Take East Godavari and compare it with what is stated in the Food Minister's statement. For 1945-46, i.e., January to March, the procurement by millers was 50,605 tons and this was procured for the complete taluk. For 1946-47 the millers' procurement from January to 15th February was 16,790 tons. For the societies from 15th February to March end, it was 11,001 tons, because millers had procured during these one and a half month for the three months of the previous year. This was done because they knew that their work would stop by the 15th of February. This can be taken as an extra figure for the Government over and above what the millers could procure. Let us take the Kistna district. Millers procured 52,000 tons from January 1947 to 15th February; the millers were permitted to make purchases until 15th February. This order was not communicated to the millers in February because the communication was not made to them in time. They went on making purchases on their own account. Even after 15th February when authority was not there they went on purchasing till 1st March. On 1st March, three societies came into existence in Godavari, Gudivada and Gudlavalleru, and as a result of these accumulations of purchase by millers their quantity came up to 46,400 tons. As against this the societies starting their work on 1st of March procured 9,410 tons. Thus the total comes to 55,810 tons against 52,004 tons of the previous year. The extra of 3,806 tons was due to procurement of the societies; not only this, but 6,000 tons were secured more to make it a total of 55,810 tons. Thus 9,401 tons of procurement was made by the societies within a month. Canals were closed for summer and there was no transport facilities in Guntur. This is the most tragic fact of the whole thing. The Guntur societies were closed on the fifth day after this new Government came into office. These millers in 1945-46 January to March secured 57,619 tons, for 1946-47 10,807 tons until March 1. The millers continued for two

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months and ten days. The societies started from March 1 up to 20th March, i.e., only 19 days and their procurement during this period was 4,050 tons. What was procured by the societies in 19 days is equal to half of what the millers could procure for two months and ten days. This is the correct position and what is stated in the statement of the Food Minister in paragraphs 8 to 11 is not correct. If they want a correct understanding of the whole situation there are these facts that I have stated so that they may verify and they may point out whether I have made any mistakes with regard to these matters.

"I started by saying that this centralized system that we had been having for so long was decentralized by us. But our work was done away with and in place of the decentralized system, a centralized system has been introduced by this Government. I would point out to you, Madam, as I stated in the beginning, that my quarrel is not with individual Ministers or individual officers but the system itself, the plan, approach and the policy. They had done away with this decentralized system and introduced the centralized system and they called back all those millers and sent middlemen and rich men and asked them to take charge of the whole of the administration. That is where the mistake has come about and I am pointing out now to the Hon. Food Minister that he did not stop there. They believed in the centralized system in Great Britain and which was forced on us for a long period and which we dared to refuse, by introducing a decentralized system. They thought that the system of the British people who had governed this land for 150 years and who had left this country was good. That is where the whole mistake has come about. They have not taken into consideration their own country, their own people and the changes in the situation that are coming about and considering all this they should not have done that. Mr. Masterman, the Commissioner for Civil Supplies, where was he when we were in charge of the affairs? As the saying goes 'As the ruler was, so were the subjects.' That is true of almost all people in every country. So long that we were in office knowing us and our minds he did not make any proposal to alter the system or to do anything to indicate that we were going in the wrong road. He did not say that this decentralized system would bring ruin upon us. He never said a single word. I do not blame him, Madam. They are all good officers. They will serve their masters well. They know their masters and their policy. As we changed place and gave place to the new Government they found out the views of the new Government at once and became the real boss of the whole show. I am saying this before this House. Mr. Masterman was the man who was running the whole of this Government. He was issuing statements, broadcasting, and doing everything else. It is a pity that the Ministry should give up or hand over everything into the hands of an English civilian. This was mentioned in one of the statements that I issued. They asked him to carry on the administration. That has cut at the root of the whole thing. Mr. Masterman was against the formation of the societies, let me tell you, Madam, and the hon. Members of this House. He

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was against it. I knew it from the very beginning but as a matter of policy of the public servants he would not do anything. As soon as we left that gentleman was put in charge of the whole business and it was he that had conducted the whole business. Now we have to settle these domestic affairs between ourselves either by quarrelling or by some other means. The matter has to be straightened out. The wrong of having handed over the administration into his hands can never be undone and that is responsible for the whole demoralisation in the country also. Memorials were presented by the representatives of these societies asking not to send Mr. Masterman as he was from the beginning opposed to them. But the Government would not care; they are in authority and they need not care. I am saying this to you to show that we are victims to a system which would not help us. Not only with regard to this, this is a provincial disaster which we could get over; but there are other disasters. Somebody told me just now that the statement about the death of 14 persons on account of starvation is not confirmed by the Collector. With regard to this, the first information I got about was from a newspaper report. I did not want to act upon a newspaper report. So I sent a telegram straightaway as Mr. Linga Raju has done to the persons on the spot, asking whether such a thing happened as was reported in the newspapers. While confirming this, he has stated that the names of the fourteen persons are being separately sent by registered post; it has not come until now though I have posted a person at the post office because the mail had not reached us. If it is wrong, I will not be sorry but on the other hand I will be so glad that nobody had died. But it is too good for me to believe as the Collector sends the information from Rajahmundry whereas I get the information from the people concerned direct and it has come to me.

"I wish to say a few things regarding the general disaster that is coming upon us. Before coming to that, I wish to say a few words on the grow more food campaign. Everybody has been saying that the campaign has failed although I cannot say so personally myself how much was grown extra and what extent of land was cultivated extra on account of this. But generally you may take it that it has been a mere slogan and it has not improved conditions in the country. I am not here merely for levelling destructive criticisms as against the Government. If the response could not be found in the first year or in the first three months or the second three months or the third three months succeeding, the Government should have taken the grow more food campaign work on hand itself. They should have taken hold of all the small holdings in the country and begin agricultural operations on a collective farm basis as had been done in other countries when similar troubles arose like this. They could have used their tractors, their ploughs and other improved implements and manure for this purpose; such a thing had not been attempted in this province in the past. Further, another point is: How can you expect starving people to grow more food when you are not able to give them the prices they want? The point is they have to live and be provided with the ordinary necessities of life but these things also

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would not be supplied by us. Why? It is not the fault of the Provincial Government alone. The blame has to be shared by the Central Government also. The Central Government had been telling you though they had good reason for it, that there should be no rise in prices. They felt that if they did so, it would help inflation. The British people who had left the country had left a legacy of printed currency notes without any backing and half the war debts has been shown in the form of currency notes. The result has been that cheap money had been spreading. For whose benefit does it operate? The rule in all countries is that inflation helps the rich to become richer and the poor people get poorer still. That is how this country had been ruled for the last 150 years by the British people and as they were going, they have added something by way of inflation to our troubles. Our friends are thinking that if the prices of paddy go up, the difficulty of inflation would arise; but they have not taken the whole thing on hand. When once the British people have gone out of India, the Union Government of India should take the whole question on hand and examine as to how to help this province which has been crying hoarse all these months for permission to raise prices. That permission has to be asked for because the provinces had been bound hand and foot with the centre in the past. The old conditions have changed and new conditions have come into being. The Central Government has also to take into account of the fact that this is not a matter which will end immediately; this food trouble and the question of starvation are not going to end in three months; according to those that know anything of the matter, according to experts, it will take four to five years having regard to the disturbed conditions at present. Troubles are in store and we do not realise what may happen in future because it has not come upon our heads immediately. You know that between 1929-31, the first world economic distress came upon the world. It was not the mere millionaire it was not society or mere banks that collapsed; kingdoms collapsed. Germany became absolutely bankrupt, literally bankrupt and they said; 'Do not present any of our currencies at our Reichsbank; we have no cash and we will not pay'. The United Kingdom became nearly so; her pound worth normally 20 shillings was selling for seven shillings in the foreign markets. If Indian distress gold had not gone to them at that time, 1,300 crores of rupees worth of gold went to England at that time—things would have been different. Economic distress broke out then and it has taken so much time now. We are now threatened with the dollar crisis and another world economic distress is coming upon us. How are you going to meet it? In connexion with the first world economic distress, there was an economic conference convened by the Premier of England; several sub-committees were formed, the sugar sub-committee, coffee sub-committee, the currency sub-committee but every one of these sub-committees failed and finally the World Economic Committee also failed and it was at that time that our friend Mr. R. K. Shanmugham Chetty put his seal at Ottawa on behalf of this country with regard to the continuance of the capitalist money system which had been going on."

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SRI K. ANANDAN NAMBIYAR:—"Madam Deputy Speaker, may I know for how much more time the speech is to go on? It is more than an hour and a half since he commenced, though in the morning, he said, he would finish in ten minutes."

THE DEPUTY SPEAKER:—"I have given him time because the House will stand to gain by his long experience; but I believe he will be finishing within five minutes."

SRI K. ANANDAN NAMBIYAR:—"May I also expect to have so much time."

SRI T. PRAKASAM:—"I am coming to the end of my speech. I expected him to be interested in such things and that he would be patient. He should have to know all these things himself as he would have to work upon them if he has got a programme before him. Instead, he shows impatience."

"It is time that we give a warning to ourselves. Just as the first economic distress brought trouble and disaster upon the world; just as kingdoms failed, this time when the second world economic distress comes upon the world, it will bring disaster and wholesale ruin to the country, apart from atomic bombs and the West Punjab and East Bengal disasters. We must be very careful from now, each one must take interest in the matter, study the subject as to how we meet the situation when it comes upon us. I may tell for the benefit of my hon. Friend Mr. Anandan Nambiyar that the only country, that survived the cataclysm was the Soviet Union while all other countries suffered immeasurably. Whatever may be my attitude with regard to other matters, I am for adopting the Soviet economic plan both for this Province and for the Centre. We should not get hasty in understanding matters of an elusive nature. I do not wish to bore the House; my only concern has been to touch upon salient points both with regard to the provincial position and with regard to world position and how we have been making a mistake in following a policy of decentralization, of adopting a centralized policy and how a change is called for."

THE DEPUTY SPEAKER:—"The Hon. Dr. Rajan wants to make a statement touching the death of fourteen persons referred to in the course of the debate."

THE HON. DR. T. S. S. RAJAN:—"It is not my intention to intervene in this debate and I should have certainly reserved it to the last when I shall answer the various points that have so far been made. But unfortunately a rumour has been circulated and much discussion has centered upon that rumour. Therefore, I want to inform the House as to the exact value of the rumour from the Government point of view, so that the time of the House may not be wasted upon a speculative rumour which has no foundation in fact. We have called the Collector of East Godavari on the trunk telephone and he has been able to give this information. Since yesterday he has been consulting the Revenue Divisional Officer and the District Superintendent of Police, and

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he says that there is absolutely no truth in the allegation that there have been 15 deaths in the agency tracts of East Godavari district, due to starvation. This is the news that I wanted to give to the Members of this House."

DR. S. SUBRAHMANYA AYYAR:—"The deaths may be due to cholera, typhoid, etc."

THE HON. DR. T. S. S. RAJAN:—"It is only about deaths due to starvation that I wanted to inform the House."

DR. S. SUBRAHMANYA AYYAR:—"How can the Collector give the information on the telephone? Is it such an easy thing to get it on the telephone?"

THE HON. DR. T. S. S. RAJAN:—"I have made enquiries. This is the fact as stated by the Collector of the district. I should satisfy all the Members, and therefore I have given this information."

SRI V. RAGHAVAYYA:—"Will not Government be good enough to make further enquiries and give information to us tomorrow?"

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information, Madam. May I know whether the Government can tell us whether there were 14 or 15 deaths at all irrespective of the cause of death?"

THE HON. DR. T. S. S. RAJAN:—"No question of announcing the number of deaths. It was alleged that the deaths were due to starvation, and therefore we were eliciting information on a specific point. We had not asked the Collector to send us an extract of the birth and death registers of the Agency tracts. What we wanted was information on a particular point raised by the Members of this House in this debate. The information has now been given."

DR. S. SUBRAMANIAM:—"The hon. Member who raised this point, Mr. Lingaraju, is very correct in the facts. Will the Hon. Minister . . ."

THE DEPUTY SPEAKER:—"The Government will make further enquiries and will give information later. You have to wait."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Madam Deputy Speaker, it is so difficult for me to speak after a very brilliant and thought provoking speech of the hon. Mr. Prakasam. Whether the report of deaths is true or not, our intention is to tell the Government, who seem to be very blind in these matters, that the food situation is very serious, and it is high time that they realized it. From Guntur I have received information that due to lack of stock in the ration shops, only a day's doles are being given. In Rajahmundry also, subject to correction, the position is the same. We have come here after five months. What is the response of this Government? The Premier is invariably absent. He issues statements which more often than not does harm. Ministers who have entered into aggressive tour programmes saying that they have procured this here and that there, are absent. Have they

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really procured anything? If they have really done something, will it be the fate of this House that we have to address empty benches? Have they entered into a conspiracy with the Press which say, through and through, that they have procured something here and something there? We know from the paper reports how our Ministers have been received and what the receptions were. If only we can understand the receptions in the past that some of these Ministers had, we can know that there can be no procurement on their behalf. Whatever that is said in this House so far, this debate on food seems to be very unreal. The fact that the Government have allowed the other House to discuss the matter, and the fact that the Food Minister, without caring for what we are going to say, has committed himself and said something in the other House shows that the members of this House have been treated very shabbily and with contempt, because he has not waited to hear what the members of this House are going to say. He has categorically stated in the other House that he is not going to stop commercial crops. We do not care for what he is going to do, but he ought to have the courtesy at least to hear us and then come to his wonderful conclusions. I shall cite only one example to show how he commits mistakes many times as his other colleagues have been doing. Instead of doing anything positive, they have spoiled and smashed even the little good work that Mr. Prakasam was good enough to do. (Interruption.) That is why I said a little good work. Having done that, the Food Minister indulges in some thought provoking expressions. He says, as an angel has come to judgment, that no Government can look after the feeding of any country for ever. What does it mean? Has he understood what the very meaning of the word rationing is? Rationing, according to accepted terms, is an equitable distribution of any commodity that is not available for supply. When there is no demand on supply, the Government or any agency takes the equitable distribution of that commodity. When there is the demand for food more than the supply, the Government ought to take up the distribution of that commodity, and if you cannot do it, you do not deserve to be there. Not only the Food Minister, but all Ministers have not risen so far to the level of first rate men in this Province."

THE DEPUTY SPEAKER:—"You cannot say all these things."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I can say, because the Government are refusing to continue rationing in this Province. He has stated that in his pamphlet. The report he has submitted to this House is nothing but wailing and weeping on matters over which he does not seem to have any control. He has written that the Forest Department is not helping him. He is worried because the Grow More Food campaign has not helped him. He is not at all concerned with what we are going to say about our difficulties and experience, but he has rushed to the other House and said something which I hope he is going to stick to. If Dr. Rajan is noted for one thing (the one quality in him) it is that he will stick to his guns, and I hope . . ."

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THE HON. DR. T. S. S. RAJAN:—"This is an insinuation which I never sought."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"It is a qualification, Madam."

THE DEPUTY SPEAKER:—"I did not hear. What is the insinuation?"

THE HON. DR. T. S. S. RAJAN:—"I am sorry if you did not hear."

THE DEPUTY SPEAKER:—"I said that he should not say 'first rate men' or 'second rate men.' With regard to food policy . . . (Interruption by Abdul Salam Sahib Bahadur.) Even that you cannot say. I did not exactly hear what you said."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"If there is anybody who is responsible for this sorry plight in this Province it is the ministerial tangles; it is the speeches of the hon. Mr. Prakasham's followers, and nobody is responsible. There are members in the Congress who have not surrendered the paddy that they had. The surrendering of paddy by the Food Minister himself is the subject matter of a controversy in various papers. The fact that Mr. Ranga, the idol of Andhras, has not surrendered his paddy, is the subject matter of a discussion in the party meeting. Some of the Ministers themselves . . ."

SRI P. KANDASWAMI PILLAI:—"On a point of information, Madam. I want to know whether the hon. Member is talking on a censure motion against the Ministry or on the food problem?"

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I am censuring the Ministry for failure in solving this food problem."

THE DEPUTY SPEAKER:—"You are only criticizing the Ministry?"

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"We will certainly help the Province. (Interruption.) I am coming to the question now."

SRI M. G. NATESA CHETTIYAR:—"I want to know, Madam, whether we are discussing the food situation or about the past things that had happened. It is not quite possible to understand the hon. Member?"

THE DEPUTY SPEAKER:—"He will hereafter confine himself to the food situation. (Turning to Mr. Salam.) You are losing much of your time."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"But they are making me lose time. (Laughter.) My point was that this Government and the persons on whom they were depending are responsible for the bad situation in the Province. Here comes Mr. Ranga. For every sentence I cannot repeat . . ."

THE DEPUTY SPEAKER:—"So that Members may understand that you are on the food situation."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I am sorry if they are not able to understand it. (Laughter.) The Food Minister has not given the attention that he ought to have given. He has not come to places like Guntur and Kistna and he was fighting shy to go about these places, as he has been going to other places. What about the other Ministers . . ."

THE HON. DR. T. S. S. RAJAN:—"This is again an insinuation, Madam. If the hon. Member has read the newspapers, he will know that I have visited all the districts, i.e., from Vizagapatam in the north down to Tinnevely in the south. This is an allegation which I certainly challenge."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I said that he had not done what he ought to have done. (The Hon. Dr. T. S. S. Rajan: 'He seems to be saying about the duties of the Food Minister.') He has not visited all the districts. That statement is entirely false. (Interruptions.) The reason why this Province has to face a likely catastrophe is because of this Government and their followers. They have not themselves surrendered their paddy properly. I take only one instance. One Minister when questioned about procurement has said that 'I have given so much paddy to my workers.' In Andhra no less a person than Mrs. Ranga is looking after the paddy work rather than go about to U.N.O. conferences and giving lectures. What is the purpose of these Ministers going about not caring to give a hearing to the experience of their respective constituencies?"

"I request, Madam, that the Hon. Minister for Food should not be so very dogmatic as to the reasons for the trouble, and he should not think that he is only right in the remedies he suggests. Why was he not able to consider the humble suggestion that for some time to come at least commercial crops should be prohibited? Why is he dogmatic? What is the authority and where is the basis? He was angry in the other House when one Member suggested that the figures were wrong. I am sure the figures are certainly wrong, because they are not coming from the Secretariat direct; there are so many intermediaries, and it is possible that some of the figures are wrong. He may say I am not responsible for it. But why should he say that the figures are not wrong and swear by them. If the Government think they are not committing mistakes because of the figures at their disposal, it is better for them to revise their opinion about costs and about the way in which they handle this problem. This report is a pure confession of helplessness for doing nothing. The remedy he suggests is like a cat closing her eyes while drinking milk. It is because he has not suggested any way out of it. He will say 'I discontinue rationing.' What has he done, permanent or temporary, I ask the Minister. Has he done anything except to continue the old rotten system of passing orders from the Secretariat? Has he done anything in a long range view? Has he done anything on a permanent or emergency basis? Has he spent money for anything? He is continuing the same old rotten system. Not only that; when

[Mohamed Abdul Salam Sahib Bahadur]

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people are content with this rationing, he wants to stop rationing. He wants rationing to be stopped in surplus districts. Guntur was once a surplus district. Now it is a self-sufficient district. Very soon it will become a deficit district. We can make and unmake these figures, and we can even convert a male into a female. (Laughter.) If you are converting a deficit district into a surplus district . . . (Interruption.) It has been suggested by a high medical authority that by a process of operation you can convert a male into a female. But that would have been possible for Dr. Rajan if he had confined himself to his profession and not come into politics.

3.45 p.m. “Madam, food committees also are responsible for the present situation. Mr. Prakasam may have a parental affection to these societies and committees; but certainly they have also contributed to the general confusion that has been created in this Province regarding food. It is high time they are abolished *in toto*. It was rumoured that food committees and societies were created for one year. But now even the Ministers do not know whether they are to continue for one year or for several years. Regarding producers-cum-consumers societies, I submit, the Government should place before this House a record of their achievements. It has also appeared in the newspapers that they can do something substantial. We have to consider whether we can get any help from them before they are continued. And lastly, Madam, it is necessary that we should ask the Minister for Food to revise his opinion expressed by him in the Council. Thank you.”

*SRI M. KANNIAPPAN:—“உப தலைவர் அவர்களே, இன்றைய தினம் உணவு பிரச்சனையைக் குறித்து பேசுவண்டிய நிலைமையில் நாம் பேசுகிறோம். இன்று உணவு நிலைமை விஷயமாக நம்முடைய மாகாணத்தில் எப்படி இருக்கிறது என்பதை மிக முக்கியமாக கவனிக்கவேண்டியது நம்முடைய கடமை. அந்த கடமையில் நாம் இப்பொழுது இருக்கிறோம் என்றால் ஒரு விதத்தில் பஞ்சம் வந்து விடுமோ என்கிற பயம் நமக்கு இருக்கிறது. அந்த நிலைமையை நாம் எப்படி எதிர்க்கலாம் என்று நாம் பார்க்கிறோம். அப்படி பார்க்கிற நிலைமையில் இந்த மக்களை காப்பாற்ற அநேக பொறுப்பை எடுத்துக்கொண்டிருக்கிறவர்கள் இன்று அந்த நிலைமையை கவனித்து வருகிறார்களா என்பதை பார்க்கும்போது அந்த Port folio வைத்துக்கொண்டிருக்கிற நம்முடைய Dr. இராஜன் விஷயத்தில் கூட எதிர்ப்பும், உணவு புகார் வந்ததையும் நாம் மறக்கமுடியாது. அது மாத்திரம் அல்ல. ஆந்திர ஜில்லாவிலிருக்கிற தலைவர்களைப் பார்த்தால் இந்த உணவு விஷயமாக அநேக எதிர்ப்பு இருப்பதாகவே இருக்கிறது என்றால் அவர்கள் பதவிக்காக அரசாங்கம் நடத்துகிறார்களே அல்லாமல் பொது ஜன நன்மைக்காக நடக்கவில்லை என்கிறது. அந்த மாதிரி தான்யங்களைக்கொடுக்க வேண்டாம் என்று சொல்வதாக பத்திரிகையில் வந்திருக்கிறது. அது ஏன் அப்படி இருக்கிறது? பொதுவாக நாம் பார்க்கும்போது பதவிக்காகவே இருக்கிறார்கள் என்பதை நாம் பார்க்கிறோமே ஒழிய இந்த தேசத்திற்கு உழைப்பதாக இல்லை. இப்பொழுது மக்கள் இந்த நிலைமையில் இருக்கிறதைப் பார்த்தால் சில இடங்களில் இவர்களுக்குப் பதவி கிடைக்கவேண்டுமென்று அபிப்பிராயம் கொண்டிருக்கிறார்கள் என்று சொல்லவேண்டியதாக இருக்கிறது.

“இப்படி இருந்தால் இன்றைய நிலைமையை கவனிக்கவேண்டுமென்று நினைக்கும்போது இப்பொழுது எட்டு அவுன்ஸ் அரிசி கொடுக்கிறார்கள். இந்த எட்டு அவுன்ஸ் அரிசி ஏழை தொழிலாளர்களுக்கு போதுமா? இந்த

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எட்டு அவுன்ஸ் அரிசியை வைத்துக்கொண்டு நமக்கு நாலு நாள் தான் சாப்பிடுவதற்கு முடிகிறது. மூன்று நாட்கள் பட்டினி கிடக்கவேண்டிய நிலைமை ஏற்படுகிறது. இந்த மூன்று நாட்களுக்கும் blackmarket-ல் அரிசி வாங்கும் நிலைமை மக்களுக்கு ஏற்பட்டிருக்கிறது. அவர்கள் ஆகாரம் இல்லாமல் என்ன செய்யமுடியும். மூன்று நாள் பட்டினிகிடந்து எப்படி வேலைக்குப் போவார்கள். இப்பொழுது blackmarket-ல் எப்படி விற்கிறது என்றால் ஒரு படி அரிசி ரூ. 1-4-0, 1-8-0 என்று கொடுத்து அரிசி வாங்கி உயிரைக் காப்பாற்றிக்கொள்ளும் நிலைமையாக இருக்கிறது.

“அது மாத்திரம் இல்லை. அதிக உற்பத்தி செய்கிற இடங்களில் அங்கே இருக்கிறவர்கள் அதிக உற்பத்தியுள்ள தான்யங்களை வாங்கிக்கொடுக்கிற களோ என்று பார்க்கும்போதும் அங்கே நியமிக்கப்பட்டிருப்பவர்கள் தான் யத்தை வாங்கி கொடுக்கிறார்களா என்று பார்க்கும்போதும் அது இல்லை. கிராமங்களில் கணக்குகள் சரியாக கொடுத்ததாக தெரியவில்லை. சில கிராமங்களில் பெரிய மிராசுதார்கள், 100, 200 ஏக்கர் வைத்துக்கொண்டிருக்கிற மிராசுதார்கள் நெல்லை வைத்திருக்கிறார்கள். ஆனால் ஏழை விவசாயி 5, 10 ஏக்கர் நிலம் வைத்துக்கொண்டிருந்தால் அவர்களிடம் வாங்கி விடுகிறார்கள். இவைகளை இந்த Portfolio வைத்திருக்கிறவர்கள் கவனிக்கவேண்டும். பெரிய மிராசுதார்களும், பணக்காரர்களும் வைத்துக் கொண்டிருந்தால் அவர்களை வற்புறுத்தி வாங்குவது கிடையாது. இன்றுள்ள நிலைமை அப்படி இருக்கிறது. ஏன் அப்படி சொல்லுகிறேன் என்றால் இந்த நூறு ஏக்கர் நிலம் வைத்திருக்கிறவர்களுக்கு அதிகமாக நெல் வந்திருக்கிறது. மூட்டை கட்டி வைத்திருக்கிறார்கள். அதை அவர்கள் கொடுப்பது இல்லை. நாங்கள் என்ன செய்யமுடியும்? அவர்களிடத்தில் கலெக்டரும், ரெவினியூ ஆபிசர்களும் பயந்து கொண்டிருக்கிறார்கள். ஏழைகளிடத்திலிருந்து மூட்டைகளை பிடுங்கி எடுத்துப்போகிறார்கள். இந்த மாதிரி நிலைமையை மாற்றியமைக்கவேண்டும். அது மாத்திரம் அல்ல. அதிக உணவு உற்பத்தி செய்யவேண்டுமென்றால் அதற்கு புண்ணுக்குக் கொடுக்க வேண்டும். புண்ணுக்குக் கொடுப்பதைப் பார்த்தால் ஏழைகளுக்கு ஒருவிதமாகவும், பணக்காரர்களுக்கு ஒருவிதமாகவும் கொடுக்கிறார்கள். இந்த புண்ணுக்கெல்லாம் லஞ்சம் கொடுக்கிறவர்களுக்குத் தான் போகிறது. இன்னும் லஞ்சம் ஒழியவில்லை. இன்று பஹிரங்கமாக அதிகாரிகள் சொல்லுகிறார்கள் பணம் கொடுத்தால் தான் கொடுப்போம் என்று. இதைத் தடுப்பது முடியவில்லை. பணம் கொடுத்துத் தான் விவசாயத்திற்கு வாங்கவேண்டுமென்ற நிலைமை இன்னும் ஏற்பட்டிருக்கிறது. இன்னும் கூலி ஆள்களுக்கு நெல்லை வைத்துக் கொண்டு சரியாக கூலி கொடுப்பது இல்லை. இதனால் பல இடங்களில் விவசாய கூலியாளர்கள் விவசாய தொழிலுக்கு வராமல் strike ஏற்பட்டிருக்கிறது. Strike ஏற்பட்டதனால் ஏர் உழுவதற்கு ஆள் இல்லாமல் நிலம் விவசாயமாகாமல் இருப்பதை சில இடங்களில் பார்த்திருக்கிறேன். இங்கே ஒரு இடத்தில் செங்கல்பட்டு ஜில்லாவில் ஒரு கிராமத்தில் ஒரு அய்யங்கார் கூலி சரியானபடி கொடுக்கவில்லை. அதனால் சாகுபடியாகாமலிருக்கிறது. சரியான கூலி கொடுத்தால் ஏர் உழுவதற்கு தயாராக இருக்கிறார்கள். மூன்று மாதமாக strike நடக்கிறது. நான் நேரடியாகப் பார்த்தேன். உடனே அரசாங்கம் ஒரு உத்திரவைப் போடவேண்டும். அந்தமாதிரி விவசாயம் செய்யாமல் இருந்தால் அவருடைய நிலத்தைப் பிடிங்கி ஏழை விவசாயிகளுக்கு தலைக்கு ஐந்து ஏக்கரா கொடுத்து விவசாயம் செய்யச்சொல்லுவோம் என்று ஒரு உத்திரவைப் போடவேண்டும். இதில் அரசாங்கத்தார் கண்ணும் கருத்துமாக இருக்கவேண்டும். இன்னும் சில இடங்களில் தான்யம் விவசாயம் செய்யாமல் கரும்பு பயிர் செய்கிறார்கள். அதைத்தடுத்து தான்ய உற்பத்தி செய்யும்படி செய்தால் நாட்டில் பட்டினி இல்லாமல் மக்கள் உயிருடன் வாழ்வதற்கு சௌகர்யமாக இருக்கும். இதை முதலில் செய்யவேண்டும். இன்னும் ஒன்று செய்யலாம். யுத்தம் ஆரம்பித்தகாலத்தில் எத்தனையோ யந்திரங்களை பார்த்தோம். ஒரே மரத்தை தூக்கி எரிந்துவிடக்கூடிய யந்திரத்தைப் பார்த்தோம். அந்த மெஷின்களை நல்ல எரிகள் இருக்கிற இடத்தில் கொண்டுவந்து அவைகளைவைத்து பயிர்செய்து ஜலம் பாய்ச்சவேண்டும். எரிகள் மூலம் கால்வாய்கள் வெட்டி ஒவ்வொரு ஏரிகளிலிருந்து தண்ணீர்

[Sri M. Kanniappan] [25th September 1947]

வரும்படி உடனடி செயல்வேண்டும் அப்படிச் செய்தால் இந்தாட்டில் பஞ்சம் வராமல் காப்பாற்றிக்கொள்ள முடியும். இந்த முக்யமான விஷயங்களை அரசாங்கத்தார் கவனிக்கவேண்டும். இதுமாதிரமல்ல, எந்த விவசாயி அதிகம் தான்யம் உற்பத்தி செய்கிறானோ அவனுக்கு நல்ல வெகுமானம், Prize, தருவதாக ஒரு திட்டம் வகுத்தால், உடனே விவசாயிகள் தான்ய உற்பத்தியில் முன்வந்து அதிகம் பயிர் செய்வார்கள். இன்னும் பல இடங்களில் நிலங்கள் கரும்பாகவே இருக்கிறது. எங்கிலும் ஒவ்வொரு கலெக்டரும் சுற்று அறிக்கையிட்டு, எங்கே புரம்போக்குநிலம் இருக்கிறதோ அங்கே உள்ள ஹரிஜன சகோதரர்களுக்கும், நிலம் இல்லாதவர்களுக்கும் உடனே நிலத்தைக்கொடுத்து பயிரிடும்படி ஏற்பாடு செய்யவேண்டும். இதற்கு அரசாங்கத்தார் ஒரு திட்டத்தை வகுக்கவேண்டும். அப்படிச் செய்தால் மிகவும் நன்றாக இருக்கும். இன்று சில இடங்களில் அநேகர் இறந்துவிட்டார்கள் என்று Sri T. Prakasam தெரிவித்தார்கள். எப்படி இறந்துவிட்டார்கள் என்பதை நம்முடைய மந்திரி அவர்களும் தெரிவித்தார்கள். அந்தமாதிரி இறந்துவிட்டார்கள் என்று மாகாணத்தில் ஒரு கெட்டபெயர் வந்தால், அது யாரைச்சேரும் என்பதைமாதிரி ஒருகுறி கோளாக நினைத்துக்கொள்ள வேண்டும். அரசாங்கத்தார் காங்கிரஸ்காரர்கள்; பொதுஜனங்களுடைய அரசாங்கம்; பொதுஜனங்கள் பட்டினி இல்லாமல் பார்த்துக்கொள்ளவேண்டுமென்கிற எண்ணம் வேண்டும். 1942-ம் வருஷம் ஏதோ வெள்ளையன் ஆட்சிசெய்த அன்று வங்காளம், மலபார் முதலிய இடங்களில் பட்டினியால் 35 லட்சம்பேர்கள் இறந்துவிட்டார்கள். இவைகளை கூட்டங்களில் பேசினோம். அந்தநிலைமை வராமல் மக்கள் பசிப்பினியில்லாமல் பார்த்துக்கொள்வது நம்முடைய காங்கிரஸ் மந்திரிகளுடைய கடமை என்பதை உணரவேண்டும். கடமைதவறினால் பொதுவாக சொல்லுகிறேன் இன்று ஜனங்கள் அழுத்தி வைத்திருக்கிறார்கள். ஜனங்கள் அந்த இடங்களை கொள்ளையடித்து கொண்டு போனால் எந்த அரசாங்கத்தாராலும் தடுப்பது முடியாது. அவர்கள் உயிரைக் கொடுப்பதற்கும் தயாராக இருப்பார்கள் என்பதை தெரிவித்துக்கொள்ளுகிறேன். பசிவந்தால் பத்தும் பறந்துபோகும் என்பார்கள். எந்தமுறையில் எவ்வளவு செய்தும் நம் மாகாணத்தில் பசியைப்போக்குவது நம்முடைய காங்கிரஸ் மந்திரிகளின் கடமை. இவர்கள்மேல் புகார் இருக்கிறது என்றால் இல்லையென்று சொல்வதற்கு இல்லை. இருக்கத்தானிருக்கிறது. தப்பு செய்தால் அதை திருத்தி அமைத்துக்கொள்வதுதான் நியாயம். அதுதான் இந்தாட்டிற்கு செய்யவேண்டிய கடமை. ஒரே ஒரு விஷயத்தைச்சொல்லி முடித்துக்கொள்ளுகிறேன். நிலங்களில் கரும்பும் பயிரிட்டிருக்கிறார்கள். அதோடு வெற்றிலையும் பயிரிடப்பட்டிருக்கிறது நெல் விளையும் இடங்களில். அதற்கு காரணம் அவைகளில் பணம் ஜாஸ்திவருகிறது என்கின்றார்கள் விவசாயிகள். அதற்கு ஒரு சட்டம் விதிக்கவேண்டும். ஐந்து ஏக்கர் நிலம் இருந்தால், கரும்பு பயிரிட்டுவிட்டு மூன்று ஏக்கராவது நெல்லாக பயிரிடவேண்டும் அதிகமாக உணவுகள் பயிரிடவேண்டுமென்றும் கேட்டுக்கொள்கிறேன்.”

* SRI K. ANANDAN NAMBIYAR:—“Madam, Deputy Speaker, while placing before this House my views and those of the workers and peasants, whom I represent, I have to bring to the notice of Government certain facts. Now, Madam, as per the statement placed by the Government on the table of the House 54.51 lakhs of tons of rice were imported into this Province from Burma previously. One of the reasons for the distress in food is that that quantity is not now available. The Hon. Minister has stated in another paragraph of that statement, that last year there was an excess production of five lakhs and fifty-four thousand tons. If the increase in production was real, the deficit this year could have been made up out of this. Another point to note is that the figures of production shown for each district are too small. In East Godavari the paddy produced is shown as 348,000 tons; whereas the target fixed is 121,500 tons; thus the quantity to be procured is only one-third of the total production expected. And

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out of this quantity produced, the amount so far procured by Government is 100,389 tons. Therefore, when compared with actual production, the quantity procured is very negligible in East Godavari. In West Godavari 413,000 tons of rice were produced; while the target figure of procurement is 289,100 and the actual quantity procured is 173,946 tons. In Tanjore district production amounts to 587,000 tons; the target figure of procurement is 264,200 and the amount procured is 209,573 tons. In the other districts also procurement is very bad. Now, the reason given by the Ministry for bad procurement is that there is a glamour among Ministry for bad procurement is that there is a glamour among producers that the price given by the Government for paddy is low. Sir, the attitude of this Ministry as well as that of the previous Ministry is responsible for this impression. They first declared that the price of rice will not be increased, and subsequently they raised it by giving a bonus. So even now the producers expect a rise in price and so they hoard their rice. Thus the policy started by Prakasam Ministry and continued by this Ministry is responsible for hoarding. If the present Ministry is serious about procurement, they can get with it. It is not enough if here and there force is resorted to in procuring rice. All middlemen, all wholesale-dealers and all big landlords should be warned that if within a particular date they did not surrender their surplus stock at the price fixed by the Government, the stock will be taken away forcibly and they will be prosecuted. Legislation or ordinance is necessary for this on the lines passed in Bombay. So unless the Ministry is serious about procurement there is no chance of success.

“Again, the Minister has said in his statement at page 10:

“A sub-committee of the Council has been set up to go into the question of prices and suggest suitable prices to be paid for the new crop. As soon as its recommendations are received and examined by the Government, they will try their best to persuade the Government of India to agree to the fixation of prices which, while bearing the interest of consumers in mind, do justice to the producers.”

“Now what does it show? Even this Ministry is agreeable to raise the price of rice. Now, if the producers see this, they will naturally hoard the rice and refuse to surrender it to the Government. Thus the Ministry does not take any positive attitude. On the other hand they say, ‘there is no co-operation from the people.’ I can give the Minister instances after instances, where people are willing to co-operate, but, is the bureaucrats, the officials, the district officers and the purchasing officers who are not co-operating. I will give one typical instance. There is a village called Andapalayam, three miles from Tiruppur. One Iswaramurthi Gounder, a biggest landlord, dwells there. He had hoarded a lot of paddy with him. The workers of Tiruppur and Mill Labour Union got scent of it and spotted out the place of hoarding. They informed the Tahsildar that in such and such place there is hoarded rice. All this happened on the 13th of this month. The Mill Labour Union workers surrounded the house of Iswaramurthi Gounder and sent word to the Tahsildar to rush to the place. But the Tahsildar did not pay any heed, but replied back saying that he

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was going on tour to Palladam. Thereupon the workers informed the Police and the local Congressmen. One Abdul Khadar, a local Congressman, sought the help of the Police. In the meanwhile the Tahsildar sent information to the Goundar that such and such a thing was going to happen and he would save him if he agreed to give him so many bags of paddy. But the Goundar could not do anything as the surrounding men would not yield. Finally the workers got 276 bags from the Goundar. I can quote several such instances; but as I have no time I stop with this one instance. This shows that the workers and kisans are willing to co-operate. So the Ministry should instruct the district officers, the bureaucrats and officials to receive the co-operation of non-official organizations and public bodies. And they must also punish these corrupt officers. May I ask how many of the corrupt officers in the Revenue Department have been punished so far? There are several officers who have earned in lakhs and lakhs in the last few years and few have been punished. So you see, Madam, it is the Government officials who have not co-operated with the people and it is not the people who are not co-operating with the Government.

"Now, the Ministry is thinking of abolishing informal rationing in rural areas. Have the Government considered for one moment what the consequence of such a step will be? Before ration was introduced in the villages, blackmarketing was going on there. People could not get even one measure of rice there. I wonder with the statutory 8 ounces of rice ration how the Government think of taking such a step. I want to warn the Government on the floor of this House that if informal rationing is removed death will surely take place in hundreds. So it is a wrong policy for the Government to pursue.

"Another thing is if in surplus areas formal rationing is removed that alone will give rise to blackmarketing. In no form should the price of rice be increased. If it is done, it will only lead to hoarding and hoarding and hoarding. There is no use in increasing the price of one commodity. There is no use of saying that so and so is agitating for increase of salary, that the workers are asking for increased salary, the school teachers are asking for increased salary and that the Non-Gazetted Officers are asking for increased salary.

(At this stage the bell was rung intimating that he should finish his speech.)

"Madam, I have expressed that I am expressing the opinion of a small party inside the Legislature, and so I request I should be given extra time to speak. I am giving not destructive criticism and so I request the time-limit in my case may be extended. Procurement will be a success if force is applied. But force should be used not against the middle class people, the peasants and tenants. It should be used against real hoarders. Locks must be broken up and the Police and social workers should go to every godown and examine and bring away all surplus stock. No mercy should be shown to the hoarders; because they are killing people

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inch by inch by making them starve. It was reported that the Hon. Prime Minister had said that force would be used in Andhra area to procure food. I don't see why he should use force only in Andhra area only. Force should be used wherever there is hoarding.

"On the question of Grow More Food I have to submit that this Government, though they are spending money, are not practically supporting the people to grow more food. I can cite one instance. In North Malabar, in Mangat poramboke people, the communists, started a co-operative movement of cultivation. The extent of the poramboke is 20 acres, and we planned to plant ten thousand plants of tapioca. So the peasants occupied that poramboke, but the Government instead of extending their help promulgated an ordinance and arrested the peasants on the ground that the communists wanted to take possession of the land.

(At this stage the bell was rung and the hon. Member was asked to resume his seat.)

"I have already submitted to you, Madam, to give me some more time to speak."

THE DEPUTY SPEAKER:—"No extension of time is possible. I would request the hon. Member to resume his seat."

SRI M. P. GOVINDA MENON:—"Madam Deputy Speaker, 4-15 p.m.
all the persons who take part in this debate, the Hon. Ministers who control the administration and the people at large; all agree on one point, that we are face to face with a big crisis, a crisis which does not look to be a temporary one, but a crisis which may last for some years in this Presidency. It is conceded that we have to depend upon ourselves for our own food. It is feared that the Central Government will not be in a position to help us. It is feared that we are not likely to get any imports from other parts. Therefore the only solution for this problem is to get the maximum procurement from the producers and somehow or other pass the crisis days.

"Madam, there are two ways of meeting the crisis. One is the good old way which the bureaucratic Government has been using for many years. That is the method of using the big stick. The other method is the democratic method of trusting our own peasants, our own tillers and our own ordinary people. I may tell the Government, Madam, that if they try to follow the good old method of the bureaucratic departments of using the big stick, relying upon the sword and relying upon the help of the various departments working under them, there will be a big failure. Madam, the big stick will be a good weapon in the hands of persons who are trained in using it. But we are not trained in that way. The bureaucrats were trained in using the big stick and they might have been perhaps successful to some extent in applying the stick. But I may assure the Government that the stick will break in our hands, because we are popular representatives and because this is a people's Government. If this Government tries to use the stick the stick will be broken in their own hands; not only the stick will be broken, but the hand which uses the stick will be broken.

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I therefore request the Government not to adopt that bureaucratic method of applying the big stick to meet this crisis. The only way is to believe, to have faith in our own people, to have faith in the villagers and to have faith in the ordinary people and appeal to them. It was with this idea that the previous Ministry started the experiment of having food committees throughout the Presidency. It was attempted very boldly. Then the villages woke up. The question of procurement and the management of the distribution of food was entrusted to people's representatives in the villages. It was the beginning of the village republic. It was the planting of the seeds in the villages to grow up into big trees of the village republic whereby they could manage their own economic affairs. Now, Madam, there is a hue and cry against the village food committees and even the statement made by the Hon. Minister for Food contains a warning that these committees might be abolished. I can conceive, Madam, that some committees might not have been working properly. There might have been factions in some villages. But are there not factions in other spheres and directions? Now we have got freedom from the British rule. Are there not quarrels in the country? On account of that are we going to give up our freedom because there is trouble in the country so soon after our getting freedom? The same is the case in the villages. There might have been factions. But we can get over those factions and train the villagers. Madam, out of 29,000 food societies in how many are there troubles? You hear only of committees where there is trouble. You do not hear of those committees where there is no trouble. There are thousands and thousands of enthusiastic workers who manage the committees and do the unpleasant and very difficult task of distributing things which are not sufficiently available. Those gentlemen who run the village committees, they take the entire blame of this Government; they do the work for this Government and they are trying to shield this Government from the anger of the people. For doing this noble work, now there is an attack on the village committees. I ask the Government, Madam, what are the facilities which they give to these village committees which are working. They are not given stationery, they are not given any help. On the other hand they are attacked from all sides by these departments.

"Madam, there is a sentence in the statement of the Hon. Minister for Food that these village committees have underestimated the yield. I ask in all seriousness, from where did the Hon. Minister get this fact. As far as the Malabar district is concerned, I speak here as an authority, not even a single village committee was given the data to find out the yield of the crops. They were given the data after the harvest was over. What is the use of giving the figures after the harvest is over? That means, Madam, the village committees are not trusted. They are not encouraged. If they are trusted, I am sure that these 29,000 village food committees will be able to solve this big problem.

"In the matter of procurement the previous Ministry wanted to adopt the democratic method of having the producer-cum-consumer co-operative societies. My district had the honour

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of having these societies to start with. I may tell you, Madam, it is a very very grand success in the district. The whole district is revolutionized after the starting of these producer-cum-consumer societies. When compared with the figures of procurement for the previous years under the management of the wholesalers you will see that the results shown by the producer-cum-consumer societies is 5,000 and odd tons more and that too, when the whole district is taken, out of ten taluks only two taluks are surplus taluks and when worked in terms per cent it works out to 70 to 80 per cent. Such is the grand success of the producer-cum-consumer societies in Malabar.

"I ask the Government, Madam, whether they are encouraging these societies in Malabar. It is good, that it is very often said that it is a success in Malabar. But I am afraid the attitude here is a desire to wound but afraid to strike. I am afraid the departments working under this Ministry in the matter of the producer-cum-consumer societies are under the impression that this Ministry is against these producer-cum-consumer societies and on that basis they are beginning to attack the societies. So far these societies are not co-ordinated; they are given no facilities to be united and work together. I request this Government at least as far as Malabar is concerned to help us and to leave us alone in formulating food policies and programmes to enable the societies to work in co-ordination. Whatever may be the fate of the Northern Circar societies, I may say bravely that if the Malabar societies are touched there will be a revolution in the district. Those are not societies belonging to one community. The Mappillas are taking a keen interest. They have become societies not only of the Hindus of this class or that; they are the societies of all the people. I know that the Mappillas are taking a very real interest in the societies. A large number of the shareholders are Mappillas and they run the societies. There is no quarrel whatever as far as the societies in the Malabar district are concerned.

"There is a talk that rationing may be abolished in the surplus districts. How can you run the rationing in the deficit districts if you are not going to have rationing in the surplus districts? If rationing, informal or otherwise is abolished in the surplus districts, I ask seriously, how will they run rationing in the deficit districts. I am afraid, Madam, my district of Malabar which is a deficit district will suffer. There we are having no informal rationing in the rural areas. There is statutory rationing throughout the district. Everywhere every man is given his quota by the ration shop run by the societies. If the surplus districts are favoured and rationing is abolished, I am sure, there will come a day when you will not be able to give food to the deficit districts.

"The other day my hon. Friend Mr. Karanth took Malabar to task for depending upon the rest of the presidency for two-thirds of its food requirements. I ask in all seriousness, how is Malabar responsible for that situation. There were days when Malabar was self-sufficient for its food, and Malabar was able to meet the demands

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from outside. It was only when Malabar became part of this presidency for the last 150 years that it has come to such a plight. What has the Government of Madras done to increased food production in the Malabar district? When crores and crores were spent in the Telugu districts and the Tamil districts on irrigation schemes a paltry sum of Rs. 2,000 was spent in Malabar for the last 200 years. It is the generosity with which we were treated and you now turn round and say that Malabar does not produce its own food. Now you should feel for the past sins you have committed. I demand at your hands, people from the surplus districts, you must procure food and feed the people of Malabar during this crisis.

"There is another sentence in the statement of the Hon. Minister for Food. He says: 'No Government can carry on feeding the people for ever.' It amounts to this, viz., that the Ministry finds it difficult to carry on the rationing system. May I ask with all respect: 'Why are you here if you cannot feed the people of this presidency?' No doubt these are critical days. At least you can give the minimum food. Already you have reduced it 8 ounces, with two ounces of stones and other things. Even this dirty food if you cannot serve what right have you to exist here? What right have you to call yourselves a Government? I may warn ourselves and the Ministry that the people hereafter may not suffer this. We are dealing with a different set of people after the 15th of August. They are conscious of their power. They know they are the masters of the country. If you are not able to feed our people, if you are not able enough to introduce statutory rationing throughout the Presidency and start producer-cum-consumer societies throughout the province both in the surplus and the deficit districts and take courage in both hands and control the production, procurement and distribution throughout the province and also introduce statutory rationing throughout the presidency, which is the only way of feeding the people in this crisis. If the Government say that they are not in a position to do that, I say there will come a day when every man will rise up, not in a far distant date, but in the very near future. I may tell you Madam—not you in particular Madam Deputy Speaker, I tell the Government, and the House—and say 'for Heaven's sake do go.'"

* BEGUM SULTAN MIR AMIRUDDIN:—"Madam Deputy Speaker, as I am not well and as I want to go away I should like to finish my speech before the gentleman, particularly as I was told by you, that after the last speaker I would be asked to speak.

"I am sorry to note that women have not participated in an important debate such as this and that I am the only woman taking part in this discussion. Our women members should take greater interest in vital matters affecting the well-being of the nation. I wish to speak to-day particularly as no woman has yet spoken on this subject which concerns women as much as men, otherwise I would have gone away as I am not well.

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"A few years ago when our feelings were harrowed by the tragic Bengal famine little did we imagine that within a few years our province too would be reduced to sombre straits in regard to the means of subsistence. To-day the province of Madras happens to be the least rationed province in the whole of India, yet it is a matter for regret that the Central Government has not evinced with it that sympathy nor come forward with the relief which the occasion has demanded. This attitude of the Centre towards the food requirements of this province has intensified the apprehensions of the people of the South that the clamour for a strong centre might result in the neglect of this Southern Province. It is therefore necessary to impress upon the Central Government the imperative need for adopting a more liberal policy with reference to the food requirements of the Madras Presidency and it should be emphasized that if there is to be an All-India foodgrain policy there should also be an All-India ration uniform throughout the country. I understand that in Delhi the food ration has not been reduced, because they have adequate reserves. Well, if the food ration has not been reduced in New Delhi, I ask, why should Madras have been compelled to reduce its ration? If stocks are insufficient why should not all the provinces share the scarcity instead of Madras alone feeling the pinch so grievously.

"Coming now to the methods whereby the food situation can be improved by our own efforts, it is evident that in the first place we have to intensify and stimulate production, which is the basis for procurement. In order to achieve this it is necessary to implement the recommendation of the Woodhead Commission, namely, that the ryot should be assured a fair price for his produce. When there is a heavy rise in the price of manure, cattle, fodder, agricultural implements, etc., it is not reasonable to expect the agriculturists to be satisfied with the old prices. Especially when foreign producers in Brazil, Burma are offered by the Government high prices for the foodgrains purchased, the local producers feel that they should not be denied a fair price. Hence we should urge upon the Central Government to permit an increase in the price of paddy in this province. At the same time I wish to emphasize that the burden of this increase in price should be borne by the Government, i.e., partly by the Central and partly by the Provincial and that no portion of it should be transferred to the consumer, for that would strengthen the forces of inflation. No doubt this would prove a very heavy burden on the Exchequer, but since it is the prime duty of the State to feed the people, I think that this heavy burden must be borne by the State.

"It is a matter of regret that the Grow More Food Campaign has not been a success in this province. Of course I am aware that the entire blame for this failure cannot be laid at the doors of the present Ministry, for after all it has been in office only for six months and that it must be recognized that the responsibility has to be shared by the previous Ministry as well. I hope

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now that Dr. Rajan, who is an expert farmer himself, has taken up this matter in right earnest this Grow More Food Campaign will prove a real success soon.

4.30
p.m.

"In order that the Grow More Food Campaign may be a success, we have to investigate the causes of the failure and set in motion remedial measures. Evidently the lack of irrigation facilities, electricity, manure, agricultural implements, etc., has been mainly responsible for the failure. With reference to agricultural implements and manure, they should be so distributed as to yield the best results. Intensive cultivation is the need of the hour and it is better to concentrate on lands areas where we can be sure of a good harvest than to fritter away one's resources in places which are not likely to yield such good results. Further there should be a scheme of restriction on the cultivation of non-food crops and until the crisis is tided over, no one should be allowed to convert an area under food-crops into that under cash crops without the permission of the Government. The Government should also provide a large quantity of substitute foodstuffs to cereals and also intensify fish production and popularize the consumption of the same.

"It is indeed a matter of considerable regret to see that political differences within the ranks of Congressmen themselves have made the food situation more acute and precarious than it would otherwise have been. On an occasion like this, when the country is faced with a grave crisis, on an occasion when lives of millions are in jeopardy, it passes one's comprehension how group and sectional differences in the ranks of Congressmen should have made them lose sight of the common weal and restrict procurement. The task of tackling the food problem is one towards the solution of which every one should strive, irrespective of the group or party to which he or she belongs, then and then alone, will it be possible for the Government to tide over the present crisis. So far as the members of the Muslim League are concerned we are all wholeheartedly at one with the Government in their efforts to tackle the food situation and we are prepared to render them every possible assistance. I feel that if in the matter of procurement the Government are not able to achieve successful results by persuasive devices they cannot be blamed, if in order to save the lives of the people, which is their primary duty, they are compelled to resort to strong measures.

"Another point to which I wish to advert is that I am sorry to learn that the Government intend to abolish rural rationing, except in Malabar, and give up statutory rationing in towns in the surplus districts. If rural rationing and statutory rationing in surplus areas are abolished it will become very difficult for the poor to get even their eight ounces of rice at the controlled prices. In a deficit economy we cannot think of doing away with controls. The prime responsibility of a people's Government is to feed the people and no Government can shirk that responsibility during a time of crisis. I wish to emphasize that independence will be measured by the common man in the scales of the essentials of

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life. If these are not forthcoming at reasonable prices, I am afraid the political structure will be subjected to tremendous onslaughts. Bearing this in mind, the Government would be well-advised to do their utmost to provide the common man with his means of subsistence at reasonable prices, to secure which end rationing in rural and urban areas should be continued until the crisis has been tided over.

"Another point to which I wish to draw the attention of the Government is that they have not done all that they could and should to eliminate black-marketing—that Frankenstein which has emerged out of the cauldron of the last war. It is high time that they should give their earnest attention towards the eradication of this evil. I am of the opinion that black-marketers should be given exemplary punishments and should be subjected to imprisonment and not merely to fine. I understand that the Government of Bombay have taken a step in this direction. It is necessary that the Government of Madras follow suit. A factor that serves as an incentive to the black-marketers is the tendency on the part of the well-to-do people to indulge in parties and festivities in these hard days. Though, the Government have limited the number of persons to be invited to parties where eatables are served, it is a matter of common knowledge that this rule is respected more in its breach than in its observance and that numerous parties have been and are being given in contravention of the rules. It is very necessary that the women of the land, particularly society women, should co-operate with the Government in solving the food crisis. This they should do not by passing resolutions but by practising self-denial and desisting from the temptation of indulging in parties and festivities. Even in these difficult days it is a matter of regret to note that hardly a day passes when society women in the city of Madras do not attend or give parties. I receive many invitations but at a time when famine is staring the country in the face I have made it a point not to accept invitations nor to give parties for there can be no gainsaying the fact that in these hard days, even if one strictly abides by the Government rules and limits the number of guests to thirty, since everything, viz., rice, sugar, wheat, fuel, etc.—is rationed, one does resort to the black-market to buy the articles that are needed for the party. It is the existence of those anti-social elements in the body politic who indulge in parties and festivities in these days that is responsible for the black-marketers thriving, for if there were no buyers of black-market goods, there would be no sellers there. At a time like this when the country is faced with a crisis, I would commend to those in authority and also to other individuals the example of the great Caliphs of Islam—the Khulafai Rashidin—who desisted from attending parties and festivities when the country's food position was not satisfactory. In these days it is imperative that every one in this country should cultivate a spirit of self-denial and not give way to self-indulgence. The citizens of this land have to imbibe that sense of civic consciousness as is prevalent in the West. In England in 1940, during the war, when there was a scarcity of sugar and the Ministry of

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Food appealed to the housewives to return to the grocers' shops the surplus sugar they had, so that the country might be able to tide over the sugar crisis, it was a remarkable sight to see queues of British women standing before grocers' shops not for the purpose of buying anything themselves but to practise self-denial and give away what little surplus they had. What sort of spirit do we find in this country instead? While millions are faced with starvation, we find people practising hoarding and self-indulgence. Now that India has attained her independence, the time has arrived when people of this land—both men and women should cultivate those high qualities which go towards the making of a great nation, for then and then alone will it be possible for this country to rise to her full stature. I shall close now with the fervent hope that the members of all parties and communities,—men as well as women—will come forward to help the Government in tackling this great crisis."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"On a point of information, Madam Deputy Speaker, we find that the Hon. the Premier was kind enough to intervene in the food debate in the other House. As there has been a persistent demand from this House that the Hon. Premier should intervene in the debate here also, may I know whether he is going to participate in the debate to-day as this is the last day for this debate."

THE HON. DR. T. S. S. RAJAN:—"We cannot force the Premier to intervene."

* MR. J. M. WILSON:—"Madam Deputy Speaker, the figures given in the statement by the Food Minister show that the procurement has failed. It is the one thing that has been causing anxiety as it is likely to result in disaster. Why has this procurement failed? The first reason which has been referred to by so many members on the floor of the House is the corruption of the officials. The second reason is the absence of any principle or system in fixing the target for procurement. The third is the question of bonus or prices. For one thing this question of bonus or higher price has induced the producers to hoard grain. And for another thing it has also resulted in an all-round increase in prices of other consumption goods. Why is this bonus demanded so much by the leaders of the Province? It is perhaps supposed that it would help the poor peasants, the producers, but it is a mistake. The poor peasants and the tenant farmers who form the bulk of the producers have either no surplus at all or very little surplus which they have surrendered at the very early part of the season, because they just cannot afford to hoard. It is only the richer landlords who can afford to hoard because they have enough money in their hands to buy other essential articles of food. It was asked by an hon. Member in this House the other day why, when the Central Government was paying such an abnormal price for paddy imported from abroad, this Government should not pay a bonus or increased price for the paddy here. The reason is

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simple. While the payment of higher price for imported food-grains does not result in an increase in the cost of other essential food articles, the payment of bonus or higher price by this Government will result in an all-round increase in the price of other necessities of life. The payment of imports from other countries is made by the exchange money and it does not have any reference to the index of prices in this country. As has been pointed out by another member of this House, we are very badly in need of essential capital machinery and we do not have enough of exchange money to meet those requirements. And this is another reason for us to make our procurement effective and successful. The fourth reason is this. To some extent I agree with Mr. Prakasam that it is due to the attitude of the present Ministry with regard to the food committees and the producers-cum-consumers co-operative societies. I am just wondering why this Cabinet consisting as it does of experienced co-operationists has thrown these societies to the wolves. The co-operative societies and the Food Committees are in fact the best devised for the purpose of procurement. Of course, if they are not run on democratic lines and if there is not that congenial atmosphere and necessary encouragement, they are bound to fail. Democracy is certainly the best form of Government ever devised by man, but it is a myriad-headed tyranny if certain conditions, which are essential for its working, are not there. It is really a pity that this Government with such an organization as the Indian National Congress behind it, are not able to train the very people who have voted them to power for a democratic form of Government. Instead of indulging in party quibblings, it would be better if the organization behind this Government goes about preparing the people for a democratic form of Government.

"The suggestion that informal rationing may be given up has indeed come as a surprise to this House. A note of warning against such a course has been sounded by several hon. Members of this House. The press also has done its duty—I refer to a leading article in the 'Madras Mail'. I hope that the Hon. Food Minister will declare now on the floor of this Assembly that he will give up the idea of abandoning informal rationing.

"I do not think that the Hon. Dr. Rajan would allow the Government of which he is a Member to confess utter defeat in feeding the people entrusted to their care. Feeding the people is the primary duty of any Government, and it will be the greatest pity if a popular Government fails. Are the Government really incapable of putting down a handful of hoarders and black-marketeers, with all the support of the people behind them? Certainly, the Government command the confidence of the people, but they only lack that energy and vitality to rally the people behind them. There was a lot of excitement when the Premier declared the other day that he would use force. I do not understand what all this excitement was about.

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What does it matter whether a hoarder is a Tamilian or an Andhra? Persuasion has to be used; when persuasion fails, force has to be used. Force is inevitable in our every day rations of life. It has to be used and the people have to be compelled to surrender the hoarded paddy.

"There seems to be an impression that if we tide over the present crisis, we have solved the problem. Two hundred years of foreign imperialist rule have created powerful forces which have shattered our agriculture to pieces. Since the assumption of office, what have this Government done to remedy the defects? The yield per acre is terribly low when compared with the other countries. What have they done to improve the yield? What scientific methods have they conceived of? What have they done to avoid the growing of non-food crops, which has been the source of complaint on the floor of this House so often? What have they done to induce the tenants-at-will in the South to produce more? What have they done to the agricultural labourers who have a huge share in production? What has become of the Grow More Food Campaign? How many thousands of acres of land are still lying uncultivated and how many poor landless labourers were given lands to produce more food? The great grand Mogul Emperor in the village, the karnam, had eaten lots of money from the labourers. These labourers are not getting even an acre of land, though thousands of acres are lying uncultivated. As has been warned by the hon. Mr. Prakasam, we have yet to face a world-wide depression more terrible than ever faced by any section of humanity in any part of the world. It will be a great tragedy if we are not prepared to face that depression. If you are not able even to feed the people, I am afraid that when that depression comes, it shall be the greatest catastrophe to our people, and I would like to sound a note of warning in that regard."

SRI K. BOKKAI GOWDER:—"Madam Deputy Speaker, the speech of the Hon. Minister on the food situation in the Province reveals a very depressing picture. The province is on the verge of famine and starvation. The Hon. Minister's suggestion to discontinue rural rationing and statutory rationing in towns in surplus districts amounts to shirking the primary responsibility of the Government to protect the people in times of crisis. The Hon. Minister has said that rural rationing may be discontinued *except in Malabar*. Has the Hon. Minister forgotten that there is such a district as the Nilgiris, which is not only deficit but which is devoid of its own food to feed the people. That district requires nearly 3,500 tons a month under the starvation ration of 8 ounces. I believe the only output of the district is 2,000 tons of millets per year. Such being the case, if rationing is discontinued, the two and half lakhs of people in the district will have to go out of existence. I hope the Government do not wish that to happen. Therefore I urge that rationing, especially in the deficit districts, should be continued at whatever cost. The Government must take up the responsibility for feeding the people in the deficit districts."

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"I want to say a few words about potato control. Potato control was in force from 1942, when there was a demand for potatoes from the military. That control was lifted on 1st January 1947. Due to food shortage, the Government have re-imposed control on both the movement and price of potatoes. This control has helped neither the grower, nor the consumers. The normal requirement of this Province is about 2,500 tons per month. By control, the Government have arranged to supply 1,000 tons every month for sale through ration shops. I submit that these 3,500 tons are not consumed in this Province. Due to the movement control, a lot of the valuable foodstuff is being wasted every day due to deterioration and decay. It is heart-rending to see this wastage every day. If the Government require 1,000 tons, let them purchase directly from the growers. If that is not possible, let them arrange with one or two big merchants, and remove the movement control within the Province at least. (At this stage, the Speaker occupied the chair.) When the Province is not able to consume 3,500 tons, why should there be any control at all? If consumption is increased, then the Government can think of control. When there is no demand, I would urge the Government to lift the control over the movement within the Province and to regulate exports by allotments of monthly quotas. I hear that the Government have sanctioned a special quota of 3,000 tons for export outside the Province. Whatever quota is sanctioned, it must be equitably distributed among the A, B and C class merchants, marketing societies and the growers on a fixed ratio. A few A-class merchants declare that they have huge stock and want to exploit the outside market. Everybody knows that Bombay market pays about Rs. 106 per bag, whereas Madras pays only Rs. 83. Both the small and the big producer of potato must be given foreign quota, as it fetches a higher price. With this submission, I resume my seat."

SRI A. S. SAHAJANANDA:—"கனம் தலைவர் அவர்களே."

MR. SPEAKER:—"ஐந்து நிமிஷந்தான் நீங்கள் பேசலாம்."

SRI A. S. SAHAJANANDA:—"ஜனங்களுக்குக் கஷ்டப்பட்டு உழைத்து வருகிறேன். அதனால் கொஞ்சம் ஜாஸ்தியாகச் சொல்லவேண்டும்."

"கனம் தலைவர் அவர்களே : இப்பொழுது உணவு பொருளுக்கு பஞ்சம் ஏற்பட்டதற்குக் காரணம் பொருளாதார நிலைமையும் உற்பத்தி சரியாக இல்லாததாலும்தான். இப்பொழுது பூமி சரியாக விளைவது இல்லை. அதனால் உணவு கஷ்டம் ஏற்பட்டிருக்கிறது. ஆனால் விவசாயிகளுடைய கஷ்டங்களை ஒருவரும் உணரவில்லை. மலேயா முதலிய இடங்களில் மூட்டை அரிசி ஒருவரும் உணரவில்லை. கேள்விப்பட்டிருக்கிறோம். அப்படி விற்பதால் 230 வெள்ளி விற்பதாக கேள்விப்பட்டிருக்கிறோம். அப்படி விற்பதால் அந்த நிலைமையை சமாளிக்க முடியாமல் சக்தி இல்லாமல் நில சுவாஸ்தார்களின் தங்களுடைய நிலங்களை விற்பார்கள். இங்கு இப்பொழுது இருக்கிற நிலைமையில் நெல் விலை குறைந்திருப்பதால் இங்குள்ள மிராசுதார்கள் நிலத்தை விற்பதுவிடலாம் என்று நினைக்கிறார்கள். எனக்கு 90 ஏக்கர் நஞ்சை இருக்கிறது. இப்பொழுது இந்த நிலத்தில் பயிர் பண்ணுவதற்கும் மற்ற விலைகளை பார்க்கும்போதும் பருத்திவிதை 7, 8 மடங்கு விற்கிறது. எண்ணெய், நெய் 10 மடங்கு விற்கிறது. எல்லா சாமான்களின் விலை ஏற்றம் ஒரேயடியாக இருக்கிறது. அதற்கேற்றபடி நெல்விலை உயரவில்லை என்றால் மிராசுதார்கள் என்ன செய்வார்கள். மிராசுதார்களுடைய பயிர் களைக்கப்பார்த்தால்"

[Sri A. S. Sahajananda] [25th September 1947]

ஒரு ஏக்கருக்கு எவ்வளவு செலவாகிறது என்று தெரியும். ரெவினியூ மந்திரி சொல்லுவார்கள் விளங்கும். ஒரு காணி வெள்ளாளமையிட 13 ஏர் வேண்டியதாக இருக்கிறது. நெல் படி 13-க்கு ரூ. 4-12-0 ஆகிறது. நெல் விதைக்காக ரூ. 7-8-0 ஆகிறது. நாத்தடித்தல் ரூ. 6-0-0, உரம் நாத்தாங்காலுக்கு ரூ. 4-0-0, நடவு 18 பேருக்கு ரூ. 9-0-0, களை பிடுங்க 5 பேருக்கு ரூ. 2-8-0, நிலவளத்திற்கு பிண்ணுக்கு மூட்டை 4-க்கு ரூ. 40-0-0, அதுவும் சர்க்கார் ரேட்டுப்படி ஆள் மாகாணம் சிலவு முதலியவைகளுக்கு ரூ. 17-8-0 ஆகிறது. தீர்வை இருக்கிறது ரூ. 10-0-0, இப்படி பார்க்கிற காலத்தில் ஒரு காணி வெள்ளாளமையிட ரூ. 191-14-0 செலவாகிறது. கூலிக்காக 34 மூட்டை நெல் செலவாகிறது. செலவு போக பாக்கி 4, 5 மூட்டைதான் மிராசதாருக்கு மிஞ்சுகிறது. இப்பொழுது இருக்கிற விலைப்படி 60, 70 மூட்டைகள் காணவேண்டும் நன்றாக விளைந்தால்தான். இந்த நிலைமை உணவு மந்திரிக்குத்தெரியும். நான் 25 காணி வைத்துக்கொண்டு பயிரிட்டதில் வெள்ளத்திலெல்லாம் போய்விட்டது. சரியாக காணவில்லை. எல்லாம் பதராய் போய்விட்டது. நில சவான்தார்களுக்கு இவ்வளவு. . . .”

MR. SPEAKER:—“ நீங்கள் 5-30 மணிக்குமேல் பேசலாம்.”

The House then adjourned to meet again at 5-30 p.m.

(The House re-assembled at 5-30 p.m.)

SRI A. S. SAHAJANANDA:—“ கனம் தலைவர் அவர்களே: நில சவான்தார்களுடைய நிலைமை அப்படி இருக்கிறது. நெல்லின் விலை குறைந்திருக்கிறபடியால் நான் என்னுடைய சொந்த அனுபவத்தில் சொல்லுகிறேன். இந்த நிலத்தை விற்றுவிட்டால் என்னவென்று. இன்னும் சர்க்கார் மதய சர்க்காரை சாக்கு சொல்லுகிறார்கள். பம்பாயில் ஒரு ரூபாய் அதிகமாக கொடுக்கிறார்கள். இந்த மந்திரிக்கு அந்த ரகசியம் புரியும். நமது உணவு மந்திரியும் பிரதம மந்திரியும் இதில் அனுபவம் வாய்ந்தவர்கள் அவர்களுக்குத்தெரியும் இதிலுள்ள கஷ்டம். ஆகையால் நெல் விலையை ஏற்றும்படியாக கேட்டுக்கொள்ளுகிறேன். நானும் அதிகமாக ஏற்றச் சொல்லவில்லை. கிராமத்திலிருந்து wholesale dealer-க்கு மில்லுக்கு கொண்டுபோய் கொடுக்கவேண்டியதாக இருக்கிறது. முதல் 10-மைலுக்கு 7 அணு, பிறகு 12 அணு வைத்திருக்கிறார்கள். ஒரு மூட்டைக்கு மொத்த வியாபாரியிடமிருந்து சில்லரை வியாபாரிக்கு ஒரு ரூபாய் வைத்திருக்கிறார்கள். ஒரு மூட்டைக்கு ரூ. 2½ கொடுக்கவேண்டியதாக இருக்கிறது. இப்பொழுது சர்க்கார் கணக்குப்படி ஒரு மூட்டைக்கு இரண்டு மூட்டை கொடுக்கவேண்டியதாக இருக்கிறது. ஒரு மூட்டையில் 2 மணங்கு அல்லது 164 பவுண்டு அரிசி இருக்கிறது. ஒரு பவுண்டு என்பது 16 அவுன்ஸ். 164 பவுண்டுக்கும் 2,624 அவுன்ஸ் ஏற்படுகிறது. சர்க்கார் கணக்குப்படி ஒரு நாளைக்கு 8 அவுன்ஸ் வேளைக்கு 4 அவுன்ஸ் சாப்பிடுவதற்கு. இப்படி 164 பவுண்டிற்கு 654 சாப்பாட்கிறது. ஒரு சாப்பாட்டிற்கு ஒரு காசானால் மொத்தம் ரூ. 3-6-8 ஆகிறது. 654 சாப்பாட்டிற்கு ஒரு குடும்பத்திற்கு ஐந்து நபர்கள் ஒரு நாளைக்கு 10 சாப்பாடு 30 நாளைக்கு 300 சாப்பாடு 300-க்கு ரூ. 1-9-0 ஆகிறது. சர்க்கார் வஞ்சப்படி கொடுக்கிறது ரூ. 16-0-0. அதில் அரிசிக்காக மாசம் ஒன்றுக்கு ரூ. 1-9-0 செலவுரிக்கவில்லையானால் ரூ. 16 எதற்காகக் கொடுக்கவேண்டும். ஒரு சாப்பாட்டிற்கு ஒரு காசு கொடுத்தால் குடும்பம் ஒன்றுக்கு ரூ. 1-9-0 ஆகிறது. அதனால் மூட்டை ஒன்றுக்கு நெல்லுக்கு ரூ. 1-11-4 காசு விவசாயத்திற்குப்போகும். அதோடு முழுவேலை செய்கிறவர்களுக்கு லாபத்தைக் கொடுக்கவேண்டும். இந்த விலைக்கு நெல்லை விற்கச்சொல்வது மிராசதார்களை பிழிந்து எடுக்கிறது மாதிரி இருக்கிறது. அதனால் மிராசதார்கள் நிலம் வேண்டாம் என்று சொல்லுகிறார்கள். விற்பதற்குப் பார்க்கிறார்கள். நில மிருப்பதால் பயிரிடவேண்டுமே என்று பயிரிடுகிறார்கள். நான் 90 ஏக்கர் வைத்துக்கொண்டு கஷ்டப்படுவதால் சொல்லுகிறேன். மூன்று ரூபாய் ஜாஸ்திகொடுத்தால் மிராசதார்களுக்கு தானியத்தைக் கொடுக்க மனம் வரும். ரூ. 16 கொடுக்கிறார்கள். அதனால் கூட கொடுக்கலாம். தொழிலாளர்களுக்கு சரியாகத்தான் கூலி கொடுக்கிறார்கள். கூலி கொடுப்பதில்லை என்று வெள்ளாளமையிடாமலிருக்கிறார்கள். தஞ்சாவூரில் போன மாதத்தில் மந்திரிகளும் பிரதமரும் வந்தபோது அங்கு நானும் சென்றிருந்தேன். மாயவரம், கும்பகோணம் முதலிய இடங்களில்போய் பார்த்தோம். நிலங்கள் பாழாய்

[25th September 1947] [Sri A. S. Sahajananda]

கிடந்தது. காரணம் என்னவென்று கேட்டதற்கு ஆள்கள் கூலி அதிகமாக கேட்கிறார்கள். மிராசதார்கள் கொடுக்கமாட்டோம் என்று பிடிவாதமாக இருக்கிறார்கள். அதனால் வெள்ளாளம் நடக்கவில்லை என்றார்கள். தஞ்சாவூர் ஜில்லாவில் ஒரு பண்ணையாளுக்கு ஆணுக்குக் கூலி 2 படி நெல்லும் பெண்ணுக்கு 1½ படியும் இருக்கிறது. 48 பட்டணம் படியாகிறது. 60 கலம் பண்ணைக்குச் சேடிவேண்டியதாக இருக்கிறது. மீதிதான் மிராசதாருக்கு சேரும் என்று ஏற்பாடு செய்திருக்கிறார்கள். நான் ஒரு மிராசதார். நிலம் வைத்துக்கொண்டிருக்கிறேன். அது செல்லுபடியாகவில்லையென்றும் கட்டவில்லையென்றும் சொல்லுகிறேன். சென்ற மாதம் South Arcot ஜில்லாவில் 29-ம் தேதி பல இடங்களுக்குப்போனோம். ஒரு மிராசதார் 1,000 ஏக்கர் வைத்துக்கொண்டு வெள்ளாளம் செய்யாமலிருந்தார். நாங்கள் சொன்னோம் இந்தமாதிரி இருக்கக்கூடாது. சட்டம் வரப்போகிறது. இப்படியிருந்தால் 6 மாத தண்டனையும் 500 ரூபாய் அபராதமும் போடுவதாக சட்டம் பாஸ் பண்ணப்போகிறார்கள். சட்டம் வருகிறது. நான் சொல்வதை . . . (5-30 p.m. மணி அடிக்கப்பட்டது. பேச்சை முடித்துக்கொள்ளு.)”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ Mr. Speaker, Sir, figures do many things. They argue both ways. They argue for the plaintiff and also for the defendant, if taken in different ways. But what we should do is, we should study the figures and know what they really say. Then they have really many things to tell us. We should not study them to make out a case. We must not make out a case for us first, and then try to dovetail the figures in support of the case that we have already made. It is from these points of view that we must study the figures that are placed before us.

“ Now, Sir, the statement made by the Hon. the Food Minister contains several items of figures. - They are really a little confusing and I have heard a number of my friends also say that they are not able to understand the import of those figures. Now, Sir, take for example the figure that is given for ‘Consumption of the Province during normal times.’ It is said that including the produce of the Province and the imports from outside, the Province of Madras was normally consuming 7,700,000 tons of foodgrains per annum. This was the average before the war. The Government have arrived at this figure after deducting about 2½ lakhs of tons for seed requirements. Taking the population of the Province as 50 millions these 77 lakhs and odd of tons will give roughly about 1 lb. each of the population per day, whether adult or child. That is 16 ounces per day. It was said the other day on the floor of this House that these 50 million people can be reduced to 30 millions in terms of adults. Taking it that way, we find that every adult in this Province will get about 21 ounces of foodgrains per day and the child, half of it, that is 10½ ounces. That is what the figures tell us—the figures of normal consumption. But from February 1946 the overall ration has never been about 12 ounces per adult. Of course the rice content of the ration varied from time to time. From the 25th of May of this year it was only 10 ounces. This is important and must be remembered.

“ Now, Sir, let us see the quantity of foodgrains available during the period when there has been the fear of a crisis in the year. In the year 1945-46 the estimated production in the Province

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was 6,368,000 tons, both rice and millets put together. In that year the imports through the Government of India into the Province came to 603,000 tons; altogether, Sir, the Province had 6,971,000 tons. The next year—here I refer to the Kharif year 1946-47—it is said that we had some heavy rains and therefore crops were damaged in December and January. And even then, Sir, production in the Province was estimated at 4,795,000 tons of rice and 2,114,000 tons of millets, altogether 6,909,000 tons of cereals. Up to 28th August of this year, we had from the Government of India 230,000 tons of rice, wheat and wheat products and millets, all told. This gives us a total figure of 7,122,000 tons and they were available in the Province up to 28th August 1947. Out of this figure, allowing for seed requirements, we might say that we had 69 lakhs of tons for consumption. This must give us, Sir, no less than 14 ounces per day on an average, whether it be adult or child. Or, taken in terms of adults and children, it must give us 19 ounces for an adult and 9½ ounces for a child. But as I have already said, from February 1946 to 25th May 1947, the over-all ration was only 12 ounces and from the 28th May, it was only 10 ounces for an adult. Even after allowing for the larger ration that was permitted to be retained by the producer and allowing for seed requirements, I don't think we can say that there was not sufficient foodgrains in the Province, Sir, for meeting the requirements of the people at the reduced ration of 10 ounces per day.

5.45 p.m. “While the figures tell this tale, I cannot really understand all this talk about scarcity of grain. Either the figures must be wrong or the grain must have gone somewhere, and we do not know where the loose ends are that make this confusion. There must be some explanation for this confusion which is created by the figures in our minds. It might be said that all the production was not procured by us. Very well. With regard to the surplus districts, the target fixed is given as about a million tons, and the actual procurement up to 28th August, i.e., during the present Kharif year, is given as 7 lakhs. That is, though we have got two more months, the deficiency in procurement during this whole year has been only 3 lakhs. These three lakhs alone would represent about 1.2 oz. of cereals, if we take it that the Government are concerned only with half the population of the Province, taking the other half as the producers or those who are allowed to retain a quantity of rice in their hands. Therefore, it is really difficult for me to understand how it is given out that it is difficult to maintain even this over-all ration of 10 oz. for non-producers.

“Sir, take again another set of figures. In the Kharif year 1945-46 when for a portion of that year you had no popular Government, the production was only 17 lakhs, but the target for procurement was 10 lakhs and the actual procurement was 993,000 and odd tons. Next year when the popular Government was in full swing, i.e., in the year 1946-47, which will end on 1st November 1947, the production has been estimated at 20 lakhs and

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the target for procurement at 10 lakhs. The previous year the total production was estimated at 17 lakhs but the target was assessed at 10 lakhs while this year, the production though it has been raised to 20 lakhs, the target fixed remains the same at 10 lakhs. Even then, the actual procurement up to the 28th August has been only less than 700,000 tons. Why is it so? In spite of the damage caused by rain in December and January, the production has not fallen below that of last year and the target has been assessed at a moderate figure; yet, they have not been successful in procuring what they wanted to procure. The difference between the year 1945-46 and 1946-47 is accounted for by this producer-cum-consumer co-operative societies and the village committees. These committees, I am not against them or against the societies. They are good things in their own way and they have to be tried and they have to be developed in this country. But my objection has all along been that this is not the time to try such experiments when the very life of the people is in jeopardy. It is because I say you tried this experiment in the latter year much more than in the previous year that this debacle has happened. You don't get all that you ought to have got and all that you expected to get. Even during normal times, Sir,—I want to say a word about these societies—it is no good to put the producer and the consumer together in one society. This we had been harping upon on several occasions previously. It is like—to put it in rather an extreme form—putting fire and water together. The interests of the consumer and the producer are different. Therefore, they must be allowed to develop in their own way. Such kind of conflict has not arisen now because of the stress or pressure they are receiving in other directions; but when that thing is over, when they sit down to work, they will find that the interests of the producer and of the consumer conflict with each other. Therefore, I do not think this arrangement will work properly. That has to be attended to and I think the Government will be well-advised in acting boldly in this matter during this period of crisis and have before them the ideal or the target of overcoming the crisis at any cost. That must be their object, Sir, and not the trial of any ideals or any methods which people might have a fancy for.

“Sir, the Hon. Food Minister at the end of his statement speaks about measures of overcoming the difficulties. I find that there is not much of concrete proposals there. By way of meeting the crisis, he puts forward three arguments or rather remarks. One is that we must put forth every ounce of vigour possible in the matter of procurement; in the second place, he speaks of the long-range policy and as to how the agricultural department must come to the aid of the Province by intensifying cultivation and increasing the yield; thirdly, Sir, he speaks of the price. I do not find any concrete lead given by the Hon. Food Minister. He says that the Grow More Food Campaign has been stationary in its results. I really detect a tone of complaint there. I do not

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know whether when he says that, he speaks for himself or he speaks as a representative of the Government. If it has not yielded the results which were expected of it, who prevented the Government from pursuing it to a more successful issue or end? Then with regard to the Agricultural department, it is again up to the Government to do something. The statement reads as if the complaint is being addressed to some other party, as if it does not concern the Government. On the floor of this House it has been urged again and again upon the Government that the Agricultural department must be overhauled and that the land must be made to yield much more than it is yielding today; it has also been pointed out that it was not an impracticable proposition and that it can be done and was being done in the other countries of the world. Sir, it is said that the average yield of land in this country is only about 900 lb. of grain per acre, whereas there are countries in the world which have got lands yielding 2,500 and even 5,000 lb. of grain. That being so, why should we not try such methods in this country as are now being tried in those other countries?

“Then, Sir, coming to the price, the Government of India may be made responsible for the position; they may speak of inflation and all that; but here they must know that the people have to live, inflation or no inflation. It is a question of life and death so far as this Province is concerned. Every one is convinced, everyone who knows the conditions of this Province is convinced that an increase in the price of the agricultural produce is absolutely justified. When it is so, our hon. Ministers complain that they are not able to impress this fact upon the Government of India. Sir, it is not going to end here. As some of my friends have already pointed out, this question of famine, this food crisis, is not a thing which you can overcome in two months. Just now, you may have tightened up your procurement drive and obtained some more grain; and so the people may live for another two or three months. But then the same crisis will appear again, and at that time you will find that you do not have the grain or the people who are to be persuaded to hand over the grain to you. Now at least you may get the foodgrains because they have the grain and it is for you to go and persuade them to give it to you; but in the near future, you will find that you don't have the grain with the producers because they would not have put up or produced so much grain as they are doing today. They would have been convinced that however much they might work, they were not going to get satisfaction at the hands of this Government, but at the same time that they were going to be forced to yield the produce which they were going to put up at the price fixed by the Government themselves. They have got other alternatives before them. We need not speak of groundnut because paddy fields may not be suitable for growing groundnuts—that every sensible man knows; but other things can be grown on these wet lands, i.e., paddy fields. There are, for instance, plantains, there are onions, there is sugarcane—all these can be grown.

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“Sir, they say that the profit per acre by these crops comes to about Rs. 500 whereas in the matter of paddy, they get hardly Rs. 40 to Rs. 50. In counting the remuneration for the land-owner in certain parts of Malabar they do not get anything at all by cultivating paddy. They lose about Rs. 10 to Rs. 15 per acre. Therefore, the land-owner will be tempted to go off from paddy—it may not be all of a sudden—but gradually he will go off. Then our difficulties will be intensified rather than decreased. Therefore, Sir, I say that you must be very careful and you must be very insistent about this question of prices. You must find ways and means of impressing upon the Government of India and to bring them round to see that these poor agriculturists get a price which is really their due and compares with world prices. The Government of India might say that the extra prices which they are paying in foreign countries are being paid from out of their own pockets. The producer will then say that he should get the price which another cultivator in another land gets for a similar produce, because world prices have their effect upon this country. Everybody knows the effect of the operation of world prices on betel-nut. If there is a certain world price, it will have its effect upon the price in this country. So, Sir, our producer is also entitled to get the price which is being paid by a foreigner. Any amount of philosophy will not help the producer if he does not get what he deserves, because, he has to pay very exorbitant prices for all articles which are his necessities of life. It is the very first thing, Sir, that this Government should do. By what means? The Government ought to know. The Government of India must be made to agree to the increase in price.

“I come to another point, Sir, which teaches us a lesson. Now, the Centre is not able to know what the conditions in this Province are. They do not know the life of the people of this Province. Even though this Government impressed upon the Government of India—not one or two gentlemen but the Premier himself with the bulk of the Ministry had impressed upon the Government of India, not once or twice but they had many opportunities—yet, they did not succeed. When the Premier goes to Delhi to negotiate with the Government of India, he goes there with many of the other Ministers. But, even with the assistance of almost the whole Cabinet, he has not been able to impress upon the Central Government the necessity for increasing the price of paddy. Therefore, I say that the members who go to the Constituent Assembly—the members from Madras—should fight for Provincial Autonomy of this Province. Sir, I am not speaking politics. I am speaking a thing which vitally affects the life of our people because your power now is circumvented and controlled by the Centre. I say, Sir, that agriculture is absolutely a provincial subject. It is not for the Centre to control it by saying that it is a federal subject. It is absolutely a provincial subject and as such it has reference to all other subjects connected with it such as agricultural prices. Therefore, you should not think in terms of party politics. You should really think in terms of the vital influences which you are going to bring to bear upon the life of the people of this Province

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or upon the powers of this Province and you should see that those powers are kept in tact. In the interests of this Province, it must be done.

"Then, Sir, I say that there were no concrete proposals in the statement given by the Hon. Minister. In answer to one of the supplementary questions the other day, the Hon. the Food Minister said that there were certain minor millets here which were not being procured by the Government. During such a crisis as this, these millets also will be of great help if they are procured. In a crisis like this, they may come in handy when the quantity of pulses runs short. So, the Government must build up stocks of the minor millets also so that they may be useful in times of crisis. When you pass the crisis, they may be sold at a little less price, if necessary.

"Now, Sir, in the statement of the Food Minister, in one place it is stated that after all Government cannot undertake indefinitely the direct feeding of the people. It is also reported that the Food Minister, in answer to a remark made by one of the hon. Members, replied in the Council that it is not the policy . . ."

MR. SPEAKER:—"What has taken place in the other House should not be mentioned here."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"It is a very important point, Sir. It is stated that the Food Minister said that after all it is not the duty of the Government to feed the people direct for ever. This statement matches well with the statements of the previous regime of Imperialism under which this country has been living for over 150 years. This House cannot think of the Government independently of the people or apart from the people. When it is so, it is not the Government that is really feeding the people. It is the people who are feeding the Government. The Government collect taxes and other revenues; they get money from the people and the people have appointed you to arrange these things so that whatever you do is being paid for. So, it is one of the most supreme duties which, as the agents of the people, this Government must do. Truly at such a juncture as this, Government should not think of giving up rationing. The present crisis has definitely and clearly proved that there should be at least informal rationing.

"Then, Sir, I would commend to the Government the various reforms which they have to carry out in their agricultural department. Intensive cultivation should be resorted to in the Province and the land made to yield more. I have already told you that even though we do not get imports from outside the Province—I do not know how we are going to manage with this eight ounces or ten ounces ration—even if you want four or five lakhs of additional tons of grain, you can produce that deficit very easily within a year, if only you have the necessary labour. You can achieve results which will be really remarkable and within a year, you can get enough to feed the people of this Province."

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MR. SPEAKER:—"Mr. Prakasam is going to give some information to the House. He is not going to make any speech."

SRI T. PRAKASAM:—"The Hon. the Food Minister made a statement that he got telephonic information from the Collector of the East Godavari district denying that there were fourteen deaths of starvation. I received a registered letter later in which the names of all the fourteen persons are given. The Mail came very late and it was very late when that document was got from the post office. I will just read the names of all those persons who died due to starvation in Rampachodavaram and other places in the East Godavari district—

Village.		Name.	Age.
Rampa	..	1 Kosuri Tirupatamma (F)	.. 40
Do.	..	2 Pampireddi Surayya	.. 35
Do.	..	3 Pampireddi Chinnammi (F)	.. 25
Do.	..	4 Korukonda Jaggayya	.. 10
Marrivada	..	5 Singoji Bucheyya	.. 60
Sripuram	..	6 Chollam Suranna	.. 35
Bandapalli	..	7 Sundam Bullimma (F)	.. 50
Mulapadu	..	8 Karam Pavudamma (F)	.. 25
Chilakamamidi	..	9 Yentukula Chimareddi	.. 25
Do.	..	10 Kundla Balayya Reddy	.. 40
Do.	..	11 Vadugula Chimayya	.. 50
Do.	..	12 Kattula Ramayya	.. 36
Do.	..	13 Boyina Balayya	.. 75
Do.	..	14 Boyina Chilakamma (F)	.. 45

(F)—Female.

"These are the fourteen names of persons, males and females."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information I want to put a question through you to the hon. Mr. Prakasam. I want to know, Sir, the number of villages in which these fourteen people have died and the dates on which they died. I did not catch the first few names. I want also to know whether there is any covering letter along with the list showing that these people have died of starvation or on account of some other disease. I want that doubt to be cleared."

MR. SPEAKER:—"Mr. Prakasam has given me the letter. May I read it?"

SRI T. PRAKASAM:—"I can give the information. The first four names are in one village called Rampa. Then there are the other villages in which deaths took place. They are Marrivada, Sripuram, Bandapalli, Mulapadu and Chilakamamidi. Altogether there are seven villages in the same taluk. There is a covering letter received along with this list."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"The letter may be read in view of the importance."

MR. SPEAKER:—"The hon. Member need not read the whole letter if it is a big one."

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SRI T. PRAKASAM:—"It is a big letter. It is in Telugu also."

MR. SPEAKER:—"I do not know Telugu."

SRI T. PRAKASAM:—"Whether you know Telugu or not, you have to know the names of the fourteen members. What is contained in the letter also is important! I shall leave it in your hands for being translated so that you may understand, the Government will understand and the Leader of the Opposition may also be told about it, if not now at least to-morrow. Then there is another enclosure also to that letter."

MR. SPEAKER:—"The Hon. the Minister for Food wants those letters for investigation."

6-15 P.m. SRI T. PRAKASAM:—"Certainly, Sir, they are the persons who should have them. There is a circular letter signed by the Deputy Tahsildar in which instructions are given to the people. It is also in Telugu. You may take these letters which may be required with regard to enquiries that may come about on this matter. All these letters I am giving into your hands so that you may have them translated and use them as you like and the Government may also use them as it pleases. Sir, there is a circular letter signed by a Deputy Tahsildar—it is in Telugu—giving instruction to the people as to how they should conduct themselves with regard to enquiries that may come about in certain matters. That also I am giving to you, Sir, and you may have it translated and used as you think best and the Government may also use it as they like."

MR. SPEAKER:—"Two Hon. Ministers want to reply to the debate. I now call upon the Hon. Mr. Madhava Menon to reply."

*THE HON. SRI K. MADHAVA MENON:—"Mr Speaker, Sir, I want to intervene in this debate only in regard to one or two matters pertaining to the department with which I deal. Many members, and in particular, the Hon. the Leader of the Opposition, has spoken about the Grow More Food Campaign and he referred to a statement in the speech of the Hon. Dr. Rajan in which he said that the Grow More Food Campaign has failed. In this connexion, I want to tell you, Sir, that this Grow More Food Campaign which is started by the Government is a five-year plan and it is not possible—physically possible, under any circumstance—even under normal circumstances—for you to make up a deficit of six to eight lakhs of tons of foodgrains in a year. It is impossible. Our Grow More Food Campaign has been begun only about a year back and if you expect that the entire food deficiency can be made up by the Grow More Food Campaign, it is almost a physical impossibility that you are expecting anybody to do. The Hon. the Leader of the Opposition says, 'why don't you pursue it further'. I may tell him, through you, Sir, that we are pursuing it with all the vigour that we can; it is a five-year plan and if we proceed according to plan, we do expect that

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a major portion of the deficit could be made up but it cannot be made up in a day. In this connexion, if I may say so, we are moving in a vicious circle. We want to grow more food and there are only two ways of doing it and they are either extensive cultivation or intensive cultivation. For extensive cultivation, you have to take in more areas which were not cultivated before and have them put under cultivation and that means more water is required. Water is the main thing that is required for the purpose, because without water you cannot grow any foodgrains. So, Sir, it is because of various circumstances we are not able to proceed as vigorously as we expect, with irrigation schemes to bring water where water is not available and every step necessary to expedite the matter is being taken. Now, in regard to intensive cultivation, the Hon. the Leader of the Opposition said that the average yield is only about 900 tons, that there are countries which are yielding much more and there are also countries which give double the yield referred to above. Quite right. The method is to put better strains of seed, to give more manure and more water. The main item of manure that is being used for agricultural purposes in this province is groundnut cake. We have got about two million acres under paddy cultivation and the total production of the whole province of groundnut cake which is available is only about two lakhs of tons and for the last two years groundnut cake is being used extensively in every district. Every district now demands its quota of groundnut cake and places which were never using groundnut cake before at all are demanding groundnut cake and every district is now demanding its pound of flesh—they want their quota. If two lakhs of tons of groundnut cake is to be given for 12 million acres of paddy fields, you can more or less understand how intensive cultivation can be provided with. (M. Muhammad Ismail Sahib Bahadur: 'That is not the only manure.') I shall just come to it.

"Then there is the other question of chemical manure, ammonium sulphate and sodium phosphate, etc. We are now beginning merely to import chemical manures from other countries and the maximum import of these, we are distributing and in the course of the year, because of the difficulty we are experiencing in getting sufficient groundnut cake, we do expect we will be able to supply sufficient green manure where groundnut cake could not be given before the Grow More Food Campaign was started because it is our hope to meet the actual deficit.

(At this stage the Deputy Speaker occupied the Chair.)

"In this connexion, the suggestions tendered by the Leader of the Opposition regarding the changes that have to be made in Agricultural Department—and they have been helpful suggestions—will be tried as far as practicable. I only want to remind you, Madam, that it is not possible in a year to get results from the campaign that we have started only recently.

"Now, in the matter of the supply of engines for pumping water, I told you the other day in answer to a question that all the 600 or 700 engines at the disposal of the Government have

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been rented out. In the course of the last year we have sold 98 oil engines to peasants and the applications for 850 oil engines are still pending with the Government. We have been getting information from the firms outside regarding this matter and so far only one firm has agreed to supply 100 engines in the course of about four months. I have come to you in the Supplementary Demand for money for purchasing those pumps.

(At this stage the Hon. Speaker resumed the Chair.)

"We are making enquiries everywhere for the purchase of oil pumps for supply to agriculturists and we hope by the end of this year, or in another six months we will be able to supply half the number of engines that have been applied for by various cultivators. So, Sir, I do not want the House to be under the impression that nothing is being done because immediate results are not possible under the very circumstances of the case.

"Sir, I do not want to deal with many other points that have been raised during the course of the debate, because my Hon. Friend, Dr. Rajan will be dealing with all of them, but I was indeed provoked to say something about the conditions in Malabar by the speech made by my hon. Friend Mr. M. P. Govinda Menon. He was speaking about the work of Producer-cum-Consumer Co-operative societies. It is true and I agree with him that they are doing very well in Malabar and I do not at all deprecate their working. On the other hand, I should say that I too had my own share in forming those societies in Malabar and I for one am not at all in any way anxious as he wanted to make out that Government are out to destroy those societies. Not only that, Sir, it has been our attempt to encourage the societies in every way possible and Mr. Govinda Menon, I know, knows it but perhaps he wanted to give us a filip so that we may work more. Here let me say one or two things to clear a misapprehension. The societies, as I said, are working well but Mr. Govinda Menon wanted to make out that all the societies are working very very well but he wanted to draw certain conclusions by saying that the procurement this year was 5,000 tons more than it was during the period it was done by the wholesale dealers. It is true, the district taken as a whole, the procurement of paddy is about 5,000 tons more. But, out of the ten taluks in Malabar, I must say the three taluks of Palghat, Walluvanad and Wynad have done more—in Palghat it was some 8,000 tons, in Walluvanad some 4,000 tons and about 1,500 tons in Wynad taluk. But, Sir, now in the seven other taluks, perhaps for good reasons, there has been considerable difficulties in procurement by the co-operative societies. Of course, it may not after all be the fault of the societies but in some of the taluks the procurement has gone down to half of what it was before so that there is scope for more and more. I do not at all accuse the co-operative societies because they have been doing work only for one year, whereas the wholesale dealers have been in the business for generations and so by the experience gained by them they will work better."

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SRI M. P. GOVINDA MENON:—"Are not these three taluks surplus taluks in the district?"

* THE HON. SRI K. MADHAVA MENON:—"Sir, two of these taluks are surplus taluks, Palghat and Wynad and surplus taluks but Walluvanad is not a surplus taluk. It is not after all a question of surplus taluk, but Mr. Govinda Menon made a comparison between the previous procurement agency and the present procurement agency and when compared with the procurement of the present agency in the seven taluks, they have not been able to procure as much as the previous agency and in some not even half the quantity as before. The question whether the taluk is surplus or not does not arise. As I said before, it would depend entirely on the work of the societies. But, what I certainly take exception to in the remarks of Mr. Govinda Menon is that he made, if I may say so, an innuendo and the impression he wanted to create was to show that the Government are out to destroy the societies in Malabar and he used the expression 'willing to harm but afraid to strike'. It is certainly an uncharitable remark for my friend to have made. I challenge Mr. Govinda Menon and other friends to tell me, when I went there, of any instances where the Government have done anything to discourage the work of the societies. On the other hand, when I was going out on my food procurement tour, I went to all the taluks, met all the directors of societies and met all the Government Supply and Co-operative officers in a private conference with the directors and asked the Supply officers and the Co-operative officers what was the difficulty, if any, that was experienced by them and told them that if they had any difficulty, I have got the authority of Dr. Rajan to get them remedied. But, I have not received any serious complaints from anyone about the officers not having helped the societies in any way. If any slight inconvenience was found, they were explained properly and to the satisfaction of the directors. So, Sir, simply to make an insinuation that the Government are out to destroy the societies in Malabar, I can only say, it looks like some propaganda, which I found among certain sections of people of Malabar, to show that this Government are out to destroy the co-operative societies. May I tell the hon. Member, through you, that it is this sort of propaganda that destroys the societies more than any action done by the Government.

"A sense of insecurity has been created in the societies by statements by responsible members even in this House and responsible people outside that the Government are out to destroy them when on the other hand Government have only encouraged and said it in public that these Malabar societies have been working well. The Prime Minister when opening the All-India Co-operative Conference here referred to the societies in Malabar and to the successful way they were working. Now to say in this House that the Government are out to destroy these societies is perhaps more conducive to the destruction of the societies than the Government ever thought of."

8-30 p.m.

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information may I draw the attention of the Hon. the Minister for Agriculture to a very important matter regarding these Producer-cum-Consumer Co-operative societies. There is a substantial quantity of rice available in Palghat taluk according to a report which appeared in the Press. It is a surplus taluk in Malabar and there these societies have not been able to take delivery of the paddy. With such speed, the main difficulty appearing to be want of sufficient resources in men, material and money for measuring and carting the paddy. This has caused considerable inconvenience to the cultivators who are not in a position to store the grains for any long time. They may also lose the chance of getting their bonus as at this rate the societies may find it difficult to purchase all the available quantity before September 30th. There is a widespread demand here that the Government should at once look into the matter and give an impetus to procurement work."

THE HON. SRI K. MADHAVA MENON:—"I am afraid it is a most misleading statement that has appeared. On the other hand what has happened in Palghat is that when I went there and requested the societies that they must send their paddy procured forthwith to the deficit areas, they said that they wanted to reserve sufficient crop until the next harvest came and so they could not send anything. I said to that that they must send all available stocks to the deficit areas and I may state that this is the information I got on the spot and I can vouchsafe that the statement appearing in the Press is not correct. On the other hand, the information that I have is that the authorities have made every arrangements to remove even the raw paddy from dry Palghat areas to the deficit areas. I do not want to labour more on this point and to make propaganda like this will have harmful effect for the societies which we really wish to be improved."

"Many other sentiments were expressed by Mr. Govinda Menon about the future of this Government and I do not want to reply to those propositions. If I may say so, they are mere wishful thinking and nothing else. I may say one word to an attempt made by our Communist Member, Mr. Anandan Nambiar, to mislead the House. He said that instead of the Grow More Food Campaign the Government destroyed food. He said that the Communists formed a co-operative society and cultivated certain land which was destroyed under section 144 when Mr. Prakasam was in office. If Mr. Prakasam had not done it, I dread to think of the fate of Malabar. We must understand the position, Sir. The Communists in the name of co-operative societies formed themselves into an assembly to trespass into other men's properties and planted some tapioca plants and they used some Government poramboke lands also there. It only shows the sense of social justice they possessed when they occupied without permission these lands and if that was allowed to continue, I do not know where we will be. As far as the lands which were just planted, we got the plants removed and some were allowed to grow and a few days ago they

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were harvested and sold by the Government in auction for Rs. 480 or so. There was no destruction of any crop. I do not like to say anything more as Dr. Rajan has to answer many other subjects."

SRI PILLALAMARRI VENKATESWARLU:—"May I inform the Hon. Minister that it was not private property that was trespassed but Government poramboke lands which were leased out. Some money was also paid for this."

THE HON. SRI K. MADHAVA MENON:—"Whether it is private property or Government property, when it is trespassed without permission, it is crime all the same."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, may I know, Sir, is it not a fact that there was more procurement in Palghat due to the fact that the Government showed partiality and spent thousands of rupees and distributed manure in that particular taluk freely?"

THE HON. DR. T. S. S. RAJAN:—"It was all done last year. May I, with your permission, inform the House that at 6-15 p.m. the Collector of East Godavari was called on the phone and the names of those people who died and were read out by the Hon. Prakasam was given to him and we have got this reply. He has again said that he has since received a phone message from the Revenue Divisional Officer, Rajahmundry, to the effect that there has been no such deaths due to starvation and that he would make a further verification and ring up to-morrow."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information may I know from the Minister for Agriculture as to who gets the bonus in Malabar, whether it is the janmis or the cultivators because I hear that there is a practice of delivering the paddy into the depot on the account of janmis so that it is they that get the bonus and the cultivator does not get anything for his labour. Is it a fact, Sir, that on account of this about 2,000 acres of land in Ernad taluk are lying fallow?"

THE HON. SRI K. MADHAVA MENON:—"As for the lands lying fallow, it is all story and not a fact. Regarding bonus, it is a big legal question and it will take some time to explain, Sir. So a separate question may be asked."

* **THE HON. SRI O. P. RAMASWAMI REDDIAR:**—"தலைவர் அவர்களே. நான் இங்கே பேசவில்லை என்று சில நண்பர்கள் அடிக்கடி அவர்களை. நான் செய்து கொண்டுவந்திருக்கிறார்கள். இங்கிலீஷ் தெரியாது, கடி புகார் செய்து கொண்டுவந்திருக்கிறார்கள். இங்கிலீஷ் தெரியாது, தெலுங்கு தெரியாது, தமிழில்தான் பேசுவேன். நான் உங்களுக்குத் தொந்திரவு கொடுக்கக்கூடாது என்று நினைத்துநான் பேசவில்லை. மணிக் தொந்திரவு கொடுக்கக்கூடாது என்று நினைத்துநான் பேசுவேன். ஆனால், வேண்டுமென்று ஒரு கணக்காக வேண்டுமானாலும் பேசுவேன். ஆனால், வேண்டுமென்று சொல்கிறார்கள் விதமாக இவர்கள் தொந்திரவு கொடுக்கவேண்டுமென்று சொல்கிறார்கள் என்று நினைக்கிறேன். அவர்களுக்குத் தெரியும் 4 பாகையில் பேசுவேன் என்று நினைக்கிறேன். அவர்கள் நாலு பாகைகளில் பேசினால் நானும் டியதாக இருக்குமென்று. அவர்கள் நாலு பாகைகளில் பேசினால் நானும் நாலு பாகையில் ஆங்கிலம், தெலுங்கு, மலையாளம் முதலிய பாகைகளில் பதில் சொல்லவேண்டியதாக இருக்கும். அதற்கும் நான் ஏவர்ப் சொல்ல வேண்டியதாக இருக்கும் என்ற நிலைமை ஏற்படுகிறது. எவ்வளவு வேண்டு

[Sri O. P. Ramaswami Reddiar] [25th September 1947]

மென்றாலும் எனக்கு பேசத் தெரியும் என்பதை நண்பர்களுக்குத் தெரிவித்துக் கொள்ளுகிறேன். அடிக்கடி அவர்கள் சொல்வதால் ஜவாப் சொல்லவேண்டுமென்று சொல்லுகிறேன்.

“தவிர இப்பொழுது உணவு பிரச்சனையைப்பற்றி இங்கு சில நாள்களாக விவாதம் நடந்துகொண்டு வருகிறது. இந்த சபையில் அந்த விஷயத்தைப் பற்றி அதிகம் சொல்லவேண்டாமென்று விரும்புகிறேன். ஆனால், ஒன்று இரண்டு விஷயங்களை மட்டில் பேசிவிட்டு என் சகா உணவு மந்திரி அவர்கள் மற்றவைகளுக்கு நன்றாக பதில் சொல்லுவார்களென்று தெரிவிக்கிறேன். அவர் இந்த சர்ச்சையில் பூராவும் இருந்திருக்கிறார். நான் இல்லை. ஆகையால், என்னென்ன பேசினார்கள் என்பதை தெரிந்துகொண்டு பதில் சொல்லுகிற நிலைமையில் அவர் இருக்கிறார். நான் முடியாத நிலைமையில் இருக்கிறேன்.

“உணவு உற்பத்தி செய்யவேண்டுமென்றால் நாம் அதற்கு இரண்டு விதமாக பிரயத்தனம் செய்யவேண்டும். ஒன்று உள்ள நிலத்தில் அதிக உற்பத்தி செய்யவேண்டும். அல்லது அதிகமாக நிலங்களை விவசாயத்திற்கு கொண்டு வரவேண்டும். இந்த இரண்டு விஷயங்களும் கவனிக்கவேண்டியதாக இருக்கிறது. அதிகமாக நிலங்களை நாம் விவசாயத்திற்குக் கொண்டு வரவேண்டுமென்றால் குறிப்பாய் நல்ல விளைவு வேண்டுமென்றால் நமக்கு ஜல வசதி வேண்டும். இப்பொழுது இருக்கிற நிலைமையில் ஜல வசதி செய்ய முடியாது. அப்படி செய்வதாக இருந்தால் (schemes) தயாரிக்க வேண்டும். திட்டம்போட்டு estimate தயார் செய்து அது sanction ஆக வேலை நடக்கவேண்டும். நாங்கள் பதவிக்கு வந்து 5, 6 மாதங்கள் தான். அதற்குள் எவ்வளவு செய்யமுடியும் என்று சொல்லவேண்டும். இதைத் தவிர இப்பொழுது நாம் இந்த scheme களை தயார் செய்வதாக இருந்தால் எங்களுக்கு என்ன வசதி இருக்கிறது. குறிப்பாக அதிகமாக திட்டங்களை வகுத்து உடனே நடைமுறையில் கொண்டுவர வேண்டுமென்ற எண்ணத்துடன் நானும் மற்ற மந்திரிகளும் அடிக்கடி போசனை செய்து வேண்டிய வேலைகள் செய்துகொண்டு வருகிறோம். அதற்கு வேண்டிய ஆட்கள் கிடைப்பாது. இந்த Engineering Collegeயை எடுத்துக்கொள்ளுங்கள். Engineers அதிகம் உற்பத்தியாகி வருஷம் 330,340 வருகிறார்கள். ஆனால், Overseer கள் Estimate போட்டு அதைக் கொண்டுவந்தால் Engineers அதை செய்வார்கள். ஒரு Engineer க்கு 5, 6 Overseers வேண்டும். 5, 6 வருஷமாக Engineering College-ல் Overseers களையும் Upper Subordinate Class தயார் செய்வதை நிறுத்திவிட்டார்கள். இப்பொழுது Upper Subordinates 90 பேருக்கு வசதி இல்லை. Engineers 340 இருந்து Overseers 90 இருந்தால் எப்படி வேலை நடக்கும். ஆகையால் இப்பொழுது அதற்கு ஏற்பாடு செய்யவேண்டுமென்ற எண்ணத்துடன் Overseers தயார்செய்ய ஏற்பாடு செய்யப்பட்டிருக்கிறது. ஆறு வருஷமாக அரசாங்கம் இப்படி நடந்து கொண்டு வந்திருக்கிறது என்பதை நீங்கள் யோசிக்கவேண்டும். ஆகையால் இது யாருடைய தவறு என்பதை நீங்கள் யோசிக்கவேண்டும். Overseer இல்லாமல் Engineer வேலை செய்யமுடியாது. Engineers 600 பேர் தயாராக இருக்கிறார்கள், Overseer 90 பேர் தான் இருக்கிறார்கள். ஒரு Engineer-க்கு 4 Overseer இருந்தால் தான் Estimate தயார் செய்ய முடியும். Overseer இல்லாமல் Estimate தயார் செய்யமுடியுமா என்பதை உங்களுடைய அபிப்பிராயத்திற்கு விடுகிறேன்.

“தவிர உணவு cultivation செய்து அதிக உணவு பொருள் உற்பத்தி செய்யவேண்டும். அதை எடுத்துக்கொண்டால் பெரிய தொந்தரவாக இருக்கிறது. எவ்வளவு அதிகமாக செய்யவேண்டுமோ அப்படி செய்ய Agricultural Department-ல் Director of Agriculture அடிக்கடி பண்ணிக்கொண்டிருக்கிறார். என்ன வசதி இருக்கிறது. உரம் அதிகம் வேண்டும், ஜலம் கிடைக்கிறது. காரணம் இங்கே எண்ணெய் வித்துக்களின் Control-ஐ எடுத்து விட்டார்கள். அதனால் எல்லா எண்ணெய் வித்துக்களும் வெளி மாகாணத்திற்குப் போகிறது. அந்த நிலைமையில் இங்கே புண்ணுக்கு சப்ளை செய்ய முடியாத நிலைமையில் இருக்கிறோம். நம் மாகாணத்திற்கு 3 லட்சம் டன்

25th September 1947] [Sri O. P. Ramaswami Reddiar]

புண்ணுக்கு வேண்டியிருக்கிறது. இப்பொழுது 2 லட்சம் தான் உற்பத்தி செய்யப்படுகிறது. சென்ற வருஷம் லட்சத்தி 90 ஆயிரம் டன் புண்ணுக்கு சேகரிக்கப்பட்டது. இவ்வருடம் 1,30,000 டன் தான் கிடைக்கிறது. என் Control-ஐ எடுத்த காரணம், அது எங்கள் கையில் இல்லை. Control எடுப்பது Central Government-ல். இதைப்பற்றி முறையிட்டோம். டில்லிக்குச் சென்ற போது கூட கனம் இராஜன்பாபுவிடம் இது விஷயமாக பேசி வற்புறுத்தினோம். யோசித்து செய்வதாகச் சொன்னார்கள். இது விஷயமாக இன்னும் பதில் வரவில்லை. ஆகையால் இந்த நிலைமையில் அதிகம் எப்படி செய்வது.

“அது மாத்திரம் அல்ல. பசும்தாள் உரம் உற்பத்தி செய்யலாம். அதற்கும் வசதிவேண்டும். ஜல வசதியும் மழையும் வேண்டும். Deltaic பிரதேசத்தில் அறுவடை காலத்திற்குப் பிறகு மறுபடியும் சாகுபடி செய்கிறார்கள். அதற்குள் short-term crop உற்பத்தி செய்யவேண்டும். இதற்கு அதனால் அவர்கள் தயாராக இல்லை. மற்ற இடங்களில் பசுந்தழை உற்பத்தி செய்ய வேண்டியமழை இல்லை. மழை இருந்து விதையிருந்தால் உற்பத்தி செய்ய முடியும். அதிகம் உற்பத்தி செய்யவில்லை என்றால் வேறு என்ன செய்யமுடியும் என்று கேட்கிறேன். இந்த விஷயத்தில் நாங்கள் எங்களுடைய முயற்சியை செய்துகொண்டுதான் இருக்கிறோம். இன்னும் செய்ய நாங்கள் முடியாத நிலைமையில் இருக்கிறோம். எங்களை குறை கூறிக்கொண்டிருப்பதில் நியாயம் இல்லை என்பதை உங்களுக்குத் தெரிவிக்கிறேன்.

“இதைத்தவிர இன்னும் இரும்பும் மற்ற விவசாய கருவிகளுக்கு வேண்டியதாக இருக்கிறது. விவசாயிகளுக்கு அந்தக் கருவிகள் சப்ளை செய்யவேண்டும். நம் மாகாணத்திற்கு சண்டைக்கு முன் 61,000 டன் இரும்பு வரவேண்டும். ஆனால் சண்டைக்குப் பின் நமக்கு 31,000 டன் தான் கொடுத்தார்கள். அதுவும் சரியாக வரவில்லை. அதில் வருகிற இரும்பும் பிரயோஜனமில்லாத நிலைமையில் வருகிறது. 31 ஆயிரம் டன்னில் 12,000 டன் விவசாயத்திற்கு ஒதுக்கப்பட்டது. இவ்வருஷம் 16 ஆயிரம் ஒதுக்கப்பட்டிருக்கிறது. அதில் இந்த ஆறு மாதத்தில் 4 ஆயிரம் சொச்சம் டன் தான் வந்திருக்கிறது. ஆகையால் இன்னும் 15 ஆயிரம் டன் வரவில்லை. இந்த நிலைமையில் 4 ஆயிரம் சொச்சம் டன் தான் என்ன செய்ய முடியும். இதைப்பற்றி மத்ய அரசாங்கத்தாருக்கு எவ்வளவு அதிகமாக சொல்லவேண்டுமோ அதை பல தடவைகளில் சொன்னோம். எங்களால் முடியாத நிலையில் நாங்கள் இருக்கிறோம். இன்னும் நாங்கள் என்ன செய்யமுடியும். ஆகையால் உற்பத்தியை எந்த முறையில் அதிகம் செய்யமுடியுமோ அந்த முறையில் செய்துகொண்டுதான் இருக்கிறோம். இப்பொழுது இருக்கிற நிலைமை அப்படி இருக்கிறது. அதற்காக நண்பர்களும் எங்களுடன் ஒத்தாசை செய்யவேண்டும். குறைகூறிக்கொண்டிருந்தும் எங்களுடன் ஒத்தாசை செய்துக்கொண்டிருக்கிறோம். எங்குபார்த்தால்தான் போதாது. பொதுஜனங்களிடம் சொல்லவேண்டும். எங்குபார்த்தாலும் சண்டைக்குப் பிறகு black-market-உத்தியோகத்தில் லஞ்சம் அதிகமாக இருக்கிறது. பொதுஜனங்கள் ஒத்தாசை இல்லாததால் மிராசுதார்கள் black-market-ல் பணம் அடிக்கிற நிலைமையில் இருக்கிறார்கள். எல்லாரும் இப்படி இருந்துகொண்டிருந்தால் 13 பேர் இருந்துகொண்டு அரசாங்கத்தை எப்படி நடத்தமுடியும் என்பதை எடுத்துக்காட்ட விரும்புகிறேன். நீங்களும் வேலைசெய்யவேண்டும். அப்பொழுதுதான் அரசாங்கத்தை சரியாக நடத்த முடியும். அதிகமாக பேசவேண்டாம் என்று நினைத்து என்னுடைய சகாவாகிய உணவு மந்திரி அவர்கள் இதைப்பற்றி தெரிவிப்பார்கள் என்று சொல்லி முடித்துக்கொள்ளுகிறேன்.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“கனம் தலைவர் அவர்களே. Some voices: ‘தமிழில் பேசுங்கள்’ கனம் பிரதமர் அவர்கள் சில அங்கத்தினர்கள் அவரை பேசும்படி கேட்டதைக் குறித்து பேசினார்கள். அதில் சிறு தப்பு அப்பிராயம் இருக்கிறது. அதைக் குறிப்பிடுவதற்காகவே நான் இப்பொழுது எழுந்திருக்கிறேன். அவரை அங்கத்தினர்கள் சில பேசவேண்டுமென்று கேட்டுக்கொண்டது அவருக்குத் தெரிந்திருக்கொருக்கவேண்டுமென்றும், அதுவும் அனாவசியமாக தொந்தரவு கொடுக்கவேண்டுமென்ற எண்ணத்துடன் இல்லை என்பதை

[M. Muhammad Ismail Sahib Bahadur] [25th September 1947]

நான் அவருக்கு தெரிவித்துக்கொள்ளுகிறேன். அவர்கள் பிரதம மந்திரியாக இருப்பதால் அவருக்கு வேலைகள் அதிகமாக உண்டு என்பதும் அவகாசம் குறைவாக இருக்கும் என்பதும் எல்லோருக்கும் தெரியும். இருந்தாலும் மிகவும் முக்யமான விஷயத்திலும் விவகாரத்திலும் அவர் கலந்துகொண்டாலும் அவர் தன்னுடைய அபிப்பிராயத்தைச் சொன்னாலும் பொதுஜனங்களுக்கும் கொஞ்சம் தைரியமாக இருக்கும் என்பதற்காக அங்கத்தினர்கள் அவ்விதம் வேண்டிக்கொண்டார்கள் என்பதை குறிப்பிடுகிறேன்.

“இரண்டாவதாக அவர்கள் இவ்விதம் இடைஇடையே இந்த மகாசபை விவாதத்தில் கலந்துகொண்டால் வாஸ்தவத்தில் இந்த மகா சபைக்கு கௌரவமாக இருக்கும் என்பதற்காகவும் அவர்கள் அப்படி வேண்டிக் கொண்டார்கள். அதற்கு பிரமதர் ஒரு வேறுவிதமான அர்த்தம் கொடுக்கக்கூடாது என்று வேண்டிக் கேட்டுக்கொள்ளுகிறேன்.

“இன்னும் அங்கத்தினர்களுடைய ஒத்துழைப்பும் வேண்டுமென்று தன்னுடைய விஷயத்தில் கடைசியில் சொல்லி முடித்துக்கொண்டார்கள். அவர்களுடைய ஒத்துழைப்பு முக்யமான விஷயங்களில் கவர்ன்மெண்டார் வேண்டுமென்று கேட்டால் எவ்வளவு செய்யவேண்டுமோ அவ்வளவு செய்யவேண்டுமென்பதே அங்கத்தினர்களுடைய அவா என்பதை தெரிவித்துக்கொள்ளுகிறேன்.”

SRI K. T. KOSALARAM :—“கனம் தலைவர் அவர்களே, கனம் பிரதமர் அவர்கள் அவர்களுடைய பேச்சில் நமது மாகாணத்தில் உணவு நிலைமை உணவுப் பொருள் உற்பத்தி செய்வது என்பதையும் மாகாணத்தில் விவசாய கருவிகள் எவ்விதம் குறைவாக இருக்கிறது என்றும் சொன்னார்கள். ஒரு விஷயத்தை மட்டில் நான் சொல்ல விரும்புகிறேன். பல கிராமங்களில் பெரிய நிலச்சுவான்தார்கள் அதிக நிலம் வைத்திருக்கிறார்கள். அவர்கள் அதிகாரிகளை ஏமாற்றுவதற்கு ஹேதுவாக இருக்கிறது. அந்த நிலைமையில் இருப்பதால் அவர்களிடமிருந்து ஒரு declaration, ஒரு உறுதிமொழி form-ல் எழுதி வாங்கிக்கொள்ளவேண்டும். அவர்களை அப்படி திட்டம் செய்யா மலிருந்தால் அவர்களை Prosecute பண்ணுவதற்கு Provision சட்டத்தில் இல்லாததால் அதிகாரிகள் கையால் ஒன்றும் செய்யமுடியவில்லை. இதே மாதிரி சர்க்காரை ஏமாற்றி வந்திருக்கிறார்கள். சட்டசபை அங்கத்தினர்கள் ஒத்துழைப்பு வேண்டுமென்றால் அவர்களுக்கு பல அதிகாரங்கள் கொடுக்க வேண்டும். பிரதமர் இவைகளைச் செய்யவேண்டும்.”

MR. SPEAKER :—“உங்கள் மனதில் என்ன இருக்கிறதோ அதைச் சொல்லவேண்டும்.”

SRI P. KAKKAN :—“சபாநாயகர் அவர்களே, கனம் பிரதமர் மந்திரி அவர்கள் தமிழில் பேசிய பொழுது எனக்கு ஒன்று ஞாபகத்துக்கு வருகிறது. மகாத்மா காந்தி அவர்கள் சில நாட்களுக்கு முன் அவர்கள் ‘ஹரிஜன்’ பத்திரிகையில் அந்தந்த மாகாண பாஷைகளில் சட்டசபைகளின் நடவடிக்கைகளை நடத்தவேண்டுமென்று எழுதி இருந்ததை ஒட்டி சில பத்திரிகைகளிலும் வந்திருக்கிறது. கனம் சபாநாயகர் . . .”

MR. SPEAKER :—“நீங்கள் இப்பொழுது தமிழில் பேசவேண்டுமென்று பேசுகிறீர்களா? தயவு செய்து உட்காருங்கள்.”

THE HON. DR. T. S. S. RAJAN :—“Mr. Speaker, I am very thankful to the House for the great enthusiasm displayed by hon. Members. There has been some insinuation made that the Legislative Council has taken precedence over this House. Now that the statement has been made, I am in duty bound to say a few words regarding that. Two days were allotted for the food debate in both the Houses and in fact, this House began the debate earlier and the other House began the debate later. I want hon. Members to remember that the other House consists of barely a little over

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forty while this House consists of 213 members. Therefore, it stands to reason that this House should naturally take some more time and by no stretch of constitutional procedure, could the proceedings of the other House arrested, because being smaller in number, the criticisms ended on the second day which was the appointed time and as one in charge of the debate, I had to conclude it and it is part of my duty which I fulfilled. I could not stand up and tell the House: ‘The other House has not finished this business; therefore, I cannot answer to the debate.’ It is only a constitutional procedure which was adopted and I just wanted to make mention of it here because the attention of the members of the house was invited to the earlier conclusion of the debate and the replies made by me and the other Minister in the other House. We have always realised and said and I say it once again that this is certainly a very representative House and it is only on that account that we have introduced it here and if the debate has gone on till about this time, you may be sure that all the regard and respect due to this House and their representative capacity has been well realised by the Government and we have in no way the intention to diminish the representative character and powers of this House.

“After having said that, I must say that this House has taken to this debate very kindly in spite of the severe expressions used in the course of the debate. We have been in office for some months and we have run the administration during that period. But we have run the administration in our representative capacity as members responsible not only to the Legislature but to the electorate outside. The question of diminished rations, threatened famine are all subjects with which the other citizens as well as Members of the Legislature are vitally concerned. Therefore it was that every one here in this House as well as in the other House and outside should be aware of two things: the actual position as it exists to-day must be known to them and that we have endeavoured our best to pull through. My purpose was not to suddenly burst upon them any debate without giving them time enough to study the statement as understood by the Government with all the facts which made Government to arrive at certain conclusions. That too I have done with a view to place full information before we sought their advice. I have also seen to it that for this purpose the statement was in the hands of hon. Members a week before the debate commenced. I am glad that full use of the time that we had given has been made by hon. Members in offering their suggestions. One thing I want to tell the House is that we did not want to give any lead to the House. After making the position of the Government clear according to the situation at present existing, it is our desire to know what the representatives of the people have got to say in the matter. Therefore, we have made certain posers; it is not the conclusion of the Government as certain hon. Members have been led to think. It is only a poser put by the Government to encourage and elicit information from the Members of the House. I wish to disabuse the minds of

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the members about any pre-conceived ideas which we have arrived at; we have arrived at no pre-conceived ideas. It was for getting the views of both the Houses of Legislature and also getting a fairly clear and concrete idea of the food position of the Province that all the Ministers were deputed to go to various districts on tour so that they might meet people, talk to them, talk to the representatives of the people, talk to the officials and bring to their minds the urgency of the situation and the need for extreme effort on their part to secure food grains which are so necessary for our people. It is only for that purpose that we have taken this course. I am glad that this debate and the assistance given to us by the press have enabled us to give a correct picture to our people. I am, therefore, glad and thankful that this debate has served its purpose.

p.m. "But unfortunately while the debate has been more or less concentrated on the subject, certain side issues have been raised unnecessarily, to which I should make one or two references. I would just make one or two references particularly to East Godavari district wherefrom complaints of death from starvation have been made in this House. I can understand the anxiety of the people of East Godavari to retain all the grains and save their people from starvation. It is a natural thing. It is just as natural as the head of a family who thinks that he should conserve grains as much as possible so that the fear of starvation may be warded off. There is nothing wrong about it. What has happened really is this. Production of rice in the year in East Godavari district has been 348,000 tons and the target for procurement in that district is 121,500 tons. I want to bring it to the notice of the House that the export quota for East Godavari for September 1947 is 9,714 tons. Of the procurement, only 121 tons have been exported up to 20th September 1947 leaving in the district a balance of 9,593 tons to-day. That is the stock that is now with the Government in East Godavari district. Therefore, I just want to disabuse the minds of our legislators, and point out that we have taken care to see that in those districts, from where we procure, a certain amount is always kept as a reserve. It is only the surplus stock that is taken out to feed deficit districts. It is on this plan that the Food Department is working."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"For how many weeks the stock will last, Sir?"

THE HON. DR. T. S. S. RAJAN:—"Nine thousand tons will surely cover the requirements of three weeks. One picture I want to present to you is about the position as it was at the time we took up office, because much reference was made to the fact that something has been done or handed over to us which we did not manage well. I would like to ask you to read my report very carefully. Whatever may be the correctness of the figures or the deductions you make out of it (you can make any deduction from these figures), you must all have all-correct figures and all your data should also be correct. The Hon. the Leader of the Opposition put his target figure as 5 crores of people. That is only a

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rough estimate. Giving a figure and putting a rough estimate, all work in this way. It is all quite right. But I can assure him and this House that five crores was only an approximate estimate. Neither he nor I nor anybody could say that it was a correct statistical figure published by the Census Department. My own feeling is that it is certainly more than the figure that has been mentioned. We cannot go on arguing mathematics on that. He wanted to prove that there has been more food available. If I read his criticism correctly, it means that there has been a shortage, and thus he necessarily concluded that there has not been efficient procurement. He went on to say that these few innovations introduced have been responsible for this low figure. I quite agree with him, because I have not indicated in my report as to how reductions could possibly have come about. I have explained to him how it could be done. In explaining it, I had one point in suggesting a poser for giving up rationing in rural areas. The poser was this that before control was introduced in those areas, when there was only one system of price fixed, this Province was able to feed all its people, and what is more, we were able to export $1\frac{1}{2}$ lakhs of tons. That is the point which I would like you to note. In the report I simply put all these figures to show that in the increased control and in the difficulty of control, the responsibility of Government has increased. That of course you all concede. It is the statutory responsibility of Government to feed every one. Whether the man goes there and gets his ration from the ration shop or after getting the ration he sells it outside at a profit in the black market, all these things are attendant on statutory rationing. I want the House to remember this. It is not the 8 ounces or 12 ounces that matters very much, but how much quantity of rice is taken or how much quantity of rice he is entitled to take for the period for which he has taken it does matter. Our information and our examination of the ration cards has proved that ration cards have been lavishly distributed and that more than one individual has been taking advantage of the ration card. There are a number of people who take cards, but never return them when they leave the place. They leave the cards with the house owner or with their relatives who go on buying rations. In this way a great strain has been put on Government's resources. Then again, people who were eating millets and who were growing only these grains, when the ration of 8 ounces of rice was made to them, simply took advantage of this 8 ounces rice. They were eating their own millets and saved this 8 ounces rice, and made a profit out of this. Some sort of transaction has been going on in this rationing scheme. It was proved beyond doubt that the Government had to bear a strain on their shoulders because of tricks of the people to which this whole system has been subject. It is also very difficult to stand before a ration shop and verify all the ration cards. It is a universal proposition. Knowing all that and knowing also the pain and the suffering we are subjecting individuals to without the power in one hands to give them an increase in price, I put a power. I said, supposing we exclude certain areas from rationing, and

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reduce our responsible commitments in the way of procurement, would it not be a more easy proposition for management from the Government point of view. Sir, that was only a poser. I just wanted to know that the House reacted to that proposition. There is nothing at all in our minds to wash off our responsibility. If we had been struggling all these severe months to feed every one in this land and drive out starvation, it is because we felt strongly and keenly that we should discharge the duty that is imposed upon us to feed every one.

“There is another friend who said that we did not take all young men, Communist friends, who could lay their hands upon hoarded stocks and deliver them to us. I must here mention that our Communist friends have been active, particularly kisans. They have been very active, and no doubt they have brought to light many of these hoarded stocks. That also I confess. Where I do not agree with them is in the attack they make upon officers, and others who hoarded the stocks. (Hear, hear.) They are uncharitable. It is uncharitable to say the law is with me, and I can secure the stock. It is not the way of procurement. The Premier said ‘we will have to use force’ when headloads of paddy were taken from Tanjore to the sea coast and from there was regularly sent to Ceylon by steamer services. This was necessary especially when the police were not able to get the stocks. This was the situation in which he said so. It is a fair thing, and an administrator has got to say it, but in saying it he simply meant that we have exerted to the utmost, and we should have procurement. Supposing one communist friend is marching out to secure food in an area 15 miles away, another communist friend comes and says ‘hand him before you go to the next village.’ While I welcome all the co-operation, the co-operation must not take in attacking individuals or a landlord who is not a communist. Communist friends must come to our help without saying ‘shoot him down and march the police on him; we have got to feed the poor people of the land.’ We are at one with them when they say that all poor people of the land should be fed. We equally feel with our Communist friends in that respect. There is absolutely no difference of opinion between us in that matter. But where the question comes is when stocks are available how are they not delivered to us. That is the exact point. One of the members asked what have the Ministers done during the last two months? I shall tell you what we have done. Procurement in this Province was at its lowest on 21st August 1947. Then, procurement was on an average of 13,316 tons. We began our tours from the second of this month. Since then procurement has gone up this way:—

13,889 tons, 18,355 tons, 21,737 tons and 21,699 tons.

This is the latest figure. These two or three weeks we have toured. What do the figures show? The figures show that we have procured nearly 70 to 80 thousand tons. These quantities have not been brought from abroad. These were with our own

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people in the villages. They waited only for the Minister to go and stretch hand in the name of the poor people of this country and ask the villagers to give paddy. We are thankful to all those who have generously offered paddy. We have not put pressure on anybody. We have not hurt anybody. This has happened in these two months. You must give us credit for having done that at least.

TONS.

Production during 1946-47		4,795,000
Procurement from 1-11-46 to 31-8-47		1,200,491

What then is the total percentage of procurement to the total percentage of production. It is simply 25.1 per cent. Where has this 75 per cent gone? Only two things should have happened. Either the stock should have been exported or it is with our own people. I have repeatedly said in a number of places—and I am not tired of saying it again—that there is food, and it can be procured. That is my postulation. I said ‘you have got food and therefore you give me.’ It is not as if I was not speaking without facts. I had this 75 per cent in view. I quite agree that this 75 per cent does not mean everything, because it includes seeds, it means wages, and it means reserve for next year for cultivation purposes to make it easy for the ryot to produce. I want to save for these items. Complaints have come to us that small producers have been harassed, and that much of their reserve stock has been taken away. I quite agree that for any small producer this difficulty is there. But what have the Government done in the matter? Government have said ‘you take your food; if you are not having enough, we undertake to supply you.’ That is the undertaking given by Government.

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“The orders of Government with regard to procurement are perfectly clear. Four fundamental conditions have been initiated by this Government. First of all, enough food for the producer at the rate of 1 lb. per head. That is a sacrosanct quantity which we shall not touch. (Sri Kallur Subba Rao: For how many months is it to prevail?) Till the next harvest. Secondly we give him sufficient quantity of seeds; and it comes to 2½ to 3 bags per acre. That also we have sanctioned. Then, the producer says, that he has to pay his labourers in kind; for that we give him something; then he says he has to maintain so many servants to run his farm. For that we grant at the rate of 1 lb. per head. After all this is conceded, we ask him, ‘What is your surplus; you surrender it to Government.’ Now that is the levy which the Government makes on the producer on account of the difficult conditions of food today.

“Now, one thing, however, I want to bring to the notice of this House. And that is, that this situation is very unfortunate for the reason that India is not alone faced with starvation; the whole world is faced with starvation; to-day the whole world is in a state of turmoil; the countries from whom we have been getting till now are not able to supply us now. So the other agency on which we can fall back is the Government of India. The Government of

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India do not themselves produce any rice; they only manage the distribution of the available stock of food in the provinces. And besides that, they approach other countries of the world, whenever food is available from them, and buy from them food necessary for us. This Madras Government cannot buy food from the western countries by themselves. Because we do not exist as a nation, on which basis alone we can negotiate. It is only the Government of India that has got an international status. Therefore purchase on a Government basis has to be done by the Government of India. An international Emergency Council is sitting in judgment over the needs of India as a whole. It does not consider 'what is the amount of food required by the Madras Province, or by the Tamil area or by the Andhra area or by Orissa, or by province by province.' It takes India as a whole. So we have to fight with the Government of India for getting our quota of food. So what is the result? Thus when we are necessarily driven to approach the Government of India, they say, 'world conditions being what they are to-day, we are not in a position to supply you; you try to get on with the food available with you.' So we had to cut down our ration consistently with the food-stock we have; so we calculated the period for which the existing stock has to serve; and it is after all this we have fixed eight ounces of rice as ration. And it is not merely eight ounces of rice we give; we give two ounces more of millets. The Government of India have allotted 23,000 tons of food-stuffs to us, which will be delivered to us before October. But at what price? They say they would supply us with rice at standard rates. They say they will bear themselves the transport charges and all other incidental expenses. They say they will do all this for us on one condition. And what is that condition? On condition that we should not increase the consumer's price beyond a particular level. That is the undertaking which the Government of India want from us. Therefore it is on those terms we are taking food from them.

"One other point I would like to say here. So many friends have been talking about Grow More Food Campaign. May I remind them that the Government of India has given us 6½ crores; and for the number of wells sunk to-day we receive a subsidy from the Government of India which we distribute. Then again in the case of manure, they are prepared to subsidise half the cost. In everything we are trying to-day Government of India have come to our help. It is true they have refused to give us increased price. But at the same time it should also be said they view it from an All-India position. And it should also be conceded that the Government of India have not stinted to support us in other directions apart from price level, which they say, on account of international position, they are not able to pay. So when we charge the Government of India for not doing one particular thing we should remember also what other things we get from them. I do want the House to understand we are still getting crores from the Government of India and we will get also more from them in future years, and so it is incorrect to accuse the Government of India as being inhuman."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"But they have taken much more from us."

THE HON. DR. T. S. S. RAJAN:—"I am talking of the food aspect and not other aspects. I am not arguing for the Government of India here. In fact my grouse is that they do not give us increased price. All I say is, the feeling among some of us that the Government of India is a villainous person is not just."

SRI T. PRAKASAM:—"May I know how many crores have been received from the Government of India during the last six months?"

THE HON. DR. T. S. S. RAJAN:—"We have applied for 4½ crores and they have said they will consider it and help us."

"Now a word about the position of stock of foodgrains under Government control on 27-3-1947; that is, about the time we took up office. At that time the stock of rice was 290,000 tons, and the total of other foodstuffs including wheat and wheat products amounted to 3,24,000 tons. On 18-4-1946, that is in the previous year when the popular Government came in, the stock of rice under Government control was 474,000 tons; whereas on 10th April 1947, although production was better this year than last year, the stock was 276,000 tons. So we began the kharif year with only fifty per cent of what was available in the previous year. Also you will find that the import figures of last year were close upon six lakhs of tons from abroad. Thus we never had more than three lakhs of tons; the actual stock was less by nearly two lakhs than last year, and we had only two lakhs to spare. That is exactly the position when this Government took office. I know the previous Food Minister confessed of low stock even last March; and one of the remedies he adopted to augment procurement was by starting producers-cum-consumers societies. That was an experiment which he started, and may be quite rightly. I know they have raised a large amount of capital; I know they have enrolled a number of shareholders. They did what they could do under the circumstances. Now, with all these advantages, last year the Government gave bonus twice; once, one rupee; and again one rupee; and then again Rs. 15 per acre as bonus. In this way they have been able to pull through the critical situation last year. Now, Sir, the producers-cum-consumers societies were a device by which the Government expected to get more procurement. Either there was not sufficient time for the experiment or the experiment did not have a right start; whatever it might be, it is beyond doubt that that agency did not work. It has been proved by figures that this agency did not work. There were plenty of reasons why this agency did not succeed. That being so, when faced with a threatened deficit, was it right on the part of the Government to carry on that experiment for any length of time. That was the position we had to face. And what would you expect us to do? The millers have been procuring all along. Their figures of procurement fell very low. After we took charge no miller was allowed to procure. We wanted to give full monopoly to these societies."

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But then month after month the figures of procurement threatened us. They fell so low as two or three hundred in areas where one lakh or two lakhs of tons were expected. So we did not keep quite. I know it was Mr. Prakasam's pet scheme. I took the blame on myself and asked him to discuss with me and help me. Of course he did refuse; and he was perfectly right in what he did. So what I could under the circumstances I did. What is the result? We had to carry on under very adverse conditions; the world conditions were against us; the Government of India were incapable of helping us and we had to draw upon our stocks, which continued to diminish day by day. That is the position. If I lost one life I know what I will have to face in this Assembly. Here is a fictitious report of which I am now charged. Leave that alone. I will not allow one soul to die. I would rather much allow myself to die. (Hear, hear and cheers.) It is not here I have made that statement. I have repeated this at other places. If we have to allow anybody to starve I must starve first. It is not as if we were not aware of the situation or alive to its gravity. We did feel our responsibility in a greater measure perhaps than any Government before us did. We therefore threw down our files, left our offices and ran from village to village. That was what we had to do as responsible Ministers. We were not having our comforts and going about the matter easily. But the happy thing about the whole matter is that this procurement is now coming so well. I was expecting with great misgivings that on the 1st October we should have to go starving, but to-day we are in a happy position and I can keep the promise for two or three weeks without difficulty. If procurement comes in like this for two weeks more, we will have crossed the Rubicon and the food crisis will be over. We have achieved this at a time when everything was adverse to us and we were faced with very discouraging circumstances. This is not the time to discuss what is the cause of this, which society has failed and so on.

"Now Sir, we have heard remarks made about the procurement officers. As Mr. Prakasam rightly pointed out, procurement is a dirty job. The procurement agents have to ask the people to deliver the food stocks they have. It is a very unpleasant situation. There have been some officers who did not come up to our expectations and perhaps belied their respectability and played certain dirty tricks. I do not excuse them and the Government will certainly take action against them wherever necessary. But having said that, I should say that on the whole they have done the work well under very difficult conditions. From the District Collector downwards everyone has done his work well. There is not one department of the Government which has not shared this burden of procurement. The Engineering Department, the Public Works Department, the Local Administration Department and the Revenue Department have all done this work. From the first Member of the Board of Revenue to the lowest employee, everyone helped each in his village or area where he thought his influence will prevail. The whole Government worked as a team and the lowest

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employee in the service of the Government did his best. Is it then open to us to say that all these people are not honest and are rogues? They have stood by us valiantly and dutifully and I must say on the floor of the House that we appreciate their help and are very grateful to them. I expect them to work like this for the next one month till we are absolutely free, so that we may say that we and the services have done what we could and the best we could under the circumstances."

"Sir, it is not a question as to what particular views we hold with regard to particular actions of particular Ministry. It is not at all our concern. Our concern is only the securing of food. If certain districts did not come up to expectations, we did say that this district did not give, that district did give and this district gave more and so on. It is honest truth and nothing else. To prove that certain districts did not give all that they should have done is easy, because we have taken very large stocks from those districts which did not give us in time. We have taken thousands and thousands of tons from those districts where we had only a few hundreds before. Either our officials were lax or slow or the drive from the Government was not sufficiently strong. Whatever it is, I think that we deserve the thanks of the House for what has been done so far and their encouragement to us to put forth greater efforts, instead of tearing us to pieces on imaginary facts and figures which do not bear the scrutiny of truth. In spite of the various difficulties, the difficulties of the new situation, the difficulties of the international food situation, the inter-provincial food situation and the various factors against us, it is our claim that we have done our best in the circumstances. We have not allowed famine to overtake the land and we assure this House that given this energy and this drive we shall certainly carry the country through for the next month or two. But I claim full and complete co-operation from everybody—the card-holders as well as the producers. There should be no cheating with ration cards and no honest citizen should try to get more than his eight ounces. That is what everyone should observe honestly and truthfully. Have I not refused permission for gatherings and conferences being held in the city because I could not give them grains? But I know they have got grains and got on. Are there not marriages celebrated in this country where 500 people and 1,000 people are fed, although the rule is only 30 to 50 people? But I cannot be in every village where marriages take place. After all, the marriage comes once in the lifetime of an individual and a man who has got 1,000 bags of paddy in his house will no doubt use a few bags for the purpose. It is difficult to prevent all these. But as a State we have done all that is necessary. We have not encouraged it. And we are prosecuting people for entertaining guests in this country. We have come to this pass when we have passed legislation to punish hospitality, hospitality beyond a number prescribed by the Government. It is against the very grain of Indian humanity, but the situation has become very critical and we have not hesitated to put the law in force. Have I not received petitions saying, 'I entertained only 50 more people. Do be kind to me,

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Take away the charge.' But I say 'No'. I have to steel my heart and give no room for hospitality, because serving the poor is the highest duty before me now. Every one in this Government is working to try and save the poor. It is easy for us to criticise our people. But knowing them as I do, knowing their sentiment and the condition under which our society has developed, should we not as a Government of the people have done what we have done? I have told the whole story to the people and asked them to come and help us and not to put us to the painful necessity of putting the law in motion against them. I beseeched them: 'Do not make the law come down on you and do not make me the instrument of putting the law in motion against you. As good and honest citizens who realize the welfare of the land and the necessity of avoiding famine, come to my help. Give the Government what you have got to give and tell your neighbour not to waste his food but give it to the hungry.' The legislators can do the same. I want every member of this House and the other House to go about in his constituency, gather all the Congressmen who have returned them to the Legislature and make the various Congress organizations take a living interest in this work. There are also other bodies to whom this Legislature is responsible. There are communities, there are political bodies to whom famine makes no difference, to whom starvation makes no difference and to whom food is a common factor. I want every one to go round and give us the help that we want. We are very grateful to the people for the response given to the Ministers in their procurement campaign. We have gone through the country and been welcomed by the people. I must thank them all for the great encouragement which they have given to us in our procurement programme. Immediately on the 1st of next month we are going again on a prohibition campaign. We want the same help, the same energy and the same enthusiasm and organized assistance of the citizens of this land—Hindus as well as Muslims—to put an end to this nasty trade in drink.

"There has been some reference to our Prime Minister. He is very much interested in land being an agriculturist himself and we are all co-workers. As for myself I have devoted a good many years to agriculture after relinquishing my professional work. Some one said that as doctor I was cutting human bodies and now I am cutting the earth. I do cut the earth now and this cutting work is more useful though not to me at least to the society. The highest form of work which anybody can engage himself in is agriculture, the ploughing of land. So says a Tamil proverb. But how many follow it is another matter. But having taken to agriculture and worked a farm I have got confidence to speak about certain things which perhaps under other circumstances I may not have ventured to do. Some friends have told me: 'all these sugarcane lands, groundnut lands and plantain lands should be converted into rice lands. They should all be made to grow food-crops. The proposition seems easy, but before doing that, I must go into the case of each man who produces a particular type of crop. I am of the view that the Indian agriculturist is one of the keenest

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and cleverest men on earth. He has practical knowledge of agriculture and years of experience behind him. It is in his blood and he is a very careful cultivator. He knows the soil much better than the scientist to-day. He knows the seasons and the value of the plants that he is going to raise. It will be very fool-hardy if we throw away his advice, the advice of a seasoned agriculturist in this country. His resources are very limited, he has no capital, his land is not very promising and there are the vagaries of the monsoons. Yet he has successfully carried on this industry of agriculture for the last so many generations. He is not a fool in what he is doing. His rotation of crops has got the backing of vast experience behind it and what he does cannot be lightheartedly dismissed. He does not grow any crop on his land when he is not sure that that crop alone will grow. He gives rotation on two principles: one is the capacity of the land and the other is the water available both from rainfall and the other sources. He has also got to consider the income which is necessary to keep him going and enable him to buy his tools and animals. A pair of bulls costs a thousand rupees and there is no use of your telling him to put everything in rice if you do not help him to get what he wants. You must understand that after all he should live, he should survive and he should keep himself going before we order that anything should be grown on his land. He never refuses to grow food. That is one thing about our agriculturists. But he does grow something more in addition to his food, according to the seasons and the need of the soil. One commercial crop or another planted in one field becomes manure for another field also. There exactly is the economy of the people. If he grows groundnut, he gets fodder for his animals and manure for his field. You cannot lightly dispose of groundnut. There is national economy which preserves agriculture. This is grown on dry land in a season when there is no rain. The farmer knows quite well what will grow.

"Then there is the argument about sugarcane. After all is said and done, out of 12 million acres of rice crop, we have hardly one per cent under sugarcane. Moreover we are deficit in sugar. We are importing millions of tons and depending on the mercy of Northern India—Bihar and other places. I would like to tell you as a medical man that sugar is a very substantial food, more substantial than rice. The poor people take jaggery and make many kinds of food with it.

"He takes the jaggery itself and makes so many fine things" 7.45 p.m.
out of it. The other day I answered a question in the Legislative Council where lakhs of rupees were asked to be paid for preparing and supplying groundnut toffee. They do not know that tons of toffee are being prepared in fine balls and sold for quarter of an anna, for which we would otherwise have to pay three or four annas. The economy of groundnut is there. (Mohamed Abdul Salam Sahib Bahadur: 'What about tobacco?') I am coming to that. I am not a grower of tobacco myself. The Government banned the production of tobacco for nearly three years. At the end of it, the land deteriorated so much in value that tobacco had

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to be grown in the interest of the land itself. I am simply enunciating some basic factors with regard to rotation of crops and how it fits into the economy of our national food production. My colleague, Hon. Sri K. Madhava Menon, tells me that in a land where tobacco is grown, nothing else will grow. These are factors which I would like those people who offer criticism to know, and I know the criticism is offered in very good spirit and the critics are quite honest in what they are saying. As an administrator and as one responsible for the food of the people, I must know in what ways our people are getting food. Do I not know that even with the diminished rations, the people are having fairly nutritive food? Investigation was carried on by a nutrition expert in Vellore in Coimbatore district in connexion with rural reconstruction. He has sent us a report that there is no trace of evidence to show that the nutrition of the people has gone down. What is sure in one area is practically sure in other areas. The whole economy of our agricultural system has to be so adjusted that people do not suffer nutritionally. I will so judiciously follow my economy that the nation shall be maintained. Take plantain. Plantain can grow only in certain areas; it is not a universal crop. A very, very small percentage of land is under plantain. From our point of view, it is one of the best and the cheapest food that the nation can have. If you go to an eating house with four annas, you will not get even half of what will satisfy you. For the same amount if you purchase plantains, you can feed yourself and your family. Paying half an anna a fruit, if you take two fruits, your stomach cannot hold more. If you grow plantain for two years in a field, the field is gone. You cannot grow anything else. The economy of nature is such that if you grow one crop, you must suspend it the next time or substitute it with any other crop. We are open to conviction, and we are examining the subject again and again. In the statement that I make, I have the opinion of the agricultural experts and my own experience as an agriculturist with regard to the rotation of crops.

“ Having said so much, I should really say that there are many other things to which reference can be made. We should make an endeavour to avoid this recurring catastrophe; I quite admit. I also agree with those who said that this was not going to be a matter only for two or three months. I certainly admit that this will last for three, four or even more years. Whatever happens, we must devise ways and means to protect our people from starvation. That we have done and we shall continue to do for the next three or four years or as long as necessary. I have carefully followed the discussion and taken full note of it. That will be a valuable asset for us in our future decisions. We have also got an Advisory Committee to give us advice. I know it is not a very representative body, but it does contain a large number of producers on whom we have got to depend. Their advice is also available to us. We have said to the Government of India that we are appointing a Prices Committee in our Province to give us basic prices for all our foodstuffs. Their recommendations will be sent

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to the Government of India. How far they will accept the recommendations is quite another matter. But we shall not slacken our efforts to bring home to the Government of India our claim for a fair price. We would impress that on the Government of India through this debate and by our frequent contact with them. The Government of India call for a monthly conference of Food Secretaries of all the Provinces. Every month they take stock of the whole position and distribute the grains. Once in two or three months the Food Ministers of all the Provinces are also called if there is any change in policy. We have made it a point to see that in every discussion that the Government of India are holding our Province is sufficiently protected. If our Province has got any interest, we shall not fail to urge upon the Government of India all that we want and co-operate with them in such a measure that we will get the maximum amount of strength. In that way we tackle the food problem, which is not entirely ours but theirs also. I am grateful to the hon. members of the House for the patience with which they have listened to me.”

SRI V. I. MUNISWAMI PILLAI:—“ What about rural rationing? ”

THE HON. DR. T. S. S. RAJAN:—“ Rural rationing is a matter which we shall decide in the light of the discussions we have had. I have also to get reports from Collectors to whom references have been made. We shall go into the question and take care to see that nobody starves. We shall not hurry up the matter. If it comes to that, we shall experiment in one or two places and if it is successful, we shall gradually extend it to other places consistent with our food stocks because we know very well that we require a minimum of 3 lakhs of tons of buffer stock to carry us from day to day. In all these estimates, 3 lakhs of tons have not been taken into account. If I say that we have $1\frac{1}{2}$ lakhs to-day, it means that we have $4\frac{1}{2}$ lakhs.”

SRI V. I. MUNISWAMI PILLAI:—“ What about the lifting of control over the movement of potatoes? ”

THE HON. DR. T. S. S. RAJAN:—“ My hon. Friend Mr. Muniswami Pillai is very keen on potatoes; he is a potato grower himself. Unfortunately, we, in our campaign, have not spared him and his potatoes. (Laughter.) We have taken power in our hands to put a price limit on it. The price of potatoes is very high in Bombay. There it is about Rs. 113, whereas Madras would pay only Rs. 33 per bag. This is a hardship to the producers. As a producer, he has just reason to complain. We have made arrangements to sell it in Madras for 10 annas and 12 annas. He says: ‘ how long are you going to keep it on? I will guarantee the supply of the required quantity; remove the control.’ I must say that this is an experiment. I shall go into the question, consult the Collector of the district and get to know the stock position. He asks: ‘ What about the stock that may rot. I would rather send it to Bombay or Calcutta than allow it to rot in the Nilgiris.’ (Sri V. I. Muniswami Pillai: ‘ The producer is not a

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capitalist.') I know it is not a question of capitalist producer. I know I hurt the producer. I will see that the non-producer does not make capital out of it. That is what I have got to say. I shall keep a very watchful eye on the topic and see how far I can move in the matter."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, Sir. In to-day's *Indian Express* we find a report that in Madras there is a stock sufficient for five weeks. According to Mr. Prakasam, there is trouble in Godavari, and according to me there is stock only for two days in Guntur. May I request the Hon. Minister for Food to divert some stock from Madras?"

THE HON. DR. T. S. S. RAJAN:—"It is not enough if there is a stock of just 9,000 tons. From what the hon. Member says, I have to infer that he has not been listening to my speech. There were days when we had even a week's stock, and we managed to rush food supplies wherever there was shortage. If you all come and help me in procurement, I will be able to rush food as you want. When you demand more food, help me also to procure more food. For every demand that you make on me, you must remember that a responsibility is cast on you also to save the poor man from starvation."

The motion that the food situation in the Province be taken into consideration was adopted.

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

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APPENDIX I.

[Vide answer to starred question No. 114 asked by Sri P. R. Kandaswami Gounder at the meeting of the Legislative Assembly held on the 25th September 1947, page 336 supra.]

Pollachi Water-supply Scheme—Estimate Rs. 5,16,000—Work started in November 1938—Year-wise expenditure statement.

Year.	Works expenditure.			Centage.			Total.			Government grant.			Municipal share paid		
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
1938-39 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1939-40 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1940-41 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1941-42 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1942-43 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1943-44 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1944-45 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1945-46 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1946-47 ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total ..	3,88,914	9	1	60,283	0	0	4,49,197	9	1	2,21,400	0	0	2,77,225	0	0

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APPENDIX II.

[Vide answer to starred question No. 123 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly held on the 25th September 1947, page 349 supra.]

NOTE ON THE STEPS TAKEN BY THE MADRAS GOVERNMENT TO ASSIST IN CHECKING THE INFLATION OF PRICES.

Inflation has arisen in India from the war conditions from 1942 onwards. The Central Government expanded the currency rapidly to provide funds for purchasing war supplies. The additional purchasing power passed into the hands of the public, and at the same time the supplies of goods available for purchase by the public became smaller. The result was a rapid rise in prices.

2. The checking of inflation is mainly a matter for the Central Government. In order to achieve a net withdrawal of purchasing power from the public, which could be used to effect a contraction of the currency, the proceeds of taxation and borrowing from real savings would have to exceed the amounts required for Government outlay. The production of essential goods has to be encouraged so as to do away with shortages, and as long as serious shortages of essential goods persist, controls over prices and distribution are necessary in order to protect the public, to the extent possible, from the worst effects of the inflation. The Madras Government have endeavoured to co-operate in these lines of action. The action they have taken is indicated in the following paragraphs.

3. *Borrowing.*—During the war years, the Madras Government borrowed considerable sums by raising loans in the open market partly for their capital expenditure and partly for repaying a portion of their debt to the Central Government. Though the Madras Government had sufficient reserves to meet their requirements, they borrowed in the open market in order to help in withdrawing some of the excess purchasing power from the public.

The Central Government started a Small Savings Scheme during the war to encourage thrift among small savers and the sale of Twelve-Year Post Office National Savings Certificates to them. The scheme is to be made a permanent measure for the promotion of thrift. The Madras Government are in charge, on behalf of the Central Government, of the organization that operates the Small Savings Scheme in this Province. They have instructed Collectors of districts and Small Savings Officers to take vigorous action to form Savings Groups in order to encourage regular savings by small savers and stimulate investments in National Savings Certificates.

4. *Taxation.*—In 1943, the Madras Government raised the rate of the general sales tax, the rates of stamp duties and registration duties and the rates of the entertainments and betting taxes in the

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Province as an anti-inflationary measure. This resulted in considerable surpluses in the Revenue Account during the war years. These were transferred to a Revenue Reserve Fund and invested in Government of India securities, so as to assist in immobilizing some of the surplus purchasing power during the war. It was necessary to draw largely on the Revenue Reserve Fund to meet the very heavy expenditure that the Government had to incur on food subsidies in 1946–47 to save the Province from famine conditions. Further drawals on the fund will be necessary to meet revenue deficits due to the rapid extension of Prohibition. The Government have, however, constantly in mind the urgent necessity for increasing the revenues of the Province and avoiding revenue deficits. They have published for criticism a bill for further increase in the rates of entertainment tax. They are also considering further enhancing the rates of the general sales tax and the betting tax.

5. *Price Control Measures.*—During the years 1945 and 1946, the prices and distribution of essential consumer goods were regulated by the provisions of the Hoarding and Profiteering Prevention Ordinance and the Consumer Goods (Control of Distribution) Order. Both the Ordinance and the control order lapsed on the 30th September 1946. By that time, the supply position of consumer goods had become easier, and imports of consumer goods had begun to come in freely. The Madras Government therefore considered it unnecessary to keep alive the Hoarding and Profiteering Prevention Ordinance and the Consumer Goods Control Order on a Provincial basis by Provincial legislation. The position is, however, being watched and re-imposition of the control will be considered if any tendency is observed for traders to exploit consumers by cornering goods or making unreasonable profits.

Control over the prices of foodgrains is administered by the Central Government on an All-India basis. They exercise a strict control over the prices of foodgrains through the Provincial Government, and any change in the existing fixed prices requires the previous approval of the Central Government.

With a view to preventing speculators from entering the foodgrains trade, the Government have issued the Foodgrains Control Order. No person is allowed to do business in foodgrains in whole-sale quantities except under a licence issued under this Order. The qualification for the grant of the licence is that the person should have traded in foodgrains during the basic period, viz., 1941–42.

Till December 1946, the Police were prohibited from investigating offences against food control orders and launching prosecutions of the offenders. This prohibition was withdrawn in December 1946, so that more effective action might be taken against black-marketing.

Rationing of cereals is in force throughout the Province. The prices of cereals are controlled at the different stages as they pass from the producer through the wholesale and retail agencies to the

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consumer. The margin of profit allowed to wholesalers and retailers is restricted. As the producers, wholesalers and retailers are required to maintain accounts for the quantities produced or purchased and sold by them, there is not much scope for black-marketing. Suitable action is taken against persons who do not maintain proper accounts and who are suspected of black-marketing.

Paddy and rice.—In view of the growing scarcity of rice since 1942, occasioned by the stoppage of imports from Burma, Siam, etc., and the purchases by other Provinces and States before control was applied, the Government have been gradually tightening up the control over the prices of paddy and rice. Under the scheme of intensive procurement of paddy which is in force throughout the Province, the Government have fixed the purchase prices of paddy with reference to its cost of production and the prices of essential commodities entering into the cost of living of the producers. As a system of rural rationing is in force throughout the Province, the Government have a large measure of direct control over the whole range of issue prices of rice. The issue prices are fixed after allowing a sufficient margin over the purchase prices to cover the handling charges, cost of transport, profit margins for wholesalers and retailers and such other incidental items. The prices of paddy and rice are thus controlled right from the purchase at the village-site down to the sale to the consumer. The criteria applied in fixing these prices are that they should be remunerative to the producer and also within the reach of the consumer.

The Government are importing substantial quantities of paddy and rice from outside the Province under the Basic Plan of the Government of India, and they have ordered that all paddy and rice imported from outside the Province should be sold at prices not higher than the prevailing prices for local rice in the Province.

The Government have thus been keeping a close watch over the prices of paddy and rice, and controlling them at a reasonably low level. They are well aware of the fact that if the prices of paddy and rice, which are the staple foodgrains in the Province, are allowed to increase unduly, this would cause large increases in general commodity prices and the cost of living. The Madras Government's Price Control policy in regard to paddy and rice is essentially a measure intended to check inflation.

Potatoes.—At present, there is a ban on the export of potatoes out of the Province. The control over the price and distribution of potatoes within the Province has been removed. The Government Purchasing Depot at Ootacamund, which was started to help the small growers to dispose of their produce at a fair price has been transferred to the Nilgiris Co-operative Marketing Society, Ootacamund. The Society is expected to help in the acquisition and disposal of the crop of the small growers in the Nilgiris at a reasonable price.

Owing to procurement of rice not having been satisfactory, the scale of ration was reduced from 10 to 8 ounces and it was decided

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to make potatoes available in ration shops at reasonable prices, so that the public might purchase them to make up for the deficiency in rice rations. This arrangement will be necessary till November 1947. It is proposed to control the movement of potatoes from the Nilgiris and their prices till November next.

Cattle feed.—With a view to facilitating immediate action to improve the unsatisfactory position regarding supply, distribution and prices of cattle feed, the Government have declared the commodity to be an essential article under the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1946, and have delegated powers to the Commissioner of Civil Supplies and all Collectors to control its movement, supply and distribution and also to requisition stocks, if necessary.

In view of the shortage of cattle feed in Madras City and the agitation of the City milkmen for cattle feed to be made available at reasonable prices, the Government have constituted an Advisory Committee to consider the matter. The Committee has submitted proposals to the Government for the procurement and distribution of cattle feed on Government account in Madras City, and they are under active consideration.

Meat.—With a view to controlling the supply and prices of meat, the Government have issued an order called "The Madras Meat Dealers' Control Order, 1947." No person is permitted to trade in meat except under a licence issued under this Order. Every licensee will have to comply with all directions that may be given to him in regard to the purchase, sale or storage for sale, of meat, the days on which meat may be sold, the prices at which it may be sold, etc.

Sugar control.—Control over sugar is administered by the Central Government on an All-India basis. This Province has been allotted a limited quota of sugar. The quota has been distributed among the districts more or less on a population basis. There is statutory rationing of sugar in Madras City. The apportionment of district quotas between municipal towns and other rural areas is now done by the District Food Committees more or less on a population basis. There is also informal rationing of sugar in all municipal towns. Collectors have been authorized to fix the price of sugar within certain specified limits prescribed by the Sugar Controller. With a view to preventing speculators from entering the sugar trade, the Government have issued the Madras Sugar Dealers' Licensing Order, 1947. No person is permitted to carry on business as a wholesale dealer in sugar except under, and in accordance with the terms and conditions of a licence issued under this order. Only *bona-fide* dealers in sugar who were regularly engaged in the sugar trade for at least one year prior to the 1st May 1942 are eligible for a licence. It has been made obligatory on the part of every wholesale and retail dealer in sugar to sell sugar at the prices notified by Collectors, so long as he has any stock. The penalty for violation is the cancellation of the offender's licence and confiscation of his stock of sugar. Every

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dealer is required to furnish to every purchaser a memorandum of sale showing the particulars of sale, and to retain and keep available for inspection the duplicate of every such memorandum. In addition, every dealer is required to exhibit prominently in his place of business, a board showing the stock of sugar held by him and the sale price fixed by the District Collector.

Firewood.—There is statutory rationing of firewood in Madras City and informal rationing has also been applied to most important towns in the mufassal by the Collectors concerned. The price of firewood is statutorily controlled by the Provincial Government in Madras City. The Government have delegated power to all Collectors to fix the price of firewood within their respective jurisdictions. In order to regulate firewood supplies, the Government have delegated to certain Collectors power to control the transport and distribution of firewood and also power to requisition topes to ensure steady supplies and equitable distribution of firewood.

Jaggery.—Ceiling prices for cane jaggery have been fixed for each district in the Madras Presidency with a view to keeping the price of jaggery down to a level within the reach of the poor. There is no restriction on the movement of the commodity within the Province. Exports outside the Province are, however, allowed only under a system of permits in accordance with the instructions of the Gur Controller appointed by the Central Government. The general control over jaggery is kept in force by the Gur Control Order, 1946, issued by the Central Government. Orders have been issued that refusal by any dealer to sell jaggery will constitute an offence. Dealers are also required to maintain accounts, and Collectors or subordinates authorized by them are empowered to check the accounts when necessary.

Kerosene.—Control over kerosene is enforced by virtue of the Madras Kerosene Control Order, 1947. This order provides for inspection of accounts of the dealers by any Officer authorized by the Commissioner of Civil Supplies or the Collector or the City Rationing Officer.

Onions, butter, ghee, cream, eggs, dried fish, prawns, tapioca and tapioca products.—Export of these commodities outside the Province is prohibited except under permits, but their prices are not controlled.

Salt.—The Government have fixed the maximum ex-factory price of salt. On the basis of this, Collectors fix the wholesale prices in their respective districts, taking into account the transport and other incidental charges.

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APPENDIX III.

[Vide answer to starred question No. 132 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on the 25th September 1947, page 365 supra.]

STATEMENT.

District.	Estimated production of groundnut cake by power mills during 1946.	Area under groundnut (1945-46 (sail year)).
	TONS.	ACS.
Vizagapatam	37,000	249,760
East Godavari	1,500	6,383
West Godavari	5,000	29,622
Kistna	18,000	166,677
Guntur	40,000	283,412
Kurnool	29,000	548,579
Bellary	6,000	433,604
Anantapur	15,000	415,154
Cuddapah	4,300	220,952
Nellore	..	15,007
Chingleput-Madras	20,000	57,196
South Arcot	1,900	384,127
Chittoor	750	177,193
North Arcot	2,500	374,503
Salem	3,600	169,367
Coimbatore	12,000	193,521
Trichinopoly	..	144,678
Tanjore	200	43,733
Madura	9,200	148,325
Ramnad	8,400	97,268
Tinnevely	400	21,313
Malabar	..	4,988
South Kanara	..	28
The Nilgiris	..	28
Total ..	214,750	4,165,385

NOTE.—The total production of groundnut cake in hand process and 'Chakkus' is about 90,000 tons. District-wise figures are not available.

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APPENDIX IV.

[Vide answer to starred question No. 134 asked by Mohamed Abdul Salam Sahib Bahadur (on behalf of S. Muhammad Ismail Sahib Bahadur) at the meeting of the Legislative Assembly held on the 25th September 1947, page 366 supra.]

Statement showing the names of Treasury Deputy Collectors in the Andhra districts, communitywar.

Serial number and district.	Name of Treasury Deputy Collector.	Community.
1 Anantapur ..	Sri P. D. Viswasam ..	Indian-Christian.
2 Bellary ..	.. A. Suryarao Nayudu ..	Non-Brahman (Hindu).
3 Chittoor ..	.. G. E. Muthirulandi ..	Harijan.
4 Cuddapah ..	.. G. Kondaya ..	Non-Brahman (Hindu).
5 East Godavari ..	.. Ch. Chella Rao ..	Do.
6 West Godavari ..	.. N. N. Swamidasan ..	Indian-Christian.
7 Guntur ..	.. M. Bhootharaja Rao ..	Harijan.
8 Kistna ..	.. A. Satyanarayanamurthi ..	Non-Brahman (Hindu).
	Nayudu.	
	[V. Satyanarayana Nayudu, another Non-Brahman (Hindu), stands posted.]	
9 Kurnool ..	.. Muhammad Ghouse Sahib Bahadur.	Muslim.
10 Nellore ..	.. Sri B. Viraswami Nayudu ..	Non-Brahman (Hindu).
11 Vizagapatam ..	.. Mirza Muhammad Baig Salmani Sahib Bahadur (Treasury Deputy Collector).	Muslim.
12 Do. ..	.. P. Fazlullah Khan Sahib Bahadur (Additional Treasury Deputy Collector).	Do.

THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 26th September 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. SPEAKER:—"I shall take up the short notice question first and then I shall take up question No. 123 left over yesterday for supplementary questions."

Elections for the Madras City Corporation.

* 134-A Q.—MUHAMMAD RAZA KHAN SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether elections for Madras City Corporation have been postponed;

(b) if the reply is in the affirmative, what are the reasons for the postponement; and

(c) when the elections are likely to be held?

THE HON. SRI K. CHANDRAMOULI:—" (a) Yes.

" (b) The Government have received a resolution from the Corporation of Madras to postpone the elections to the City Council as the electoral rolls are defective and need revision. In addition a representation has also been made by the various representatives of the Council to the same effect. So the Government have postponed the elections and extended the term of the Council for six months from 1st November 1947.

" (c) As early as circumstances permit."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—" May I bring to the notice of the Hon. Minister that on the basis of this present electoral rolls most of us are Members of this Legislative Assembly. If these electoral rolls can be used for elections to such an important body like the Madras Legislative Assembly I cannot understand why they cannot be made use of for the election of members to Madras City Corporation."

MR. SPEAKER:—" The hon. Member is making a statement. The Hon. Minister need not answer."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" Is it not a fact that these elections are postponed because both the Tamilnad and Andhra Provincial Congress Committees are claiming to set up candidates for the same wards in the City? "

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THE HON. SRI K. CHANDRAMOULI:—"As far as I know nothing of that sort has been brought to my notice."

SRI A. VEDARATNAM PILLAI:—"Is it under the consideration of the Government to introduce adult franchise for the coming elections?"

THE HON. SRI K. CHANDRAMOULI:—"The suggestion of the hon. Member will be taken into consideration."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"When the Government or the authorities concerned thought it fit to carry on with the elections for the Legislature on the old electoral rolls, I want to know what prevents them to carry on the elections on the same rolls for the Corporation also?"

THE HON. SRI K. CHANDRAMOULI:—"The intention of the Government is to have as correct an electoral roll as possible. The present rolls were prepared for the elections to the Legislative Assembly in 1935 and they were slightly amended afterwards. During 1942 there was mass evacuation from the City and afterwards several people have returned. There have been changes in residences and there have been several other changes. And there has been a large increase of population also when compared with the time of the preparation of the electoral roll and the present. If the hon. Member's intention is that the electoral roll should be as representative as possible, I can assure him that if we take the population figures on the basis of the present rolls, that it would not form even a small percentage of the actual population. So all these considerations were taken into account, and I think if the elections are held now after ten years, the outcome will be as antiquated, incorrect and incomplete as it would have been previously."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether the Government are aware that this Council has long outlived its normal term and that it has become out-dated?"

THE HON. SRI K. CHANDRAMOULI:—"The Government are aware of it. I have already told you, Sir, if the elections are conducted now, it will be as old as it used to be previously."

SRI PILLALAMARRI VENKATESWARLU:—"May I know why the electoral rolls were not prepared after 1946 till to-day?"

THE HON. SRI K. CHANDRAMOULI:—"There have been slight amendments made during 1941, 1945 and 1946. I may tell the hon. Member that I am not responsible for the preparation of the electoral rolls."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I remind the Hon. Minister of the fact that the general elections took place only early in 1946 and may I ask him whether there has been considerable increase in the population since then?"

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THE HON. SRI K. CHANDRAMOULI:—"There was considerable increase in the population, Sir. I can give the figures also. The population in 1941 was . . . (Interruption.) But I can tell you that the electoral rolls were only amended and not corrected properly."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"In view of the fact that the electoral rolls have in the recent past only been partially amended and in view of the fact that we have attained freedom in the year 1947, will it not be advisable for the Government not to hold the elections on the basis of these imperfect rolls and whether also will it not be advantageous to have real elections in the City on a full electoral roll?"

THE HON. SRI K. CHANDRAMOULI:—"That is exactly the intention of the Government, Sir."

SRI V. I. MUNISWAMI PILLAI:—"Recently the Corporation has extended its limits, Sir, may I know whether fresh electoral rolls have been prepared for those people who have come under that area?"

THE HON. SRI K. CHANDRAMOULI:—"No separate electoral roll was prepared for the areas, but the electoral rolls of the Chingleput district relating to the areas coming into the Corporation were taken and incorporated in the Corporation Rolls."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, why for similar reasons the municipal elections in the mufassal municipalities have not been postponed and why this discrimination should be made between the mufassal and the City?"

THE HON. SRI K. CHANDRAMOULI:—"The electoral rolls of the municipalities are not so bad as that of the Corporation, Sir."

SRI A. KAMESWARA RAO:—"Is it not a fact that the President of the Indian National Congress has instructed them to stop all the elections in view of the fact that there would be double elections when we put into effect the Constituent Assembly's resolution?"

THE HON. DR. P. SUBBARAYAN:—"May I point out for your consideration, Sir, that references to other outside bodies are completely out of order?"

MR. SPEAKER:—"No reference to outside bodies should be made. But the Hon. Ministers are answering those questions."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is it not a fact that where it was not possible for elections to be held in the mufassal municipalities they are superseded and the Commissioners are appointed as Special Officers and may I know why in the case of the City also the Council should not be superseded and the Commissioner made a Special Officer instead of continuing the same councillors?"

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THE HON. SRI K. CHANDRAMOULI:—"The Government feel that at present the Councillors can manage the affairs of the Corporation well. As and when the Corporation Councillors are not managing well, the matter may be brought to the notice of the Government by the hon. Member or by anybody else."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"When did it occur to the Hon. Minister that the electoral rolls were defective? Was it before the resolution was passed by the Corporation or afterwards?"

THE HON. SRI K. CHANDRAMOULI:—"Much earlier, Sir."

SRI V. RAGHAVAYYA:—"In view of the fact that adult franchise is going to be introduced very soon, will the Government wait on for a few more months before a perfect body of Corporation is brought into existence in Madras?"

THE HON. SRI K. CHANDRAMOULI:—"The hon. Member may repeat his question, Sir."

SRI V. RAGHAVAYYA:—"In view of the fact that adult franchise is coming into existence very soon all over this country will the Government be pleased to wait until such suffrage is put into execution in this Province and postpone the elections to the Corporation?"

THE HON. SRI K. CHANDRAMOULI:—"The suggestion will be taken into consideration."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"In view of the importance of the matter, I request you, Sir, either now or afterwards to allow a half-an-hour debate on my short notice question. It is a matter of very great importance as far as the public of the City of Madras is concerned, Sir."

MR. SPEAKER:—"I shall allow a half-an-hour debate after 5 o'clock this evening."

[* 123 Q.—Answered on 25th September 1947 and taken up for supplementary questions to-day.]

BEGUM SULTAN MIR AMIRUDDIN:—"May I know what steps the Provincial Government have taken to increase the production of essential goods within the Province as a means of checking inflation?"

THE HON. SRI B. GOPALA REDDI:—"By way of giving necessary encouragement for those people who apply for State Aid."

BEGUM SULTAN MIR AMIRUDDIN:—"I do not follow the answer, Sir."

THE HON. SRI B. GOPALA REDDI:—"My answer was that the Government give necessary encouragement for those who come forward with their applications for State Aid."

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BEGUM SULTAN MIR AMIRUDDIN:—"Is that all that the Government have done?"

THE HON. SRI B. GOPALA REDDI:—"The Provincial Government have no more powers than that, Sir."

SRI C. M. KOTHARI:—"Is the Hon. Minister aware that the steps taken in respect of the control of rice, paddy, potatoes, cattle-foods, meat, sugar, firewood and jaggery are measures of control against the prevention of hoarding and profiteering and that they are not measures for checking inflation?"

THE HON. SRI B. GOPALA REDDI:—"They serve a double purpose, Sir."

SRI C. M. KOTHARI:—"Is the Hon. Minister aware that inflation can only be checked by production and, if so, what measures have the Ministry taken to produce more?"

THE HON. SRI B. GOPALA REDDI:—"The Provincial Government does not produce anything. They can only encourage people who want to produce."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Will the Government consider the advisability of resorting to further borrowing to check inflation?"

THE HON. SRI B. GOPALA REDDI:—"I cannot give any assurance to the hon. Member on that point, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"May I know what steps the Government propose to take to see that the commodities are supplied at controlled prices to the people as most of the commodities are going into the blackmarket?"

THE HON. SRI B. GOPALA REDDI:—"All effective steps are taken and I think in our Food Debate we have discussed the matter thoroughly."

SRI PILLALAMARRI VENKATESWARLU:—"My question was not answered, Sir."

MR. SPEAKER:—"Probably the answer was not audible."

SRI PILLALAMARRI VENKATESWARLU:—"My question was not answered at all."

MR. SPEAKER:—"If it was not audible to the hon. Member I shall request the Hon. Minister to repeat his answer."

THE HON. SRI B. GOPALA REDDI:—"The hon. Member may be asked to repeat his question, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"The Hon. Minister was requested by the Hon. Speaker to repeat the answer, Sir."

MR. SPEAKER:—"It appears the question was not audible to the Hon. Minister. The hon. Member is requested to repeat his question." (Laughter.)

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SRI PILLALAMARRI VENKATESWARLU:—“ May I know what steps the Government propose to take to see that the commodities are supplied to the people at controlled prices as most of the commodities are going into the blackmarket? ”

THE HON. SRI B. GOPALA REDDI:—“ I do not accept the statement, Sir, that all the commodities are going into the blackmarket. But I may assure him, Sir, that the Government are taking effective steps to check the goods from going into the blackmarket.”

SRI V. M. RAMASWAMI MUDALIAR:—“ In spite of the steps taken by the Government to put down inflation, are the Government aware that the cost of living has kept constant at about three times the pre-war level? ”

THE HON. SRI B. GOPALA REDDI:—“ The cost of living is another thing, Sir. Because there is shortage and paucity of goods sometimes the cost of living is very high. But there are signs of money being withdrawn from the market, Sir.”

11-15 a.m. SRI V. I. MUNISWAMI PILLAI:—“ Sir, it is said that the control over the price of potatoes has been removed; may I know when the control has been removed? ”

THE HON. DR. T. S. S. RAJAN:—“ There is no control over the price of potatoes at present, Sir, but the hon. Member may wait and see when it will be imposed.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“ Have the Government been able to impress upon the Government of India that exports from the Province have been considerably restricted on account of the fact that the sterling balance question has not been settled and that the dollar question is standing in the way? ”

THE HON. SRI B. GOPALA REDDI:—“ I do not quite see, Sir, that the export trade of the Province has been hampered because of the sterling balance question.”

SRI S. NAGAPPA:—“ It is said, Sir, that sugar quota has been distributed among the districts more or less on a population basis; may I know whether the Government are aware that sugar in rural parts is given only to the rice-eating section but not to other people, especially the poor? ”

THE HON. SRI B. GOPALA REDDI:—“ I must thank the hon. Member for the information.”

SRI S. NAGAPPA:—“ May I ask the Government, what action they are taking in the matter, taking the information from me? ”

THE HON. SRI B. GOPALA REDDI:—“ We shall look into it, Sir.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ As an effective means of checking inflation, will the Government consider the advisability of introducing the Agricultural income-tax immediately? ”

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THE HON. SRI B. GOPALA REDDI:—“ I do not think such a measure will help anti-inflation, Sir.”

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—“ May I know, if the Government are aware that any increase in the taxation as a measure of checking inflation will naturally affect business enterprise and thereby retard production indirectly? ”

THE HON. SRI B. GOPALA REDDI:—“ Sir, the whole idea is to withdraw money from the people into the hands of the Government.”

SRI P. NATESAN:—“ Will the Hon. Minister concede that the purchasing power of the people can easily be exhausted by an adequate supply of manufactured goods? If so, what steps are being taken by the Government to supply such goods to the consumers? ”

THE HON. SRI B. GOPALA REDDI:—“ We are aware of all that, Sir, but the Provincial Government have nothing to do with that matter, and it is the Government of India that will have to arrange for imports of manufactured goods.”

BEGUM SULTAN MIR AMIRUDDIN:—“ May I know, Sir, how far the Small Savings Scheme has been a success and how much savings it has been able to effect? ”

THE HON. SRI B. GOPALA REDDI:—“ The scheme is a success, Sir. If the hon. Member wants actual figures, I can supply her later.”

SRI A. VEDARATNAM PILLAI:—“ May I know, Sir, whether the Government have any idea of floating loans for capital expenditure to check inflation? ”

THE HON. SRI B. GOPALA REDDI:—“ I have nothing to say about it at present, Sir.”

SRI P. NATESAN:—“ Does the Hon. Minister consider that the Betting Tax is an anti-inflationary measure, and if so, will he please advise the Hon. Leader of the House to get on with the races for some more time? ”

THE HON. SRI B. GOPALA REDDI:—“ I am not prepared to advise the Hon. Leader of the House in the matter Sir, but we will very soon see what the Betting Tax is going to be.”

SRI S. NAGAPPA:—“ Sir it is stated that the penalty for such a violation is the cancellation of the offender's licence and confiscation of his stock of sugar. May I know, Sir, from how many dealers have the stocks of sugar been confiscated by the Government? ”

THE HON. SRI B. GOPALA REDDI:—“ Notice, Sir.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ Arising out of the answer laid on the Table of the House, is the

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Hon. Minister of the opinion that checking of inflation is not the business of the Provincial Government, but of the Central Government, and if so, whether the Provincial Government will make a strong representation to the Government of India in the matter? "

THE HON. SRI B. GOPALA REDDI:—"The Government of India are quite aware of their duty, Sir, and it is not the duty of the Provincial Government to be constantly knocking at their doors."

SRI PILLALAMARRI VENKATESWARLU:—"Sir, as has been admitted even by the Government in the answer laid on the table that black-marketing is still going on in cloth and sugar, will the Government take effective steps in the matter and see that the distribution of cloth and sugar is entrusted to co-operative societies only? "

THE HON. SRI B. GOPALA REDDI:—"It will be considered, Sir."

SRI C. M. KOTHARI:—"Is the Hon. Minister aware that taking away the extra purchasing capacity of the people by heavy taxation, takes away their incentive to greater production and that the remedy lies elsewhere than in taxation, namely, production? "

THE HON. SRI B. GOPALA REDDI:—"Sir, it is a question of choice between two evils. We know the advantages and disadvantages of both."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, will the Government realize the fact that production is mainly the cure for inflation? Do they say that they are absolutely powerless in the matter of increasing production? "

THE HON. SRI B. GOPALA REDDI:—"I am not saying 'absolutely' Sir, but 'mostly'."

Budget deficit for 1946-47.

* 134-B Q.—SRI P. NATESAN: Will the Hon. the Minister for Finance be pleased to state—

- (a) the Budget deficit for 1946-47; and
- (b) the anticipated budget deficit for 1947-48?

THE HON. SRI B. GOPALA REDDI:—" (a) The revenue deficit for 1946-47 (before making the transfer from the Revenue Reserve Fund to wipe out the deficit) according to the Budget Estimate and the Revised Estimate for that year is Rs. 893.85 lakhs and Rs. 825.61 lakhs, respectively, as shown in the relevant budget documents. The actual revenue deficit for the year is not yet known, as the Accountant-General has not yet completed all the necessary adjustments that have to be made in the accounts before he furnishes the final accounts figures for the year. The actual revenue deficit for 1946-47 prior to making the transfer from the Revenue Reserve Fund will be shown in due course in the budget documents for 1948-49.

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" (b) The revenue deficit (before making the transfer from the Revenue Reserve Fund to wipe out the deficit) as anticipated in the Budget for 1947-48 and shown in the budget documents is Rs. 148.43 lakhs."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, whether the Government have got any retrenchment proposals to make up the deficit? "

THE HON. SRI B. GOPALA REDDI:—"We have recently appointed a Retrenchment and Re-organization Committee to go into the question, Sir."

H. S. HUSSAIN SAHIB BAHADUR:—"May I know, Sir, whether any provision that is going to be made in the budget for 1947-48 for payment of compensation to zamindars will add to the anticipated deficit? "

THE HON. SRI B. GOPALA REDDI:—"Sir, what we pay as compensation to zamindars, will be made only from current revenues."

SRI P. NATESAN:—"Is the Hon. Minister aware that these huge deficits will affect the credit of the Madras Government, when it goes out for borrowing? "

THE HON. SRI B. GOPALA REDDI:—"Of course deficits do affect the financial credit of the Government, but we must remember that we are living in very critical times, Sir."

SRI P. NATESAN:—"Is the Hon. Minister aware that this Government have really lost the confidence of the investing public and that in respect of the recent borrowings of a Provincial Government, half a per cent more was given—I mean—the Bombay Government? "

THE HON. SRI B. GOPALA REDDI:—"I don't accept, Sir, the statement of the hon. Member that the Provincial Government have really lost the confidence of the investing public."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, why the Government have not come forward immediately to undertake the prosecution of the Ramapadasagar Project, so that the Government of India may be approached for a loan? "

THE HON. SRI B. GOPALA REDDI:—"In such matters, we have got to go through certain procedure laid down in the rules for the purpose, Sir."

SRI P. NATESAN:—"Is not the Hon. Finance Minister aware that the recent Bombay loan was floated at $3\frac{1}{4}$ per cent, and if so, does it not show the want of confidence by the public in the Provincial loans at present while a year ago the loan floated by this Government was only at $2\frac{3}{4}$ per cent? "

THE HON. SRI B. GOPALA REDDI:—"Evidently the hon. Member is referring to the Bombay Corporation loan at $3\frac{1}{4}$ per cent. We have nothing to do with that loan, Sir."

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SRI V. I. MUNISWAMI PILLAI:—“In view of the anticipated deficit in 1947-48, may I know, Sir, whether the Government will relax any of their ameliorative measures in respect of the scheduled classes?”

THE HON. SRI B. GOPALA REDDI:—“No, Sir; they will have the highest priority.”

SRI P. NATESAN:—“Will the Hon. Minister let us know when the next issue will be made and what the rate of interest will be?”

THE HON. SRI B. GOPALA REDDI:—“I will come to the open market, Sir, when the circumstances are very favourable to me.”

SRI PILLALAMARRI VENKATESWARLU:—“Will the Hon. Minister explain why a token grant for the execution of the Budameru Project was not included in the supplementary demand?”

MR. SPEAKER:—“We are not now on the supplementary demands.”

Rural Development Centre at Tellicherry.

* 135 Q.—SRI MANIKOTH KUMARAN: Will the Hon. the Prime Minister be pleased to state—

(a) when the Rural Development Centre at Tellicherry was inaugurated;

(b) the number of officers working at the centre and their designation and salary;

(c) the total monthly establishment charges of the centre; and

(d) a resume of work so far turned out?

THE HON. SRI B. GOPALA REDDI:—“(a) Tellicherry Firka was included in the firka selected by Government in August 1946 for Intensive Rural Reconstruction work. The Firka Development Officer joined duty on 27th September 1946 and the Firka Development work was started from the next day.

“(b) There are six officers now working at the firka. Their designation and salaries per mensem are given below:—

Designation.	Salary per mensem.
	RS.
One Firka Development Officer ...	150
Five Village Development Officers ...	45 each.

“(c) The total monthly establishment charges of the establishment including the fixed travelling allowance and conveyance allowance of the Firka Development staff amounts to Rupees 848-12-0.

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“(d) The Firka Development Officer joined duty on 27th September 1946. The Village Development Officers joined duty on 1st January 1947 and 7th January 1947. The Firka Development Officer completed the preliminary survey of the firka and submitted his report with the map of the firka on 31st December 1946. The village survey has also been completed by the Village Development Officers and a co-ordinated plan for the development of the firka has been drawn up. It is being placed before the District Committee for consideration. The Firka Development Officer and Village Development Officers are now engaged in anti-drink propaganda and are doing propaganda to cultivate the habit of thrift among the villagers. They are also encouraging improvement of village communications by construction of some roads in the firka. The construction of some roads in the firka is now being attended to by the villagers.”

SRI MANIKOTH KUMARAN:—“Is it not a fact, Sir, that the existence of the neighbouring French Port of Mahe has resulted in the prohibition work being frustrated in Tellicherry?”

THE HON. SRI B. GOPALA REDDI:—“I am afraid, Sir, that this question should be put to the Hon. Minister in charge of Prohibition.”

Press representatives' refusal to see Premier.

* 136 Q.—SRI T. VISWANATHAM: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that all the Press representatives refused in a body to see the Premier on 8th July 1947, although invited to see him that day, as reported in the “Andhra Patrika”, dated 10th July 1947;

(b) if so, the reasons for their refusal; and

(c) whether it is a fact that Press representatives were dissatisfied with the Premier's discourtesy towards them and that their refusal to see him on 8th July 1947 was related to this?

THE HON. DR. P. SUBBARAYAN:—“(a) As the Prime Minister was busy with important official work on the day mentioned, he sent for the Press representatives as soon as he was free; but it was found that they had already left the Secretariat.

“(b) The Government are not aware of the reason why the Press representatives did not want to see the Premier.

“(c) Does not arise.”

SRI V. RAGHAVAYYA:—“Sir, in view of the non-availability and scarcity of the Hon. Premier for many things, will the Hon. Leader of the House be willing to consider the suggestion of having a Vice-Premier, as has been done in the Central Government?”

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THE HON. DR. P. SUBBARAYAN:—"Sir, internal adjustments are a matter for the Cabinet and I am not prepared to take the advice from the hon. Member on this subject."

SRI V. RAGHAVAYYA:—"In this matter, is it not true, Sir, that when the Press representatives went to see the Hon. Premier, according to the arrangement then existing between them, the Hon. Premier dismissed them through the agency of a peon and did not show even the courtesy of sending word to them through one of his numerous Secretaries?"

THE HON. DR. P. SUBBARAYAN:—"Sir, I deprecate this kind of supplementary question, because internal arrangements of the Ministers are their own business and I do not know how the hon. Member got such an accurate information as to what exactly happened."

SRI S. NAGAPPA:—"May I ask the Government whether the complaint is not only from the Press representatives, but also from the representatives of the people, the Members of this House also, who experience the same difficulty in seeing the Premier?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Member ought to put a separate question; we are dealing with the Press representatives here and not with hon. Members of this House."

SRI V. I. MUNISWAMI PILLAI:—"May I know what the position is, whether the Press representatives can go to the Hon. Premier to get information?"

THE HON. DR. P. SUBBARAYAN:—"I would like to point out to the hon. Gentleman, it is a matter between the Prime Minister and the Press."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Do we have an assurance from the Hon. Leader of the House that he interprets the Premier's mind correctly in this matter also?"

THE HON. DR. P. SUBBARAYAN:—"I am answering the question; I am not prepared to say whether I am interpreting anybody's mind; it is my business."

Separation of the Judiciary from the Executive.

* 137 Q.—**M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:** Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that the Government have been getting frequent representations from the public for the separation of the Judiciary from the Executive at an early date;

(b) if so, whether the Government have decided on the separation of the Judiciary from the Executive; and

(c) what steps the Government propose to take at present for implementing their decision?

THE HON. DR. P. SUBBARAYAN:—" (a) The Government have received certain representations.

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" (b) & (c) The Government have accepted the principle of the separation of the Judiciary from the Executive. They have received the report of the Special Committee constituted by them to examine and report on various schemes of separation and have decided that the proposals contained in this report should first be examined by a Cabinet Committee. A Cabinet Committee has been constituted accordingly and its report is awaited."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the fact that the previous Government have promised to do something and left office, can we be sure that something will be done before this Government leaves office by influx of time at least?"

THE HON. DR. P. SUBBARAYAN:—"I am not sure when this Government will leave office; that is for the hon. Gentleman to guess, and I am sure he has got opportunities of making his guesses; all that I can say is that the Government are considering this question and when the proposals are ready, the House will be apprised of the same."

SRI PILLALAMARRI VENKATESWARLU:—"May I know whether the Government will make it public who are the members of the Cabinet Committee that is going to report?"

THE HON. DR. P. SUBBARAYAN:—"That is an internal matter of the Cabinet and I am not prepared to give the names."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May we at least know when this Cabinet Committee was appointed?"

THE HON. DR. P. SUBBARAYAN:—"That again is an internal matter of the Cabinet and I am not prepared to give the information."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, when the Cabinet Committee will arrive at a decision(?). In view of the fact that this matter has been under consideration of the Government for a long time may I know whether the matter is likely to be decided at least before the year is out?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Member is wrong when she says there has been consideration for a long time; we have been considering it only for the past two months; and in a matter like this which vitally affects the administration, it is not possible to come to definite conclusions in a hurry because the Government have got to examine in what manner or method the other departments of administration might be affected by the changes they make. Everything in administration has got to be dovetailed into, and therefore hon. Members will know what has been done when the Government have come to their final conclusions."

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Abolition of death penalty.

* 138 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that the Government propose to abolish the death penalty in this Presidency; and

(b) if so, whether the Government propose to make an exception in regard to cases of grave political crimes during the unsettled condition of the transitional period?

THE HON. DR. P. SUBBARAYAN:—“(a) The answer is in the negative.

“(b) The question does not arise.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Is it not a fact that the party in power now have in their election pledges promised to do this matter?”

THE HON. DR. P. SUBBARAYAN:—“I am afraid the election pledges of the party are not the concern of the Member opposite.”

SRI R. V. SWAMINATHAN:—“May I request the Government to consider at least now the abolition of the death penalty?”

THE HON. DR. P. SUBBARAYAN:—“Well, Sir, I cannot give a definite answer, but it is a matter for the Government as a whole.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Are the Government aware of the strong opinion prevailing in the civilized world that death penalty ought to be done away with as soon as possible?”

THE HON. DR. P. SUBBARAYAN:—“I am prepared to take this valuable information from the hon. leader of the Opposition.”

SRI D. V. RAMASWAMI:—“Are the Government aware that many of the Congress Governments in India have already taken steps to abolish this death penalty?”

THE HON. DR. P. SUBBARAYAN:—“I am prepared to take this information.”

SRI V. C. PALANISWAMI GOUNDAR:—“May I know if the Government have taken the opinion of the High Court Judges in this matter?”

THE HON. DR. P. SUBBARAYAN:—“As the matter is not yet ripe for consideration and as the matter has not been considered at all, there has been no question of getting the opinion of anybody whatever.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Sir, may I know whether the Government will enable this Province to have a proud privilege of giving a lead to the world in this matter?”

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THE HON. DR. P. SUBBARAYAN:—“This is a matter which requires deep consideration and proud privileges are not what the Government are thinking of.”

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“Is the Hon. Leader of the House aware that the feeling of most of the Members here is that he is more evasive and less communicative while replying to this question in the Assembly?”

THE HON. DR. P. SUBBARAYAN:—“May I also remind the hon. Member that it is quite in keeping with the art of parliamentary debate?”

SRI R. V. SWAMINATHAN:—“In view of the reply given to the various supplementary questions regarding this subject, are we to take it that the Hon. Minister for Home is eager to retain this death penalty?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Member will come to know by and by what the opinion of myself is in this matter.”

SRI S. NAGAPPA:—“May I know whether the Government are able to stop murders in spite of the existence of the death penalty; if not, why not the Government abolish this death penalty?”

THE HON. DR. P. SUBBARAYAN:—“There are too many conundrums in this question and I have not been able to understand what the hon. Member is driving at.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Sir, arising out of the answer given by the Hon. Leader of the House that giving evasive answer is quite in keeping with parliamentary procedure, or that parliamentary procedure requires giving evasive answers, may I ask him whether when Members want definite information in the shape of replies to questions, whether it is in keeping with parliamentary practice or not, is it right and fair on the part of Government to evade those questions?”

THE HON. DR. P. SUBBARAYAN:—“Sir, the hon. Member is wrong in saying that they are not getting the information; I am giving them as full information as it is possible to give, consistent with the policy of the administration of Government.”

Alleged maltreatment by two policemen at Rayapuram Police station.

* 139 Q.—SRI A. SUBRAHMANYAM: Will the Hon. the Home Minister be pleased to state—

(a) whether the Government have received a complaint signed by six responsible persons, dated 30th May 1947, against Head Constables Nos. 1159 and 1386 attached to H-2 (Rayapuram, Madras) Police station regarding the maltreatment meted out to them; and

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(b) if so, what action the Government have taken against the offenders?

THE HON. DR. P. SUBBARAYAN:—“(a) The answer is in the affirmative.

“(b) The report of the Commissioner of Police on the allegations made in the complaint was called for and it was found that the allegations were not correct.”

SRI A. SUBRAHMANYAM:—“இம்மாதிரி நடைபாதைகளில் நடந்து போகக்கூடிய பொது ஜனங்கள் பலர் இம்மாதிரியாக போலீஸார் ஒழுங்கு முறை தவிர நடப்பதாக விண்ணப்பம் அடிக்கடி செய்து கிடையாதா?”

THE HON. DR. P. SUBBARAYAN:—“அம்மாதிரி அடிக்கடி வந்து கிடையாது. ஆனால் வந்தவைகளை எவ்வளவு தூரம் விசாரணை செய்ய முடியுமோ அவ்வளவு தூரம் அரசாங்கத்தார் செய்திருக்கிறார்கள்.”

SRI R. V. SWAMINATHAN:—“In view of the fact that this kind of incidents are taking place in various parts of the Province, may I request the Hon. Minister to issue suitable instructions to the Police reminding them that they are not the masters but they are the servants of the people and they should behave properly with the people?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Gentleman need not lose his temper over this matter; I would like to point out to him that the Government have told their officials that things have changed and they ought to behave in a manner worthy of the servants of the people. That complaints are being received time and again is not quite true; because whatever complaint there has been, has been enquired into and a careful examination by the highest possible officers has been made, and most of them have been found to be allegations which are exaggerated.”

SRI M. KANNIAPPAN:—“பல இடங்களில் காங்கிரஸ் ஊழியர்கள் நடைபாதைகளில் போகும்போது வேண்டுமென்றே arrest செய்திருப்பது மந்திரிக்குத் தெரியுமா?”

THE HON. DR. P. SUBBARAYAN:—“எனக்குத் தெரியாது.”

SRI M. G. NATESA CHETTIYAR:—“May I know what exactly is the maltreatment complained of by the six persons referred to in the question is?”

THE HON. DR. P. SUBBARAYAN:—“I do not quite catch the hon. Member's question.”

SRI M. G. NATESA CHETTIYAR:—“May I know what exactly the nature of the maltreatment complained of by the six persons referred to in the question is?”

THE HON. DR. P. SUBBARAYAN:—“It was reported that these people were stopped by the Police and taken to the Police station and ill-treated and the Commissioner of Police himself enquired into this matter and found the allegations were exaggerated.”

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SRI M. KANNIAPPAN:—“Second Circle Congress Committee தலைவரான வெங்கோப ராவ் இது விஷயமாக அரசாங்கத்தாருக்கு தெரிவித்திருக்கிறார்கள். இல்லை என்று சொல்வது தப்பு என்று தெரிகிறது.”

THE HON. DR. P. SUBBARAYAN:—“அப்படி எனக்கு ஒன்றும் வந்து தெரிவித்ததாக தெரியவில்லை.”

(Two or three hon. Members stood up in their seats.)

MR. SPEAKER:—“We have only fifteen more minutes of question time and we have still fifteen questions to go through.”

Milk supply in the City.

* 140 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Food be pleased to state—

(a) what steps the Government are taking to improve the position of milk supply in the City;

(b) whether it is a fact that the Madras Milkmen's Union has given notice of direct action;

(c) what the demands of the Union are; and

(d) what action the Government propose to take to meet these demands?

THE HON. DR. T. S. S. RAJAN:—“The answer ^a is placed on the table of the House.”

BEGUM SULTAN MIR AMIRUDDIN:—“It is a long answer.”

MR. SPEAKER:—“That means we will have to take it up on the 9th October, because the hon. Members have not had time to go through the answer.”

Alleged delay in payment of bonus for foodgrains procured.

* 141 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government have received any complaints that the payment of bonus for the foodgrains procured in the last fasli was unnecessarily delayed or that the ryots were kept waiting in Taluk office many a time; and

(b) if so, whether the Government propose to issue necessary instructions for the payment of bonus to ‘C’ class producers without delay and with the least inconvenience?

THE HON. DR. T. S. S. RAJAN:—“(a) Yes. But the complaints are few in number and are being received only now and then from ryots. Such complaints are being forwarded to the Collectors concerned and on receipt of their reports through the Board of Revenue (Civil Supplies), they are

^a Printed as Appendix I on pages 534-537 infra.

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examined, and orders passed on their merit without avoidable delay. There have, however, been no specific complaints to the effect that the ryots were made to go to the Taluk offices many a time.

“(b) Necessary instructions have been issued.”

Publication of Labour Gazette.

* 142 Q.—SRI K. T. KOSALARAM: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Madras Labour Department publishes any monthly Labour Gazette; and

(b) if not, why not?

THE HON. DR. T. S. S. RAJAN:—“(a) No, Sir.

“(b) The question of publishing a Labour Gazette will be considered after the reorganization of the department, which is under consideration.”

SRI A. KAMESWARA RAO:—“May I know when this reorganization will take place?”

THE HON. DR. T. S. S. RAJAN:—“The matter is under consideration by the Government.”

Irrigation projects in Salem district.

* 143 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. Minister for Public Works be pleased to state—

(a) whether there are any new irrigation projects under contemplation in Salem district;

(b) if so, for how many projects the estimates are ready;

(c) the amount of the proposed estimates and the estimate of each work;

(d) whether the Government have set apart any amount in the Budget for this purpose and if so, how much;

(e) how many schemes are recommended under short term and long term;

(f) whether the Badathalav scheme of Krishnagiri taluk of Salem district is included and if so, what is the probable cost of the scheme;

(g) whether it is a fact that though there were heavy rains this year, the tank has not come to its usual maximum water level;

(h) whether the Government propose to speed up this scheme this year to avoid agricultural hardship;

(i) whether there are any proposals for projects (irrigation) in Hosur taluk and if so, how many;

(j) how far they have progressed; and

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(k) whether the Anyalam scheme in the Hosur taluk is ready for work?

THE HON. SRI M. BAKTHAVATSALAM:—“(a) Yes.

“(b) Estimates are ready for three schemes, viz.—

(i) Badathalav scheme in Krishnagiri taluk;

(ii) Excavation of a channel from the Mettur Reservoir for irrigation of lands in Salem and Coimbatore districts; and

(iii) Excavating a new channel in Thippampatti tank.

“(c) (i) Badathalav scheme—Estimate Rs. 10 lakhs.

(ii) Excavation of a channel from Mettur Reservoir for irrigation of lands in Salem and Coimbatore districts—Estimate Rs. 204 lakhs. (Right Bank canal Rs. 55 lakhs. Left Bank canal Rs. 149 lakhs.)

(iii) Excavating a new channel in Thippampatti tank. Estimate figures are not available; it appears to be a small work which the Superintending Engineer can sanction.

“(d) No.

“(e) The Chief Engineer (Irrigation) has under consideration four schemes under short-term and four under long-term, besides thirteen schemes under middle term.

“(f) Badathalav scheme is included in the list of middle term schemes. The probable cost of the scheme is Rs. 10 lakhs as stated in the answer to clause (c) above.

“(g) No. There was scanty rainfall in Krishnagiri taluk during the months of January, February and March 1947 and so the tank did not reach its usual maximum level. The rainfall during June, July and August 1947 was better, but even then the maximum water level was not reached.

“(h) The scheme was sanctioned in 1943 but owing to Prohibitive cost, it was postponed for two years till costs came down. There is no tendency for the cost to come down as yet. An alternative scheme has therefore been proposed and is being investigated, and the execution of either the original or the alternative scheme in the current year will depend on the report that the Government hope to receive in the matter.

“(i) Yes. There are three irrigation schemes under contemplation in Hosur taluk, viz.—

(1) Extending irrigation facilities in Pathakotta;

(2) Constructing a dam across Anekal Vanka near the 12th mile of Denkanikota-Anchetty road;

(3) Forming a reservoir across Ponnir at or near Alialam anicut.

“(j) Detailed investigation has yet to be done in the case of two schemes, viz., “Extending irrigation facilities in Pathakota” and “Forming a masonry reservoir across Ponnir” while in the case of the third, viz., “Construction

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of a dam across the Anekal Vanka near the 12th mile of Denkanikota-Anchetty Road", rough details have been worked out.

"(k) No."

11-45 a.m. SRI K. A. NACHIAPPA GOUNDER:—"May I ask the Government, Sir, when the schemes referred to are likely to be taken up for execution?"

THE HON. SRI M. BAKTHAVATSALAM:—"As soon as the results of the investigation are known, estimates will be prepared and the schemes will be taken up for execution without any delay."

SRI M. G. NATESA CHETTIYAR:—"May I know, Sir, why certain investigated and sanctioned schemes are not included in the list just now given in the answer?"

THE HON. SRI M. BAKTHAVATSALAM:—"I do not know, Sir, what schemes my hon. Friend is referring to."

SRI V. C. PALANISWAMY GOUNDER:—"May I know, Sir, under the scheme mentioned in the Mettur Reservoir, what will be the acreage served in Coimbatore and Salem districts?"

THE HON. SRI M. BAKTHAVATSALAM:—"That will be 45,000 acres."

SRI M. G. NATESA CHETTIYAR:—"May I know, Sir, why the sanctioned scheme of Maravelanhalli Anicut Project is not included in the scheme?"

THE HON. SRI M. BAKTHAVATSALAM:—"I do not know what my hon. Friend means by saying that a sanctioned scheme is not included in the scheme."

SRI K. A. NACHIAPPA GOUNDER:—"May I know at what stage the preliminary investigations on these works are?"

THE HON. SRI M. BAKTHAVATSALAM:—"We are awaiting a report from the Public Works Department."

SRI P. KANDASWAMI PILLAI:—"From the answer given by the Hon. Minister that the total acreage which will come under cultivation is 45,000, how many acres of it will be in the Salem district?"

THE HON. SRI M. BAKTHAVATSALAM:—"I would like to have notice of this question."

SRI M. G. NATESA CHETTIYAR:—"May I know, Sir, why the Marabelanhalli Anicut Extension Scheme which has been investigated and sanctioned by the Government is not included although it has been brought to the notice of the Hon. Minister?"

THE HON. SRI M. BAKTHAVATSALAM:—"I would suggest to my hon. Friend to put a separate question."

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SRI V. C. PALANISWAMI GOUNDER:—"Sir, if the acreage is to be 45,000, may I know whether the whole ayacut is to be wet or both dry and wet combined?"

THE HON. SRI M. BAKTHAVATSALAM:—"If I remember right, it is wet."

SRI K. A. NACHIAPPA GOUNDER:—"May I ask the Hon. Minister whether the Badathalav scheme in that district has made any progress?"

THE HON. SRI M. BAKTHAVATSALAM:—"I would like to have notice."

SRI P. KANDASWAMI PILLAI:—"Regarding the Vada-pennar Scheme which is one of the sanctioned schemes, will the Hon. the Minister at least include it for execution in the next Budget year?"

THE HON. SRI M. BAKTHAVATSALAM:—"I shall try to include it in the next Budget but I cannot give any assurance on that matter."

Publication of Hindi journal.

* 144 Q.—SRI N. GOVINDASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government are issuing any Hindi journal;
(b) if so, what is its name, circulation and cost of each copy;

(c) whether there is any revenue accruing therefrom and if so, how much;

(d) how many technical hands are at work and what are the salaries of each of them;

(e) whether they are on a par with those engaged in the journal work in other local languages;

(f) if not, what are the reasons therefor; and

(g) whether the Government propose to treat all such employees alike?

THE HON. SRI M. BAKTHAVATSALAM:—" (a) & (b) Yes. The journal is published in Hindustani and printed in both Devanagari and Urdu scripts; 'Dakshini Hind'; circulation about 100 copies; price eight annas per copy.

" (c) The subscriptions and the sale-proceeds are the only receipts of revenue. Advertisements are also published.

" (d) The staff employed is—

Editor, Rs. 250 per mensem.

Sub-Editor, Rs. 150 per mensem.

Assistant, Rs. 100 per mensem.

Moulvi—part-time worker, Rs. 50 per mensem.

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“(e) For the other editions of ‘Madras Information’, viz., Tamil, Telugu, Malayalam, Kanarese, the staff employed consists of—

1 Journalist for each edition on Rs. 150 per mensem each.

1 Assistant Journalist for each edition on Rs. 95 per mensem each.

Besides, one Assistant Information Officer, on Rs. 300—400 per mensem.

“(f) The reason why the Editor is paid a higher salary than the journalists in charge of other editions is that it was found difficult to secure the services of a qualified and experienced Hindi journalist on a lower salary.

“(g) No.”

SRI N. GOVINDASWAMI :—“ஆனால் பாஷை என்பது ஒன்றாக இருப்பதால் மாகாணம் தமிழில் இருப்பதால் அதற்கு மதிப்புக்கொடுத்து ஏன் ஒரே விதமாக இருக்கக்கூடாது. சம்பளம் வித்யாசமாக இருக்கிறது. நூற்றுக்கு மேல் வித்யாசம் இருக்கிறது. மாகாண பாஷைக்கு ஏன் மதிப்புக் கொடுக்க வில்லை. சம்பளத்தை ஏன் ஜாஸ்தி கொடுக்கக்கூடாது.”

THE HON. SRI M. BAKTHAVATSALAM :—“சம்பளத்தில் மதிப்புக் குறைவு ஒன்றும் இல்லை.”

SRI PILLALAMARRI VENKATESWARLU :—“May I know, Sir, how much loss the Government are incurring in the publication of the Hindi journal?”

THE HON. SRI M. BAKTHAVATSALAM :—“It is about Rs. 1,000 per month.”

SRI ALLURI SATYANARAYANA RAJU :—“May I know, Sir, what are the qualifications of the Editor of the paper ‘Dakhini Hind’?”

THE HON. SRI M. BAKTHAVATSALAM :—“I would like to have notice. The only qualification I know of is that he is coming from North India.” (Laughter.)

Complaint to the police against the President of the Weavers' Association, Vijiamangalam.

* 145 Q.—SRI M. A. EASWARAN (on behalf of Sri R. Kuppuswami): Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government are aware that a telegram and a registered letter were sent to the Registrar of Co-operative Societies, Madras, another to the Deputy Registrar of Co-operative Societies, Coimbatore, and a third to the Minister for Industries on 18th August 1946 by the President, Vijiamangalam Weavers' Association, against the action of the Senior Inspector of that locality stating that the said Inspector gave a false complaint to the Police against the President of the Weavers' Association, Vijiamangalam, in Coimbatore district; and

(b) if so, what action was taken in the matter?

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THE HON. SRI K. CHANDRAMOULI :—“(a) A telegram was received by the Registrar of Co-operative Societies and the Deputy Registrar of Co-operative Societies, Coimbatore, on 18th September 1946 (and not on 18th August 1946) alleging that the Senior Inspector for Weavers' Co-operative Societies was compelling the members of the Vijiamangalam Co-operative Weavers' Society to obey him against their will with the help of the Police. The telegram was received from one Sri Sellappa Mudaliyar, a member of the Vijiamangalam Weavers' Co-operative Society, who states himself as the President of the Vijiamangalam Handloom Weavers' Association. No registered letter on the subject was received by the Registrar of Co-operative Societies and it has not been ascertained whether the Deputy Registrar received a registered letter in view of the fact that necessary action was taken by him on receipt of the telegram. Information as to whether the previous Hon. Minister received a telegram and a registered letter on the subject is not available.

“(b) The Deputy Registrar, Coimbatore, made an enquiry and found that the allegations contained in the telegram were false and baseless. So, no further action was therefore taken in the matter.”

SRI PILLALAMARRI VENKATESWARLU :—“May I know if it is a fact that the Weavers' Co-operative Society at Peddapuram was not registered because of some vested interests and because the master-weavers put in some objection?”

THE HON. SRI K. CHANDRAMOULI :—“That question has nothing to do with the present question.”

Higher elementary schools in the Province.

* 146 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) how many higher elementary schools there are in this Province; and

(b) whether the Government will be pleased to place on the table of the House a statement showing the districtwar list of higher elementary schools, and by whom they are managed?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“(a) There are 2,217 Higher Elementary schools in the Province.

“(b) A statement^a is laid on the table of the House.”

MAHIN SCHAMNAD SAHIB BAHADUR :—“May I know whether the number of Higher Elementary Schools in the Province has been reduced recently?”

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ I have no figures for the previous years and so, I am unable to say readily whether the number has been reduced.”

SRI K. ANANDAN NAMBIAR:—“ May I know from the Hon. Minister whether there is any possibility of some of the aided school managers closing their schools within the next month in view of the fact that increased aid is to be given by the management? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ Some representations have been received from certain managers that if the Government insists upon the payment they may close the schools.”

SRI R. V. SWAMINATHAN:—“ According to the list supplied to us, I see that the number of schools in each district varies considerably. In one district, there are 367 schools and in certain other districts, the figure given is 30 or 40. May I know from the Hon. Minister what is the reason for this difference? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ The reason is that there are many people who come forward to conduct these aided schools in Malabar and so the figure there is high.”

Number of students sent abroad for higher studies.

* 147 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Education be pleased to state—

(a) the number of students sent abroad during the last three years for higher studies;

(b) to what communities they belong;

(c) the total cost incurred by the Government on each student; and

(d) how much of the total cost is borne by the Central Government?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ (a)—

Year.	Number of students selected.	Number who actually failed.
1945-46 ..	44	42
1946-47 ..	44	33
1947-48 ..	21	Nil.
Total ..	109	75

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“ (b)—

Names of communities.	Number of students selected in the year.			Total.
	1945-46.	1946-47.	1947-48.	
Brahman	19	19	8	46
Non-Brahman ..	12	13	7	32
Non-Brahman (backward):	1	5	2	8
Christian	8	3	2	13
Muslim	4	3	1	8
Harijan	..	..	1	1
Parsi	..	1	..	1
	44	44	21	109

“ (c) The cost of training a student is roughly Rs. 15,000.

“ (d) Half of the total cost is borne by the Government of India.

SRI R. V. SWAMINATHAN:—“ In view of the importance of this question, may I request the Hon. the Speaker to have this question on some other day. Another request is that we want the reply to be printed and placed on the table of the House.”

MR. SPEAKER.—“ Yes. It will be done.”

Opening of a Veterinary College in the Tanjore district.

* 148 Q.—SRI M. D. THIAGARAJA PILLAI:—“ Will the Hon. the Minister for Agriculture be pleased to state whether there is a proposal to start a Veterinary College in south preferably in Tanjore district? ”

THE HON. SRI K. MADHAVA MENON:—“ The answer is in the negative.”

SRI M. D. THIAGARAJA PILLAI:—“ May I know whether there are any proposals to start a Veterinary College in any other place in our Province? ”

THE HON. SRI K. MADHAVA MENON:—“ A proposal to start a Veterinary College in Andhra desa is under consideration.”

SRI S. NAGAPPA:—“ May I ask whether the Government will consider the desirability of opening a Veterinary College at Rayalaseema as it is very backward from every point of view? ”

THE HON. SRI K. MADHAVA MENON:—“ Another hon. Member wanted it to be started in Nellore and the matter is under consideration.”

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Suspension of certain village officers in East Godavari.

* 149 Q.—SRI PILLALAMARRI VENKATESWARLU:—
“Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the head karnam of Angara and the deputy head karnam of the same place are kept under suspension by the Deputy Tahsildar of Alamur, East Godavari; and

(b) if so, the reasons for such action and for how many months they were put under suspension?

THE HON. SRI KALA VENKATA RAO:—“(a) & (b) “The Deputy karnam of Angara and the Deputy head karnam of West Khandrika, Ramachandrapur taluk, East Godavari district, were under suspension from 21st June 1946 to 1st February 1947, on proved charges relating to their absence from the village without leave. They were placed under suspension by the Deputy Tahsildar, Alamur, and his action was ratified by the Revenue Divisional Officer, Rajahmundry.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know, Sir, whether the Government received any applications on their behalf requesting the Hon. the Minister for Revenue to cancel those orders because they are very unjust and if so, what action has been taken by the Hon. Minister on those applications?”

THE HON. SRI KALA VENKATA RAO:—“I hope the hon. Member is aware of Board's Standing Orders and the two enactments of 1894 and 1895 regarding village officers. The Government followed them in this matter. According to them, no appeal lies to the Government and the Government are unable to interfere in this matter.”

SRI PILLALAMARRI VENKATESWARLU:—“Are the Government aware that there are many officers who are very much prejudiced against these subordinates, who are suffering very much.”

THE HON. SRI KALA VENKATA RAO:—“Unless that Act is amended—Government are considering an amendment of the Act—nothing can be done at present.”

Number of eviction suits in South Kanara.

* 150 Q.—SRI V. PADMANABHA MALLAYYA (on behalf of Sri K. R. Karanth):—“Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of eviction suits by landlords against tenants in South Kanara in the different civil courts of the district (separately) in 1945, 1946 and 1947 (till the end of August) and number decreed out of them and number now pending;

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(b) whether the District Congress Committee of South Kanara and the Tenants' Associations in the district had requested the previous Ministry for legislation to stop these evictions;

(c) what steps have been taken by Government in the matter;

(d) whether it is a fact that steps had been taken by the last Ministry to bring in legislation to prevent eviction of tenants on ryotwari holdings from being arbitrarily evicted by landlords;

(e) whether that measure has been dropped by the present Ministry; and

(f) if not, what is being done with regard to the matter?”

THE HON. SRI KALA VENKATA RAO:—“(a) The Government have no information, but have called for it.

“(b) Yes.

“(c) to (f) The previous Ministry appointed a Special Officer of the grade of a Collector to investigate the subject of land tenures in the ryotwari areas of the Province and to make recommendations regarding the reforms to be introduced. The Ministry also proposed that pending enactment of comprehensive legislation on the subject, legislation should be undertaken to give temporary protection to tenants both from eviction and enhancement of rent. The present Government have not dropped these proposals. They are actively pursuing them.”

Drinking-water wells for Harijans in Tanjore district.

* 151 Q.—SRI M. MARIMUTHU:—Will the Hon. the Minister for Public Health be pleased to state the number of drinking-water wells which have been dug till now for the benefit of the Harijans in the villages of the Tanjore district and the number of such wells to be dug this year?”

THE HON. SRI A. B. SHETTY:—“No wells were dug exclusively for the benefit of the Harijans under Rural Water-Supply Scheme. The wells which have been constructed close to the residential quarters of Harijans are almost exclusively used by them. The number of wells sunk and the number used by the Harijans in the Tanjore district are as follows:—

	Bore wells.	Draw wells.	Tube wells.	Total.
Number of wells dug under the Rural Water-Supply Scheme.	143	461	17	621
Number of wells used by Harijans	18	112	Nil	130

“Apart from these, 454 wells have so far been sunk by the Labour Department for the benefit of the Harijans. The programme of Rural Water-Supply for 1947-48 has not yet

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been completed for the Tanjore district. Twenty-three wells are programmed for execution in the year 1947-48 by the Labour Department."

SRI S. NAGAPPA:—"May I ask the Government what action they have taken to allow the Harijan community into the common wells of the villages after the passing of the Civil Disabilities Removal Act?"

THE HON. SRI A. B. SHETTY:—"They are entitled to use the common wells. That is the effect of the Civil Disabilities Removal Act."

SRI M. MARIMUTHU:—"தஞ்சாவூர் ஜில்லாவில் 11 தாலுகாவில் ஹரி ஜனங்களுக்கு குடி தண்ணீருக்காக கிணறுகள் இதுவரையில் எவ்வளவு வெட்டிக்கொடுத்திருக்கிறார்கள் என்பதையும் இவ்வருஷம் மேற்படி கிணறுகள் எவ்வளவு வெட்டிக்கொடுக்கப்போகிறார்கள் என்பதையும் தயவு செய்து கணக்குசொல்லமுடியுமா?"

THE HON. SRI A. B. SHETTY:—"I am not able to understand the question, Sir."

MR. SPEAKER:—"That is not the way in which the Hon. Member should reply. If he is not able to understand the language, it is better to ask any of his Colleagues."

SRI V. I. MUNISWAMI PILLAI:—"The hon. Member may be requested to repeat the question."

(The question was repeated.)

THE HON. SRI A. B. SHETTY:—"The hon. Member may put a separate question. I have not got separate figures for all the taluks."

SRI S. NAGAPPA:—"Sir, my supplementary question was, what action the Government have taken ever since the Social Disabilities Removal Bill was passed to see that Harijans draw water from common wells and it was not answered?"

THE HON. SRI A. B. SHETTY:—"I have already answered it, Sir. It is open to them to use the wells and if any specific difficulty is brought to the notice of the Government, action will be taken."

SRI N. S. VARADACHARI:—"Are the Government aware, Sir, that in the Satyamangalam firka in the Tanjore district, since the soil is very saline and there is great difficulty in obtaining fresh water even in a delta area, would the Government concentrate on the question of digging fresh water wells in this firka?"

THE HON. SRI A. B. SHETTY:—"Out of the 454 wells which have been sunk by the Labour Department in the Tanjore district only 49 have been found to be brackish and not used."

SRI V. RAGHAVAYYA:—"In view of the fact that soft words have not broken bones with the orthodox people, will the Government take severe steps to enforce the use of public wells by all Harijans?"

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THE HON. SRI A. B. SHETTY:—"The Government have issued instructions that in selecting the sites for the digging of wells they should be preferably selected very near the Harijan colonies."

SRI S. C. BALAKRISHNAN:—"What is the difference between tube wells and bore wells, Sir?"

THE HON. SRI A. B. SHETTY:—"Notice."

Extension to pipe system in Nellore municipality.

* 152 Q.—SRI V. RAGHAVAYYA:—Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that for the past 20 years the main pipe system in Nellore Municipality has not been extended at all;

(b) whether it is a fact that water tax is being collected even from those parts of the town not enjoying the benefits of the pipe system;

(c) the amount collected all these years from those areas; and

(d) when the Government propose to extend the pipe system to such areas?

THE HON. SRI A. B. SHETTY:—" (a) No extensions were carried out to the distribution system, after 1935, except 850 feet of 3 inches C.I. main laid during 1946-47 serving the west portion of Brindaban Extension at a cost of Rs. 2,167.

" (b) The answer is in the affirmative.

" (c) The amount collected from 1935 from the areas not enjoying the benefit of protected water-supply is reported to be Rs. 33,384.

" (d) Improvements to the distribution system of the water-supply of Nellore Municipality are under consideration in connection with post-war development programme. The work will be taken up for execution in the second five-year programme."

SRI V. RAGHAVAYYA:—"In view of the neglect of the Municipality with regard to the extension of water-supply, will the Government give priority to this in the first year itself as it is a matter of great importance and urgency?"

THE HON. SRI A. B. SHETTY:—"Improvements to the distribution system Nellore has been assigned the 18th rank in the compendium. They are now engaged in completing the incomplete works held up during the war."

SRI P. NATESAN:—"May I know, Sir, if the Municipality is justified in collecting the water-tax when water has not been supplied all these years?"

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THE HON. SRI A. B. SHETTY:—"The Municipality may with the previous sanction of the Government exempt any particular portion of the municipality from the payment of the whole or a portion of the water-supply or drainage tax, but there is nothing irregular in the municipality collecting water-tax from areas within the Municipality which have to be provided with water-supply in future."

Admission into the Medical Colleges.

* 153 Q.—SRI T. VISWANATHAM:—"Will the Hon. the Minister for Public Health be pleased to state—

(a) whether principles of admission are varying from year to year for admission into the Medical Colleges;

(b) whether it is a fact that in 1946 the applicants were told that graduates would have preference over applicants with intermediate qualification with class and distinction;

(c) whether it is a fact that this year III-class graduates were not given preference over Intermediate (first class) candidates; and

(d) whether the Government will law down their policy so that students seeking admission into the medical colleges can look ahead, regulate and plan their courses of study?

THE HON. SRI A. B. SHETTY:—" (a) All the principles regulating admission to medical colleges do not vary from year to year. Certain changes have been made occasionally when sufficient reasons exist therefor.

" (b) Those who have taken the B.A. or B.Sc. degree with Physics, Chemistry, Zoology, Botany or Physiology as the main subject in the first or second class are given preference over those who have passed the Intermediate Examination in first class with Science groups. This principle was in force even in 1946.

" (c) Yes; the principle has not been newly introduced this year; it existed even before.

" (d) A copy of the latest ^a rules relating to the admission of candidates to the medical colleges is placed on the table."

SRI V. RAGHAVAYYA:—"In view of the fact that we are living in a free country now and all the time-old rules and principles of priority of communities have to be given the go-by, will the Government see its way to abolish the communal rotation rule at least so far as admission to technical institutions are concerned?"

THE HON. SRI A. B. SHETTY:—"The communal rotation system was there even in 1938 and it has been followed since then."

SRI S. NAGAPPA:—"From the statement laid on the table of the House I see it has been divided into three groups, namely,

^a Printed as Appendix III on pages 538-541 infra.

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50.8 per cent for the Tamil group districts, 38.1 per cent for the candidates from the Telugu group and only 11.1 from the Kanara group of districts. May I know on what basis these groups have been divided and whether it is on the basis of backwardness of the territory or anything else?"

THE HON. SRI A. B. SHETTY:—"It is based on the population figures. The Tamil districts group consists of 12 districts. Telugu, eleven districts and the West-coast two districts. This percentage has been fixed on the population basis but every district is given its quota of seats on the basis of population figures."

MR. W. J. FERNANDEZ:—"Are the Government aware that the sudden change in the principles this year regulating admission to the medical colleges caused great hardship to certain students as a result of which they were compelled to lose a whole year because they could not satisfy the regulations prescribed. If so, will the Government be pleased at least in future to publish change in the rules sufficiently early so that candidates may seek admission to other colleges?"

THE HON. SRI A. B. SHETTY:—"What exactly are the changes which the hon. Member is referring to I want to know."

MR. W. J. FERNANDEZ:—"This year, Sir, the selections were made on a district-war basis with the result that several Anglo-Indian students who applied for admission found that they could not get admission. For instance, a student from Salem who passed the Intermediate in Mathematics . . ."

MR. SPEAKER:—"The hon. Member is making a speech."

MR. W. J. FERNANDEZ:—"I am explaining, Sir, that a student from Salem who passed the Intermediate in Mathematics got preference over one in Madras who had passed in the Natural Science simply because there was a change in the rules of admission. This works a hardship on the poor student as he has to wait for another whole year."

THE HON. SRI A. B. SHETTY:—"Communal proportion rule has been applied and according to that Christians and Anglo-Indians get 2 seats out of every 12 and the best qualified students from each community are selected for admission."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether it is not a fact that this year third-class graduates were not given preference over first-class Intermediates because in the generality of cases first-class Intermediates with distinction are of a higher intellectual calibre than third-class graduates and are likely to prove more promising in the medical sphere?"

THE HON. SRI A. B. SHETTY:—"Selection is made according to the order of preference laid down in the rules for admission."

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SRI N. S. VARADACHARI:—"Will the Government be pleased to consider raising the standards of admission into medical and other such professional colleges?"

THE HON. SRI A. B. SHETTY:—"Yes, Sir, I have already stated that the best qualified students from different communities are selected."

SRI S. NAGAPPA:—"May I ask the Government, Sir, why only one seat is given to the Harijans out of every 12?"

THE HON. SRI A. B. SHETTY:—"All the Harijan students who applied have been admitted, Sir."

SRI S. NAGAPPA:—"It is not that, Sir. My question was why you should set apart only one out of every 12 seats for the Harijans?"

(No answer was given by the Hon. Minister.)

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"While answering question 1 (a) the Minister has made a confession that the principles of admission have been changing according to the circumstances. Will the Government give an assurance that a non-official committee would be appointed whenever such a necessity for change in principles of admission arises?"

THE HON. SRI A. B. SHETTY:—"I do not see any necessity for such a committee and it is open to the hon. Member to send in his suggestions for the consideration of the Government."

Alleged throwing of night-soil by caste Hindus into the drinking-water well used by Harijans.

* 154 Q.—SRI S. C. BALAKRISHNAN:—"Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether the Government have received any representations or petitions from the Harijans of Kadayanallur, Tenkasi taluk, complaining that some caste Hindus threw night-soil into the well of drinking water; and

(b) if the answer is in the affirmative, what action has been taken so far?"

THE HON. SRI V. KURMAYYA:—" (a) & (b) Some petitions were received by the Government complaining of the ill-treatment of Harijans of Kadayanallur by caste Hindus and they have been forwarded to the District Magistrate of Tinnevely for necessary action."

SRI S. C. BALAKRISHNAN:—"May I know, Sir, whether any criminal case has been filed on this matter?"

THE HON. SRI V. KURMAYYA:—"Information has not come to the Government but the petition has been forwarded to the Collector for information."

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SRI S. NAGAPPA:—"Sir, as it is a cognizable offence may I know, why when it was brought to the notice of the Government, prompt action in arresting the persons concerned was not taken?"

THE HON. SRI V. KURMAYYA:—"Government have to get official reports whether the information is correct or not."

SRI V. I. MUNISWAMI PILLAI:—"May I know when the petition was sent to the District Magistrate for investigation?"

THE HON. SRI V. KURMAYYA:—"It has been forwarded to the Collector for necessary action and the Collector may after enquiry report the matter to the Government."

SRI PILLALAMARRI VENKATESWARLU:—"Sir, as there are so many cases where the Scheduled Castes are not allowed to take water from the tanks or wells, will not the Government consider appointing a non-official committee to investigate into the matter?"

THE HON. SRI V. KURMAYYA:—"There is no necessity for a non-official committee in view of the independent Government we are having now when every one is expected to do his duty and every one must take action whenever any Harijan is harassed."

SRI S. NAGAPPA:—"May I ask, Sir, in view of the fact that such an offence is cognizable, why should the Government allow this matter to lie over as the Harijans were not allowed to draw water or to drink?"

THE HON. SRI V. KURMAYYA:—"The Government will certainly take action if such instances are brought to their notice."

SRI P. KAKKAN:—"May I know, Sir, whether the Government have given instructions to the village munsifs to publish and propagate the Removal of Civil Disabilities Act through notices and by tom-tom in villages?"

THE HON. SRI V. KURMAYYA:—"The Government printed a number of copies in all the four languages and supplied them to the officials for distribution in the villages for taking action."

SRI R. V. SWAMINATHAN:—"May I know, Sir, is there any provision for issuing a warrant for arrest from the Secretariat itself?"

THE HON. SRI V. KURMAYYA:—"Certain officials will take cognizance but not the Ministry itself."

SRI V. I. MUNISWAMI PILLAI:—"May I know from the Hon. Minister when this incident took place and when the petition was forwarded to the District Magistrate for enquiry?"

THE HON. SRI V. KURMAYYA:—"Notice, Sir."

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SRI A. KALESWARA RAO:—" May I know, Sir, whether the Government would issue instructions to the Police and the Magistracy in the districts to arrest persons who ill-treat Harijans and give exemplary punishments in such cases? "

THE HON. SRI V. KURMAYYA:—" Under the present Act it is the duty of the District Magistrates and other officials to take action whenever such incidents take place and are reported to them."

SRI S. NAGAPPA:—" Are the Government aware, Sir, that there are police officers and magistrates who are not aware of this Act at all and my friends had to take lot of trouble to make them understand that there are such Acts? "

THE HON. DR. P. SUBBARAYAN:—" Sir, I would request the hon. Member not to be so very violent with the microphone."

MR. SPEAKER:—" The hon. Member is not violent with the mike. It is the ill-treatment that is meted out to his community that makes him so very emotional."

THE HON. SRI V. KURMAYYA:—" The Government have already issued the necessary notices to all and if particular instances are brought to their notice, they will take action."

SRI M. G. NATESA CHETTIYAR:—" May I know, Sir, whether this Civil Disabilities Removal Act has not been published in the *Police Gazette* so that cases of this nature may be recognized by the police? "

THE HON. SRI V. KURMAYYA:—" Notice, please."

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

II.—ADJOURNMENT MOTION *RE* HUNGER STRIKE BY SRI A. K. GOPALAN.

MR. SPEAKER:—" Sri K. Anandan Nambiar has given notice of a motion to adjourn the House to discuss the following:—

'Sri A. K. Gopalan, a Communist political prisoner who is on hunger strike from 20th September 1947, being treated as a criminal and not as a political prisoner, in spite of the fact that he is the Secretary of the Communist party in Malabar and has been a political worker for the last 15 years. As his condition is very serious this Assembly may be adjourned to discuss this matter.'

" As hunger strike is not a fit subject for discussion under an adjournment motion, I rule it out of order.

" Sri B. S. Murthi raised a point of order yesterday and I will give my ruling on that on the 9th October 1947."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" On a point of information, may I know from the Hon. Minister for Prisons whether the facts as mentioned in the adjournment motion are true or otherwise? Why not the Minister come out with his explanation, Sir? "

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THE HON. SRI K. MADHAVA MENON:—" Yes, Sir. I have received information that Sri A. K. Gopalan has begun hunger-strike and is taking only lime-juice from 20th onwards."

III.—DEMANDS FOR GRANTS FOR FURTHER EXPENDITURE IN THE YEAR 1947-48.

(1) DEMAND VIII—IRRIGATION.

THE HON. SRI M. BAKTHAVATSALAM:—" Mr. Speaker, Sir, I move—

'that the Government be granted a further sum not exceeding Rs. 500 under the head "Irrigation".'

SRI K. ANANDAN NAMBIAR:—" I move—

'that the allotment of Rs. 500 be reduced by Re. 1 to discuss the Grow More Food programme.'

" While moving this cut motion, I would like to bring to the notice of the Government that this Demand is put forward for the Grow More Food Campaign and the irrigation which the Government want to provide for that purpose. How much food has been produced by this Campaign we do not know. We were told yesterday that it was not possible on the part of the Minister in charge to give us the actual produce under this scheme. Now, we suggest that unless irrigation is worked out on a comprehensive scheme for the whole Province and not here and there will there be any good. If he asks for some particular scheme in some particular places it will be waste of public money. On the other hand, a comprehensive scheme for the whole Province, district by district, should be prepared by the Government and both officials and non-officials should be invited to discuss this matter and come to conclusions. I can give certain facts. The Kisan Sabha, the organization of the peasants of this Province in Tamil, Andhra and in Kerala are prepared to extend their co-operation to the Government in making this scheme all over the Province a complete success but the Government do not consult such bodies nor get the opinion of these bodies or their suggestions. They merely rely on the reports they receive from the Government officers here and there and put in these demands. I say the action of the Government is not in the interests of the people of the Province.

" Many tanks which are old and owned by the mirasdars are not being repaired because they are not very much particular about irrigation and the Government do not go to the extent of asking these landlords to clean these tanks on behalf of the peasants nor do the Government encourage the peasants to work and clean these tanks and wherever the peasants come and do that, the District Magistrate with the aid of Section 144, puts these peasants into prison. This is our experience and I can quote an instance. In Uthamapalayam where the canal was damaged was tried to be repaired by the peasants. The result was the peasants of the area

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came to Vellore jail along with us to remain in some soft corners of the jail. The Government should give up such action and encourage and get the co-operation of the people. Another point I have to bring to the attention of the House is in Thirumangalam there is Sivarikottai Kanmai which if repaired would irrigate to the extent of 450 acres and which can produce not less than 20 thousand bags of paddy this year but this has been neglected and when brought to the attention of the District Magistrate, the Magistrate sent certain Revenue officials to enquire. Nothing has so far been done and the peasants are agitating and have made representations to the Government and I would request the Government to take such steps to help these people and also get the co-operation of the Kisan Sabhas wherever they exist. This will enable some good work to be done for the Grow More Food Campaign and better irrigation. This is the purpose for which I have given notice of this cut motion and I hope the Minister in charge will take these matters into consideration."

* SRI PILLALAMARRI VENKATESWARLU :—" Sir, while supporting the cut motion I would like to bring to the notice of the Hon. Minister one or two more additional facts. There is an Act to enable the tanks to be repaired but nowhere has it been implemented particularly in Zamindari areas. They know well that they are going away anyway. They know that they will be liquidated and because of that they are not at all touching or improving their tanks. The silt is there and when the water in the tank is removed the tank-beds are used to grow tapioca. This is going on more in Andhra, particularly in Challapalle and other Zamindaris but neither the District Magistrates nor any other Revenue Officers take action in the matter. We go and complain but they will not yield and in spite of repeated complaints no action is taken. I can say that not a single tank has been repaired in spite of the fact that there is an Act to enforce its being repaired and the Act is only on the paper and not acted upon by the District Magistrates. I request the Hon. Minister who is more interested to see to the success of the Grow More Food Campaign to look into this matter. It is his job to see to the immediate repair of the tanks, to remove the silt and see that the beds are not given or leased out for growing tapioca.

12.30
p.m.

"Very recently the Budameru was in floods; very heavy floods and there were never such floods ever before. I am surprised to see that there is no token demand for it here. During question time, I tried my best to get an answer from the Hon. Minister for Finance, regarding this as he is equally interested in this but he escaped answering my question. I expect that the Hon. the Minister for Irrigation at least will give me a definite answer why this has not been included in the supplementary demands."

THE HON. SRI B. GOPALA REDDI :—" These are all items already sanctioned and regarding items to be sanctioned, they cannot be included in token demands."

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* SRI PILLALAMARRI VENKATESWARLU :—" It is a very important thing because many lakhs of tons of paddy were lost on account of this. Every year there are floods. I am sorry to remark that the previous Congress Government did not take any action and I expected that the present Finance Minister would include it in the Budget estimates."

THE HON. SRI B. GOPALA REDDI :—" I never knew that there is any Budameru in West Godavari district."

* SRI PILLALAMARRI VENKATESWARLU :—" There is one in Kistna district. In fact, very recently a deputation waited upon both the Hon. Ministers; but in spite of those things, it has not been included. Even though it has not been included, I think the Ministry can include it even now. I remember pretty well that the Prakasam Ministry once changed the Budget for finding a provision for Prohibition. I request the Hon. Minister to take up this scheme."

SRI KALLURI SUBBA RAO :—" అధ్యక్షా నీటి పారుదల విషయములు వర్షపువచ్చిన సందర్భములలో ఎల్ల నీటి పారుదల సౌకర్యములు లేని మా అసంతృప్తరం జిల్లా విషయమును గురించి వదేవదే పట్టించుచున్నాను. అయినప్పటికీ ఇప్పటి బడ్జెటును చూచిన తయారమునటువంటి స్కీము మా జిల్లాకు సంబంధించినది ఒక్కటి కూడా కనుపడకుండా ఉన్నది. అంతేకాక అధిక ఆహారోత్పత్తి కడకములూ ఉదక రించిన స్కీములు కూడా మా జిల్లాలో ఏమియు లేకుండుటలో ప్రభుత్వమువారి ఉద్దేశము తెలియకుండా వున్నది

"ఈ సందర్భములలో ఒక విషయము మనవిచేస్తాను. గత పాతక సంవత్సరముల నుంచి మా జిల్లాలోని ప్రజలందరు అనేకసార్లు వెంటనే వెన్నార్-కుముద్దతి ప్రాజెక్టును నిర్మించవలసినదిగా ప్రభుత్వమును వదేవదే కోరుచుండినను ఏ కారణముచేతనో ఇప్పటికీ ప్రభుత్వమువారు ఈ ప్రాజెక్టు విషయమై ఆలోచన చేయకుండా ఉన్నారు. కనుక వెన్నార్-కుముద్దతి స్కీమును వెంటనే అమలులో పెట్టవలసినదిగా ప్రభుత్వమువారిని కోరుచున్నాను.

"ఇంకను మా జిల్లాలో ఇదివరలో తయారైనటుంటి పేరూరు ప్రాజెక్టు స్కీము వున్నది. కాని దానినికూడా ఇంతవరకు అమలుపరచియుండలేదు. ఈ Scheme విషయము ఏమిచేసినారని ప్రభుత్వమువారిని మాకు తెలియజేయ కోరుచున్నాను.

"ఈ స్కీములనుగురించి వెంటనే ఆలోచించి అమలుపరచవలసినదిగా ప్రభుత్వమువారిని ప్రార్థించుచున్నాను."

* SRI NIVARTHI VENKATASUBBAYYA :—" Mr. Speaker, while I am thankful to the Hon. Minister for Irrigation for sympathy that he is evincing in matters pertaining to his subject concerning the backward tracts, there are certain vital suggestions which I wish to place before him for consideration. The subject of irrigation is one that concerns every one, especially those who are suffering from famine and lack of irrigation facilities; so whenever the question of irrigation comes up for discussion, we are never tired of voicing forth our grievances. I must not be misunderstood as pleading for special treatment because the very

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existence, the economic future, happiness and prosperity of a vast tract depend upon this subject of irrigation. I must, therefore, din into the ears of the Ministry that the Ceded districts are famine-stricken and therefore, they need greater attention and much better treatment than they have been given so far. If I place before you certain statistics regarding the development of irrigation in the Presidency as a whole district-war, you will agree with me that the Ceded districts have been badly neglected. In Tanjore, it is 75 per cent, I mean the percentage of land actually irrigated to the total area under cultivation, East Godavari 65 per cent, West Godavari 60 per cent, Kistna 55 per cent, and other districts have got 30 and 40 per cent; but Bellary shows only 3.5 per cent, Anantapur 5 per cent, Kurnool 6 per cent and Cuddapah 10 per cent. You will, thus, see the huge disparity between district and district.

"Coming to the question of the Grow More Food Campaign, I find that not a single scheme has so far been included in the list that has been placed before us. This should also receive his attention. In Kurnool district, there is the big game, the Sangameswaram Project which is under consideration. The Hon. Minister for Irrigation will be good enough to see the spot and assure himself that the project is feasible. I believe I have a right to demand what action has been taken for pushing it through and I demand that earlier action should be taken so that this feasible and promising project that help will Kurnool, Cuddapah, Nellore, Chittoor and to some extent Chingleput and South Arcot also, may be taken up early. Similarly, there is the Gandikota Project; it was investigated long ago and it was put in the Post-war Reconstruction Programme. But still we have not heard in what stage it is and there is a fear also that it may be dropped altogether. I have not got sufficient assurance from the Government that the demands and grievances of the Ceded districts will be attended to. While the scheme for other districts are being repeatedly taken up, even though it is said that there is a paucity of staff, the districts most urgently in need are being neglected. Some years ago, we had a special investigation division sanctioned for the districts of Anantapur and Kurnool; but that division has been abolished altogether. If I raise the question of restoration of breached tanks and the construction of small tanks, because they involve very small work, the Executive Engineer says that he has no hands for the purpose; when it is raised on the floor of the House, I am told that there is staff for the purpose. The other day, I said that all the staff are being diverted to Ramapadasagar Project I was assured that no such thing had occurred; but we see the result is that we do not have staff. For the Ceded districts in particular I should suggest that two divisions at least may be sanctioned for investigation and execution. Unless that is done, I am afraid that the irrigation development of the Ceded districts may be hampered and nothing useful can come out. There is Pennar Project which has been long in the air and nothing has been done. Further, there is the question of the High-level channel from the

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Tungabhadra Project which helps Gooty and Tadpatri taluks. These are the important suggestions which I should like to place before the Hon. Minister for his consideration and early action."

SRI R. V. SWAMINATHAN:—"Mr. Speaker, with regard to item (ii) of this demand, I wish to draw the attention of the Hon. Minister to the fact that some years ago there was a proposal before the Government, I understand, to take a canal from Trichinopoly-Cauvery scheme to Ramnad district . . ."

THE HON. SRI M. BAKTHAVATSALAM:—"The scheme which my hon. friend refers to does not come under this item."

SRI R. V. SWAMINATHAN:—"May I ask the Hon. Minister if it is not related to the Cauvery scheme from the Trichinopoly district."

THE HON. SRI M. BAKTHAVATSALAM:—"No, Sir."

* SRI K. KOTI REDDI:—"Mr. Speaker, I do not wish to take up much time; my idea is only to refer to some small schemes costing about two or three lakhs which were recommended by the Cuddapah district irrigation committee and sent up to the Government. I wish to urge the Government to sanction them at once so that there may not be any delay in taking them up next year. Unless it is sanctioned by Government before the end of October, there would be delay and they would be put off by a year. Kanchalamma Project is a scheme which has been pending for the last 20 years. For some reason or another, it was put on but I am now told that the Chief Engineer has recommended it to the Government. With regard to the Gandikota Project, there has also been some trouble. It is quite a feasible scheme as the engineers have found out already. Only about the supply of water there has been some doubt. Gaugings have been taken for the last two years and they are quite satisfactory and this year also gaugings are being continued. The trouble about supply of water so far as big rivers are concerned is not such an insuperable one. After all even in the Ceded districts where there is scarcity of rainfall, the supply is not bad throughout. If it is bad in one or two years, it is fairly good in the third year. I, therefore, hope that the plea that there may not be enough supply of water will not stand in the way of Government in proceeding with the Gandikota Project. Even if there is some small supply in one year which is likely to improve in the next year, the project ought to be taken up; if there is good flow, a better supply would be provided by do provision being made in next year's budget. This and the other smaller project of Kanchalamma which may cost about two or three lakhs of rupees and they will be every helpful for supplying the needs of the Cuddapah district to some extent."

"Sangameswaram Project is very important because it will help three of the five districts of Rayalaseema. The people of these districts are very anxious about it. I know that in Rayalaseema as distinct from the rest of the Andhra Desa, some doubts are expressed that because the Ramapadasagar Project has already been investigated and is likely to be taken up immediately, the northern circars people are understood to have neglected the Ceded

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districts. They say, 'we should have a separate province.' There is some agitation about it. Not having investigated the Sangameswaram Project is one of the reasons advanced to show that we have been neglected by the coastal people. I do not know how far it is true, but the fact is there that the Ramapadasagar Project was thought of only very recently. In all the irrigation reports and famine commission reports not a word has been mentioned about this Godavari Project. But the Sangameswaram Project, or the Kistna-Pennar project as it is now called was thought of as early as 1870. Unhappily, sufficient investigation has not been made of this project, and now I am glad that the Minister for Irrigation is taking up very seriously this and investigation is going on. Negotiations have to be carried on with the Hyderabad Government. I hope that any obstacle that may be in the way will be overcome by proper negotiations.

"Sir, only yesterday we have been discussing the food problem. It has been said that we require at least 2 million tons of rice more to supply the needs of this Province. This Ramapadasagar Project is expected to supply this 2 million tons. So also Sangameswaram Project. It will irrigate easily not less than 25 lakhs of acres. It will be irrigating portions of a country which are often subject to famine. I am not against Ramapadasagar Project. But I may tell the House that there is need for more than these two projects. I personally feel that the Government should take into account the wealth that will be added to the people of the area. The revenue alone that would be derived should not decide whether a project is remunerative or not. Added wealth is the only sound economic point of view which the Government ought to take in sanctioning projects. I believe the smaller and bigger projects that were condemned as unremunerative previously will be found to be remunerative against this background. Both these projects (Ramapadasagar and Sangameswaram) and so many other projects, which were given up previously, I hope, may be taken up. Then, there may not be enough money available. One naturally feels what is to be done. What is the test by which we have to give priority to one against the others? I would say that both these projects are necessary. But seeing the condition of the Ceded Districts, and the tract of the country that is to be irrigated by the Sangameswaram project, if Government are not in a position to take it up simultaneously with the Ramapadasagar project, I should feel that priority should be given to Sangameswaram project. We may be told that there is not sufficient staff available. The Government can, I think, employ all the engineers who have retired. Though they may not be very efficient, having retired from service, still in circumstances like this, when there is need for projects, when there is need for augmenting the food resources of the country, employment of the retired engineers can be done without much detriment. With these words, Sir, I support the Demand."

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* SRI V. RAGHAVAYYA:—"Mr. Speaker, while congratulating the Minister for Public Works on the hard job he has been doing these two years in improving the country's irrigation sources—it is very hard to get my praise; he has got it easily—I wish to make some suggestions regarding the policy to be followed in regard to the irrigation schemes. I should like to refer to the importation of implements. I wish to tell the Government that in the re-distribution of these facilities attention should be paid to the equal distribution to all the districts. There is no use of mentioning only one or two projects, and saying that we have no engineers, no overseers, and ultimately we have no money. The poor man wherever he is feels he is unnecessarily deprived of his daily food. So, I make a suggestion to the Government that in districts which are mainly rain-fed, a system of tanks can be undertaken. It is not for nothing that the great rulers of ancient days had spent crores of rupees in building tanks. It will be silly on the part of their successors to throw them away to the winds, and allow people to cultivate tank beds, as they have not been meant for it. No amount of money should be regarded as a waste if these tanks are to be renovated. I do not mind if they are taken up even afresh. What is the use of science if all the tractors and bull-dozers that have been imported into this country on account of the war exigencies are not to be utilized for the most glorious purpose that has long been neglected? No doubt theoreticians, scientists and engineers do often say there is no good of digging up old canals, there is no good of opening up old tanks, etc. But science has told them that all these things are false and that old tanks can be dug up and old canals can be excavated with greater advantage.

"What my hon. Friend Mr. Koti Reddi says can be meant in this way. The dry areas which are mainly rain-fed can be given more tanks, and more money can be spent for providing irrigation facilities. As regards big projects, I should like to suggest that a contributory system may be thought of by which those districts which get the largest benefit of it should be asked to pay the major portion of the money required for the project. It may be by way of loan or by way of contribution. It is up to the Government to levy a higher rate of tax on those villages or lands which are cultivated by these big projects. I do not say that any question of remunerative system should be introduced, because Government cannot insist that the entire cost should be paid by the districts which get the benefit. I should say there is nothing wrong or unusual in expecting the people of the area who get the benefit to pay a portion of the cost.

"Now as regards drainage facilities to be provided, which are mentioned in item 3 of the demand. There are several places which require to be drained up, as a result of which large tracts of land can be made available for cultivation. I know, Sir, a place in Nellore near Alur where 6,000 acres of land have been submerged for over 50 years. It has been rendered difficult for cultivation because a certain 'vagu' breaks its barriers and inundates the area.

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The Government should take up the drainage of this large sheet of water. The Chief Engineer has been good enough to inspect this place. This area will throw up 6,000 acres of land which can be cultivated. The soil is very fertile. Equally so, I should ask the Government to see that in the re-organization of irrigational facilities, they do not confine the expenditure to a few deltas or a few anicuts, and then leave the other districts crying for help. I therefore suggest that the expenditure which the Government intend to make in future or in the five years' programme or even in this year to be so divided that it is equitably distributed among all the districts if possible. It may be small or big projects. The thing must go on in such a manner that no discontent is left behind. What Mr. Koti Reddi says about Pennar-Krishna project is true. I wish also to attribute it to a sort of red-tapism in the department. This project has been condemned for the past 40 years, and no gentleman thought it worthwhile to study it closely. I know as a matter of fact when the matter came up last year, all the engineers turned down the proposal as being useless and very costly. Two gentlemen studied it. A century back Mr. Cotton said, 'it is a very good scheme.' Fifty years back Mr. Mackenzie said, 'it is a good scheme'. But subsequently every engineer has copied what his predecessors have written, and they have been uniformly condemning this scheme. It was, however, given to the present Chief Engineer, who went into the question and studied it, to say that it is one of the biggest projects that India can produce. Even Dr. Rajendra Prasad who had been here, on a narration of the events so masterly placed before him, came to the conclusion that this was an 'A' project in India. So, it will not be out of place if Mr. Koti Reddi or myself or others who are suffering from unequal distribution, put forward the Krishna-Pennar project as deserving the foremost attention at the hands of this Government. Even judging it from the technical opinion, it has been found that an expenditure of Rs. 50 crores on this project will bring 25 lakhs of acres under cultivation. Not only that. The benefit goes to those districts which have been consuming a large portion of the Government's revenues on famine works. If Kurnool, Cuddapah, Nellore, Chingleput and North Arcot should be benefited to a great extent by this scheme, I do not think there will be any Andhra or any Tamilian who would grudge these poor districts the benefit of such a big scheme. Judging from a purely technical point as well as from the point of view of equal distribution and also economy in saving crores of rupees that are being spent on Famine Works year after year on the Ceded Districts over the breaking up of stones and laying up of unwanted roads, I would suggest that the expenditure on Krishna-Pennar scheme will go a long way not only to produce more food, but also it will provide facilities for additional irrigation in these districts. With these words, Sir, I would commend to the Hon. Irrigation Minister that he should take up this question of irrigation with greater zeal and, if necessary, he should float a national loan for the purpose of these schemes. I

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hope he would give high priority and fight for priority for irrigation schemes over others. I, therefore, support this Demand, and wish the Minister for Public Works success."

MR. SPEAKER:—"To-day being Friday we will adjourn now (1 p.m.) and meet again at 3 p.m."

The House then adjourned.

(After lunch—3 p.m.)

MR. SPEAKER:—"The Hon. Minister for Food will now make his statement."

IV.—STATEMENT ON THE ALLEGED DEATH OF PERSONS DUE TO STARVATION.

THE HON. DR. T. S. S. RAJAN:—"Sir, last night when the House was about to adjourn I promised I would get a further statement from the Collector of East Godavari regarding the reported deaths due to starvation. I have got the information required, Sir, and I am placing it before the House.

"The real cause of death in the fourteen cases referred to in the Legislative Assembly yesterday in the Agency Tract of the East Godavari district is reported by the Collector to be as follows:—

	Village.	Name.	Age.	Real reason for death as reported by Collector through phone.
			YRS.	
1	Rampa	Kokuri Tirupatamma	40	Pleurisy.
2	Do.	Pampireddi Surayya	35	Tuberculosis. (Laughter.)
3	Do.	Pampireddi Chinnamma	25	Abnormal delivery. Died a month ago.
4	Do.	Korukonda Jaggayya	10	Malaria and Anaemia.
5	Marrivada	Singotu Butchayya	60	Beri-beri, suffered for 5 months.
6	Sripuram	Chollam Suranna	35	Aged 50 and not 35. Died of gastric ulcer.
7	Bendapalli	Sundam Bullimmi	50	Aged 90 and not of 50. Died of old age.
8	Mulapadu	Karamu Papudamma	25	Abnormal delivery. Died three days after delivery.
9	Chilakamamidi	Enbukula Chinna Reddi	25	Still living hale and healthy. (Laughter)
10	Do.	Kindla Balayya Reddi	40	Diarrhoea.
11	Do.	Vadugula Chinnayya	50	Malaria.
12	Do.	Kathula Ramayya	36	Diarrhoea.
13	Do.	Boyna Balayya	75	Tuberculosis
14	Do.	Boyna Chilakamma	45	Beri-beri."

SRI V. RAGHAVAYYA:—"Sir, I wish to state one point about this statement."

MR. SPEAKER:—"I cannot allow the hon. Member to speak on this statement."

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* SRI V. RAGHAVAYYA:—"I rise on a point of information. I am deeply obliged to the Hon. Minister for the information he has furnished. In view of the fact that the deaths are admitted now, may I ask—Sir, yesterday's stage was there was no death, as the telephone talk resulted in the Collector immediately phoning back there was no death. Now, the position to-day is there are deaths but they are due to various diseases. I am not a medical man myself; but still seeing that the cause of death of some was diarrhoea, of some others beri-beri and yet of some others consumption, may I just wish to know, though death has not resulted immediately from starvation, yet starvation might have reduced those people to that position. May I ask the Hon. Food Minister, in view of the fact that this is not a matter to be trifled with, as neither the person who alleges nor the person who denies the allegation . . ."

MR. SPEAKER:—"The hon. Member should not make a speech; he should conclude soon."

* SRI V. RAGHAVAYYA:—"Yes, Sir. In view of the fact that the person who alleges and the person who denies it are responsible persons and as the matter is also serious and grave, may I request the Hon. Food Minister to cause a more detailed investigation to be made into the cause of suffering and starvation?"

THE HON. DR. T. S. S. RAJAN:—"Sir, the statement made before this House was that these people died of starvation. Thus we had a specific allegation made by the speakers that the death was due to starvation. Therefore we called for a detailed information, whether there were deaths and whether deaths were due to starvation. On these two specific questions a definite reply has been given. I do not know what further information is required on them by this House. My own feeling is that the thing was absolutely taken hold of to be used in the food debate."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I ask a few short notice questions?"

MR. SPEAKER:—"This is not question time. No short notice questions can be allowed."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, a serious situation regarding the outbreak of an epidemic in two important towns has arisen. As the Assembly is not meeting till 9th October and as the information called for has been secured by the Minister for Public Health from the Director of Public Health and as he is prepared to answer the short notice question, may I request you to allow the short notice question to be answered as it is a matter of public interest, the outbreak of cholera in Trichinopoly and plague in Coimbatore?"

MR. SPEAKER:—"At 5 o'clock this evening, I shall take it up."

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III.—DEMANDS FOR GRANTS FOR FURTHER EXPENDITURE IN THE YEAR 1947-48—cont.

(1) DEMAND VIII—IRRIGATION—cont.

SRI ROKKAM RAMAMURTHY:—"అధ్యక్షా, మన పబ్లిక్ వర్క్స్ కౌన్సిల్ మాత్రమే ప్రభుత్వం గారు ప్రతిపాదించిన నీటిపారుదల (Irrigation) డిమాండును వివరముగా కొన్ని విషయములు మనవి చేయబోతున్నాను."

"ఈ ఇరిగేషన్ విభాగమునకును మన ఆహార సహస్యకును చాలా దగ్గర సంబంధము ఉన్నది. అనగా ఈనాడు మనము ఆహారము ఎంత అవసరమని తలచుచున్నామో, నీటి పారుదల కూడా అంత అవసరమైనట్లు కనబడినది గమనించవలెను. చక్కటి ఇరిగేషన్ స్కీములు ఉన్నప్పుడే మనము మనకు సరిపోయే ఆహార భాగ్యము లను పండించుకొనగలుగుదుము. ఇట్టి ఇరిగేషన్ స్కీములు సరిగా చాలినన్ని లేనంత కాలము మనము ఇట్టి కరువులను కాటకములను, ఎదుర్కొనుచుండవలసివచ్చే. ఇదివరలో మనలను పరిపాలించిన పరప్రభుత్వములు మన ఇరిగేషన్ విషయములలో ఎట్టి జోక్యమును కలుగజేసుకొని యుండలేదు. అందువలననే నేడిట్టి క్లిప్త పరిస్థితులను మనము చూచుచుండవలసి వచ్చుచున్నది. ఇప్పుడు దేశములో కాంగ్రెసు ప్రభుత్వములు రాష్ట్రములలోను, కేంద్రములలోనూ కూడా నెలకొల్పబడియున్నవి. కనుక మన ప్రభుత్వమువారు తగినంత శ్రద్ధ తీసుకొని ఇరిగేషన్ స్కీములకు, వివి జిల్లాలలో ఎట్టి అవకాశములున్నవో వెంటనే విచారణ చేయించి, అమలులో పెట్టించవలయును. ఈ ఇరిగేషన్ స్కీములు తయారవనంతకాలము మన ఆహార సహస్య చాలా భయానకముగా నుండునని ప్రభుత్వమువారిని మరల హెచ్చరించుచున్నాను."

"అధిక ఆహారోత్పత్తి చేయవలసినదిగా ప్రభుత్వమువారు రైతులందరికి చెప్పుచున్నారు. సరియగు నీటి సదుపాయములు లేనిచే అధిక ఆహారోత్పత్తి జరుగుట ఎట్లు? ఇప్పుడు మన ప్రభుత్వోద్యోగులు ఎంత భాగ్యము (procure) నేకరణ చేయగలమా అనియే ఆలోచించుచున్నారుగాని ఈ నీటి సదుపాయముల విషయము ఆలోచించుట లేదు. వారు వేడరైతులవద్దనుంచి వారు తిండికి ఉంచుకొన్న కొద్దిపాటి భాగ్యము నైనను తీసుకొని పోవుచున్నారుగాని, ఈ రైతులకు ఎక్కువ భాగ్యము పండించుటకు అవకాశములు కలిగించుటకు ఎట్టి ప్రయత్నములును చేయుటలేదు. కావున ప్రభుత్వమువారు సాధ్యమైనంత త్వరలో కరువు జిల్లాలలో, ముఖ్యముగా మా ఉత్తర విశాఖ జిల్లాలో ఉన్నటువంటి చిన్న చిన్న నదులకు అనకట్టలు కట్టవలయును. చెరువులను మరమ్మత్తు చేయించవలయును. మా జిల్లాలో అక్కడక్కడ ఉన్న వాగులను, గడ్డలను కాగుచేయించవలయును. ఇట్టి సదుపాయములను వెంటనే చేయించిన ఇదివర కటినుంచి వృధాయగుచున్న నీటిసంతను అధిక ఆహారోత్పత్తికి వినియోగించగలము. 10 సంవత్సరములలో లేక 20 సంవత్సరములలో పూర్తియగు పెద్దపెద్ద project లనే కాక ఇటువంటి చిన్న స్కీములను కూడా ప్రభుత్వమువారు దృష్టియందుంచుకొనవలెను. పెద్ద project ల (results) ఫలితములు మనకు వెంటనే కనిపించవు. కాని ఈ చిన్న చిన్న scheme ల వల్ల మనకు తక్షణమే ఫలితములు కనపించును. మనలను ఇప్పుడు ఎదుర్కొనియున్న ఆహార కొరతను వీటివల్ల తీర్చవచ్చును. ఇంతే కాక ఒక జిల్లాలో ఆహారము లేనట్లు మరొక జిల్లానుంచి తెచ్చుకొనవచ్చునకదా యని ఈ scheme లను ఉపేక్ష చేయకూడదు. ఏ జిల్లాకు ఆ జిల్లా ఆహార విషయములలో (self-sufficient) స్వయం సాక్షముగా ఉండునట్లు చేయవలయును."

[Sri Rakkam Ramamurthy] [26th September 1947]

“అంధదేశములోని అన్ని జిల్లాలలోనూ మా విశాఖపట్టణం పెద్ద జిల్లా. అంధదేశములోని మొత్తము జనాభాలో 5 వ వంతు అనగా 40 లక్షలమంది ప్రజలు మా జిల్లాలో ఉన్నారు. అయినను మా జిల్లా అన్ని విధముల వెనుకబడియున్నది. మా జిల్లాలోని ప్రజలందరకు కావలసిన ఆహార ధాన్యములు మా జిల్లాలో పండించు కొనుటకు అవకాశము కలుగజేయబడలేదు. కావలసినన్ని చిన్నచిన్న నదులు, చెరువులు, గడ్డలు, ఏరులు ఎన్ని ఉన్నను వాటి నీటిలో చాలా భాగము సముద్రపు పాలు అగుచున్నచే కాని, సమవయోగము అగుటలేదు. కనుక ప్రభుత్వమువారు శ్రద్ధచేసి ఈ నదులకు, గడ్డలకు ఆనకట్టలు కట్టవలయును. ఈ scheme ల వల్ల అనేక వేల ఎకరములు కొత్తగా సాగులోనికి వచ్చును.

“మన ఇరిగేషన్ మంత్రిగారు మా జిల్లాలో పర్యటన చేసినపుడు వారికి ఈ చిన్న చిన్న స్కీములగురించి మనవిచేసి యున్నాము. కాని ఆ స్కీముల విషయములో ఈ బడ్జెటు డిమాండులో ఏమియు కనుపించుట లేదు. మా జిల్లాను ఈవిధముగా అశ్రద్ధ చేయవద్దని వారికి మనవిచేయుచున్నాను. ఇప్పుడు ప్రభుత్వమువారు జరిగించుచున్న procurement వలసగాని, rationing స్కీమువల్లగాని కరువులు తగ్గించలేరు. అందుచేత వారు ఇప్పటినుంచి ఎక్కువ శ్రద్ధ తీసుకొని ఇట్టి కరువులు ఇకకుండైనను రాకుండా చేయవలసినదిగా ప్రభుత్వమువారిని కోరుచున్నాను.

“ప్రభుత్వమువారు వివిధ జిల్లాకు ఎంతెంత ఆహారము కావలయునో అంచనావేసి సాధ్యమైనంతవరకు అంత ఆహారము ఆ జిల్లాలోనే పండించుటకు అవకాశములను కలుగజేయవలయును. దీనికి అనుగుణముగనే వారి ఇరిగేషన్ పాలిసీ (irrigation policy) ఉండవలెను.

“మా విశాఖపట్టణం జిల్లాలో చాలా నదులు ఉన్నాయి. అంధదేశములో ఉన్న నదులలో కృష్ణ, గోదావరి, తుంగభద్ర నదులు తప్ప మిగత వాటి అన్నిటిలోనూ మా జిల్లాలోని నదులే పెద్దవి. ముఖ్యమైనవి కూడాను. ఈ నదులే కాకుండా చాలా చెరువులు, గడ్డలు, మా జిల్లాలో ఉన్నాయి. ఇంతవరకు వీటిని కాగుచేయుండుటకు ప్రభుత్వమువారు ఎట్టి ప్రయత్నమును చేసియుండలేదు. ఇది చాలా శోచనీయమైనటువంటి విషయము. దీనివలన మా జిల్లాను వెనుకకు త్రోసివేయుచున్నారని ప్రజలలో చాలా ఆందోళన కలుగుచున్నది. కనుక మన ఇరిగేషన్ శాఖా మాతృలు మా ఉత్తర విశాఖ జిల్లాకు మరలదయచేసి ఈ చిన్న చిన్న (scheme) ల సన్నియ స్వయముగా చూచి వాటిని వెంటనే (sanction) సాంక్షిక్ చేయించవలసినదిగా కోరుచున్నాను. ఇట్లు వారు చేసినచోడం శీఘ్రకాలములోనే మా జిల్లా (self-sufficient) స్వయంపోషకము కాగలదని మనవిచేయుచున్నాను.”

MR. SPEAKER:—“The hon. Member should confine himself to irrigation matters only. I fear the hon. Member is speaking as in a general discussion of the budget. He should not go outside the subject of irrigation.”

SRI ROKKAM RAMAMURTHI:—“అందుచేత నేను ప్రభుత్వమువారిని వారి పాత దృక్పథమును మార్చుకొనవలసినదిగాను, తక్షణమే ఫలితముల నిచ్చు చిన్న చిన్న (scheme) లను వెంటనే (sanction) చేయవలసినదిగాను, అధిక ఆహారోత్పత్తికి రైతులకు సహాయము చేయవలసినదిగా కోరుచు విరమించుచున్నాను.”

SRI D. V. RAMASWAMI:—“అధ్యక్షా, ఇదివరలో నన్ను తమరు తెలుగులోనే మాట్లాడవలయునని చెప్పియున్నారు గాన ఆ విధముగనే తెలుగులోనే మాట్లాడుచున్నాను.

[Sri D. V. Ramaswami] 26th September 1947]

“మన ఇరిగేషన్ మంత్రి శ్రీ భక్తవల్సలంగారు ప్రతిపాదించిన ఈ డిమాండును బలపరచుచూ మా దక్షిణ విశాఖ జిల్లాలోని ఇరిగేషన్ స్కీముల విషయమై కొన్ని సూచనలను చేయదలచినాను.

“1922 వ సంవత్సరములో అనగా ఇప్పటికి 25 సంవత్సరముల క్రిందట మదరాసు గవర్నమెంటువారి చీఫ్ ఇంజనీర్ Mr. Morgan (Chief Engineer for Project) గారు మా జిల్లాలోని వివిధ నీటిపారుదల (irrigation) స్కీములను పరిశీలనచేసి ఒక రిపోర్టును తయారుచేసినారు. ఆ రిపోర్టులో కొన్ని స్కీములను ఆమలుపరచవలసినదిగా ప్రాసియొన్నారు. ఇప్పటికి ఆ సూచనలు చేయబడి పాతిక విండ్లు అయి ఖర్చుపెట్టిన వాటిపైన ఏ విధమైన (action) తీసుకొనలేదు కనిపించదు. అంబార్డు ఇప్పుడు ఎక్కడ ఉన్నదో తెలియదు. కాబట్టి ప్రభుత్వమువారు ఇప్పుడైనను శ్రద్ధ తీసుకొని ఆ scheme లను అచరణలో పెట్టవలసినదిగా కోరుచున్నాను.”

“నా మిత్రులు శ్రీ రొక్కం రామమూర్తిగారు ఉత్తర విశాఖ పరిస్థితులగురించి చెప్పియున్నారు. మా దక్షిణ విశాఖ పరిస్థితులుకూడా అదేవిధముగా ఉన్నాయి. మా ప్రాంతములో ‘తాండవ’, ‘శారద’, ‘వంశధార’ మొదలైనటువంటి చిన్న నదులు ఉన్నాయి. ఇవ్వేకాకుండా చాలా చెరువులు, గడ్డలు ఉన్నాయి. వీటిని పాతిక కట్టలు కట్టించి నీటిని వ్యవసాయమునకు ఉపయోగపరచినచో మా జిల్లాలో కాక ఇతర జిల్లాలకు ఆహార ధాన్యములను supply చేయగలిగియుంటుంటే పరిస్థితులలో మేము ఖండగలమని ప్రభుత్వమువారికి మనవిచేయుచున్నాను.

“మన మంత్రిగారు విశాఖపట్టణం జిల్లాలో పర్యటనచేసినపుడు వారికి ఈ scheme ల విషయముల గురించి చెప్పియున్నాము. కాని ఈ స్కీములను main budget లో గాని, ఈ supplementary budget లో గాని, ఉడతపెట్టించియుండలేదు. దీనికి కారణమేమో తెలియటలేదు.

“ఈ మధ్య ఎలమంచిలిలో మాజి ఇరిగేషన్ కమిటీ సమావేశసందర్భములో ఎగ్జిక్యూటివ్ ఇంజనీరు (Executive Engineer) గారిని కలసుకొని ఈ చిన్న scheme ల విషయమై అడుగగా వారు ప్రభుత్వమువారు పెద్దపెద్ద scheme ల విషయము చూచుచున్నారు అని చెప్పియున్నారు. అటువంటి పరిస్థితులలో మా జిల్లాలోని చిన్న scheme ల విషయము ఏమిచేసెదరని మంత్రిగారిని అడుగుచున్నాను. ఈ చిన్న scheme ల వలన బహు కొద్దికాలములోనే చాలా తక్కువ ఖర్చుతో కొన్ని వేల ఎకరములు సాగులోనికి తీసుకొని వచ్చుటకు చాలా అవకాశములు ఉన్నవి.”

SRI N. S. VARADACHARI:—“May I rise to a point of order, Sir. The procedure of this House is very much inconvenient by a general discussion twice over on subjects like irrigation and all that.” 3.15 p.m.

MR. SPEAKER:—“The thing is that the hon. Member knows . . .”

SRI N. S. VARADACHARI:—“I wish to point out to the Hon. Speaker, if he rules out that in a debate on supplementary estimates only those items mentioned in those estimates should be taken into consideration much of the time of the House would be saved. For instance, we have to debate on entirely new schemes like the nationalization of transport in the Madras City. This is the first time that it is being introduced in the supplementary

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this House. I therefore plead on behalf of those Ministers and especially on behalf of the general public there, that the irrigation Minister may so kindly appoint a committee so as to investigate those dry areas like Dharavaram, Palladam and Avanashi and Udumalpet and so on. A representation has been placed before the Hon. Minister by the Coimbatore M.L.As. some months ago and I do not know what has happened to it so far. So far as those areas are concerned, small tanks and bunds may be put up and small areas may be brought under irrigation. Similarly as regards the sinking of wells, wherever natural facilities are not possible a liberal scheme may be drawn as regards these areas so as to sink a number of wells and electricity may be conveniently supplied to them so that the ryot may be able to lift up water and bring up food crops. In this connection I have to draw the attention of the Hon. Minister to the Siruvani Project also. Although it is beyond the scope of the present supplementary estimate, I simply make a representation in this connection, so that it may help to fill up a number of tanks and channels. This time the North West Monsoon has failed in the Coimbatore side. You see the pathetic sight of a number of tanks being dry. All the places round about Coimbatore and even beyond Coimbatore up to Tiruppur are dry. Therefore if the Siruvani Scheme matures it will go to supplement all the tanks and it will considerably augment the supply of water for irrigation and thereby solve this present problem of food scarcity."

M. S. ABDUL MAJID SAHIB BAHADUR:—"Mr. Speaker, Sir, my idea in speaking under this demand is to invite the attention of the Hon. Minister for Public Works particularly to the sub-soil water survey. Some time back I read a note in the *Madras Mail* that the Madras Government is taking some sub-soil water survey but we have not had any further report on that matter and hon. Members of this House are aware how much . . ."

MR. SPEAKER:—"The hon. Member is not correct in speaking on the subject."

M. S. ABDUL MAJID SAHIB BAHADUR:—"There are one or two items with regard to the Grow More Food Campaign. This comes under that, Sir."

"The Hon. Minister is aware how important water is not only for drinking purposes but also for irrigation purposes. I know of several cases of individuals who have paid thousands of rupees in trying to find where the water is, by a method which is called water divination. Some say it is not successful and some say it is successful. But what I would urge upon the Government is that they should organize a department of sub-soil water survey in such a manner as it may be useful to the people not only for irrigation purposes but also for industrial purposes. I would even go to the extent of saying that the Government may assist in the formation of Public limited concerns which can go

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into this question of the water wealth of this country. As there are mineral wealths there is also water wealth in this country. Because of our ignorance we are not able to produce more and make this province go ahead with industrial problems. This is my idea, Sir, in speaking under this demand."

SRI A. KALESWARA RAO:—"సాధ్యమే, నేను నా మాతృభాష అయిన తెలుగులోనే మాట్లాడ దలచినాను."

THE HON. DR. P. SUBBARAYAN:—"Mr. Speaker, Sir, you requested Mr. Palaniswami Gounder to speak in English for the convenience of the Members and I suggest you may make the same request to Mr. Kaleswara Rao."

MR. SPEAKER:—"Section 85 of the Act has been removed under the Adaptation Order. I am going to make a request to Mr. Kaleswara Rao also."

THE HON. DR. P. SUBBARAYAN:—"But for your request, Mr. Palaniswami Gounder would have spoken in Tamil."

SRI A. KAMESWARA RAO:—"Why not we dispense with English altogether. We have dispensed with British rule and let us dispense with speaking in English."

SRI A. KALESWARA RAO:—"Your appeal is an order to me. I wanted to talk in Telugu because the Hon. Minister himself knows the language. Sir, we all know and we are very glad that the Hon. Minister for Public Works is paying all the necessary attention for the improvement of irrigation in all the districts. He is taking interest not only in big projects like the Ramapadasagar and the Tungabhadra but also in small projects in every district. The people are thronging to him and asking him to take up many small schemes here and there in every district. Some progress has been made. Of course the subject is one in which demonstrable progress cannot be achieved in a very short time. The work has to be done surely and slowly and the whole thing has to be built up. Therefore I am not blaming him for anything undone. Only on this occasion I want to impress upon him the necessity of bunding the Budameru, the rivulet in Kistna district. Many minor irrigation tanks are breached when this stream goes into floods. This year there has been special damage. In some of the important taluks of the delta area the Budameru floods have damaged thousands of acres. Fifteen thousand acres were submerged of which 5,000 acres were recovered, but 10,000 acres were completely lost. This will handicap the procurement programme in the coming season."

"There is another lake called Kolleru which floods the neighbouring villages and which has got to be brought under control. The whole area of Kaikalur was submerged by floods in Kolleru. For Kolleru a channel has got to be dug much deeper so that the water may be taken to the sea. With regard to Budameru, a bund has to be constructed. It is a mischievous and treacherous stream running through Bezvada, Gannavaram and Godavari taluks and

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ultimately falling in Kolleru. I wish to impress upon the Hon. Minister who is doing so much, to pay special attention to these two things Budameru and Kolleru which are causing much havoc to the fields in the delta district of Kistna. Of course our district is a surplus district and we have to supply food to many of the deficit districts. As these two things are causing damage to the fields, I hope the Hon. Minister will take special care about these and do something to prevent the damage."

SRI A. S. SAHAJANANDAM:—"கனம் தலைவர் அவர்களே, நான் இந்த வரவு செலவு திட்டங்களில், 4, 5, cut motion கொடுத்திருக்கிறேன். போனதுபோக பாக்கி இருப்பதில் இப்பொழுது அதிக நேரம் எடுத்துப் பேசப்போவதில்லை. முக்கியமாக தொழிலாளர்களைப்பற்றி பேசப்போகிறேன். விவசாய தொழிலாளர்கள் எங்கே பார்த்தாலும் Strike செய்து கொண்டிருக்கிறார்கள், அவர்களுக்கு போதுமான கூலி கிடைக்காததால் தான்."

MR. SPEAKER:—"Grow more food என்னும் விஷயத்தில் தொழிலாளர்களைப்பற்றி பேசுகிறீர்களே அப்படி பேசக்கூடாது. இங்கு இப்பொழுது எடுத்துக்கொண்டிருக்கும் விஷயத்தைப் பொறுத்து தான் பேசவேண்டும்."

SRI A. S. SAHAJANANDAM:—"உணவு தானியம் அபிவிருத்தி செய்யவேண்டுமென்பதில் தொழிலாளர்கள் வருவதால் அதைப்பற்றி பேசினேன். உணவு அபிவிருத்தி செய்யும் நோக்கத்துடன் சொன்னேன். நாடெங்கும் ஒரே வேலை நிறுத்தமாக இருக்கிறது. தஞ்சாவூரில் பல இடங்களில் நாளும் கனம் மந்திரிகளும் சுற்றுப்பிரயாணம் செய்தபோது அப்படி இருப்பதற்கு காரணம் என்ன என்று கேட்டதற்கு அங்கே இருக்கும் நிலசுவான்கள் அதிகம் சம்பளம் கொடுக்காமலிருப்பதால் தான் என்று சொன்னார்கள். அதற்கு காரணம் என்ன என்று கேட்டால் நாட்டில் பல இல்லாமலிருப்பதால் அப்படி அதிக சம்பளம் கொடுக்க முடியாமல் இருக்கிறார்கள் என்று சொன்னார்கள். தொழிலாளிகளும் சரியான கூலி கொடுக்கப்படவில்லை என்று சொல்லுகிறார்கள். கச்சாப் படி என்று ஒரு சின்னப் படி இருக்கிறது. அதனால் நெல் அளந்து கூலி கொடுக்கிறார்கள் வேண்டுமென்று கேட்கிறார்கள். தஞ்சாவூரில் இப்பொழுது அவ்விதம் கொடுப்பது என்று ஒரு முடிவுக்கு வந்திருக்கிறார்கள். ஆணுக்கு இரண்டு படியும் பெண்ணுக்கு 1½ படியும் என்று முடிவு செய்திருக்கிறார்கள். தொழிலாளிகளுக்கு அப்படி இரண்டு படி கொடுத்தால் ஒரு படி அரிசி யாகிறது. அது அவனுக்கு ஒரு வேளைக்குப் போதாது. அவன் குடும்பத் துக்கு அது போதாது. அதனால் அவர்கள் சும்மா இருப்போம் என்று நினைக்கிறார்கள். இரண்டு படிக்கு விலை போதுமானதாக இருக்கிறது. இந்த சம்பளம் அவர்களுக்கு குடும்பத்திற்கும் ஆண் பெண் இருவரும் சேர்ந்து சம்பாதிப்பது போதவில்லை. ஆகையால் வேலைக்குப் போனாலும் ஒன்று தான் போகாவிட்டாலும் ஒன்றுதான் என்று போாமலிருந்து விடுகிறார்கள். ஒரு ரூபாய் . . ."

MR. SPEAKER:—"இந்த இருக்கும் விஷயம் ஒன்று நீங்கள் பேசுவது ஒன்றாக இருக்கிறது. இங்கிருக்கும் விஷயத்தைப் பொறுத்து தான் பேசவேண்டும்."

SRI A. S. SAHAJANANDAM:—"அவர்கள் பயிரிடுவதைத் தான் நான் சொல்லுகிறேன். Grow More Food திட்டத்தில் அதிகம் கூலி இல்லாமல் வேலை செய்யவேண்டியதாக இருக்கிறது என்று சொல்லுகிறேன். போதுமான கூலி இல்லாததால் வேலை செய்யமாட்டேன் என்கிறார்கள். ஒரு குடும்பத்தில் 4, 5 பேர்கள் இருந்தால் இந்த கூலியை வைத்துக்கொண்டு

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எப்படி ஜீவிக்க முடியும். ஆகையால் அவர்கள் தோலும் எலும்புமாக இருக்கிறார்கள். இன்னும் அவர்களுக்கு கஷ்டரோகம் வேறு வந்துவிடுகிறது. நாட்டில் இன்னும் பருத்தி விதை இல்லை. பயிர் செய்வதற்கு முக்கியமாக வேண்டியது மாடுகள். மாடுகளுக்கு தீனி கிடையாது. கனம் தலைவர் அவர்களே, இது வேறு சமாசாரம் என்று நினைக்கலாம். இது உணவுடன் சேர்ந்து வருவதால் இதைச் சொல்லுகிறேன்."

MR. SPEAKER:—"இந்த விஷயத்திற்கு பதில் சொல்வது வேறு மந்திரி தான். மராமத்து மந்திரியால் இதற்கு பதில் சொல்லமுடியாது. இந்த மந்திரி பதில் சொல்லும்படியாக இருக்கவேண்டும்."

SRI A. S. SAHAJANANDAM:—"உழவுக்கு முக்கியமாக வேண்டியது மாடுகள். அவைகளுக்கு தவிடு கிடையாது. பருத்தி கிடையாது. பிண்ணுக்கு வேண்டும். அது தான் மாகாணத்தில் இல்லை. அதனால் மாடுகளுக்கு பிண்ணுக்கு இல்லை. மாடுகள் எலும்பும் தோலுமாக இருக்கின்றன. இன்னும் நீர் பாசனம் வேண்டும். தொழிலாளிகளுக்கு இரண்டு படியோடு சம்பளம் சேர்த்துக் கொடுத்தால் உணவுபொருள் சேக்கிரம் வரும். ஆகையால் விவசாய தொழிலாளிகளுக்கு உதவி செய்யவேண்டுமென்பதை தெரி வித்துக்கொள்ளுகிறேன்."

* **SRI G. KUMARASWAMI:**—"Mr. Speaker, Sir, I rise to support the demand made by the Government under Irrigation. Everybody knows that in our country 80 per cent of the population depend on agriculture. Though our country is mainly an agricultural country, before the war two-fifths of the population were given the minimum adequate ration, 2/5th of the population were not properly fed and the remaining 1/5th was actually starving. To-day the condition is much worse. The cause for the starvation of the country is not only the increase of population . . ."

MR. SPEAKER:—"The hon. Member is requested to confine his remarks to the demand before the House."

* **SRI G. KUMARASWAMI:**—"Yes, Sir. The cause for the starvation is not only the increase of population but also the existence of an antiquated, inefficient and cumbersome agrarian system which has been in vogue for a long time. If the country is to improve, the agricultural system has got to be remodelled on modern lines. For this purpose the irrigation system has got to be improved. If the irrigation system is improved, the country will be practically flowing with milk and honey and we need not be at the beck and call of Burma, Siam, Brazil and other countries for our food. We require 37 million tons of food for our consumption and we are not able to produce it now. If the irrigation system is improved and if all the rivers in the country are harnessed for this purpose irrespective of their being in Andhra or Tamil Nad or Karnatak or Kerala and a number of reservoirs constructed, there will be no difficulty at all."

MR. SPEAKER:—"The hon. Member is speaking as if on the general discussion of the Budget. He must confine himself to the subject of the demand."

SRI G. KUMARASWAMI:—"If this done, we would not only be able to feed ourselves but also feed other deficit countries of the world. With these few remarks, I support the demand made by the Hon. Minister for Irrigation."

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SRI A. KAMESWARA RAO:—"Mr. Speaker, Sir, in rising to support the grant, I should not like to speak in English but for the fact that the Speaker objects . . ."

MR. SPEAKER:—"I do not object. On the other hand it may be inconvenient to others."

SRI A. KAMESWARA RAO:—"While supporting the demand I should like to give a few suggestions to our Ministers. We have been granting and granting these demands but nothing has come out of them in the villages or in the towns by way of minor irrigation schemes or anything of the sort."

"As regards the Grow More Food Campaign, I know it has been a mere slogan all these years—during the war, during the Advisers' Government and even afterwards. Nothing has been done to grow more food and it has remained a slogan. The money spent on this can better be utilized on deforesting the so-called forest areas where there is no forest worth speaking at all. In Nizampatam in Guntur district thousands of acres of land are lying waste. By spending a few thousand rupees they can all be converted into good land."

MR. SPEAKER:—"The hon. Member is going outside the demand."

3-45 p.m. **SRI A. KAMESWARA RAO:**—"It relates to the Grow More Food Campaign. I suggest that these forest lands may be deforested and state farms started, so that we can grow more food. The state can straightway start farms here and make better use of the grants that we make for the Grow More Food Campaign. I suggest that the State farms should be started at least this year."

"As regards minor irrigation works, I know the case of a village Tondapi where, by spending about Rs. 5,000, the Government can provide good irrigation facilities. The paper was sent one year back, and still it is going up and down. There is only one Minor Irrigation Overseer. The Collector says that there are no technical men. We have come to power a year and a half ago. Can the Hon. Minister say that he has completed any work? I do not think any major or minor irrigation work has been completed. So I suggest that the money can be better spent in securing technical men. We must be able to send our students for higher studies to highly developed countries like America, where there is the Tennessee Valley Authority, and Russia where there are many big schemes, and train the best engineers. So long, we have been under foreign rule. To-day we are free men and we can use the money as we like. We are the masters in our own house. We must create technicians in this country and we must compete with the rest of the world in our technique. We must have a good air force, naval force, military and infantry. We must be able to defend our country and improve the food situation. We can improve the food situation in no time if we introduce better schemes like the Tennessee Valley Authority in America. Some of the schemes must be expedited and the food situation eased. With these words, I support the demand."

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* **SRI M. G. NATESA CHETTIYAR:**—"Mr. Speaker, Sir, the Grow More Food Campaign must have achieved better results. The campaign has been carried on on the same lines as were followed by the Advisers' Government. No radical change or improvement has been made to see that the campaign becomes a success. The policy of subsidizing the digging of wells and the repairing of old ones was started in 1946. Recoveries had been ordered in 1947, even though foodgrains are grown in the areas. These recoveries cause great hardship. Though notice of completion of the work, according to the agreements entered into, were given to the officials . . ."

THE HON. SRI M. BAKTHAVATSALAM:—"May I point out that sinking of wells is dealt with by the Revenue Department, and it does not come under the Irrigation Demand."

SRI M. G. NATESA CHETTIYAR:—"I will confine myself to the Irrigation Demand, Sir."

"If we had really attended to the minor and major irrigation tanks and grown more food, certainly we would have been better off. At present, a number of irrigation tanks are in disrepair, and the ayacut land under them is really a big area without cultivation. If only these tanks had been restored and the ayacut lands cultivated, certainly we would have been better off. A particular tank which was formerly supplying water for nine months is not supplying even for four months now. There has been great neglect and this has got to be rectified. To counteract the vagaries of season, I think subsidy wells must be sunk on the ayacut lands themselves as an alternative source of supply."

MR. SPEAKER:—"The Hon. Minister has already informed the Member that sinking of wells is dealt with by the Hon. Minister for Revenue. We are now on the Irrigation Demand."

* **SRI M. G. NATESA CHETTIYAR:**—"Sir, I am speaking on minor irrigation schemes. Is it not the bounden duty of the Hon. Minister for Public Works to see that the tanks are restored to their original capacity and the ayacut lands supplied with water by alternative method? That is my point. All the tanks must be restored to their original capacity, as also supply of water by alternative method during the failure of the monsoon. A number of famine schemes have been sanctioned, and they could have been utilized for the Grow More Food Campaign."

MR. SPEAKER:—"Subsidies for sinking wells under the Grow More Food Campaign are not given throughout the Province; they are given only in certain districts."

"I think the hon. Member has finished his speech."

SRI M. G. NATESA CHETTIYAR:—"Nearly, Sir."

* **SRI M. P. PERIASWAMI:**—"கனம் தலைவர் அவர்களே, irrigation சம்பந்தமாக லட்சக்கணக்கான ரூபாய்கள் ஒதுக்கப்பட்டிருக்கிறது. கர்நூல் ஜில்லாவுக்கு ரூ. 51,000 மான்யம் ஒதுக்கிவைத்திருப்பதாக தெரிகிறது. ஆனால் சேலம் ஜில்லாவில் காவேரி ஓடிக்கொண்டுதான் இருக்கிறது. அதனால்

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sary for the Grow More Food Campaign, especially in the areas where they have been damaged by floods and rains. With these remarks, Sir, I support the supplementary demand."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, I would have kept in my seat but for the remarks made by the hon. Member who has just spoken. He referred to the City of Madras in a very unfair and disparaging way. He said that the money collected from the rural parts are being spent in the City of Madras. It is unfair and not true to facts. Man for man, I say, Madras contributes more to the coffers of the Government than the people in the villages. But anyway, Sir, I do not mean this as a disparagement to any people in any part of the province."

"Further, Madras should not be taken only as a mere tract consisting of a number of urban people. Madras is the seat of the Government and it is the nerve centre of the Province. Anything that happens to Madras will have its repercussion throughout the whole province. Therefore I say that Madras should receive the first priority in the claims which the Government have to consider in such matters and my complaint is, that this question of protection of the City from the floods has not been given such consideration and should have been looked into long ago. Even now, the steps that are taken by the Government are not sufficient and the Government do not spend all that is necessary for the safety of Madras."

THE HON. SRI B. GOPALA REDDI:—"It is only an emergent scheme for this year."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I want to know, Sir, whether this emergent scheme will satisfy all the requirements of the City in this direction. That is why I say that the Government should have been a little more forward and a little more prompt in giving protection to the City of Madras. This really has got its beneficial effects on the whole province."

"Then, Sir, there are five items under this head, and four of the items relate to the Grow More Food Campaign. Some of my friends have made their suggestions and I want to pick up only one matter and reiterate on that, and though it does not fall strictly under this head, still it is connected with this Grow More Food Campaign and when the Government are taking measures in connexion with this campaign, they might keep the other aspect of it also in mind. That is with regard to the sinking of wells. Sir, I have been asking on the floor of this House that the Government must make a comprehensive survey of the whole problem of supply of water for irrigation purposes. Intensive and extensive research must be made in the subterranean water through the help of the Geological Survey of India. My hon. friend Mr. Abdul Majid pointed out that there was something in the papers some days ago or some weeks ago, to the effect a certain section was entrusted with the work of carrying out the survey. This will really help the Irrigation department in their attempts to find water for their Grow More Food Campaign."

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[M. Muhammad Ismail Sahib Bahadur]

"Then again, Sir, our province is known as a province of lakes. It is only in name, but if you see any of these lakes, you will find that they simply look like shallow tanks which nobody takes care of. They were all intended for the welfare and prosperity of the people when they were dug out. But now not much care seems to have been bestowed upon them. Our ideal and the ideal of the Government must be to see that no drop of rain goes to the sea and that every drop is stored either in wells or in tanks. That is the motto of the Americans and we shall do well to adopt that motto and set about repairing these tanks as quickly as possible. I am glad that this Government has set about doing this work, but I only want them to quicken their pace in that direction and I do not at all grudge the amount that they allotted for the various items that they have included under this head. But what I say is that the money must be spent more usefully and that the Government must also quicken their pace."

*** SRI K. RAJARAM NAYUDU:**—"கனம் தலைவர் அவர்களே, நீர்பாசன சம்பந்தமாய் கனம் மந்திரி அவர்கள் கொண்டுவந்திருக்கும் உபமான்ய கோரிக்கையை நான் ஆதரிக்கிறேன். கடந்த பிப்ரவரி மாதத்தில் நான் பட்ஜெட் கூட்டத்தில் பேசினபோது கனம் மந்திரி அவர்கள் மதுரை ஜில்லாவைத் திட்டத்தை இவ் வருஷம் வேலைக்கு எடுத்துக்கொள்வோம் என்று வாக்குறுதி அளித்தார்கள். ஆனால் இதுவரை எவ்வித பிரயத்தனமும் செய்ததாகத் தெரியவில்லை. 2, 3-தினங்களுக்கு முன்னால் கேட்ட கேள்விக்கு பதில் அளித்தபோது வரப்போகிற பட்ஜெட்டில் சேர்த்துவிடுவதாக கூறினார்கள். இன்னும் இதை அதிகவேகமாக செய்வதற்கு வேண்டிய முயற்சிகளை இப்பொழுதிருந்தே எடுத்துக்கொள்ளவேண்டும். பலமுறை வேண்டிக் கொண்டும் இதுவரை எவ்விதம் செய்யாமல் இனிமேல் செய்கிறேன் என்று கடத்திக்கொண்டு செல்வது அவ்வளவு நல்லதல்ல. அத் திட்டத்தின் மூலம் பயன் அடையப்போகிறவர்கள் திருமங்கலம் தாலுகாவில் பெரும்பாலோர் இருக்கிறார்கள். அவர்களும் தெற்குமுன் C.T. Act-க்கு உட்பட்டவர்களாக இருந்து இப்பொழுது அதிலிருந்து விலக்கப்பட்டவர்கள். அவர்களுக்கு நீர்பாசன வசதி அளித்தால் அவர்கள் உடனே பொருளாதார துறையில் முன்னேற்றம் அடைவார்கள். இதுவிஷயத்தை கனம் மந்திரி அவர்களிடம் பல நடவடிக்கைகள் எடுத்துக்கூறி இருந்தும் சிரத்தை அதிகமாக காண்பிக்காமலிருப்பது சற்று வருந்தத்தக்கது. ஆகையால் இப்பொழுது தாவது கூடிய சீக்கிரத்தில் அந்த திட்டத்தை அமுல் நடத்தவேண்டுமென்று மந்திரி அவர்களை கேட்டுக்கொள்ளுகிறேன்."

"மேலும் ஆறு மாதத்திற்கு ஒரு முறை ஒவ்வொரு ஜில்லாக்களிலும் நீர்பாசன மகாநாடு கெட்கர் தலைமையில் நடைபெற்றுவருகிறது. அந்த மகாநாட்டில் செய்யப்படும் தீர்மானங்களை அமுல் நடத்தப்படுவதற்கு முயற்சிகள் சரிவர எடுக்கப்படுவது இல்லை. சென்ற மாதத்தில் மதுரையில் நடந்த நீர்பாசன மகாநாட்டில் சில்லரை மராமத்துகளை மிக அவசரமாக செய்யவேண்டுமென்று தீர்மானிக்கப்பட்டிருந்தும் கூட இதுவரையில் எவ்வித முயற்சியும் செய்ததாகத் தெரியவில்லை. இன்று பேசிய 'Communist' மெம்பர் அவர்களும் இந்த சில்லரை மராமத்துகளை சுமார் ஆயிரம் ரூபாய்க்குள் இருப்பதை, செய்து முடித்திருக்கலாம் என்றும் அவைகளை சர்க்கார் அதிகவேகமாக நடத்தாததால் அவர்களை தாக்கியும் பேச ஆரம்பித்தார்கள். இந்தமாதிரி சில்லரை மராமத்துகளைக் கூட அங்கங்கே இருக்கும் உத்தியோகஸ்தர்கள் கவனிக்காது உடனுக்குடன் செய்யாமலிருப்பது மிக மிக வருந்தத்தக்க விஷயம். என்னென்றால் உணவு பஞ்சம் தலைவிரித்து ஆடுகிற காலத்தில் சில்லரை மராமத்துகளைச் செய்யாமலிருப்பது மிகவும் கண்டிக்கவேண்டிய விஷயம். ஆகையால் மராமத்து மந்திரி அவர்கள் இவர்களுக்கு ஒரு உத்திரவு அனுப்பி சீக்கிரம்

[Sri V. Ponnuswami Gounder]

[26th September 1947]

களுக்கு ஏற்பாடுசெய்து கொடுக்கவே இல்லை. அதிலும் பாலாற்றுக்கு ஜலம் மைசூர் இராஜ்யத்திலிருந்து வருகிறது என்பது எல்லாருக்கும் தெரியும். அதிலிருக்கும் தடையையும் நீக்க சர்க்கார் இன்னும் முற்படவில்லை. முக்கியமாக அந்த ஜில்லாவில் என் தொகுதியான திருப்பத்தூர் தாலாகாவில் இப்பொழுது உணவுப்பொருள்களின் நிலமை கூட ரொம்பவும் மோசமாக இருக்கிறது. அந்த இடத்தில் வசதியே அவ்வளவு குறைவு. காரணம் ஜலவசதி கிடையாது, அந்த தாலாகாவில் பாலாற்றை தேக்கமாக்கக்கூட ஆயிரக் கணக்கான ஏக்கர் புஞ்சை நிலங்களை நஞ்சையாக்குவதற்கு நல்ல வசதிகள் இக்கின்றன. அதற்கான “இரிகேஷன் டிபார்ட்மெண்ட்” ஆலோசனையும்கூட சர்க்காருக்கு ஏதோ கொடுத்ததாக தெரிகிறது. ஒன்றும் நிச்சயமாக தெரியவில்லை. அந்த ஏற்பாடு ரொம்பவும் சிறந்தது. அதை ரொம்பவும் சீக்கிரமாக நிறைவேற்ற சர்க்கார் முன்வரவேண்டும். இன்னும் சிறிய சிறிய ஏரிகளிலிருந்து தண்ணீர் தானாகவே வருகிறது. அந்தத் தண்ணீரை கால்வாய்கள் மூலமாக சிறு சிறு வேலைகளைச் செய்து அங்கங்கே நூற்றுக்கணக்கான ஏக்கரை நஞ்சையாக்கலாம். இன்னும் சில கிராமங்களில் சின்னச் சின்ன ஆறுகள் ஏரிகளை நிறப்பிவிட்டு அதிகமாக உள்ள ஜலத்தை வெளியே கொண்டுபோய் விட்டு விடுகிறது. ஆனால் பக்கத்தில் நல்ல நிலங்கள் தண்ணீர் இல்லாமல் இருக்கின்றன. அந்த உபரி ஜலத்தை ஏரியிலிருந்து மற்ற கிராம நிலங்களுக்கு கொண்டுவர வசதி இல்லாமல் இருக்கிறது. ஒரு கிராமத்திலுள்ள ஒரு ஏரி தண்ணீரை மற்ற கிராமத்திற்கு ..

MR. SPEAKER :—“ நீங்கள் மற்றொரு விஷயத்தைப்பற்றி பேசுகிறீர்கள். அது சரியல்ல. இங்கிருக்கும் விஷயத்தைப்பற்றி பேசவேண்டும்.”

SRI V. PONNUSWAMI GOUNDER :—“ அந்தமாதிரி வசதிகளை செய்து கொடுத்தால் நன்றாக இருக்கும். இந்த நீர்பாசன வசதிகளுக்கு முயற்சி செய்யுமாறு கனம் மந்திரி அவர்கள் கவனத்திற்குக் கொண்டுவந்து நான் இத்துடன் நிறுத்திக்கொள்ளுகிறேன்.”

* THE HON. SRI M. BAKTHAVATSALAM :—“ Mr. Speaker, Sir, this Demand for Rs. 500 relates to five items of expenditure for schemes sanctioned in the course of this year. I am glad to find no objection has been raised to these items of expenditure except one objection. In fact, hon. Friends who spoke in this House wanted more expenditure, more works and a more intensive programme. Therefore, my task has been made easy, Sir. Only my friend Mr. Nagappa raised his objection to the item of expenditure relating to permanent remedial measures being taken for the prevention of flood damage in the City. I do not want to go into the question of City versus Mufassal. The hon. Leader of the Opposition has answered Mr. Nagappa. (Sri S. Nagappa: ‘I am not satisfied with his answer.’) I do not say he has effectively answered him, and I do not mean that Mr. Nagappa can be so easily satisfied; I would only point out that the floods against which we seek to do remedial measures for protecting the City of Madras, come from the mufassal, not from the City, and that is the interest of the Provincial Government. The floods coming from the mufassal we have to stop and prevent from entering into the City and that is why we have taken up these works. This is an emergent work, as pointed out by my Hon. Friend the Minister for Finance. A permanent solution for the protection of the City is under examination, and when we take it up, we shall do it in co-ordination and consultation and co-operation with the Corporation of Madras.

“ My hon. Friend, Mr. Nagappa, pleaded for more grant even this year for the Markapur tank. We provide only as much as

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we need for executing the works during the course of the year. In completing the works, we cannot be in such a hurry as Mr. Nagappa desires us to do. Because, if we put earth on the tank-bed, it must settle itself and it is no use putting more and more earth and then telling Mr. Nagappa that it has been completed and we have spent not Rs. 20,000 but Rs. 50,000. That will not satisfy the House or anybody; we should effectively complete the works and I may assure Mr. Nagappa and other Members of this House that we do these things as expeditiously as possible.

“ Regarding the provision for falling shutters on the crest of the Kattalai bed regulator in Trichinopoly district, I may tell my hon. friend that we are putting up this regulator for the first time. So far it was only a mud korambu and it was not satisfactory. Therefore we have decided to put this regulator and this has grow-more-food value. That is why we are taking up that scheme and we are seeking your vote on that grant.

“ My hon. Friend Mr. Nagappa also referred to the question of shortage of technical personnel. As the Hon. Premier pointed out yesterday, the Upper Subordinates' course was abolished some years back; but we are now reviving that course. We are immediately introducing an Overseers' course; we have arranged for necessary accommodation for hostel and other purposes and we are immediately admitting not less than 100 students, S.S.L.C. passed students for this Overseers' course. This will be a short 2½ years' course, and we propose to secure a decent number of overseers for taking up these works. (Sri S. Nagappa: ‘Why insist on passed S.S.L.C.s?’) This is technical work, work involving lakhs and crores of rupees, and we cannot play in this matter. We are anxious about full equipment being provided for the personnel whom we propose to employ, and I have no doubt that a decent number of passed S.S.L.C. students would be forthcoming for this course.” (Sri S. Nagappa stood up in his seat.)

MR. SPEAKER :—“ Let not the hon. Member disturb the Minister.”

* THE HON. SRI M. BAKTHAVATSALAM :—“ About this Grow More Food Programme, we have a plan and a programme, and I would like to explain to you briefly what is being done in this respect. This Grow More Food work comes under four heads: (1) Repairs to existing irrigation sources with a view to maintain them in efficient condition and to improve supplies to existing ayacut, so that the crop outturns are generally maintained; (2) minor improvements with a view to bring in small additional areas in the fringes of the existing ayacuts particularly in the large deltas like Godavari, Kistna and Cauvery; (3) small irrigation schemes which contemplate a definite extension of channels or new channels or construction of small new tanks to bring in additional areas under cultivation; and (4) medium sized schemes which are bigger than the one mentioned in the previous category but smaller than large postwar development projects.

4-30 p.m.

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"A great deal of work has been done under all these heads in the last five years. About hundred works under kudimaramat liability were taken up for repairs by the Government to implement the Grow More Food Programme at an estimated cost of about three lakhs of rupees. In regard to minor schemes falling under the other classes, it may be stated that about 103 schemes under Grow More Food Campaign by the Government from 1943 up to the end of 1946-47, at a total estimated cost of Rs. 1,56,61,510 involving an extension of irrigation to an extent of about 1,02,732 acres and for the provision of better irrigation facilities to another extent of 24,176 acres. The anticipated amount of additional production of rice from these schemes is roughly 59,160 tons. The major portions of the schemes sanctioned prior to 1st April 1947 have been completed or are in progress. Up to 31st March 1947, irrigation was extended by these schemes to 26,200 acres at a cost of Rs. 68,13,119 and with potentialities for an additional annual production of 13,100 tons of rice.

"In addition to the above, there is in progress a scheme for the reclamation of lands commanded by the Cauvery-Mettur Project but not brought under irrigation till about the present time. The first two targets of this scheme have been worked out and 77,048 acres of land have been thus reclaimed for cultivation. The third target namely the extension of irrigation beyond Narasinga Cauvery aims at providing irrigation facilities to about 15,000 acres through a chain of 73 tanks. The progress report up to 30th June 1947 sent by the Collector shows that till then 2,378 acres had been provided with irrigation facilities through 19 tanks under this third target.

"Besides these, the Chief Engineer (Irrigation) has drawn up a five-year Grow More Food Programme of small irrigation works capable of producing quick results to be executed during the quinquennium 1947-48 to 1951-52. The programme consists of 298 irrigation schemes at a total estimated cost of about Rs. 5 crores to bring under cultivation about 2,50,000 acres. Making allowance for dropping or slowing down some of the programmed work owing to unforeseen causes, this programme is expected to produce annual additional foodgrains amounting to about 50,000 tons. The portion of the programme for 1947-48 was generally approved by this Government and has been approved by the Government of India in principle and we are getting the sanction from the Government of India for this. The programme for 1947-48 contains 133 schemes inclusive of ten schemes each of which is a group of small works yet to be defined and the total cost of the programme is estimated at Rs. 1,65,36,240. If the full programme for this year is worked out, an additional extent of 98,008 acres can be brought under irrigation but on account of the contingencies referred to above, the actual extent may be only about 33,000 acres. The schemes in the five-year plan will be commenced during the first few years but execution will be spread over five years. The programme for the four years from 1948-49 to 1951-52 has been

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ordered to be revised so as to make up the deficiency in neglected districts. We are having schemes for each district and if there is any deficiency, it will be made up in subsequent years.

"Sir, for this programme of Grow More Food which we have taken up, Mr. Anandan Nambiar offered the co-operation of the kisans for carrying out the scheme. The kisans are welcome to offer their co-operation. The other suggestion that the hon. Member made was about the formation of non-official committees. I may tell him that District Irrigation Committees have recently been reorganized and reformed. They are meeting periodically and they are giving their suggestions. Their suggestions will be considered by the Government and necessary action will be taken on them.

"My hon. Friend, Mr. Anandan Nambiar, referred to the need for repair to the Sivarikottai tank. I may tell my friend that there has lately been some dispute and conflict of interests among the ryots in that taluk but I understand that during the last Irrigation Conference in that district, there was some kind of settlement. I have no doubt and I can assure the House that when that dispute has been finally settled, there would be no delay in carrying out the necessary repairs.

"Then, my Friend, Mr. Venkateswarlu, referred to the zamindari tanks. The problem of zamindari tanks can be easily solved after the zamindaris are abolished. Even now, Sir, the Collectors are being asked by my Hon. Colleague, the Revenue Minister, to take necessary action under the provisions of the law and to carry on the repair work actively.

"Then, Sir, references have been made to the condition of the Bhudameru, the Kolleru, Gunteru and so many other drainage problems. The Bhudameru Project is under examination and will very soon come under the active consideration of the Government. Also the Kolleru and the Gunteru were the other schemes under examination. I can assure the House that we shall take necessary action as expeditiously as possible with regard to these problems.

"My hon. Friend, Mr. Subba Rao, referred to the Pennar-Kumudhavati Project. This project has been pending for a number of years. I know how anxious my hon. Friend from Hindupur and his constituents are to get this project into existence. I must say that there have been some hurdles that have been the cause for this delay and I can assure my hon. Friend and this House that we are getting over those hurdles and we hope to sanction this project very soon and we may perhaps come to this House with a demand, next time when supplementary demands are put forth, for a grant for this project. Then, the examination about the Perur Project is nearing completion and we do hope to take it up early.

"My hon. Friend, Mr. Koti Reddi, referred to Kanchalamma Project. We shall take it up as early as possible. I may also inform him and this House that the Gandikote project is still

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under investigation. We are aware of the possibilities of the Sangameswaram Project and we are now having the preliminary investigation of this scheme. In the case of the Gandikote Project investigation is not yet complete. I hope it will be taken up very soon.

"I would also like to refer to the Vaigai Scheme referred to by my hon. Friend from Tirumangalam. We hope to take up this scheme and to provide for necessary grants in the next Budget.

"My hon. Friend, Mr. Venkatasubbayya, referred to the neglect of the Ceded districts in the matter of irrigation. I can assure my hon. Friend that there has been no neglect and we have been bestowing the necessary attention on whatever is possible in each of those districts.

"Sir, we are also taking up the question of the Tank Restoration Scheme which was in existence previously and which was given up for retrenchment. We are re-examining and reviving the Tank Restoration Scheme. I can also assure my hon. Friends that there has been no diversion of staff from one project to another or from one area to another. I may tell this House that our staff position is bad but there has recently been some improvement and we have posted the necessary staff for investigation. There can be no question of conflict between one project and another.

"We will take up the Ramapadasagar as well as the Sangameswaram Projects as early as possible. There should be no difficulty in pushing through these schemes, big and small, in each district, even at the same time.

"Then my hon. Friend, Mr. Raghavayya, suggested that there should be equitable distribution of the grants made by this House. I am certainly looking into this aspect and arranging so that every district and particularly the neglected districts may get their due share.

"Several other suggestions have been made by other hon. Members of this House. I wish to express my gratitude for all those suggestions and those suggestions will be examined and necessary action will be taken on them.

"Regarding the suggestion made by my hon. Friend, Mr. Majid, as well as by the Leader of the Opposition about the sub-soil water, I may say that I am very well aware of its possibilities and we are putting it as an item under the Grow More Food Programme. We shall certainly examine its possibilities and take necessary further action.

"Several hon. Friends from Vizagapatam, both from the north and the south referred to conditions there. We are well aware of the neglected nature of North Vizagapatam. Side by side with the big projects like Vamsadhara and Nagavalli, we are also trying to push through as many small schemes as possible and feasible. My hon. Friend from Coimbatore on behalf of two of my

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Hon. Colleagues representing the famine districts pleaded for those areas. I am grateful to him for his suggestions. Sri V. C. Palani-swami Gounder referred to the conditions in Dharavaram taluk. I may assure him that we are arranging to get the waters of the Bhavani river to Dharavaram by the Lower Bhavani Project although it is not in the original scheme. I can once again assure this House that under the Grow More Food Programme, we are trying to do everything to expedite the execution of new irrigation schemes. Now, Sir, I would request my hon. Friend Mr. Anandan Nambiar to withdraw his cut motion."

SRI K. ANANDAN NAMBIAR:—"I request the House to permit me to withdraw the cut motion."

The cut motion was by leave of the House withdrawn.

The Demand was put and carried and the Grant was made.

(2) DEMAND IX—HEADS OF PROVINCES, MINISTERS AND HEADQUARTERS STAFF.

THE HON. DR. P. SUBBARAYAN:—"I move—

that the Government be granted a further sum not exceeding Rs. 200 under Demand IX."

"The explanatory memorandum explains for what purposes this expenditure is to be met. I hope hon. Members will have no objection to grant the Demand."

* SRI K. ANANDAN NAMBIAR:—"Mr. Speaker, Sir, I beg to move—

that the allotment of Rs. 200 be reduced by Re. 1."

"The Government have said in their explanatory memorandum that this Demand is to meet the extra expenditure involved on the appointment of Personal Assistants to the Hon. Ministers. May I ask the Hon. Minister, Sir, why these Personal Assistants have been appointed instead of Parliamentary Secretaries? The previous Ministry had Parliamentary Secretaries but the present Ministry are not having any Parliamentary Secretary nor do they propose to appoint any Parliamentary Secretaries. Will it not be better if Parliamentary Secretaries are appointed instead of these Personal Assistants? Now that the Government have decided not to have Parliamentary Secretaries, they are trying to get a way out by appointing these Personal Assistants. I say it would have been better if the Parliamentary Secretaries had been continued because those people would be doing the duty as representatives of the people . . ."

THE HON. DR. P. SUBBARAYAN:—"Here I might stop the hon. Member going further into this matter because this is not a question about Parliamentary Secretaries at all. On the other hand, Personal Assistants are always necessary whether you have Parliamentary Secretaries or you don't have them."

* SRI K. ANANDAN NAMBIAR:—"I thank the Hon. Member for the information given. But, under item (iii) of the Explanatory Note it is found that the Government have sanctioned

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the appointment of an extra member of the Madras Public Service Commission and four peons on a total expenditure of Rs. 14,500. Out of this amount, perhaps a lion's share goes to the member of the Service Commission and these four peons may not get even Rs. 200. In this connexion, I want to bring to the notice of this House and the Government that the needs of the non-gazetted Government servants are neglected and they are not paid well. The Hon. the Finance Minister refuses to give the non-gazetted officers the pay recommended by the Central Pay Commission. I am one of those representing the servants paid under the Central Pay Commission, namely, the Railway. I would like to quote an instance. The railway sweeper—and the employees of the railway have got their own difficulties too—gets more than a non-gazetted servant of this Government. That is the condition which the non-gazetted officers are put to. I request the Government to reconsider their decision and raise the pay of the non-gazetted officers so as to be on a par with the recommendations of the Central Pay Commission. That is the most important consideration I want to place before the Government in this connexion.

“While on this, I want to refer to the pay which the jail officials and the police officials are getting who also come under this. The policeman starts on Rs. 30 per mensem whereas a jail warder starts only on Rs. 25 per mensem. I request the Government to see that the policemen and the jail warders are paid more . . .”

MR. SPEAKER:—“The hon. Member has gone out of the way.”

* SRI K. ANANDAN NAMBIAR:—“I will come to the way, Sir. As the Hon the Leader of the House has already pointed out, there is scope . . .”

MR. SPEAKER:—“There is no scope. On the other hand, what the Hon. Minister wants is money required for the appointment of Personal Assistants to Ministers and also a member of the Public Service Commission and peons for him.”

* SRI K. ANANDAN NAMBIAR:—“Therefore, Sir, what I say is the pay of the peon is linked up with the pay of the jail warder and the pay of the policeman. That is why I am referring to it . . .”

MR. SPEAKER:—“The hon. Member may speak about the pay of the peons and not about the pay of the warder.”

* SRI K. ANANDAN NAMBIAR:—“I am only saying, Sir, that the pay of the peons may be increased so that it may be on a par with the recommendations of the Central Pay Commission and that the jail warders and policemen get the same rates. I wish in this connexion to bring to the notice of the Government that whenever any such question is raised they are avoiding the issue by saying, there is no money. It is not as if there is no money, it is always there and the Hon. the Finance Minister must however find the necessary money to see that these people are paid

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better wages. I request the Government to reconsider the position in the light of the agitation made by the non-gazetted servants and that the Government will give active consideration to their claims.”

* SRI PILLALAMARRI VENKATESWARLU:—“While supputing the cut motion, Sir, I would like to bring to the notice of the Hon. Minister one or two points for consideration and in particular about the appointment of an additional member of the Public Service Commission for which this demand has been made. I do not see, in the first place, the necessity for an additional member because the members already on the Commission are quite sufficient to do the job. Whenever we raise the question of increased salaries to non-gazetted officers the Hon. the Finance Minister always complains of lack of funds. After all this post has been created for the purpose of selecting war service candidates. I say this is a job which anybody can do—and even the hon. Member can do it—and why cannot he take up this job instead of appointing an additional member of the Service Commission. Although I made a proposal to wipe out the indebtedness of the non-gazetted officers—every one of them is indebted at least to an extent of Rs. 2,000 to Rs. 3,000—they turned down the proposal. I ask, even if they have no funds why not the Government borrow money and lend it to these persons, see that their indebtedness is removed once for all and then collect the amounts by instalments and discharge their debt.

“Then, Sir, there is another matter to which I would like to refer in this connexion and that is in regard to the Government Servants Conduct Rules under which the non-gazetted officers are suffering. For instance, even if they leave their houses they have to take permission of the superior officers and they cannot also avail even the Sundays or other holidays without the permission of the superior officers. Such rules must go and their conditions of service changed in such a way that out-of-date rules are altered so as to suit changed times.

“There is one other point, Sir. No doubt a member has been appointed specially to look after the war returned candidates but till now no list of selected candidates has been published. I do not know what work he is doing. The Hon. Minister says that the list will be published, but already a lot of other war returned candidates are waiting to apply. The fact that they have not so far published any list creates some mis-apprehension in the mind of the public as to why the Government have not published the list so far. I understand that a list had already been provisionally accepted and submitted by the member. I expect a reply to this and I want a definite assurance that the list already submitted will be accepted and that no deletions will be made. As every one knows there are a lot of war-returned men awaiting employment who are suffering a lot on account of the increased cost of living and they have not been given even an assurance that they

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would be guaranteed employment as it was done by the previous Government, namely, that they would be provided with employment. All the same, though they have prepared a list of selected candidates, I see that it is still pending publication. I therefore request the Government to see that they are not kept in suspense any more but to see that the list of selected candidates is published soon and that in regard to the posts to be created later, they can see to them later.

"In regard to the recommendations of the Post-war Reconstruction Committee, I find, that though in regard to the Medical Department they have made certain proposals, they have been shelved and some appointments have also been given up. To-day, Sir, everybody knows that our country is badly in need of doctors and that the medical equipment is poor. Though the recommendations of the Post-war Planning Committee are in the best interests of the country, it is a pity they have not been followed. May I request the Government to remove these inconsistencies. With these few words, I support the motion."

* SRI S. NAGAPPA:—"I will take only five minutes, Sir. Before the Demand moved by the Hon. the Leader of the House is granted, I would like to ask him why he has not come to a decision in regard to the appointment of Parliamentary Secretaries. What is his intention . . ."

MR. SPEAKER:—"That point has been ruled out already when Mr. Anandan Nambiar mentioned it."

* SRI S. NAGAPPA:—"I will come to the next point, Sir. The Hon. the Leader of the House wants Personal Assistants to Ministers. I do not see what he means by Personal Assistants and how many such Assistants they want, I am afraid they may go on increasing the appointments. To-day they want Personal Assistants, to-morrow they may want public assistants and there will be no end to these assistants. What are his partymen for and they can be called to serve him and the Hon. the Speaker of this House. I ask the Hon. Minister while he thought fit to dispense with the Parliamentary Secretaries, does not the same rule apply to these assistants? However, you have come to the conclusion to have Personal Assistants. All right, but what is the scale of these Personal Assistants? You have given us no information about all these things. Of course, there are Personal Assistants to the Hon. the Premier, to the Ministers, to the Hon. Speaker and the Hon. President of the Council. They are all Personal Assistants but why should there be any difference in pay between one Personal Assistant and another. I request the Hon. Minister to give a satisfactory explanation before the grant is made."

"Now in regard to item (ii) in the Explanatory Note, appointment of a temporary Joint Secretary and staff in the Legal Department, I ask, what has happened to the permanent Secretary and why do you want a temporary Joint Secretary?"

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[Sri S. Nagappa]

"Then with reference to item (iii) extra member of the Madras Public Service Commission, let me say, almost all the members of this House, especially the Harijan members have been clamouring day after day but in spite of that they have done a great injustice in not appointing a member of the Harijan community to the Service Commission. Now you have come forward with a proposal to include a fourth member to the Commission for the selection of war service candidates and even now you have not thought fit to recommend a Harijan member to the post. Why have you not done it, Sir, I ask. I want an explanation to this."

"Again in regard to the four peons for this additional member. My good God, I am tired of these peons, because everywhere the complaint has been that most of these peons are ill-paid, especially the peons that attend here. They are appointed, just like daily wage-earners, when the Legislature meets and disposed of the next-day the meeting is over. Is it the intention of the popular Government to treat the poor people in this manner? I hope, as my hon. Friend Mr. Nambiar has said that a lion's share of the expenditure on this account will not go to the extra member of the Commission but will go to the poor peons who serve them."

"So, Sir, with these few remarks and expecting a satisfactory explanation to the points I have raised from the Hon. Minister, I resume my seat."

THE HON. DR. P. SUBBARAYAN:—"Mr. Speaker, Sir . . ."

MR. SPEAKER:—"Only two minutes more."

THE HON. DR. P. SUBBARAYAN:—"I shall finish in one minute, Sir. The question of Personal Assistants, as I pointed out, has nothing to do with Parliamentary Secretaries. The Personal Assistants so far taken by the Hon. Ministers all happen to be Superintendents in the Secretariat and they are all on a particular scale and even when they become Personal Assistants to Ministers they continue on the scale they were receiving. Therefore, the expenditure has increased on account of these Personal Assistants and that is the reason for this grant."

"My Friends, the two Members representing the Southern India Labour and the Labour Constituency from the Andhra districts waxed eloquent on the grievances of the non-gazetted officers. I am afraid the non-gazetted officers will not thank them for their eloquence because they may feel that they have gone through the wrong door for achieving their object."

SRI PILLALAMARRI VENKATESWARLU:—"May I request the Hon. Minister to go and find out from them?"

THE HON. DR. P. SUBBARAYAN:—"It is not for you to decide where I shall find the information, but it is for me to find out the information I want. I was only mentioning the fact that."

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the Government have considered the question of non-gazetted officers and have come to conclusions only recently. Of course, the Government know the difficulties under which these people suffer and will have in future to see how things get on. The hon. Member representing the Southern India Railway Labour complained of the four psons, which he referred to, not getting sufficient pay and that it might be only a fraction of the amount claimed for the Member of the Public Service Commission.

"He himself knows and he subscribes to the theory that each man is going to be paid according to his needs and to his skill. That I believe is the slogan of the party to which the two hon. Members belong and therefore they must also realize to get a man to sit on the Public Service Commission which involves certain amount of . . ."

VOTING OF ALL DEMANDS NOT REACHED UNDER RULE 127 (4) OF THE
MADRAS ASSEMBLY RULES.

MR. SPEAKER:—"It is now five o'clock and I am going to guillotine the Supplementary Demands.

"I shall now put Demand IX—Heads of Provinces, Ministers and Headquarters Staff, viz., that Government be granted a sum not exceeding Rs. 200."

The Demand was put and carried and the Grant was made.

DEMAND XI—DISTRICT ADMINISTRATION AND MISCELLANEOUS.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 100 under Demand XI—District Administration and Miscellaneous'."

The Demand was put and carried and the Grant was made.

DEMAND XIII—JAILS.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 300 under Demand XIII—Jails'."

The Demand was put and carried and the Grant was made.

DEMAND XIV—POLICE.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 100 under Demand XIV—Police'."

The Demand was put and carried and the Grant was made.

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DEMAND XV—EDUCATION.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 800 under Demand XV—Education'."

The Demand was put and carried and the Grant was made.

DEMAND XVI—MEDICAL.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 200 under Demand XVI—Medical'."

The Demand was put and carried and the Grant was made.

DEMAND XVIII—AGRICULTURE.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 800 under Demand XVIII—Agriculture'."

The Demand was put and carried and the Grant was made.

DEMAND XIX—VETERINARY.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 500 under Demand XIX—Veterinary'."

The Demand was put and carried and the Grant was made.

DEMAND XX—CO-OPERATION.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 200 under Demand XX—Co-operation'."

The Demand was put and carried and the Grant was made.

DEMAND XXI—INDUSTRIES.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 800 under Demand XXI—Industries'."

The Demand was put and carried and the Grant was made.

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DEMAND XXII—CINCHONA AND FISHERIES.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 200 under Demand XXII—Cinchona and Fisheries'."

The Demand was put and carried and the Grant was made.

DEMAND XXIII—MISCELLANEOUS DEPARTMENTS.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 200 under Demand XXIII—Miscellaneous Departments'."

The Demand was put and carried and the Grant was made.

DEMAND XXIV—CIVIL WORKS—WORKS.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 2,400 under Demand XXIV—Civil Works—Works'."

The Demand was put and carried and the Grant was made.

DEMAND XXV—CIVIL WORKS—ESTABLISHMENT AND TOOLS
AND PLANT.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 600 under Demand XXV—Civil Works—Establishment and Tools and Plant'."

The Demand was put and carried and the Grant was made.

DEMAND XXVI—CIVIL WORKS—GRANTS-IN-AID.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 100 under Demand XXVI—Civil Works—Grants-in-Aid'."

The Demand was put and carried and the Grant was made.

DEMAND XXVII—ELECTRICITY.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 200 under Demand XXVII—Electricity'."

The Demand was put and carried and the Grant was made.

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DEMAND XXXI—MISCELLANEOUS.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 600 under Demand XXXI—Miscellaneous'."

The Demand was put and carried and the Grant was made.

DEMAND XXXIII—CAPITAL OUTLAY ON IRRIGATION.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 100 under Demand XXXIII—Capital Outlay on Irrigation'."

The Demand was put and carried and the Grant was made.

DEMAND XXXVI—CAPITAL OUTLAY ON ELECTRICITY SCHEMES.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 1,000 under Demand XXXVI—Capital Outlay on Electricity Schemes'."

The Demand was put and carried and the Grant was made.

DEMAND XXXVII—OTHER PROVINCIAL WORKS OUTSIDE THE
REVENUE ACCOUNT.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 100 under Demand XXXVII—Other Provincial Works outside the Revenue Account'."

The Demand was put and carried and the Grant was made.

DEMAND XXXIX—CAPITAL OUTLAY ON PROVINCIAL SCHEMES OF STATE
TRADING.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 100 under Demand XXXIX—Capital Outlay on Provincial Schemes of State Trading'."

The Demand was put and carried and the Grant was made.

DEMAND XLI—LOANS AND ADVANCES BEARING INTEREST.

MR. SPEAKER:—"The question is—

'that the Government be granted a sum not exceeding Rs. 100 under Demand XLI—Loans and Advances bearing interest'."

The Demand was put and carried and the Grant was made.

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V.—STATEMENT ON THE EPIDEMIC SITUATION IN COIMBATORE, TRICHINOPOLY AND MADURA.

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Will the Hon. Minister for Public Health tell the House as to the situation in Coimbatore so far as the epidemic of plague is concerned and the position in Trichinopoly and Madura so far as the epidemic of cholera is concerned. We have heard a lot about the way in which these have spread earlier than usual in Coimbatore and also in Trichinopoly and Madura districts. I shall be thankful if the Hon. Minister will enlighten this House as regards the situation and the action that he is taking such as the appointment of Health Officers and others in order to see that this epidemic is restricted and to see that the places that are affected are cleared of this disease."

THE HON. SRI A. B. SHETTY:—"I got information from the Director of Public Health regarding the plague situation in Coimbatore as well as other districts. I have been following the weekly plague reports, Sir, ever since plague made its appearance this year. Every year, plague appears in the districts on the border of Mysore State and as usual it has made its appearance and this is a more favourable season for the spread of plague."

"In Coimbatore, Sir, the plague infection is more widespread than in any other districts. In the week ending 20th September, we had 57 attacks and 32 deaths. All necessary measures in combating plague and preventing its spread are being taken. Systematic fumigation of houses and commodities that are going outside is being done with a view to destroy rats and rat-fleas. Inoculations are being done and in Coimbatore up to now more than 8,000 people have been inoculated. Extra staff is being employed for the purpose of inoculation and other measures. In Coimbatore, 22 Health Inspectors are on plague duty and 50 Fumigation units and one maistri and two coolies have been employed from the middle of June. Visits are being paid to these places by the Director of Public Health and Assistant Director of Public Health and all possible measures are being taken as early as possible. A letter was addressed to the Education Secretary to the Government of Mysore to this effect: 'It has been represented that cases of plague are imported from Mysore by several places under the charge of this Government lying on the border lands. I am to request the Government of Mysore to take effective steps for preventing its spread to places in this Province adjoining the State.'

"Instructions have been given to the Director of Public Health to take every measure necessary for arresting the spread of plague."

"As far as the cholera situation is concerned, I have had no reports about its appearance in Trichinopoly but in Madura City 16 attacks were reported and three deaths took place in the week ending 20th September. We have cholera epidemic in non-municipal areas of Madura district. Yesterday I had a trunk phone call from Sri A. Vaidyanatha Ayyar, Madura, asking ambulance cars should be made available and immediately I got into touch with the

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Surgeon-General and he also had a trunk call from the District Medical Officer asking for ambulance cars for hospitals in Madura. He is also in communication with the District Health Officer and the ambulance car of the Municipal office has been made available for this purpose. So all necessary measures are being taken and I shall assure this House that every possible attempt will be made to prevent the spread of both these epidemics."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Reports have appeared in the papers that in Trichinopoly about 20 or 30 persons died in one week of this epidemic. Will the Hon. Minister take further steps to find out what exactly the situation is and see that the spread of the epidemic is prevented?"

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"While thanking the Minister for Public Health for the great promptitude he has shown in answering this question at such a very short notice, may I draw his attention to the fact, Sir, that there is no Isolation plague camps outside the Municipal area of Coimbatore to treat cases outside the Municipal area and may I also remark, Sir, that we are talking of plague in Coimbatore Town and there are cases in many of the villages for which the municipal council is not responsible for treating in the Municipal Isolation Hospitals in Coimbatore. May I also ask, Sir, the Hon. Minister to depute a person of no less than an Assistant Director of Public Health status to be in camp for at least a week in such places and direct operations. Otherwise, the local officers always say that they have their own methods and may I ask the Minister to see that mass inoculation takes place in the villages surrounding municipal areas like Trichinopoly and Coimbatore in respect of cholera and plague. I had information from a Member of this Assembly, Mr. Fowler, that he himself had inoculation yesterday in Trichinopoly and that the disease is there."

THE HON. SRI A. B. SHETTY:—"I have taken the suggestions of both the hon. Members and shall see whatever necessary is done."

VI.—DEBATE UNDER RULE 14 OF ASSEMBLY RULES RE POSTPONEMENT OF ELECTIONS TO THE CORPORATION OF THE CITY OF MADRAS.

MR. SPEAKER:—"We shall now have a half hour debate on the postponement of City Municipal elections."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"You are aware, Sir, that the present Municipal Corporation is in existence for the last eleven or twelve years. We were told that after the war was over elections will be held to the Madras Corporation. As against this, repeated postponements were ordered by the authorities then and now. Therefore, Sir, we thought that as per the Government's notification the elections will be held in the month of October. But what happened? Suddenly a resolution was

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passed in the Madras City Corporation. Some were for the elections to be held as per the Government's notification and the others were insistent that it should be postponed. After that as mentioned in the papers and as accepted by the Hon. Minister, a deputation headed by the Mayor waited on the Hon. Minister and urged for the postponement of elections. Sir, in reply to a short notice question this morning the Minister in charge did not give any definite and concrete reasons for his decision to postpone elections. It was stated that the present Madras electoral rolls are defective. I say, Sir, that it is not a very important point which has forced the Minister to come to such a decision. Sir, on the basis of this present electoral rolls the Madras Legislative Assembly Members have been elected. If the roll is defective, then I can say we have no proper Assembly in Madras and the Assembly should be dissolved. The other thing that the Minister said was that certain areas have been attached to the Madras City, and its population is increasing. This is not also a point on which the Minister could come to such a decision. Simply because some members have said that the rolls are defective the Minister cannot change and pass orders for postponement. I think that there may be some other reasons. I am not casting any reflections on anybody but I say that the municipal councillors are there for the last 12 years and when it was proposed to hold the elections for renewing confidence in them by the people, they naturally felt some anxiety to continue in office indefinitely and it is no wonder that they passed a resolution by some majority.

5-15 p.m. "I do not like to attach any importance to all that but from what is being heard, the people have a right to know how it came about that the elections are being postponed. There are reports that the Presidents of the Tamil Nadu Congress Committee and the Andhra Congress Committee could not come to an agreement as to how to run the elections particularly in view of the fact that some sort of discussion is going on as all—Members of the House and people outside—know that regarding the future of the City of Madras. I do not say that that particular point influenced the decision of the Hon. Minister; but I feel it is his duty to satisfy the people that it was not so. Though the reports we have heard might be true or not, it is the duty of the Hon. Minister to clear doubts lurking in the minds of the people. I insist on saying that the elections ought to have been held much earlier and could be easily held in the month of October. There may have been some difficulties with regard to the electoral rolls. I want to know from you in that connection when the electoral rolls were free from these defects; some names may be there which ought not to be there and some new names might have been left out. But you cannot on that account postpone elections to a body, particularly because it has been in office for the last 12 years. I do not wish to take up more time on this matter except to urge the attention of the Hon. Minister to the fact that the orders which he has passed is wrong; that he has not taken into consideration the feelings of the general public; except for the deputation that waited on him and the

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resolution of the Madras Corporation, I feel that he has no other materials to come to that conclusion. In the end, I have to observe that even now it is not too late to re-consider his decision, rescind the orders already passed and order elections in the month of October as it was originally scheduled.

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—

"Mr. Speaker, I feel . . . (An hon.* Member: 'Like being envious of the long term of office of the Corporation Councillors)."

"Though my friend prompts in this manner, that twelve years membership is a thing which I have not enjoyed, about which much complaint is made; and I do not propose to take his promptings. The fact that they have been allowed to continue in office for twelve years is not a sin committed by the members of the Madras Corporation. For one reason or another the elections could not be held. The war intervened and owing to the pre-occupation of Government and the need for control in times of war, the election had been put off and for some reason or other, they have continued in office so long. It has always been the custom to have the electoral rolls revised and brought up to date before a general election. In the case of by-elections occurring in the middle the same held good but before elections were held for all the divisions in the Corporation, there has always been a thorough revision of the electoral rolls. It is a fact that the present rolls are defective; there are a large number of people who are dead but whose names finds a place in the list; there has also been a great influx of population into the City after the evacuation. So, living in these days of democracy, we feel that we ought to have as correct a list as possible and for that purpose it is necessary that some time should be given to enable a complete revision of the rolls being undertaken. There is some apprehension in the minds of people that postponement of this nature may lead to indefinite postponement but I am not one of those who will support indefinite postponement. I have no reason to doubt the intention of the Hon. Minister in putting off the elections. He is also anxious to have the elections as early as possible on the basis of a complete and revised electoral roll. I have no doubt that the Government will take all steps to get the rolls completely revised; if it is not possible to revise the electoral rolls fully, I should suggest that it might be partially revised and this to a great extent could be done very easily; some people say that there are not many mistakes and it will be easier to have it rectified rather than having it fully revised and it would have the additional advantage in that money will be saved on account of paper and printing and the Hon. the Finance Minister will not be very worried about the heavy expenditure involved in preparing a list *de novo*. There is another reason why I should also support the postponement of the election for the time being; it is because of the extended area coming under the jurisdiction of the City Corporation. I think there should be an election taking into account the question of the new areas also. The position of the new areas may be different from that of the old areas. I would like to know how they would be fitted into the new scheme of things. On this occasion unfortunately, reference has been made

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about the two congress committees functioning in this place. I am not personally interested in this committee or the other but after dispassionately considering the interests and the affairs of the Corporation, especially with the advent of independence, might I suggest that it would be better that all persons connected with the political parties in the City come together at least on this occasion and decide not to run the election on party basis. By this suggestion, I am not asking for any political concession in favour of one party; nor seek for one party giving up its present position. It is inevitable that when the Congress party is so strong in the country, it is impossible to deny a great majority of the seats on the Corporation even if no party candidates are put up as such. The Congress members who are interested in party administration in the City need not be afraid of that because the party has not set up any candidates all their candidates will not be returned; I have no doubt that while the Congress alone gets large number of seats, yet there will be a feeling that the party as such did not contest. I only wish to say that this is a course which not alone prominent members of the City Corporation but those that have the interests and welfare of the City Corporation feel is the only way out.

"In conclusion I think it will be a very good thing if there is a full revision of the electoral rolls, if not there might at least be a partial revision and elections postponed by a few months; may be six months in case you aim at a complete revision. I do hope that the elections will be conducted on as early a date as possible."

SRI GUNTUR NARASIMHA RAO:—"Mr. Speaker, I wish to reply to the two points raised during the course of the debate. The first is the dispute with regard to the elections between the Tamilnad and Andhra Provincial Congress Committees in the matter of conducting the elections which, let me see at the outset, does not exist and the next is the precedent cited, namely, elections to the Legislative Assembly. Regarding the latter, whether the rolls were complete or not the elections were to be held before a particular date and so they had to be elected from each constituency and these form the general body of the Assembly. Regarding the Corporation, they had been there for the last twelve years. There was an exodus from the City in 1942 when the Government themselves advised the people to move out; the result is that many people went away. Even in the Assembly elections we had been put to a lot of trouble in finding the voters and it is true and therefore, a correct list is necessary. There is this other complication also. Formerly, there were forty divisions now we have more than 50. It is necessary that these considerations should weigh with the Minister and I feel that he is perfectly correct in postponing the elections. He has done real justice to the people of Madras in giving some time for the preparation of the lists. I support the action of the Hon. Minister in having postponed the elections."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Although I was one of those who opposed the postponement of the date of elections at a meeting of the City Council, yet I feel very happy to

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find the Hon. Minister responding as a true democrat to the decision of the City Council. He has really recognized that the City Council is a self-governing institution and that the resolution passed by it is of very great importance and it is very good on the part of the Hon. Minister that he should have conceded to the demands of the representatives of the City Corporation. It is also true that the people of the City, I mean the electorate, would have liked to have the elections. But the election was not possible as the lists were defective in many respects. The constitution of the City Corporation is very different from the constitution of municipalities in the province and besides the electoral rolls in the past were different from what it is to-day. The Hon. Minister has already said how defective the electoral roll is. In 1942, there was wholesale evacuation and after that there has been an influx of a large number of people to the City and the population has increased from seven lakhs to the tune of 14 to 15 lakhs, nearly double. Reference has been made to the extension to the City limits. For all these things, the Hon. Minister has agreed with the majority of the City Council that the elections should be postponed. I understand that it is only for six months, during which time the electoral rolls can be thoroughly revised. There was no revision all these years although it was here and there touched up. What is now required is a thorough overhauling of the electoral rolls in order that it becomes real and genuine electoral rolls removing all the names of dead persons and persons not residing in the City and putting in the names of people who are now residing in the City. Although I did not agree with my colleagues in the City Council, yet in view of the fact that the Hon. Minister has honoured the resolution of that local body which is practically autonomous, I appreciate his action and I hope that there will be no difficulty in this matter."

* THE HON. SRI K. CHANDRAMOULI:—"Mr. Speaker, I am grateful to the members who have taken part in this debate, and more particularly to Mr. Raza Khan who tried to justify that my action was wrong though all the while, he was supporting my cause. The hon. Member agrees that the electoral roll is very bad and that it is not properly written up. There is agreement between both of us on that question. He said that they had been in office for the last twelve years. Although they were there for the last twelve years, nothing has been brought against them that they are not doing their duties properly. In spite of this, he wants an election to be ordered. If you want to have an election, the new Corporation must be properly representative so as to have the authority and sanction with it. For that a revised electoral roll is absolutely necessary. I have shown to you in the morning how the population of the City has increased by leaps and bounds and now the electoral rolls remained the same, stagnant and the percentage has not increased. I would ask him what is the good of conducting an election on the basis of that roll."

"I can assure my hon. Friend that it has nothing to do with outside causes, the Congress parties or other things. I have not

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heard any opposition so far. I can assure him that no opposition has come either from the Press or from the public of Madras excepting my hon. Friend . . .

SRI R. V. SWAMINATHAN:—"On a point of information, Sir, I want to know whether the Hon. Minister is aware that there is a feeling in Madras City among Tamilians that there is something behind this, that some Andhras are trying to move the Andhras coming from Hyderabad into the City with a view to increase their population and thereby show an increase in the strength of voters, and lay claim to the City of Madras. If this is a fact I want the Hon. Minister to assure us that such discrepancies will not arise."

THE HON. SRI K. CHANDRAMOULI:—"I can assure the hon. Member that I have not heard anything like this so far except from the hon. Member. (The Hon. Dr. P. Subbarayan: 'Hear, hear'.) (Interruptions.) If the people have got something in their minds, and if they are not bold enough to express it, I cannot help it. But as far as I am concerned, in the light of the opinion of several friends expressed in this House, I am convinced that the request of the Corporation was correct. That is why, Government have agreed to postpone the elections for the time being. But I can also assure the hon. Member that we will try to correct the defects therein as early as possible, and see that elections are conducted properly on a popular basis so that the Corporation will have the dignity of being represented properly on a correct basis and to the satisfaction of all the people."

SRI PILLALAMARRI VENKATESWARLU:—"On a point of information, Sir. May I know, Sir, whether the Government will consider ordering elections for district boards and some of the municipalities where elections are not taking place to-day. I mean Tenali and Guntur."

THE HON. SRI K. CHANDRAMOULI:—"It is entirely irrelevant."

VII.—ANNOUNCEMENT *RE* ELECTION OF A MEMBER TO THE CONSTITUENT ASSEMBLY.

MR. SPEAKER:—"There will be no election on October 7th, because Mr. Ramamurti's nomination was found invalid as it was filed after 3 p.m. The final declaration will have to wait till the 29th the date fixed for the withdrawal of valid nominations. Now I adjourn the House to October 9th, 11 a.m."

The House then adjourned.

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APPENDIX I.

[Vide answer to starred question No. 140 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly held on 26th September 1947, page 469 supra.]

(a) The following is an account of the steps taken by the Government in the matter since 1945:—

(1) In March 1945 the Government sanctioned a scheme for increasing the City's milk supply by extending the activities of the Madras Milk Supply Union by the formation of feeder societies within the City and in the villages in Chingleput around Madras. After the introduction of the scheme in April 1945, the number of the feeder societies affiliated to the Union steadily increased from 32 and now stands at 87. The Union which was previously supplying only 1,500 lb. of milk per day to the general public is now supplying 20,000 lb. per day including 7,500 lb. supplied to the State hospitals. The Union has opened 46 depots for the retail sale of milk to the public and has employed 22 cycle delivery boys for door-to-door delivery in certain cases.

(2) In order to encourage the production of milk, the Government have also sanctioned through the Madras Milk Supply Union the grant to the members of milk supply societies for the purchase of milch animals, of interest-free loans repayable in easy instalments from the sale-proceeds of the milk supplied by them to the societies. The loans advanced aggregated to Rs. 2.64 lakhs in 1945-46 and Rs. 1.09 lakhs in 1946-47.

(3) The Government have obtained a quota of 100 Sindhi cows from the Government of Sind and have proposed to issue permits to the prospective purchasers in the Province including those in the City to enable them to purchase these animals.

(4) The Government have started a milk factory in Madras City in January 1947 where the reconstituted milk is being produced from skimmed milk powder. At present, about 1,000 Madras measures of reconstituted milk are being produced in the factory daily. It is hoped to increase the production to about 4,500 Madras measures per day in due course. The reconstituted milk is being sold to the public through the Triplicane Urban Co-operative Society, Ltd., to the City hospitals and to certain establishments direct by the factory. The sales have increased from 4,818 Madras measures in January 1947 to 30,488 Madras measures in August 1947.

(5) The Government have also offered to the public at cheap rates milk powder in stock with them.

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(b) Yes. The Government received notice of direct action dated 18th February 1947, from the President of the Madras Milkmen's Union.

(c) The demands of the Milkmen's Union were—

(1) Control and rationing of all cattle feed by the Government;

(2) Railway priorities for transport of cattle;

(3) Abundant credit facilities to milkmen for purchase of cattle through co-operative organizations; and

(4) Subsidy at 25 per cent for purchase of cattle fodder.

(d) The constitution of a permanent Milk Board to examine and formulate long-term plans relating to the production and distribution of milk including cattle feed is under separate consideration. To go into the immediate question of procurement and distribution of cattle feed in Madras City and to make recommendations as to the nature and extent of the relief to be afforded to the milkmen by the Government, the Government in April last constituted a Cattle Feed Advisory Committee. The Committee held three sittings and made comprehensive recommendations to the Government on the various facilities to be afforded to the City milkmen.

The two main recommendations are:

(1) that the requirements of the milkmen in the City in respect of four items of cattle feed, viz., gingelly cake, wheat bran, dhall husk and dhall brokens should be obtained on Government account and distributed to all cattle owners on some system of informal rationing and that the Government should bear a subsidy of 33-1/3 per cent of these items at the current market price;

(2) that pending the working out of the plans for the procurement and distribution of cattle feed on Government account, an interim relief, say for a period of 2 months, should be given to the City milkmen by the Government in the shape of a subsidy of Rs. 15 per animal per month for animals in milk and half this rate for other animals which are not incapable of further lactation.

The second recommendation has been considered unacceptable by the Government, as, apart from the large subsidy involved, which would be to the tune of Rs. 36.0 lakhs per annum, exclusive of the cost of the establishment and supervision, it is open to certain patent abuses such as fraudulent musters to obtain the concession on the same animal repeatedly and bringing dry animals and animals giving small quantities of milk into the City, in large numbers for obtaining the subsidy on these animals.

As regards the first recommendation, the Government have declined to accept the principle of giving a subsidy equivalent to 33-1/3 per cent of the cost price of the four items of cattle feed, as the subsidy is estimated to be as high as Rs. 54 lakhs approximately. The Government, however, have proposed to procure and distribute the four items of cattle feed to the extent required by the

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City milkmen at cost price under a system of informal rationing and to bear the entire overhead expenditure involved. Detailed proposals in this regard are being worked out.

In the meantime, with a view to afford immediate relief, the Collector of Madras has been requested to have the husks obtained from the conversion into dhall of stocks of whole gram and pulses held in the City reserves, sold at reasonable prices to be fixed by him to the Madras Milk Supply Union up to the limit of their requirements, the balance only being sold in the open market. The Union has opened five depots for distributing the cattle feed. The Government have also requested the Collector to issue instructions to the wholesalers in imported grams and pulses and other dhall merchants who hold stocks of husks to dispose of the stocks in a similar manner.

The Government have also requested the Board of Revenue (Civil Supplies) to arrange for the import on a trade to trade basis of 1,500 tons and 1,000 tons of gram chunni from Bikaner and Patiala States, respectively. A supply of 200 tons of groundnut cake has also been ordered to be made to the Madras Milk Supply Union for a period of six months, to tide over the present cattle feed shortage.

APPENDIX II.

[Vide answer to starred question No. 146 asked by Sri A. Vedaratnam Pillai at the meeting of the Legislative Assembly held on 26th September 1947, page 475 supra.]

Name of the district.	Number of Higher Elementary Schools under				
	Government.	Municipality.	District Board.	Private management.	Total.
(1)	(2)	(3)	(4)	(5)	(6)
Vizagapatam	..	7	88	21	116
Godavari, East	2	9	40	23	74
Godavari, West	..	3	45	20	68
Kistna	2	12	48	27	89
Guntur	2	5	47	45	99
Kurnool	..	2	24	8	34
Bellary	2	1	31	10	44
Anantapur	1	2	33	8	44
Cuddapah	..	..	20	12	32
Nellore	2	2	33	21	58
Madras	..	20	..	49	69
Chingleput	3	..	22	41	66
North Arcot	1	7	34	31	73
Chittoor	..	4	29	15	48
South Arcot	..	1	48	14	67
Tanjore	4	9	36	60	102
Trichinopoly	3	5	29	29	63
Madura	..	3	32	43	79
Ramnad	1	4	23	57	85
Tinnevely	1	6	24	154	185
Coimbatore	..	10	44	33	87
Salem	1	4	75	19	99
Nilgiris	..	1	8	17	27
Malabar	9	9	69	280	367
South Kanara	4	4	47	87	142
Total					2,217

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APPENDIX III.

[Vide answer to starred question No. 153 asked by Sri T. Viswanatham at the meeting of the Legislative Assembly held on 26th September 1947, page 482 supra.]

RULES FOR THE SELECTION OF CANDIDATES FOR ADMISSION TO THE MEDICAL COLLEGES.

1. *Age-limit.*—Candidates for admission to Medical Colleges should have completed 17 years of age on or before registration as a medical student which will be subsequent to passing the pre-registration course.

2. *Selection of Madras and non-Madras candidates.*—(i) In the selection of candidates, applicants belonging to the Madras Province should be given preference.

(ii) (a) The number of seats which can ordinarily be allotted to non-Madrasi candidates is specified below:—

	Number of seats.
(1) Students sent by the Government of Travancore.	4
(2) Students sent by the Government of Cochin ...	2
(3) Students sent by the Government of Pudukottah.	1
(4) Applicants other than those coming from Travancore, Cochin and Pudukottah, preference being given to those from Banganapalli and Sandur.	2
(5) Students sent by the Administration of Coorg.	2
(6) Students from the Civil and Military Station, Bangalore.	3
(7) Students from the North-West Frontier Province.	4

(b) If applicants from the Indian States and Administrations are not forthcoming in any year to fill up the seats reserved for them, the vacant seats should be allotted to students belonging to the Madras Province.

(iii) The States of Travancore, Cochin and Pudukottah, and the Administration of Coorg, shall have the right to select their own candidates for whom seats are reserved, provided that the candidates selected possess the prescribed minimum educational qualifications.

(iv) If a sufficient number of candidates belonging to the Province of Madras are not forthcoming, seats can be allotted to candidates from Travancore, Cochin and Pudukottah in addition to the number reserved for them.

(v) Two Colonial Indian students may be admitted into the Medical College, Madras, if the Principals who select candidates for admission are satisfied that they are specially deserving.

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3. *Selection of candidates from the various communities including the backward and unrepresented communities.*—In selecting candidates the communal proportion rule should be applied for every twelve seats strictly on the following basis:—

Non-Brahman (Hindus)	...	...	...	...	5
Muslim	...	...	...	...	2
Anglo-Indian or Christian or Non-Asiatic	...	...	...	...	2
Brahmans	...	...	...	...	2
Harijans	...	...	...	...	1
					—
Total	...	...	...	...	12

Due regard should be paid to the admission of students from the backward and unrepresented communities.

4. *Selection of candidates from the districts.*—(1) In order to secure an adequate representation of the districts, so far as qualified candidates in those districts are available, the total number of seats available for the admission of civil students every year, i.e., the total number of seats in the colleges minus the seats reserved for ex-service personnel and for students from outside the Province shall be distributed as indicated below:—

Group 1.—50·8 per cent of the seats will be allotted for the candidates from the group of districts which is predominantly Tamil, viz., Madras, Chingleput, North Arcot, Salem, Coimbatore, South Arcot, Tanjore, Trichinopoly, Madura, Ramnad, Tinnevely and the Nilgiris.

Group 2.—38·1 per cent of the seats will be allotted for candidates from the group of districts which is predominantly Telugu, viz., Vizagapatam, East Godavari, West Godavari, Kistna, Guntur, Nellore, Cuddapah, Kurnool, Anantapur, Chittoor and Bellary.

Group 3.—11·1 per cent of the seats will be allotted for candidates from the West Coast districts, viz., South Kanara and Malabar.

Subject to the linguistic groups and the percentage of seat allotted to each group as indicated above the seats shall be distributed among the districts. The number of seats for each district should be fixed, to the extent possible, with reference to the ratio the population of the district bears to the total population of all the districts in the Province. The Madras City will be treated as a district for this purpose but 10 per cent of the seats will be reserved for the candidates from the City during 1947.

For purpose of admission, the number of seats reserved for women and those available for men candidates should be taken up separately and allotments made in accordance with the ratio indicated above.

If a sufficient number of candidates belonging to each district is not forthcoming to fill all the available seats in accordance

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with the ratio, the balance of seats left over should be distributed among the remaining districts in the proportion in which seats have been allotted.

If a sufficient number of women candidates are not forthcoming to fill all the seats reserved for them, the balance of the seats available should be distributed among the districts for the admission of men candidates in accordance with the ratio indicated above.

(2) Candidates (whether Tamil, Telugu or others) will count against the district to which they belong according to their certificates of nativity. The nativity certificate required to be furnished by the candidate indicates the district to which the candidate belongs.

(3) The instructions contained in sub-rules (1) and (2) shall be subject to the instructions in rule 3 regarding representation of communities.

5. *Order of preference.*—(1) In making the selection, preference should be given to candidates in the following order with due regard to the admission of unrepresented and backward communities including Harijans:—

(a) Those who have taken the B.A. or B. Sc. degree with Physics, Chemistry, Zoology, Botany or Physiology as the main subject in the first or second class.

(b) Those who have passed the Intermediate Examination in the first class with Physics, Chemistry and Natural Science as optionals.

(c) Those who have passed the Intermediate Examination in the first class with Physics, Chemistry and Mathematics as the optionals.

(d) Those who have passed the Intermediate Examination in the first class with Physics, Chemistry and any other subjects as the optionals.

(e) Those who have passed the B.A. or B. Sc. degree with Physics, Chemistry, Zoology, Botany or Physiology as the main subject in the third class.

(f) Those who have passed the Science group in B. A. or B.Sc., but have not qualified for the degree.

NOTE.—If any of these candidates of groups (e) and (f) have taken a first-class in Intermediate they will be grouped under (b), (c) or (d) and ranked with those candidates according to the total marks obtained in Intermediate.

(g) Those who have passed Intermediate in the second class with Physics, Chemistry and Natural Science.

(h) Those who have passed Intermediate in the second class with Physics, Chemistry and Mathematics.

(i) Those who have passed Intermediate in the second class with Physics, Chemistry and any other subject as optional.

(j) Those who have passed any other examination accepted by the Syndicate as sufficient for admission to the College.

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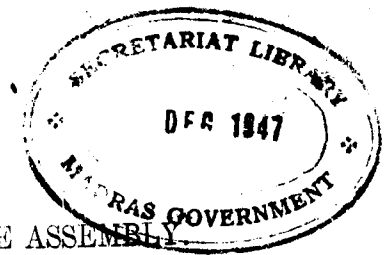
(2) When any vacancies occur the Principals shall fill them up strictly in accordance with the above order of preference.

6. *Reserve list of candidates.*—In order that no seat in any of the Colleges may be left vacant, a few more than the prescribed number of candidates, say not exceeding 20 should be selected. The list of such candidates who will form the reserve should be kept separate from the list of candidates selected for admission. Their names should not be published until they are actually required to join any one of the Colleges.

7. *Allotment of candidates to Colleges.*—Applicants should as far as possible be admitted into the College they have selected. The Principals of the Colleges are, however, at liberty to allocate a candidate to any college should they find it necessary to do so provided that Andhra students should be given preference for allocation to the Andhra and Guntur Medical Colleges.

8. *Reservation of seats for women candidates.*—Twenty-three per cent of the total number of seats available for students of this Province shall be reserved for women candidates. It shall be open to the Principals to admit more women candidates if qualified candidates are available and if they are eligible for selection in accordance with the general principles governing such admissions. If women students belonging to the Madras Province are not forthcoming in sufficient numbers the vacant seats shall be allotted to men candidates belonging to this Province.

9. *Reservation of seats for ex-service personnel.*—Ten per cent of the seats will be reserved for ex-service personnel who are natives of the Madras Province and who are eligible for the benefits of the scheme for further education.



THE MADRAS LEGISLATIVE ASSEMBLY

Thursday, the 9th October 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

[* 140 Q.—Answered on the 26th September 1947 and taken up for supplementary questions to-day.]

BEGUM SULTAN MIR AMIRUDDIN:—“ May I know when the Government intend to implement the recommendation of the cattle feed advisory committee in regard to informal rationing of cattle feed which they have accepted. In this connexion, may I inform the Hon. Minister that the control of cattle feed has been in existence in Bombay for the past two years and that it is high time that Madras followed suit? ”

THE HON. DR. T. S. S. RAJAN:—“ There is a certain amount of control over the supply of cattle feed to the milk men even in this City. The Government are controlling the price, and are importing all the materials that are wanted for feeding cattle from areas where they are obtainable and they are being sold at a standard rate to the members of the milk supply union, Madras.”

BEGUM SULTAN MIR AMIRUDDIN:—“ May I know whether the Government intend to organize a ‘ Grow More Cattle Feed Campaign ’ on the lines of ‘ The Grow More Food Campaign ’ and whether they intend to organize some dairy farms in this Province? ”

THE HON. DR. T. S. S. RAJAN:—“ Most of the cattle feed here are subsidiary products. They are either bran or husk or cakes. These are all subsidiary products from the industry from which these are gathered. Therefore, there is no such special intention of the Government to produce a thing which is produced by Nature.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ Is it the intention of the Government to supplement natural milk by reconstituted milk, and if so, what their proposals are? ”

THE HON. DR. T. S. S. RAJAN:—“ If the hon. Member has perused the reports, he would have found that reconstituted milk is being supplied by Government in increasing quantities day after day.”

SRI GUNTUR NARASIMHA RAO:—“ May I know, Sir, why permits to import 1,000 tons of dhal chunni from Patiala was given only to Muslim merchants of this place? ”

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THE HON. DR. T. S. S. RAJAN:—"I am not aware of such a division into communities with regard to the supply, but if the hon. Member would furnish more information, and if the Government think an enquiry is necessary, they will do so."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Arising out of the previous answer of the Hon. Minister, may I ask whether the Government do not know that the demand for cattle feed is not yet satisfied even to any appreciable extent, and may I also know what steps the Government are taking for supplementing the already exhausting supply?"

THE HON. DR. T. S. S. RAJAN:—"With all their resources, I do not think Government can command enough food for all the cattle in Madras City. But they are supplying cattle fodder for the milk supply unions in the City for the simple reason that supply of milk in the City should be encouraged. The question of supply of fodder for all the cattle in Madras City is another matter."

SRI S. NAGAPPA:—"May I know whether it is a fact that His Excellency Sri Rajagopalachari, Governor of West Bengal, has sent milk powder to the Speaker of this Assembly to be distributed among Harijan children in cheris of the City in order to ease the milk scarcity?"

MR. SPEAKER:—"I rule this question out of order. That has nothing to do with this question. But it is a fact that His Excellency Sri Rajagopalachari has sent me milk powder for distribution."

SRI V. RAGHAVAYYA:—"In view of the famine conditions obtaining in Rampa Chodavaram, will the Hon. Speaker spare at least some quantity of it for distribution in those areas?" (Laughter.)

MR. SPEAKER:—"If the hon. Member asks me in private, I shall give him some powder."

SRI N. S. VARADACHARI:—"Would Government be pleased to undertake a scheme for the supply of cattle fodder round about the City of Madras by the use of what is called Ramachandra lift which does not need cattle to work it, but can be worked by human labour?"

THE HON. DR. T. S. S. RAJAN:—"I do not know if the lift can only be worked for producing fodder. Evidently if that is what the hon. Member means, I accept the suggestion."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is there any price control regarding the supply of milk, and if so, whether it is enforced properly in this City?"

THE HON. DR. T. S. S. RAJAN:—"There is no price control of milk."

SRI PILLALAMARRI VENKATESWARLU:—"May I know if the cost of the cattle fodder is controlled by the Government?"

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THE HON. DR. T. S. S. RAJAN:—"Cattle fodder to the members of the milk supply union is regulated and controlled by the Government."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know whether it is a fact that the Veterinary Department has been selling some good young milch cows by auction sale? Will the Government see in future that these good milch cows are offered to the milk supply unions instead at reasonable prices?"

THE HON. DR. T. S. S. RAJAN:—"From the reports, the hon. Member may see that about 100 Sindhi cows were imported to Madras, and they were made available to the members of the milk supply union."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know, Sir, whether the Government have got any idea of controlling the price of milk?"

THE HON. DR. T. S. S. RAJAN:—"Not yet; it is not under consideration."

[* 141 Q. to * 146 Q. were answered on 26th September 1947.]

[* 147 Q.—Answered on the 26th September 1947 and taken up for supplementary questions to-day.]

SRI S. NAGAPPA:—"Arising out of the answer to clause (b) may I ask, Sir, how is it that the number of candidates selected from Harijan community is so low?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Though this Government gave more representation, the Government of India did not select all the candidates recommended by us."

SRI S. NAGAPPA:—"Am I to understand, Sir, that the Government of India are not interested in Harijans as much as the Provincial Government are interested?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"That question should be put to the proper quarters."

SRI R. V. SWAMINATHAN:—"May I know why the representation given to Non-Brahman Backward community is very low?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"In this matter also though this Government recommended a large number, the Government of India reduced the number."

SRI V. I. MUNISWAMI PILLAI:—"May I know what the qualifications prescribed are for the selection of candidates for foreign scholarship?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"The qualifications prescribed for the various scholarships are different. If the hon. Member specifies which scholarship he has in view, I shall be able to furnish the information."

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SRI ROKKAM RAMAMURTHI:—"Are the Government going to entertain in Government service all the candidates sent for foreign training? Is there any specific undertaking given by them?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"In the case of certain candidates they are sent with a specific understanding by the Government that these people should be utilized in Government service in certain departments. About others there is no guarantee. They will have to be absorbed in certain industrial concerns."

SRI R. V. SWAMINATHAN:—"Is it not the primary intention of the Government in the matter of sending students to England that they should be sent for studies in highly technical subjects and would it not be in keeping with the policy of the Government to restrict selection to such students as would fit in with the object concerned?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Precisely so, Sir."

SRI V. I. MUNISWAMI PILLAI:—"In view of the smallness of Harijan representation may I request the Government to give wider publicity before making the selection next time?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"There is no question of wider publicity, Sir. The widest publicity is given. If the hon. Member suggests any ways of giving more wide publicity the Government will consider the matter."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know why in the year 1947-48 only 21 students have been selected whereas in the two previous years the number was 44?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"This Government sent up their recommendations. In the first selection out of 35 that were sent up, the Government of India chose only 21; and subsequently when the recommendations for the other posts were sent up, the Government of India said that it was too late to take them into account this year."

SRI N. M. R. SUBBARAMAN:—"May I know whether the communal Government Order is applied to the selections that are made by the Government?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"No, Sir."

SRI R. V. SWAMINATHAN:—"Is it a fact that competent students from the backward communities have been rejected by the Government?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"No, Sir."

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SRI G. VENKATA REDDI:—"May I know how many students have been selected from the Rayalaseema during these three years, Sir?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"The hon. Member may put a separate question, Sir."

SRI A. VEDARATNAM PILLAI:—"May I know whether any girl students were recommended for higher education abroad, Sir?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"I believe so, Sir. If the hon. Member wants a more exact answer he may put a separate question."

SRI M. BAPINEEDU:—"May I know whether any record of the services or activities of these scholars are kept?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"The scheme is only three years old, Sir. The first batch of students was sent only the year before last. It is not yet time for us to get them back."

SRI P. KANDASWAMI PILLAI:—"Is it the policy of the Government to select students on a communal basis or on the individual merit of students?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"While every attempt is made to give representation to the various communities, selection in these matters must depend upon the equipment of the scholars themselves."

SRI S. NAGAPPA:—"May I ask the Government how they propose to utilize the services of these people when they return and whether it will not be desirable to entrust these people with the work of instructing what they have learnt in foreign countries to people in our country?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"They are not all from the Education Department, Sir. Some of them have gone for Industrial training and some for training in engineering. The intention is that many of them should be absorbed in Government service but there is no such guarantee given."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"In view of the fact that these students are being sent abroad as part of the post-war reconstruction scheme are the Government considering the advisability of sending a larger number of students in the future?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Not for the present, Sir."

DR. M. J. SAMUEL:—"May I know whether any Wood Engineering expert has been sent?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"The hon. Member may put a separate question."

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BEGUM SULTAN MIR AMIRUDDIN:—" May I know whether the one Muslim that has been selected this year happens to be a man or woman? And may I know why a Christian woman who possessed higher academic qualifications than the other candidates was not selected and some one with a lower academic qualification was selected instead? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" The hon. Member is speaking without giving any specific names or other information. Unless she gives specific information it will be impossible to give an answer, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Do not the Government consider it rather urgent to relieve the admitted paucity of technical men in the country? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" Yes, Sir. That is why they are starting so many Engineering Colleges and Polytechnics."

SRI R. V. SWAMINATHAN:—" Arising out of the answer given by the Hon. Minister, I want to know what is the procedure adopted in selecting the candidates? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" The Government appoint a committee. That committee invites applications. They sort out the applications and go through them and then they make the selections which they recommend to the Government. The Government again go through them and then it is sent to the Government of India. The Government of India have on their part set up a committee which goes through the recommendations and the Government of India approve or reject or do whatever they think right with those applications. That is the final stage."

SRI K. ANANDAN NAMBIYAR:—" May I know whether any workers have been sent abroad this year, Sir? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" I believe all are workers, Sir."

SRI N. M. R. SUBBARAMAN:—" May I know whether the Central Government has given reasons for not accepting all the recommendations of the Provincial Government, Sir? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" They have given no more reasons than that they are not properly qualified for the studies for which they are sent."

BEGUM SULTAN MIR AMIRUDDIN:—" The answer to the first part of my question, whether it is a man or woman has not been given, Sir. As regards the Christian woman, may I inform the Hon. Minister that she is a lady employed in the Education Department who is qualifying for her Ph.D. degree; the Hon. Minister will find further details of her if he will look into his file. She possesses higher academic qualifications than the one who has been selected."

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" The hon. Member may put a separate question and I will look into the matter."

BEGUM SULTAN MIR AMIRUDDIN:—" What about the Muslim candidate being a man or woman? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" Surely the hon. Member does not expect me to know the sex, the name, etc."

BEGUM SULTAN MIR AMIRUDDIN:—" That was the only candidate selected."

MR. SPEAKER:—" It is a conversation going on between the hon. Member and Hon. Minister. It is strictly prohibited."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Side by side with increasing the facilities for producing technical men in the Province do not the Government think it highly necessary to send men abroad for learning from the industrially advanced countries? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" It will depend upon the experience we have of these persons whom we have sent abroad. Let them come back and be put to work and let us know by experience what they have got to give us. Then it will be time enough to consider whether we should increase the number of candidates to be sent to foreign countries."

SRI M. G. NATESA CHETTIYAR:—" May I know whether the recruitment of candidates for foreign studies is from the employees of the Government or from colleges? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" It is not confined to employees of Government, Sir."

SRI GUNTUR NARASIMHA RAO:—" What percentage of the students sent abroad were for industrial training? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" The hon. Member may put a separate question, and I will give the answer."

SRI S. NAGAPPA:—" Arising out of the answer given to my hon. Friend Mr. R. V. Swaminathan as regards the formation of the committee, may I ask the Hon. Minister whether the committee is fully representative and if so, whether there is any representation for a Harijan member? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" I believe, Sir, that in the committee appointed by the Government of Madras there is no Harijan in it. But I believe that in the committee that was appointed by the Government of India there was one Harijan, but I am not sure and I am subject to correction."

SRI S. NAGAPPA:—" May I know, Sir, whether the number of Harijan candidates is too low because there is no Harijan member in the committee? "

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ I may say, Sir, that the committee which had no Harijan member on it recommended more Harijan names but the committee which I think has a Harijan member on it, knocked out even that recommendation.”

SRI S. NAGAPPA:—“ At least in future will the Government consider the desirability of including a Harijan member in such committees? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ No, Sir. The Government expect that every community which is put on a committee will act impartially. We should not depend on communal justice being obtained by having individual communities represented on the committee.”

SRI R. V. SWAMINATHAN:—“ May I request the Hon. Minister to consider the desirability of giving more preference to the members from backward communities and Harijans in selecting candidates this year so that they may reach their proper proportion in relation to other communities? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ I want to make it clear, Sir, that it is the intention of this Government to give as much representation for the backward communities as possible. But for the object with which these people are sent the provision of a certain minimum qualification is also necessary. I want also to make this House understand that this Government are not the final judges in this matter. The Government of India is the final judge in this matter and so even in cases in which we recommended more candidates from the backward communities that representation did not last. I want the House to understand these difficulties.”

SRI S. NAGAPPA:—“ In view of the answer now given by the Hon. Minister to my supplementary question, may I ask the Government whether they are aware of a proverb that self-help is the best help and that Harijans will be in a better position to serve the Harijans? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ I welcome that, Sir, and I hope Mr. Nagappa will learn by that.”

[* 148 Q. to * 154 Q. were answered on 26th September 1947.]

Compensation given to certain retired officers.

* 154-A Q.—SRI P. NATESAN: Will the Hon. the Minister for Finance be pleased to state the amounts given as compensation to officers who were made to retire on 15th August 1947?

THE HON. SRI B. GOPALA REDDI:—“ His Excellency the Viceroy's announcement^a, dated 30th April 1947 containing the amounts of compensation payable to the Secretary of

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State's officers on termination of their services on transfer of power (15th August 1947) is placed on the table of the House.”

SRI P. NATESAN:—“ May I know, Sir, who are the officers so retired, and what the compensation paid to each individual official is? ”

THE HON. SRI B. GOPALA REDDI:—“ As far as Indian Civil Service is concerned, 24 European officers were relieved by this Government and 8 were relieved by the Government of India; and 3 Indian officers were asked to retire.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ Who are the Indian officers relieved by this Government, and what compensation was paid to them individually? ”

THE HON. SRI B. GOPALA REDDI:—“ Three Indian officers relieved by this Government are Messrs. T. S. Swaminathan, R. M. Seshadri and K. M. Rajagopalan. The scale of compensation given is placed on the table of the House. In terms of rupees they are : Mr. Swaminathan Rs. 93,000; Mr. Seshadri Rupees one lakh; and Mr. Rajagopalan Rupees 60,000.”

SRI P. NATESAN:—“ May I know why these officers were asked to retire? ”

THE HON. SRI B. GOPALA REDDI:—“ I am not prepared to disclose at present.”

SRI S. NAGAPPA:—“ May I ask the Government whether there are any more officers on the list to be sent out? ”

THE HON. SRI B. GOPALA REDDI:—“ No, Sir, the list was exhausted on the 15th August last.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I ask, Sir, whether this money compensation is in addition to the proportionate pension that they are entitled to? ”

THE HON. SRI B. GOPALA REDDI:—“ It is so; it is there in the terms of the announcement itself.”

SRI K. BHASHYAM:—“ Have the Local Government disclosed the reasons at least to the Government servants concerned for their retirement? ”

THE HON. SRI B. GOPALA REDDI:—“ I am not in a position to answer that question. As far as I am aware they were not given the reasons.”

SRI P. NATESAN:—“ Is it not a fact, Sir, that some of the European officers were forced to retire in spite of their desire to continue in service? ”

THE HON. SRI B. GOPALA REDDI:—“ Perhaps, so.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I know, Sir, how many Indian officers of the Indian Police department have been retired and what the compensation paid to each is? ”

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THE HON. SRI B. GOPALA REDDI:—"A separate question may be put."

SRI T. VISWANATHAM:—"In view of the answer of the Hon. Minister that he is not prepared to disclose the reasons, may I know whether the reasons are not worth disclosing?"

(No answer.)

SRI K. BHASHYAM:—"Will the Government disclose the reasons to the Government officers concerned, if they ask for it?"

THE HON. SRI B. GOPALA REDDI:—"It is entirely a matter for the Prime Minister, and he will consider the question if an application is made."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know the reasons why the Europeans were sent out in spite of the desire of some of them to serve here?"

THE HON. SRI B. GOPALA REDDI:—"It is the Government that wanted them to go."

SRI S. NAGAPPA:—"Are not Government aware that there are many more officers who deserve to be sent out?" (Laughter.)

(No answer.)

SRI P. NATESAN:—"On what basis were some of the European officers retained in service?"

THE HON. SRI B. GOPALA REDDI:—"Because their services were worth retaining."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I remind you, Sir, that I wanted to know the reason why Government thought fit to send them away in spite of their desire to serve here? Are not the Government unreasonable in having sent them away and have they any reasons for doing so?"

THE HON. DR. P. SUBBARAYAN:—"Under the Adaptation Order of the Indian Independence Act, it is entirely left to the Government of India and the Provincial Governments to choose those men whom they thought desirable to retain in service, and as my Hon. Colleague has explained, it is a high level matter, which I am not prepared to disclose to the House."

Security from "Prajasakthi."

* 155 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Prime Minister be pleased to state—

(a) whether any security has been demanded from "Prajasakthi," a Telugu daily; and

(b) if so, for what reasons?

THE HON. DR. P. SUBBARAYAN:—" (a) The answer is in the affirmative.

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"(b) For having published certain objectionable articles in the issues of 'Prajasakthi,' dated 7th and 12th March and 8th, 26th and 28th July 1947 which are calculated to bring the Government into hatred and contempt and to prejudice the discipline and administration of the Police force of this Province."

SRI PILLALAMARRI VENKATESWARLU:—"May I know what were the articles that were responsible for demanding security?"

THE HON. DR. P. SUBBARAYAN:—"I have already stated the articles on which security was demanded. Not merely that, the hon. Gentleman knows what was written in the paper more than I do."

SRI PILLALAMARRI VENKATESWARLU:—"May I know whether the Government are aware that one of the articles was on workers' minimum demands and that they were under the instructions of the All-India Trade Union Congress which were not at all banned in any part of our country and another article was in criticism of the Public Safety Act and the Criminal Tribes Act, which has been published by the *Madras Mail* in the same terms; and another exposing the police atrocities in the Munagala struggle which has been proved even before the Hon. Minister for Revenue and . . ."

MR. SPEAKER:—"The hon. Member is making a speech."

SRI PILLALAMARRI VENKATESWARLU:—"It is in a question form, Sir. Will the Government explain what the objectionable portion in these articles is?"

THE HON. DR. P. SUBBARAYAN:—"I am grateful to the hon. Member for his long speech but I would like to point out that it is a matter for the Government to decide. What appeared in the Press may be correct or good in the opinion of the 'Prajasakthi' but the Government thought that it may lead to indiscipline in the Police force and therefore they demanded security of this journal."

SRI PILLALAMARRI VENKATESWARLU:—"My question was not answered, Sir."

MR. SPEAKER:—"It was answered. We have spent half an hour in answering only five questions. I pass on to the next question."

Appointment of Crown Prosecutors.

* 156 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Home Minister be pleased to state—

(a) whether the previous Ministry had ordered that appointments of the Crown Prosecutors in the Presidency town of Madras should be made by the Government and not by the Commissioner of Police;

(b) whether the present Government have reversed the same;

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(c) if so, what are the reasons therefor; and

(d) whether the Government propose to reconsider their decision?

THE HON. DR. P. SUBBARAYAN:—“(a) If the hon. Member refers to Assistant Crown Prosecutors, the answer is in the affirmative.

“(b) No.

“(c) & (d) Do not arise.”

Accused persons made to stand in courts for long hours.

* 157 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Home Minister be pleased to state—

(a) whether there is an existing practice in all the magisterial and civil courts under which the accused or the deponents are obliged to keep standing for long periods when they are under cross-examination or when the case is proceeding;

(b) whether there is any provision in the rules made by the High Court or under the Magisterial Rules warranting any such procedure; and

(c) whether the Government consider that for an accused or a deponent to be seated in a court of law is derogatory to the dignity of the court?

THE HON. DR. P. SUBBARAYAN:—“(a) Accused and witnesses giving evidence are usually required to stand while the case is proceeding.

“(b) Under rule 66 of the Criminal Rules of Practice and Orders it is within the discretion of the presiding judge or magistrate to permit witnesses to sit. Accused are also given permission to sit, if necessary.

“(c) The answer is in the negative.”

SRI V. RAGHAVAYYA:—“Are the Government aware of the practice in other countries of the accused before he is convicted being allowed to sit as a matter of right and not as a matter of mercy?”

THE HON. DR. P. SUBBARAYAN:—“It may be the practice in other countries, but the practice in this country is different.”

SRI V. RAGHAVAYYA:—“May I know whether the Government do not think that on equitable grounds a man's liberty should not be curtailed by being asked to stand in a court of law when he is called upon to answer a charge against him as if he were a criminal even before he was convicted?”

THE HON. DR. P. SUBBARAYAN:—“I am sorry, Sir, but the hon. Member must know that the usual practice is that when a case is filed by the police it is done after careful enquiry when there is prima facie justification for the filing of a case. It has been usual in this country for the accused to stand in the dock.”

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SRI T. VISWANATHAM:—“May I ask whether the Government will not think of changing the present practice and giving chairs to sit on not only to the accused but also to the witnesses in all the courts, as that is a civilized practice?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Member who is himself a member of the Bar ought to know that even lawyers have got to stand in the Court while arguing cases.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“May I know, Sir, whether the practice in this country in this matter cannot be changed after the 15th August 1947?”

THE HON. DR. P. SUBBARAYAN:—“I am accustomed to other courts of law as well. I would point out to the hon. Member that in England which is an advanced country, the accused do have to stand in the dock.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“On a point of order, Mr. Speaker, may I ask you to give a ruling whether an hon. Member can sit on the Treasury Benches and ask questions?”

THE HON. DR. P. SUBBARAYAN:—“May I point out, Sir, that the hon. Member (Sri T. Viswanatham) is not sitting on the Treasury Bench but is making use of the mike here. I think he is perfectly entitled to do it and if anybody is to object to that, it should be the Members on the Treasury Bench and not the Members on the Opposition.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I ask you whether I have no right to ask you for a ruling in this matter?”

MR. SPEAKER:—“Yes, the hon. Member has a right.”

SRI K. VARADACHARI:—“Does the Hon. the Home Minister who is himself a barrister know that lawyers are allowed to sit in courts when they are not arguing?”

THE HON. DR. P. SUBBARAYAN:—“But when they address the court they do so standing. The hon. Member knows it as well as I do.”

SRI V. RAGHAVAYYA:—“Are the Government aware that several respectable people in the country are unwilling to go to courts of law because they are obliged to stand hours of cross-examination standing?”

THE HON. DR. P. SUBBARAYAN:—“I am sorry, Sir, because I think that if a man is interested in a case, he does go to a court and stand cross-examination.”

SRI R. V. SWAMINATHAN:—“As the Hon. Dr. Subbarayan has had experience of foreign countries, may I know what is the practice in foreign countries with regard to undertrials?”

THE HON. DR. P. SUBBARAYAN:—“The only foreign country I know about is England and I have given my reply about that.”

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BEGUM SULTAN MIR AMIRUDDIN:—" May I know whether it is not a fact that the accused and the deponent when they are in feeble health and unable to stand for long, are permitted to sit down? "

THE HON. DR. P. SUBBARAYAN:—" That is so. The courts have power to let them sit down if sufficient reasons are found."

SRI K. ANANDAN NAMBIYAR:—" Will the Government at least now change the procedure and give facilities for the accused to sit? "

THE HON. DR. P. SUBBARAYAN:—" The matter will have to be carefully examined."

Wages and allowances in industrial concerns.

* 158 Q.—SRI D. V. RAMASWAMI (on behalf of Sri B. S. Mallikarjuna Rao): Will the Hon. the Minister for Food be pleased to state whether the Government have decided to implement the conclusions of the Central Pay Commission, regarding basic wage and dearness allowance in respect of the workmen of this Province; and insist on the same standards being adopted by the industrial concerns?

THE HON. DR. T. S. S. RAJAN:—" The Government of India have under their consideration legislation for fixing minimum wages both for industrial and agricultural labour. As soon as the Central Bill is passed into law, Wage Boards will be constituted in this Province which will make a comprehensive study of the different wage rates and submit their recommendations to the Provincial Government. The Government will take into consideration the recommendations of the Central Pay Commission before passing orders on the recommendations of Wage Boards on minimum wages."

SRI D. V. RAMASWAMI:—" May I ask, Sir, whether it is likely that the wage board question will be settled in a few months? "

THE HON. DR. T. S. S. RAJAN:—" I have said that we await the passing of the Bill by the Central Legislature."

Wage condition of agricultural labourers.

* 159 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that there is great unrest in the minds of agricultural labourers consequent on the abnormal prices of foodstuffs;

(b) whether the Government have made any efforts to study their wage conditions; and

(c) whether the Government are considering assignment of waste lands to these labourers to relieve their distress?

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THE HON. DR. T. S. S. RAJAN:—" (a) The Government are aware that due to various causes, there is unrest among agricultural labourers in some districts.

" (b) The Government of India propose to conduct an enquiry into conditions of agricultural labour and this Government have decided to co-operate in that enquiry.

" (c) All the waste lands at the disposal of the Government have been thrown open for temporary cultivation under the 'Grow More Food' Scheme, preference being given to the landless poor."

SRI V. RAGHAVAYYA:—" In view of the temporary nature of the Grow More Food Scheme, will the Government be pleased to immediately launch upon a comprehensive scheme of collective farming by agricultural farm labourers co-operative societies? "

THE HON. DR. T. S. S. RAJAN:—" I think, Sir, that this question does not necessarily arise out of my answer."

SRI S. NAGAPPA:—" May I ask whether the Government contemplate the bringing of legislation for wage fixing boards for agricultural labourers and also for redeeming the debts of agricultural labourers? "

THE HON. DR. T. S. S. RAJAN:—" If the hon. Member has followed my answer, he would have seen that I have already answered his question. The question of loans does not arise here."

SRI V. I. MUNISWAMI PILLAI:—" May I know from the Hon. the Food Minister whether there has been any recent communication from the Government of India as to the terms of the proposed legislation by the Government of India? "

THE HON. DR. T. S. S. RAJAN:—" No, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Is the Hon. Minister aware of the fact that agricultural labour has been attracted to other professions on account of the fact that agricultural wages are not satisfactory? "

THE HON. DR. T. S. S. RAJAN:—" That is a piece of information which the Government take from the hon Member."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Arising out of the answer given to clause (a), may I know whether the Government think that the prices of foodstuffs in this province are too high? "

THE HON. DR. T. S. S. RAJAN:—" I do not know how far this is a supplementary question. It asks about prices of foodstuffs. My answer was that due to various causes, there is unrest among agricultural labourers in some districts."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" I want to know whether the Government consider that the prices of foodstuffs in the province now are too high."

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THE HON. DR. T. S. S. RAJAN:—"The commodity prices are being published by the Government every week for the information of labourers and also the employers. They always give an increased dearness allowance consistent with the increase in the price of commodities. The question of high prices of foodstuffs in the case of agricultural labourers is a question which does not arise just now as in the case of industrial labourers."

SRI S. NAGAPPA:—"Arising out of the answer to clause (c), may I ask whether the Government are aware that most of the lands which have been brought under cultivation by the poor agricultural labourers after spending a lot of their energy, time and money have been snatched away from them and given to demobilized soldiers?"

THE HON. DR. T. S. S. RAJAN:—"With regard to lands cultivated under Grow More Food Scheme, those who have been cultivating the lands will have to give back the lands when the period of contract is over. When such lands are available, ex-servicemen have got a preference over ordinary people in getting those lands."

SRI V. C. PALANISWAMI GOUNDER:—"In the matter of settling agricultural wages, will the Government take into consideration the fact that payment in kind will be more welcome to the labourers and the agriculturists?"

THE HON. DR. T. S. S. RAJAN:—"It is a suggestion which has got to be considered."

SRI ROKKAM RAMAMURTHI:—"Is it not necessary for the Government to study the condition of the agriculturists and the cost of production before they consider the wages of labourers?"

THE HON. DR. T. S. S. RAJAN:—"That will be considered when the wage boards are set up and the terms of reference considered."

SRI N. S. VARADACHARI:—"Will the Government bear in mind that in making assignments they have in the past indiscriminately assigned tank bunds, foreshore lands and grazing grounds to the utter detriment of cultivation and the interests of agricultural labourers themselves?"

THE HON. DR. T. S. S. RAJAN:—"That question has been considered with regard to the abolition of zamindaris."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Is it not a fact that the question of rise in wages is intrinsically connected with the price of foodstuffs and that the two questions should be tackled at one and the same time?"

THE HON. DR. T. S. S. RAJAN:—"Yes, Sir, they will be tackled when the wage boards are set up."

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SRI V. I. MUNISWAMI PILLAI:—"In view of the acute agrarian trouble in the Province, will the Government urge the Government of India for early legislation in the matter?"

THE HON. DR. T. S. S. RAJAN:—"This Government cannot urge anything upon the Central Government. If a contingency arises in this Province, this Government will certainly adopt necessary measures to control the situation."

SRI N. M. R. SUBBARAMAN:—"Arising out of the answer to clause (c), may I know what are the extents of land, in what places they have been given to landless labourers and how many of them are Harijans?"

THE HON. DR. T. S. S. RAJAN:—"The information cannot be made available immediately. If a question is put, I will call for the information."

SRI K. ANANDAN NAMBIYAR:—"Are Government aware of the very serious situation prevailing in the Tanjore district about the wages?"

THE HON. DR. T. S. S. RAJAN:—"The Government are not aware of any very serious situation. They know that there is some discontent about it."

Minor Ports Fund.

* 160 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the amount accumulated in the Minor Ports Fund before 1937;

(b) the amount which was taken to general fund from Minor Ports Fund;

(c) how much was allotted for the improvement of minor ports;

(d) the actual amount which was spent on the improvements of minor ports; and

(e) the names of the minor ports for which such improvements were made and what amount was spent for each port?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Rs. 54.91 lakhs at the beginning of the year 1936-37 and Rs. 58.04 lakhs at the end of the year.

" (b) Rs. 44.67 lakhs.

The amount taken over from the Minor Ports Fund will be retransferred with compound interest at 3 per cent.

" (c) Rs. 28.21 lakhs, for a period of four years, viz., 1946-47 to 1949-50. The allotment will come out of the amount to be repaid to the Minor Ports Fund and will not be ordinary grant from Provincial Funds.

" (d) Rs. 1,99,941, for the period from April 1946 to July 1947.

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	RS.
" (e) Cocanada	1,05,124
Calicut	479
Tellicherry	715
Mangalore	54,879
Negapatam	887
Cuddalore	2,082
Establishment charged for all ports ...	35,775
Total ...	1,99,941 "

SRI A. VEDARATNAM PILLAI:—" May I know the amount still left in the Minor Ports Fund and whether the Government have proposals to improve any other ports? "

THE HON. SRI M. BHAKTAVATSALAM:—" I have given the answer under clause (b), viz., Rs. 44.67 lakhs. As referred to in answer to clause (c), we have a programme costing Rs. 28.24 lakhs, and some works have been already sanctioned."

SRI D. V. RAMASWAMI:—" Arising out of the answer to clause (e), may I know why no amount has been allotted to the ports of Masulipatam, Kalingapatam and Bimilipatam? "

THE HON. SRI M. BHAKTAVATSALAM:—" The answer to clause (e) refers to the expenditure for the period from April 1946 to July 1947. Subsequently the Government have sanctioned works for other ports."

SRI A. VEDARATNAM PILLAI:—" May I know whether the Government have any idea of improving the ports of Negapatam, Cuddalore, Tuticorin and Madras? "

THE HON. SRI M. BHAKTAVATSALAM:—" Madras port does not come under the Provincial Government. For Negapatam, we have already sanctioned works for Rs. 1,45,000, and for Cuddalore Rs. 95,000. We have also sanctioned works for Tuticorin."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I know why the Government laid their hands on the amounts specially allotted for the Minor Ports Fund and whether they will follow such a practice in future also? "

THE HON. SRI M. BHAKTAVATSALAM:—" This is a question for the Government of 1937 to answer. But we have decided to retransfer the amount with compound interest at 3 per cent."

M. S. ABDUL MAJID SAHIB BAHADUR:—" May I know whether the ports of Kayalpatnam and Porto Novo are included in the programme of the Government? "

THE HON. SRI M. BHAKTAVATSALAM:—" I think so, Sir."

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[* 161 Q.—

MR. SPEAKER:—" The Hon. Member is not in his seat. The answer will be printed in the proceedings."]

The Kattalai High Level Channel Irrigation Scheme.

* 161 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any representation was made to the Government by the ryots of Sengipatti Range in Tanjore taluk to speed up the Kattalai High Level Channel Irrigation Scheme and to extend it up to Vallam; and

(b) if so, what steps the Government propose to take in the matter at present?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Yes.

" (b) The Government will consider the question of sanctioning the scheme after the detailed investigation report and the estimate are received by them. The channel will be extended up to Vallam if it is reported to be feasible after detailed investigation."

[* 162 Q.—

MR. SPEAKER:—" The hon. Member is not in his seat. The answer will be printed in the proceedings."]

Allowances to non-Gazetted Government servants.

* 162 Q.—N. MUHAMMAD ANWAR SAHIB BAHADUR: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government are aware that there is great distress and discontent among the non-Gazetted Government servants particularly those drawing below Rs. 200 on account of great increased cost of living;

(b) whether the Government have received any representations from non-Gazetted Officers and the Secretariat Association for relief;

(c) if so, what their demands were and whether the Government have taken any steps or contemplate taking any steps to redress those grievances; and

(d) whether it is a fact that the Government have decided or will soon decide to grant house-rent allowance and dearness allowance on the lines recommended by the Central Pay Commission to all non-Gazetted Officers drawing below Rs. 200?

THE HON. SRI B. GOPALA REDDI:—" (a) & (b) Representations to this effect have been made.

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“(c) & (d) The Madras Secretariat Association and the Non-Gazetted Government Officers' Association, Madras, have represented that the recommendations of the Central Pay Commission relating to revised scales of pay, dearness allowance, house-rent allowance, local compensatory allowance, children's education allowance, medical aid and railway ticket order may be extended to the members of the Madras Secretariat and other Subordinate Services.

This Government have given due consideration to the demands of the Association. The conditions of service of the Provincial and Subordinate Services are a matter solely within the competence of this Government and the scales of pay of all their Subordinate Services, including the Madras Secretariat Service were revised in advance of the Central Pay Commission's Report from 1st January 1947. The revised scales of pay, new house-rent allowance and the continuance of the dearness allowance at the existing rates are based on the specific recommendations of the Salaries Committee which went into the merits of each case. Before making its recommendations, the Chairman of the Committee also discussed the matter with the Central Pay Commission and brought them as far as possible, and consistent with the state of Provincial finance into line with the recommendations which the Central Pay Commission was likely to make. It is regretted that any further revision or the grant of any other concessions on the scales of the Government of India's recommendations will be quite beyond the financial resources of this Government.”

Third party insurance for motor vehicles.

* 163 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of M. A. Muhammad Ibrahim Sahib Bahadur): Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that the Government have received representations from the public as to the undesirability of exempting motor vehicles owned by the Government and local bodies from obligation to effect third party insurance; and

(b) if so, what action do the Government propose to take on them?

THE HON. MR. DANIEL THOMAS:—“(a) The answer is in the negative.

“(b) Does not arise.

I may add that the Government policy as regards insurance of Government-owned motor vehicles is set out in a memorandum of the Home Department, dated 7th July 1947. The principle behind such exemption is that the Government and local bodies are sufficiently responsible and that they can meet any reasonable claims made against them.”

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MR. H. B. WALFORD:—“May I know whether the Hon. Minister can assure the Members of this House and the public that if they are knocked over by Government-owned vehicles they will receive treatment no less sympathetic than they would have received if the accident had been caused by vehicles insured by insurance companies.”

THE HON. MR. DANIEL THOMAS:—“Certainly, Sir.”

Appointment of Controllers for textile mills.

* 164 Q.—SRI M. A. EASWARAN: Will the Hon. the Minister for Industries be pleased to state—

(a) whether authorized controllers for textile mills have been appointed;

(b) if so, how many have been appointed and how many are appointed in Coimbatore district;

(c) what are their qualifications; and

(d) whether they have been recruited directly or from service?

THE HON. SRI H. SITARAMA REDDI:—“(a) & (b) Only 10 authorized controllers have been appointed so far for 16 Textile mills in this Province, of whom three have been appointed for the mills in Coimbatore district.

“(c) The qualifications of the authorized controllers appointed are given below:

Name.	Qualifications.
1. Mr. Solomon Joshua ..	Tahsildar, South Kanara District.
2. Sri K. M. Magudapathi ..	Studied up to second University Class.
3. Sri N. Subramania Ayyar.	B.A., B.L.
4. Sri P. A. Mahalingam ..	B.A., L.T.
5. Sri K. C. Nambiar ..	B.A.
6. Sri G. Arulappan ..	B.Sc. (Tech.).
7. Sri M. Veluswamy ..	B.A., B.L.
8. Sri V. Kannamachari ..	Textile Control Officer (Special Squad), Madura.
9. Sri G. Venkateswara Rao.	B.A., Textile Control Officer, Chirala.
10. Sri P. S. Sadasivam ..	B.A., Textile Control Officer, Salem.

“(d) 1, 6 & 8 to 10 were taken from the services. The others were recruited direct.”

SRI C. M. KOTHARI:—“May I know from the Hon. Minister whether these authorized controllers for textile mills were appointed due to any breach of the Yarn and Cloth Control Act?”

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THE HON. SRI H. SITARAMA REDDI:—"There is a proposal to appoint authorized controllers for all the mills in the Province to prevent blackmarketing of yarn. In pursuance of that, controllers for some mills were appointed some time back, and the question of appointing controllers to the other mills is being considered."

SRI M. A. EASWARAN:—"May I know whether there has been any increase in the production of yarn after their appointment?"

THE HON. SRI H. SITARAMA REDDI:—"There has been less blackmarketing of yarn than before."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask why there has been delay in appointing controllers for the other mills in the Province and when the Government expect to cover all the mills?"

THE HON. SRI H. SITARAMA REDDI:—"In this connection, I may inform my hon. Friend that there is a proposal pending before the Government of India for instituting a kind of control for all the mills in India. The Government of Madras are awaiting the decision of the Government of India in the matter."

SRI C. M. KOTHARI:—"When the controllers were appointed, did the department feel that there was blackmarketing by the mills?"

THE HON. SRI H. SITARAMA REDDI:—"I am not prepared to disclose the information."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know the duties of these authorized controllers?"

THE HON. SRI H. SITARAMA REDDI:—"I may suggest to my hon. Friend to put a separate question."

SRI N. S. VARADACHARI:—"In appointing controllers for all the mills in the Province, will the Government consider the desirability of appointing only technical personnel who have knowledge of the working of the mills and who can help to increase production and prevent blackmarketing of yarn, and not mere tahsildars taken from the other services?"

THE HON. SRI H. SITARAMA REDDI:—"The valuable suggestion of the hon. Member will be considered."

(An hon. member stood up in his seat.)

MR. SPEAKER:—"It is not possible for me to allow any more supplementary questions, as we have still to go through a number of questions."

[9th October 1947]

Post-war Schemes.

* 165 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Industries be pleased to furnish a list of Post-war Schemes the Government intend to undertake during the current year, specifying the expenditure to be incurred on each scheme?

THE HON. SRI H. SITARAMA REDDI:—"A list* of the schemes the Government intend to undertake during the current year is placed on the table of the House. The list is only provisional and is liable to revision in the course of the year."

BEGUM SULTAN MIR AMIRUDDIN:—"The annexure to the answer placed on table of the House is a long one consisting of five pages. I request that supplementary questions may be allowed to be put to-morrow."

MR. SPEAKER:—"Yes."

Representations from the employees of certain local bodies of Kurnool district.

* 166 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have received any representation from the Municipal Employees' Association, Kurnool, the District Board Employees' Association and the Municipal Sweepers and Scavengers' Association; and

(b) if so, what are the representations and what action the Government have taken in the matter?

THE HON. SRI K. CHANDRAMOULI:—" (a) Representations have been received from the Kurnool Municipal Superior Employees' Association, the Kurnool District Board Ministerial Employees' Association, and the Kurnool branch of the Andhra Provincial Municipal and Local Board Employees' Union on behalf of the Municipal scavengers and sweepers.

" (b) The Kurnool District Board Ministerial Employees' Association and the Kurnool Municipal Superior Employees' Association have asked for—

- (1) Revised scales of pay;
- (2) House rent allowance;
- (3) Bonus;
- (4) Interim relief;
- (5) Treatment on a par with Government servants in the matter of pay, etc.; and
- (6) Advance increments.

The District Board Ministerial Employees' Association has asked in addition for the provincialization of local board services.

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(1) The Kurnool Municipal Council has been permitted to give effect to the revised scales of pay from 1st January 1947.

The Kurnool District Board has not been directed to do so on account of its unsatisfactory financial position.

(2) House rent allowance is not admissible to employees of either the District Board or the Municipality as the Kurnool town has a population of less than 50,000.

(3) Government have permitted payment of a month's pay as bonus to the employees of the Kurnool District Board as the District Board has been found financially unable to adopt the revised scales of pay.

(4) The Cabinet Salaries Committee, 1946, has not recommended payment of interim relief to municipal and local board servants.

(5) In the case of some posts in which the nature of work is exactly similar, the same scales of pay have been adopted for both Government, local board and municipal employees.

(6) Such of the municipal councils and district boards as have adopted the revised scales of pay have been permitted to grant to their employees advance increments in the revised scales (i.e., weightage for service) as in the case of Government servants.

(7) The question of provincializing local board services is under consideration.

The municipal scavengers and sweepers have asked among others, for

(1) immediate application of the Central Pay Commission's recommendations;

(2) increase of staff;

(3) increase of carts for removal of nightsoil and rubbish;

(4) payment of gratuity to certain workers who have been retired;

(5) supply of dress; and

(6) immediate repeal of the Public Safety Ordinance.

The Central Pay Commission's recommendations are not applicable to local fund and municipal employees. The Ordinance has been replaced by the Madras Maintenance of Public Order Act, 1947. The other demands are matters for the municipal council to consider and the Special Officer has been asked to take necessary action in the matter."

SRI S. NAGAPPA:—"In view of the fact that the answer is long, may I ask the Hon. Speaker to allow supplementary questions to be put to-morrow?"

MR. SPEAKER:—"I cannot allow it. If the answer contains figures, then it can be taken up to-morrow. But this is merely a statement, and the hon. Member should have followed it."

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SRI S. NAGAPPA:—"Will the Hon. Minister for Local Administration be pleased to state whether he is justified in allowing the local board servants to suffer, simply because the local boards are not in a position to pay them more?"

THE HON. SRI K. CHANDRAMOULI:—"The Government are considering the case of those local boards and municipalities which have not yet given the benefit of the revised scales to their employees."

SRI S. NAGAPPA:—"May I ask the Hon. Minister since how long the matter has been under consideration and when he is expecting to come to a conclusion?"

THE HON. SRI K. CHANDRAMOULI:—"It is a matter involving finance and it will take time to come to a decision. But the Government are paying special attention to the matter."

SRI S. NAGAPPA:—"May I ask whether before the next meeting he will be able to come to a decision?"

THE HON. SRI K. CHANDRAMOULI:—"I cannot give any promise to the hon. Member."

Salary of teachers.

* 167 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state—

(a) what steps the Government are taking to increase the salary of teachers; and

(b) what reply the Government of Madras have received from the Government of India in regard to the help expected from them for this purpose?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) The scales of pay of teachers in the elementary and secondary schools have been revised.

"(b) The Government of India have written that in view of the allotment that they have already made for the post-war development plans including education, no new earmarked funds for education may be expected from them."

BEGUM SULTAN MIR AMIRUDDIN:—"Are the Government aware that there is still considerable discontent prevalent among teachers with regard to the revised scales of pay? In view of that, may I know what the Government intend to do, to allay the discontent that is prevailing among them?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"The Government have done their best in this matter, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether the revision of the scales of pay for pandits and munshis has been finalized and if not, when the Government expect to come to a definite conclusion in the matter?"

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"I am sorry, Sir, their decision has not yet been finalized. I am anxious that it must be finalized as soon as possible, and I hope it will be arrived at very soon."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"In view of the Government's desire to spread education in this Province as quickly as possible, is it not necessary, Sir, that we should have a contented teaching staff in this Province before we can proceed on with our programme?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"Sir, I entirely agree with the hon. Member, and the Government are doing their best in the matter."

SRI N. M. R. SUBBARAMAN:—"May I ask whether the Government knows that the increment given to higher grade trained teachers is very low when compared to the increments given to Secondary Grades and L.Ts.?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"That is the representation that we have received, Sir."

BEGUM SULTAN MIR AMIRUDDIN:—"May I enquire, Sir, whether the Government endorse the view that every human being is entitled to a living wage? If so, may I ask, whether they consider the miserable pay of Rs. 11 and Rs. 18 given to lower elementary teachers under private management and Rs. 23 to lower elementary teachers under local boards, to constitute a living wage? May I request the Government to see that teachers are at least given a bare minimum living wage in these hard days?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"I am afraid, Sir, that the hon. Member is making a slight misrepresentation without knowledge of facts. The pay for the higher grade teachers in the elementary schools is not Rs. 23; the minimum pay is Rs. 30, and under local boards, the minimum pay is Rs. 30 plus Rs. 16 to-day. As for the lower elementary grade teachers, they are so very few in number and their pay is somewhat lower, that is about Rs. 20 plus Rs. 16; and so the pays that she mentioned as Rs. 11 and 18 per month do not exist to-day."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I ask, Sir, whether the Government has come to any decision as to the minimum wage, taking into consideration the economic condition in the Province, and if so, may I know, what exactly is the minimum wage?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"No, Sir. That is a general question and it cannot be considered only with regard to teachers. If minimum wage is to be given, it should be given to all, to the peons, to the teachers, to the attenders and to everybody else; that question has not been considered till now, Sir."

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BEGUM SULTAN MIR AMIRUDDIN:—"Sir, the Hon. Minister said that I was wrong in my figures regarding lower elementary grade teachers. I may point out to the Hon. Minister that I was just quoting from the details, of scales of pay mentioned in the 'Detailed Supplementary Estimates of the Demands for Grants for 1947-8'. On page 10 of this booklet, presented to the Legislature on 16th September 1947, the revised scales of pay now fixed for untrained and trained lower elementary grade teachers under private managements and panchayats have been stated to be Rs. 11 and Rs. 18, respectively. It is from there, that I quoted my figures and so, Sir, my figures are correct."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"Sir, to those figures Rs. 16 must be added, which is not mentioned there."

First-aid treatment in elementary schools.

* 168 Q.—SRI MANIKOTH KUMARAN: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that till a short while ago there was provision for first-aid treatment in elementary schools and that latterly it has been discontinued; and

(b) if so, what is the reason for its discontinuance?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) & (b) There was no provision for giving first-aid treatment in elementary schools as presumed by the hon. Member. Many schools have Junior Red Cross and the members render first-aid to children occasionally."

Chemicals sold by the Nilgiris Co-operative Society, Limited.

* 169 Q.—SRI K. BOKKAI GOWDER: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Nilgiris Co-operative Marketing Society, Limited, sold to fertilizer firms the chemicals allotted to them by the Government for distribution to ryots;

(b) if so to whom were the chemicals sold and at what price;

(c) why the chemicals were sold to firms;

(d) whether it is a fact that hardships are experienced by potato growers on account of failure to obtain fertilizers in time for the last kar crop; and

(e) what the Government propose to do to help the ryots in this regard?

THE HON. SRI K. MADHAVA MENON:—" (a) The answer is in the affirmative.

" (b) The fertilizers were sold to Messrs. Scientific Fertilizer Company, Limited, Ootacamund. The quantities and the price at which they were sold are indicated below:—

(1) Ammonium Sulphate: 43 tons at Rs. 290 per ton.

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(2) Triple Super Phosphate: 8 tons at Rs. 274 per ton excluding incidental charges and interest.

"(c) The society resolved to dispose of the stock of chemical fertilizers as the required quantity of groundnut cake powder was not available to enable the society to prepare potato fertilizer mixture.

"(d) No representations have been received by Government.

"(e) Firms dealing in potato manure mixtures on the Hills will be requested by the Director of Agriculture to stock enough quantity for sale to ryots."

SRI V. I. MUNISWAMI PILLAI:—"May I submit, Sir, that as the Nilgiris Co-operative Marketing Society sold the chemicals allotted to them to the fertilizer firm, the members of the society lost all the facilities due to them as members of a co-operative society? Will the Government consider this matter and see that they do not allow any of the chemicals being sold to other firms?"

THE HON. SRI K. MADHAVA MENON:—"In fact, for having done that, Sir, the Government have asked the society why the Government should not stop their contribution to the society altogether."

[MR. SPEAKER:—"The hon. Member who put the question is not in his place. The answer will be printed in the Proceedings."]

Amending of the Madras Agriculturists' Relief Act.

* 170 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that there has been public agitation for a long time about the immediate need for amending the Madras Agriculturists' Relief Act (IV of 1938) suitably so as to render the Act applicable to debtors who really deserve its benefits;

(b) if so, why the Government have not so far taken any action in this respect;

(c) whether the Government propose to move the amending Bill in this session of the Legislature; and

(d) whether it is a fact that if the Bill is not immediately introduced, immense loss will be caused to the agriculturist-debtors?

THE HON. SRI K. MADHAVA MENON:—" (a) Yes.

"(b) The matter has been under the active consideration of the Government.

"(c) A draft Bill in respect of the amendments proposed to the Madras Agriculturists' Relief Act has been prepared and every effort will be made to introduce the Bill in the present session of the Legislature.

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"(d) The Madras Agriculturists' Relief Act was passed in 1938 and the Act was mainly applicable to the scaling down of the debts of the agriculturists existing at the commencement of the Act. Most of the debts might have been scaled down by now."

Assignment of lands to Harijans.

* 171 Q.—SRI M. MARIMUTHU: Will the Hon. the Minister for Revenue be pleased to state the extent of the poramboke and waste lands in the Tanjore district and the extent of the aforesaid lands which have so far been assigned to the Harijans and which are going to be assigned to them hereafter?

THE HON. SRI KALA VENKATA RAO:—"The following particulars are furnished:—

Poramboke lands—

	ACRES.
(i) Total extent	306,494.37
(ii) Total extent of communal poramboke which cannot be converted as cultivable	241,432.67
(iii) Extent available for assignment	65,061.70

Assessed waste lands—

(i) Total extent reserved for assignment to Harijans	2,514.82
(ii) Extent assigned to Harijans	84.10
(iii) Total extent available for assignment in future	1,630.72

The Government have called for further particulars regarding the total extent of assessed waste lands in the district, the total extent of unassessed lands which may be made available for assignment and the extent of such unassessed waste lands which can be reserved for Harijans, and they are awaited."

SRI S. NAGAPPA:—"May I submit, Sir, that these poramboke lands that are reserved for the depressed class people are not allowed to be cultivated by the Harijans as the karnams and the village munsifs think that these poramboke lands are their private property and go on leasing them to people other than Harijans and go on making money?"

THE HON. SRI KALA VENKATA RAO:—"If the hon. Member will bring to my notice any such specific instance that karnam or village munsif who is responsible for such an act will not be in his office to-morrow."

SRI M. MARIMUTHU:—"தஞ்சாவூர் ஜில்லாவில் புரம்போக்கு தரிசு நிலங்கள் எவ்வளவு என்று கணக்குச் சொல்ல முடியுமா? மேற்படி நிலங்கள் இதுவரையில் ஹரிஜனங்கள்ளுக்கு எவ்வளவு கெட்டுத்திருக்கிறது என்பதையும், இனிமேல் கொடுக்கப்போவதையும் ரெவின்யூ மந்திரி தயவுசெய்து கணக்குச் சொல்வார்களா?"

THE HON. SRI KALA VENKATA RAO:—"Notice, Sir."

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SRI S. NAGAPPA:—"Arising out of the answer given to my supplementary question, may I ask the Government whether they have seen an article that was published in the *Nava Jeevan*, a Harijan paper, about how lands reserved for Harijans are being abused and the vagaries that are played by the village munsifs and karnams?"

THE HON. SRI KALA VENKATA RAO:—"I am a patron of that paper, Sir, but I have not read that article."

SRI V. I. MUNISWAMI PILLAI:—"Arising out of the answer that 22,514 acres were reserved for Harijans and that only 884 acres have been actually assigned, will the Government consider the necessity for speeding up the assignment of the rest of the lands to the Harijans in view of their serious economic condition?"

THE HON. SRI KALA VENKATA RAO:—"We are quite prepared to assign all the lands, Sir, provided there are applications from Harijans."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"May I know, Sir, whether the Government have any scheme in view to bring under cultivation large tracts of waste lands, so that the food problem may be solved early?"

THE HON. SRI KALA VENKATA RAO:—"Sir, the Government are giving, under the Grow More Food Scheme, any kind of lands that are applied for purposes of cultivation in any part of the province temporarily, and if permanent assignment is needed, the Government's policy will be announced in the next few days."

Minor irrigation works.

*172 Q.—SRI B. VENKATACHALAM PILLAI (on behalf of Sri S. Nagappa Manigar): Will the Hon. the Minister for Revenue be pleased to state—

(a) the improvements or developments that have been brought by the Government in the Minor Irrigation Department in each taluk or district; and

(b) whether the number of minor irrigation overseers have been doubled in each taluk with a view to execute more works under this head?

THE HON. SRI KALA VENKATA RAO:—" (a) Information regarding increase of staff in each taluk and district under Minor Irrigation Establishment since Grow More Food campaign was launched has been called for.

" (b) Additional staff has been sanctioned wherever the employment of such staff was found necessary."

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Reduction of working hours for nurses in hospitals.

* 173 Q.—MAHIN SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(a) the working hours for nurses in different hospitals;

(b) whether the Government propose to reduce the number of working hours for them; and

(c) whether the nurses are allowed to avail themselves of Sundays and other public holidays and if not why not?

THE HON. SRI A. B. SHETTY:—" (a) A statement^a showing the working hours of nurses in the Stanley Hospital and General Hospital, Madras, is laid on the table. These hours are adopted in other hospitals with modifications suited to the requirements of the hospitals concerned.

" (b) No.

" (c) All the nurses are not allowed to avail themselves of Sundays and other holidays simultaneously as a routine as the patients have to be looked after on these days also. Make-shift arrangements are however made to grant some concessions to the nurses in lieu of the usual Sundays and other public holidays, e.g.—

(i) Ward sisters are allowed—

- (1) Sundays off on every alternate week,
- (2) one day off during the month on a week day, and
- (3) four half days a month from 1-30 p.m.

(ii) Staff nurses are allowed—

- (1) One day off every month, and
- (2) five half days off every month.

(iii) Pupil nurses are allowed—

- (1) one day off every month, and
- (2) two half days off every month."

MAHIN SCHAMNAD SAHIB BAHADUR:—"May I know, Sir, why the nurses should be made to work more hours a day than other Government servants in other departments?"

THE HON. SRI A. B. SHETTY:—"The nurses on day duty have to work for 8½ hours and they have an interval of 4½ hours. The nurses on night duty have to work 9½ hours and they can take rest for an hour at midnight. It is not considered desirable to have more than two shifts in a day."

Headquarters Hospital at Tiruturaipundi, Tanjore district.

* 174 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have received representation regarding improvements to the Taluk Headquarters Hospital, Tiruturaipundi, Tanjore district;

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- (b) if so, what they are; and
 (c) what action the Government propose to take in the matter?

THE HON. SRI A. B. SHETTY:—“(a) Yes.

“(b) The requests are—

- (1) extension of ward with a view to provide additional accommodation for in-patients,
- (2) increase of bed-strength and employment of additional staff for the hospital,
- (3) acquisition of lands in view of the unsuitable location of the present hospital site,
- (4) construction of the isolation shed in the hospital, and
- (5) electric installation for the hospital.

“(c) It was reported that some members of the Hospital Committee have undertaken to make collections to the extent of 15 to 20 thousand rupees. The Government have, therefore, proposed to take up the question of making necessary additions and improvements to the hospital and also to increase the bed-strength after the proposed collections are made.”

SRI A. VEDARATNAM PILLAI:—“May I know, Sir, why the Government are not prepared to undertake the work themselves?”

THE HON. SRI A. B. SHETTY:—“Attempts are being made by the Hospital Committee to collect voluntary subscriptions, and the Government are awaiting the collection of the amount by the Committee.”

UNSTARRED QUESTIONS.

Supply of electricity in Cannanore.

14 Q.—SRI MANIKOTH KUMARAN: Will the Hon. the Minister for Public Works be pleased to state—

- (a) now that the Pykara Electric Supply has reached Cannanore, whether the Government propose to undertake the distribution direct;
- (b) if not, the name of the authorized agent;
- (c) the rate per unit of supply by the Government;
- (d) the retail rate charged by the agent;
- (e) whether power is available for industrial purposes;
- (f) if so, to what extent and at what rate; and
- (g) if not, when it will be made available?

A.—(a) to (g) Attention is invited to the answer^a placed on the table of the House.

^a Printed as Appendix XII on page 663-665 infra.

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Inclusion of one Ranga Rao in the Deputy Tahsildar's list.

15 Q.—SRI S. A. DEVANAYAGA IYAH: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that the Valavanur Police filed F.I.R. against one Ranga Rao, the R.I. in Valavanur, regarding misappropriation of War Fund collection some three years ago;

(b) whether it is a fact that he has since been transferred to the Collector's office, Cuddalore;

(c) what became of the F.I.R.; and

(d) whether it is a fact that this particular man has been included in the Deputy Tahsildar's list and posted as Loans Deputy Tahsildar, Villupuram?

A.—(a) Yes.

(b) Sri Ranga Rao was transferred to the Collector's office, Cuddalore, after he had worked as Revenue Inspector, Valavanur.

(c) The Joint Magistrate, Tindivanam, issued proceedings to treat the case as 'Mistake of fact'.

(d) Sri Ranga Rao has not yet been included in the approved list of Deputy Tahsildars. He was appointed only temporarily as Special Loans Deputy Tahsildar, Villupuram, under rule 3 A (a) of the M.R.S.S. rules.

Alleged misbehaviour by certain temple authorities.

16 Q.—SRI S. A. DEVANAYAGA IYAH: Will the Hon. the Prime Minister be pleased to state whether the Government have received any representation from the public regarding the misbehaviour of managements or the trustees of temples which have been thrown open to all?

A.—No.

Government Veterinary Hospital, Hindupur.

17 Q.—SRI D. KADIRAPPA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Hindupur Government Veterinary Hospital was kept in charge of a compounder without a Veterinary Assistant Surgeon for certain period during 1945-46 and 1946-47;

(b) whether the Veterinary Assistant Surgeon was transferred from the hospital two months back and a new man posted for the hospital;

(c) whether it is a fact that eight persons including the present Veterinary Assistant Surgeon have worked in the hospital during the period of about two years and one month;

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(d) whether there were frequent transfers among the Veterinary Assistant Surgeons, peons and menials throughout the district during the above period of two years after the present District Veterinary Officer took charge of the district;

(e) the charges against the present compounder working in the Hindupur Government Veterinary Hospital; and

(f) whether any District Veterinary Officer recommended his dismissal from service; if so, when, and what action was taken?

A.—(a) Yes. From 10th July 1946 to 4th August 1946, i.e., during the interval when the Veterinary Assistant Surgeon was relieved on transfer and a substitute took charge. The compounder was also in charge of the hospital whenever the Veterinary Assistant Surgeon went on tour.

(b) Yes.

(c) Yes.

(d) Some transfers were made, but they were mostly in the interest of public service.

(e) & (f) Certain charges have been framed against the compounder and they are under consideration of the departmental authorities.

Bulls under the Premium Scheme in Anantapur district.

18 Q.—SRI D. KADIRAPPA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the number of bulls maintained by ryots in the district of Anantapur included in the Premium Scheme getting Government aid before the present District Veterinary Officer took charge of the district, how many are in the list now and how many were removed from the list by the District Veterinary Officer during the period of his stay in the district;

(b) whether there are any complaints and mahazars from the ryots against the District Veterinary Officer to the Director and to the Hon. Minister and what action was taken by the Director on them;

(c) the strength of the Touring Veterinary Assistant Surgeons in the district before the present District Veterinary Officer took charge of the district and the present strength; and

(d) the number of transfers of each of the Veterinary Assistant Surgeons in the district within the last two years (1945-46 and 1946-47)?

A.—(a) The District Veterinary Officer under reference was in charge of the district from 5th January 1946 to 14th August 1947.

The number of bulls under the Premium Scheme on 5th January 1946 getting Government aid was 22. The number of bulls remaining in the Premium Scheme on 14th August 1947 was 28.

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The number of bulls removed from the scheme during the period from 5th January 1946 to 14th August 1947 was 14.

(b) No general complaints or mahazars were received from ryots against the District Veterinary Officer. Two complaints were received, one from Sri Sanjeeva Reddi of Manepalli village of Hindupur taluk and another from the hon. Member himself. These complaints are under examination.

(c) The strength of Touring Veterinary Assistant Surgeons in the district when the District Veterinary Officer took charge was four and the present strength is three.

(d) There were 11 transfers of Veterinary Assistant Surgeons during the period from 5th January 1946 to 14th August 1947.

Progress of certain irrigation projects.

19 Q.—SRI D. KADIRAPPA: Will the Hon. the Minister for Public Works be pleased to state—

(a) when the Kumudavathi, Upper Pennar and Middle Pennar Projects will be completed;

(b) at what stage the works are;

(c) what the reasons are for the delay in completing the above works; and

(d) why the Government have not deputed the required engineering staff for these three projects and complete the works?

A.—(a) The three projects have not yet been taken up for execution. Preliminary investigation has been ordered in respect of the Upper Pennar and Middle Pennar Projects and the results of the investigation have yet to be reported to the Government. The Pennar-Kumudavathi Project has not yet been taken up for execution as the Mysore Government have not yet agreed to its execution. The Government are actively pursuing the question.

(b) & (c) The questions do not arise in view of the answer given to (a) above.

(d) The question of deputing the required engineering staff for the completion of the works will arise only after the schemes are sanctioned and taken up for execution. The question does not, therefore, arise now.

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Construction of the Engineering College Buildings at Anantapur.

20 Q.—SRI D. KADIRAPPA: Will the Hon. the Minister for Education be pleased to state—

(a) why the Public Works Department has not taken up the construction of the Engineering College Buildings at Anantapur though the Government have allotted funds for the said Engineering College last year itself;

(b) whether great inconvenience is felt in admitting more students to the Engineering College for want of seats; and

(c) if so whether the Government propose to instruct the Public Works Department to take up the above work immediately?

A.—(a) to (c) The Government sanctioned in June 1946 the opening of an Engineering College at Anantapur from 1946-47 with a strength of 100. As suitable accommodation was not available at Anantapur, admissions were restricted to 65, and, of these 15 were allotted to the Arthur Hope College of Technology, Coimbatore, and 50 to the Engineering College, Guindy. This year all the 65 students intended for the Anantapur College have been admitted into the Engineering College, Guindy. The 15 students that were admitted last year in the Arthur Hope College of Technology, Coimbatore, have also been admitted into the Guindy College this year.

For accommodating the Anantapur Engineering College at Anantapur, the Government propose to take over the Dehydration Factory at Anantapur. The matter is still under correspondence with the Government of India. As soon as the Factory becomes available, the buildings will be repaired and the college will be shifted there. The question of construction of permanent buildings also will be taken up soon afterwards.

Engineering College at Anantapur.

21 Q.—SRI D. KADIRAPPA: Will the Hon. the Minister for Education be pleased to state—

(a) the reasons for the delay in shifting the Ceded Districts Engineering College at Guindy to Anantapur; and when it is expected to be transferred to Anantapur; and

(b) whether the site, building and other necessary requirements for the Engineering College at Anantapur have been arranged there and if not, why not?

A.—(a) & (b) The attention of the Hon. Member is invited to the answer to question No. 20 (unstarred).

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Recruitment of Deputy Collectors.

22 Q.—SRI G. VENKANNA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government propose to stop further recruitment of Deputy Collectors from Tamil Harijan candidates till a sufficient number of Andhra Harijan candidates are recruited; and

(b) the number of applications received by the Madras Public Service Commission from Andhra Harijan candidates for Deputy Collectors' posts for the August 1947 selection?

A.—(a) No.

(b) No applications have yet been called for for appointment of Harijans as Deputy Collectors direct. The question does not therefore arise.

Assignment of land to Yenadies.

23 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether he visited Vaikuntapuram in Guntur district in his official capacity;

(b) if so, whether in the course of his visits, he gave any instructions to the Revenue Divisional Officer of Guntur to the effect that the Yenadies were not to be treated as an agricultural class and that their claims for assignment of land may be ignored as against those of Harijans and Indian Christians;

(c) whether it is a fact that Mr. K. R. Karanth, the ex-Revenue Minister, had ordered the division of the disputed land equally between the two parties; and

(d) whether the Hon. Minister Mr. Kurmayya has a month back instructed the local Revenue authorities not to respect that decision but to carry out his wishes as stated above?

A.—(a) Yes. On 16th October 1946.

(b) No.

(c) No such orders were issued.

(d) No.

Number of High Schools and Middle Schools started this year.

24 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) the number of new boys and girls high schools started this year; and

(b) the number of middle schools started this year?

A.—(a) High schools for boys	...	...	...	41
High schools for girls	...	...	...	4
(b) Middle schools for boys	...	...	...	53
Middle schools for girls	...	...	...	3

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Idols excavated from Kodiakadur forest.

25 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Land Revenue be pleased to state whether any representations have been received from certain temple authorities in Vedaranyam for handing over the idols excavated from the Kodiakadur forest when the Railway-line to Point Calimere was laid and if so what reply has been given?

A.—No information is now available with the Collector of Tanjore as to whether any representations were received from the temple authorities in Vedaranyam for the return of the idols.

Applications for admission into the Agricultural Colleges.

26 Q.—SRI D. KADIRAPPA: Will the Hon. the Minister for Agriculture be pleased to state the number of applications received for admission into the Agricultural College, how many among them were from Rayalaseema and how many have been admitted from each district?

A.—The total number of applications received for admission into the Agricultural Colleges at Coimbatore and Bapatla was 863, of which 74 were from the Rayalaseema area. The number of candidates admitted from each district in the area is given below :—

Anantapur	...	...	...	5
Bellary	...	...	...	4
Cuddapah	...	...	...	4
Kurnool	...	...	...	4
Chittoor	...	...	...	6

—

23

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The Basic Training School at Perianaickenpalayam.

27 Q.—SRI V. PONNUSWAMI GOUNDER: Will the Hon. the Minister for Education be pleased to state—

(a) whether any special qualifications have been prescribed for the Headmaster's post of the Basic Training School at Perianaickenpalayam, and if so, whether the present incumbent possesses those qualifications;

(b) whether the three Government servants deputed to Wardha Training during the 1937 Congress Ministry and who were working at the Basic Training School at Coimbatore are still in service and whether their case was considered at the time of appointing a Headmaster to the Basic Training School at Perianaickenpalayam; and

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(c) whether anybody who is not in the service of the Government and who satisfied the rules regarding age and qualifications prescribed for entry into Government service was appointed to any of the posts in the school?

A.—(a) Yes. The special qualifications necessary for the Headmaster's post are knowledge in basic education and experience in conducting training schools. The Headmaster has these qualifications.

(b) There is one officer in service. As he was not in touch with the latest developments in basic education, he was not appointed.

(c) Certain members of the staff of the Gandhi Training school were taken over to Government service and appointed in the Government Training School.

Private buildings occupied by Government offices.

28 Q.—SRI V. PONNUSWAMI GOUNDER: Will the Hon. the Minister for Public Works be pleased to state—

(a) the amount of money spent per annum by the Government by way of rent to private buildings occupied by Government offices;

(b) the total number of offices, departmentwar, that are housed in private buildings; and

(c) whether the Government have any scheme under consideration for constructing Government buildings for those offices?

A.—(a) to (c) The information is not available with the Government. It has been called for.

Bifurcation of districts.

29 Q.—SRI M. D. THIAGARAJA PILLAI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that with a view to improve the efficiency of the Agricultural Department, the districts are to be bifurcated; and

(b) if so, whether it is proposed to divide Tanjore district into more than two districts in view of its size, area under paddy cultivation, etc., when compared with other districts?

A.—(a) The five-year plan for food production formulated by the Director of Agriculture and generally approved by the Government contemplates the employment of 25 additional District Agricultural Officers in 1947-48 and of one District Agricultural Officer for each Revenue Division ultimately.

(b) The district of Tanjore has already got two District Agricultural Officers, one at Tanjore for general district work and the other at Pattukottai for the Cauvery-Mettur project area. The Director of Agriculture contemplates the bifurcation of the district

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into two. One District Agricultural Officer with headquarters at Tanjore will have jurisdiction over Tanjore, Pattukottai, Aarntangi, Mannargudi and Tiruturaipundi taluks and the other at Kumbakonam will have jurisdiction over Shiyali, Mayavaram, Nannilam, Negapatam, Papanasam and Kumbakonam taluks. No such specific proposals have however been submitted by the Director of Agriculture to Government and therefore are not yet under consideration.

Supply of cynogen gas pumps.

30 Q.—SRI M. D. THIAGARAJA PILLAI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that damage to paddy due to rats is heavy in Tanjore district especially in kuruvai;

(b) whether the cynogen gas pump demonstration for rat control has been successful last year; and

(c) if so, why the Government have not made adequate arrangements for efficient and complete control of rats through supply of sufficient number of cynogen gas pumps, chemicals and staff?

A.—(a) The Government have received reports of damage to the standing crops of kuruvai paddy in the Tanjore district on account of field rats.

(b) Experiments conducted last year are reported to have produced encouraging results.

(c) With a view to prevent damage to the kuruvai crop the Agricultural Department has already made arrangements to extend the experiment this year to cover areas which are badly infested by rats in the Tanjore district. The Government have sanctioned a scheme submitted by the Director of Agriculture for controlling rat pest in Tanjore district as a part of a bigger scheme in the five-year plan relating to the Agricultural Department for the control of pests and diseases of crops. The purchase of 400 cynogas pumps with the necessary cynogas 'A' dust for conducting the operations has been sanctioned. The work will be carried out by the District staff of the Agricultural Department. A nominal fee of 3 pies for every rat hole treated, subject to a maximum of 4 annas per acre will be levied towards the cost of the scheme.

Distribution of groundnut cake.

31 Q.—SRI M. D. THIAGARAJA PILLAI: Will the Hon. the Minister for Agriculture be pleased to state whether the Government propose to adopt the same procedure for the distribution of groundnut cake as is being followed in the case of the more important and necessary articles such as rice, cloth sugar, etc.?

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A.—The answer is in the negative. The present procedure for the distribution of groundnut oil cake was explained in answer to question No. 255 by Janab M. A. Muhammad Ibrahim Sahib Bahadur, M.L.A.

Construction of Government Arts College at Rajahmundry.

32 Q.—SRI K. LINGARAJU: Will the Hon. the Minister for Education be pleased to state—

(a) whether steps have been taken by the Government for the construction of Government Arts College buildings at Rajahmundry;

(b) whether tenders have been called for; and

(c) if not, why not?

A.—(a) Plans and estimate amounting to Rs. 20 lakhs have been received from the Director of Public Instruction for the construction of additional buildings for the Government Arts College, Rajahmundry. These have yet to be placed before the Building Designs Committee for its formal acceptance, before they are approved.

(b) & (c) Tenders for the work can be called for only after the estimate is approved.

Abolition of distinctions of pay, etc., among teachers.

33 Q.—SRI P. R. RAMANUJALU REDDIYAR: Will the Hon. the Minister for Education be pleased to state whether the Government have issued orders abolishing all distinctions of pay and annual increments, weightage and leave rules between teachers in Government schools and those in local boards and private agencies?

A.—No.

The Kandukur Panchayat Board.

34 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Local Administration be pleased to state:

(a) whether it is a fact that N. Venkatasubba Reddi, Executive Officer of the Kandukur Panchayat Board, was removed from the list of executive officers;

(b) whether it is a fact that the above officer was reverted by the Inspector of Local Boards;

(c) what are the reasons for removal and reversion;

(d) whether he has appealed to the Government; and

(e) what is the result of the appeal?

A.—(a) Yes.

(b) Yes.

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(c) The Inspector reverted him and removed him from the list of executive officers on the ground that his work and conduct were unsatisfactory.

(d) Yes.

(e) The Government have allowed the appeal and have directed that Sri Venkatasubba Reddy should be appointed again as Executive Officer of a Panchayat.

SRI R. V. SWAMINATHAN:—"On a point of order, Sir. May I know if it is in order and if it is proper for an hon. Member to bring a stick into the House and hang it on the wall as is done on the northern side now?"

MR. SPEAKER:—"The peon will remove that stick." (Laughter.)

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

II.—RULING ON THE POINT OF ORDER *RE* THE NECESSITY FOR NEW OATH TO BE TAKEN BY ALL MEMBERS AFTER 15TH AUGUST 1947.

MR. SPEAKER:—"The House will remember that the hon. Member Sri B. S. Murthi the other day^a raised a point of order regarding section 67, namely, the taking of oath in this Assembly. At that time the hon. Sri Swaminathan also raised another point of order on the point of order raised by Sri Murthi. I will first deal with the point of order raised by Sri Swaminathan. He told us that previously that point of order had been raised by Sri Murthi and that he was questioning my ruling. I have since gone through the proceedings; it is not a fact. Sri Murthi twice asked two questions on a point of information and he did not raise any point of order.

12-15 p.m. "Regarding the point of order raised by my hon. Friend Sri B. S. Murthi, I wish to give a ruling now. Sri B. S. Murthi told us that it was necessary that every Member of the House should take a new oath. I told the House the other day on a point of information that it was not necessary. I am now giving a ruling on this point; but before I do so, I shall say something about the practice that is obtaining in the House of Commons:

Standing Order No. 84 of the House of Commons says:—

'Every person returned as a Member of this House, who may claim to be a person for the time being by law permitted to make a solemn affirmation or declaration instead of taking an oath, shall henceforth (notwithstanding so much of the resolution adopted by this House on the 22nd day of June 1880 as relates to affirmation) be permitted, without question, to make and subscribe a solemn affirmation in the form prescribed by the Parliamentary Oaths Act, 1866, as altered by the Promissory Oaths Act, 1868, subject to any liability by statute.'

^a Vide page (1) of Assembly debates, dated 25th September 1947.

RULING ON THE POINT OF ORDER *re* THE NECESSITY FOR NEW OATH TO BE TAKEN BY ALL MEMBERS AFTER 15TH AUGUST 1947

9th October 1947] [Mr. Speaker]

So, in the House of Commons, the oath-taking is governed by two Acts, viz., the Parliamentary Oaths Act of 1866 and the Promissory Oaths Act of 1868.

"In Halsbury's Laws of England, volume 24, at page 256, it is stated: "Persons who take their seats without taking the oath will be fined £500 for each offence."

"The hon. Member Sri B. S. Murthi said that it was necessary that even old Members who had already taken their oath should take the oath again. I told the House at that time that it was not necessary. The oath reads as follows: (Section 67 of the Government of India Act, 1935, as amended by the Indian Independence Act and the Adaptation Orders):

'Every Member of a Provincial Legislative Assembly or Legislative Council shall, before taking his seat . . .'

I request the Members to mark the words—

'before taking his seat, make and subscribe before the Governor, or some person appointed by him, an oath according to the form set out in that behalf in the Fourth Schedule to this Act.'

So, Members who have already taken their oath before August 15th, have the right to sit here. That right cannot be taken away by the change of form.

"In this connexion, I wish to inform the House that repeal of the old form and substitution of a new form cannot, in the absence of express provision to the contrary, affect the right already acquired, viz., the right to take a seat here. The hon. Sri B. S. Murthi told us the other day that I should not depend upon the words used by Babu Rajendra Prasad. I am not depending upon him; I am taking shelter, in giving my ruling, under . . . (An hon. Member: 'Is Sri Murthi here?') I am giving this ruling to the house, not to Sri Murthi; he may not be here, but that does not matter.

"In giving my ruling, I am depending on section 38 of the Interpretation Act of 1889; that section reads as follows:—

(1) *Where this Act or any Act passed after the commencement of this Act repeals and re-enacts, with or without modification, any provisions of a former Act, references in any other Act to the provisions so repealed, shall, unless the contrary intention appears, be construed as references to the provisions so re-enacted.*

(2) *Where this Act or any Act passed after the commencement of this Act repeals any other enactment, then, unless the contrary intention appears, the repeal shall not . . . affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment so repealed'.*

So, by taking the oath previously, Members have acquired a right to sit in this Assembly; it is not necessary for them to take the oath again."

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III.—SITTINGS OF THE HOUSE.

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information, Sir. May I know the programme of work for this Assembly session? I also submit, Sir, that when once a programme is made, it should be stuck to as much as possible, and it should not be changed except under very special and pressing circumstances. I find it is necessary to make this request to you, Sir, because the Members feel it very inconvenient for them to arrange in advance their work and engagements in order to enable them to attend to the work of this Assembly. Therefore, Sir, when a programme is made, I request it may be adhered to."

MR. SPEAKER:—"I am going to announce the programme and we will adhere to it as much as possible and as far as possible. We will work on the 9th, 10th and 11th; then we break. 12th is Sunday and 13th is Mahalaya Amavasai day. On the 14th we are not meeting. We are meeting only on the 15th; from the 15th to the 21st, we will be working and then the Dasara holidays come. We meet again on the 27th and will be working from that day onwards. I do not know when we will close; when we finish our work, we will adjourn."

SRI R. V. SWAMINATHAN:—"May we know on how many days we will have to sit."

MR. SPEAKER:—"That I cannot say now."

SRI S. NAGAPPA:—"On a point of information, Sir. Arising out of the ruling by the Speaker, I am not in a position to understand whether we are still under the British domination or whether there has been any change after the 15th August 1947. I should like to know this from the Hon. Speaker."

MR. SPEAKER:—"We have nothing to do with that; but as the hon. Member has raised the point of information, I shall inform the House that we are still within the British Commonwealth."

SRI T. PRAKASAM:—"You are not answering the question put by the hon. Member, Mr. Nagappa. The question is whether we who are sitting here as Members of this Assembly, are sitting as British subjects or as Indian subjects under the Union Dominion constitution that is in the formation?"

MR. SPEAKER:—"That is not the question put by Mr. Nagappa. He asks whether we are still under the British Commonwealth."

SRI S. NAGAPPA:—"I said 'British domination.'"

MR. SPEAKER:—"It is not for me to answer all those things; I am saying we are still under the British Commonwealth. Our country has attained Dominion status, the status of a dominion."

SRI S. NAGAPPA:—"May I ask the Hon. Speaker whether on the 14th August 1947, was not power transferred from the hands of the Britisher to the people of India?"

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MR. SPEAKER:—"We have nothing to do with that question now; but as the Member has raised the point of information, I told the House that we were still within the British Commonwealth and we had attained the status of a Dominion. But in saying so, I wish to inform the House that there is some difference between the powers of the other Dominions and of India. For instance, under the Statute of Westminster, sections 7 and 8, Canada cannot change her constitution; but Australia can change her constitution partially; whereas, under the Indian Independence Act, section 6, we have full power to change our constitution. Now, the subject matter is over; we will pass on to the next item. I cannot allow any further points to be raised; (Sri S. Nagappa rose in his seat). The hon. Member is not entitled to ask me any further questions on this matter."

IV.—ADJOURNMENT MOTION RE THE HOSTILE AND OBSTRUCTIVE TACTICS OF THE GENERAL MANAGER, SOUTH INDIAN RAILWAY.

SRI K. ANANDAN NAMBIYAR:—"On a point of information; what about my adjournment motion, Sir?"

MR. SPEAKER:—"Mr. Anandan Nambiar has given notice of an adjournment motion. This is the motion:—

'The Premier Pandit Nehru of the Indian Union has stated that the communal riots happening in and around Punjab is paralysing the administration which has led to a national crisis. As the railway transport in East Punjab and Delhi is completely paralysed by the reactionary riot-mongers, movement of refugees, food and troops for restoring peace and order is being hampered.'

The South Indian Railway Labour Union and the All-India Railwaymen's Federation have given a call to the railwaymen to support the National Government and offer their services to maintain uninterrupted transport. In response to this, hundreds of railwaymen—drivers, firemen, artisans, etc.—are willing to offer their services in Eastern Punjab. But the South Indian Railway administration under Sir J. F. C. Reynolds, the General Manager, is playing the same role of sabotage as the Railway Board did under Lt. Col. Emerson. The General Manager of the South Indian Railway is hampering the efforts of the South Indian Railway Labour Union to recruit workers needed for voluntary services in Eastern Punjab and inordinate delay is caused, due to this hostile and obstructive tactics of the General Manager. The South Indian Railway General Manager is treating the matter lightly and refuses co-operation with the Labour Union. When the Union President, Sri M. Kalyanasundaram, made concrete proposals on 22nd September 1947 for quick relief of men, the Deputy General Manager Mr. Seshagiri Rao dismissed the proposals stating "Nonsense". This and the subsequent actions of the Railway Administration are not only calculated to

12-30 p.m.

[Mr. Speaker] [9th October 1947]

provoke the Railway Workers on the South Indian Railway, but would mean as an act of sabotage against the new-born freedom.

It is a long one; I think it is not necessary for me to read all these things, as the motion concerns the South Indian Railway. Railway is a Central subject; in view of that fact, —I rule this motion out of order."

SRI K. ANANDAN NAMBIYAR:—"The last portion of the adjournment motion refers to our Province, Sir?"

MR. SPEAKER:—"If you want, I will read the last portion—

'If this is the attitude of the South Indian Railway General Manager to such an important matter, it is seriously felt that it will not be safe to entrust the transport in the hands of such people any longer especially in view of the riot situation and food crisis.'

As I have already told you, Railway is a Central subject. So, I rule the motion out of order."

V.—ANNOUNCEMENTS *RE* ELECTION OF A MEMBER TO THE
ADVISORY COMMITTEE OF THE SOUTH INDIAN RAILWAY AND
TO THE CONSTITUENT ASSEMBLY OF INDIA.

MR. SPEAKER:—"I have to make certain announcements to the House—

I have to announce to the House that Sri P. S. Kumaraswami Raja and Sri K. Anandan Nambiar were the two remaining candidates duly nominated for election of one member to the Assembly Committee of the South Indian Railway. At the election held on the 26th September 1947, Sri P. S. Kumaraswami Raja obtained 128 votes and Sri K. Anandan Nambiar 4 votes. Sri P. S. Kumaraswami Raja was therefore declared duly elected.

I have to announce to the House that with reference to sub-rule (9) of rule 5 of the Constituent Assembly Rules Hon'ble Sri P. K. Shanmukham Chettiar has been declared duly elected as a member of the Constituent Assembly of India by the General part of the Madras Legislative Assembly, in the vacancy caused by the resignation of His Excellency Sri C. Rajagopalachariar. We shall now proceed to the next item on the Agenda."

VI.—GOVERNMENT MOTION *RE* AMENDMENT TO RULE 17 OF THE
MADRAS ASSEMBLY RULES.

THE HON. DR. P. SUBBARAYAN:—"Sir, I beg to present
'that the Report of the Select Committee appointed to consider the amendment to Rule 17 of the Madras Assembly Rules and move that the amendment as reported by the Select Committee be taken into consideration.'

^a Printed as Appendix XIII on page 665 infra.

9th October 1947] [Dr. P. Subbarayan]

I do not think any lengthy speech is needed on this. The rule was sought to be altered in order to give different days for non-official business in this House and in the other House. Therefore, the Select Committee have gone through this and they have suggested this alteration. I therefore propose that this motion be taken into consideration."

MR. SPEAKER:—"The motion is that the amendment to rule 17 of the Madras Assembly Rules as reported by the Select Committee be taken into consideration."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"In seconding the motion, Sir, I would only remind you of the fact that there are other rules that have to be amended. Some considerable time ago, the Rules Committee sat upon these rules and went through the matter over a number of days. I hope, Sir, that the matter will again be gone into and that Government will take up the amendments of the other rules also and pass them at least in time before the Budget Session."

MR. SPEAKER:—"Let us wait till the Report of the Constituent Assembly is before us because we do not know what powers will be assigned to the Provinces as well as the Centre. So, we should wait till the report is made available to us."

SRI T. VISWANATHAM:—"As the Leader of the Opposition has made a reference to it already, the rules of procedure of this House need not be deferred, whatever the powers that may be allotted to the Provinces and to the Centre."

MR. SPEAKER:—"There are some minor changes. So, it is better we wait till the Report of the Constituent Assembly is received. Then we can know definitely what powers are allotted to the Provinces as well as the Centre."

SRI T. VISWANATHAM:—"May I know from the Hon. the Speaker whether the Constituent Assembly is contemplating anything by way of discussing the rules of procedure with the various Provinces?"

MR. SPEAKER:—"When the Report of the Constituent Assembly is received, we may know what powers are assigned to us. In the light of that, we can change our rules."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"As far as I could understand, the Central Legislature or the Constituent Assembly will not think of laying down any rules binding the provincial legislatures to adopt the rules of business as framed by them. The question of procedure is entirely left to the individual provincial constitutions and there is no point in saying that we should await the Constituent Assembly Report."

MR. SPEAKER:—"The hon. Member has thoroughly misunderstood me. I said as soon as the report is available, we will be in a position to know what powers will be assigned to us and to the Centre and in the light of that report, we can alter our rules."

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The motion was put and carried.

The amendment was put and carried.

THE HON. DR. P. SUBBARAYAN:—"I now move—
'that the amendment be passed'."

The motion was put and carried.

VII.—GOVERNMENT BILLS.

(1) THE MADRAS SUPPRESSION OF IMMORAL TRAFFIC (AMENDMENT) BILL,* 1947.

* THE HON. SRI K. MADHAVA MENON:—"Sir, I move—
'that, under rule 111 of the Madras Assembly Rules, the
concurrence of the Legislative Council be obtained in set-
ting up a Joint Select Committee of both the Houses con-
sisting of fourteen members to consider the Bill.'

Sir, in moving this motion, I need not say much about the Bill
that has been circulated to you. This Bill was originated by hon.
Mr. Bhashyam"

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a
point of order, Sir. According to the amendment that we have
just now passed, to-day, being Thursday, is a non-official day."

MR. SPEAKER:—"That is not the case. Rule 146 of the
Assembly Rules says—

*'When a rule or amendment of a rule is passed by the
Assembly, a copy thereof shall be signed by the Speaker
and until the Speaker has signed such copy and the fact
has been announced by him to the Assembly, the rule or
amendment shall not have validity.'*

So, the motion which has just been passed is not valid now."

* THE HON. SRI K. MADHAVA MENON:—"Certain sug-
gestions were received from the Chief Inspector of Certified
Schools with regard to difficulties experienced in the conviction
and detention of girls or women convicted under section 12 of the
Suppression of Immoral Traffic Act of 1930. The hon. Member
Mr. Bhashyam, when he was Minister for Law, initiated this
legislation and suggested that the Act should be so amended as to
make it possible for the Government to reform these convicted
persons. That is what is proposed to be done under the present
legislation. Section 12 of the Suppression of Immoral Traffic Act
of 1930 says: 'Whoever, (1) in any street or public place, solicits
any person for the purpose of prostitution, in such manner as to
cause obstruction, annoyance or danger to the residents or passen-
gers, or to offend against public decency, or (2) frequents such
street or public place, for the purpose of prostitution or of sollicita-
tion, so as to constitute a nuisance, or to offend against public

* Printed as Appendix IV on pages 647-649 infra.

9th October 1947] [Sri K. Madhava Menon]

decency, shall be punished, with imprisonment for a term which
may extend to two months, or with fine which may extend to one
thousand rupees, or with both.' The maximum imprisonment pre-
scribed under this section is inadequate and it is therefore proposed
to amend 'two months' to 'one year.' The position is, as Mr.
Bhashyam has pointed out in his note, that women convicted
under the Madras Suppression of Immoral Traffic Act, should be
housed separately and they should not be allowed to mix with
other girls or women convicts as the evil of such association
will be the moral degradation of girls or women convicted of other
crimes. Apart from that, it is necessary that power must be taken
by the Government by means of legislation for taking steps to
reform such girls and women convicted of immoral traffic. Under
the Act of 1930, the difficulty is that there is absolutely no chance
or opportunity given to them to reform themselves or learn any
profession that other women prisoners do and so, their position is
seriously affected thereby. The proposed amendment of the Act
provides that instead of conviction and sentence in jails, they
may be housed in Vigilance Homes or Rescue Homes for a period
of one or two years and be given a chance to learn some art, or
some other profession than what they were doing before, so that
they may be of use to themselves and to society instead of making
them hardened criminals besides being prostitutes. The object
of the Bill is perfectly clear from the Statement of Objects and
Reasons and I need not add anything more to it. I request the
House to agree to the proposed amendment."

MR. SPEAKER:—"The motion is that under rule 111 of the
Madras Assembly Rules, the concurrence of the Legislative Coun-
cil be obtained in setting up a Joint Select Committee of both the
Houses consisting of fourteen members to consider the Bill. The
motion is before the House."

SRI T. VISWANATHAM:—"What I want to ask, Mr.
Speaker, Sir, is whether by setting up a Joint Select Committee,
the maximum number of which is 15 under the rules, and the
number of members that can go from this House is 7 under the
sub-clause, will it not be really cutting down its rights in agree-
ing to such a proposition? Only on very important subjects which
require expedition of business, Joint Select Committees are the
practice. I want to know from the Hon. Minister why a Joint
Select Committee is proposed in this case. My suggestion is that
the Hon. Minister might confine himself to Members of this
House."

* THE HON. SRI K. MADHAVA MENON:—"I will explain
the position, Sir. This Bill provides for detention for a period
of one or two years where it was only two months before. Govern-
ment felt that in making such a change regarding detaining
people for over two years instead of two months, it is better to take
the opinion of those people who have been working for the Sup-
pression of Immoral Traffic Act, the Vigilance Association, the

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Rescue Homes, etc., as much as possible so that they may be of some help in this matter. In fact some of those people suggested the appointment of a Joint Select Committee. I may also state that there are women Members in the other House who are working this Act and so, Government thought that in a reform of a social nature like this, a Joint Select Committee with those women Members will be more useful. Another reason was that I wanted to put as many women Members on the Joint Select Committee as would be possible."

12-45
p.m.

* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, I wish to support the motion that has just now been moved by the Hon. Minister because the amendments proposed to the Madras Suppression of Immoral Traffic Act, 1930, are necessary. The Hon. Minister has rightly pointed out and it has also been stated in the Statement of Objects and Reasons to the Bill that it is desirable that our attitude towards the unfortunate fallen women should change in this age. But, what has been prevailing hitherto is."

MR. SPEAKER:—"The hon. Member need not talk at great length at this stage because the motion is that the Bill be referred to a Joint Select Committee."

BEGUM SULTAN MIR AMIRUDDIN:—"I shall be speaking for only a few minutes, Sir. I was mentioning that the amendments proposed in the Bill are desirable and that I am supporting the motion of the Hon. Minister because it is necessary that women who go astray should be given an opportunity of reforming themselves by their being sent to Vigilance Homes instead of their being punished with imprisonment. We are well aware that many women who give themselves up to immoral life do so not because they are addicts to immorality but on account of misery, poverty, hunger and starvation. If those who by nature are not irreclaimable are lodged along with criminals, the tendency is to make them actual criminals. Hence as has been provided in the Bill, it is very desirable that women under 35 years of age should be given an opportunity of going to a Vigilance Home and under the disciplinary care of that Home enabled to reform themselves."

"Another matter with which the Bill deals is the increase of the maximum period of imprisonment from two months to one year. That also, I think, is necessary because there are some in whose case two months' imprisonment is of no avail. When dealing with this amending Bill, I should like to point out, Mr. Speaker, that some other amendments are necessary to the Suppression of Immoral Traffic Act I hope the Select Committee, when it meets, will go through the Act, and bring forward such other amendments as are also needed. I shall not dilate on these points now, but I trust the Select Committee will go through the entire Act and bring forward a comprehensive measure. [With these words, I support the motion.]"

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SRI V. I. MUNISWAMI PILLAI:—"Mr. Speaker, Sir, I wholeheartedly support the motion before the House for referring the Bill to a Select Committee. After a few years of experience of this enactment, I find that the Government have thought it necessary to increase the term of imprisonment in the case of the women who solicit in a street or public place but I think, however, the provision is not so comprehensive. It is stated in the Statement of Objects and Reasons 'solicitation by a woman in a street or public place is liable to be punished.' But, what has happened after this Act was enacted was—and it has come to my knowledge—that most of the family houses have been to a certain extent converted into places for immoral traffic. I have been reliably told that some persons set aside a portion of a living house for this purpose. So, I hope the Select Committee when it meets will consider this aspect of the question and see what improvements could be made in this Bill so that not only such people found in streets or public places but in family houses are also punished."

"Secondly, Sir, I am in entire agreement with the provision in the Bill for extending the period of detention in a Vigilance Home because the short term of punishment will neither reform the offender nor will the Government be doing justice to them. If on the other hand, they are kept for a longer term in Vigilance Homes they can be trained in some industries so that they can be made useful citizens of the State in the future. With these few words, Sir, I support the Bill."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, I do not propose to speak on this Bill as the Bill has to be referred to a Joint Select Committee. At the outset I have to say that I am not at all satisfied with the reply given by the Hon. Minister on the point or question raised by my hon. Friend, Mr. T. Viswanatham. My Friend, Mr. Viswanatham, was perfectly right in asking the Hon. Minister as to the necessity for a Joint Select Committee for this Bill. The procedure has all along been to have a Select Committee of this House and when the Bill is passed into law by this House, it is sent to the Upper House. Therefore, the reasons given by the Hon. Minister are not at all convincing in having a Joint Select Committee of both the Houses. Again, Sir, he said that in the Council there are certain Lady Members who have taken special interest in the matter of social legislation, but I may say on this occasion, with due respect to the feelings of women Members of this House, that social reforms are not the exclusive monopoly of women. I can say that men are also doing social service. It is not therefore a pertinent point to have a Joint Select Committee of both the Houses. Even now, I feel it would be right on the part of the Hon. Minister to have a Select Committee comprised exclusively of Members of this House so that we can go through the Bill and then this House can pass it as it emerges from the Select Committee and after that stage is over it can go before the Upper House."

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"Sir, I do not propose to speak about the clauses of the Bill because as far as the Bill is concerned we are going to support it but we are interested in seeing that the Bill is properly shaped in the Select Committee. With these remarks I support the Bill."

SRI K. ANANDAN NAMBIYAR:—"Mr. Speaker, Sir, while supporting the motion I also feel that there is no necessity for a Joint Select Committee inasmuch as this House itself is in a position to deal with the subject and when I say this I do not mean any disrespect to the Members of the Upper House."

"In this connexion, I would suggest to the Hon. Minister that in the matter of running these Vigilance Homes, the Government should be more vigilant over these Homes and see that those persons who are responsible for running these Vigilance Homes are not themselves corrupt. The Government should see that only such men and women who are above suspicion and corruption are put in charge of these Homes and that they should take special care of the inmates of these Homes. Let me say in this connexion that the Communist group supports this motion."

MR. W. J. FERNANDEZ:—"Sir, I rise to support this motion. In doing so, I wish to add only one or two words by way of comment on the question of the proposed age-limit which is fixed for the detention of women in a Vigilance Home. I find from the Statement of Objects and Reasons that the Bill empowers the Magistrate to detain any woman who has not attained the age of 35 years in a Vigilance Home. But, I fail to understand why it is considered that a woman of 36 years of age who has fallen is beyond redemption or cannot be improved in a Vigilance Home. I think the age-limit should be raised. I would like the Select Committee to consider this point when they go through the amendments proposed. With these words, I support the motion."

* THE HON. SRI K. MADHAVA MENON:—"I am glad, Sir, that every section of the House supports the principle of the Bill and the main objection taken by my hon. Friends is about the Joint Select Committee. At the very beginning of my remarks I did not say that this House is not competent to pass this Bill. Some of my hon. Friends have suggested that wisdom is not the monopoly of Members or women Members of the Upper House. I did not at all mean that. I only meant that it would be convenient if Members of the other House who have had experience in such social reform matters were also on the Committee because after all members who are outside the Legislature cannot be members of any Select Committee. Secondly, I have found from my experience in the House that after a Bill is passed in this Assembly it is rather difficult, if not impossible, for the Members of the Upper House to make any change there even if some very valid or good amendments or suggestions are made there. It is because of the procedure of having to come here and go there again that

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the suggestion has been made for a Joint Select Committee in regard to this Bill so that all this procedure can be avoided. After all this is only a social reform legislation. On the other hand, if it had been a matter relating to finance, I would not have suggested it, because that House has very little to do with the financial affairs of the Province. Since this Bill being a social reform legislation I thought it would be better to have on the Committee those members of the Upper House who are engaged in such matters. In regard to the remarks of my hon. Friend, Mr. Raza Khan, I may point out that there are after all only two Lady Members in the Upper House. Even here I wanted to take in all the lady members and the Select Committee is not going to be confined to women alone, but I thought the experience of persons in this matter will be of more value to us than by excluding them. That is the only reason that prompted me to move the motion.

"In regard to the amendments suggested by Begum Sultan Amiruddin, though they may not come strictly within the purview of the Select Committee on the Bill, yet if they are considered advantageous, Government will certainly take what steps they can in regard to the matter."

"Sir, my Communist Friend has suggested that the Vigilance Homes must be more vigilant and all that. I may inform him in this connexion that it is the intention of the Government—and they have already decided—to provincialize the Vigilance and Rescue Homes."

"My Friend, Mr. Fernandez, suggested the raising of the age-limit and asked what about woman of 36 years of age and over. It is difficult to limit the age in such matters. After all we have to fix a limit. If we put the age at 40, it may be asked, what about persons over 41 years of age and the same question will be asked if some other age is fixed. Some limit has to be fixed. The chances are that women over 35 may not be as amenable to reform as a woman below 35 and in the case of minor girls we do not want to keep them in Vigilance Homes. If the Select Committee when they consider the matter think that the age should be raised it is open to them to do so."

MR. SPEAKER:—"Before I put the motion to the vote of the House I would like to make a suggestion to the Hon. the Leader of the House regarding parity of members of the Joint Select Committee of both Houses. After all the strength of this House is 212 and the maximum strength of the other House is 55 and it is not proper that there should be parity in regard to this matter. Of course, we are now following rule 111 (4) according to which 'On a Joint Committee an equal number of members of each Chamber shall be nominated'. However, I wish to suggest to the Hon. the Leader of the House that he may have a talk with the Leader of the other House and bring in an amendment so that

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we can have at least a membership of two-thirds on the Committee. I make this suggestion for the future and it is not possible to do so at present."

* THE HON. SRI K. MADHAVA MENON:—"Sir, you yourself have appointed the Committee and the President of the other House has appointed a Committee for the revision of the rules and the work of the Committee is now over. Of course it is not proper for a House of 215 members to have seven members on the Committee and the other House with 56 members to have the same seven members. The suggestion to have 10 and 5 instead of 7 and 7 may be put up."

MR. SPEAKER:—"What I am suggesting is the Hon. the Leader of the House should have a talk with the Hon. the Leader of the Upper House and bring forward suitable amendments to the rules so that they may be put into effect in regard to future Bills."

* THE HON. SRI K. MADHAVA MENON:—"As you yourself have suggested this Assembly may have ten members and the other House five members on the Joint Select Committee."

THE HON. DR. P. SUBBARAYAN:—"I take your suggestion and since you have given good reasons for it, action will be taken."

The motion was put and carried.

(2) THE MADRAS HINDU RELIGIOUS ENDOWMENTS BILL, 1947.

MR. SPEAKER:—"We will now take up the motion that stands in the name of the Hon. Dr. T. S. S. Rajan."

THE HON. DR. P. SUBBARAYAN:—"We are not moving that Bill to-day."

(3) THE MADRAS HACKNEY CARRIAGE (AMENDMENT) BILL, 1947.

THE HON. DR. P. SUBBARAYAN:—"I beg to introduce—
'the Bill to further amend the Madras Hackney Carriage Act, 1911, and move that the Bill be taken into consideration at once'."

The reasons for this amendment are given in the Statement of Objects and Reasons and they are simply this. The copies of the list of fares with the table which are published and sold at two annas for each copy cannot now be supplied with the increased cost of paper and printing and when the cost of everything has risen and so the Government propose that the charge should be increased to 4 annas for each copy and also give power to the Commissioner of Police to vary the fee from time to time subject to the control of the Government."

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SRI PILLALAMARRI VENKATESWARLU:—"Mr. Speaker, Sir, the Hon. Minister did not explain for what reason the rate was sought to be raised."

THE HON. DR. P. SUBBARAYAN:—"Sir, on a point of information, I may say that I have already explained and evidently the hon. Member did not listen to what I said. The cost of paper and printing has risen and we are not able to supply to the public at two annas without loss to the Government. That is why we propose to raise the amount."

SRI PILLALAMARRI VENKATESWARLU:—"My submission is that he did not explain properly and that is what I meant."

THE HON. DR. P. SUBBARAYAN:—"The word 'properly' is only a relative term. My own ideas and that of my hon. Friend unfortunately do not coincide."

* SRI PILLALAMARRI VENKATESWARLU:—"What I mean is that only the aims and objects that have been printed in the Bill have been repeated on the floor of the House. I expected the Hon. Minister to give the reasons in detail stating how much he has now got to pay for the paper and how much he wanted. All these facts I expected from the Hon. Minister. Because the Hon. Minister failed to give all these details I am correct in saying that he did not explain properly and I maintain it even now. I request him to put before the House how much loss the Government are put to and unless these facts are given I do not think he is justified in demanding the support of this House for this Bill. I therefore oppose the Bill with these words."

SRI K. ANANDAN NAMBIYAR:—"I oppose the Bill for the same reasons suggested by my Friend Sri P. Venkateswarlu."

THE HON. DR. P. SUBBARAYAN:—"The Government have carefully calculated the figures and the loss incurred is about Rs. 1,000 to Rs. 1,500 a year and it is not worthwhile to incur these on printing and stationery. That is the reason why we have brought this Bill. It even happens that a number of copies printed remain unsold."

The motion was put and carried.

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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

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

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(4) THE PRISONS (MADRAS AMENDMENT) BILL^a, 1947.

* THE HON. SRI K. MADHAVA MENON:—"Sir, I beg to introduce the Prisons (Madras Amendment) Bill, 1947, and move—
'that the Bill be taken into consideration at once.'

"Sir, the object of the Bill is to remove the punishment of whipping in the case of hunger-strikers in jails. Hunger-strike is an offence under the Jail Manual and under the Prisons Act among the various punishments provided for various offences the Magistrate is entitled to sentence a hunger-striker to be whipped. It is certainly, as my Friend Sri Bhashyam who initiated this legislation said, a most barbarous thing. The Government therefore thought it necessary to remove this punishment in the case of hunger-strikers. I do not think anything more need be said about this, Sir. I hope this Bill will be accepted by the House."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, I do believe that it is time that a civilized country should try to remove such punishment as whipping from the statute book. There has been a demand for even removing from the statute book of fining of persons but so far as this question is concerned I do entirely agree with the Hon. Minister that this penalty should be removed, but at the same time, I should like to know, Sir, what exactly is the other alternative deterrent that the Government have in view to prevent this hunger-strike becoming an epidemic in the jail. Is it not a fact that hunger-strike causes indiscipline in the jails and causes a good deal of dislocation of the work and administration of jails? The moment that a serious penalty such as this which has been a deterrent and a check on the part of prisoners resorting to hunger-strike is taken away, I fear, Sir, that the resort to this method will increase and it may take the form of an epidemic. What exactly is the alternative deterrent that the Government proposes to enforce in order to prevent this strike becoming common in the jails for as I have already stated any other action on the part of the prisoner is prevented and punished but resorting to this method is only not punished and prevented, but at the same time, I am afraid, Sir, the Government have not suggested any other means by which this thing could be prevented and checked. My fear is that it has got a sanctity attached to it on account of what has been done by great people in the past and I would like to know whether the Government have this in mind when preventing punishment of such cases and if it is not the case, I want to know why they have brought forward this Bill. Does the Government accept the principle of hunger-strike in jail? What is exactly the policy of the Government so far as this resorting to hunger-strike is concerned, whether they approve of it on the part of prisoners or they disapprove of it? If they disapprove of it, what exactly is the other alternative that they are putting forward in order to prevent it becoming a nuisance to jail administration?"

^a Printed as Appendix VI on page 650 infra.

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SRI K. ANANDAN NAMBIYAR:—"Sir, I have some more points to be brought to the notice of the Hon. Minister.

"The first point is that this is only a piecemeal reform and not a thorough reform of the jails. I am one of those who had actual experience of the affairs in jail only six weeks back. I know what the jails are at the present moment.

"The object of the present Bill is to prevent whipping for going on hunger-strike. This is a very good measure, but I submit, Sir, that whipping should be completely abolished for any offence inside the jail. So far as the prisoner is concerned, when he is within the four walls of the jail he is practically a slave under the jail officials and whatever the jail officials do, these prisoners have no other go but to submit to them and the only alternative for the prisoner is to deny himself of the food that is given. What other method is there for the prisoner, I ask the Hon. Minister? Now Mr. Hameed Khan said that this is becoming a nuisance. If they say that this is a nuisance, then everything is a nuisance. They should die inside, receive blows from the jailor and the Jail Superintendent. I know what is happening in Trichinopoly Jail to-day. Mr. D'Cruz, the Superintendent, beat a prisoner for no reason whatsoever and I know. . ."

MR. SPEAKER:—"Order, order."

THE HON. SRI K. MADHAVA MENON:—"On a point of order, Sir, I want to know whether the general reform of the jail rules and the amendment of the Prisoners' Act and the Jail Manual can be discussed now and particularly with personal reference to Superintendents and other persons who cannot come here and defend themselves. It is not fair that they should be personally referred to or anything be said against them."

MR. SPEAKER:—"That should not be done and the hon. Member need not go into the details."

SRI K. ANANDAN NAMBIYAR:—"I only submit that this reform could have been done more fully and in a better manner. That is what I submit and I have every right to refer to jail officials."

MR. SPEAKER:—"This is not the time to refer to all those things and if you persist in doing so, I will have to pull you up."

SRI K. ANANDAN NAMBIYAR:—"It is not a pleasant thing for one to go on hunger-strike. I have myself been on hunger-strike for six days because under instructions of the Government or otherwise, the jail officials and the Superintendent did not behave properly."

MR. SPEAKER:—"The hon. Member need not touch on that subject."

SRI K. ANANDAN NAMBIYAR:—"What I want to bring home to the Hon. Minister is this: If there is no other alternative to the prisoner and he is forced to resort to this method."

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MR. SPEAKER:—"We have a certain amendment of a Bill and the hon. Member should speak on the amendment alone. This is not the time for a detailed discussion of the whole subject."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"The hon. Member may go to jail again."

1-15
P.M.

SRI K. ANANDAN NAMBIYAR:—"If the hon. Member, Mr. Raza Khan, and others want, I am prepared to go. Let him occupy the Treasury Bench and then we will decide it. This Bill is no doubt an improvement; but it requires more improvement. No prisoner should be punished by whipping for any act committed by him inside the jail. When the Inspector-General of Prisons visited the jail, I represented this matter to him and I have represented in writing to the Hon. Minister to the effect that whipping in any form for any offence and for any reason should not be allowed inside the jail. I regret the Hon. Minister has only taken up this aspect of the matter. I do not know whether he has deliberately or knowingly or unknowingly, omitted the other aspect of the matter and that is why I have taken this opportunity of bringing it to his notice."

"Another question I want to ask him is what alternative is open to the person in jail for ventilating his grievances; suppose he is beaten, what is the remedy for him? Certainly, he cannot beat the person who beat him. If he did so, he is finished and he would be killed. There was such an occasion in the jail where one poor fellow was practically killed and it was given out—of course the doctors also said so—that the person died from heart failure. You have to remember that hundreds and hundreds of poor villagers will be going inside the jails for prohibition offences; of course they transgressed the law but that does not mean that they should be persecuted at the hands of the jail officials. I may tell you, these people are worse than brutes and we have had bitter experience from them. My suggestion to the Hon. Minister is that he must improve the Bill by bringing in more amendments with a view to preventing whipping in any form for any reason—be it official beating or unofficial beating. Supposing the jail official beats a prisoner, he must be severely dealt with and punished and he must be even put in the same place as the prisoner in jail, but I do not recommend whipping for him even in return. I say, Sir, that whipping as a punishment for any reason must be abolished and then only it will stand to the credit of the Congress Ministry which is in power; there is no meaning in such half-way measures. I therefore, strongly recommend that he will bring in amendments along with this for the objects I have mentioned. With these words, I support the motion."

* SRI K. BHASHYAM:—"Mr. Speaker, this reform in jail rule has been long over due. The provisions have been on the statute book for some years; agitation there has been for doing away with whipping especially in cases where the prisoners are on hunger-strike. The question has been raised whether the prisoners are entitled to go on hunger-strike and whether the Government

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or the constituted authority can recognize hunger-strike inside jails. I do not know how the constituted authority view the question but I can tell you this much, that it is the only way prisoners can express and strongly express what they feel an injustice done to them inside the jails; there is no other way of doing it; they cannot communicate with the outside for it is subject to censorship nor can they really communicate with them in any other manner. This is the only forceful way in which they can apprise the Government of the state of affairs in any particular jail. I can really say this from personal knowledge of things inside the jails and also as an administrator of jail though for a short time. Hunger-strike, as it is, is legitimate—whether it is constitutional or whether it involves an offence under the law is a different matter. It is not for nothing that hunger-strike is undertaken and it is not a pleasure to fast either. A person goes on hunger-strike for a major grievance and therefore, I think whether the Government recognizes it or not, there will be persons inside the jails who will go on hunger-strike over grievances under which they are suffering. The only question is whether there should be whipping also along with any other punishment laid down under the Jail Manual. When under hunger-strike, naturally, the man is weak and is undergoing privation and if you add on to it whipping also it will be absolutely barbarous and cruel. Then on the question that this may be taken up after he gives up hunger-strike, there is no point in it in so far as the grievances are redressed or are promised to be redressed. Therefore, in any case whipping as a punishment for prisoners, especially those on hunger-strike, ought not to be tolerated by any civilized Government. I support the Bill which has been moved with a view to effecting a much needed reform."

* SRI N. S. VARADACHARI:—"Mr. Speaker, in supporting this Bill I wish to say that I do not generally like hunger-strikes especially in the present atmosphere of the country. It was a weapon intended to be used under certain circumstances during our political fights. And if we really employ this weapon on all occasions at all times, it is likely to be misused. So, while I agree that no punishment should be inflicted on those who are on hunger-strike, it is the duty of one and all of us, whether inside or outside prisons, to persuade all our people, whether prisoners or free men, to refrain from hunger-strike. It is a weapon which can only be used by very highly trained leaders of our country and even amongst them, I would only mention one. It always implies a certain measure of coercion on the person against whom it is intended. Though having been myself a party to one or two partial hunger-strikes, that is, strikes which lasted for one or two days at a stretch, on all such occasions I have always felt that I was doing not quite a right thing when I tried to influence jail authorities by hunger-strikes. In fact, I have tried very hard to persuade my colleagues in prison never to use this weapon but to use all other means of redressing grievances. Undoubtedly, there is much need for prison reform; prisons must become houses of correction and not houses of punishment but alongside of it, we

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should change the psychology of people; and let them know the fact that we are not living in the days of non-co-operation but that we are living in days when we expect the best from every person, especially those who are in charge of the administration. I wish that my friend Mr. Anandan Nambiyar and his party and we on this side, every one of us, tried hard and did our level best to see that this weapon of hunger-strike is not used at all. Mr. Bhashyam said for instance that the only way the prisoner can draw the attention of Government to his grievances is by that means but I do not agree. Our officials sometimes may be bad; but I must put in a word for them; I have often felt how patient they have been in the face of great provocation from us. I am now speaking in terms of co-operation which I must render to every public servant in the discharge of his duties. Let us hope and trust that bad officials will correct themselves and that good officials will see to it that no prisoner goes on hunger-strike. Let us try to think of the times which change rapidly, keep the good of the people at heart and I hope it will be possible to work up reform from within and by constant propaganda to get rid of this weapon of hunger-strike altogether and to make it known to the public especially the authorities that they are expected to behave in such manner so as not to make hunger-strike on the part of a person at any time necessary inside the prison house."

* SRI V. RAGHAVAYYA:—"Mr. Speaker, in supporting the Bill, I wish to associate myself with the sentiments expressed by the member from the Communist party. Every one is agreed that this weapon must go root and branch, as it is a barbarous weapon in the hands of a mighty person against a helpless victim. We all know the Romans used this weapon against the galley slaves. It is a blot on any statute book to have whipping as a punishment, however grave the offence might have been. I am amazed that Mr. Varadachari seems to have suddenly become a saint but I am still a sinner in that respect. Being on the saddle of official cushion, he seems to think that he will have neither the chance nor the necessity to see prison life once more but ere long, he may have the necessity even at the hands of his own Government. He seems to be under a hallucination that enjoying swaraj as we do, there is no necessity for that now."

SRI N. S. VARADACHARI:—"On a point of personal explanation, even if I am thrown into prison, I will not seek recourse to hunger-strikes."

* SRI V. RAGHAVAYYA:—"That is no personal explanation. So far as this punishment is concerned, we must see whether it is a civilized or a barbarous method in the light of prevailing opinion in the world. Those who have witnessed this whipping will not think of it once again. I have myself witnessed it in 1921 administered on a poor criminal. The doctor stands by; the man is made to lean upon a board; he is methodically tied and the jailor who has to put the noose round the condemned man's neck and does several other unpalatable jobs, stands there and methodically he gives him the 25 lashes and now and then the

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convict has to be examined by the doctor to see whether he is about to expire or not or whether he can stand more or not. I may tell the House that this method of punishment is not only barbarous but also sinful and it is a sin against God's creation. Regarding these hunger-strikes, I do not know how Mr. Varadachari feels that they could be avoided. It must be remembered that though Government has changed, administrators have not changed and though Mr. Varadachari may have become a saint in the use of this weapon, how can he vouch for the fact that all the jailors and warders in jails have also changed. I believe he has forgotten past history. Jail officials, I may tell you, are some times very unreasonable; even putting on the sacred thread is objected to by some. Gandhiji has said that one can go on hunger-strike if his self-respect is at stake. I know a case where a prisoner came into a jail with some thing tied to his neck and he said it was a sacred thing for him but the Superintendent, a very good man like Mr. Khan, insisted upon its removal. Another man came with a sacred thread and the Superintendent insisted on its removal as though a little thread like that he could put round his neck and commit suicide."

SRI T. VISWANATHAN:—"On a point of information, Sir, may I know if the subject-matter of discussion is whether hunger-strike is desirable or the desirability of having the punishment of whipping or removing it."

SRI V. RAGHAVAYYA:—"I shall no longer deal with hunger-strike, though this would help Government save more food at a time when food is to be rushed to more unfortunate places that stand in need of it." "I thought that the Hon. Minister for Jails would take this opportunity of bringing in a comprehensive jail reform than merely satisfying himself with a flea-bite that he has attempted now. What he has done does not bring consolation either to the public or to the prisoners and I do not know what prevented him from doing it. I know he has visited some jails, sympathized with the prisoners and assured them that they would have a better life hereafter."

MR. SPEAKER:—"Can the hon. Member finish within a minute or two, if not, we will rise now and the House may adjourn for lunch and he might then continue his speech."

SRI V. RAGHAVAYYA:—"I will continue after lunch."
The House adjourned for lunch.

(After lunch—2-30 p.m.)

SRI V. RAGHAVAYYA:—"It is better that we understand the implications of this Bill before we estimate its usefulness. The bill provides for saving the hunger-strike from the pangs of whipping. It is good that Government have been so solicitous about the hunger-striker, but the Bill does not exempt him from the various other punishments section 46 imposes. These punishments are numerous. They are about 12 in number of which the

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last, i.e., the twelfth punishment is exempted. We know, Sir, that these punishments can be imposed by the Superintendent. The Hon. Minister and many of us who had been in prison know what sort of people these Superintendents are. Without sending a prisoner to a court of law, the Superintendent can be the accuser, the judge and the executioner. In some cases, where he thinks the matter deserves more serious punishment, he is allowed to send the case to a court of law where more rigorous punishment can be given. The punishments that have been recommended by the Government for such a hunger striker include "the substitution of gunny or other coarse fabric for clothing or other materials not being woollen for a period which shall not exceed three months". Imagine, Sir, in a hot climate like this country, a prisoner in a Vellore jail asked to be put on on a gunny bag clothing—a shirt and pyjama made of gunny bag—and asked to live in that dress for three months! All this for a hunger striker for whom the Hon. Minister has become very solicitous. Another punishment—a very curious and barbarous punishment—is the imposition of handcuffs of such pattern and weight in such manner and for such period as may be prescribed by rules made by the Provincial Government. Many of us have known these handcuffs. There were cases where men could not move this way or that way and so they were worse than cattle and slaves. Then, they should be of such weight, i.e., a maund or two maunds. All these things can be put on to hands and feet.

"Another section, equally barbarous, is the imposition of fetters of such pattern and weight in such manner and for such period as may be prescribed by rules. A man can be given crossed bars, that is across the knees bars are put. He cannot walk a few paces without falling down and injuring himself. So, coupled with the bar fetters and handcuffs, it is making the man's life simply miserable. I ask in all seriousness . . ."

THE HON. SRI K. MADHAVA MENON:—"I rise on a point of order, Sir. The entire Prison Act or the prison reform is not discussed now. My hon. Friend is discussing the offences and punishments under section 46. This is not relevant to the present discussion."

MR. SPEAKER:—"But the hon. Member has the liberty to say . . ."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I understand that these are the punishments which are alternative or sometimes concurrent with the penalty of whipping. The offence being hunger strike, I believe reference to these punishments is in order."

THE HON. SRI K. MADHAVA MENON:—"I submit, Sir, my Friend Mr. Abdul Hameed Khan is not quite correct, because section 46 which my hon. Friend referred to, refers to punishments for the general jail offences committed by any person. We are now in the position of amending the Act in such a way that

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this punishment shall not be inflicted on a hunger-strike prisoner. The twelve punishments that have been provided are not for hunger strike in jails."

MR. SPEAKER:—"Then the hon. Member is not correct."

SRI K. SUBBA RAO:—"May I know from the Hon. Minister whether hunger strike does appear anywhere in the Jail Code?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir."

SRI K. SUBBA RAO:—"Hunger strike is not provided in the section, Sir."

MR. SPEAKER:—"If the hon. Member refers to alternative punishments, he is at liberty to request the Minister to repeal all those punishments."

* SRI V. RAGHAVAYYA:—"I submit, Sir, that the effect of this Bill is that, while exempting a hunger striker from the whipping punishment, it imposes on him the other punishments enumerated in section 46, and so, as the Speaker has rightly ruled, I am referring to the various punishments enumerated therein. I am now reading section 46. Clause 8 provides separate confinement for any period not exceeding three months. We and the Hon. Mr. Madhava Menon have seen several people confined to solitary imprisonment. People have gone mad on account of this ghastly punishment. I can understand a man being punished, but punishment must be mixed with mercy. Putting on handcuffs, putting in solitary cell night and day, and then taking him only for just an hour in the evenings and for taking food, is certainly not the punishment which must be allowed to be imposed by a jail official. I can understand a court imposing such punishments. But section 46 unfortunately empowers these jail officials to impose these punishments. We know the educational qualifications of these jail officials, and, therefore, they are not expected to be so humane as other civil officials. Such a vast power vested in these jail officials has been more often abused rather than properly used. Then, Sir, about the ninth punishment 'penal diet', restriction of diet in such manner and subject to such conditions regarding labour as may be prescribed by the Government. The tenth punishment is cellular confinement for any period not exceeding 14 days. This, Sir, will certainly put out the life of a man for all practical purposes. Generally, solitary confinement is meted out only to people who are guilty of murder and such serious charges, and who will be awaiting for last day of their life. All these punishments to be contemplated for a hunger striker is the worst feature of this Bill. A hunger striker generally can be expected, in spite of the condemnation of my hon. Friend on the right . . . (Interruption by Sri N. S. Varadachari) Mahatma Gandhi is more often misquoted by people and those who swear by him are more guilty of breaches of propriety than all others. I am not afraid of those quoting Mahatma Gandhi often. (Interruption by Sri N. S. Varadachari.) Sir, I wish the hon. Member is called to order. He cannot go on parrying words with me.

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Coming to the present Act and hunger strike, my submission is that hunger strikes have not been resorted to everywhere and for every reason. Even according to our great leader Mahatma Gandhi, hunger strike is a powerful weapon in the hands of a man who feels that his religious feelings or feelings of self-respect have been hit hard, and that he has no other go than to take to this method of self-infliction of a hardship on himself. Judged from the various instances where this powerful weapon has been used, on former occasions I remember several eminent men, placed in similar circumstances, had taken to hunger strike as the mildest way of lodging their protest, for there is a jail rule which says that every person shall take food, and if he does not take food, the jail officials have to record the reason in the book kept for the purpose. Well, Sir, hunger strikes cannot be possible for the mere calling of it; they do it only when they are forced to do so. People of culture convicted of political offences, when they take to hunger strike do not do it for the fun of it. Nobody would like to immolate himself or volunteer to die unless he is forced to do so. It is unfortunate that our Government do not remember that August 15, 1947 has passed, and a new dispensation has come over India. I can understand other things, but when the Prison Act is applied to persons who had been . . .

MR. SPEAKER:—"The hon. Member has taken 20 minutes."

* SRI V. RAGHAVAYYA:—"When the Act is applied to people who can be generally deemed to be men of culture and who take to hunger strike only when compelled to do so, and that too for very great moral reasons, I do not see any justification for this punishment to continue in respect of hunger strike. One word more, Sir, and I am done. This whipping, being such a barbarous punishment should not be in the statute book; not only for a hunger strike prisoner but for any prisoner (Sri K. Anandan Nambiyar: hear, hear). With these words, I commend the Bill, however unsatisfactory it is, and however much it does not meet the requirements of the several demands of this House."

2-46 p.m. SRI T. PRAKASAM:—"Sir, while this Bill has been commented upon by various Members, the Hon. Minister in charge of Jails got up to point out that the comments should be confined to a particular clause. I should have expected the Hon. Minister to have brought forward a measure to repeal altogether this punishment, not only for a hunger striker but for any prisoner for any offence. It is only in this country that this wretched punishment of whipping has gone on for such a length of time. The people who had been subjected to that were mainly political sufferers either in the name of Congress or in the name of other political party. It is very unfortunate that we had neglected to remove this punishment from the statute book. When we were in office from 1937 onwards to October 1939 we should have done it and reformed jail administration on the lines obtaining in civilized countries. We did not do that; with the result that the provision of whipping has been there all along in the Jail Code. When we were in office till recently my colleague Mr. K. Bhashyam ought

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to have taken steps. Now, I was expecting the Hon. Minister Mr. Madhava Menon to say, 'Well, Sir, do not argue about this, I shall introduce a measure to-morrow abolishing whipping altogether'. We know how prisoners were tied between sticks, then the whip was taken and lashes were given. To people outside it is all unimaginable and unthinkable. Present day jails are not jails intended for human beings in any civilized country. Time and again we had been to jail and we know what it is like. It is high time whipping is abolished once for all. This is what I wanted to state and I hope the Hon. Minister in charge of Jails would attend to it."

SRI PILLALAMARRI VENKATESWARLU:—"Mr. Speaker, Sir, while welcoming the move on the part of the Hon. Minister to remove whipping as a punishment for hunger strike I am sorry to point out, this piece of legislation is not going to satisfy any of the members present here. I am quite confident, had this Bill been discussed at the Congress Party meeting, perhaps a better Bill would have been presented to us to-day. Now by not doing that the Government have tied the hands of hon. Members of their party to vote for this Bill, even though they are convinced that this is not a good Bill. Just now we have heard Mr. Prakasam, the ex-Prime Minister, expressing regret for not improving Jail Code either when he was Revenue Minister or when he was Prime Minister. At least I am thankful to him as a responsible leader who has gone to jail several times admitting the need for overhauling jail administration. I have also several times requested the present Minister in charge of Jails to repeal the Jail Manual so that at least those who go to jail hereafter, and the Communists who may be sentenced to jail hereafter may not be subjected to this punishment. We know how the present Jail Code came into being; it had been the creation of the British Imperialist, and now that they have left our country it is but fit that the entire Code should be repealed."

"Now coming to the Bill, I have to point out that this Bill removes whipping as a punishment for going on hunger strike. It is not enough. I fear the Hon. Minister had not bestowed great attention on the Bill. Had he done it he would have brought a better Bill. If we go on strike there are several punishments. It is on humanitarian considerations that he has brought this Bill; and so he should have abolished whipping altogether. If I understand the Hon. Minister correctly I think he also sympathises with hunger strikers. Because I had to meet him twice or thrice when Mr. Nambiyar was on hunger strike, and he also expressed the need for reform of the Jail Code. Perhaps for want of sufficient time he had not been able to bring forward a better Bill now. We want a complete overhaul of the Jail Manual; punishment for hunger-strike must be completely removed. If that is done, the whole House, or at least the Communist Party will be grateful to the Hon. Minister. If the Bill is referred to the Select Committee it can be improved suitably. I want whipping for going on hunger-strike should be removed. I am sure the Minister is not opposed to that. And I suppose he agrees with me

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that hunger-strikers should not be punished for going on hunger-strike. This must be made clear in the Bill. So with these words I request the Minister to refer the Bill to the Select Committee."

* MR. W. J. FERNANDEZ:—"Mr. Speaker, Sir, whilst I am in general agreement with the sentiments expressed against having whipping as a punishment, and in favour of doing away with whipping as a humane reform in jail administration, I am afraid in the interests of the prisoners themselves there must be some effective deterrent as a substitute if whipping is to go. I did not quite follow Mr. Bhashyam when he justified hunger-strike as the only means of drawing the pointed attention of the jail authorities to the grievances of prisoners. I believe, Sir, subject to correction, there are non-official visitors to jails in most of the prisons in the Presidency, who periodically visit jails; go to the prisoners and ask them how they get on. (Interruption.) That is why I said, subject to correction. The prisoners can ventilate their grievances to them and they, I am sure, would place those grievances before the Superintendent of the Jail and see that the grievances are removed. When once prisoners know that whipping as a punishment for hunger-strike is done away with, in my humble opinion, hunger-strike would become the order of the day in all prisons, and jail administration would become impossible. Imagine a superintendent who has to deal with at least fifty hunger-strikes a day. The prisoners will persist in it because they know that the punishment has been done away with. Most of the speakers were eloquent about it, as they had experience of jail life and as they had seen the horrors of jail life. We should also remember the people at the top who have to administer jails every day. Now that the Britisher has bid good-bye to our land, conditions have changed; and if hunger-strike is to be the weapon that a prisoner should resort to then we will make jail administration an impossibility. The very speakers who now condemn it will have friends in charge of jails hereafter and they will feel sympathy for them when they express difficulty to handle people who go on hunger-strike for some imaginary grievance. I say hunger-strike is not the way in which a prisoner should express his grievance. I am sure the jail authorities will exhaust every possible means of satisfying or redressing their grievances, and only in the last resort will they have recourse to whipping. I think whipping should be there; but it should not be used. Let it be a deterrent punishment. Let it not be used until all other means have been tried. And even when it should be used the jail authorities should get specific orders of the Government to apply it. I think, if you keep whipping in the Statute Book, though it may not be used for this particular offence, there will be no hunger strike and we shall have a peaceful administration of the jails."

3 p.m.

SRI D. V. RAMASWAMI:—"అధ్యక్షా, జైల్లో ఖైదీలను కొరడాలతో కొట్టు కొట్టే పద్ధతి తొలగించవలసినదిగా మన నాయకులు శ్రీ ప్రకాశం చంతులు గారు ఇతర స్పష్టము చెప్పియున్నారు. ఇది చాలా ముఖ్యమైనటువంటి విషయమని మనవి చేస్తున్నాను కాంగ్రెస్ వారు ప్రభుత్వములను స్వీకరించిన దరిమిలాను ఈ జైల్ల పరిపాలన విధానములలో చాలా మార్పుచేసింది సంస్కరణలుచేసారు. చాలా

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చక్కని విచారణలు చేయబడినవి. ఖైదీలకు మజ్జీగ యిచ్చుచున్నాము. ఖైదీలను వారి బంధువులు, స్నేహితులు చూచుటకు (interviews) సావకాశములు కలుగ జేయబడినవి. ఖైదీలు చదువుకొనుటకు వుత్సాహములు ఇచ్చుచున్నారు. గ్రంథాలయములను ఏర్పాటు చేసారు. ఇట్టి సంస్కరణములను చేయుటకు కొరడము ముఖ్యముగా ప్రభుత్వము వారియొక్క దృక్పథము మార్చుటచేసినది మనవిచేస్తున్నాను. దీని సంస్కరణములను చేసినట్లుగానే ఖైదీలను కొరడాలతో కొట్టు (whipping) విధానమును తొలగింప గోచ్రును. జైల్లు ఖైదీలను సంస్కరించి వాగుచేయు చోట్లుగా ఉండవలెనుగాని, వారిని అతి కఠినముగా శిక్షించి, వారి జీవితములను దుర్భరముగా చేయు నట్టివి కాకుండా ఉండవలెను. ఖైదీలను కొరడాలతో కొట్టుటవలన తాత్కాలికముగా వారికి భరింపలేని శరీర కష్టము కలుగునేగాని వారి బుద్ధులు చక్కబడవు. కాబట్టి ఈ (whipping) కొరడా శిక్ష పూర్తిగా రద్దుచేయవలసినదిగా ప్రభుత్వము వారిని కోరుచున్నాను. ఇప్పుడు ఈ బిల్లులో hunger-strikers ను కొరడాతో శిక్షించుట రద్దుచేయుచున్నాను. ఇది చాలా మార్పిడి తగ్గ విషయము. అదే విధముగా ఈ శిక్షను పూర్తిగా తీసివేసిన ప్రపంచములోని progressive countries లో మన దేశము మన మద్రాసు రాష్ట్రము ఒకటిగా ఉండునట్లు చేయుట మన కర్తవ్యము అని మనవిచేస్తూ ఈ బిల్లును బలపరచుచున్నాను."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I only want to add my voice to the one that has already been raised in the House against this punishment of whipping. The Government would have been better advised if they had produced a more comprehensive Bill than the one they have now brought before the House and abolished the punishment of whipping altogether instead of abolishing it only with reference to one kind of offence as they conceive it. Whether they conceive hunger-strike as an offence or not the Bill itself goes to prove that the Government think that it is an offence. Whether it is an offence or not, I am not concerned. I say that not only in the case of hunger-strikers but in every other case the punishment of whipping must be abolished and I hope the Government will take the earliest opportunity of bringing out another measure for abolishing that uncivilized form of punishment."

* THE HON. SRI K. MADHAVA MENON:—"Sir, while all Friends support the Bill they have asked the Government why they have not gone further and taken an entire survey of the jail rules, the Prisons Act and the Jail Manual and come forward with a comprehensive jail reform. That is necessary, Sir, and that will be undertaken. But the immediate necessity was evidently felt even by my predecessor Mr. Bhashyam for bringing in a legislation regarding hunger strike and whipping as a punishment for hunger strike to be abolished. Perhaps then there were a number of hunger strikes going on and they did not want the punishment of whipping to be given. Sir, Mr. Prakasam was asking me why I did not take up whipping as a whole. I can as well say that it should have been done. Perhaps the late Home Minister Mr. Bhashyam and Mr. Prakasam must have had their own reasons for not removing whipping as a punishment as a whole but only to remove it as a punishment for hunger-strike. Anyhow the suggestions will be considered."

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"I want to remove one misapprehension, Sir, in the matter. My hon. Friend, Mr. Ramaswami, was talking about Korada. I must say, Sir, that whipping is done in jails not by the Korada but only by the ordinary cane, if whipping is resorted to at all. I may say that whipping has been resorted to only very very seldom in the case of ordinary prisoners though it might have been resorted to in the case of political prisoners. We should not blind ourselves to the fact that there are not merely political prisoners in jails, but a majority of the prisoners are hardened criminals. I cannot agree . . ."

SRI M. S. PATTABHIRAMA AYYAR:—"Am I to take it from the Government, Sir, that Korada is not used in the jails for whipping and that only cane is used in the jails?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir."

SRI M. S. PATTABHIRAMA AYYAR:—"No Korada is used?"

THE HON. SRI K. MADHAVA MENON:—"No Korada is used, Sir."

SRI M. S. PATTABHIRAMA AYYAR:—"At all times?"

MR. SPEAKER:—"It has become more like a conversation between the Hon. Minister and the hon. Member. One of them should resume his seat."

DR. S. SUBRAHMANYA AYYAR:—"Does the Hon. Minister consider that whipping by the cane is more humane than whipping by the Korada?"

SRI M. S. PATTABHIRAMA AYYAR:—"On a point of information, Sir. I myself have seen with my own eyes a criminal being whipped with what is known as the Korada in the buttocks, Sir."

THE HON. SRI K. MADHAVA MENON:—"It might have been done in 1921. It is not being done now with any Korada. It is wrong. Even now it is very seldom that this punishment is imposed. I did not at all mean, as Dr. Subrahmanyan wanted to suggest, that perhaps cane is more humane. I was only correcting the statement and not stating whether it was more humane or not. I for one will not be a party to removing the entire punishment provided for jail offences under sections 46 and 52 of the Prisons Act under the present circumstances. But certain things might require reconsideration."

"Sir, I am much obliged for the consideration and concern shown by Mr. P. Venkateswarlu for the opinion of the Congress Party and what the Party will do. I am very glad that he has got a sudden love for the Congress Party and I wish that will continue."

"Mr. Abdul Hameed Khan was saying: 'What is the alternative punishment that you have for hunger-strike if you are taking away this punishment though it is necessary?' As I said hunger-strike is an offence under section 292-B of the Jail Manual and

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there are various punishments provided under section 46 for certain jail offences, one of which is whipping and there are alternative punishments provided and I do not at all agree with my Communist friends when they say that no punishments at all should be awarded for hunger-strikes and that hunger-strike should never be an offence at all. I can give a number of instances where hunger-strikes have been resorted to—when my friends were in jail recently—by the ordinary prisoners for absolutely no reason, but simply to create some trouble and perhaps to give trouble to the Government. I am sure that none of us would agree to the proposition that hunger-strike should not be an offence. Most of the hunger-strikes that were undertaken were not honest at all; most of them were bogus. The poor ordinary prisoners were made the cat's paw. I may quote one instance here that took place in one jail. Sometime back we had large supplies of wheat and in the jail there was some stock of wheat. The ordinary prisoners were given wheat kanji in the morning as long as the wheat stock lasted. We all know now that there is no wheat supply in the province and because of want of wheat, wheat kanji was not given. And the jail authorities gave rice kanji. The prisoners resorted to a hunger-strike and they said: 'Unless we are given wheat kanji we are going on a hunger-strike.' In this way for very small and slight things hunger-strike was being resorted to, not with the idea of going really on hunger-strike and making the Government understand the position, but simply because they wanted to create a sensation, or they wanted that some embarrassment should be caused to the authority or Government by that hunger-strike and perhaps for propaganda that there was a hunger-strike. I know instances where big leaders began hunger-strikes and even after nine days of hunger-strike they did not lose even four pounds in their weights. But still the idea was to stage a hunger-strike and make a propaganda about it. Unless you say that it is an offence—of course the question of punishment may be a different thing—and make it punishable, it is a thing which will catch fire and ordinary prisoners not knowing the consequences will be made a cat's paw and made to resort to it. I therefore cannot agree to the suggestion that hunger-strike should not be an offence at all. The question of punishment is a different matter."

"I also cannot agree with my hon. Friend, Mr. Bhashyam, that hunger-strike is a legitimate thing and that that is the only way in which a prisoner can show his resentment or objection to treatment in jail. I have already told you of instances where hunger-strike has been resorted to for nothing, for no cause at all, and when they had nothing to inform the Government about. Take the instance of wheat kanji. No wheat was available and rice kanji was given. Is that a reason for going on hunger-strike even after they were told that it was not available? It was only to cause trouble. So I cannot agree with Mr. Bhashyam when he says that hunger-strike is the only legitimate weapon. It is not the only one legitimate weapon in my opinion. When it is not the only legitimate thing to do, certainly action has to be taken and proper punishment awarded. I have no doubt about that."

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"The hon. Member Mr. Raghavayya and other Friends were very eloquent about the outrageous punishment provided for in section 46. Certain punishments may be hard but we have to take into consideration the nature of the people that have to be dealt with, people in jail who are already undergoing a punishment. When undergoing that punishment, when they commit further offences in jail harder punishments have to be imposed. Otherwise the punishment would not be deterrent at all. Humane considerations should certainly prevail in the way in which the punishments are meted out; that has to be seen to and will be seen to.

"Sir, the question of the general revision of the Jail Code and the Prisons Act is not before the House and I can only say that it is under the consideration of the Government and it will be dealt with. In such a case Mr. Venkateswarlu will certainly have the satisfaction that the Congress Party will scrutinise me and guide me. I hope it will please him. I therefore say, Sir, that there is no necessity for this to go to a Select Committee. The Select Committee could not go beyond the scope of the present amendment and it cannot do anything more than what the principles of the present Bill contain. So, I do not accept the suggestion of the hon. Member Mr. P. Venkateswarlu that it should be referred to a Select Committee. That is all that I have to say on it now, Sir."

The motion that the Prisons (Madras Amendment) Bill, 1947 be taken into consideration at once was put and carried.

Clause 2.

3-15 P.M. MR. SPEAKER:—"Mr. Venkateswarlu has given notice of an amendment to this clause."

THE HON. SRI K. MADHAVA MENON:—"I submit, Sir, that the amendment does not fit in with any of the sentences in the Bill and is not in order."

MR. SPEAKER:—"Will the Hon. Minister please read the amendment?"

THE HON. SRI K. MADHAVA MENON:—"The amendment says—

'The following words shall be added at the end of the amendment:—

"and other punishment; and provided refusing to take food or water by any prisoner shall not be deemed as a breach of Jail Rules."

It does not say that the words should be added at the end of sub-clause (1)."

MR. SPEAKER:—"It means end of sub-clause (1). It is only a printer's mistake. The clause as amended will be—

'or render any prisoner on hunger-strike liable to whipping and other punishment; and provided refusing to take food or water by any prisoner shall not be deemed as a breach of Jail Rules.'"

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THE HON. SRI K. MADHAVA MENON:—"Sir, the question whether hunger-strike should be considered as a breach of the jail rules is not the subject of the amending Bill."

MR. SPEAKER:—"I will give my ruling on the point."

SRI PILLALAMARRI VENKATESWARLU:—"I request you to let me explain my amendment."

THE HON. DR. P. SUBBARAYAN:—"All that is sought to be done is that there shall be no whipping for hunger-strike. It is not the intention of the Government to take away hunger-strike as an offence at all. There are other penalties which can be awarded by the court and section 2 (2) provides for them. Only whipping is taken away. Other things remain, the amendment goes against the very principle of the Bill."

SRI PILLALAMARRI VENKATESWARLU:—"I am sorry, Sir, that the Hon. Minister wants to take protection under technicalities. Whatever may be the intention of the Government, I want that it should be the intention of this House that whipping should be removed and that hunger-strike should not be made an offence at all."

MR. SPEAKER:—"The amendment is not in order. If the hon. Member had stopped with the words 'and other punishments' it would have been all right. But the words 'and provided refusing to take food or water by any prisoner shall not be deemed as a breach of Jail Rules' are not in order. I therefore rule that the amendment is not in order."

Clause 2 was put and carried. Clause 1 and the Preamble were put one by one and carried.

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

* SRI K. ANANDAN NAMBIYAR:—"Sir, I should like to answer some of the points raised by the Hon. Minister. He says that hunger-strike is not a legitimate thing. I ask, Sir, if it is not a legitimate thing what else is a legitimate thing? Inside the jail if the warder or the Jail Superintendent of the jail beats me and would I be correct in beating him back and breaking his skull? Could I break the skull of the Jail Superintendent? When I am teased inside the jail I have no other go except to go on hunger-strike. The Hon. Minister says it is not a legitimate right. Then please tell us what else is legitimate (Interruption). The only other way is flying out. We know how to fly out and escape. When such is the case, they cannot say that hunger-strike is not a legitimate right. It is a legitimate right."

"Then, Sir, the Hon. Minister spoke about certain political prisoners persuading other prisoners to go on hunger-strike. It is not at all a fact, Sir. It is all based on false reports submitted by Jail Superintendents. The Hon. Minister referred to the strike in the Trichinopoly Jail when wheat was given. I was then there."

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The Hon. Minister Mr. Bakthavatsalam visited the jail. I took part in the strike. The grievance was not about the giving of wheat, but about the better preparation of the kanji out of maize. The Hon. Minister has been wrongly informed by the Jail Superintendent. Even now he may make an enquiry about it. We in the jail represented the matter to the Jail Superintendent and requested that the kanji at least may be prepared in a better manner. He said: 'We are the people who prepare the kanji and we know how to do it.' We said: 'we are the people who drink it and we refuse to drink it.' There was thus, Sir, no question of supply of wheat. The Government and the Hon. Minister here are not at all in a position to know what is happening inside the jail. That is our difficulty. We have no other way of giving expression to our grievances. The prisoners have no other recourse but hunger-strike. They do not want to embarrass the Government. What business have they to embarrass the Government? I went on hunger-strike for six days. Do you think I will go on like that for nothing? I lost one pound every day. Of course, after hunger strike was over, I put on weight. That is what Mahatma Gandhi has taught us. Going on hunger-strike is not at all crime. When it is not a crime, there should be no punishment at all for it. When one has not committed a crime it is absurd to punish him.

"The Hon. Minister referred to the instigation of other prisoners by the political prisoners. There was not then even a single political prisoner inside the jails in the presidency. The Hon. Minister refused to treat even real political prisoners as political prisoners. When an adjournment motion was brought forward in this House during the last session, the Hon. Speaker refused to deal with the matter. Now the Hon. Minister says that he cannot allow hunger-strike and that it is crime. When the matter is brought before the House, the Speaker says, 'I cannot discuss the matter of hunger-strike.' Then, where is the way out and what course could we take? What are the means at the disposal of the prisoner, if even in this House we have no remedy? Inside the jail the jail authorities manhandle the prisoners; outside the jail we have no remedy. Inside this House Hon. Speaker does not allow even adjournment motions."

MR. SPEAKER:—"Is the hon. Member questioning the ruling of the Speaker? He is speaking so loud that I am not able to hear him properly."

THE HON. SRI K. MADHAVA MENON:—"The hon. Member says that there was an adjournment motion on this subject that you ruled it out of order. He says he has no remedy, even the remedy of hunger-strike."

* SRI K. ANANDAN NAMBIYAR:—"I am not questioning your ruling, Sir. I only wish to point out that when, even in this House, we have no right to talk on that subject, if the right of hunger-strike is taken away, what else can be the remedy? I never wanted to cast aspersion on the ruling of the Speaker."

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"Sir, there was the question of the loss of weight. The real thing is my weight went down during the hunger-strike. There would have been a loss of not less than one pound every day. The medical authorities made false reports, because inside the jail they are all one. These reports from jails should not be believed at least in future in the interests of the poor man, the common man. The judiciary is not separated from the executive and if people are not able to furnish any security under section 107, they are sent to jail for one year."

MR. SPEAKER:—"On the third reading of the Bill, the hon. Member should not speak as if on the general discussion."

* SRI K. ANANDAN NAMBIYAR:—"Thank you, Sir. What I request the Hon. Minister is that hunger-strike should be considered as a legal right and should not be punished under section 46 of the Prisons Act or the Jail Manual. With this request I support the motion (laughter) and I also say that my suggestion also must be accepted."

* SRI PILLALAMARRI VENKATESWARLU:—"Sir, we are glad that the Hon. Minister has at least come to the conclusion that hunger-strike, however punishable it may be, shall not be punished with whipping. Unfortunately that should not be the stand of a patriot and that too by one who has gone to jail so many times and suffered a lot. It cannot be viewpoint of a nationalist. I can understand the Hon. Minister arguing like this before 1930 but not in 1947. Even though the times have changed, the Hon. Minister is not moving with the times. He is speaking as if we are in 1930 and not in 1947. The Hon. Minister has given reasons why hunger-strike should be made punishable and he has also stated that some political prisoners instigated others to go on hunger-strike. He has side-tracked the main issue. The defects in my amendment could have been rectified but it has been ruled out taking shelter under some technical . . ."

MR. SPEAKER:—"The hon. Member is questioning the ruling of the Chair."

* SRI PILLALAMARRI VENKATESWARLU:—"I am only touching on that point. Sir, hunger-strike itself is a punishment. The person suffers and loses weight. I request the Hon. Minister to make an experiment and go on hunger-strike and find out whether he loses weight or gains weight. When the Hon. Minister was in jail he might have instigated others to go on hunger-strike. That is why he is accusing the prisoners of the Communist party."

(At this stage the Hon. Speaker noticed some strangers in the seats reserved for Members of the Upper House.)

MR. SPEAKER:—"Order, order. Those seats are reserved for the Members of the Upper House. Outsiders should not sit there."

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* SRI PILLALAMARRI VENKATESWARLU:—"What I am saying is that hunger-strike itself is a punishment. The person will lose weight and will be made to submit to forcible feeding. As though these are not sufficient, our Hon. Minister wants the hunger-strikers to be punished still further. The jail rules should be framed in such a way as to help the prisoner and not otherwise. But all powers are given to the Jail Superintendent. Under section 49, the Jail Superintendent is all in all. He is the person who frames charges and awards punishments. Nobody knows what happens and the Hon. Minister wants to make even hunger-strike punishable. That is why I object to the attitude taken by the Hon. Minister."

3-30 p.m. "The Hon. Minister also said that there were other ways for making representations than hunger-strike. Perhaps the Hon. Minister has forgotten some of the provisions of the Jail Manual according to which the prisoners should send their petitions only through the Jail Superintendent. The prisoners generally complain against the Superintendent, and they have to send petitions through him. Nobody knows what has happened to the petitions, and the public is always kept in the dark. So many hunger-strikes are going on in jails and so many atrocities are being committed. How many of them are published in the Press? Unless there is a hunger-strike and the prisoner is prepared to risk his life, not a single line is published in the Press. The prisoners have no other means of ventilating their grievances except through hunger-strike. I request the Hon. Minister to indicate to the prisoners by what other means they can ventilate their grievances. To say that the prisoners have no grievances is entirely wrong. When there are grievances and no means of ventilating them, the only way is to resort to hunger-strike. The Hon. Minister wants that for going on hunger-strike, the prisoner should be punished."

MR. SPEAKER:—"I told the hon. Member sitting beside the speaker that there should not be anything like a general discussion at the third reading stage. Hon. Members should confine themselves to the Bill."

* SRI PILLALAMARRI VENKATESWARLU:—"I am speaking on the Bill, Sir. While speaking on the Bill, the Hon. Minister made reference to all these points. If they are all relevant, then what I say is also relevant."

"What is the alternative punishment for hunger-strike? That is the problem with which he is worried. I say that there need not be any punishment for hunger-strike. Hunger-strike in itself is a punishment, as the prisoner who goes on hunger-strike loses weight. My request is to amend the Bill for the simple reason that the barbarous punishment of whipping should be removed. I say with confidence that the proposition that hunger-strikes should be made punishable cannot at all be accepted by the House, perhaps with the exception of the Hon. Minister."

"With these words, I support the Bill."

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MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, this measure is a welcome one so far as it goes. There is some confusion in the minds of our Communist Friends about a prisoner who has not been treated as he ought to be treated according to their lights. My Friends also referred to the Hon. Minister for Prisons having been in jail and said that he must be more amenable than others to abolish whipping as a punishment for all offences including hunger-strikes. My Friends forget that when the Hon. Minister went to jail, he did so as a protest against the policy and conduct of a foreign Government which was then dominating. Whatever remedies he wanted that foreign Government to adopt do not hold good now with the present Government which is a government of the people. Parliamentary democracy is based upon party basis. If, for political reasons, one party is opposed to the party in power, the remedy is to educate the voters and oust the party in power if it went wrong. That is the constitutional method. If the Communist party thinks that the Congress party is wrong in its policies, then it should educate the people and come in a majority or capture the whole House in the next elections. That is the remedy except in cases where a man might have what is called conscientious objection. The law might provide safeguards for it. The Constitution framed by the Constituent Assembly provides for what are called Fundamental Rights. There, you can resort to courts and get redress. That is the way except in very rare cases where the people feel that even the fundamental rights are trifled with by the influence of the executive, as judiciary is under the executive. That perhaps may be the occasion for a citizen to resort to hunger-strike, go to jail and do other things. I think the time is not far off when the influence of the executive on the judiciary will disappear. We are expecting that time. Therefore, my submission is that, if a man chooses to go to jail by infringing the law of the country, at least inside the jail, he must abide by the rules. That is what is expected of a citizen. It is only in that way we can establish orderly, progressive Government. Let there be no impression in the minds of the people that, because they belong to a certain political party, they can resort to any means to sabotage the Government. As I said, people who went to jail in the past did so under different circumstances. Now those circumstances do not at all hold good. We very much wish that this barbarous punishment goes out of the Statute Book. With that wish and hope, I heartily support the measure."

THE HON. SRI K. MADHAVA MENON:—"I would not have had much to say but for certain personal references made by my hon. Friend Mr. Anandan Nambiyar, though they were irrelevant to the issue."

SRI PILLALAMARRI VENKATESWARLU:—"On a point of order, Sir. Those references had nothing to do with the Bill, and they were made in reply to the remarks of the Hon. Minister himself. If he were permitted to refer to them, the hon. Member also must be given an opportunity to reply again."

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MR. SPEAKER:—"The Hon. Minister can give a personal explanation."

THE HON. SRI K. MADHAVA MENON:—"Even things which I did not mention in my reply were referred to personally. When the hon. Member wanted certain prisoners to be classed as political, I refused saying that it could not be done. That is not a matter which I referred to in my reply. When that statement goes to the Press as he wants it, I cannot but explain my position. It is true that Mr. Anandan Nambiyar told me that all Communists should be treated as political prisoners, whatever the offence might be. I replied that if a person committed dacoity, murder or theft, the fact that he was a Communist could not give him the right to be classed as a political prisoner. I still maintain that. If a person commits a serious offence, simply because he is a Communist or Congressman, he cannot be classed as a political prisoner because he has committed an offence under the Penal Code. A wrong interpretation has been placed on what I have said."

"The hon. Member said that my statement that some prisoners made others their cat's paw and induced them to resort to improper hunger-strikes was wrong. I will quote one instance from my personal experience. In Cannanore jail, eleven military prisoners went on hunger-strike. On the eighteenth day of the strike, I went there. In spite of eighteen days of hunger-strike, they were perfectly healthy and none of them lost more than three pounds in weight. They did not inform what their grievances were, and so I wanted to know from them what they were. They replied that certain Communist prisoners were given 'A' or special class and that all the 1,500 prisoners in the jail should be allowed the same class, and it was for that that they were on hunger-strike. I said that every facility would be given for continuing the hunger-strike. Then they told me that they were induced by the other political prisoners in the jail saying that, if they went on hunger-strike, they would get all the benefits which the other prisoners were getting. I said it advisedly from personal experience and with deliberate evidence before me."

"I have nothing more to add. I again make a request that the Bill be passed into law."

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

(5) THE PRISONS (MADRAS AMENDMENT NO. II) BILL^a, 1947.

THE HON. SRI K. MADHAVA MENON:—"I beg leave to introduce the Prisons (Madras Amendment No. II) Bill, 1947, and move that the Bill be taken into consideration at once."

"The Bill refers to civil prisoners. According to the law, as it stands now, the decree-holder has to pay the cost of the clothing and bedding supplied to the prisoner. The Superintendent has to inform the decree-holder in writing. If the payment

^a Printed as Appendix VII on page 651 infra.

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is not made within forty-eight hours of the receipt of the demand, the prisoner may be released. The Superintendent of the Prison has no means of knowing the exact time at which the demand reaches the decree-holder. Forty-eight hours are not enough in many cases. The Government are suggesting an amendment providing that the cost of the clothing and bedding should be deposited in the court committing the prisoner to jail, so that there may not arise any difficulty in enforcing the provisions of the existing section."

SRI K. ANANDAN NAMBIYAR:—"I support the motion and, in doing so, I have some remarks to make. Here indebtedness is considered to be a crime. What I suggest is that there need be no conviction at all for indebtedness. It is a civil contract between two parties to return the borrowed amount. If the debtor does not repay, it is because he cannot afford to repay. What is the object in putting such a man in prison? Indebtedness should not be considered a crime and the debtor should not be put in jail. With these words, I support the motion."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, my friend Mr. Nambiyar thinks that a debtor who is not able to discharge his debt need not be sent to prison at all. Sir, that is just the law at the present moment. If the court thinks that the debtor has no property at all and that he is unable to discharge his debt, he is not arrested and put into jail. But it is only in cases where the creditor proves that the debtor has got enough property by which he could discharge his debt, that the debtor is arrested and sent to jail. By this Act, the creditor is put to a further disadvantage. Not only has the creditor to meet the expenses on batta and other things during the process of arrest of his debtor, but he has also to provide for his maintenance in the jail. That has been so at present. Now, to add to it, this is another burden on the creditor. He is asked to pay money into the court for the debtor's clothing and bedding. Therefore, even under this Bill, it is not the creditor that is favoured. It is really the debtor that is favoured."

"Now, it may be asked, why should anybody first lend money, and then if the debtor is unable to repay, the creditor should send him to jail? That is a different question. But, so long as there is borrowing and lending, and so long as you think that borrowing and lending are legal, then there is an obligation on the part of the borrower to discharge his debt, and I think that it is not only legal, but also moral that he should discharge his debt. It is only in cases where the borrower is really unable to discharge his debt, that the law favours him. But, where the debtor is dishonest and does not pay, he is sent to jail. As I said just now, Sir, this provision is a further burden on the creditor because he has to spend some more money on the debtor. I think it is more burdensome than the circumstances warrant. It seems as if some consideration is being shown to the man who is unable to pay and does not want to pay, that he should be provided with bedding and clothing so that he might live comfortably in the jail. I think, it is out of place and ought not to be done."

3-45
p.m.

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SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I agree with the proposition that imprisonment for civil debts should be altogether abolished from the statute book. I know very well that the Bill before this House does not cover that point, but I think we will be quite in order in suggesting to the Government that steps should be taken for the abolition of imprisonment for civil debts. This is no new matter and most of us have been talking about it for quite a good number of years. Somehow it has escaped our attention to bring it in the form of a legislation. I was surprised when my hon. Friend Mr. Mahboob Ali Baig said that the debtor is always favoured by the law."

THE HON. SRI K. MADHAVA MENON:—"May I point out, Sir, that imprisonment for civil debts is being ordered under the Civil Procedure Code and not under the Prisons Act?"

SRI T. VISWANATHAM:—"I thank the Hon. Member, Sir. This is an allied subject and this Government has got the power to amend the Civil Procedure Code, if they want to do so. I submit, Sir, that the subject is the same, though it is covered by two different statutes."

MR. SPEAKER:—"We are at present amending the Prisons Act and the hon. Member is not quite in order in bringing that subject before the House."

SRI T. VISWANATHAM:—"I was merely suggesting, Sir, that because the subject-matter of this debate covers a number of statutes, we might refer to other statutes as well. Anyhow, Sir, I am not going out of the way and I do not want to press upon an unwilling House or an unwilling Ministry any of my suggestions. But I do submit, Sir, that imprisonment for civil debts should be abolished and that is my humble suggestion."

MR. SPEAKER:—"The Hon. Minister for Prisons will now reply."

THE HON. SRI K. MADHAVA MENON:—"I have nothing to say in reply, Sir."

MR. SPEAKER:—"Now, the motion before the House is that 'A Bill further to amend the Prisons Act, 1894, in its application to the Province of Madras' be taken into consideration."

The motion was put and carried.

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, I entirely agree with what my hon. Friend Mr. T. Viswanatham has said just now. Sir, imprisonment is a very severe form of punishment and that is meted out generally to a criminal. It is said that there is a difference between a civil jail

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and a criminal jail, but that is only a difference without distinction. Both are absolutely the same thing. (Interruption.) Of course, my hon. Friends opposite are just probably talking about the rigours in the criminal jail and their absence in the civil jail. But to anybody who has any sense of honour and who considers that jail-going would jeopardise his honour, there is no distinction whatsoever between a civil and a criminal jail. Therefore, Sir, I submit that a jail is a jail, whether it is civil or criminal, to a respectable man. But then it is said that there are no means or possibilities of collecting the debt from a person who can really afford to pay, but who does not want to pay and that therefore it is proper that he should be sent to jail.

"Now, Sir, in these days when we are trying to take away one kind of punishment after another even for criminals, it behoves a civilised Government to remove even this punishment against a civil debtor. There are certainly other ways of collecting the money from a recalcitrant debtor. There are certainly other methods by which money can be collected from a debtor than by putting him into jail. Why should he be sent to jail if he has property? Why not you legislate to auction his properties and recover the debt? Why don't you resort to other means by which his properties could be brought to sale and the money recovered? You must have some such legislation by which even the money that is concealed should be unearthed to pay back the creditor. I therefore submit, Sir, that in these days when we are lightening the punishment even on the criminal offenders on account of the fact that we are living in civilised times, it behoves a civilised Government not to inflict on a civil debtor with such a punishment as imprisonment for a certain period, and I entirely agree with my hon. Friend Mr. Viswanatham that it is not moral on the part of any civilised Government to punish a debtor simply because he is not in a position to pay back his debt. I hope that the Hon. Minister who has sponsored this amendment to the Act would himself bring forward a measure to do away with this pernicious system of sending a civil debtor to jail and that the Government will take this matter into their serious consideration and do justice to the people who are placed in a very difficult position on account of the existence of such measures on the statute book."

* MR. W. J. FERNANDEZ:—"Mr. Speaker, Sir, I disagree entirely with the views expressed just now both by my hon. Friends Mr. Abdul Hameed Khan and Mr. T. Viswanatham. These gentlemen have not probably been stung by people who are professional debtors and adepts in the art of cheating. Those who have had experience with such people would certainly hold different views on the subject. Of course, from the judicial point of view, if a borrower has really no means of paying back his debts, it is open to him to seek protection of the insolvency laws and there ends the matter. He need not go to jail. On the other hand, there are certain borrowers who are in a position to pay, but who will not pay, unless this extreme step is resorted to. They are determined not to pay by any means by concealing their properties,

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and thus bring ruin on their benefactors. To such people, any less drastic punishment would be of no avail. My hon. Friend Mr. Hameed Khan asked, why not you adopt other methods to recover the debt without sending him to jail. Sir, if a debtor has properties, certainly the creditor would not spend money on sending him to jail and also pay for his upkeep and bedding. He could get back his money much more easily and much more cheaply by proceeding against his properties. It is because the debtor has hidden his properties that he has to take the other course, namely, to apply for the arrest and imprisonment of the debtor, on the ground that he is in a position to pay, but that he will not pay. Therefore unless some such drastic punishment is provided for in the statute book, such professional dishonest swindlers would swindle honest people and go scot-free."

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, what I wanted to say on this subject has almost been said by the previous speakers. I wanted to say something about the sentence of imprisonment for civil debtors. Sir, time there was, when a person was put into prison for the recovery of the debts due by him, and that was the procedure adopted in the early days. But of course, latterly we have gone over that and now there is no civil jail for a civil debtor who is really unable to repay.

"But debtors are not always honest. They put their properties in the name of their wives and their relations. Even if they have Rs. 10,000 worth of properties in their possession, they conceal them somehow and would not make them available to the creditors. It is only in such cases and in cases where persons are wilfully committing acts of breach of trust that the question of putting them into jail arises. So far as the criminal law is concerned, enough protection is already being given to persons who are *bona fide* debtors in the sense that they are unable to pay back their debts. For them there is the bankruptcy Court which affords them the necessary protection from personal arrest. But if a person is wilfully dishonest, if he is cantankerous, or if he puts his property either in the name of his wife or his relations or conceals it somewhere and thus prevents the creditor from being proceeded against it, then the difficulty arises for the creditor to recover his money. It is only in such cases, when it is proved to the satisfaction of the Court that the debtor wantonly tries to cheat the creditor that the Court issues orders for personal arrest and for being sent to jail. I would also like to bring to your notice that in case even this little relief is not given and is denied to the creditor, there will be no question of credit and of giving loans at all because there will be no way of getting back the money once given, and as a matter of fact, you will be giving perfect freedom and perfect liberty to the persons who get the credits to snap their fingers at the men from whom they have borrowed. The result will be that nobody will be coming forward to lend money to the extent we have seen hitherto. That is therefore a point which we will have to consider. I agree of course

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that this question of imprisonment for civil debts is bad, but there are other considerations which must be taken into account for the purpose of seeing how far the debtor should be protected from being put into jail."

* SRI K. VARADACHARI:—"Mr. Speaker, Sir, I congratulate the Hon. Minister for Agriculture on the very important piece of legislation he has brought forward for preventing the creditors from putting the civil debtors into jail. No doubt many of the stringent provisions relating to civil debtors which were previously in vogue under the Civil Procedure Code and the rules made thereunder were made less stringent some ten or fifteen years ago and the position of the civil debtor in prison was made a little easier and it was made little more difficult for the creditor to maintain him in the prison; but this additional amenity and other such amenities do not go a long way towards the relief of these civil debtors at all. The stigma that attaches to a procedure of this kind against debtors is on the basis that we are dealing with human beings just as if they were mere chattel or animals or beasts of burden—to hang a rope round him and drag him into the jail until he is made to pay. As a lawyer who has risen from the lowest rungs of the bar, I have known that this resort to the civil prison by a creditor is more often induced by a spirit of revenge, by putting the debtor who is his enemy, on some ground or other, to the greatest amount of difficulty and tyranny by imprisoning him and making contact with the outside world for a time at least impossible for him. Having done all this, a progressive Government in these days must have been thinking on the lines of abolishing this prison for civil debts. In so doing, we should make the position of the creditor hard enough by not only making this process more expensive in providing for the amenities in the jail itself but also making him pay for the protection of the debtor's wife and children at home during the period that he wants the debtor to stay in the jail. Make that at least, and it will be tantamount to abolishing the prison for civil debts. If you can add that provision also here, you will be doing the most humane thing by society and ridding these debtors from civil prisons through the Courts in the name of law."

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I am one of those who strongly feel that imprisonment for civil debts and the penalty of death for criminal offences, should both be abolished altogether. Two birds at one stroke, as my friend suggests here. As regards civil debt, the creditor ought to look more to the property of the debtor than to the body and the freedom of the debtor. He must consider whether the debtor has sufficient property to repay the debt; and even if the debtor is dishonest and conceals some of his property, the creditor must take the risk. If the debtor transfers some properties in the name of his relatives, then the creditor has a remedy; he can go to the Court and establish that the transactions are *benami*, made for the purpose of defrauding the creditor and therefore he will have the

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right of getting that property declared as belonging to the debtor himself and thus having it attached. I have got strong opinions in regard to this matter, and I hope the Congress Government will look both into the question of abolishing the death penalty for criminal offences and also into this question of abolishing imprisonment for civil debts. As regards the present provision proposed by the Hon. Minister; it is a very wholesome one. The creditor when he sends a man to prison for civil debt, must be made to pay him proper allowance and for his bed and clothing. There is no use saying that these things should not be paid for by the creditor and that the debtor should be allowed to rot in the jail for any length of time. This provision is a wholesome one and therefore I heartily support the Bill introduced by the Government."

* SRI R. V. SWAMINATHAN:—"Mr. Speaker, Sir, in supporting this motion, I want to say a few words. I entirely agree with Mr. Viswanatham and Mr. Hameed Khan and at the same time I entirely disagree with my Friends Fernandez and Bhashyam Ayyangar. Mr. Bhashyam Ayyangar said that there are some dishonest debtors who try to evade the creditors; but I want to tell you Sir, there are dishonest creditors who lend money. One instance I will give; one man will lend Rs. 100 to another at the rate of Rs. 3 and Rs. 4 and even Rs. 5 interest per month. That man will collect interest up to Rs. 150 or even Rs. 200 and yet he will have a balance of Rs. 100 as due to him and renew the pro-note. And if the man dies, he will get another pro-note from his son for the same Rs. 100 and ask him to pay. Please look at this poor man's position; naturally he will be forced to transfer his property to somebody else and thus try to evade the creditor. That is because the dishonest lender forces him to become dishonest. There are also people who will file false affidavits in the courts saying 'this man is trying to run away to Burma and Malaya, he is trying to hide his property,' and so on, and try to insult the debtor even when he has sufficient property; he will not even attach the property, he will arrange simply to arrest the man and put him in jail. As a matter of fact, even big people will try to take shelter under this Act; that is why I request the Hon. Minister to bring immediately another legislation for the total abolition of this imprisonment of debtors and thus save the poor debtors from dishonest creditors who lend money to them."

SRI PILLALAMARRI VENKATESWARLU:—"Mr. Speaker, Sir, while supporting this Bill, I am sorry to point out that our Ministry is bringing forward only halting measures or piecemeal legislation. As pointed out by my hon. Friend Mr. Varadachari, the families of the debtors also must be looked after. That principle in a way has already been conceded by our Congress Ministry; when the Communists were kept as detainees in the Central Jail, their families were being paid allowances by the Congress Ministry. Here also my suggestion is that the Government must force the creditor to pay family allowances to the

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families of debtors who are sent to jail. I support the suggestion of my comrade Mr. Nambiar that there should be no jail for the civil debtors; but because I know the Ministry is not at present prepared to go the full hog, I say that this suggestion from the Congress members themselves be accepted and implemented immediately. In this way, we can discourage the creditors whose actions are becoming horrible day by day. With these words, Sir, I support the Bill."

SRI S. NAGAPPA:—"Mr. Speaker, Sir, I just want to make a few remarks on this Bill. I am not doing it simply because it affects the Harijans. I may say for the information of the House that no Harijan will go to the civil debtors' jail. Even if the father dies and the son is living, he will clear the debts incurred by his father or even by the grandfather. He may even serve the creditor and clear the debts owed by him. So, I would request all the friends who have been championing the cause of the debtors to learn how faithful the Harijans are and how they discharge the debts incurred. At the same time, I want to bring to the notice of the House some of the vagaries of creditors. There are many creditors who when they lend money, take a bond for Rs. 300 and Rs. 500 even though they pay Rs. 200 on that day. They will say: 'To-day you take this Rs. 200. I will give you the balance to-morrow or the day after.' Then the debtor will have to go and request him a number of times to give the balance and even then the creditor will say, 'I have not yet cashed my cheque,' or 'there is no money in my trunk' or even all of a sudden he may turn round and say 'I have already given you the full amount; I can't give you anything more.' There are such creditors. You know, Sir, what amount of illiteracy there is in this country. The creditors write something in the bond and it is not known to the debtor. And yet you can't do anything to check these vagaries. No doubt you are now asking the creditor to pay something more if he wants the debtor to be in the jail; but why should this method be followed by the creditor, I want to know. No doubt, you fix the interest at $6\frac{1}{4}$ per cent and say it should not be exceeded; but what is happening in actual practice? On the document it is stated that the rate is $6\frac{1}{4}$ per cent, but actually the creditor will collect 18 or 20 per cent. I request the Government to take this opportunity—and I am pointing out these vagaries only for that purpose—to bring a suitable legislation in order to put down these loans and prevent the debtors from approaching the shylock-like creditors, by themselves providing easy loans which will be available to them whenever they want—something like ready-made hand-loans. Nowadays, if you go to a co-operative society for a loan for a marriage, you will get the money only for the death ceremony. (Laughter.) This is the way in which things are going on at present. You must make your people free from any debt—that must be the aim of the Government. What is the use of finding fault with the debtor imply because he is not able to pay back his debt because of his miseries, difficulties and troubles and so on? I, therefore, request the Government to think over calmly and

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come forward with suitable legislation to provide these poor people with loans on behalf of the Government either on a co-operative basis or any other basis, whatever it may be, the only important thing being that the loan should be given in time. If that is done, I don't think there will be need for such a Bill as this or any other Bill. With these words, Sir, I resume my seat."

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p.m.

* SRI R. RAGHAVA MENON:—"Sir, we have heard interesting discussions about whether civil debtors must be sent to jail or not. In the course of the discussions, it was said that a civil debtor has the hardest lot of all in the jail. I do not agree there. The civil debtors are very conveniently placed. They have no work. They are given their rations daily; they are allowed to play cards and to make their sweetmeats, etc., in jail. I can agree to some extent that sending to jail is not serving as a deterrent in avoiding payment, in that the punishment is not very hard. At the same time, provision has to be made to protect honest creditors from reckless debtors. It is one thing for the Government to cancel debts by a general legislation. For instance, instead of giving piecemeal protection to the agricultural debtors, they could very well enact that all debts standing against agricultural debtors are wiped out. That will be a very good thing. But to say that no civil debtor must be sent to jail is giving a premium to the debtors to avoid payment. The borrower and the debtor are very good friends when the transaction takes place, but at least fifty per cent of the debtors, from the moment of borrowing, will be taking measures to see how the re-payment of the debt can be avoided. They will find out hundreds of ways to alienate their properties and secret them in so many ways in order to avoid payment of the debt to the creditor. So, there are some honest creditors whom the Government must try to save. A certain amount of honesty is expected of the debtors also. In view of the protection given under this Act that the debtor will not be put in jail unless the cost of the clothing and bedding is deposited in advance by the creditor, even some honest debtors will be tempted to avoid payment in these days of cloth rationing. A comprehensive protection is already provided for by the Insolvency Act and by the Civil Procedure Code to the honest debtor there is no need to give protection by abolition of civil imprisonment altogether. As it is what happens is this: If a man advances some money and if he has to go to court and file a suit for getting back that money, both sides spend almost an equal amount and the whole debt is wiped out by the debtors finally spending some twelve annas to file an insolvency petition. That is what happens generally in an insolvency matter. The final result is simply ironical. Apart from this, every honest debtor is allowed to put in insolvency petitions pleading inability to pay and he gets his discharge from the payment of the debt. Sometimes, even eight annas in the rupee may not be realised by the creditor through the insolvency court as debtors are given discharge even without that payment if he proves his inability to be bona fide. Thus, already there is ample protection for the debtor. To say that sending to jail must be abolished may not be very sound until the general standard of honesty is

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raised. I doubt very much whether we can say that all debtors are very honest, because we find a number of them trying to dupe their creditors. So long as the general level of honesty is at the present level, it ought to be unwelcome that a wholesale provision of this kind should be introduced. Even though there is a stigma attached to jail-going, still, the debtors are rather trying to go to the jail, than pay a single pie to the creditors out of spite. So, in such cases, some deterrent steps must be there.

"The hon. Member, Mr. K. Varadachari, pleaded for the provision of family allowances for debtors in civil jails. It is a very good suggestion. It will be better if family chambers are also provided in jails. With this amendment a number of debtors who have not got sufficient clothing would prefer to go to jails. They will not only get the clothing but they can also avoid payment of the debts. Anyhow we are concerned of only with this amendment. Further reforms we shall consider at the proper time and not now."

* SRI P. KANDASWAMI PILLAI:—"Mr. Speaker, Sir, I am here to support the amendment which is in the Assembly just now. When I do so, I like to state that civil debtors should not be given much facilities in jails. As stated by my hon. Friend, Mr. Raghava Menon, very many people like to avoid payment. Of course, there are honest people who are very serious about the repayment, but generally, the case is, they are trying to find out all sorts of loopholes, such as discrepancy in the document, to avoid payment. Even some honest people are tempted to avoid payment and to evade the creditor. Further, you have provided in this amending Bill that if the creditor does not pay for the bedding and clothing the debtor in jail, the debtor must be let out. If you do so, you will be creating a difficulty for honest debtors because creditors will not try to oblige them. Generally the creditors take all care and precaution so that they may get back the money but if such a provision is made, the creditor will not lend any more money.

"My hon. Friend, Mr. Nagappa, stated that the position of honest creditors will become worse if this Bill is passed into law. That is quite true. Merchants require large sums of money for their business and it will be very difficult for them to get that money from the bankers. For the industrial progress of a country, trade and commerce must flourish. In order that trade and commerce may flourish, merchants must be given all banking facilities to carry on their business transactions. There may be millionaires and multi-millionaires but they will require more money for their trade. So, merchants must be given all banking facilities in order that their trade and commerce may flourish. But, if the collection of money is not assured by the Government, then these banks will hesitate to pay money to the merchants. So, I suggest to the Government that they must show some concession to the bankers and the creditors so that the merchant class will easily get their loans to their advantage and that the trade and commerce and the industry of the country may flourish. We must not assume that

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the creditors are very wicked. We must not also assume that the debtors are all wrecks. There are many honest debtors who are consciously willing to repay. Therefore, my humble suggestion is that this Bill is not going to help the debtors; on the other hand, it will make their position more difficult. So, we must not make it a bed of roses for the debtors so that he may conveniently go to sleep in jail without making an attempt to discharge his debts."

* SRI R. SUBBA AYYAR:—"Imprisonment for debt is a mode of execution provided by the Civil Procedure Code. I do concede that it is a mediaeval and barbarous method of enforcing payment of debts. I am one of those who believe that imprisonment for civil debts must be abolished. There has been some agitation in the country and as a result of that agitation, you are aware, Sir, and also hon. Members of this House are aware that the Civil Procedure Code has been amended suitably from time to time. It is not in every case that a civil debtor can be sent to prison automatically on his being arrested. The latest provision of the Civil Procedure Code provides that only if the debtor is thoroughly dishonest and evades the payment of debt, imprisonment can be ordered. (Interruption). Of course, managing is a double business. The creditor can manage and the debtor can manage. But under this Bill, it has been made increasingly difficult for the creditor to send the debtor to prison automatically. I would go further and say that imprisonment of the debtor is an uneconomic proposition from the point of view of the creditor. It is not a businesslike proposition either because that is not the way to realize debts. Imprisonment for realization of civil debts is not a civilized method. That may be one of the ways but it is quite uneconomic for the creditor. Sending a debtor to prison is one of the barbarous methods of realizing the debts from the debtor. Therefore I say that imprisonment for civil debts must be abolished. So, the present amendment that is proposed is in the right direction because it will make it as difficult for the creditor as possible to send a debtor to prison. I presume only with that view the present amendment has been conceived. The Civil Procedure Code provides for subsistence allowance to be paid before a debtor is sent to prison. This amendment goes a step further and says that bedding and clothing allowances also must be paid in advance so that the Superintendent of the jail may not be put to any difficulty. I wholeheartedly support the amendment and I also believe that early steps will be taken to amend the Civil Procedure Code suitably abolishing imprisonment for civil debts altogether."

* THE HON. SRI K. MADHAVA MENON:—"Sir, I did not evidently make myself clear as to the scope of the present Bill with the result that there has been all sorts of discussion from China to Peru. It is not because I was unwilling to hear as suggested by Mr. Viswanatham, I am not taking any credit to amend the Civil Procedure Code. Mr. Venkateswarlu said that the Bill seeks to give relief in a piecemeal way. I was indeed surprised at Mr. Varadachari's suggestion about the provision of family allowances. I have never sought any amendment of the Civil Pro-

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cedure Code. The present Bill originated because the Superintendent of the Prisons found some difficulty in finding out the party at whose instance committal to prison was ordered and so, he had requested that a provision might be made in the Bill that the cost of the clothing and bedding supplied to the prisoner must be paid for in advance to him; and I only wanted to give effect to the same by means of the present Bill. The Bill only seeks to avoid certain difficulties in the collection of the money which is already being collected and it is nothing new. The collection is already there. Therefore such criticism as that I am unwilling to hear the views of the members or I am trying to bring in a piecemeal legislation for the relief of the debtor is not fair. I entirely agree that poverty should not be made a crime. But it is for my Hon. Colleague, the Minister for Law, to take action and to amend the Civil Procedure Code suitably. As I have already stated, there is nothing new in this Bill and it is merely to overcome a certain difficulty experienced by the Superintendent of the Prisons that this amending Bill is introduced. Therefore, Sir, I now move that the Bill be passed into law."

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

(6) THE MADRAS DEVADASIS (PREVENTION OF DEDICATION)
BILL ^a, 1947.

THE HON. DR. P. SUBBARAYAN:—"Sir, I beg to intro- 4-30
duce the Madras Devadasis (Prevention of Dedication) Bill, 1947 p.m.
and move that the Bill be referred to a Select Committee, whose
names I will give shortly.

"Sir, this Bill has had a rather chequered career. I remember it as long ago as 1926 when it was introduced by Dr. Muthulakshmi Reddi, but some how it was not taken into consideration. It was sent for eliciting public opinion and the then Ministry went out of office and Mrs. Muthulakshmi Reddi herself left the Council. Then it was introduced by my Friend, the Deputy Speaker, Mrs. Ammanappa Raja, when the last Congress Ministry was in office and it proceeded a little further and then it had the same fate that overtook Dr. Muthulakshmi Reddi's Bill. It was remitted to a Select Committee, the Select Committee considered and reported on the Bill but before it could be taken into consideration the Congress Ministry had to resign office and Section 93 was applied. But, my hon. Friend, Mr. Bhashyam when he assumed office began to take up the question of having this Bill considered by the Legislature and then my hon. Friend, Mr. Karanth took great interest in pushing forward this Bill, but unfortunately they also went out of office. (Muhammad Raza Khan Sahib Bahadur: And then you came in) (Loud laughter). That is why Sir, at the outset I began by saying that the Bill has had a rather chequered career. I am hoping that this time it is going to come out and be passed into law.

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"Originally, Sir, I had intended that the Bill might be passed into law as it was adopted by the Select Committee in 1938 and that was the reason why I first proposed that it might be taken into consideration and passed into law. But, I found that there were one or two matters which required consideration and amendments have also been given notice of. Then there was the unfortunate Bill given notice of by my hon. Friend, Sitamahalakshamma, called the Madras Bogum-Melam (Nautches Prohibition) Bill. I thought that also might be taken up in connection with this Bill and suitable amendments suggested which would make the Bill complete and that is the reason why I am proposing that this Bill should go before a Select Committee. The community that is affected by this Bill has been long agitating for this reform and several conferences of theirs have passed resolutions in support of this measure because they feel it is beneath their dignity as human beings that in the guise of religion prostitution should be practised and public opinion which was elicited at the time of Dr. Muthulakshmi Reddi's Bill has fully supported this and it was on that my hon. Friend, the Deputy Speaker, brought her legislation at the time. I hope, Sir, hon. Members will see the benefit of this measure and will consent to its going before a Select Committee for consideration of the amendments which I hope to propose."

SRI V. I. MUNISWAMI PILLAI:—"Mr. Speaker, Sir, I rise to support the motion before the House. This Assembly is proud of many social reform enactments and this will add to the glory of this House if this Bill is made into law. During the early days, this practice of dedicating unmarried women to temples would have been in the best interests of religion and of the community but events have proved that this is a very pernicious system that has been adopted and that prostitution in civilised nations is a crime. So, Sir, it is in the fitness of things and just in time that this Government have thought it advisable, after careful enquiries and investigations, that an enactment of this nature is imperative in this land to-day."

"Sir, history has shown us how our women have been pious and have been dancing in praise of the Lord before temples. Just as man, woman had also an equal place in the worship of the God and have been exhibiting their devotion to God, but latterly this system has been greatly abused and important temples and maths have given room for this practice so much so the fair name of temples and maths have been abused. So, I feel that we cannot delay this enactment any longer but full scope should be given to the Bill so that it may become an Act soon. Here, it will not be out of place if I mention that the community to which I belong never touched this custom of dedicating women either to temples or idols anywhere, the chief reason being that so long as this community had been kept away from the portals of the Hindu temples, this system might not have appealed to them. Now after the Temple Entry Bill has been passed into law, I think the Government are making a good start by bringing forward this legislation so that no woman of any community professing Hindu religion may take to this

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dancing before idols and subsequently turn to prostitution. In the circumstances I think this is a very civilised piece of legislation and I hope this will go into the Statute Book of our country. I have therefore great pleasure in supporting the motion before the House."

MR. SPEAKER:—"I wish to know whether the Hon. Minister is going to make a reply."

THE HON. DR. P. SUBBARAYAN:—"There is nothing very much to reply, Sir."

MR. SPEAKER:—"The motion before the House is that the Madras Devadasis (Prevention of Dedication) Bill, 1947, be referred to a Select Committee consisting of the following members:—

- (1) The Hon. Dr. P. Subbarayan.
- (2) Srimathi V. Sithamahalakshamma.
- (3) Srimathi C. Ammanna Raja.
- (4) Srimathi K. Kuttimalu Amma.
- (5) Srimathi Lakshmi Bharathi.
- (6) Sri K. Bhashyam.
- (7) Sri V. S. Sankarasubramania Mudaliyar.
- (8) Sri N. Sanjeevi Reddi.
- (9) Sri A. Kaleswara Rao.
- (10) Sri P. Natesan.
- (11) Begum Sultan Mir Amiruddin.
- (12) Muhammad Raza Khan Sahib Bahadur."

The motion was put and carried.

MR. SPEAKER:—"I appoint Mrs. Ammanna Raja to be the Chairman of the committee."

- (7) THE MADRAS TUBERCULOSIS SANATORIA (REGULATION OF BUILDINGS) BILL, 1947.

THE HON. SRI A. B. SHETTY:—"Sir, I beg to introduce the Madras Tuberculosis Sanatoria (Regulation of Buildings) Bill, 1947, and move that the Bill be taken into consideration at once."

"Sir, the necessity for this legislation is explained in the Statement of Objects and Reasons. We had three Acts passed under Section 93 of the Government of India Act to control building operations in the vicinity of Tuberculosis Sanatoria at Perundurai, Tambaram and Madanapalle. Unless re-enacted before 30th April 1948, these Acts will expire on that date. It is therefore necessary to re-enact these Acts, but the Government have thought that instead of having three separate Acts it would be better to have one general Act applicable to all these three sanatoria and also capable of application to other sanatoria later on. The substantial provisions of this Bill reproduce, without any material alterations, the provisions

[Sri A. B. Shetty] [9th October 1947]

contained in the existing three Acts. This Bill need not therefore go before a Select Committee as it is only a consolidating measure and it may be passed into law immediately after the motion for consideration is accepted."

The motion was put and carried.

MR. SPEAKER:—"We shall consider the Bill now clause by clause. I wish to know if there are any amendments to the Bill. If there is no amendment, according to the rules I can put the whole Bill to the vote of the House."

The whole Bill was put and carried.

THE HON. SRI A. B. SHETTY:—"I beg to move—
'that the Bill be passed into law.'"

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

(8) THE MADRAS CITY IMPROVEMENT TRUST (AMENDMENT) BILL^a, 1947.

THE HON. SRI A. B. SHETTY:—"Sir, I beg to introduce the Madras City Improvement Trust (Amendment) Bill, 1947, and move that the Bill be taken into consideration at once.

"Sir, the Statement of Objects and Reasons explains the necessity for this amending Bill. The Madras City Improvement Trust Act, 1945, was brought into force on the 1st March 1946 but the Chairman of the Board of Trustees constituted under the Act actually assumed office only on 25th October 1946. So, no expenditure was incurred in connection with the enforcement of the Act and consequently no contribution was levied or come to be claimed from either the Government or the Corporation of Madras under section 91 (1) of the Act for the period before 25th October. The second paragraph of section 91 (1) lays down that the payment of contribution should begin from the date on which the provisions of this Act are brought into force. This provision does not give effect to the intention and it is therefore proposed to omit it and substitute instead two provisions which will bring out the intention clearly, namely: (a) that the contributions should become payable only after the first chairman assumes office and (b) that in regard to the financial year in which he does so, only a part of the contributions shall be payable proportionate to the period between the date on which the chairman assumes office and the end of the financial year."

SRI KALLUR SUBBA RAO:—"I wish to bring to your notice, Sir, that copies of the Bill have not been placed on the table of the House."

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MR. SPEAKER:—"It was already published in the Gazette. The motion is that the Madras City Improvement Trust (Amendment) Bill, 1947, be taken into consideration at once."

The motion was put and carried.

MR. SPEAKER:—"The Bill will be taken clause by clause. I wish to know whether there is any amendment."

THE HON. SRI A. B. SHETTY:—"There is no amendment."

MR. SPEAKER:—"I shall now put the whole Bill to the vote of the House."

The whole Bill was put and carried.

THE HON. SRI A. B. SHETTY:—"I move—
'that the Bill be passed into law.'"

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

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I suggest that we may adjourn."

MR. SPEAKER:—"I have no objection provided the Leader of the House agrees. I wish to know from Hon. the Leader of the House his opinion."

THE HON. DR. P. SUBBARAYAN:—"What is the reason for the adjournment, Sir? There are only 15 minutes more and this will not make much difference. We have a lot of legislative work and perhaps the hon. Gentleman does not miss very much by waiting for 15 minutes longer."

(9) THE MADRAS ESTATES LAND (REDUCTION OF RENT) BILL^a, 1947.

* THE HON. SRI KALA VENKATA RAO:—"I suggest that the Bill to provide for the reduction of rents in estates governed by the Madras Estates Land Act, 1908, approximately to the level of the assessments levied on lands in ryotwari areas in the neighbourhood be taken into consideration along with the Bill to prohibit the alienation of communal, forest and private lands in estates in the Province of Madras.

"I would submit, Sir, that both the Bills be referred to a Select Committee."

MR. SPEAKER:—"It is better that we take one Bill after another."

SRI T. VISWANATHAM:—"We have been supplied with a copy which has not been authenticated by the Secretary to the Government and I simply want to know whether this is the Bill that Sri Kala Venkata Rao wants to move. There is nothing here to show that this is the authenticated copy of the Bill and whether it is the same."

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THE HON. SRI KALA VENKATA RAO:—"As usual it is signed by the Minister and later on by Sri K. V. Rajagopalan, Joint Secretary, Legal Department."

SRI T. VISWANATHAM:—"It is not. In the copy supplied to me there is no authentication. Therefore, I drew your attention to it."

* THE HON. SRI KALA VENKATA RAO:—"In the copy I have got there is authentication. Sir, I beg to introduce the Madras Estates Land (Reduction of Rent) Bill, 1947, and move that the Bill be referred to a Select Committee. (List of Members to be specified later.)"

"Sir, I do not like to make a long speech on this matter. You are aware, Sir, that the Government are contemplating to bring in legislation for the abolition of zamindaris in this Province. This Bill and the Bill to prevent alienation of land, etc., and the Bill for abolishing the Permanent Settlement form a trio in this programme and I will be placing before the House, Sir, in due course all the three Bills. For the present I am moving the first in the order, the Rent Reduction Bill. The Bill seeks to reduce the present rents in zamindari villages to the level of the ryotwari rents in the neighbourhood. It is a well-known fact that the zamindars are charging rents at exorbitant rates in almost all the estates throughout the Presidency. It is the duty of the Government to see that these rents are reduced and the Government have decided that the reduction should be to the level of ryotwari rents in the neighbouring areas. Further, there would have been no necessity to move this Bill except for the fact that the Bill to abolish the Permanent Settlement itself will take a little time to become law and if we wait till that bill becomes law, the tenants in the zamindari areas will not get immediate relief. The Zamindari Bill contemplates the payment of compensation on a formula which will take a little time to arrive at as it is to be based upon survey and settlement. Meanwhile the tenant will not have the requisite relief. Therefore it was thought advisable, Sir, to give the relief to the tenant under the present Bill in the present fasli itself, i.e., 1357. As it is not possible to arrive at actual ryotwari assessment in all zamindaris, it is provided in this Bill to adopt a rough and ready method to arrive at these rates. These rates will not be permanent, Sir. These rates are subject to revision at the proper time after survey and settlement will be undertaken but meanwhile a percentage reduction will be made on the existing rates and the tenant will get the benefit of paying a lower rent than he has been paying all these years. This will be a transitory arrangement. There is also provision here, Sir, that in cases where the rents paid by the zamindari tenants are in any way lower than the ryotwari rates in the neighbourhood such rates will not be raised to ryotwari level according to this Bill. The Government will appoint the requisite staff and will attend to the reduction immediately and would like to see that these rents are reduced in the current year. I would not like to

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speak on the merits of the whole question at the present but would reserve my speech for that occasion when I would be able to move for the abolition of the zamindaris itself. I have explained the main points in detail and I would request the House to give their consent to refer this Bill to a Select Committee."

MR. SPEAKER:—"Will the names be announced later on?"

THE HON. SRI KALA VENKATA RAO:—"Yes, Sir."

MR. SPEAKER:—"The motion before the House is that the Madras Estates Land (Reduction of Rent) Act, 1947, be referred to a Select Committee, the names of which will be announced later on."

THE HON. DR. P. SUBBARAYAN:—"The names will be given now."

SRI A. KALESWARA RAO:—"This Bill is the fundamental one in the method of abolishing the zamindari system. When we talk of the zamindari system we mean all estates coming under Section 3, Sub-section (2) of the Madras Estates Land Act. The East India Company created the zamindari system. They were new to the country and they did not want to take the trouble of measuring every land of every ryot and settle the rents. So they began the leasing of villages. They leased for some years to the highest bidder. The claims of the zamindars of being semi-sovereign in certain cases were all abolished. New situations were created by the Government of the day. Whether they were the descendants of the old semi-sovereign feudal lords or they were merely issaradars they became only revenue collectors. They were public servants employed by the East India Company to collect the land revenue from the villages. They have no greater status than that and afterwards the East India Company itself introduced the ryotwari system in some of the portions of India. So, there are two systems prevailing for collecting land revenue, the zamindari, talukdari, malguzari system and the ryotwari system. Both are of the same nature. The officials were called zamindars, talukdars and malguzardars in one case and the District Collectors, Tahsildars and Deputy Collectors. In another case the latter were officials employed for collecting the land revenue from the ryots of the villages. The Congress Government has now taken upon itself the duty of abolishing this unnatural system of collecting the land revenue through intermediaries. Therefore, they are determined to abolish all the zamindaris. Of course there are other classes of people, inamdars and under-tenure holders. They have been given limited rights. They cannot be said to have better rights than the zamindars themselves or even the State because in India the theory or the doctrine has always been that whether under the Hindu rule or the Muslim rule the cultivator of the soil is the owner of the soil and the whole village including porambokes, forests, tanks, rivers, all these belong to the village community. The State or

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the feudal lord where they exist or the inamdar or under-tenure holder cannot have greater rights than the ryot of collecting the revenue and managing the villages. Of course if we read the land system of the Great Akbar there were no zamindaries and they appear to have come in in the more anarchical period after the fall of the Great Moghal Empire and so they may have some private lands here and there, domain lands, and the inamdars and others may be cultivating some lands direct. Therefore this whole system of keeping these villages after villages in the hands of these intermediaries has been determined by the Congress party through its election manifesto to be abolished as early as practicable. Now the present Government on that basis is going to introduce a comprehensive Bill in this session of the Assembly. The question is in all these estates what should be the rate of rent? The rate of rent fixed by this Bill is the same as the neighbouring ryotwari rent. In many cases rackrenting has taken place and the rents have been very high and the ryots are groaning under the burden of the rent that they are asked to pay. Therefore, this Bill proposes to reduce the rents to the level of the neighbouring ryotwari villages where it is lower.

"Another question has been in the forefront of public discussion, viz., whether a uniform system of rent should be introduced in all the villages or whether any discrimination should be made in the rents for inam villages and under-tenure holders. It is but right that when the Government take possession of all villages, there should be a uniform system of rent. There should be equal rates and equal burdens on old and new villages. Otherwise, there is no use and there will be confusion. Therefore, the Government proposes that the same system of rent collecting should be adopted for all the villages in all the estates that are being taken possession of by the Government."

MR. SPEAKER:—"The hon. Member may continue his speech when the Bill is taken up later.

I now adjourn the House to meet at 11 o'clock to-morrow."

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APPENDIX I.

[Vide answer to starred question No. 154-A asked by Sri P. Natesan at the meeting of the Legislative Assembly held on the 9th October 1947, page 550 supra.]

[India—Grant of compensation for premature termination of their service in India to members of Civil Services appointed by Secretary of State and to Regular Officers and British Warrant Officers of the Indian Naval and Military Forces.]

Announcement by His Excellency the Viceroy.

1. His Majesty's Government have announced their intention that the British Government's authority in India will be finally transferred to Indian hands by June 1948. It is the aim of His Majesty's Government that the transfer of power should be effected in an orderly and regulated manner so that the new authorities may assume their responsibilities in conditions conducive to the best interests of India, and maintenance of good relations with Great Britain. His Majesty's Government are confident that during this period of transition the Services and all those who man them, whether British or Indian will respond to this call.

2. To those serving under covenant or other form of agreement with the Secretary of State for India, or who hold commissions from His Majesty the King, the transfer of power will mean premature termination on that date of a career under the ultimate authority of His Majesty's Government and the British Parliament; and for many there is added to the heavy call of present duty the burden of anxiety for their own future and that of those who depend on them.

3. The Government of India are naturally and rightly most anxious—and His Majesty's Government share their anxiety—that the administration shall not be weakened by the loss of experienced officers. To this end, the Government of India undertake that those members of the Secretary of State's Services who continue to serve under the Government in India after the transfer of power shall do so on their present terms as to scales of pay, leave, pensionary rights, and safeguards in matters of discipline and that provisions to this effect should be made in the Treaty to deal with matters arising out of the transfer of power. The Government of India will now propose to provincial Governments that they should give similar assurances to members of the Secretary of State's services who agree to join provincial services.

4. The Government of India recognise that some Indian members of the Secretary of State's Services may be genuinely anxious about their prospects under the provincial administrations where they are at present employed, and every effort will be made to arrange suitable transfers in such cases.

5. The Government of India agree that compensation should be payable to such Indian officers of these Services as:

- (1) are not invited to continue to serve under the Government of India after transfer of power; or

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- (2) can satisfy the Governor-General that their actions in the course of duty during their service prior to the transfer of power have damaged their prospects, or that the appointments offered to them are such as cannot be regarded as satisfactory in the altered circumstances; or
- (3) can show to the satisfaction of the Governor-General that they have legitimate cause for anxiety about their future in the Province where they are now serving and that no suitable transfer can be arranged.

But the Government of India feel that sentiments of patriotism will naturally impel Indian officers to continue to serve their country and that in the light of the undertaking that they have given, and the consideration that in fact Indian members of the Services will have improved prospects, there is no ground, save in these special cases, for payment of compensation to Indian officers on account of the transfer of power.

6. His Majesty's Government have been reviewing the whole position. They have noted the undertaking which the Government of India have given in regard to officers whom they desire should continue to serve under the Government of India. They recognise the force of the Government of India's arguments, and they agree that to Indian officers compensation should not be admissible except in the cases which I have just mentioned. Many Indian members of the Secretary of State's Services will, however, become members of provincial services and in their cases His Majesty's Government's agreement that they need not be compensated is conditional upon the provincial Governments guaranteeing the existing terms of service. If they are not prepared to do so His Majesty's Government reserve the right to reconsider the matter.

7. With these reservations I am now authorised by His Majesty's Government to inform members of the Secretary of State's Services that they accept the obligation to see that they are duly compensated for the termination of their careers consequent on the transfer of power. British members of these Services who accept appointment to another Crown service on a permanent pensionable basis will, however, receive instead of cash compensation a resettlement grant of £500. His Majesty's Government also undertake that members of the Secretary of State's services who retire will be secured in their rights to the leave then due to them.

8. In pursuance of their wish to give all possible help to the Government of India in building up the new services, His Majesty's Government agree that their obligation covers the claim to ultimate compensation of those British members of the Services who are asked to serve on in India and decide to do so. If such officers decide at any time after the transfer of power that they wish to retire they will receive any compensation to which they are entitled; this will be determined according to the published tables by the date on which active service ceases and service both before

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and after June 1948 will be taken into account. Compensation will be payable in addition to such retiring or proportionate pension as is admissible under the existing rules.

9. To European officers and other ranks of the Royal Indian Navy, Indian Army and Indian Medical Service whose services under the Crown in these forces are brought to an end by reason of the transfer of power I am authorised to announce the acceptance by His Majesty's Government of a similar obligation. For some it will be possible to pursue their profession in the corresponding British service, and for them a lower scale of compensation for loss of an Indian career is provided.

10. Compensation will not ordinarily be admissible to those who retire before the date of final transfer of power but, in the interest of a smooth transfer, it may be desirable to spread releases over a period; and if I am satisfied that in the public interest any civilian officers should be released with entitlement to compensation in advance of the final date, I will order accordingly after such consultation with the authorities concerned as may be necessary. If, in the fighting services, any European officer or other rank is certified by the Commander-in-Chief as having after July 1st, 1947, been compulsorily retired as a result of accelerated reduction of the British element in anticipation of the transfer of power he will acquire a title to compensation at the date of his retirement.

11. I am glad to be able to announce that the Government of India accept liability for pension and proportionate pension earned by service under the Secretary of State, whether by civilians or by members of the Defence Services.

12. The scales of compensation to be granted to civil and military officers whose appointments are terminated on account of the transfer of power and who are not appointed to a Civil Service under His Majesty's Government will be published at once. An announcement will be made separately of the conditions to be applied in the case of officers who may obtain permanent pensionable employment in a Civil Service under His Majesty's Government.

TABLES OF COMPENSATION.

TABLE I.

Scales of compensation for Civil Officers appointed by the Secretary of State.

For officers of the Indian Civil Service.		For Military and Police Officers in the Indian Political Service.		For officers of the other Secretary of State's Services.	
Completed years of service.	Amount.	Age last birthday.	Amount.	Age last birthday.	Amount.
	£		£		£
..	..	..	..	24	375
..	..	..	..	25	750
..	..	..	..	26	1,125
..	..	..	..	27	1,500
5	2,500	28	2,500	28	1,875
6	3,000	29	3,000	29	2,250
7	3,500	30	3,500	30	2,625
8	4,000	31	4,000	31	3,000
9	4,500	32	4,500	32	3,375

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For officers of the Indian Civil services.		For Military and Police Officers in the Indian Political service.		For officers of the other Secretary of State's services*.	
Completed years of service.	Amount.	Age last Birthday.	Amount.	Age last Birthday.	Amount.
£	£		£		£
10	5,000	33	5,000	33	3,750
11	5,500	34	5,500	34	4,125
12	6,000	35	6,000	35	4,500
13	6,500	36	6,500	36	4,875
14	7,000	37	7,000	37	5,250
15	7,500	38	7,500	38	5,625
16	8,000	39	8,000	39	6,000
17	7,500	40	7,500	40	5,625
18	7,000	41	6,500	41	4,875
19	6,500	42	6,000	42	4,500
20	6,000	43	5,500	43	4,125
21	5,500	44	5,000	44	3,750
22	5,000	45	4,500	45	3,375
23	4,500	46	4,000	46	3,000
24	4,000	47	3,000	47	2,250
25	3,500	48	2,500	48	1,875
26	3,000	49	2,000	49	1,500
27	2,500	50	1,500	50	1,125
28	2,000	51	1,000	51	750
29	1,500	52	500	52	375
30	1,000	53 & over.	Nil.	53 & over.	Nil.
31	500				
32 & over.	Nil.				

TABLE II.

Scales of compensation for Regular Officers of the Royal Indian Navy, the Indian Army and the Indian Medical Service, excluding officers of the Special list of Quartermasters and departmental officers of the India unattached list.

Age last birthday.	Amount.	Age last birthday.	Amount.
yrs.	£	yrs.	£
19	375	38	5,625
20	75	39	6,000
21	150	40	5,625
22	225	41	5,250
23	300	42	4,875
24	375	43	4,500
25	750	44	4,125
26	1,125	45	3,750
27	1,500	46	3,375
28	1,875	47	3,000
29	2,250	48	2,625
30	2,625	49	2,250
31	3,000	50	1,875
32	3,375	51	1,500
33	3,750	52	1,125
34	4,125	53	750
35	4,500	54	375
36	4,875	55	..
37	5,250		

*These services include the Indian Police, the Indian Agricultural, Educational, Forest and Veterinary Services, the Indian Service of Engineers, the Indian Ecclesiastical Establishment, and the Railway Services (only as regards officers appointed by the Secretary of State).

Note.—Officers who transfer to the British Services will receive one-quarter of the rates laid down.

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Serial number and name of the schemes.	Estimated expenditure for 1947-48.	
	Capital. LAKHS. RS.	Recurring. LAKHS. RS.
BUILDINGS—cont.		
114 A.C. College of Technology, Madras	1.00	0.85
115 Annamalai University—Building for College of Engineering	4.50	2.00
116 Construction of hostels	1.50	..
ELECTRICITY.		
117 Tanjore-Mayavaram 66 KV extensions	3.00	..
118 Villupuram-Pondicherry 66 K. extensions	1.00	..
119 Karaikal scheme	4.7	..
120 Cuddapah Thermal scheme	2.5	..
121 East Tinnevely scheme	3.0	..
122 Madurai-Rajapalayam extensions 66 KV extensions	14.00	..
FOOD.		
123 Rural Reconstruction scheme	25.00	..
IRRIGATION.		
124 Improvements to Peddankana drain	1.00	..
125 Lower Bhavani Project	28.00	..
126 Schemes North Malabar district	0.50	..
COMMUNICATIONS—INLAND WATERWAYS.		
127 East coast canals—Improvements to inland waterways—South Buckingham canal	0.25.00	..
128 West coast canals—Improvements—Remodelling the Elathur Kalla canal	0.50	..
129 North and South Buckingham canals—Improvements	0.14	..
130 South Buckingham canal—Improvements	0.50000	..
131 East coast canals—North and South Buckingham canals—Improvements	0.27	..
132 North and South Buckingham canal—Improvements	0.10	..

APPENDIX III.

[Vide answer to starred question No. 173 asked by Mahin Schamnad Sahib Bahadur at the meeting of the Legislative Assembly held on the 9th October 1947, page 573 supra.]

Stanley Hospital, Madras.

(a) Working hours of the nurses in this hospital are as follows:—

Day duty.	Interval.	Actual number of hours on duty.
6-30 a.m. to 8 p.m. (13½ hours).		
1st day, 4½ hours.		8½ hours.
2nd day, 4½ hours.		9½ hours.

Pupil nurses are allowed one day off for the month plus two half-days.

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Staff nurses are allowed one day off for the month plus five half-days.

Night duty.	Interval.	Actual number of hours on duty.
8 p.m. to 6-30 a.m. (10½ hours).	¼ hour for coffee.	10¼ hours.
One night off for the month.		

Government General Hospital, Madras.

I. Ward Sisters—

Day duty—

All Ward Sisters will be on duty from 8 a.m. to 1 p.m. with an interval of one hour from 9 to 10 a.m. for breakfast.

The first batch of Sisters will go for lunch from 1 to 2 p.m. and will be on duty from 2 to 4 p.m.

The second batch of Sisters will go for lunch at 1-30 p.m. and will be on duty from 5 to 8 p.m.

The above duties will be on alternate days which will amount to 6½ hours work a day.

Night duty—

The night duty Ward Sister (Night Superintendent) will be on duty from 9 p.m. to 8 a.m. of the following day with an interval of 2 hours from 12 midnight to 2 a.m.

II. Staff and pupils—

Day duty nurses (staff and pupils) will come for duty at 6-30 a.m.

They will go for breakfast in two batches with an interval of ¼ hour.

First batch—8-30 to 9-15 a.m.

Second batch—9-15 to 10 a.m.

They will go for lunch in two batches.

First batch—12-30 to 1 p.m. They will be on duty from 1 to 4 p.m. and will get off duty at 4 p.m.

Second batch—1 to 4 p.m. They will be on duty from 4 to 8 p.m. and will get off duty at 8 p.m.

The nurses will have the above two shifts on alternate days. It will amount to 8½ hours work a day.

Night duty staff (nurses and pupils).—They will be on duty from 8 p.m. to 6-30 a.m. of the following morning with an interval of one hour at midnight.

Day duty—

On an average a Ward Sister works for 6½ hours and nurses (staff and pupils) for 8½ hours a day.

Night duty—

Ward Sister (Night Superintendent) works for 9 hours and nurses (staff and pupils) for 9½ hours a day.

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APPENDIX II.

[Vide answer to starred question No 165 asked by Begum Sultan Mir Amirrudin at the meeting of the Legislative Assembly held on the 9th October 1947, page 565 supra.]

POST-WAR DEVELOPMENT PROGRAMME FOR 1947-48.

(a) INTERIM SCHEMES.

Serial number and name of the schemes.	Estimated expenditure for 1947-48.	
	Capital. LAKHS. RS.	Recurring. LAKHS. RS.
IRRIGATION.		
1 Tungabhadra Project.. .. .	176.61	..
2 Twelve key Drainage schemes	3.50	..
3 Improvements to Komperu drain	15.92	..
4 Grow More Food schemes	12.46	..
5 Sillaipillaiyar Puthur channel diversion	0.18	..
6 Perumal tanks provision of surplusings arrangements.	0.70	..
ELECTRICITY.		
7 Madras Power Station extensions	13.01	..
8 Machkund Hydro-Electric scheme	60.19	..
9 Pykara third stage and Moyar second stage extensions	16.44	..
10 Madras Mettur inter-connection scheme	38.13	..
11 Papanasam second stage extensions including Madura Thermal station	40.18	1.91
12 Bezwada-Rajahmundry, Samalkot extensions (Part of S. No. 116) and Bezwada Power House extensions	27.29	..
13 Moyar Hydro-Electric scheme	61.78	..
14 Vizagapatam Power House extensions	16.51	1.59
15 (a) Nellore Thermal schemes	25.00	3.80
(b) Erode Salem extensions	4.00	..
(c) Kuppam extensions	5.40	..
16 (a) Ceded Districts scheme	29.75	..
(b) Erode-Trichy-Dalmia extensions	24.00	..
(c) Kollegal distribution schemes	0.50	0.154
(d) Hindupur distribution schemes	3.75	0.31
17 Conjeevaram-Chingleput-Arkonam extensions	9.00	0.20
COMMUNICATION—ROADS.		
18 National Highways—Road works	20.00	..
19 National Highways—Major Bridges	30.00	..
20 Roads other than National Highways —		
(a) War arrear renewals	40.00	..
(b) Capital works	60.00	..
(c) Roads in-charge of district boards	40.00	..
MINOR PORTS.		
21 Improvements to Minor ports	9.71	..
22 Improvements to the Port of Tuticorin	1.94	..
SUPPLY OF PNEUMATIC TYRES.		
23 Supply of pneumatic tyres for bullock carts	2.00	..

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Serial number and name of the schemes.	Estimated expenditure for 1947-48.	
	Capital.	Recurring.
	LAKHS. RS.	LAKHS. RS.
VETERINARY.		
24 Appointment of an Assistant Disease Investigation Officer.	0.012	0.084
25 Appointment of District Veterinary Officers ..	0.021	0.710
26 Appointment of Two Deputy Directors ..	0.034	0.525
27 Appointment of a Sheep and Goat Development Officer ..	..	0.081
28 Appointment of stockmen compounders ..	..	0.178
29 Opening of Livestock farm for each district ..	6.00	0.92
30 Grant for the purchase of the male breeding stock.	0.004	2.00
FORESTS.		
31 Re-opening of the Madras Forest College ..	..	1.98
32 Working Plan Cane ..	..	1.60
33 Development of forest roads ..	..	..
34 Extension of casuarina plantations ..	3.60	3.00
FISHERIES.		
35 Institution of a course of training for the staff in fisheries ..	0.016	0.440
36 (a) Training of members of the public and staff of other departments ..	..	0.006
(b) Pre-plant training ..	..	0.128
37 Scientific study of Hilsa fisheries ..	0.048	0.078
38 National distribution of efficient larvicidal cyclopacidal fishes ..	..	0.077
39 Expansion of deep-sea fishing operations ..	0.10	3.3
40 Designing of improved tackle and craft, etc., for marine fishing ..	0.06	0.128
41 Establishment of rural fishery demonstration units.	0.15	1.870
42 Establishment of fish farm for Mirror carp at Ootacamund ..	0.038	0.038
43 Improvement of a craft and tackle to be used in inland fisheries ..	0.015	0.12
44 Inland fisheries development—Appointment of a Fisheries Engineering staff ..	0.006	0.098
45 Establishment of a fishery propaganda unit for Inland Factory Unit ..	..	0.192
46 Research on freezing, chilling, etc.—Appointment of fish preservation officer ..	0.20	0.208
47 Facilities for transport of fish—Purchase of ice factories ..	3.88	3.36
48 Exploitation of Periyar system ..	..	0.027
49 Purchase of motor fishing vessels ..	2.369	0.952
INDUSTRIES.		
50 Polytechnic schemes—Opening of institutions ..	14.00	7.50
51 Leather Research Institute ..	1.56	1.05
52 Development of ceramic industry—Cottage ..	..	0.17
53 (a) Establishment of service—Centres for the supply of standard ceramic materials ..	1.15	1.05
(b) Industrial education ..	12.0	8.75
54 Industries—Expansion of district organization ..	0.24	1.66
55 Central Institute for cottage industries ..	1.00	0.87
56 Establishment of service centres for the supply of standard sized and prepared ceramic material for the manufacture of stoneware ..	1.42	..
57 Establishment of Oil Technological Institute ..	1.50	6.02
58 Development of sericultural research ..	0.75	0.28

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Serial number and name of the schemes.	Estimated expenditure for 1947-48.	
	Capital.	Recurring.
	LAKHS. RS.	LAKHS. RS.
AGRICULTURE.		
59 Scheme for multiplication and distribution of improved strain crops, etc. ..	..	144.247
60 Training of fieldmen and training of maistris ..	..	1.101
61 (a) Establishment of second Agricultural College, Bapatla ..	..	4.973
(b) Production of agricultural graduates ..	..	0.400
62 Supply of manures, iron and implements ..	..	2.300
63 Expansion of staff at Headquarters ..	..	0.220
64 Expansion of staff in the districts ..	..	0.570
65 Investigation of cultivable waste ..	..	0.895
66 Running of more agricultural Research stations ..	..	4.600
67 Agricultural College and Central farm ..	..	1.080
68 Development of Demonstration and propaganda ..	4.00	1.000
69 Development of Research Institute ..	..	1.710
EDUCATION AND PUBLIC HEALTH.		
70 Training of Physical Training Instructors ..	..	1.13
71 Expansion of bureau under Director of Public Health ..	..	7.25
72 Nutritional research ..	..	0.41
73 Public Health propaganda and publicity ..	..	0.01
74 Anti-Leprosy campaign ..	..	0.39
75 Rural water-supply and water-supply and drainage schemes ..	97.33	2.86
76 (a) Medical inspection of school children ..	0.42	4.50
(b) Provision of mobile medical units ..	4.11	4.52
77 Training of additional teachers ..	..	7.00
78 Compulsory elementary education ..	..	14.00
79 Provision of midday meals ..	20.89	2.46
80 (a) Expansion of medical relief ..	..	0.68
(b) Wynad colonization medical relief ..	..	0.13
(c) Araku Valley medical relief ..	2.58	0.44
(d) Opening of maternity dispensaries ..	5.00	..
81 (a) Medical College, Guntur ..	5.00	..
(b) Medical College, Madura ..	0.26	0.47
82 (a) Opening of a college for Muslim women ..	..	0.26
(b) Introduction of B.Sc. course in the Muslim College, Madras ..	0.13	..
(c) Raising of Government Arts College, Coimbatore to I grade ..	0.02	0.29
(d) Coimbatore water-supply and drainage scheme ..	1.73	..
BUILDINGS.		
83 Comprehensive drainage scheme for the Government Mental Hospital, Madras ..	0.80	..
84 Construction of new Headquarters Hospital, Trichinopoly ..	3.35	..
85 Construction of new Headquarters Hospital, Tuticorin ..	1.00	..
86 Construction of new Headquarters Hospital, Calicut ..	2.448	..
87 Construction of buildings for the Government Secondary and Training School for Women, Erode ..	0.17	..
88 Construction of permanent buildings for the central preliminary Training School for pupil nurses in the Y.M.C.A. grounds ..	0.788	..

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Serial number and name of the schemes.

Estimated expenditure for 1947-48.	
Capital.	Recurring.
LAKHS.	LAKHS.
RS.	RS.

BUILDINGS—cont.

89 (a) Construction of Nurses Home for the nursing staff of the General Hospital, Madras	5.00	..
(b) Construction of new blocks and buildings for the K.G. Hospital, Vizagapatam—		
(1) Out-patient department Maternity block.	0.800	..
(2) Irwin operation theatre	4.500	..
(3) Reconstruction of Pre-Registration block.	7.40	..
90 Shifting and incorporating the existing plant to new gas house	3.00	..
91 Opening a new College for Muslim Women, Madras	5.450	..
92 Ceded Districts College, Anantapur	1.660	..
93 Raising the status of the Government Arts College, Coimbatore	1.830	..
94 Construction of additional class rooms and theatre for Presidency High School for Girls, Egmore	0.320	..
95 Construction of new blocks with three class rooms in the Government Secondary School for Muslims, Kasargode	0.055	..
96 Construction of new Headquarters Hospital, Madras	1.00	..
97 Construction of quarters for nursing staff, King George Hospital, Vizagapatam	5.00	..
98 Construction of Anatomy, etc., block, Stanley Medical College, Madras	8.00	..
99 Expansion of Public Health service	1.20	..
100 (a) Medical College, Guntur	10.00	..
(b) Medical College, Madras	10.00	..
101 Headquarters Hospital, Cuddalore	5.00	..
Do. Kattagiri		
Do. Cochin		
102 Wynad colonization—		
(a) Public Health	1.15	..
(b) Agriculture	0.90	..
(c) Communications	2.35	..
103 Araku valley	2.00	..
104 (a) Construction of flood bank on the Vasishtha Godavari	0.16	..
(b) Agricultural College, Bapatla	10.85	..
105 (a) Construction of the buildings for the opening of a sheep farm in Kariguppi in Hospet taluk	0.12	..
(b) Extension of cattle farm at Lam	0.51	..

(b) NEW SCHEMES.

BUILDINGS.

106 Engineering College, Vizagapatam	2.50	..
107 Arthur Hope College, Coimbatore	6.5	2.2
108 Government Training School for Muslim Women, Shevapat	0.20	..
109 Extension and improvements to Lady Willingdon Leprosy Sanatorium	3.00	..
110 Engineering College to be opened in Anantapur	14.23	0.52
111 Quarters for additional midwives under training of the Headquarters Hospital	2.58	1.05
112 Construction of additional wards in Tuberculosis Ward, Perundurai	1.00	..
113 Construction of nurses quarters in the compound of Tuberculosis Hospital, Royapetta	1.00	..

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APPENDIX IV.

[Vide item VII (1) at page 590 supra.]

A Bill further to amend the Madras Suppression of Immoral Traffic Act, 1930.

WHEREAS it is expedient further to amend the Madras Suppression of Immoral Traffic Act, 1930, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Suppression of Short title. Immoral Traffic (Amendment) Act, 1947.

2. In section 4 of the Madras Suppression of Immoral Traffic Act, 1930 (hereinafter referred to as the said Act), after clause (f), the following clause shall be inserted, namely:—

“(g) “Vigilance Home” means a corrective institution established or recognized by the Provincial Government, in which women are detained in pursuance of this Act and given such training and instruction and subjected to such disciplinary and moral influences as will conduce to their reformation and the prevention of offences under this Act.”

3. In section 12 of the said Act, for the words “two months,” the words “one year” shall be substituted.

4. After section 12 of the said Act, the following section shall be inserted, namely:—

“12-A (1) Where a Magistrate convicting any woman of an offence punishable under section 12 finds that she has not attained the age of thirty-five years, he may, in lieu of passing a sentence of imprisonment under that section, pass a sentence of detention in a Vigilance Home for a term which shall not be less than two years or more than five years.

(2) Where a Magistrate has arrived at a finding regarding the age of a woman dealt with by him under sub-section (1), such age shall, for the purpose of that sub-section, be deemed to be her true age, and no order or judgment of the Magistrate shall be deemed to be invalid or be liable to be interfered with in appeal or revision on the ground that her age had not been correctly determined by the Magistrate.

(3) For the purposes of appeal and revision under the Code of Criminal Procedure, 1898, a sentence of detention for any period passed under sub-section (1) shall be deemed to be a sentence of imprisonment for the like period.”

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Amendment
of section
16, Madras
Act V of
1930.

5. In section 16 of the said Act, the word "and" at the end of clause (a) shall be omitted, and after clause (b), the following shall be added, namely :—

"(c) for the purpose of carrying into effect the provisions of section 12-A; and in particular, and without prejudice to the generality of this power, with regard to—

(i) the management of Vigilance Homes and the appointment, powers and duties of officials in such Homes;

(ii) the care, treatment, maintenance, training, instruction and control of the inmates of such Homes;

(iii) visits to, and communications with, such inmates;

(iv) the temporary detention of women sentenced to detention in Vigilance Homes until arrangements are made for sending them to such Homes, provided that no woman shall be detained in the custody of any person or body of a religious persuasion different from hers;

(v) the transfer of women from one Vigilance Home to another;

(vi) the transfer from Vigilance Homes to prisons of women found to be incorrigible or exercising a bad influence, and the period of their detention in such prisons, provided that such period shall not exceed one year;

(vii) the transfer to Vigilance Homes of women sentenced under section 12 and the period of their detention in such Homes;

(viii) the discharge of inmates from Vigilance Homes either absolutely or subject to conditions, and their arrest in the event of a breach of such conditions;

(ix) the grant of permission to inmates to absent themselves for short periods;

(x) the application of the provisions of the Prisons Act, 1894, the Prisoners Act, 1900, and the Madras Borstal Schools Act, 1925, and the rules made under those Acts, to Vigilance Homes and their inmates, subject to such adaptations, alterations and exceptions as may be specified.

Central Act
IX of 1894.
Central Act
III of 1900.
Madras Act
V of 1926.

In making any rule under clause (c), the Provincial Government may provide that a breach thereof shall be punishable with fine which may extend to one hundred rupees."

STATEMENT OF OBJECTS AND REASONS.

Under section 12 of the Madras Suppression of Immoral Traffic Act, 1930, solicitation by a woman in a street or public place is liable to be punished with imprisonment for a term which may extend to two months, or with fine which may extend to one thousand rupees, or with both. The maximum period of imprisonment prescribed by the section is inadequate and it is therefore proposed to raise it from two months to one year.

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2. Women imprisoned in pursuance of section 12 have now no chance of reforming themselves. In fact, such imprisonment often tends to make a prostitute a criminal as well. Government therefore consider it desirable to provide for the detention of women who are not irreclaimable, in Vigilance Homes where they can be given suitable training and instruction and also be subjected to disciplinary and good moral influences. The Bill accordingly empowers magistrates to order women of less than thirty-five years of age, who have been found guilty of offences under section 12, to be detained in Vigilance Homes. The period of detention in a Vigilance Home will not be less than two years or exceed five years. Power has been taken to make rules for all the matters covered by the Madras Borstal Schools Act, 1925 (Madras Act V of 1926), the intention being that a Vigilance Home should, in relation to prostitutes and the like, fulfil the same function as a Borstal School now does in relation to adolescents of either sex convicted of crimes.

K. MADHAVA MENON.

APPENDIX V.

[Vide item VII (3) at page 596 supra.]

A Bill further to amend the Madras Hackney Carriage Act, 1911.

Madras Act
V of 1911.

WHEREAS it is expedient further to amend the Madras Hackney Carriage Act, 1911, for the purpose hereinafter appearing; It is hereby enacted as follows :—

1. This Act may be called the Madras Hackney Carriage Short title. (Amendment) Act, 1947.

Madras Act
V of 1911.

2. In the Madras Hackney Carriage Act, 1911, in section 33, sub-section (2) (which relates to the fee to be paid for copies of the list of authorized fares), for the words "a fee of two annas for each copy," the words "a fee for each copy of four annas or of such other sum as the Commissioner, subject to the control of the Provincial Government, may prescribe" shall be substituted.

Amendment
of section
33, Madras
Act V of
1911.

STATEMENT OF OBJECTS AND REASONS.

Section 33, sub-section (2) of the Madras Hackney Carriage Act, 1911 (Madras Act V of 1911), provides that copies of the list of fares with the table showing the distances between the principal places to and from which hackney carriages ordinarily ply, shall be issued to applicants on payment of a fee of two annas for each copy. In view of the rise in prices, the cost of printing a copy now amounts to four annas. It is, therefore, proposed to increase the fee to be charged for each copy from 2 to 4 annas and also to give power to the Commissioner of Police (who administers the Act) to vary the fee from time to time subject to the control of the Government.

P. SUBBARAYAN.

[9th October 1947]

APPENDIX VI.

[Vide item VII (4) at page 598 supra.]

A Bill further to amend the Prisons Act, 1894, in its application to the Province of Madras.

WHEREAS it is expedient further to amend the Prisons Act 1894, in its 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 (Madras Amendment) Act, 1947.

2. In the Prisons Act, 1894—

Amendment
of Central
Act IX of
1894.

(i) in section 46, proviso, the following words shall be added at the end, namely, “or render any prisoner on hunger strike liable to whipping”; Central Act IX of 1894.

(ii) in section 52, for the words and figures “sentence him to any of the punishments enumerated in section 46,” the words and figures “sentence him to any of the punishments to which he is liable under section 46” shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to prevent the imposition of the punishment of whipping on a prisoner who is on hunger-strike. This is achieved by clause 2 (i) of the Bill which makes the necessary amendment to the proviso to section 46 of the Prisons Act, 1894 (Central Act IX of 1894). Clause 2 (ii) amends section 52 of the same Act so as to make it clear that the proviso to section 46 also governs a Magistrate when passing sentences on prisoners under section 52.

K. MADHAVA MENON.

[9th October 1947]

APPENDIX VII.

[Vide item VII (5) at page 618 supra.]

A Bill further to amend the Prisons Act, 1894, in its application to the Province of Madras.

WHEREAS it is expedient further to amend the Prisons Act, 1894, in its application to the Province of Madras, for the purpose hereinafter appearing; It is hereby enacted as follows:—

Central Act
IX of 1894.

1. This Act may be called the Prisons (Madras Amendment No. II) Act, 1947.

Short title

Central Act
IX of 1894.

2. In section 33 of the Prisons Act, 1894, for sub-section (2) the following sub-section shall be substituted, namely:— Amendment
of section 33,
Central Act
IX of 1894.

“(2) When a civil prisoner has been committed to prison by a Court in execution of any decree or order in favour of a private person, such person shall immediately deposit or cause to be deposited in Court, to meet the cost of the prisoner's clothing and bedding, such amount as may be fixed by the Court in accordance with the rules, if any, made by the Provincial Government in that behalf; and in default of such deposit, the prisoner may be released.”

STATEMENT OF OBJECTS AND REASONS.

Section 33 (2) of the Prisons Act, 1894, provides that when any civil prisoner has been committed to prison in execution of a decree in favour of a private person, such person or his representative shall, within forty-eight hours after the receipt by him of a demand in writing, pay to the Superintendent of the prison the cost of the clothing and bedding so supplied to the prisoner, and that in default of such payment, the prisoner may be released. The Superintendent of the prison has no means of knowing the exact time at which the demand made by him reaches the decree-holder or his representative. The letter or card making the demand may also be misdelivered or wrongly reported to have been refused. In all these cases, difficulty arises in enforcing the provisions of the existing section. It is therefore proposed to amend it so as to provide that the cost of the clothing and bedding should be deposited or caused to be deposited in advance by the party at whose instance the committal to prison is ordered.

K. MADHAVA MENON.

[9th October 1947]

APPENDIX VIII.

[Vide item VII (6) at page 629 supra.]

A Bill to prevent the dedication of women as devadasis in the Province of Madras.

WHEREAS the practice still prevails in certain parts of the Province of Madras of dedicating women as "devadasis" to Hindu deities, idols, objects of worship, temples and other religious institutions;

AND WHEREAS such practice, however ancient and pure in its origin, leads many of the women so dedicated to a life of prostitution;

AND WHEREAS it is necessary to put an end to the practice; It is hereby enacted as follows:—

Short title and extent.

1. (1) This Act may be called the Madras Devadasis (Prevention of Dedication Act), 1947.

(2) It extends to the whole of the Province of Madras.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(a) "dedication" means the performance of any ceremony, by whatever name called, by which a woman is dedicated to the service of a Hindu deity, idol, object of worship, temple or other religious institution, and includes 'gajjepuja,' 'mudri' and dancing by 'kumbhakarathy';

(b) "devadasi" means any woman so dedicated;

(c) "woman" means a female of any age.

Dedication as devadasi to be unlawful.

3. The dedication of a woman as a devadasi, whether before or after the commencement of this Act and whether she has consented to such dedication or not, is hereby declared unlawful and void.

Penalty.

4. Any person having attained the age of sixteen years who, after the commencement of this Act, performs, permits, takes part in, or abets the performance of, any ceremony intended to dedicate, or having the effect of dedicating a woman as a devadasi, shall be punishable with simple imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

Cognizance and trial of offences.

5. No Court inferior to that of a Presidency Magistrate or a Magistrate of the First Class shall inquire into or try any offence punishable under section 4.

STATEMENT OF OBJECTS AND REASONS.

The practice still exists in certain parts of this Province of dedicating women to Hindu deities, idols, temples, and other religious institutions. The women dedicated who are generally known as 'devadasis' betake themselves to prostitution or concubinage in large numbers. The public conscience has been effectively

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aroused against the continuance of this institution and there has also been a great awakening among the members of the community themselves, many of whom are making every possible effort to eradicate the practice.

2. A Bill for effectively dealing with this evil, founded on the Bombay Devadasis Protection Act, 1934 (Bombay Act X of 1934), was introduced in 1938 in the Madras Legislative Assembly by Mrs. Ammanna Raja, M.L.A., and this Bill was considered by a Select Committee. Soon after the report of the Select Committee was ready, the Ministry resigned office and the Assembly ceased to function. The Bill was not therefore proceeded with.

3. The present Bill is largely based on the Bill as amended by the Select Committee in 1939. It declares the dedication of women as devadasis to be unlawful and void and provides for the punishment of any one of the age of 16 years or upwards who performs, permits, takes part in, or abets the performance of, any ceremony intended to dedicate a woman as a devadasi or having the effect of such a dedication. The maximum punishment which may be imposed is imprisonment which may extend to six months or fine which may extend to Rs. 500 or both. Courts inferior to that of a Presidency Magistrate or Magistrate of the First Class cannot inquire into or try offences created by the Bill.

O. P. RAMASWAMY REDDIAR.

APPENDIX IX.

[Vide item VII (7) at page 631 supra.]

A Bill to provide for the control of the construction of buildings in the neighbourhood of tuberculosis sanatoria in the Province of Madras, and for the exclusion, modification or restriction of enactments relating to public health from or in such neighbourhood.

WHEREAS it is expedient to provide for the control of the construction of buildings in the neighbourhood of tuberculosis sanatoria in the Province of Madras, and for the exclusion, modification or restriction of enactments relating to public health from or in such neighbourhood; It is hereby enacted as follows:—

1. (1) This Act may be called the Madras Tuberculosis Sanatoria (Regulation of Buildings) Act, 1947.

Short title, extent, application and commencement.

(2) It extends to the whole of the Province of Madras.

(3) (a) It shall come into force at once in respect of the tuberculosis sanatoria at Madanapalle, Tambaram and Perundurai; and in each case, this Act shall apply to the area specified in the notification issued under the Act by which the sanatorium was governed immediately before the commencement of this Act.

(b) The Provincial Government may, by notification, apply this Act to any other tuberculosis sanatorium with effect from such date and in respect of such area as may be specified in the notification.

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(c) The Provincial Government may, by notification, from time to time, alter any area referred to in clause (a) or specified under clause (b), in such manner as they think fit.

(d) No place which is not situated within two miles from any portion of the boundary of a sanatorium shall be included in any notification issued in respect thereof under clause (b) or clause (c).

Definitions. 2. In this Act, unless there is anything repugnant in the subject or context,—

(1) “building” includes—

(a) a house, outhouse, stable, latrine, godown, shed, hut, wall (other than a boundary wall not exceeding eight feet in height) and any other such structure, whether wholly or partially constructed of masonry, bricks, wood, mud, metal or any other material whatsoever;

(b) a structure on wheels or simply resting on the ground without any foundation;

(c) a tent, van and any other structure used for human habitation;

(2) “notification” means a notification in the *Fort St. George Gazette*;

(3) a person shall be deemed “to re-erect a building” if he—

(a) makes any material alteration to, or enlargement of, a building, or

(b) converts into a dwelling place any building not originally constructed for that purpose, or

(c) converts into two or more dwelling places a building originally constructed as a single dwelling place, or

(d) converts two or more dwelling places into a larger number of such places, or

(e) converts into a stable, cattle-shed or cow-house any building originally constructed as a dwelling place, or

(f) makes any alteration which is likely to effect prejudicially the stability or safety of a building, or the condition of a building in respect of its drainage, sanitation or hygiene, or

(g) makes any alteration to a building which increases or diminishes its height or the area covered by it or the cubic capacity thereof, or which reduces the cubic capacity of any room therein;

(4) “sanatorium” means any tuberculosis sanatorium to which this Act applies;

(5) “sanatorium area” means, in the case of any sanatorium, the area to which this Act applies in respect of the sanatorium by virtue of section 1, sub-section (3);

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(6) “Sanatorium Local Authority” means, in the case of any sanatorium or sanatorium area, the Sanatorium Local Authority constituted for the sanatorium or having jurisdiction under this Act over the sanatorium area, as the case may be.

3. (1) For every sanatorium, the Provincial Government shall, by notification, constitute a Sanatorium Local Authority for the purpose of controlling the construction of buildings in the sanatorium area. Constitution of Sanatorium Local Authority.

(2) The notification aforesaid shall specify—

(i) the date from which it shall take effect;

(ii) the name of the Sanatorium Local Authority;

(iii) the persons who shall be its members; and

(iv) the term of office of its members other than the ex-officio members, if any.

(3) The Provincial Government shall appoint one of the members of the Sanatorium Local Authority to be its Chairman and another member to be its Secretary.

4. (1) The Provincial Government may, by notification, direct that the provisions of the Madras Local Boards Act, 1920, the Madras Public Health Act, 1939, or any other enactment for the time being in force in the Province of Madras and relating to public health, shall not apply to the sanatorium area or shall apply thereto only to such extent and subject to such modifications and restrictions as may be specified in the notification. Application of Madras Local Boards Act, 1920, Madras Public Health Act, 1939, and certain other Acts.

(2) In particular, the notification may authorize the Sanatorium Local Authority or its Chairman or Secretary to perform any duty or exercise any power assigned to a panchayat or its president or to any other authority or officer under the provisions so applied, subject to such control as may be specified in the notification.

5. No person shall, except with the previous sanction of the Sanatorium Local Authority, erect or re-erect a building on any land in the sanatorium area, not being land situated within the boundary of the sanatorium. Prohibition of erection or re-erection of buildings without sanction of Sanatorium Local Authority.

6. (1) Application for such sanction shall be made in writing, and shall— Application for such sanction.

(a) specify the purpose for which it is intended to use the building;

(b) furnish such information and be accompanied by such plans as may be required by rules made under this Act.

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Refusal
or grant
of sanction.

(2) The applicant shall also furnish to the Sanatorium Local Authority any further information or plans which it may require, within such time as may be fixed by it.

7. (1) The Sanatorium Local Authority may refuse to sanction the erection or re-erection of a building, or may sanction such erection or re-erection either unconditionally or subject to such conditions as it thinks fit to impose in respect of all or any of the following matters, namely :—

(a) the free passage or way to be left in front of the building ;

(b) the open space to be left about the building to secure free circulation of air and the prevention of fire and to facilitate scavenging ;

(c) the ventilation of the building, the minimum cubic area of the rooms and the number and height of the storeys of which the building may consist ;

(d) the provision and position of drains, latrines, urinals, and cess-pools or other receptacles for rubbish or filth ;

(e) the level and width of the foundation, the level of the lowest floor, and stability of the structure ;

(f) the line of frontage with neighbouring buildings if the building abuts on a street ;

(g) the means of egress from the building in case of fire ;

(h) the materials to be used for, and the method of construction of, external and partition walls, rooms, floors, fire places and chimneys ;

(i) the height and slope of the roof above the uppermost floor on which human beings are to live or cooking is to be done ;

(j) any other matter affecting the ventilation and sanitation of the buildings.

(2) Any conditions imposed under sub-section (1) shall be in writing and the person erecting or re-erecting the building shall comply therewith in every particular.

Lapse of
sanction.

8. Every sanction given for the erection or re-erection of a building shall be available for a period of one year from the date on which it is given, and if the sanctioned erection or re-erection is not commenced within that period, it shall not be commenced thereafter, unless the Sanatorium Local Authority on application made therefor has extended the period.

Punishment
for illegal
erection or
re-erection.

9. Whoever begins, continues or completes the erection or re-erection of a building—

(a) before such erection or re-erection has been sanctioned by the Sanatorium Local Authority, or

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(b) without complying with any condition imposed under section 7, or

(c) when sanction has been refused by the Sanatorium Local Authority, or after the sanction has ceased to be available by virtue of the provision contained in section 8, shall be punished with fine which may extend to five hundred rupees.

10. (1) The Sanatorium Local Authority may, at any time, by notice in writing, direct the owner, lessee or occupier of any land in the sanatorium area—

(a) to stop the erection or re-erection of any building, or

(b) to alter or demolish, within such time as may be specified in the notice, any building or any part thereof, if, in the opinion of such authority, the erection or re-erection of such building or part constituted, or will constitute, an offence under section 9.

(2) If any direction given under clause (b) of sub-section (1) is not complied with, within the time specified therefor in the notice, the Sanatorium Local Authority may have such direction carried into effect at its cost and have the amount thereof recovered from the defaulter in such manner as may be authorized by the rules.

11. (1) Any person aggrieved by any order passed under this Act by the Sanatorium Local Authority may appeal to the District Collector who shall pass such orders thereon as he thinks fit.

(2) The Provincial Government may, in their discretion, at any time, either *suo motu* or on application, call for and examine the record of any order passed under this Act by the Sanatorium Local Authority or the District Collector for the purpose of satisfying themselves as to the legality or propriety of such order, and may pass such order in reference thereto as they think fit.

12. No compensation shall be claimed by any person for any damage or loss sustained by him in consequence of—

(a) the refusal of the Sanatorium Local Authority to sanction the erection or re-erection of any building, or

(b) any condition imposed by such authority in regard to such erection or re-erection under section 7, or of any order passed by it under section 10, or

(c) any order passed by the District Collector or the Provincial Government under section 11.

13. (1) The Provincial Government may, by notification make rules to carry out all or any of the purposes of this Act.

Power
to stop
erection
or re-
erection
or to order
demolition,
etc.Appeals and
revision.Bar of
compen-
sation.Power to
make rules.

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(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the rules of business of the Sanatorium Local Authority;

(b) the manner in which applications for sanction to erect or re-erect buildings shall be made to the Sanatorium Local Authority and the information and plans to be furnished either along with such applications or subsequently;

(c) the type or description of building which may or may not, and the purpose for which a building may or may not, be erected or re-erected in any specified area or areas;

(d) the minimum cubic capacity of any room or rooms in a building which is to be erected or re-erected;

(e) the circumstances in which a mosque, temple, church or other sacred building may be erected or re-erected;

(f) the manner in which the cost referred to in section 10, sub-section (2), may be recovered;

(g) the form in which and the time within which appeals under section 11 may be preferred;

(h) the fees which may be charged in respect of any application made, appeal preferred, or proceeding taken, under this Act.

Repeal of Madras Acts XIV of 1943, XXIV of 1943 and XVII of 1944 with a saving.

14. The Madanapalle Tuberculosis Sanatorium (Regulation of Buildings) Act, 1943, the Tambaram Tuberculosis Sanatorium (Regulation of Buildings) Act, 1943, and the Perundurai Tuberculosis Sanatorium (Regulation of Buildings) Act, 1944, are hereby repealed:

Madras Act XIV of 1943, Madras Act XXIV of 1943, Madras Act XVII of 1944.

Provided that until a notification under section 3 of this Act otherwise provides, the constitution of the Sanatorium Local Authority, the term of office of its members, and the persons who shall act as its Chairman and its Secretary, shall, in the case of each of the sanatoria at Madanapalle, Tambaram and Perundurai, be as laid down in section 3 of the relevant Act.

STATEMENT OF OBJECTS AND REASONS.

Three separate Acts were passed by His Excellency the Governor of Madras, two in 1943 and one in 1944, to control building operations in the vicinity of the tuberculosis sanatoria at Madanapalle, Tambaram and Perundurai, respectively. Huts had sprung up in the neighbourhood of these sanatoria with attendant insanitary conditions, and there was urgent need for passing the Acts at the time. These Acts were passed during the section 93 situation and will expire on the 30th April 1948, unless they are re-enacted earlier. The reason for which the Acts were passed, viz., to safeguard the health of the patients in the sanatoria, continues to be operative even now, and it is therefore necessary to re-enact the Acts. Government, however, consider that instead of having

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a separate enactment for each sanatorium, containing virtually the same provisions, it would be desirable and advantageous to have one general Act which will apply to the three sanatoria mentioned above and at the same time be capable of application to other sanatoria later. The Bill is intended to achieve this object. The substantive provisions contained in it reproduce without material change the provisions contained in the three existing Acts, viz., Madras Acts XIV and XXIV of 1943 and XVII of 1944.

A. B. SHETTY.

APPENDIX X.

[Vide item VII (8) at page 632 supra.]

A Bill to amend the Madras City Improvement Trust Act, 1945.

Madras Act XVI of 1945.

WHEREAS it is expedient to amend the Madras City Improvement Trust Act, 1945, for the purpose hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras City Improvement Trust (Amendment) Act, 1947. Short title.

2. (1) In section 91, sub-section (1), of the Madras City Improvement Trust Act, 1945, the second paragraph beginning with the words "If the provisions of this Act" and ending with the words "proportionate part of two and a half lakhs of rupees" shall be omitted; and in lieu thereof, the following provisos shall be inserted, namely:— Amendment of section 91, Madras Act XVI of 1945.

"Provided that no contribution shall be payable until the first Chairman assumes office:

Provided further that in respect of the portion of the financial year beginning with the date on which the first Chairman assumes office and ending on the 31st day of March immediately following, the Government and the Corporation shall each contribute to the Board a sum which shall not be less than the proportionate part of two and a half lakhs of rupees."

(2) The amendments made by sub-section (1) shall be deemed to have been made in the Act aforesaid, immediately before the passing thereof.

STATEMENT OF OBJECTS AND REASONS.

The Madras City Improvement Trust Act, 1945 (Madras Act XVI of 1945), which became law on the 24th July 1945, was brought into force on the 1st March 1946, but the Chairman of the Board of Trustees constituted under the Act actually assumed office only on the 25th October 1946; and until he did so, no expenses were incurred in connexion with the enforcement of the Act. Consequently, no contribution could properly be claimed under section

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91 (1) of the Act either from the Government or from the Corporation of Madras, for the period before the 25th October 1946. The second paragraph of section 91 (1) however lays down that the payment of the contributions should begin from the date on which the provisions of the Act are brought into force. This provision does not give effect to the intention, and it is therefore proposed to omit it and substitute instead two provisos which will bring out the intention clearly, viz., (a) that the contributions should become payable only after the first Chairman assumes office, and (b) that in regard to the financial year in which he does so, only a part of the contributions shall be payable proportionate to the period between the date on which the Chairman assumes office and the end of the financial year.

A. B. SHETTY.

APPENDIX XI.

[Vide item VII (9) at page 633 supra.]

A Bill to provide for the reduction of rents in estates governed by the Madras Estates Land Act, 1908, approximately to the level of the assessments levied on lands in ryotwari areas in the neighbourhood.

WHEREAS it is the policy of Government to acquire the interests of landholders in estates now governed by the Madras Estates Land Act, 1908, and to introduce the ryotwari settlement therein; Madras Act I of 1908.

AND WHEREAS it will take some time fully to give effect to this policy in all the estates in the Province;

AND WHEREAS the rents now payable by ryots in estates are in many cases substantially higher than the assessments levied on lands in ryotwari areas in the neighbourhood;

AND WHEREAS there is a persistent demand for the reduction of such rents;

AND WHEREAS it is expedient, pending the implementation of the policy aforesaid, to provide for the reduction of rents in estates approximately to the level of the ryotwari assessments in the neighbourhood and for the mutual adjustment of rights between the landholders and the ryots concerned after ryotwari assessments have been finally fixed on lands in such estates;

It is hereby enacted as follows:—

1. (1) This Act may be called the Madras Estates Land (Reduction of Rent) Act, 1947.

(2) It applies to all estates as defined in section 3, clause (2), of the Madras Estates Land Act, 1908. Madras Act I of 1908.

Short title and application.

[9th October 1947]

2. (1) The Provincial Government may appoint a Special Officer for any estate or estates, for the purpose of determining fair and equitable rates of rent for lands in such estate or estates, taking the assessment fixed for similar ryotwari lands in the neighbourhood as the basis. Special Officer to determine rates of rent with reference to assessments in neighbouring ryotwari areas.

(2) The rates shall be determined separately for each village in an estate, and in each village separately for each class of lands therein, namely, wet, dry and garden.

(3) The rates determined for each village shall be based, as far as possible, on the average assessments prevailing in respect of the different classes of land in the nearest ryotwari village of a generally similar character, due allowance being made for any difference in the conditions prevailing in the two villages.

(4) Nothing contained in this section shall be deemed to enable the Special Officer to determine for any land a rate of rent higher than that payable therefor at the commencement of this Act.

3. (1) Where at the commencement of this Act, rent is paid, in respect of any land in an estate, in kind or on the estimated value of a portion of the crop or at rates varying with the crop, whether in cash or in kind, or partly in one of these ways and partly in another, or partly in one or more of these ways and partly in cash, the rent shall first be commuted into a definite money rent in accordance with the rules made by the Provincial Government under section 8. Special provision for cases where rent is payable in kind, etc.

(2) Any rates of rent determined under section 2 for any class of lands in any village shall also apply to the lands referred to in sub-section (1) which are situated in the same village and are of the same class, provided the rent determined in accordance with those rates is lower than the commuted money rent referred to in sub-section (1).

4. (1) After completing his work in any estate, the Special Officer shall submit a report to the Provincial Government, through the Board of Revenue, specifying the rates as determined by him for lands in such estate, together with the reasons for his determination. Power of Provincial Government to reduce rates of rent after considering Special Officer's report.

(2) After considering the said report and the recommendations of the Board of Revenue thereon, the Provincial Government may, by order published in the *Fort St. George Gazette*, reduce the rates of rent payable in respect of each class of land in each village in the estate.

(3) An order under sub-section (2) shall take effect from the commencement of the fasli year 1357.

[9th October 1947]

Payment of
rent in
certain
cases.

5. Where an order is published under section 4, sub-section (2), in respect of any estate, rents for lands in that estate shall be payable only in money and at rates not exceeding those fixed in the order, notwithstanding anything contained in the Madras Estates Land Act, 1908.

Madras
Act I of
1908.

Bar of
jurisdiction.

6. No order under section 4, sub-section (2), shall be liable to be questioned in any Court of Law.

Adjustment
of rights
of landhol-
ders and
ryots after
ryotwari
assessment is
finally fixed.

7. (1) All rents fixed for lands in any estate by an order made under section 4, sub-section (2), shall be deemed to have been provisionally fixed; and the assessments fixed for such lands by the ryotwari settlement introduced in the estate in accordance with the provisions of any law which may hereafter be passed on the subject, shall be deemed to be the rents lawfully due to the landholder for the period commencing with fasli year 1357 and ending with the commencement of the fasli year in which the estate may finally be taken over by the Provincial Government; and the rights of the landholder and the ryots shall be adjusted accordingly.

(2) The Provincial Government shall have power to direct that any amount found to be due on such adjustment from any ryot to the landholder or *vice versa* shall be paid either in a lump sum or in such number of annual instalments as may be fixed by them, and the amount or each instalment thereof, as the case may be, shall be paid on or before such date as may be fixed by the Provincial Government.

Power to
make rules.

8. The Provincial Government may make rules to carry out the purposes of this Act.

Power to
remove
difficulties.

9. If any difficulty arises in giving effect to the provisions of this Act, the Provincial Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

STATEMENT OF OBJECTS AND REASONS.

It is the policy of Government to replace the zamindari by the ryotwari system at the earliest possible date. It will however take some time to pass the requisite legislation on the subject and to bring it into force in all the estates in this Province.

2. The agrarian situation in estates, especially in the Circars, is worsening day by day and there is a growing agitation for the reduction of the high rents which prevail now. The Government consider that some immediate relief should be given to ryots and estates roughly to the level of the assessment prevailing in the neighbouring ryotwari areas. After the assessment has been finally fixed, the rights *inter se* of landholders and ryots in respect of the intervening period commencing with the current fasli will be suitably adjusted.

KALA VENKATA RAO.

[9th October 1947]

APPENDIX XII.

[Vide answer to unstarred question No. 14 asked by Sri Manikoth Kumaran at the meeting of the Legislative Assembly held on 9th October 1947, page 574 supra.]

(a) No.

(b) Cannanore-Tellicherry Licensee (The West Coast Electric Supply Corporation, Limited).

(c) The rate is at present 0.450 anna per unit plus Rs. 3-2-0 per K.V.A. of demand subject to a maximum overall unit charge of 0.75 anna per unit.

(d) Rates at which supply will be made.

A. General purposes.

(1) For lights, or for lights and fans, metered—

First 209 units per mensem—6 annas per unit.

Rest—5 annas per unit.

Minimum Rs. 1-14-0 per month per single-phase service and Rs. 4-14-0 per month for poly-phase service.

(2) Bazaar lamps.—This rate applies only to bazaar shops. Lamps must not be used for more than 5 hours per day, between 6 p.m. and 12 midnight.

Rs. 2 per month for a 40-watt lamp and proportionate rates for larger size lamps. No agreement, but a deposit equivalent to two months' bill is payable before connection.

All bills for rates (1) and (2) will be subject to a rebate of 3 pies per rupee, if payment is made at the Company's office within a fortnight from the date of the bill.

(3) Domestic appliances.—For domestic heaters, pumps, cookers, refrigerators, sewing machines, radio receiving sets, washing machines, domestic motors under 3 horse power and other small appliances when metered on a separate circuit—2 annas per unit with a minimum of Rs. 3 per month per service.

Where motors of 3 horse power or over or other equipment of 3 K.W. or over are used on domestic and non-industrial premises and on a separate circuit, they will be classed as industrial load and charged accordingly.

(4) Commercial.—(i) Cinemas or for mixed load of small power lights and fans, the power load forming not less than 50 per cent. of the total consumption—2 annas per unit for a guaranteed consumption of 750 units per mensem.

(ii) Advertisement lighting.—Lighting to be on a separate circuit entirely external to the premises and facing public road—3 annas per unit. Minimum Rs. 5 per mensem per K.W. of connected load.

(e) Yes.

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(f) The Government Electricity Department is now giving a bulk supply up to a limit of 250 K.V.A. at 22 K.V. to the licensees. The licensees' present maximum demand is only 180 K.V.A. Therefore not only their full demand but some additional load also can be served from the present supply. As their anticipated increase in the maximum demand by November 1947 is not expected to exceed the margin already available, the licensees are being permitted to connect up the new loads as they come. Before the licensees are able to avail of supply up to the present limit of 250 K.V.A. the Government Electricity Department will be able to give them permanent supply at 66 K.V. when loads up to 1,000 K.V.A. could be served. The licensees will then be able to meet all reasonable industrial development in the area for some years to come.

The licensees' rates for supply for industrial purposes are as below :—

Rates at which supply will be made.

B. Power purposes.

1. *Industrial*.—Industrial power at 400 volts or lower for energy supplied between 10 p.m. and 5 p.m. and the following day—

First 500 units per month—	1.75 annas per unit.
Next 1,500 „ „ „	1.50 „ „
„ 3,600 „ „ „	1.25 „ „
„ 5,000 „ „ „	1.00 anna „
Rest	0.75 „ „

For energy supplied during the restricted hours of 5 p.m. to 10 p.m. a surcharge of 25 per cent will be levied.

The above rate is subject to a minimum monthly charge of Rs. 4 per B.H.P. for motors up to 15 B.H.P. For motors above 15 B.H.P. the monthly minimum charge is Rs. 3 per B.H.P.

For guaranteed monthly consumption of over 2,000 units—
First 2,000 units per month at 1.5 annas per unit and the rest at 1.25 annas per unit.

For guaranteed monthly consumption of over 4,000 units—
First 4,000 units per month at 1.3 annas per unit.
Rest at 1.10 annas per unit.

For guaranteed monthly consumption of 7,000 units—
First 7,000 units per month at 1.10 annas per unit.
Rest at 1.00 anna per unit.

Alternatively,

For power consumed during the hours 10 p.m. and 5 p.m. the next day, a maximum demand charge per month of Rs. 4 per

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K.V.A. of maximum demand maintained for more than 15 minutes up to 15 K.V.A. and for demands in excess of 15 K.V.A. Rs. 3 per K.V.A. plus the following unit charges :—

First 2,000 units per mensem—	1.2 annas per unit.
Next 3,000 „ „ „	1.0 anna „ „
„ 5,000 „ „ „	0.8 „ „
Rest	0.6 „ „

A surcharge of 25 per cent will be made in the above rates for power consumed during the restricted hours of 5 p.m. to 10 p.m.

The above rates are subject to the following overall rates, but without prejudice to the monthly minimum charges :—

First 2,000 units a month—	2 annas per unit.
Next 3,000 „ „ „	1.5 „ „
Rest	1.25 „ „

Rates are further subject to all power factors below 0.8 being liable to a penalty of 8 annas per horse-power connected per mensem.

2. *Agricultural purposes*.—Power for bona fide agriculturists having not less than 3 horse power connected—One anna per unit.

No monthly minimum but the annual guaranteed consumption of power shall not be less than that equivalent to Rs. 15 per horse-power connected. Otherwise, the balance will have to be paid.

(g) Does not arise.

APPENDIX XIII.

[Vide item VI at page 588 supra.]

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY,
MADRAS.

The Select Committee appointed to consider the amendment to rule 17 of the Madras Assembly Rules has the honour to make the following report.

2. The Committee was appointed on the 15th September 1947.

3. The Committee met in the Committee Room, Fort St. George, at 1-30 p.m. on Tuesday, the 16th September 1947, considered the amendment and approved the same.

4. A copy of the amendment as approved by the Committee is annexed.

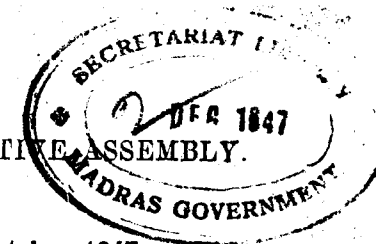
FORT ST. GEORGE, 16th September 1947. J. SIVASHANMUKHAM PILLAI,
Chairman.

ANNEXURE.

Amendment to rule 17 of the Madras Assembly Rules.

For the word "Wednesdays" wherever it occurs, the word "Thursdays" shall be substituted.

THE MADRAS LEGISLATIVE ASSEMBLY.



Friday, the 10th October 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

[* 165 Q.—

Answered on 9th October 1947 but held over for supplementary questions.]

BEGUM SULTAN MIR AMIRUDDIN:—“ With reference to the list supplied to me of the various post-war development schemes, may I enquire whether the items mentioned in this list are being actually taken up by the Government or whether this list is a mere copy of the post-war reconstruction schemes that the Government have drawn up which may or may not be taken up by them? ”

THE HON. SRI H. SITARAMA REDDI:—“ The hon. Member wanted information regarding post-war schemes the Government intend to undertake during the current year. The list includes schemes already in progress and which will be continued during the year 1947-48 and others that will be taken up during the year. For instance, the hon. Member will see that the Tungabhadra Project is one that is already being worked and there are several others that have already been undertaken and there are others that are proposed to be undertaken. The list includes, therefore, those that are under execution and those that are to be taken up.”

BEGUM SULTAN MIR AMIRUDDIN:—“ May I request the Hon. Minister to furnish me with a list of the actual schemes that are being executed during the current year and also of those which will be undertaken during this year? ”

THE HON. SRI H. SITARAMA REDDI:—“ May I suggest to the hon. Member to put a separate question? ”

BEGUM SULTAN MIR AMIRUDDIN:—“ Before putting further supplementary questions, may I enquire whether the Hon. Minister for Industries will be in a position to answer questions with reference to all the departments mentioned in the list—we have in the list schemes dealing with Education, Industries, Fisheries, Public Health and so on? Can I put to him questions on all these subjects? ”

THE HON. SRI H. SITARAMA REDDI:—“ Post-war development programmes come under the portfolio of Planning and Development and answers to any question that the hon. Member may put will be collected from the various departments and furnished to her.”

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BEGUM SULTAN MIR AMIRUDDIN:—" May I know with reference to buildings whether it is the intention of the Government not to construct new buildings, particularly for educational purposes until the prices of building materials come down? "

THE HON. SRI H. SITARAMA REDDI:—" I would suggest once again that this may be a part of the separate question that she proposes to put."

SRI N. M. R. SUBBARAMAN:—" May I know on what basis these schemes have been selected for inclusion in the list? "

THE HON. SRI H. SITARAMA REDDI:—" There are not enough materials before me now to answer that question."

BEGUM SULTAN MIR AMIRUDDIN:—" With reference to the training of teachers, I find that a sum of seven lakhs of rupees has been mentioned as recurring expenditure; may I know whether this sum is being actually spent this year? In this connexion, I may mention that the training of additional teachers comes under special priority schemes. I wish to know whether this item is being given special priority, in view of the fact that it comes under special priority schemes? "

THE HON. SRI H. SITARAMA REDDI:—" The answer to the question can only be furnished as I have already suggested to the hon. Member, if she puts a separate question: then it is possible to give an answer furnishing information to the hon. Member."

BEGUM SULTAN MIR AMIRUDDIN:—" Is it the idea of the Hon. Minister that I should ask a separate question on each item? "

THE HON. SRI H. SITARAMA REDDI:—" Yes."

SRI N. M. R. SUBBARAMAN:—" May I know why the public health schemes in the city of Madura such as extension of water-supply and drainage and the storm water drains have not been included in the list, though they are pending for the last ten years? "

THE HON. SRI H. SITARAMA REDDI:—" It has already been suggested that separate questions might be put."

* 166 to 174 Q.—[Answered on 9th October 1947.]

Social disabilities.

* 175 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Home Minister be pleased to state—

(a) whether the Government have received any report of a communal clash between Harijans and Caste Hindus in Old Batlagundu, Nilakkottai taluk, Madura district, regarding entry into the local Mariamman temple;

(b) whether it is a fact that Caste Hindus are still molesting the Harijans if they come alone;

[10th October 1947]

(c) if so, what action the Government propose to take in the matter; and

(d) whether the Government have considered the advisability of publishing the Removal of Social Disabilities Act by tom-tom in the province?

THE HON. DR. P. SUBBARAYAN:—" (a) Yes.

" (b) The District Magistrate has reported that so far as law and order is concerned there is quiet in the village now.

" (c) The Government do not consider that any action is called for.

" (d) The matter is under consideration."

SRI S. C. BALAKRISHNAN:—" May I enquire if the Government are aware that even now Harijans are not allowed to enter into the said Mariamman temple? "

THE HON. DR. P. SUBBARAYAN:—" I will cause the necessary enquiries to be made though the District Magistrate has said that it is all quiet now."

SRI S. NAGAPPA:—" In view of so many complaints that have been received by this august body, will the Government consider the desirability of creating a Harijan Uplift Department and see that legislation passed in this House is put into practice without any delay? "

THE HON. DR. P. SUBBARAYAN:—" The matter of constituting a Harijan Uplift Department concerns my Colleague the Hon. Minister for Rural Development."

SRI V. I. MUNISWAMI PILLAI:—" As the social disabilities of Harijans have been so great, will the Government consider the necessity of bringing the provisions of the Act to the notice of the officers in the various rural parts? "

THE HON. DR. P. SUBBARAYAN:—" The Act is now in force and the officers know they are to be enforced and they are trying to do what they can to see that the Act is properly enforced."

SRI V. M. RAMASWAMI MUDALIYAR:—" In view of the fact admitted that communal troubles exist between Caste Hindus and Harijans, will the Government be pleased to see that the Revenue officials lead a procession of Harijans into that temple? "

THE HON. DR. P. SUBBARAYAN:—" No, Sir, I do not think that is quite necessary; nor is it desirable to get the officials involved in this kind of thing."

SRI M. G. NATESA CHETTIYAR:—" May I know whether the provisions of this Act apply to all temples or only to temples under the management of the Hindu Religious Endowments Board? "

THE HON. DR. P. SUBBARAYAN:—" It applies to all temples which have been declared to be public temples."

[10th October 1947]

SRI V. RAGHAVAYYA:—"In view of the fact that mere legislation has not been very useful in compelling obedience to social laws, will the Government take care to see that special officers of the various temples and the police officials in those places are given special instructions to try to enforce this piece of legislation as thoroughly as possible?"

THE HON. DR. P. SUBBARAYAN:—"I do not quite grant the hon. Gentleman's premises; but as far as I know, the officials are trying to help the enforcement of this Act."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask if the Government will be pleased to give the necessary bandobust to such Harijans who desire to enter into public temples for worship?"

THE HON. DR. P. SUBBARAYAN:—"Instructions have already been given in this matter."

SRI PILLALAMARRI VENKATESWARLU:—"May I know if the Government have received any petitions from the Scheduled Classes in a particular village in Kistna district, requesting to give police protection to enable them to take festival processions through the streets?"

THE HON. DR. P. SUBBARAYAN:—"I think this is a matter on which the hon. Gentleman should put a separate question; because we are dealing with an incident in Madura district and the hon. Gentleman raises a question concerning Kistna district."

SRI S. NAGAPPA:—"Am I to understand from the fact that in spite of the instructions of the Government, there is so much dissatisfaction regarding the way in which the Act is being administered, that it is on account of incapacity of the Government that they are not able to put these laws into actual practice?"

(No answer.)

SRI M. G. NATESA CHETTIYAR:—"May I know whether the offences under the Removal of Social Disabilities Act are cognizable offences?"

THE HON. DR. P. SUBBARAYAN:—"Whatever is provided for in the law, will be observed by the courts of law."

SRI S. C. BALAKRISHNAN:—"In view of the fact that most of the police subordinates are against the removal of social disabilities of Harijans, will the Government issue orders that such police officers will be dismissed from service?"

THE HON. DR. P. SUBBARAYAN:—"I do not grant the premises of the hon. Gentleman; the police officers are there to carry out the orders of the Government and I feel that they are properly carrying out the orders of the Government."

SRI S. NAGAPPA:—"In view of the fact that the Hon. the Leader of the House is not able to give an answer to my question, will the Government consider the desirability of going out of office if they cannot carry out the provisions of the legislation passed by this House?"

(No answer.)

[10th October 1947]

Police excesses.

* 176 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Home Minister be pleased to state with reference to the answer to the starred question No. 74 and supplementary questions thereon answered on the 8th February 1947 what action the Government have taken on the representations regarding Police excesses in Tiruvadanai in the 1942 agitation?

THE HON. DR. P. SUBBARAYAN:—"Except a petition from one Sri Narayanaswami Chettiyar in which allegations against police were made and in which he also claimed compensation for the loss of his house on the road leading from Sivaganga to Manamadura in Ramnad district which was burnt down during the August movement of 1942, the few complaints received in connexion with the police excesses in Ramnad district were not substantiated. None of the petitioners turned up for substantiating the allegations. As regards the petition of Sri Narayanaswami Chettiyar it was found that his house was burnt, but as it could not be said that the fire was due to police action either accidental or intentional, his claim to compensation was rejected."

SRI R. V. SWAMINATHAN:—"May I know what action was taken regarding the petition preferred by a lady who was raped by the police in Tiruvadanai taluk?"

THE HON. DR. P. SUBBARAYAN:—"I have already said that complaints were made and they were sent down to the District Magistrate and he called for the people who made these complaints but unfortunately nobody seems to have turned up to substantiate the complaints."

DR. S. SUBRAHMANYA AYYAR:—"May I ask if an open enquiry was made by the District Magistrate?"

THE HON. DR. P. SUBBARAYAN:—"The District Magistrate asked the persons who had made these complaints to appear before him and give him any information he wanted; if they had done so and if an open enquiry was necessary, I am sure he would have taken action to hold an open enquiry."

SRI K. T. KOSALARAM:—"Will the Government take necessary action against the Police officers who received large sums of money as bribes from the villagers by force, saying that their villages will be raided?"

THE HON. DR. P. SUBBARAYAN:—"If the people who are affected by this are prepared to come up and prove the allegations that they make, the Government will certainly take action."

SRI P. KANDASWAMI PILLAI:—"In view of the answer given by the Hon. the Leader of the House, namely that the District Magistrate wanted to hold an enquiry but that the people did not turn up, will the Government care to constitute a committee to enquire into the matter and report to Government?"

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THE HON. DR. P. SUBBARAYAN:—"As I have answered, it is the duty of people who are anxious to substantiate their allegations, after having complained to the authorities, to appear before the District Magistrate when he calls for them."

DR. S. SUBRAHMANYA AYYAR:—"Is it a fact that the local congress committees made complaints about police excesses during the 1942 movement?"

THE HON. DR. P. SUBBARAYAN:—"Yes; those very local congress committees did not appear when summoned."

SRI R. V. SWAMINATHAN:—"As difficulties are experienced in proving all these allegations, will the Government constitute a non-official committee consisting of prominent non-officials to enquire into the matter—particularly regarding the excesses in Tiruvadanai taluk?"

THE HON. DR. P. SUBBARAYAN:—"If the hon. Gentleman will put before me specific allegations and produce enough material for me to act upon, then I will consider the suggestion of the hon. Member."

Manhandling of a Congress worker.

* 177 Q.—SRI T. S. PATTABHIRAMAN: Will the Hon. the Home Minister be pleased to state—

(a) whether the Government have received any complaints about the alleged assault and manhandling of a Congress worker Mr. Kanji Chinnathambi Bakthar of Edappadi by the Police on 24th April 1947 at Meensurutti village police outpost, in Trichinopoly district; and

(b) if so, what action has been taken against the police?

THE HON. DR. P. SUBBARAYAN:—" (a) No.

" (b) The question does not arise."

Police interference with ordinary civil liberties. *

* 178 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that on April 22, the police in Trichinopoly threatened the local taxi-drivers with cancellation of their licences if they hired out their taxis to Mr. Mohan Kumaramangalam; and

(b) if so, whether the Government propose to take steps to check such interference with ordinary civil liberties?

THE HON. DR. P. SUBBARAYAN:—" (a) The answer is in the negative.

" (b) The question does not arise."

SRI PILLALAMARRI VENKATESWARLU:—"Are the Government prepared to appoint an enquiry committee to go into the allegation made against the local police officials?"

[10th October 1947]

THE HON. DR. P. SUBBARAYAN:—"I do not think it is necessary in this particular case, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know whether any complaint was made to this effect by Mr. Mohan Kumaramangalam?"

THE HON. DR. P. SUBBARAYAN:—"This is a matter between me and my son." (Laughter).

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether any complaint was made to the Government officially; not in his private capacity in which I am not interested?"

THE HON. DR. P. SUBBARAYAN:—"Sir, when I said that no complaint was made, it means no official complaint was made."

SRI PILLALAMARRI VENKATESWARLU:—"Have the Government received any application or petition against the officials that taxis have not been allowed to Mohan Kumaramangalam?"

THE HON. DR. P. SUBBARAYAN:—"No, Sir; no official communication of any kind has been received."

Failure of procurement in coastal districts.

* 179 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government authorized the statement issued by the Civil Supplies Commissioner Mr. V. Hanumantha Rao Naidu which appeared in the Press that a total failure of procurement resulted in the coastal districts and that the same is due to the fact that the bonus offered is far less than the blackmarket price at which the ryots are selling the paddy; and

(b) if so, what steps the Government propose to take to accelerate procurement?

THE HON. DR. T. S. S. RAJAN:—" (a) No such statement was made by Sri V. Hanumantha Rao Naidu, Deputy Commissioner of Civil Supplies (North).

" (b) Some of the Hon. Ministers have toured in the districts intensively and appealed to the ryots to give up their surpluses and the response has been encouraging. Procurement will be intensified by persuasion and if it fails by the application of the penal clauses of the procurement notification."

SRI V. RAGHAVAYYA:—"Are the Government aware that in June this year, the Government passed orders that the police should not have anything to do with these procurement offences, either detection or prosecution, and that this was done contrary to the orders issued by the previous Ministry?"

THE HON. DR. T. S. S. RAJAN:—"I do not know what happened during the previous Ministry, but I can speak to what happened when this Ministry took charge of procurement operations."

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SRI V. RAGHAVAYYA:—"My question has not been answered. That is why I am putting this question. Is it true that detection and prosecution of procurement offences have been taken away from the hands of the police and handed over only to the revenue officials who have got several obligations with big ryots?"

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

MOHAMED RAFFEEUDIN AHMAD ANSARI SAHIB BAHADUR:—"Is it not a fact, Sir, that the village, taluk and district committees have not helped the Government in procurement work anywhere, and will the Government consider the immediate abolition of all these committees?"

THE HON. DR. T. S. S. RAJAN:—"It is not a supplementary question arising out of this question."

• *Representation from the Negapatam Steel Rolling Mills Workers' Union.*

* 180 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government have received any memorandum from the Negapatam Steel Rolling Mills Workers' Union; and

(b) if so, what steps the Government propose to take to avoid industrial breakdown and unemployment for a number of workmen in the said mills?

THE HON. DR. T. S. S. RAJAN:—" (a) Yes, Sir.

" (b) The Government do not propose to take any action as it is for the management to apply to the Director-General (Industries and Supplies), Government of India, for supply of necessary billets."

SRI S. NAGAPPA:—"Will the Government consider the desirability of appointing a labour sub-committee consisting of the Members of this House in order to look into the labour problems and labour troubles and solve them better than what they are done to-day?"

THE HON. DR. T. S. S. RAJAN:—"That has nothing to do with this question, Sir."

Granting of interim relief for motor transport workers.

* 181 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Food be pleased to state—

(a) whether any award granting interim relief for motor transport workers in this province was given this year and whether any bonus has also been granted for these workers;

(b) if so, how many companies have respected the award and paid the amounts to the workers in each district;

(c) whether any of the companies or individual proprietors in Kistna district respected this award; and

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(d) whether the Government will place a copy of the award on the Table?

THE HON. DR. T. S. S. RAJAN:—" (a) The Industrial Tribunal awarded interim relief to motor transport workers. The Court of Enquiry recommended the grant of bonus.

" (b) & (c) The information asked for is not available but has been called for and will be placed on the Table.

" (d) Copies ^a have been placed on the Table."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, whether the Government propose to take any action against managements which refuse to implement the interim award to the workers?"

THE HON. DR. T. S. S. RAJAN:—"In the case of refractory managements, the law will be set in motion."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, whether, in this particular case of motor transport workers where most of the managements do not implement the interim award, the Government propose to take any action against such managements?"

THE HON. DR. T. S. S. RAJAN:—"When the matter is brought to the notice of the Government, action will be taken."

SRI K. ANANDAN NAMBIYAR:—"May I know, Sir, whether a special report has come from the motor workers of Tinnevely district that the award has not been implemented there?"

THE HON. DR. T. S. S. RAJAN:—"Government are not in possession of that information."

SRI PILLALAMARRI VENKATESWARLU:—"Is it not a fact that except one or two managements nowhere is the interim award being implemented by the managements?"

THE HON. DR. T. S. S. RAJAN:—"As I said already, we are getting reports. As soon as we get reports that the award has not been properly carried out by the management, we will take action."

The Kistna-Pennar Irrigation Project.

* 182 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Public Works be pleased to state—

(a) the progress made by the Kistna-Pennar Irrigation Project proposal; and

(b) whether the Government propose to proceed with the work of investigation in view of the persistent food scarcities in this province?

^a Printed as Appendix I on pages 717-718 infra.

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THE HON. SRI M. BHAKTAVATSALAM:—“(a) & (b) The proposal in regard to the Kistna-Pennar Irrigation Project is in the preliminary stage. The question of investigation of the project is under the consideration of the Government.”

SRI V. RAGHAVAYYA:—“In view of the great publicity that this project has gained both on account of the previous statements of the Hon. Minister and the answers given on previous occasions to questions, may I request the Government to prevent sales of land, in the meanwhile, above a particular limit, so that the fruits of this project may be available to all the people equally?”

THE HON. SRI M. BHAKTAVATSALAM:—“We are still in the preliminary stage, and therefore that question does not arise now.”

SRI V. RAGHAVAYYA:—“In the course of the investigation, will the Government be pleased to investigate also the possibility of starting a hydro-electric scheme in connexion with this project at the various dams that will be built up?”

THE HON. SRI M. BHAKTAVATSALAM:—“That will certainly be examined.”

MOHAMED RAFAEUDIN AHMAD ANSARI SAHIB BAHADUR:—“Can the Government give an assurance that this project will be taken up some time or other, and that it will not be dropped?”

THE HON. SRI M. BHAKTAVATSALAM:—“That will depend on the results of investigations, Sir.”

Nellore Thermal Station Scheme.

* 183 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Public Works be pleased to state—

(a) the progress made by the Nellore Thermal Station Scheme; and

(b) when the work on the same is likely to start?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) The turbines of two 2500 K.W. sets to be installed initially, have already arrived. All details have been worked out and the scheme is just awaiting the formal sanction of the Government.

“(b) The work is likely to start immediately after the scheme is sanctioned by the Government.”

SRI V. RAGHAVAYYA:—“Will the Government be pleased to state whether the charges for a unit of electricity under this scheme will be a flat rate on a par with the rest of the districts, or are they going to fix it on a remunerative basis?”

THE HON. SRI M. BHAKTAVATSALAM:—“The hon. Member may put a separate question.”

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MOHAMED RAFAEUDIN AHMAD ANSARI SAHIB BAHADUR:—“May I know, Sir, the exact place where this thermal station is going to be located?”

THE HON. SRI M. BHAKTAVATSALAM:—“That will be in Nellore, Sir.”

SRI V. RAGHAVAYYA:—“In the matter of construction and extension of these lines, will the Government consider and give preference to any local enterprise that may be willing to take up this work?”

THE HON. SRI M. BHAKTAVATSALAM:—“A separate question may be put.”

Issue of powerloom cloth licences.

* 184 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Industries be pleased to state—

(a) whether powerloom cloth licences are still being issued without directing the licensees to distribute the cloth as per ration rules;

(b) whether powerloom cloth is now rationed according to the rules;

(c) if not, why not;

(d) whether the new linking system announced three months back has been put into operation; and if not, what is the reason for delay; and

(e) whether it is a fact that powerloom cloth is still being sold in Nellore district without reference to the rules?

THE HON. SRI H. SITARAMA REDDI:—“(a) Cloth made on powerlooms is treated as mill cloth. Licences to deal in mill cloth cover dealings in powerloom cloth also. Mill cloth licensees are not exempted from compliance with the rationing scheme.

“(b) Powerloom cloth has always been rationed ever since the introduction of the Rationing Scheme.

“(c) Does not arise.

“(d) It is presumed that this question relates to the reorganization of cloth licences in Nellore district. The Government approved a scheme for overhauling of licences in that district in the middle of June 1947. The Collector is consulting the local committees on the details for implementing the scheme and it is expected that final decisions would have been taken at a meeting of the District Textiles Sub-Committee which was scheduled to meet before the end of September.

“(e) No, Sir.”

SRI V. RAGHAVAYYA:—“In view of the comparative cheapness of this powerloom cloth, will not Government hereafter direct that this cloth shall be distributed only to poorer classes like agricultural labourers, the aboriginals and the Harijans, as is being done to-day at Nellore?”

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THE HON. SRI H. SITARAMA REDDI:—"I cannot give a special direction in the matter of distribution of any particular cloth. It is left to the local Collector and the committee to devise ways and means to see that the poorer people get the much needed cloth."

SRI V. RAGHAVAYYA:—"Will the Government be pleased to direct that these looms should weave only standard cloth of certain varieties which are suitable to villagers and poor men, and direct also that the sales of this cloth from the power looms be controlled by the Textile department and passed through the Textile department so that no black-market might arise?"

THE HON. SRI H. SITARAMA REDDI:—"The question of black-marketing will be dealt with whether it is in mill cloth or other cloth. So far as the other suggestion is concerned, I can only say that I have noted his suggestion, and I will see that his views are conveyed to the Provincial Textile Commissioner."

* 185 Q.—

[MR. SPEAKER:—"The hon. Member is not in his seat. The answer will be printed in the proceedings.]

Dumping of foreign articles in the Madras markets.

* 185 Q.—SRI M. BAPINEEDU: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government are aware that foreign articles are being dumped in the Madras markets; and

(b) if so, what steps the Government have taken to prevent their dumping and protect the home industries?

THE HON. SRI H. SITARAMA REDDI:—" (a) & (b) The regulation of import of foreign articles into Indian markets is done by the Central Government. No particulars are available with this Government."

* 186 Q.—

[MR. SPEAKER:—"The hon. Member is not in his seat. The answer will be printed in the proceedings.]

Questionnaire regarding reorganization of education in the Province.

* 186 Q.—SRI MANIKOTH KUMARAN: Will the Hon. the Minister for Education be pleased to state—

(a) whether complete answers have already been received for the long questionnaire issued by him on the reorganization of education in the Province;

(b) the nature of the action taken on those answers;

(c) when the new scheme of education is expected to come into being;

(d) its total estimated cost; and

(e) how it is proposed to be financed?

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) Answers have been received to the questionnaire.

"(b) to (e) The answers were referred to a sub-committee of the Provincial Advisory Board of Education. Such of those recommendations of the committee that can be implemented immediately have been implemented. The general recommendations of the committee are to be discussed at the next meeting of the Advisory Board of Education. After the recommendations of the Board are received, the Government will consider implementing them."

Representation to introduce Kannada in rural elementary schools.

* 187 Q.—SRI K. BOKKAI GOWDER: Will the Hon. the Minister for Education be pleased to state—

(a) whether any representation was made to the Government by the people of the Nilgiris district requesting them to introduce Kannada in the rural elementary schools in the district where Kannada is the mother tongue;

(b) if so, what action has been taken on the representation;

(c) whether Kannada is recognized as the regional language of the district;

(d) whether it is a fact that an appeal was received from the people of the district for opening a second-grade college in the district; and

(e) if so, what is the action taken by the Government in this respect?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) No.

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

"(d) & (e) Yes. The matter was gone into and the Government came to the conclusion that there was no need to establish an Arts College in the Nilgiris for the present."

SRI K. BOKKAI GOWDER:—"Is it not a fact, Sir, that a conference of the Taluk and Village Committees passed a resolution (copies of which were forwarded to the Hon. Minister and Premier) regarding introduction of Kannada in rural elementary schools?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"As far as I am aware no representation has been received."

SRI A. KALESWARA RAO:—"May I know, Sir, in bilingual districts, particularly border districts, where there are substantial minorities speaking a different language from that of the majority, what is the policy of the Government with regard to teaching in the mother tongue of the substantial minorities?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"That does not arise out of this question, Sir. But, where substantial minorities exist in border districts, it is the policy of the Government to provide for those minorities."

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SRI V. I. MUNISWAMI PILLAI:—" Out of a total population of 169,030 only 29,607 are in schools speaking Kannada in the Nilgiris. Will the Government consider the necessity of having Tamil alone as the regional language of the district? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" Evidently, Sir, the hon. Member knows it better than me."

SRI K. BOKKAI GOWDER:—" Are the Government aware that the entire rural population of the district are Kannada speaking, and will the Government seriously consider introducing Kannada in all these schools? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" My information, Sir, is that the rural population is not Kannada speaking."

Government grants to teachers.

* 188 Q.—SRI K. T. KOSALARAM: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government are giving grants to the teachers employed in private management schools on the revised scale of pay sanctioned by the Government; and

(b) if not, whether the Government propose to give such grants in future?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" (a) & (b) Teachers employed in aided elementary schools are given grants calculated on the revised scales approved by the Government."

SRI K. T. KOSALARAM:—" Are the Government aware, Sir, that there is much difference between the salary of teachers under District Boards and that under private managements, and if so, why? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" That does not arise out of this question. But all the same, I would like to give the hon. Member this information that there are two different rates of salary, one for aided school teachers and the other for teachers under District Board agency."

SRI K. ANANDAN NAMBIYAR:—" Are the Government aware, Sir, that several elementary schools in Malabar have been closed due to want of funds for paying increased rate of salary to elementary school teachers? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" No, Sir."

DR. M. J. SAMUEL:—" Have the Government received any representation from private managements as regards their inability to pay the revised scales of salary to their teachers? "

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" Yes, Sir, certain managements have represented that they will not be able to pay. But we have asked them to pay."

DR. M. J. SAMUEL:—" Will the Government consider the desirability of waiving this rule in regard to missionary managements? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" I think this rule applies also to institutions under missionary management."

SRI S. NAGAPPA:—" May I ask the Government whether these aided elementary school teachers have been satisfied with the revision of pay? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" I am afraid everybody wants more money; there is no question of satisfaction with anybody in this country."

SRI N. S. VARADACHARI:—" Will it be made a matter of policy with every private management that the first charge on its resources should be the payment of proper salary for the teachers? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" I am not able to understand the hon. Member's question, because Government have no control over the funds of aided elementary schools."

SRI K. T. KOSALARAM:—" Are the Government aware that teachers in industrial schools are in no way better than these teachers, and may I know whether the Government propose to give them also this benefit of revised salary? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" I am afraid this question does not arise here."

SRI K. A. NACHIAPPA GOUNDER:—" In order to avoid these difficulties have the Government got any idea to take over all elementary school teachers under their control? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" That may lead to greater difficulties."

Employment of the people of the Agency tracts in Forest Department.

* 189 Q.—SRI K. VEERANNA PADAL: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any people of the Agency tracts were employed in the inferior cadre as guards, or watchers in the Forest Department; and

(b) if not, what steps are being taken to employ them?

THE HON. SRI K. MADHAVA MENON:—" (a) & (b) 113 persons of the Agency tracts are employed in the Forest Department, 38 as Forest Guards and 75 as watchers. The rules for the Madras Forest Subordinate Service provide for

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preferential treatment to the people of the Agency tracts in the matter of recruitment to the posts of draftsmen, forest guards and foresters in the Agency area."

SRI V. RAGHAVAYYA:—"Is it not a fact, Sir, that the Forest Department in working the Agencies have been enforcing forced labour from the Agency people by way of cutting forest paths in the forests?"

THE HON. SRI K. MADHAVA MENON:—"It is not true, Sir."

SRI S. NAGAPPA:—"May I ask the Government, will it not be possible to employ many more men in the Agency tracts?"

THE HON. SRI K. MADHAVA MENON:—"It all depends upon the number required."

Snoring disease in cattle.

* 190 Q.—SRI M. D. THIAGARAJA PILLAI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) what the Veterinary Department has done to prevent the snoring disease in cattle which causes great economic loss to the ryots;

(b) whether there is any treatment without risk to life; and

(c) whether it is a fact that all veterinary hospitals are not equipped with slings for deserving cases; if so, why not?

THE HON. SRI K. MADHAVA MENON:—" (a) There is no prophylactic treatment for this disease. The villagers are advised to remove the weeds from the tanks used for watering the animals and also to add a small quantity of copper sulphate to the water of the tanks. The object of this method is (1) to remove the weed on which the young ones of the parasites stick and which is eaten by livestock and (2) to kill the free swimming young ones of the worms in the tank.

" (b) The disease is treated with Antimonium tartaratum without risk to life—Death occurs only in very rare cases, at the most in 0.5 per cent cases.

" (c) Most of the veterinary hospitals in this Province are equipped with slings—But in the majority of hospitals they are not used for want of cases. Slings are useful only for horses."

SRI K. P. KAMAKSHI CHETTIYAR:—"Do the Government think that any useful service is being rendered by the Veterinary department, and is it not desirable that this department should be totally reorganized?"

THE HON. SRI K. MADHAVA MENON:—"The Government certainly think that some useful service is being rendered by the Veterinary Department."

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SRI A. KALESWARA RAO:—"Regarding snoring disease would it come under the Veterinary Department or Medical Department?"

THE HON. SRI K. MADHAVA MENON:—"It depends upon the fact whether the hon. Member is thinking of animals or of men." (Laughter.)

Assignment of poramboke lands for cultivation of paddy.

* 191 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any representation from the villagers of Voymodu and Jambuvanodai, Tiruthurai-pundi taluk, for assignment of poramboke lands for cultivation of paddy;

(b) the extent of the cultivable poramboke lands in each of the above two villages;

(c) what the proposals of the Government are with regard to the assignment of the said poramboke lands;

(d) whether there is any proposal to open a cattle farm in the village of Voymodu, Tirutturaipundi taluk; and

(e) if so, when and how?

THE HON. SRI KALA VENKATA RAO:—" (a) & (c) No representation has been received from the villagers of Voymodu for the assignment of poramboke lands for the cultivation of paddy. But some ryots of Jambuvanodai village who have been granted 400 acres of land in the unsurveyed area on lease for a period of five years from 1st July 1944 have represented that they may be assigned lands in that area and that irrigation facilities may be provided for the successful cultivation of the lands. A report has been called for in the matter and it is awaited.

" (b) The extent of cultivable poramboke land in Voymodu village is about 1,000 acres comprised in R.S. No. 438/1 measuring 2,527.03 acres and classed as "Swamp". In Jambuvanodai village, an extent of about 1,500 acres is reported to be fit for paddy cultivation provided necessary irrigation facilities are given.

" (d) & (e) There is a proposal to open a cattle farm for the Umbalachery breed in the Tanjore district under the Post-War Development Scheme. A site has been selected measuring 800 acres (R.S. No. 438/1) in Voymodu village. A final decision has not yet been reached in the matter."

SRI A. VEDARATNAM PILLAI:—"May I know whether the Government have got any proposal to assign any land to political sufferers or I.N.A. men in this area?"

THE HON. SRI KALA VENKATA RAO:—"If applications are received they will be considered."

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SRI P. KAKKAN:—" May I know whether the Government will reserve all the poramboke lands for being given to Harijans? "

THE HON. SRI KALA VENKATA RAO:—" Harijans have been getting preference all through, and they will continue to receive the same preference hereafter."

SRI V. C. PALANISWAMI GOUNDER:—" Are the Government aware that generally in Tanjore district the cattle population has degenerated in view of the general wet nature of the district. Will the Government take care to see that no more degeneration of cattle is allowed to take place in that district? "

THE HON. SRI KALA VENKATA RAO:—" That is the reason why we are opening a cattle farm in that district and we have secured a site measuring 800 acres."

SRI V. C. PALANISWAMI GOUNDER:—" While welcoming the starting of a cattle farm in Tanjore district, may I suggest to the Hon. Minister to investigate into the degeneration in the condition of cattle in Tanjore district? "

THE HON. SRI KALA VENKATA RAO:—" It would be better if the hon. Member puts that question to the Hon. Minister for Agriculture or the Hon. Minister for Public Health."

SRI S. NAGAPPA:—" In answer to the question of Mr. Kakkan the Hon. Minister said that Harijans have always been receiving privileges. May I point out to him that it is all only on paper, but nothing in practice? "

THE HON. SRI KALA VENKATA RAO:—" Mr. Nagappa is always dreaming of so many things. Whenever applications are received from Harijans they are given preference."

SRI A. VEDARATNAM PILLAI:—" May I know when the Government are going to start a cattle farm in Tanjore district? "

THE HON. SRI KALA VENKATA RAO:—" It is a post-war scheme and it is being investigated and the result will be known in the next few months."

SRI S. NAGAPPA:—" In order to substantiate his answer just given may I know whether the Hon. Minister can come forward with facts and figures as to what he has done to Harijans? "

THE HON. SRI KALA VENKATA RAO:—" If the hon. Member puts a separate question I will furnish him with the information. But I may give him off-hand this information: out of the 21,000 acres of rich lanka land in East Godavari district as much as 8,000 acres have been given to Harijans this year for cultivation purposes."

SRI A. KALESWARA RAO:—" May I know why the Government should always give preference to Harijans only of all backward communities? (Laughter) Why not they give lands to other backward communities like the Yerukulas, the Yenadis and other landless communities? "

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THE HON. SRI KALA VENKATA RAO:—" I am fully aware that backward communities include Setti Balijas and Kallars and the like and if applications are received, they will be considered."

SRI S. C. BALAKRISHNAN:—" In view of the fact that most of the lands given to Harijans are useless lands, may I know why the Government should not give them better lands which may be converted into wet lands for cultivation? "

THE HON. SRI KALA VENKATA RAO:—" Certainly. I have only been asking for applications."

SRI S. NAGAPPA:—" May I invite the attention of the Hon. Minister to the fact that though they assign good lands to Harijans, the village karnams and village munsifs who ultimately allot the lands give only useless lands? "

THE HON. SRI KALA VENKATA RAO:—" That information has not come to my knowledge."

Alienation of Estate forest lands.

* 192 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that in Chinampet, Vuyyuru Estate, and Kotapadu Estate, Kotapadu, forest lands have been alienated after the promulgation of the Ordinance No. II of 1947; and

(b) in how many other estates such alienations have taken place after the promulgation of the Ordinance No. II of 1947?

THE HON. SRI KALA VENKATA RAO:—" (a) & (b) The Government have not the information but have called for a report."

SRI PILLALAMARRI VENKATESWARLU:—" May I know whether the Government propose to take any action against such alienation? "

THE HON. SRI KALA VENKATA RAO:—" If the information discloses that they have disobeyed the Ordinance they are liable for imprisonment and fine, and action will certainly be taken."

SRI A. KALESWARA RAO:—" May I know whether any action will be taken on the information given by Prajasakthi or on any non-official information? "

THE HON. SRI KALA VENKATA RAO:—" I can judge the matter myself when the matter is brought to my notice."

Steps taken to enforce Public Health Act.

* 193 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to state—

(a) what steps the Government propose to take to see that the people adhere to the provisions of the Public Health Act; and

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(b) what steps the Government are taking to see that the municipalities and district boards earmark the necessary funds for public health purposes as provided in the Public Health Act?

THE HON. SRI A. B. SHETTY:—“(a) The provisions of the Madras Public Health Act, 1939, are enforced by the local authorities through their Executive officers and Health officers with the aid of subordinate staff which they employ from time to time with the sanction of the Government. Rules and regulations have been framed under the various sections of the Act to enforce the provisions of the Act and penalties have also been provided for breach of these provisions in certain cases. The Executive or Health Officers have also been empowered to launch prosecutions wherever necessary. The Government have taken and are taking all steps permissible to them under the powers vested in them under the Act to see that the provisions of the Act are enforced.

“(b) The budget estimates of District Boards and Municipal Councils are submitted to Government for approval and the Director of Public Health is consulted in regard to the adequacy of the funds provided for such purposes. Under the Madras Public Health Act, not less than 30 per cent of the ordinary receipts other than Government grants in the case of Municipalities and 12½ per cent in the case of District Boards should be ear-marked for public health purposes. This provision is always kept in view in approving the budget estimates.”

BEGUM SULTAN MIR AMIRUDDIN:—“Is not the Hon. Minister aware that the provisions of the Public Health Act are being respected more in their breach than in their observance?”

THE HON. SRI A. B. SHETTY:—“Due provision is made in the Act, Sir, for imposing penalties for any breach of the provisions.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“Is the Hon. Minister aware that due to the non-adherence to the provisions of the Public Health Act, cholera and such other epidemics are spreading in the province?”

THE HON. SRI A. B. SHETTY:—“The chapter on infectious diseases is the longest in the Public Health Act and all the necessary steps in regard to the control and prevention of epidemics are being taken.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Do not the Government think that the proportion earmarked for public health purposes by the local bodies is rather too low?”

THE HON. SRI A. B. SHETTY:—“That is a matter of opinion, Sir.”

DR. S. SUBRAHMANYA AYYAR:—“Will the Government constitute a committee for reviewing the work of the Public Health Act ever since it was enacted.”

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THE HON. SRI A. B. SHETTY:—“I cannot give any undertaking on this matter. It is a matter that has to be given consideration.”

DR. M. J. SAMUEL:—“As the 12½ per cent allotted by the district board managements for public health purposes is not quite adequate, may I suggest to the Government that early steps be taken to enhance the 12½ per cent to 20 per cent as in the case of the municipalities?”

THE HON. SRI A. B. SHETTY:—“The matter will be considered.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“I want to know whether the Government will consider the desirability of straightway instructing local boards to raise the proportion of the funds allotted for public health purposes?”

THE HON. SRI A. B. SHETTY:—“Unless the Act is amended that cannot be done, Sir.”

BEGUM SULTAN MIR AMIRUDDIN:—“Is it not a fact that even the minimum that has been fixed in the Act, namely, 12½ per cent and 30 per cent, are not being earmarked by the local bodies for public health purposes? Will the Government see to it that the local bodies earmark the necessary funds for these purposes in pursuance of the Public Health Act?”

THE HON. SRI A. B. SHETTY:—“The percentage laid down is exceeded in some cases, Sir. Several of the local bodies may not have sufficient finances to spend in conformity with the provisions of the Public Health Act.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“Arising out of the answer given by the Hon. Minister, will he undertake to bring in an amendment of the Act as early as possible?”

THE HON. SRI A. B. SHETTY:—“I have already said, Sir, that that is a matter for consideration. No undertaking can be given now.”

DR. S. SUBRAHMANYA AYYAR:—“Did the Government review the working of the Public Health Act and have they satisfied that the provisions are properly given effect to by the local boards and municipalities?”

THE HON. SRI A. B. SHETTY:—“The Director of Public Health is issuing directions by means of circulars to the Health Officers from time to time in this matter. Even as late as June 1947 he has issued a circular to all the Health Officers to ensure better inspection and control regarding the preparation and sale of foodstuffs.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Arising out of the answer to my previous question, may I know whether the Hon. Minister stated that the allotment earmarked for public health purposes was actually exceeded in certain cases and if so under what provision such excess was allowed, Sir?”

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THE HON. SRI A. B. SHETTY:—"Only the minimum percentage is laid down in the Act. It can be exceeded whenever there is any necessity for it."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I ask the Government to instruct local boards to raise the minimum which they have now fixed for this purpose?"

THE HON. SRI A. B. SHETTY:—"We cannot do that, Sir."

BEGUM SULTAN MIR AMIRUDDIN:—"May I request the Hon. Minister to let us have information as to the names of the municipalities and local boards that have exceeded the minimum fixed? My information is that many of them have been allotting for public health purposes much less than what has been prescribed by the Act. Will the Hon. Minister furnish information as to how many municipalities and local boards have exceeded the municipalities and local boards that have executed the minimum and the names thereof?"

THE HON. SRI A. B. SHETTY:—"The hon. Lady Member may kindly put down a separate question, Sir."

Suspension of Woman Medical Officer, Tiruppur.

* 194 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that a Woman Medical Officer, Tiruppur, has been kept under suspension; and

(b) if so, for what reason?

THE HON. SRI A. B. SHETTY:—" (a) Yes.

" (b) She was placed under suspension pending the issue of orders in regard to the disciplinary action taken against her for insubordination, neglect of duty, disobedience of orders, trespass and contravention of conduct rules."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether the Woman Medical Officer is under the control of the Commissioner of the Municipality or the Municipal Health Officer?"

THE HON. SRI A. B. SHETTY:—"The Health Officer can take disciplinary action against her."

SRI V. M. RAMASWAMI MUDALIYAR:—"My question was whether she was under the control of the Health Officer for purposes of disciplinary action or under the control of the Commissioner of the Municipality?"

THE HON. SRI A. B. SHETTY:—"The Municipal Health Officer, Sir."

SRI S. C. BALAKRISHNAN:—"Is it not a fact, Sir, that there were allegations and counter-allegations between the Woman Medical Officer, Tiruppur, and the Municipal Health Officer, Tiruppur, Mr. Krishnamurti, in January 1947?"

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THE HON. SRI A. B. SHETTY:—"In this case the present Municipal Health Officer, the previous Municipal Health Officer and the Woman Medical Officer were all implicated, Sir."

SRI M. S. PATTABIRAMA AYYAR:—"Has that Woman Medical Officer since been dismissed?"

THE HON. SRI A. B. SHETTY:—"I have no information, Sir. The Assistant Director of Public Health (Establishment) was sent to make a preliminary enquiry in this matter. After that the Assistant Director of Public Health in charge of the range, Dr. K. P. Thomas, has been asked to conduct an enquiry. He has conducted an enquiry and framed charges against her and he has been authorized to pass final proceedings for taking necessary disciplinary action against her."

SRI M. S. PATTABIRAMA AYYAR:—"Is there an Assistant Directress of Public Health, a lady doctor, in charge of Child Welfare and Maternity?"

THE HON. SRI A. B. SHETTY:—"Yes, Sir."

SRI V. M. RAMASWAMI MUDALIAR:—"May I ask whether it is not desirable to place the power of disciplinary control of the Medical Officers in the hands of a technical man rather than in the hands of a Health Officer whose training is different?"

THE HON. SRI A. B. SHETTY:—"The Municipal Health Officer is a technical man, Sir."

SRI N. S. VARADACHARI:—"Will it not be considered undesirable to raise in this House during question time issues regarding particular officers?"

MR. SPEAKER:—"If the matter is of public importance, it can be raised here."

SRI M. S. PATTABIRAMA AYYAR:—"Is not the Assistant Directress of Public Health more competent to conduct the enquiry concerning the Woman Medical Officer?"

THE HON. SRI A. B. SHETTY:—"It is a matter for the Director of Public Health to decide."

BEGUM SULTAN MIR AMIRUDDIN:—"Are the Government aware that Women Medical Officers serving under local bodies have been suffering considerable difficulties, particularly in view of the fact that they are at the mercy of one individual who is a man? (Loud laughter.) Are the Government also aware that out of about 63 posts of Women Medical Officers sanctioned since 1932, as many as 36 Women Medical Officers have resigned on account of the difficult service conditions in the local boards?"

THE HON. SRI A. B. SHETTY:—"So far as I know there are about 25 places vacant and it is probably more due to the reason that they are not given sufficient scales of pay."

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MUHAMMAD RAZA KHAN SAHIB BAHADUR:—" May I know as to what the Hon. Minister means by saying that there was trespass on the part of the Woman Medical Officer?"

THE HON. SRI A. B. SHETTY:—" That is one of the charges framed against her. I cannot go into details."

BEGUM SULTAN MIR AMIRUDDIN:—" May I request the Hon. Minister to make an investigation into the service conditions of the Women Medical Officers, not so much with reference to their pay, but more with reference to other matters in view of the fact that a large number of them have resigned in the past? May I also ask whether the Government will take early steps to provincialise the posts of Women Medical Officers serving the local boards? "

THE HON. SRI A. B. SHETTY:—" The question of attracting a sufficient number of women doctors for work in Maternity Centres and the question of provincialising these officers— both these are under consideration."

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

II.—ANNOUNCEMENT BY THE HON. SPEAKER RE AMENDMENT OF ASSEMBLY RULES.

MR. SPEAKER:—" Under rule 146 of the Madras Legislative Assembly Rules, I am to inform the House that a copy of the amendment to rule 17 of the Madras Legislative Assembly Rules, namely, that for the word 'Wednesdays', wherever it occurs, the word 'Thursdays' shall be substituted, passed by the Assembly on the 9th October 1947 has been signed by me."

III.—THE MADRAS GENERAL SALES TAX (AMENDMENT) BILL, 1947.

MR. SPEAKER:—" The agenda has been changed. The altered agenda was circulated to the House yesterday. As soon as this Bill is over, we shall take up the other items left over."

THE HON. SRI B. GOPALA REDDI:—" I introduce the Madras General Sales Tax (Amendment) Bill, 1947 and move that the Bill be referred to a Select Committee.

" In doing so, I am reminded of the days in 1939 when the General Sales Tax Bill was first introduced and the circumstances under which it had to be placed on the Statute Book. For, then about three districts went dry and the prospect of other districts going dry was also there looming large and the sales tax was taken into consideration at that stage. Now the situation is different. Sixteen districts have already gone dry and the prospect of the other eight districts going dry on the 1st of October next year is a certainty and so the entire amendment Bill has to be viewed with that background. The merchants complained during these days about the difficulty of maintaining accounts and there was a lot of agitation on that account. Now we have worked the Act for about ten years and merchants have reconciled themselves to the taxation and they all feel that the sales tax is

* Printed as Appendix II on pages 718—729 infra.

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the only tax which can be tapped and which is elastic enough to meet the requirements of the Province. But so far as we are concerned with the administrative experience in the working of the Act, many complaints were received and there were many rigorous in the actual administration of the Act and due to changed circumstances we had to withdraw many exemptions that were then given. Exemptions were given then, because ours was the first province to introduce the sales tax and we were afraid we would be driving away our trade to other provinces. And our effort also was rather difficult because it was a pioneering venture in the domain of the sales tax. But now we are in a fortunate position, namely, that almost all the provincial governments have taken it up and some States have taken it up also and the prospects of our driving our provincial trade away to other provinces is not there. So we had to withdraw many exemptions from this amending Bill.

" Sir, when the sales tax was first introduced there were many speculations. I have been reading those debates recently just to refresh my memory. There was a feeling then that the turnover would be 300 crores or 400 crores and that tax at half a per cent would yield 15 to 20 crores. Some economists and politicians put the figure at 70 or 80 crores. I have now got the figures for all the years since the tax was introduced and they prove that all these speculations were not based on facts. The turnover was not so much and the tax yields were not as heavy as were anticipated. There was a time when land revenue was the main source of income. In recent years, excise revenue overtook it and went up to Rs. 10,80,00,000. Now with the adoption of the policy of prohibition, excise revenue is dwindling and will shortly vanish. Sales tax is therefore very necessary. The yield from this source of revenue during the last few years is as follows:—

	RS. LAKHS.	
1939-40	33	
1940-41	71	
1941-42	67	because there was a reduction of 1/4 per cent.
1942-43	89	
1943-44	289.88	
1944-45	528	
1945-46	602	
1946-47	686	

Now, if all the exemptions are removed and the rate is enhanced, we expect to get three to four crores of rupees this year. We have taken into account only 5/12 because we want to bring the thing into force on the 1st of November. The main principle of the Bill is this. The tax was half a per cent when it was first introduced. Later on in 1940 or so when prohibition was given up, the Advisers reduced it to 1/4 per cent. Again in 1944 or so, it was raised to the present level of one per cent. This Bill

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proposes to raise the rate to three pies in the rupee which comes to Rs. 1-9-0 for Rs. 100, a little over $1\frac{1}{2}$ per cent. Another principle is this: we are now adopting a uniform rate for all articles—articles of necessity and articles of luxury. But this Bill contemplates a differential levy on articles of luxury. We have not yet brought forward the entire list. The Board of Revenue is examining the list and we are taking power to increase the tax up to two annas in the rupee on luxury articles. Another point of importance is that hitherto all agricultural products were exempt at the first change of hand. Hereafter some articles like tea and coffee will have to pay tax even at the first change of hand. The producer has to pay when he is selling it even in the first stage. There are other things also. Cotton, mill yarn, handloom cloth and some of these things are withdrawn from the list. Some of these articles will be taxed at only one point and they will not be subject to taxation at several points.

"The tobacco tax was yielding us something. But it had to be foregone for a sum of Rs. 22 lakhs from the Government of India. As I was reading the debates, I found that many members suggested that the tobacco tax should be tapped very carefully. But some agreement was reached between the Provincial Government and the Government of India some time ago and it was compounded for Rs. 22 lakhs and that source for the time being has been lost for us. We are pressing the Government of India that the policy should be revised and that we should be allowed 50 per cent or Rs. 150 lakhs, or the entire excise duty on tobacco must be given to the provinces. That is a big constitutional matter. The Committee that is going to be appointed by the Central Government will go into this question.

"Sir, with regard to this amending Bill, the hon. Member Mr. Kothari may say that we are again lugging in bullion into this. (Interruption.) The Advisers, Sir, withdrew the exemption on bullion for one year and it yielded about Rs. 22 lakhs. But they found that bullion was being driven into Mysore, Pudukottah and other States and again gave exemption to bullion. This Bill contemplates the levy of a tax of $\frac{1}{4}$ per cent only on bullion while other articles are charged at $1\frac{1}{2}$ per cent.

"Sir, a special officer was appointed some time ago to review the working of the Sales Tax Act and on the recommendations of this officer these amendments are undertaken. We have also had the advantage of the various Provincial Acts which were reviewed from time to time by the Revenue department. This amending Bill has been brought forward with a full knowledge of these facts. I want that a select committee should consider this Bill. May I give the names of the Members?"

MR. SPEAKER:—"Yes."

THE HON. SRI B. GOPALA REDDI:—"The members of the select committee will be the following:—

- (1) Mrs. Lakshmi Sankara Ayyar.
- (2) Sri K. R. Karanth.

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- (3) Sri N. S. Varadachari.
- (4) Sri Guntur Narasimha Rao.
- (5) Dr. P. Govindan Nair.
- (6) Dr. M. J. Samuel.
- (7) Sri B. Parameswaran.
- (8) Sri P. Venkatanarayana.
- (9) Sri P. Natesan.
- (10) Sri C. M. Kothari.
- (11) Mr. B. W. Batchelor.
- (12) P. P. Hassan Koya Sahib Bahadur.
- (13) Abdul Majid Sahib Bahadur.
- (14) The Hon. Sri H. Sitarama Reddi.
- (15) The Hon. Sri B. Gopala Reddi."

MR. SPEAKER:—"The motion before the House is that the Madras General Sales Tax (Amendment) Bill, 1947, be referred to a select committee composed of the following members:—

- (1) Mrs. Lakshmi Sankara Ayyar.
- (2) Sri K. R. Karanth.
- (3) Sri N. S. Varadachari.
- (4) Sri Guntur Narasimha Rao.
- (5) Dr. P. Govindan Nair.
- (6) Dr. M. J. Samuel.
- (7) Sri B. Parameswaran.
- (8) Sri P. Venkatanarayana.
- (9) Sri P. Natesan.
- (10) Sri C. M. Kothari.
- (11) Mr. B. W. Batchelor.
- (12) P. P. Hassan Koya Sahib Bahadur.
- (13) Abdul Majid Sahib Bahadur.
- (14) The Hon. Sri H. Sitarama Reddi.
- (15) The Hon. Sri B. Gopala Reddi."

SRI P. NATESAN:—"I move, Sir—

"that the Bill be circulated for eliciting public opinion."

MR. SPEAKER:—"Let the amendment be formally seconded. Then we will have both the original motion and the amendment for discussion of the House."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I second the amendment."

MR. SPEAKER:—"The motion as well as the amendment are for the discussion of the House."

* SRI P. NATESAN:—"Sir, the Hon. the Finance Minister has my entire sympathy; in the Statement of Objects and Reasons he states that it has become necessary to get increased revenue from this source in view of the extension of prohibition to a number of districts and the decision to extend it shortly to other districts. Sir, it is this Prohibition that is giving all the trouble to the Finance Minister. If I want that this Bill should be

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circulated for public opinion, it is because I think that the public more than the commercial bodies have got a right to say what they feel about this tax. Again, in the Statement of Objects and Reasons, it is stated that the recommendations of the Special Officer and the remarks of the Board of Revenue thereon have been duly considered by the Government in consultation with the representatives of commercial bodies and the decisions arrived at by Government have been incorporated in this Bill. The Government have always been saying that the merchants have absolutely nothing to complain about the sales tax because it was the consumer who paid this tax. Therefore, I say, Sir, that it is not only the merchants but the entire public also that have got to be consulted in this matter. The Hon. Finance Minister said that after all the tax is to be raised to 1;6 per cent, i.e., Rs. 119-0 for Rs. 100. But he does not understand—let him not feel hurt, if I say he is not correct in his statement. How can he say so, when the maximum tax leviable on certain articles is two annas in the rupee. It works out to 12½ per cent. It is simply staggering. This is done simply because the Government want to introduce prohibition all over at the same time. Gandhiji seems to have made a statement the other day in Delhi, I think, that even the Legislative Assemblies have no power to arrogate to themselves the right to do what they want and that they should consult public opinion before they passed any laws. I want the Government to respect Gandhiji's wishes and give an opportunity to the public to consider this matter. I ask, Sir: Where is the hurry to introduce this tax from the 1st of November? What has been the Finance Minister doing all these days? He knows he would be in a tight corner. There was no need to extend prohibition now; the Government could have waited till April. Let all the Congress members go to their constituencies and tell them about this tax. Of course, I agree with the prohibition programme, but why carry it on in this hurry?

"Again, Sir, let us see how it is proposed to tax the people? Here is an omnibus clause, clause 2 (iii) which proposes to tax all articles including those to be used in the construction, fitting out, improvement or repair of immovable property, or in the fitting out, improvement or repair of movable property, etc. I wonder, Sir, who drafted the Bill. How are you going to find out which is which and how are you going to tax these people? It is stated:

'Where a contractor executes a work for lump sum, there is an implicit sale of the goods used by him for the work and the object of these sub-clauses is to ensure that tax is paid on such sales.'

Where are the sales, I ask? If the Public Works Department invites tenders for ten lakhs of rupees, do you expect sales tax to be paid on the cost of chunam, bricks, mortar, carpentry work, etc., included in the tender? Is it possible for anybody to keep accounts? There are all sorts of people involved—people selling goods of various kinds, people selling bullion, people doing

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contract work and so on. There is not one item which the Finance Minister has omitted. Even the poor agriculturists find mention here. In one place, it is stated in the definition:

... and also includes all growing crops, grass and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale'

Is it humanly possible to give a list of these things? Whoever drafted this has not had the imagination to see that it is impossible to tax all these things. There will be a hue and cry from the public and every day you will have to be hearing many complaints from the public. Apart from that, the Finance Minister wants to tax cotton yarn. It means that the price will be put up at some stage by some one and the poor man will have to pay it.

"There is another clause which says:

'Provide that a bank shall not be deemed to be such an agent except in respect of goods the documents of title to which have been sent to it with instructions to deliver the same to any person on his paying a sum of money (. . .)'

This has reference to the import of goods from foreign countries. The bills of lading are passed through the banks. The result of this clause will be that the banks will be expected to pay a tax, then the wholesale dealers will have to pay a tax, then the sub-dealers or the small merchants will have to pay a tax and then the consumer will have to pay the tax. Sir, this is simply atrocious.

"Again, Sir, in clause 13 it has been stated that 'No suit or other proceeding shall be brought in any civil court to set aside or modify the assessment of any tax, etc. It is the most undesirable provision, Sir. How can anybody get any relief if he cannot go to a tribunal who can give judgment on the actions of the Government officials? These are all important matters. The Hon. Finance Minister may say: 'Do not worry about these: we are going to consider the Bill in the Select Committee.' But I want that all these matters should be considered by the public and that is why I want this Bill to be circulated for eliciting public opinion.

"Every clause is very controversial and I am afraid I will 12-18
has to take exception to every one of them. p.m.

"There is the provision for levying a tax of ½ per cent on the sales of bullion and specie. When the Sales Tax Bill was introduced by the previous Congress Ministry, they said; after hearing representations from merchants, that they would exempt these items. If there was a case for exemption then, there is a much stronger case to-day when the prices of commodities have gone up considerably and the whole business world is in confusion.

"Then there is the provision in clause 6 for rebate of ½ per cent of the tax. I do not think there is any meaning in giving rebate of only ½ per cent of the tax.

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"Every dealer has to pay over to the Government all amounts collected by him in excess of the tax. Is it practicable to do anything like that? The Government may have their own organization, but I do not know how much it will cost them to enforce this.

"This law will be coming into force on the 1st of November. There are any number of illiterate merchants who do not know what is going on in the world and it will be impossible for them to understand the implications of the Bill. Where is the hurry for passing the Bill? I see from newspaper reports that the Hon. Finance Minister is very keen on introducing the Bill, getting it passed into law and bringing it into effect from the 1st of November. He must at least be considerate, allow some time, and see that the Act comes into effect from the 1st of April of next year.

"My request is that the Bill may be circulated for eliciting public opinion. I daresay the motion may be thrown out, because the Hon. Finance Minister would have already made up his mind. 'Let this fellow talk as much as he likes; I have made up my mind to oppose the motion.' That is what he will say. I want him to follow Gandhiji's instructions and see that this Assembly does not ride rough-shod over public opinion. At least out of regard for Gandhiji's view, I want the Government to agree to the circulation of the Bill and see what the reaction is. If the Hon. Finance Minister is not going to do anything else, I want him at least to get representatives from all mercantile bodies to give evidence before the Select Committee. That will mean that the Select Committee will have to sit for a few days. He might have received written representations, passed them on to the Finance Department, the department might have prepared notes, and the Hon. Minister might have proceeded on that basis. But I want him to speak orally to the persons affected by the Bill.

"With these words, I move that the Bill be circulated to elicit public opinion thereon and I trust that my amendment will be accepted by the Hon. Finance Minister."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, in seconding the motion for circulation of the Bill to elicit public opinion, I wish to say a few words. At the outset, I must add my sympathy to that that has been offered to the Hon. Finance Minister by the mover of the amendment. It is unfortunate that he should have selected this portfolio, for he has to find money for a Government which is hard pressed for finance. Having taken up that portfolio, he has perforce to come forward with Bills of this character.

"My hon. Friend, the Mover, referred to the policy of prohibition. While I entirely agree with the policy of prohibition, I must say that the Government have not given a moment's time for devising ways and means for enforcing prohibition and at the same time avoiding a loss of revenue to the tune of 17 crores all of a sudden. If the hon. Members opposite gave up their policy of stampeding the Ministry into adopting a policy of wholesale

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prohibition with the consequent loss of revenue, possibly the Ministry might have considered other ways of introducing prohibition. Any government which has the well-being of the people as a whole at heart will have to consider the extent to which any section of the people will be adversely affected. This Government has been forced to take into consideration the advantage that it conferred on a section of the people without realizing the incidental disadvantage to the people including those whom it sought to benefit. On this occasion I do not wish to go further into the advisability or otherwise of losing revenue all at once in such a wholesale manner.

"So far as this Bill is concerned, I wish to bring to the notice of this House that this is one of the 17 Bills that are to be considered by this House in this brief session. When the original Sales Tax Bill was introduced by the Government in 1939, we wanted to avoid hasty legislation. We wanted that in a matter vitally affecting the people, time should be allowed not only to the Members, but also to the public to give their considered opinion on the Bill. I believe this Bill was published only a few days ago. It has been brought before the House to-day and it is expected that it should become law by about the 15th of this month. If this is not hasty legislation, I should like to ask what exactly is hasty legislation.

"My hon. Friend, Mr. Natesan, referred to a statement made by Gandhiji regarding the conduct of the Ministries and the legislatures. Gandhiji has warned the Ministers, who arrogated to themselves all wisdom and right to speak and act on behalf of the people, not to do so and not to think that, because they have been elected by the people, they can act as they like. He has very rightly warned the Ministers as well as the legislatures not to act in a hurry, not to ignore people's opinions, and to consult the people from time to time. He has also said in a very clear and considered manner that in every legislation there should be provision for appeal to the courts. I hope and trust that this Government will act up to that wise opinion expressed by Gandhiji. On a former occasion when the Sales Tax legislation was being piloted, arguments were advanced that the merchants would be adversely affected and that they would find it difficult to keep accounts. All the arguments then advanced did not carry much weight and were not treated as facts. The Hon. Finance Minister has anticipated all those arguments and thinks that such arguments will not be advanced hereafter. In spite of his belief that those difficulties do not exist, I must here and now state categorically and as emphatically as I can that the small traders—I am not referring to the rich merchants who can employ any number of clerks—are even to this day finding it very difficult to keep accounts for answering the demands of the Department of Commercial Taxes. Many of them have been hauled up for small technical mistakes that they are supposed to have made. Therefore it is not true to say that those difficulties do not exist. The difficulties are there and they will increase if this Bill is passed into law.

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p.m.

"Sir, in passing the Commercial Taxes Bill last time, the Government took care to see that articles of food were exempted altogether from the sales tax. I am afraid that that wholesome policy is sought to be given up by the present Government and that they are proposing to tax even articles of food. Sir, coffee is going to be taxed. It is a very important article of food, particularly in these days when other articles of food are becoming scarce. I know that there are a large number of people who live on coffee alone for a very long time in the day. I know that a number of our poor clerks and other poor servants are satisfied with a cup of coffee or tea in the morning and keep on till 1 o'clock, whether they get their lunch or not till then. Sir, I must say here—and it cannot be denied—that both coffee and tea are articles of food. So when the Government are encroaching upon these articles of food, they are giving up that wholesome policy of excluding food articles from the provisions of this Bill. It is a very unfortunate thing that in these hard days when it is difficult to get food and when the poor people are suffering more and more, that the Government should now think of taxing even articles of food.

"Sir, I am afraid that both the past Congress Ministry and the present Ministry have given proof of their inability to think of other sources of revenue. Somebody has found this tax as a source of revenue and herd-like, the present Government seem to follow that policy. That seems to be the only source of revenue they could think of. They could not think of any other source of taxation, which will not sit so heavily on the people as this tax does, and which will be spread among the people in a general way. Sir, in this connexion I would refer the Hon. Finance Minister and my hon. Friend Mr. Varadachari who thinks that he is an expert in Finance, to the ways and means adopted by the Government of India in the matter of taxation."

MR. SPEAKER:—"I wish to know which Varadachari the hon. Member is referring to?"

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I do not know how to define the difference, Sir, but I think the House knows whom I am referring to. (Interruption) . . . (A voice: 'Clothed or unclothed?') . . ."

"Sir, I was referring the Hon. Minister for Finance as well as my other friend who can think only of sales tax and nothing else, to the taxation policy of the Government of India. I would request them to examine what the taxation policy of the Government of India is and how they are giving effect to their policy. Their policy is to tax the rich and to help the poor. But this Bill deliberately aims at taxing the poor consumer. Sir, why should the poor man be taxed and taxed in the manner in which this Government seek to do? Their idea seems to be that the poor man should continue to remain poor and that the poor man should be taxed more and more. That seems to be their policy and that of their friends. I want to know whether it is the intention of the Government to keep the poor man in the same condition all the time. I submit, Sir, that the Policy that any

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democratic Government should adopt is to tax those people who have earned millions in this country both during the war and even now, without the knowledge of Government, indulging in black-marketing through and through. No attempt has been made by this Government to find out other sources of revenue which will not affect the poor. (Interruption.)

"Sir, the Hon. the Finance Minister wants me to suggest other sources of revenue. I do not wish to assume the right to suggest ways and means of adding to the taxation of this Province, but this much I can say, that the Government have not been following a proper policy so far as taxation is concerned.

"Sir, I understand that the present Government have issued orders to collect taxes on sales even from the merchants and bankers. I understand that for any transaction that takes place and for which a banker is called upon to pay, the sales tax is sought to be collected at the very place of transaction. Sir, this is certainly a very wrong procedure to adopt. They should not expect the banker to pay the amount of the tax to the Government on behalf of a merchant who is carrying on trade and commerce in this Province. It is a very wrong policy and it will certainly interfere with the freedom of the merchant and also the right of the merchant to pay the tax at any other point besides the one that is prescribed by the Government.

"Sir, the tax proposed under the present Bill is also very heavy. It was only 1 per cent before and it is now sought to be raised to 2 annas in the rupee, that is, about $12\frac{1}{2}$ per cent. Sir, if this $12\frac{1}{2}$ per cent is not stopped at one point, but is allowed to pass from stage to stage, I would like to ask whether the $12\frac{1}{2}$ per cent will stop at $12\frac{1}{2}$ per cent and will it not go up to cent per cent. I am sure, that there is every possibility of the tax being collected cent per cent, before it reaches the last stage of taxation. Sir, it is very unfortunate that the Hon. Minister for Finance should have thought so very easily of this tax and to levy it at $12\frac{1}{2}$ per cent which would ordinarily becomes 50 per cent or even 100 per cent before the various stages are reached in any commercial transaction.

"Sir, I understand from the Hon. the Finance Minister that this tax will be levied only on luxury articles, and I find in this Bill itself that the Government are seeking to regard 'coffee' as a luxury article."

THE HON. SRI B. GOPALA REDDI:—"Articles of food will not come under luxuries."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"If the Government consider that coffee is not a luxury, but as an article of food, then they should come forward and say that this is not a tax on luxury.

"Sir, the Government are of the opinion that this tax of $12\frac{1}{2}$ per cent at one point will remain at that stage and that there will not be any more multiplication of the tax beyond that stage, on what are called luxury articles. But I should like to ask

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the Government what exactly are the luxury articles that they wish to bring within the provisions of the Sales Tax Act. We have not been presented with a schedule of articles which are proposed to be brought under luxury articles in this Bill, in order to satisfy ourselves that they are really luxury articles, and that articles of necessity are not included in the schedule. It would have been very much better if a complete and exhaustive list of such articles had been appended as a schedule to this Bill. Perhaps the Government want to take power to include such articles which might become luxury articles from time to time. Sir, that is too much of a power to be taken, and the Government ought to lay their entire cards on the table, not only before this House, but before the public so that they could know what are the articles that will be included in this list.

"Mr. Speaker, Sir, taxation with the sanction of the people is a very good policy, but taxation without the consent of the people and without consulting them is not a tax, but a scourge. I therefore hope that it will be possible for the Hon. Minister for Finance to agree to the motion that the Bill be circulated for eliciting public opinion. After all, it would not take a long time and within a month we shall be able to know the public opinion on this Bill. I know that it would mean some dislocation in the calculations of the Government's revenue, but that will not make much difference, especially when they are seeking to pass such an important legislation affecting vitally the people of the Province as a whole. If this Bill goes before the public, possibly the Government might get the support of the people. But to assume that the people are with them and that public opinion will support them in this measure is too much to be expected, and they are not on that account exonerated from the responsibility they owe to the public for consulting them from time to time. But I submit that it will be very much better, both for the Government and for the legislature that in an important and vital legislation like this, the public are consulted and therefore with an appeal to my Hon. Friend, the Finance Minister, to agree to this motion for circulation seconded by me I resume my seat."

12-45 p.m. * SRI C. M. KOTHARI:—"Mr. Speaker, Sir, as you are well aware in the Statement of Objects and Reasons, we are told that it is mainly in connexion with finding funds for the scheme of prohibition that the Hon. the Finance Minister has been pleased to introduce this amending Bill to the Sales Tax Act in this House. Sir, I do not envy the position of the Hon. Finance Minister today, because he is merely a tool to find the money as desired by the party which runs the administration to-day. Sir, I do not know whether the Congress Party has taken into consideration the implications of this amending Bill to the Sales Tax Act. I feel they must have done it; if not, I should like to draw the attention of the Congress Party to the inflationary nature of the provisions of this Bill in this way, that the higher the sales tax, the greater the index of the cost of living and the burden of it all will lie on the agriculturist, the poor man and the labourer. It is up to the members on the opposite side to think

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how they should go and account to our people how and why taxation of this omnibus type was resorted to and how they consented to it; they would have to explain that there were no other alternatives and that prohibition necessitated greater income for the Government. I do not know whether the world would have fallen if the programme of prohibition had been worked a little more slowly, say, a less number, instead of all the sixteen of the districts being taken up immediately. I appeal to the members on the opposite side to feel the consequences of this measure which surely would affect the agriculturist and the poor man. I think I need not go into the details of the Bill, the shockingness of which will be apparent to anybody who is a consumer; everybody knows it; but unfortunately it is the poor consumer that is not being cared for by anybody; and that is why I appeal that this House ought to guard the interests of the consumer as best as they can.

"Sir, coming now to the finances of this Presidency, I am sure the Hon. Minister in charge of Finance will agree with me that we are drawing on our reserve funds to a very large extent; and if this continues for a year more, I feel there will be nothing left over in the reserves, and with the law of diminishing returns operating, your income will go down and your national development schemes will have to be dropped. Instead of facing such a situation, I for one would request the members on the opposite side to see that prohibition is not embarked upon as fast as it is the intention of the Congress Party to do. I am sure a delay of six months or even one year would not matter very much in this respect. I am confident the members of the Congress Party must have considered the implications of this Bill, especially the incidence of taxation on the poor people and the agriculturist. As stated by the mover of this motion, Mr. Natesan, even the unknown profits of a contractor are to be taxed, the standing crops are to be taxed. And how are you going to value it? The definition given is so vicious and so omnibus that it will cover anything in the world. It will give power to the tax commissioners or collectors to harass the people. Coming to the word 'harassment' the Hon. Finance Minister was pleased to say that because of the harassment to the assesses, certain amendments are being taken up. I would put it to you, Sir, that the harassments are being increased and multiplied by the many loopholes in the Bill, instead of diminishing them.

"Sir, certain exemptions from the last Act are now being taken away by this amending Bill; these exemptions were coffee, tea and agricultural produce. They were exempted originally, but now they are not. (Interruption.) I stand corrected; I am told that agricultural produce is exempted even now. Every one of you must be aware that with prohibition coming in, the beverage of coffee or tea is the only exhilarating drink left to the people of the country, especially the non-drinkers. Persons of my type would very much like to see that coffee and tea are not taxed at all. This is an industry which is a God-forsaken industry and it is taxed to the utmost. And who pays for it?

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It is the poor man, the consumer who needs this beverage most. I hope this House is aware that in respect of coffee, there is an excise duty of As. 2 per pound which comes to about 25 per cent of the profits of any producer who wants to produce coffee. On tea, the tax comes to about $7\frac{1}{2}$ annas per pound. The Central Government takes seven to eight annas of 40 per cent of the profits of the tea producer; 2 annas per pound is paid as an excise duty for consumption in India and the Central Government takes 4 annas per pound for export duty. We have also to pay a cess for expenses of the Tea Licensing Committee, which is doing really good work. All these things come to a heavy percentage, and if you add on a sales tax to it, imagine what would be the consequences? A cup of tea which could be sold for half an anna per cup will be sold at half-anna more; and instead of the Government getting the full difference, the middleman will get more than the sales tax itself. I appeal to this House that please do not come in the way of the poor budget of the poor who needs this beverage most, the more so because you have taken away by the prohibition a beverage which was a vital food to him. If you want to improve his condition, let him have this exhilarating drink at a cheap price. I would even go to the length of saying to this House and to the Hon. Finance Minister that the Government of India be requested to see that the export duty is reduced by one anna or two annas, because the load on the industry is already heavy. I am prepared to prove to this House that the load on the industry is so heavy that the consumer is paying in respect of this industry more than what any other industry is paying.

"Sir, I come now to the exemption of gold and bullion. The Hon. Finance Minister was, in his opening speech, good enough to make a reference to me, but the reference was only partly true. He was pleased to say that the Advisers' regime did not take away the tax on gold because the charges of collection of the tax were heavier than the tax collected. I am prepared to prove at any time that it is not correct. The expected tax of about Rs. 20 lakhs on gold and silver may not be a big amount, but you will be transferring this business, which has developed in this Province, to the other provinces and to other parts of the country. There is no country in the world which taxes bullion; it is this Presidency alone which has got the courage, the temerity to tax gold and silver. And, Sir, what for usually is gold and silver bought I ask? It is an insurance for the poor; the poor people do not have this gold and silver just for the luxury of it; it is a microscopic few that possess these things as luxury; but as I said, it is an insurance for the poor who keep them against a rainy day. Are you prepared to see that even this little insurance which the poor man possesses is taxed? If so, I feel there must be a limit to our callousness.

"Sir, there is another point on which I would like to speak at length, but I would leave it to my Friend Mr. Batchelor, because he is well placed in that connection, i.e., with regard to

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the banks, which may be getting bills from foreign countries for goods imported into this country, being taxed as agents of the people who sent the goods here. I feel, Sir, this is a very omnibus way of taxing people. Why should the banks be asked to represent themselves as agents? They are, in the course of their ordinary duties, discounting bills from other countries, for goods brought into this country. It is the agent who takes the goods who perhaps should be made responsible for the payment of the tax, but why the banks? The consequence will be that trade will be diverted from here to the other provinces and to the adjoining Native States. Have you thought over it? Suppose a particular importer of goods from England wants to import through a bank which has a branch in Hyderabad or Mysore; the goods may be sent to Mysore direct instead of here and it may afterwards come here. In such a case, the remedy will be that the man who brings the goods from Mysore should be taxed. But why such a circuitous procedure? Why not say that the man who takes delivery of the goods alone will be liable to taxation?

"There is another point which is very important to the consumer and the tradesman, and that is in connexion with section 18 of the Bill. It inserts a new section 16-A which says—

'No suit or other proceeding shall be brought in any civil Court to set aside or modify the assessment of any tax, or the levy of any fee or other amount, made under this Act; nor shall the validity of such assessment or levy or the liability of any person to pay any tax, fee or other amount so assessed or levied be questioned in any criminal Court in any prosecution or other proceeding, whether under this Act or otherwise.'

Sir, the Hon. Finance Minister is taking powers under this provision for the administration to tax me as he likes, and he wants to become both the police and the magistrate combined. The consequence would be that the trader will have no method of getting a correct judgment over the assessment from any court of law. If my impression is correct, the hon. Mr. Karanth, when he was in charge of this Bill some time ago, promised to the different Chambers that he would allow a tribunal to be set up or that an appeal would be allowed to the High Court. Even this meagre remedy to the members of the trade, who are going to be the assesses, is denied to them. Is this fair? The policy of taxation should be that no taxation should be had or extorted unreasonably, and if it is unreasonably extorted, of course the assessee must have a right to go to a Court of Law. Even the Income-tax Act allows such an appeal. (The Hon. Sri B. Gopala Reddi: 'After how many years was the tribunal appointed for income-tax?') Sir, the Hon. Finance Minister suggests that because the Government of India took the liberty of appointing a tribunal after five or ten years, he is going to follow the same course. Does it mean that he will not take a lesson out of the experience of the Government of India? Does he mean to tell me that the mistakes of the Government of India should not be rectified by him?"

MR. SPEAKER:—"The hon. Member may continue his speech after lunch; to-day is Friday and so we will adjourn now at 1 p.m."

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SRI C. M. KOTHARI:—"I shall take only two more minutes. Sir, I would only like to draw the attention of Government to their spending policy. They are spending so much that within a year or two, their reserves will be completely dwindled. So, I appeal to the Members opposite, the Congress Party Members to see that the reserves which have been built up during the past so many years are not thrown away but are utilized for the encouragement of extra production and for the production of goods which alone will mean more wealth. Sir, I have done."

(After lunch--3 p.m.)

* MR. B. W. BATCHELOR:—"Mr. Speaker, Sir, I am supporting the amendment of my Friend Mr. Natesan. One of the chief distinguishing features between Neanderthal or prehistoric man and the civilized communities of the twentieth century in which we are living is the art of Government. That art seldom goes with hasty legislation, which throws overboard many tried and trusted principles. It is for this reason that we ask the Hon. the Finance Minister for time for circulation, as much in the interests of himself and his party as of members on this side of the House. I wonder whether the opposite side of the House realises the tremendous implications in certain proposals in this Bill which, if accepted, may upset the whole economic structure of this Province and will certainly recoil upon the head of Hon. the Minister himself. (Laughter.) There has been no time for detailed study of the proposals by anybody and much less myself. So, my criticism to-day is confined to some of the principles behind the Bill, and I assume that the Government will give this House further opportunity of debating the Bill after it passes through the Select Committee and will not attempt to use the steam roller to push it through all stages.

"Perhaps the most revolutionary aspect of the amendment is that which takes away from the dealer the right to appeal to a Court of Law. Not merely is this right sought to be removed in amending clause 13, but clause 8 (ii) amends section 9 of the Act in such a way that the executive becomes both judge and jury. In clause 12 of the amending Bill we see an astonishing proposal. Section 15 of the Act—which is clause 12 in the Bill—prescribes penalties for various breaches of the Act. The first of these is 'any person who wilfully submits an untrue return, etc.' . . . is liable for those penalties upon conviction by a Magistrate. The new amending Bill proposes that the word 'wilfully' should be omitted. In other words, if a dealer's clerical staff makes a mistake, the dealer becomes technically liable for a penalty for what may be a genuine clerical error. It is unnecessary to remind this House that intention is one of the important ingredients in establishing the guilt of one who has committed a crime, and that even for murder 'wilfulness' has to be proved by the prosecution. Why therefore take away the elementary right of the accused in a Bill of this sort? These

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proposals which this amending Bill seeks to inflict upon the trading community are of such a dictatorial character that one must go to pre-war Berlin or present day Moscow for a parallel. (Hear, hear.) In the administration of Income Tax Law, there is no act of the executive which cannot be challenged in the civil courts, which remain the only safeguard of the man in the street. Why is it sought to remove the administration of this Act from the purview of the civil courts?

"Is it the view of the Government that the administration of commercial taxes is so perfect that no individual check is necessary upon the activities of the staff? Or is this measure sought to be imposed on the trading community in an attempt to screw every possible pie out of their pockets?

"In the Statement of Objects and Reasons for the amending Bill, it is represented that the initiative to amend the Sales Tax Act has come from various commercial bodies and that the representatives of commercial bodies have been in consultation with Government over these proposals. I do not believe that the Hon. the Finance Minister will be able to show to this House that any commercial body has been consulted over these revolutionary principles included in this measure, which has come to their notice as a complete surprise.

"There are certain very wise provisions for certain exemptions in the present Act. The existing Act recognizes the essential wisdom of not taxing the raw materials of trade and industry. It also recognizes that exports whether by land to another part of India, or by sea to other countries are to be encouraged by the Government. For that reason, they have been exempted from taxation. But, the amending Bill throws these wise principle overboard. It is proposed to tax not only cotton but yarn in addition to cotton cloth which is already taxed. Cotton is the raw material, yarn is the intermediate product. In the usual system of distribution, cloth appears to be subjected to the Sales Tax at no less than three points. In future, before the cloth reaches the consumer, there will be no less than five separate points at which the Sales Tax is imposed. This is an example not of double but of manifold taxation and it is most unfair to the consumer of this essential commodity.

"A tax on exports will handicap the trade and commerce in this Province particularly in hand-woven cloth on which, before 1939, many thousands of weavers relied upon for their living. I have already drawn attention to the incidence of manifold taxation on this product and I wish only to appeal to the imagination of members of this House in saying that this manifold incidence is quite capable of killing their trade when the present post-war shortages of textiles throughout the world has been made up. The handloom weaver of tomorrow will find this tax too burdensome and this Bill may succeed in ruining his export trade. I would therefore appeal to the Government to reconsider their attitude towards the taxing of exports.

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"Another important consequence of this measure is going to be its contribution towards inflation. Now, the Central Government is fully alive to the dangers of inflation and are doing what they can to correct it. Because Sales Tax in Madras is cumulative and levied at every stage in the production and sale of goods from manufacturer to consumer, its total incidence is very high. Other Provinces have recognized that this is not a sound principle of taxation. Unless the percentage levied is very very small, the incidence of sale tax becomes very heavy indeed because it is cumulative. Government might have thought of introducing a single point Sales Tax as in other Provinces but that is not the proposal before us.

"I think, Sir, that the Government have failed to include in the Bill one of its essential features. They have failed to give us a schedule of the rates and taxes on all goods and commodities which come within the purview of this Bill. It is true that the schedule may come up before this House at a later stage but we feel that in a measure such as the one now before us, the schedule is an integral portion and should be subjected to the criticism of this House.

"Let me remind this House that articles which have to bear tax at the highest rate the luxury articles—will cost not 12½ per cent but 25 per cent and possibly even 40 per cent because they are passing through not one point but several points. I do not think the Hon. the Finance Minister will deceive himself in thinking that he is indeed going to collect this tax on luxury goods. He probably realises that trade in luxury goods in this Province will deteriorate if there is such an incidence of taxation on them. Again, the only chance of collection lies in the establishment of enormous preventive staff. That is one of the inevitable consequences of high taxation. It is impossible to insulate the land frontiers of Madras from the surrounding territories without terrific expense. Well, Sir, until we know the Government's intentions and till we see the schedule, we cannot see the full force and effect of this measure; but, in so far as it adds to the cost of living, it is inflationary. Wages and salaries in most occupations are to-day pegged to the cost of living index, a figure in which the consequence of this measure must be reflected.

"Now, Sir, this Bill accomplishes the extinction of the commission agents. Commission agents are a large body of men who have proved over the centuries their usefulness in trade and commerce. Their extinction is more or less accomplished by seeking to establish them as dealers and therefore liable for sales tax. As I understand it, they have a small interest in the transaction, fraction of the percentage. But to treat these commission agents as dealers and to impose on them this sales tax will only accomplish their elimination. I do not know whether the Hon. the Finance Minister realises that by this measure he is going to extinguish so many thousands of useful people in this Province but if he imagines that by fixing on them this liability he will increase his revenue, he will be disappointed.

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"Now, Sir, so far as my study of the amending Bill has taken me, these are some of the important matters of principle. I am supporting the amendment and I appeal to the Hon. Minister accept it. As I said at the beginning, I am speaking on behalf of the general public and on behalf of both sides of the House, and I appeal to him to agree to circulate the Bill for some time in order that we may have time to study these far-reaching proposals."

* SRI K. BHASHYAM:—"Sir, I think it is too late now to contend that the Bill should be recirculated for public opinion. Fresh money is now necessary for the Government to carry on the administration. It has committed itself to Prohibition and therefore money must be forthcoming and the only question is how to get that money. My hon. Friend, Mr. Hameed Khan, has not really suggested any alternative method—and I challenge him to suggest any—of raising money for the purpose. (Interruption.) In fact I may say that when you criticise you must be able to put forward alternative methods of raising money. (A voice: He is not a Minister.) Perhaps when he becomes the Minister for Finance he may do it; but what I want to point out is that as early as 1937 it has been decided that sales tax must be imposed for the purpose of meeting the deficit due to the introduction of prohibition. Hon. Members have had notice of this fact even from 1937 and for nearly ten long years from that time the question of sales tax has been there and the fact that it has been imposed for the purpose of meeting the deficit that may happen as a result of the introduction of prohibition in the various districts of this Presidency is also known. Therefore, it is not correct to say that the merchants or the other people concerned have had no knowledge of the sales tax being imposed or its being likely to be increased from time to time when prohibition is extended in the course of one or two years. Therefore, the idea that merchants or other people concerned were taken by surprise and that they must have a little more time for the consideration of the provisions of the Bill, all these things, I am not able to accept because as I said before, it has been before the public for over 10 long years, people have had time to ruminate over it and they know everything about it. Therefore the suggestion for circulating it for public opinion is wholly unacceptable. But, in regard to the criticisms that have been levelled against the provisions of the Bill, I may say at once that I agree with some of them. For instance whether coffee and tea should be taxed now especially when the Government are introducing prohibition asking people to take to tea and coffee, I am not myself able to see why these should be taxed at all. Again, so far as contract works are concerned, when we are paying sales tax on girders and upon all other building materials, I am not able to agree that an additional sales tax should be imposed upon the contractor unless there is some satisfactory explanation for it. Of course there are other objectionable features in the Bill. So far as the bankers are concerned, I think, the question requires a little more

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consideration as to how and in what cases they act as collecting agents and how they are to be exempted from sales tax, and they are all matters for consideration. Again, so far as the commission agents are concerned, I want to suggest one distinction which perhaps the Hon. the Finance Minister may consider and see whether it is possible to provide for it in the Bill. In the case of an ordinary commission agent he does nothing more than purchasing an article on behalf of his principal and he does not buy anything for himself, whereas there are certain other commission agents who lend their credit in making such purchases. Therefore, if the purchaser has not paid for the purchase, the seller can proceed against the commission agent. Therefore, he stands on a different footing from an ordinary commission agent because he only makes the purchase for his principal. That matter has to be considered by the Select Committee.

"Then, Sir, the merchant Members of this House who have been at pains to point out their difficulties, I think, will realize that after all this tax is ultimately borne by the consumer and it is not as if the merchants themselves pay this sales tax though they shed tears on behalf of the consumers. Moreover, what I want to point out is, so far as the consumer is concerned, it is not the poor person that is going to be affected by this, because I imagine heavy tax is only going to be levied on the luxury goods brought by the rich and they can afford to pay the tax. It is clear therefore that the poor man who buys something for his livelihood will have to pay at a little higher level. So, it is only rich people who go in for luxury goods that will have to pay a great portion of this tax.

"I am glad, Sir, my hon. Friend, Mr. Hameed Khan did really recognize that so far as the Congress Party is concerned, it is wedded to a policy of taxing the rich and using the proceeds for the benefit of the poor and that is the principle now, underlying the Bill.

"Then, so far as the question of imposition of the tax is concerned, no reference is made to the authority which is competent to impose the tax. Sir, why should the Government take away all jurisdiction from civil courts and make a Deputy Collector or some other individual officer the supreme authority to impose the tax or to assess the compensation payable. I do not know whether it is the correct thing to do, especially when there is a higher court, the officer generally examines the cases much better and with greater care than otherwise. So far as this is concerned, I hope the Hon. the Finance Minister will consider the matter a little more carefully and see whether in certain specific cases he cannot think of a tribunal being established for the purpose. The amount realized now by sales tax is about 6½ crores and if the Bill is passed it is going to be from 10 to 15 crores and it is not an ordinary sum, but a fairly big amount. I therefore consider it would be better to have some sort of civil court or a tribunal established for the purpose of hearing appeals and

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complaints instead of making a subordinate official of Government the supreme head for the purpose of imposition of the tax without any further appeal. So Sir, all these are questions which I am sure will be considered very carefully by the Select Committee that is going to deal with the matter. The merchant members who have spoken about the matter will also be on the Select Committee and instead of saying there have been no representation from the merchants or chambers of commerce, they can themselves put forward their views and the view of the chambers of commerce and ask the Select Committee to consider them. There is therefore no point in saying that the Bill should be circulated for public opinion. So far as the sales tax itself is concerned, the principle has been accepted and it has been there from 1937 onwards for supplementing the cost of prohibition and making up the loss caused by the Prohibition being extended. The present Bill is only the logical result of a thing which has been there for the last ten years. There is no question of any new principle being started for the first time and the Bill being circulated for public opinion. It will only delay matters. When Prohibition has been extended from October 1st, it is absolutely necessary that the matter should be expedited and the Select Committee is the place where all the grievances can be ventilated and put right. Even after that, there is still another opportunity for my hon. Friends on the other side to place their views when the Bill comes back from the Select Committee and seek support from the members of the House. Therefore, Sir, I am not in favour of the motion for circulation of the Bill for public opinion, though I agree that in regard to one or two matters the Bill requires very careful consideration, but beyond that I am not able to go. I would like, however, to suggest to the Hon. the Finance Minister that he may give serious consideration to the criticism made on the floor of this House before he comes to definite conclusions on the Bill."

P. P. HASSAN KOYA SAHIB BAHADUR:—"Mr. Speaker. Sir, I support the amendment. My hon. Friends on the Congress Benches do not seem to have understood the real point of my hon. Friend, Mr. Natesan, when he asked for a reference of this Bill for public opinion. Sir, what we feel is that if this matter is placed before the public and if the masses of this country are allowed to understand the real implications of this Bill and the great burden that is put upon them, we are quite confident that this Bill will not be allowed to pass through this Legislature. Sir, Mr. Bhashyam said that after all an increase in the sales tax does not mean much to the consumer. In the course of the budget debate on the food problem early this year and when Mr. Prakasam was complaining against the middleman's profit that was being made in the rice and grain business in this Presidency, I was able to say that the Government was making greater profit out of this system of distribution than the merchants themselves. I was then able to point out that every bag of rice by the time it

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reached the consumer, suffers a sales tax of nearly 14 annas at the four stages of the sales tax is being paid. To-day under the new provisions of the Bill the consumer will have to pay nearly $1\frac{1}{2}$ times over this. So, I cannot understand the argument of Mr. Bhashyam that the consumer will not be much affected by this and the main reason why I say that this Bill must be referred for eliciting public opinion is to show that people here, my Congress friends who have got into the Assembly and who are trading upon the poor man's miseries, though they say 'we are here for the relief of the poor, for relieving the sufferings of the poor and we are here as the protectors of the poor' are the very people who want to pass this indirect taxation legislation which means a greater burden for the poor. They say 'we are introducing this prohibition for the relief of the poverty in our masses' but, Sir, while they talk of prohibition they are increasing the cost of living of the poor people and making the condition of the poor worse. That is the one argument why we say that the populace must be able to understand the real implications of this measure. The argument of the Finance Minister is, 'Oh! we want more money; there is a deficit of nearly 10 crores by starting prohibition; there is a loss in excise revenue and there is a total revenue deficit of 6 crores and that there is no other method for raising the revenue except by sales tax.' Sir, if prohibition is going to be a permanent affair in this Presidency I am afraid whether this deficit can ever be made up by sales tax legislation. I am afraid that by increasing the sales tax you are strangling the commerce and industry of this country and you are following a policy of slaying the goose that lays the golden egg. After all the prosperity of the administration to a very large extent depends upon the prosperity and satisfaction of the commercial classes of this Presidency. The Hon. the Finance Minister said that at the time the sales tax was first introduced the total revenue from that item was only 35 lakhs. I should be very glad if he could examine the volume of the sales in the first year when it was introduced and the volume of sales just a year before that, and I am sure there will be a marked reduction in the turn-over in this Presidency. If to-day the sales tax revenue has increased it is certainly not because the volume has increased by any proportion but because of two other causes, viz., the increase of prices and war conditions. Sir, I am against the Sales Tax Bill coming into force because of the manner in which the provisions of the Act have been worked in this Presidency. It has raised the stoutest opposition from the merchant classes and it has also created discontent among the people. In the Statement of Objects and Reasons attached to the Bill the Hon. the Finance Minister says: 'A number of representations have been received from various commercial bodies urging the Government to amend the Madras General Sales Tax Act, 1939, so as to make its administration less burdensome.' But, Sir, it is an insult to the commercial intelligence of this Presidency to say that the commerce and industry of this Presidency wanted a measure of this type to be passed in this Province which cuts at the very root of the foundation of commerce and industry of this country and I believe if the

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Finance Minister is not prepared to do anything, let him at least remove this sentence from the Objects and Reasons and thus save the commercial intelligence of this country. Sir, I was myself a representative of the conference of commercial interests that took place under the presidency of Mr. Karanth and I say that there is nothing in this Bill that was recommended by that conference and every provision of this Bill is opposed to the recommendations of that conference. You can injure us, you can injure the trading classes, but certainly it is not fair on your part to insult the commercial community. When this Bill was first introduced in this Legislative Assembly by the Hon. Rajagopalachari, two arguments were put forward in support of this measure, one was that its quantitative insignificance justified the sales tax on the lines suggested by my Friend, Mr. Bhashyam. Sir, when it was introduced it was said that half or 1 per cent would not certainly increase the price index but from that it has come to $1\frac{1}{2}$ per cent and the cost of things has gone up four times. Therefore, to-day even on the ordinary goods there is a sales tax of nearly 12 times the rate that was prevailing in 1939. As far as luxury goods are concerned, I believe it is not 40 per cent but it may even come between 80 and 90 per cent on the cost of production. The second argument of the Finance Minister then was that competition might prevent sales tax from being shifted on to the consumer but Sir, this increased rate of sales tax has not prevented that shifting on the burden to the consumer. The other thing is the exemption of foodstuffs from this taxation and I said this, Sir, in the Food debate, when Mr. Prakasam almost gave us an assurance that he would consider the question of exempting articles of food like rice, pulses, millets and wheat from the operation of this Act. With the present system of distribution, as it is, the consumer does suffer very much and very severely by these taxes and it is up to the Finance Minister as a member of the Congress party which feels for the poor to see that at least foodstuffs are exempted from this tax.

"Sir, one important concession that was made in 1939 when this Bill was passed was in favour of the commission agency that was provided for in section 8. Sir, the history of the application of this Act during the last two years is well-known to everybody. The harassment caused to these agents is well known. I am not here holding any brief for them. No doubt there are bad characters and very bad men among the commission agents and my business is not to plead for them but certainly, Sir, the Government and the Government officials were very high-handed in misinterpreting the Act and they tried to grab more money from the commission agents and the very fact that one or two appeals made by them had succeeded in the Madras High Court proves this point. When we found all these acts of the officials and the misinterpretations made by the Commercial Tax Department, we thought the object was merely to get more money out of this sales tax but we find to-day that there is a more mischievous motive. This discontent and this dissatisfaction expressed by the commercial community

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has been made the excuse by the Finance Minister to remove section 8 altogether. It is just like the doctor telling the patient that because he was suffering from some small ailment he should kill himself. What has been objected to was the wrong interpretation of section 8 but the commercial community had always wanted this clause to remain there. The Finance Minister has done away with section 8 altogether. Sir, by taking away section 8 we are removing an important link in the commercial organization of this Presidency particularly when the system of distribution has not very much improved in this country. Therefore, these commission agents must stay for better distribution. Then better distribution would always mean lower prices and greater competition and it will be in the interests of the consumer himself if this organization is allowed to subsist.

"Sir, the position of the banks has already been explained by my friends. I cannot understand the clear implication of this provision, whether this is a tax upon sales or a tax upon services. I believe the bank does not purchase the goods nor does it sell. The bank takes documents and then gets the clearance of the document from the purchaser. I cannot understand the reason for including this simple act of the bank under the operation of the sales tax. Sir, the banking institution in this presidency has not so much developed and if this is the real meaning of that section I dare say it will be a very great handicap to the development of the banking industry. I believe, Sir, the intention of the Finance Minister was to tax sales in whatever manner it was done. If that intention is applied certainly, Sir, the bank is doing a service and there is no bargain between the bank and the consignor or the consignee.

"Sir, then section 13 of this Act has been completely dealt with by my Friend Mr. Batchelor and I would like to say with him that this Ministry is trying to create a condition in this country that might have a parallel in the pre-war Berlin or in the present Moscow. Sir, in the official conference that we had here under the presidency of Mr. Karanth, he not only agreed, I believe, I am speaking subject to correction to establish a tribunal but also allow a direct appeal to the High Court and promised to incorporate the assurance in the Bill. But our Finance Minister on the other hand has not only undone what was once committed but has wiped out promises made by Mr. Karanth. The misinterpretation and the heaviness of the Commercial Tax Department have created so much dissatisfaction that the absence of a provision in the present Sales Tax Bill of a direct appeal to the High Court has already created a lot of difficulty and when even this limited right is taken away and the civil court jurisdiction is completely denied to the tax-payers, I believe, Sir, the Finance Minister is trying to create Hitlerite conditions in this Presidency.

"Sir, then my Hon. Friend the Finance Minister is trying to copy whatever is advantageous to him from almost all the provincial Acts and clearly forgetting that whatever copied should be of advantage to the people of this country. There is a reference to the Act of Bengal. Sir, in the Conference of merchants which was

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held, one demand was jointly and unanimously put forward to the then Finance Minister and that was that there should be one point taxation. We the merchants of all classes in this Presidency even offered to the Finance Minister that we were prepared to bear 6 or 8 times the sales tax provided it is taxed either at the production stage or at the consumers' stage. The object of that was that most of the commercial men in this Presidency being middlemen will be affected much more than any other. For example, a pepper merchant in Malabar has to pay Rs. 6 per candy of pepper for 700 lb., cost Rs. 600. When I purchase a candy of pepper from one man and sell it to another, there must be an increase of at least Rs. 6 to cover sales tax."

(At this stage Mr. Mahboob Ali Baig entered the House.)

MR. SPEAKER:—"The hon. Member should not cross the floor of the House between the Chair and the gentleman who is speaking."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I am sorry, Sir."

P. P. HASSAN KOYA SAHIB BAHADUR:—"It was after the acceptance of this taxation at one point that the conference of merchants agreed to the deletion of section 8. This was not agreed to under the present system of taxation.

"Sir, we find certain exempted things being brought under the operation of the sales tax. I cannot understand why cloth woven on handloom is not included under section 5. The proper method for the Finance Minister would have been to exempt cloth woven on handloom completely and at least this deserves one point taxation under any circumstances. It is for these reasons, Sir, and for making the public understand the real consequences of this Act with the existing cost of living that we are asking the Finance Minister to agree for the circulation of this Bill."

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, the task of the Government is made very easy by the opposition for I see that all the arguments advanced by the opposition do not really contest the need for more money or even refer to the various clauses of the Bill except general things like reference to courts and setting up of tribunals and the like. Mr. Hameed Khan no doubt referred to the fact that this is all intended for replacement of the money we lose by prohibition. Even if it did it is nothing wrong, for a heavy burden borne by less than 1/10 of the population is now transferred evenly to the whole of the population, each one bearing the burden according to his capacity. Certainly this is not a change that he should object to. But, Sir, I must differ from him. This is not money obtained for that purpose. Sales tax or no sales tax, prohibition is an accomplished fact which will have to stand whether we get the money on this tax or not and irrespective of the fact whether it recoils on the head of the Finance Minister or on the heads of the trading community sitting opposite us. Of course Government must choose its taxation carefully. I am not afraid, Sir, at the tax resulting in diminishing returns as some of the

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friends opposite seem to make out. I wish to say, Sir, that this is the one tax which all can bear and which can yield results proportionate to the efforts of Government in raising the purchasing power of the people. A Government that brings forward this sales tax automatically pledges itself to raising the purchasing power of the entire people. I support this taxation, Sir, because it places this responsibility on those who are in charge of running the Government. Let me tell the Hon. Minister, Sir, that when sales tax was introduced last time I made the rough calculation, and I think you will find it in the notes on the files, that it will yield $1\frac{1}{2}$ crores and I may tell you, Sir, that it yielded no more than that. My calculations were based on these lines. I took the average income per head of the population and then calculated that the total purchasing power of the people would represent so many crores and this multiplied three times I thought would be a reasonable assumption to make in the case of a turnover tax as this and then arrived at the figure.

8-45 p.m. "If to-day the average income is taken at Rs. 75 per head of the population and the population is put at 50 millions, the total turnover to be assessed is taken at three times would work to 1,050 crores of rupees and at three pies per rupee, the income ought to work at somewhat near 15 crores of rupees. If the yield is less, it would be the duty of the administration to tighten up and see that these results are obtained. Making all allowances for the turnover being less in some cases and making also allowances for administrative difficulties and realizing full well the capacity of friends opposite to practise evasion even after all the amendments in the Bill are passed, I would say that the results ought not to be less than this because against these difficulties may be set off the increased returns from the differential rates applied to luxury goods. So, I want the Government to watch carefully the returns from month to month and if at any time the returns are less than the amounts anticipated, it becomes then the duty of Government to put in fresh efforts and vigorous efforts at that to increase the purchasing power of the people.

"Sometimes, the Opposition works in a curious manner. Mr. Hameed Khan raised the ghost of the poor man dwelling in a mud hut, the imaginary poor man, shrivelled and dwarfed and half-fed with scanty clothes and without shelter, and then tried to argue that you are taxing him; but I may tell him that he argues on an absolutely false basis. That man pays no tax because he is living on a subsistence economy and the little grain that he grows goes to him untaxed. He lives if at all on his own. You are not taxing him at all. You are taxing the other kind of poor man; no doubt he has got some shelter and has got even some clothes to wear and he raises his food with some amount of investment, and has even a margin to sell in the outside market. It is that poor man whom you are touching and even he would escape this tax if he makes his purchase at an unregistered dealer whose turnover would be less than Rs. 10,000."

SRI C. M. KOTHARI:—"On a point of order, may I know if the hon. Member wishes paddy and rice also to be taxed."

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MR. SPEAKER:—"It is a point of information."

SRI N. S. VARADACHARI:—"Mr. Kothari and I and every one of us is thankful to Government for not taxing agricultural products in the first instance; we do not desire it. But when the country becomes prosperous and when the methods of cultivation change and uneconomic holdings are done away with, I shall be the first in this House to raise my voice and ask for the taxation of the producers and certainly then, we shall have the taxes levied on agricultural products.

"We must remember that we are dealing with serious business, namely, finance. Would not Mr. Kothari agree when the purchasing power which represents Rs. 75 per head per year rises up to say Rs. 250 at the end of five years, to tax these people and then perhaps we shall do away with other kinds of taxes and make the administration of taxes easy, comfortable and scientific and raise all the revenue that is needed for running the provincial administration from this one tax. We do not like taxation generally; Mr. Kothari does not like it; I must ask the Income-tax Officer whether Mr. Kothari likes to be taxed. Of course he has got to pay it but times are changing and we have got to develop a new spirit amongst the people and make them pay if not cheerfully, at least without pain. Let us develop this habit, make this a national habit of keeping bills—let it be the purchaser or the small bazaar man—let each keep his accounts in a proper fashion and render the taxation that is due to the State without pain and if possible with good cheer.

"Now, Sir, let me come to the question of sales. This Bill rightly makes provision against all kinds of evasion. Even the new definition of sale itself was leading to a lot of evasion in the last few years. Cases have come to our notice of merchants in one district contending that the sales were all effected outside the province at Delhi or some other place merely by passing a railway receipt through a bank or addressing it to self and sending it on outside the province though the delivery of the goods may some times take place here or it may be specified in the contract that for purposes of jurisdiction the local place may be mentioned as the place where reference to courts can be had. This kind of evasion must be done away with and the Bill rightly does it. Then there are sales on commission. You know I raised this question in this very House and we lost several lakhs of rupees on account of our misjudgment of sales on commission. On account of a few loopholes like this, we lost heavily and further there is intelligence enough on the other side—and it is never wanting if one wishes to obstruct the payment of taxation—which will make the collection of taxes itself very difficult and the assessment much more difficult than it need be. Sales on commission are also dealt with in this Bill. Through sales in the blackmarket, we are losing lakhs of rupees and we must have a more efficient method to prevent this kind of sale taking place. This is a sale by stealth which cannot be easily be dealt with unless we in a large measure accomplish reforming the character of the entire people. There is then again

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the question of sales not brought under any account whatsoever, for instance the sale of motor cars by private individuals, say five cars in a particular year. Nobody cares to worry such a person about the payment of sales tax. I think we ought to be keeping a look on this kind of transactions. There are sales for which it is not difficult to keep accounts but is difficult to check even if accounts are kept and there are many sales like that and we shall refer to them at a later stage when the matter is taken up in detail. Sales which may be affected by the tax itself is certainly a point to consider, I admit. But let me tell the members on the Opposition, the European member who raised this point in particular who said that this would recoil upon us, that the sales tax is levied more or less in every province and even if manufacturers are touched here, it is not going to affect them now that the manufacturers in other provinces are also to pay. Now the tax is uniform all through and no manufacturer need be under a misapprehension that he will suffer by reason of this tax. Let me also clear one more point. We have heard complaints that cotton is being taxed three times or that yarn is taxed five times and so on. Even with inflated money that circulates at the present moment. I say that the case for the manufacturer for exemption is not on the same footing as it was in the years previous to this. The manufacturer says that it is the consumer who is going to suffer and according to Mr. Hameed Khan, it is not the consumer but trade, industries and commerce. This, I submit, is not the way to argue. Trade will take care of itself and it can fight its way through even with the most intelligent of Governments. It has done so in England and it is doing so in this country. There need be no misapprehension on that score. The incidence of this tax, as was pointed out, is small considering the value of money in the present day. It is not very much compared with what is levied at one point in the other provinces where it is not a turnover tax but probably a sales tax and for this reason the Opposition should find no difficulty in agreeing to find this amount of money which is needed not only to cover a gap left by the introduction of Prohibition but to finance the many projects which constitute in their totality what is known as constructive work in this province."

THE HON. DR. P. SUBBARAYAN:—"I move that we adjourn now."

MR. SPEAKER:—"I believe it is the wish of the House that we adjourn."

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

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APPENDIX 'I.

[Vide answer to starred question No. 181 asked by Sri Pillalamarri Venkateswarlu at the meeting of the Legislative Assembly held on the 10th October 1947, page 675 supra.]

I

Letter from Sri Rao Bahadur M. VENKATARAMAYYA, B.A., B.L., Adjudicator, to the Joint Secretary to Government, Development Department, dated 14th May 1947, R.C. No. 75-53.

[Motor Transport Service and Motor Transport Workshops—Dispute between the Management and the workers—Interim relief—Award. Reference.—G.O. Ms. No. 1281, Development, dated 24th March 1947.]

I have been asked to consider the question of granting interim relief to the workers in the Motor Transport industry.

2. The workers consist of two sets, one, which may be called 'Traffic' including drivers, conductors, cleaners, time-keepers, inspectors and (2) workshops, including fitters, mechanics, moulders, blacksmith, carpenter, etc. The cleaners are paid very low salaries—between Rs. 10 and Rs. 15 and no dearness allowance is paid. Most of the workers in this industry are skilled workmen and there is no uniformity in the scales of pay obtaining in different places or in several concerns in the same place. Consistent with the skill of the workmen the wages are decidedly low. At this stage I do not wish to write a long report as to what shall be the minimum salary to be paid.

3. Those whose salary and dearness allowance do not exceed Rs. 50 a month shall be paid Rs. 7-8-0 and those who are paid above Rs. 50, Rs. 5 a month, subject to the condition that all those whose income (salary and dearness allowance) falls between Rs. 47-8-0 and Rs. 50 shall be paid such amount as may be necessary to make up a total of Rs. 55.

Thus those whose salary and dearness allowance is Rs. 49 shall be paid Rs. 6.

Thus those whose salary and dearness allowance is Rs. 48 shall be paid Rs. 7.

Thus those whose salary and dearness allowance is Rs. 47-8-0 shall be paid Rs. 7-8-0.

4. In the calculation of the total income for which these additions are recommended 'batta' shall not be included.

5. The interim relief recommended herein shall be paid with effect from 1st April 1947.

[10th October 1947]

II

Report submitted by Sri Rao Bahadur M. VENKATARAMAYYA, B.A., B.L., Court of Enquiry, Fort St. George, Madras, dated 5th July 1947.

[Court of Enquiry for Motor Transport Services and Motor Transport Workshops. Reference.—G.O. Ms. No. 697, Development, dated 22nd February 1947.]

Interim Report.

It has been suggested to me that it is necessary to give some immediate directions and the suggestion was that dearness allowance at 3 annas per point above 100 of the cost of living index should be paid to all the workers in the Transport Services and Transport Workshops, but I fear that cannot be done now because three annas per point will hit hard on the smaller companies working in small and out-of-the-way places. The question requires a more detailed examination but in addition to the interim relief already granted a bonus may now be paid and I therefore recommend that all the workers employed in the Motor Transport Services and Motor Transport Workshops shall be paid bonus as follows:—

All individual operators and companies who have not paid any bonus to their workers during the last 12 months, should pay a bonus calculated as follows:—

One month's basic salary for workers who have completed 12 months service as at 30th June 1947.

Fifteen days' wages for workers who have completed six months service but less than 12 months.

In this the two assessors are in agreement and I also consider it to be quite reasonable.

APPENDIX II.

[Vide item III at page 690 supra.]

A Bill further to amend the Madras General Sales Tax Act, 1939.

Short title and commencement.

WHEREAS it is expedient further to amend the Madras General Sales Tax Act, 1939, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Madras General Sales Tax (Amendment) Act, 1947.

(2) This section shall come into force at once; and the rest of this Act shall come into force on such date as the Provincial Government may, by notification in the Fort St. George Gazette, appoint.

Madras Act IX of 1939.

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Madras Act IX of 1939.

2. In section 2 of the Madras General Sales Tax Act, 1939 (hereinafter referred to as the said Act)—

Amendment of section 2, Madras Act IX of 1939.

(i) clause (a) shall be relettered as clause (a-1), and before the clause as so relettered, the following clause shall be inserted, namely:—

“(a) ‘agricultural or horticultural produce’ shall not be deemed to include tea or coffee or any produce excepted by a notification published by the Provincial Government;”;

(ii) in clause (b) (which defines “dealer”), at the end of the opening paragraph, the words “and includes a person buying or selling goods as agent” shall be added, and for Explanation (2), the following Explanation shall be substituted, namely:—

“Explanation (2).—Where one person claims that he has sold or bought goods as the agent of another, each of them shall, subject to the provisions of section 14-A, be deemed to be a dealer for the purposes of this Act;”;

(iii) in clause (c) (which defines “goods”), after the words “all materials, commodities and articles”, the following words shall be added, namely:—

“including those to be used in the construction, fitting out, improvement or repair of immovable property or in the fitting out, improvement or repair of movable property; and also includes all growing crops, grass and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale;”;

(iv) after clause (g), the following clause shall be inserted, namely:—

“(g-1) ‘registered dealer’ means a dealer registered under this Act;”;

(v) in clause (h) (which defines “sale”)—

(a) in the first paragraph, after the words “valuable consideration”, the following words shall be inserted, namely:—

“and includes a sale to or by an agent or a person claiming to be an agent for commission and also a transfer of property in goods involved in the execution of a works contract;”;

(b) the Explanation shall be numbered as Explanation (1), and after the Explanation as so numbered, the following Explanations shall be added, namely:—

“Explanation (2).—Where one person claims that he has sold or bought goods as the agent of another, the agent shall, subject to the provisions of section 14-A, be deemed first to have bought the goods from the principal or third party, as the case may be, and then to have sold the same to the third party or principal.

Explanation (3).—Notwithstanding anything to the contrary in the Indian Sale of Goods Act, 1930, the sale or purchase of any goods shall be deemed, for the purposes of

Central Act III of 1930.

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this Act, to have taken place in this Province, wherever the contract of sale or purchase might have been made—

(a) if the goods were actually in this Province at the time when the contract of sale or purchase in respect thereof was made, or

(b) in case the contract was for the sale or purchase of future goods by description, then, if the goods are actually produced or found in this Province at any time after the contract of sale or purchase in respect thereof was made.”;

(vi) the Explanation to clause (i) (which defines “turn-over”) shall be numbered as Explanation (1), and in that Explanation—

(a) items (i), (ii) and (iii) shall be renumbered as items (ii), (iii) and (iv) respectively, and the following shall be inserted as item (i), namely :—

“(i) the amount for which goods are sold shall, in relation to a works contract, be deemed to be the amount payable to the dealer for carrying out such contract, less such portion as may be prescribed of such amount, representing the usual proportion of the cost of labour to the cost of materials used in carrying out such contract ;” ;

(b) the word “and” at the end shall be omitted ;

(vii) after the Explanation as so numbered, the following Explanation shall be inserted, namely :—

“Explanation (2).—Where one person claims that he has sold or bought goods as the agent of another, then, subject to the provisions of section 14-A—

(a) the turnover of the principal shall be deemed to include the amount received from, or paid to, the agent ; and

(b) the turnover of the agent shall be deemed to include the amount received from, or paid to, the third party.”;

(viii) after clause (i), the following clause shall be inserted, namely :—

“(ii) ‘works contract’ means any agreement for carrying out for cash or for deferred payment or other valuable consideration, the construction, fitting out, improvement or repair of any building, road, bridge or other immovable property or the fitting out, improvement or repair of any movable property ;”.

Substitution of new section for section 3, Madras Act IX of 1939.

Liability to tax under the Act.

3. For section 3 of the said Act, the following section shall be substituted, namely :—

“3. (1) Subject to the provisions of this Act, every dealer shall pay for each year a tax calculated at such rates as the Provincial Government may, by notification, fix.

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(2) (a) Such notification may fix different rates in respect of different articles, but the rate in respect of any article, except bullion or specie, shall not be less than three pies in the rupee or more than two annas in the rupee.

In respect of bullion and specie, the rate shall not exceed one-fourth of one per cent.

(b) Every such notification shall require to be approved by a resolution of the Legislative Assembly, and shall come into force with effect on and from such date as may be specified therein.

(3) Any dealer whose turnover in any year as determined in accordance with such rules as may be prescribed is less than ten thousand rupees shall not be liable to pay any tax under this Act for that year :

Provided that no rule for the determination of the turnover shall come into force, unless it is approved by a resolution of the Legislative Assembly.

(4) The tax under this section shall be assessed, levied and collected in such manner and in such instalments, if any, as may be prescribed :

Provided that—

(i) in respect of the same transaction of sale, the buyer or the seller but not both, as determined by such rules as may be prescribed, shall be taxed, except in cases where the seller sells again to a person outside the Province ; in such cases both the seller and the buyer may be taxed in respect of the same transaction ;

(ii) where a dealer has been taxed in respect of the purchase of any goods in accordance with the rules referred to in clause (i) of this proviso, he shall not be taxed again in respect of any sale of such goods effected by him, unless the sale is to a person who does not sell the goods again within the Province.

(5) Subject to such rules as may be prescribed, the assessing authority may assess a dealer for any year as if his transactions in such year had been the same as in the previous year.”

4. In section 5 of the said Act (which relates to exemptions from taxation)—

(i) the words “of bullion and specie, of cotton, and of cotton yarn, and” shall be omitted ;

(ii) after the words “cloth woven on handlooms”, the words “with hand-spun yarn” shall be inserted.

5. In section 6 of the said Act (which provides for the levy of tax on certain articles only at a single point), after the words “the sale of hides and skins whether tanned or untanned,” the words “of cotton, of cotton yarn, and of newspapers, that is to say, of periodical works containing public news or comments on public news,” shall be inserted.

Amendment of section 5, Madras Act IX of 1939.

Amendment of section 6, Madras Act IX of 1939.

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Substitution
of new
section 7
for section 7,
Madras
Act IX of
1939.

6. Section 7 of the said Act (which provides for a rebate of the tax on certain articles delivered outside the Province) shall be omitted; and in lieu thereof, the following section shall be inserted, namely:—

Persons
not
observing
conditions
of licence
liable to
be
assessed
to tax.

“ 7. If any restrictions or conditions prescribed under section 5 or section 6 are contravened or are not observed, or in case a licence has been so prescribed, if a licence is not taken out or renewed or if any of the conditions of a licence taken out or renewed are contravened or are not observed, the sales of the dealer, with effect from the commencement of the year in which such contravention or non-observance took place, may be assessed to tax under section 3, notwithstanding that the licence, if any, taken out or renewed by him continued or continues to be in force during the year.”

Substitution
of new
sections 8
and 8-A
for section 8,
Madras
Act IX of
1939.

7. Section 8 of the said Act (which relates to the licensing and exemption of agents) shall be omitted; and in lieu thereof, the following sections shall be inserted, namely:—

Registration
of dealers.

“ 8. (1) Every dealer whose turnover in any year is not less than seven thousand five hundred rupees shall, and any other dealer may, get himself registered under this Act, and for that purpose, shall submit an application for registration, to such person, in such manner, within such period, and accompanied by such fee not exceeding six rupees, as may be prescribed.

(2) A dealer who has got himself registered in pursuance of sub-section (1) is entitled to have his registration cancelled, if he is able to establish to the satisfaction of the prescribed authority that his turnover in each of two consecutive years was less than seven thousand five hundred rupees.

(3) A dealer shall, until his registration is cancelled, be liable to pay the fee prescribed as aforesaid, for every year subsequent to that in which he applied for registration.

Collection
of tax by
dealers.

8-A. (1) No person who is not a registered dealer shall collect any amount by way of tax under this Act; nor shall a registered dealer make any such collection except in accordance with such conditions and restrictions, if any, as may be prescribed:

Provided that the Provincial Government may exempt persons who are not registered dealers from the provisions of this sub-section until such date, not being later than the 1st day of April 1948, as the Provincial Government may direct.

(2) Every person who has collected or collects any amount by way of tax under this Act, on or after the 1st day of April 1947, shall pay over to the Provincial Government within such time and in such manner as may be prescribed,

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all amounts so collected by him if they are in excess of the tax, if any, paid by him for the period during which the collections were made; and, in default of such payment, the amounts may be recovered as if they were arrears of land revenue.”

8. In section 9 of the said Act (which relates to submission of returns and assessment)—

Amendment
of section 9,
Madras
Act IX of
1939.

(i) in sub-section (1), for the words “return or returns of his turnover”, the words “return or returns relating to his business” shall be substituted, and for the words and figures “specified in the rules made under sub-section (2) of section 3”, the word “prescribed” shall be substituted;

(ii) in sub-section (2), clause (b), for the words and figures “shall proceed to determine the turnover in accordance with the rules made under sub-section (2) of section 3”, the words “shall assess the dealer to the best of his judgment” shall be substituted.

9. In section 12 of the said Act (which relates to the power of revision)—

Amendment
of section 12,
Madras
Act IX of
1939.

(i) the first and second paragraphs shall be numbered as sub-sections (1) and (4) respectively;

(ii) in sub-section (1) as so numbered, for the words “any officer or person under this Act”, the following shall be substituted, namely:—

“any authority, officer or person under the provisions of this Act, including sub-section (2),”;

(iii) after sub-section (1) aforesaid, the following sub-sections shall be inserted, namely:—

“(2) Powers of the nature referred to in sub-section (1) may also be exercised by such authority or officer and in such class of cases as may be prescribed, including cases where an inferior authority or officer has exercised its or his powers under this sub-section.

(3) Every application under sub-section (1) or sub-section (2) for the revision of any order or proceeding shall be preferred within six months of the passing of such order or the recording of such proceeding.”

10. In section 13 of the said Act (which relates to the maintenance of accounts)—

Amendment
of section 13,
Madras
Act IX of
1939.

(i) for the words and figure “Every dealer and every person licensed under section 8”, the words “Every registered dealer and every person licensed under this Act”, and for the words “account showing the value of the goods sold and bought by him”, the words “account showing the goods sold and bought by him and the value thereof, goods of different kinds and goods of the same kind but subject to different rates of tax under this Act, being shown separately” shall be substituted;

(ii) the proviso shall be omitted.

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Insertion
of new
section 14-A
in Madras
Act IX of
1939.

Act to
apply to
non-
resident
dealers
with
certain
modifications
and
additions.

11. After section 14 of the said Act, the following section shall be inserted, namely :—

“ 14-A. In the case of any person carrying on the business of buying or selling goods in the Province but residing outside it (hereinafter in this section referred to as a ‘non-resident’), the provisions of this Act shall apply subject to the following modifications and additions, namely :—

(i) In respect of the business of the non-resident, his agent residing in the Province shall be deemed to be the dealer.

Explanation.—Any person residing in the Province who is employed by or on behalf of the non-resident for the purpose of facilitating in any way the carrying on of the business of such non-resident in the Province shall be deemed to be his agent for the purposes of this section :

Provided that a bank shall not be deemed to be such an agent except in respect of goods the documents of title to which have been sent to it with instructions to deliver the same to any person on his paying a sum of money or on his accepting, or paying the amount due on, a bill of exchange or other negotiable instrument drawn on him.

(ii) The agent of a non-resident shall be assessed to tax under this Act at the rate or rates leviable thereunder in respect of the business of such non-resident in which the agent is concerned, irrespective of the amount of the turnover of such business being less than the minimum specified in section 3, sub-section (3).

(iii) Without prejudice to his other rights, any agent of a non-resident who is assessed under this Act in respect of the business of such non-resident may retain out of any moneys payable to the non-resident by the agent, a sum equal to the amount of the tax assessed on or paid by the agent.

(iv) Where no tax would have been payable by the non-resident in respect of his business in the Province by reason of the turnover thereof being less than the minimum specified in section 3, sub-section (3), he shall be entitled to have the amount of the tax refunded to him on application made to the assessing authority concerned, or where more than one such authority is concerned, to such one of the authorities as may be authorized in this behalf by the Provincial Government by general or special order.

(v) Such application shall be made within twelve months from the end of the year in which the tax or any part thereof was paid by or on behalf of the non-resident.”

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12. In section 15 of the said Act (which relates to offences and penalties)—

Amendment
of section 15,
Madras
Act IX of
1939.

(i) in clause (a), the word “wilfully” shall be omitted ;

(ii) in clause (b), for the words “to pay the tax due from him within the time allowed”, the words “to pay within the time allowed, any tax assessed on him, or any fee due from him, under this Act” shall be substituted ;

(iii) in clause (d), for the words “any tax due under this Act”, the words “any tax assessed on him, or any fee due from him, under this Act” shall be substituted ;

(iv) clause (e) shall be re-lettered as clause (h), and the following shall be inserted as clauses (e), (f) and (g), namely :—

“ (e) fails to submit an application for registration as required by section 8, sub-section (1), or

(f) collects any amount by way of tax under this Act, in contravention of the provisions of section 8-A, sub-section (1), or

(g) fails to pay the amounts specified in section 8-A, sub-section (2), within the prescribed time, or ” ;

(v) the words “and where the breach is a continuing breach, to a further fine which may extend to fifty rupees for every day after the first during which the breach continues” shall be omitted ; and in lieu thereof, the following shall be inserted, namely :—

“and in the case of a conviction under clause (b), (d), (f) or (g), the Magistrate shall specify in the order the tax, fee, or other amount, which the person convicted has failed or evaded to pay or has wrongfully collected, and the tax, fee or amount so specified shall be recoverable as if it were a fine.”

13. After section 16 of the said Act, the following section shall be inserted, namely :—

Insertion of
new section
16-A in
Madras Act
IX of 1939.

“ 16-A. No suit or other proceeding shall be brought in any Civil Court to set aside or modify the assessment of any tax, or the levy of any fee or other amount, made under this Act ; nor shall the validity of such assessment or levy or the liability of any person to pay any tax, fee or other amount so assessed or levied be questioned in any Criminal Court in any prosecution or other proceeding, whether under this Act or otherwise.”

Assessments
etc., not
to be
questioned
in suits
or prosecu-
tions.

14. In section 19 (2) (f) of the said Act, for the word “turnover”, the word “amount” shall be substituted.

Amendment
of section 19,
Madras
Act IX of
1939.

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Substitution
of new
section for
section 20,
Madras Act
IX of 1939.

Transitional
provision for
levy of
tax for
1947-48.

15. Section 20 of the said Act (which contains a transitional provision which has become spent) shall be omitted; and in lieu thereof, the following section shall be inserted, namely:—

“ 20. In respect of the year 1947-48, every dealer shall pay a tax calculated—

(a) at the rate of one per cent on his turnover during the period commencing on the 1st day of April 1947 and ending with the date immediately preceding that on which a notification under section 3, sub-section (1) of this Act as amended by the Madras General Sales Tax (Amendment) Act, 1947, comes into force; and

(b) at the rates specified in the said notification as in force for the time being, on his turnover during the remaining period of the year:

Provided that a dealer whose turnover in the whole year is less than ten thousand rupees shall not be liable to pay any tax.”

Repeal of
sections 3
and 4,
Madras
Act XVII of
1943, and
of Madras
Acts X of
1944, VII of
1945
and IX of
1945.

16. Sections 3 and 4 of the Madras Finance (No. 2) Act, 1943, and the whole of the following Acts, namely, the Madras General Sales Tax (Amendment) Act, 1944, the Madras General Sales Tax (Amendment) Act, 1945, and the Madras General Sales Tax (Second Amendment) Act, 1945, are hereby repealed.

Madras
Act XVII
of 1943.
Madras Act
X of 1944.
Madras
Act VII of
1945.
Madras
Act IX of
1945.

STATEMENT OF OBJECTS AND REASONS.

A number of representations were received from various commercial bodies urging the Government to amend the Madras General Sales Tax Act, 1939, so as to make its administration less burdensome. It has also become necessary to get increased revenue from this source in view of the extension of Prohibition to a number of districts and the decision to extend it shortly to the other districts. A Special Officer was therefore appointed by Government to examine the administration of the Act and suggest suitable amendments to it. His recommendations and the remarks of the Board of Revenue thereon have been duly considered by Government in consultation with the representatives of commercial bodies and the decisions arrived at by Government have been incorporated in this Bill.

2. The tax is now levied at the uniform rate of one per cent on the annual turnover, subject to a maximum of Rs. 96 if such turnover ranges from Rs. 10,000 to Rs. 15,000, and of Rs. 144 if such turnover ranges from Rs. 15,000 to Rs. 20,000. It is now proposed to tax different articles at different rates, subject to a minimum of 3 pies and a maximum of 2 annas in the rupee. The intention is to tax luxury goods at higher rates than essential goods.

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Sales of bullion and specie which are now exempt from the tax will no longer be eligible for exemption, but will be subject to a maximum tax of $\frac{1}{2}$ per cent on the turnover.

The rates fixed by Government in all cases will be subject to the prior approval of the Legislative Assembly.

3. The other provisions of the Bill are explained wherever necessary, in the Notes on Clauses below.

NOTES ON CLAUSES.

Clause 1.—Sub-clause (2) enables the Government to bring the provisions of the Bill into force with effect from a convenient date.

Clause 2.—Sub-clause (i).—This sub-clause will enable Government to levy tax under the Act on the first sales of coffee and tea and of any other agricultural produce which may be notified by them.

Sub-clauses (ii), (v) and (vii).—Section 8 of the existing Act which provides for the exemption of agents who obtain licences, from the sales tax has been found difficult to work in practice, and commercial bodies are also in favour of the repeal of the section. It is therefore proposed to repeal the section and to treat and tax the agent as a “dealer” in respect of his transactions. The amendments proposed in sub-clauses (ii), (v) and (vii) give effect to this purpose.

New Explanation (3) added to the definition of “sale” by sub-clause (v) prevents the evasion of sales tax on the pretext that the sale was legally completed outside the Province.

Sub-clauses (iii) and (viii).—Where a contractor executes a work for a lump-sum, there is an implicit sale of the goods used by him for the work and the object of these sub-clauses is to ensure that tax is paid on such sales. A similar provision is found in the Bengal Act.

Clauses 4 and 5.—Clause 4 removes the exemption from taxation enjoyed not only by bullion and specie but also by cotton, cotton yarn and cloth woven on handlooms. Only cloth woven on handlooms with hand-spun yarn will be exempt from the tax. As pointed out in the Statement of Objects and Reasons, taxes on sales of bullion and specie will be subject to a maximum limit of $\frac{1}{2}$ per cent on the turnover; and cotton and cotton yarn have been included in the list of articles which will be taxed at one stage only. It is also proposed to tax newspapers at one stage only.

Clause 6.—Section 7 provides for the grant of a rebate of one half of the tax paid in respect of certain finished articles of industrial manufacture actually sold for delivery outside the Province. This section was inserted in order that goods manufactured in this Province might compete on equal terms, in markets outside the Province, with goods manufactured in the Provinces and States where no sales tax was levied. As the sales tax is now levied in most of the Provinces and States, it is considered unnecessary to continue this rebate; and it is accordingly proposed to omit section 7.

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When persons who obtain licences under sections 5 and 6 of the Act fail to observe the conditions of their licences, the sales made by them are now being assessed to tax under section 3. New section 7 recognizes and validates this procedure.

Clause 7.—Existing section 8 has been omitted for the reasons specified in the note on clause 2.

New section 8 inserted by clause 7, provides for the compulsory registration of dealers whose turnover in any year is not less than Rs. 7,500, with a view to prevent evasion of tax in marginal cases.

Dealers have been permitted by the department to collect sales tax on their transactions. But this practice has led to the unauthorized collection of the tax in many cases. To prevent this, new section 8-A prohibits persons who are not registered dealers from collecting sales tax from their customers, and also provides that persons who collect the sales tax should pay over to the Government all amounts collected by them which are in excess of the tax levied on them.

As it will take some time for the registration of dealers, power has been given to Government to permit even unregistered dealers to collect the sales tax until such date (not being later than the 1st April 1948) as may be fixed by them.

To provide for cases where a dealer expects his transactions in the first year in which he sets up business to exceed Rs. 10,000, provision has been made for a dealer registering himself under new section 8 at his option.

Clauses 8 and 10 make changes consequential on clause 3 which provides for the taxation of different articles at different rates.

Clause 9 makes statutory provision for the exercise of powers of revision by authorities other than the Board of Revenue and also prescribes a period of limitation, namely, six months, for the making of applications for revision by parties.

Clause 11.—Doubts having arisen as to how far the agents of non-resident dealers are taxable under the Act as it now stands, it is proposed to make clear provision in regard to the matter. New section 14-A sets out in what respects exactly the Act should be modified in its application to non-resident dealers.

Clause 12—Sub-clause (i).—It is proposed to make the mere submission of an untrue return or the failure to submit a return an offence. Experience shows that it is difficult to prove “wilfulness” in such cases.

Sub-clauses (ii) and (iii).—Under the existing Act, the failure or evasion to pay a tax *due under the Act* is an offence and this has led to arguments in the Criminal Court that a tax is *not* due even though it had been duly assessed on the offender. A Criminal Court is obviously not the proper forum for such arguments; and it is accordingly proposed to bring out the intention clearly by making the failure or evasion to pay a tax *duly assessed* on the offender an offence. The opportunity has been taken to bring persons who fail or evade to pay *any fee* under the Act within the scope of the penal provisions.

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Sub-clause (iv) adds new penalizing clauses consequential on new sections 8 and 8-A inserted by clause 7.

Sub-clause (v).—The provision relating to the imposition of a penalty for continuing breaches has been omitted as unnecessary.

Where a person has been convicted for the failure or evasion to pay any tax, fee or other amount or for the wrongful collection of any amount, provision has been made for the Magistrate specifying the amount in question and for its recovery as if it were a fine.

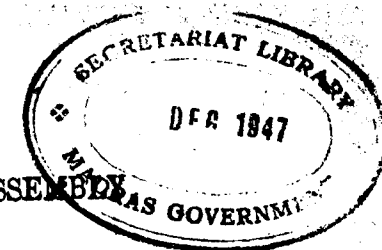
Clause 13.—New section 16-A specifically prohibits Civil Courts from entertaining suits to set aside or modify assessments of tax or levies of fees, etc., under the Act and also makes the assessments or levies binding on Criminal Courts in which prosecutions may be instituted for failure to pay the tax assessed or fee levied, etc.

Clause 14 makes a consequential amendment.

Clause 15.—Existing section 20 which has become spent has been repealed. New section 20 contains a transitional provision for the levy of the tax during the financial year 1947-48. The levy is to be made at one per cent of the turnover until new rates of tax are notified after this Bill becomes law, and at the new rates for the rest of the year.

Clause 16 repeals certain enactments which have become spent.

B. GOPALA REDDI.



THE MADRAS LEGISLATIVE ASSEMBLY

Saturday, the 11th October 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUKHAM PILLAI) in the Chair.

L—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Satyagraha movement in Mysore.

* 195 Q.—S. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of Mohamed Abdul Salam Sahib Bahadur): Will the Hon. Prime Minister be pleased to state—

(a) whether he has issued a statement about the Satyagraha Movement at Mysore; and

(b) if the answer to (a) is in the affirmative, whether the Hon. Premier will be pleased to state whether he made such a statement in his individual capacity or as a Premier?

THE HON. DR. P. SUBBARAYAN (on behalf of Hon. Prime Minister):—“(a) Yes.

“(b) The statement was made in the individual capacity of the Prime Minister.”

SRI R. V. SWAMINATHAN:—“Is it a fact that some of the satyagrahis who entered the borders of Madras Presidency were arrested by the Madras Police and handed over to the Mysore Police?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Member can put a separate question.”

MOHAMED RAFEEUDIN AHMAD ANSARI SAHIB BAHADUR:—“Do the Government realize that when persons in the capacity of the Hon. Premier make statements like this, it is difficult for the public to differentiate the capacity in which the Hon. Premier makes such statements, and if the Government are aware of that fact, will they exercise some amount of caution in issuing such statements?”

THE HON. DR. P. SUBBARAYAN:—“The Hon. Prime Minister realizes his responsibility, Sir, and I am sure with the realization of that responsibility he made the statement.”

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—“May I know, Sir, whether it is the policy of this Government to interfere in the affairs of the Native States?”

THE HON. DR. P. SUBBARAYAN:—“I do not think that follows from what I said.”

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I enquire, Sir, whether the Central Government have issued any directions to the Premiers of Provinces to support the cause of the State satyagrahis?"

THE HON. DR. P. SUBBARAYAN:—"That is a matter entirely between the Government of India and the Government of Madras."

Appointment of certain Presidency Magistrates.

* 196 Q.—**S. MUHAMMAD ISMAIL SAHIB BAHADUR** (on behalf of Mohamed Abdul Salam Sahib Bahadur): Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that the Government have appointed two Presidency Magistrates without advertising the posts and inviting applications for the same; and

(b) if so, the reasons that prompted the Government to adopt such a procedure?

THE HON. DR. P. SUBBARAYAN:—" (a) Yes.

" (b) As the appointments are temporary in character, it was considered unnecessary to advertise them and call for applications."

MOHAMED RAFFEEUDIN AHMAD ANSARI SAHIB BAHADUR:—"Is it not a fact that the Chief Presidency Magistrate has for a long time been a Muslim and if that is so, why there is no Muslim among the Presidency Magistrates now in the City?"

THE HON. DR. P. SUBBARAYAN:—"There is no question of any appointment being reserved for any particular community."

SRI A. SUBRAHMANYAM:—"கனம் மந்திரி அவர்களே, மிகவும் பிற்பாக்கான வகுப்பைச் சேர்ந்தவர்களிடமிருந்து ஏதாவது விண்ணப்பங்கள் வந்தனவா?"

MR. SPEAKER:—"கேழ்வி கேட்டுவிட்டு நீங்கள் உட்காரவேண்டும்."

THE HON. DR. P. SUBBARAYAN:—"I am not prepared to give out the number of applications from the people that came to the Government because this is a matter entirely in the discretion of the Government."

SRI A. SUBRAHMANYAM:—"Sir, இப்பொழுது நீங்கள் தேர்ந்தெடுக்கப்பட்டிருக்கிறவர்கள் வரிசையாக இருந்து விண்ணப்பங்களில் க்யூவில் வந்து தேர்ந்தெடுக்கப்பட்டவர்களா?"

THE HON. DR. P. SUBBARAYAN:—"I do not understand the import of the question."

MR. SPEAKER:—"நீங்கள் போட்ட கேள்வியின் அர்த்தம் சரிவர விளங்கவில்லை."

SRI A. SUBRAHMANYAM:—"இப்பொழுது மாதிரிஸ்ட்ரேட்டுகளாக உத்யோகத்தில் நியமித்திருக்கிறவர்கள் அவர்கள் எந்த முறையில் தேர்ந்தெடுக்கப்பட்டவர்கள், தேர்ச்சி முறையிலா அல்லது அனுபவ முறையிலா, அல்லது சட்டம் தெரிந்த முறையிலா என்பதை நிர்ணயம் செய்துகொண்டு அப்படி அவர்களை நியமனம் செய்யப்பட்டிருக்கிறதா?"

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THE HON. DR. P. SUBBARAYAN:—"I explained, Sir, the matter is entirely in the discretion of the Government and the Government chose those men whom they thought fit to hold these appointments."

SRI A. SUBRAHMANYAM:—"அப்படியானால் பிற்போக்கு வகுப்பினருக்கு ஏதாவது சலுகை காட்டுவது என்று Government Order இருப்பதை கவனியாமல் முடிவு செய்யப்படுகிறது என்பது உண்மையா?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Gentleman is very much mistaken in his presumption. The Government take into consideration those applications that come, and take the best out of them. Only if this backward community man was equal to the other man who had been selected, he might have been preferred."

Alleged Police high-handedness during the Independence Movement, 1942.

* 197 Q.—**SRI K. T. KOSALARAM:** Will the Hon. the Home Minister be pleased to state—

(a) whether the Government have received any complaints from responsible committees throughout the Province about the unlawful beating and harassment of the people and extortion and bribery by the police officials during the Independence Movement of 1942;

(b) whether the Government have enquired into the allegations by appointing an independent tribunal; and

(c) if not, what steps the Government propose to take to punish those officers guilty of excess?

THE HON. DR. P. SUBBARAYAN:—" (a) The Government have received a few complaints from Ramnad district alleging police excesses during the Civil Disobedience Movement of the year 1942.

" (b) No.

" (c) The Government asked the Collector to enquire into the allegations, but none of the petitioners to whom notices were issued appeared before the Collector to substantiate the allegations. If the petitioners would appear before the District Magistrate, the Government will be prepared to ask him to send a report on the allegations. If any excesses can be proved against officials, the Government will certainly consider what action should be taken."

SRI K. T. KOSALARAM:—"May I know, Sir, are there any such complaints from the Tinnevely district against Messrs. Appadurai Pillai, Deputy Superintendent of Police, Sivanandam Pillai, Circle Inspector of Police, and Sankarappa Naidu, Sub-Inspector of Police, from one responsible Member of the Legislative Assembly?"

THE HON. DR. P. SUBBARAYAN:—"I do not remember any petition having come from any responsible Member of the Legislative Assembly."

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P. K. MOIDEEN KUTTY SAHIB BAHADUR:—" May I know, Sir, whether, in view of the incessant and large number of complaints against police excesses in this Province, the Government will be pleased to consider the question of appointing a small committee of officials and non-officials to enquire into the matter instead of leaving it entirely to the departments concerned? "

THE HON. DR. P. SUBBARAYAN:—" I have explained time and again that if those people who make these allegations will appear before the District Magistrate and give him the reasons and the causes of their complaints, and if the District Magistrate sends a report to the Government, the Government will consider what steps should be taken. It may be that they appoint a non-official committee. I do not give any undertaking on this. But at the same time, as I have said again and again, the answer also implies that Government will take the necessary steps if they find the allegations have been at least proved *prima facie*."

SRI R. V. SWAMINATHAN:—" In view of the fact that we are not getting satisfactory replies to our questions and supplementaries put to this Ministry, are we to take it, Sir, that this Government are not willing to take any initiative regarding this police excess in this Province? "

THE HON. DR. P. SUBBARAYAN:—" The hon. Member may come to his own conclusions."

SRI K. T. KOSALARAM:—" Will the Government send such bribery complaints to the anti-corruption department? "

THE HON. DR. P. SUBBARAYAN:—" I am afraid this is outside the province of this question, because this has nothing to do with corruption."

SRI V. RAGHAVAYYA:—" In view of the fact that most of the Ministers in office now have had personal experience of the atrocities of the 1942 war criminals, will the Government take the initiative into their own hands and start an enquiry themselves instead of waiting for some 'X' or 'Y' to go into the matter? "

THE HON. DR. P. SUBBARAYAN:—" I have said at the end of the answer what the Government exactly proposes to do."

SRI K. VARADACHARI:—" Among the police officers who have recently been promoted to higher posts after 15th August 1947, are there not cases which are being reviewed by Government? "

THE HON. DR. P. SUBBARAYAN:—" That is a matter on which I am not prepared to give any information."

M. S. ABDUL MAJID SAHIB BAHADUR:—" In view of the attainment of independence by the people of this Province, will the hon. Minister give us an assurance that all these enquiries will be abandoned, and these officials, who were merely servants of their masters, will be forgiven and forgotten? "

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THE HON. DR. P. SUBBARAYAN:—" I am sorry, Sir, I am not prepared to give any such undertaking either; because, if excesses are proved, Government will take the necessary action."

SRI K. ANANDAN NAMBIYAR:—" Will the Hon. Minister state that this privilege of representing to the District Magistrate will be extended to the police excesses committed in Golden Rock in September 1946 during the South Indian Railway Strike? "

THE HON. DR. P. SUBBARAYAN:—" I am concerned with the civil disobedience movement of 1942 and not with what happened in 1946 at Golden Rock. If the hon. Member is keen on this, he is entitled to put a separate question."

SRI R. V. SWAMINATHAN:—" Is it a fact, Sir, that some of the police officers who suppressed this movement, and who have committed some crimes during this movement, have been promoted to higher posts in this Province? "

THE HON. DR. P. SUBBARAYAN:—" I do not know to whom the hon. Gentleman refers."

SRI PILLALAMARRI VENKATESWARLU:—" Are the Government aware of the fact that non-officials, both Congress men and others, do not appear before the District Magistrate because they have no faith in the District Magistrates? "

THE HON. DR. P. SUBBARAYAN:—" I am very sorry for that feeling; but the mentality of the District Magistrates has now changed."

Banning of Burrakatha and Simla Bhagavatham.

* 198 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that the performance of Alluri Sitharamaraju (Burrakatha and Simla Bhagavatham) were banned under section 3 of the Dramatic Performances Act of 1876;

(b) if so, what are the portions that are objectionable; and

(c) whether any petitions or memoranda were received by the Government, and if so, whether the Government will be pleased to place them on the table?

THE HON. DR. P. SUBBARAYAN:—" (a) Yes.

" (b) Both the dramas taken as a whole were considered to be objectionable.

" (c) No petitions or memoranda were received by the Government. There is therefore nothing to place on the table."

SRI PILLALAMARRI VENKATESWARLU:—" May I know, Sir, whether the Government are aware of the fact that in both the performances of Alluri Sitharamaraju (Burrakatha and Simla Bhagavatham), there is nothing objectionable, either violent or otherwise, for the Government to ban those performances? "

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THE HON. DR. P. SUBBARAYAN:—"The outlook of the hon. Gentleman himself may be from different angle."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, whether to extol our national leaders, as was done in 'Burrakatha' and 'Simla Bhagavatham,' is objectionable according to the Madras Government?"

THE HON. DR. P. SUBBARAYAN:—"Not at all, Sir; what the Government object to is preaching violence."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask the Government whether the banning of these performances was from the point of view of prior to August 1947 or after August 1947?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Gentleman is entitled to draw his own conclusions."

SRI PILLALAMARRI VENKATESWARLU:—"May I ask, Sir, whether Government are aware that Alluri Sitharamaraju's 'Burrakatha' and 'Simla Bhagavatham' are no other than historical narrations just as 'Bhagavatham' and 'Baratham'?"

THE HON. DR. P. SUBBARAYAN:—"That may be the opinion of the hon. Gentleman, but that is not the opinion of the Government."

SRI T. VISWANATHAM:—"In view of the answer of the Hon. Minister that no representations have been received, may I know, Sir, whether he has not received an application from the Town Congress Committee of Ellore with reference to Alluri Sitharamaraju's 'Burrakatha'?"

THE HON. DR. P. SUBBARAYAN:—"No, Sir, the hon. Gentleman who is the questioner has given me certain particulars, and I have promised to consider the matter again in the light of the information given by the hon. Communist Member."

SRI V. M. RAMASWAMI MUDALIYAR:—"Are the Government aware that Alluri Sitharamaraju is the Robinhood of Andhradesa?"

THE HON. DR. P. SUBBARAYAN:—"I am thankful to the hon. Member for the information."

The Mahalakshmi Mills, Madura.

* 199 Q.—SRI K. T. KOSALARAM: Will the Hon. the Minister for Food be pleased to state whether it is a fact that the District Magistrate, Madura, is delaying the prosecution of the management of the Mahalakshmi Mills, Madura, for non-payment of the adjudicator's interim award even though the Government have sanctioned prosecution?

THE HON. DR. T. S. S. RAJAN:—"No, Sir. Orders were issued on the 6th September to the District Magistrate to prosecute the management of the mills and the District Magistrate filed a complaint before the Additional District Magistrate on the 17th September."

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SRI K. T. KOSALARAM:—"May I know whether it is a fact that the interim award was made under the Defence of India Rules?"

THE HON. DR. T. S. S. RAJAN:—"The Defence of India Act has nothing to do with this. It is an independent award which is binding on both the parties, and if one of the parties fails to carry out the award, it is the business of the Magistrate to see that it is properly enforced."

SRI N. M. R. SUBBARAMAN:—"May I know whether the mill is still continuing its lock-out?"

THE HON. DR. T. S. S. RAJAN:—"We have no information; I believe the lock-out continues."

SRI K. ANANDAN NAMBIYAR:—"Has the mill manager been arrested for violating this award?"

THE HON. DR. T. S. S. RAJAN:—"Proper legal action has been taken. Whether he is arrested or not is another matter."

SRI C. M. KOTHARI:—"In view of the fact that the mills are not working at a profit, will the Hon. Minister try to withdraw the prosecution to save the party from the ignominy of closing the mills permanently?"

THE HON. DR. T. S. S. RAJAN:—"Government are not yet in possession of the facts mentioned by the hon. Member."

SRI PILLALAMARRI VENKATESWARLU:—"May I know what action the Government have taken against the management?"

THE HON. DR. T. S. S. RAJAN:—"The District Magistrate has asked the First-class Magistrate to prosecute the management."

SRI N. M. R. SUBBARAMAN:—"May I know what steps have been taken by the Government to remove this lock-out?"

THE HON. DR. T. S. S. RAJAN:—"When once a lock-out is declared Government take according to law such action as they are empowered to do. But the question whether the matter should be referred to the arbitration of an industrial tribunal is one which Government should consider on receipt of information. On receipt of information Government ask an industrial tribunal to go into the matter, and when they give their finding, the award will be binding on both parties."

SRI C. M. KOTHARI:—"Arising out of the answer, will the Hon. Minister be pleased to make necessary enquiries to see whether the mills are working at a loss or at a profit, and withdraw the prosecution?"

THE HON. DR. T. S. S. RAJAN:—"It is open to the management to make representation to the Government with regard to this fact."

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SRI R. V. SWAMINATHAN:—“ Arising out of the answer may I know Sir whether the management has been prosecuted as instructed by this Ministry? ”

THE HON. DR. T. S. S. RAJAN:—“ The information of Government is the management has been prosecuted.”

SRI PILLALAMARRI VENKATESWARLU:—“ May I know, as there are numerous complaints regarding non-implementing of the award, will the Government appoint a committee to inquire into the matter.”

THE HON. DR. T. S. S. RAJAN:—“ The Government are taking such action as the law allows.”

Prices of korra and cholam.

* 200 Q.—SRI A. RAYAPPA: Will the Hon. the Minister for Food be pleased to state—

(a) the rates for korra and cholam (yellow and white) in Bellary, Kurnool and Anantapur districts;

(b) whether there is difference in prices and if so, why it is so; and

(c) whether the Government propose to bring the prices of korra and cholam now in force in the district of Anantapur on a par with those obtaining in other districts?

THE HON. DR. T. S. S. RAJAN:—“ (a) The rates for korra and cholam in Bellary, Kurnool and Anantapur districts are as follows:—

	Per imperial maund					
	Korra.			Cholam.		
	RS.	A.	P.	RS.	A.	P.
Bellary ..	6	0	0	6	8	0 (white and yellow)
Kurnool ..	6	0	0	6	8	0
Anantapur ..	5	0	0	6	6	0 (white)
				6	0	0 (yellow)

“(b) Yes. In 1944 taking Bellary, Kurnool and Anantapur into one group, the price of cholam was fixed at Rs. 5-14-0 per imperial maund and for fixing the price of korra and other minor millets the pre-war parity in the prices in each district was taken into consideration and fixed accordingly. But subsequently on representations from the Collectors of Bellary, Kurnool and Anantapur to enhance the prices and with a view to assist the progress of procurement the claims of the districts were examined on individual merits and prices were revised having regard to the consequential benefits. The existing difference in prices is therefore due to the fact that the revision of prices was made with reference to the conditions of each district.

“(c) The question of bringing the prices of korra and cholam in the districts of Anantapur on a par with those prevailing in other districts was considered but it was dropped as it

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was not considered desirable to alter the prices in the middle of the season. Proposals to revise the prices for the next year are under consideration.”

SRI A. RAYAPPA:—“ May I request the Government to make the prices uniform in all the districts before procurement operation for the year commences? ”

THE HON. DR. T. S. S. RAJAN:—“ I said in my reply the matter is under the consideration of the Government.”

SRI S. NAGAPPA:—“ Are not the prices now quoted by Hon. the Minister too low, and is not procurement slackening on that account? ”

THE HON. DR. T. S. S. RAJAN:—“ That is the opinion of the hon. Member and not of the Government.”

SRI S. NAGAPPA:—“ May I ask the Government to consider the desirability of enhancing the price of korra in order to see that uniformity prevails in all districts, especially Bellary and Kurnool districts? ”

THE HON. DR. T. S. S. RAJAN:—“ In my answer given just now, I said that prices and conditions do vary from district to district, and the prices of foodgrains are fixed after inquiry into the nature of conditions prevailing in each district. The Government cannot undertake to have a uniform rate in all the districts.”

District Rationing and District Supply Officers.

* 201 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that in most of the districts there are District Rationing Officers as well as District Supply Officers; and

(b) if so, whether the Government propose to abolish one of the posts as a measure of retrenchment?

THE HON. DR. T. S. S. RAJAN:—“ (a) In nine districts there are both District Supply Officers and District Rationing Officers.

“(b) The question was considered recently and the posts of District Rationing Officers were abolished, in Chittoor, Tinnevely, Trichinopoly and North Arcot. No further retrenchment is proposed now.”

SRI V. RAGHAVAYYA:—“ In view of paucity of funds with this Government, do they not think these duties can be effectively discharged by the respective Tahsildars in their respective areas? ”

THE HON. DR. T. S. S. RAJAN:—“ The matter has been examined in four districts, and we have also abolished the post of District Rationing Officer in those four districts.

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In the other districts the Government think the continuance of these officers is necessary, and therefore they are being continued."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—" May I inquire whether, in view of the fact that the Food Department has grown into unwieldy proportions, will the Government cause an inquiry to be made into the possibility of retrenchment there? "

THE HON. DR. T. S. S. RAJAN:—" The possibility of retrenchment is already before the Government, and the re-organization committee is considering that question."

Certain irrigation projects in the Palni taluk.

* 202 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Public Works be pleased to state—

- (a) whether any investigation has been made regarding Palar, Pachaiyar and Porundalar projects in Palni taluk; and
- (b) if so, the result of the investigation?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) A proposal to construct a dam across the Palar and Porundalar and to utilize the Pachaiyar in connexion with that scheme was investigated but was dropped in 1905 on financial grounds. The proposal has been revived and the question of sanctioning the detailed investigation of the scheme is under the consideration of Government.

" (b) Does not arise."

Distribution of cement.

* 203 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of Mohamed Abdul Salam Sahib Bahadur): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government has decided to control the distribution of cement in this Province; and

(b) if the answer to (a) is in the affirmative, will the Hon. the Minister state the agency through which cement will be distributed?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) & (b) The question is under consideration and no decision has been taken."

SRI P. NATESAN:—" Are the Government aware of the fact that cement is not available to the people and it goes to the black-market? "

THE HON. SRI M. BHAKTAVATSALAM:—" I have heard of such complaints."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I ask what exactly are the Government considering to do with regard to relieving this scarcity of cement? "

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THE HON. SRI M. BHAKTAVATSALAM:—" We are considering exactly in what way we can control distribution of cement so as to relieve the scarcity that is referred to by the hon. Member."

SRI C. M. KOTHARI:—" Is the Hon. Minister aware that the two manufacturing companies of cement are selling their cement at different places at greatly differing prices? "

THE HON. SRI M. BHAKTAVATSALAM:—" Yes, I have heard such a complaint."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—" Is Government aware of the fact that cement is not available to repair old houses but is available for constructing new houses, cinema houses and such other things? " (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM:—" I do not know about it."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know what steps the Government are taking with regard to providing more transport facilities for the distribution of cement which is lying in a number of cement factories? "

THE HON. SRI M. BHAKTAVATSALAM:—" In the matter of affording transport facilities through railways, there is a certain priority shown regarding importance of things to be transported."

SRI V. RAGHVAIYA:—" Will the Government consider the suggestion for entrusting distribution of cement to the District Collector in future rather than entrusting it to the private marketing board which has its own vagaries? "

THE HON. SRI M. BHAKTAVATSALAM:—" Before the Government take a decision in the matter, I would certainly consider the valuable suggestion put forward by the hon. Member."

SRI D. V. RAMASWAMI:—" May I know whether the Government of India expressed their desire to take over control of cement from the Government of Madras? "

THE HON. SRI M. BHAKTAVATSALAM:—" There is no question of taking away control from the Government of Madras. Government of India contemplate introducing legislation for taking over control again. That will take time."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know whether Government will take steps to distribute cement to those who require small quantities only, as for repairs to houses, etc., as it is for that scarcity of cement has arisen? "

THE HON. SRI M. BHAKTAVATSALAM:—" The stock of cement available is not adequate to the needs of this Province and there are difficulties in the method of distribution and that is why we are considering the question of taking over of control and distribution."

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SRI V. C. PALANISWAMI GOUNDER:—"Are the Government aware that there is a general mania for cement even in the villages, that generally people go to long distant places for it and pay black-market price, and to avert this mania, will Government take steps to popularize surki mortar so that villagers can very easily and cheaply prepare it and use it in the place of cement?"

THE HON. SRI M. BHAKTAVATSALAM:—"That is too large a question for me to answer."

SRI M. G. NATESA CHETTIYAR:—"May I know whether the cement factories that have been sanctioned and the specific number allotted to the Madras Province have been started and are producing cement to relieve the scarcity of cement?"

THE HON. SRI M. BHAKTAVATSALAM:—"Some cement factories which have been started before have been working. Regarding other factories which have been sanctioned, it will take some time before they are able to produce cement."

SRI P. NATESAN:—"Will the Government take urgent steps to see that Dalmia cement is not sold at exorbitant prices, because the Associated Cement Company have fixed a certain price and that seems to be very reasonable?"

THE HON. SRI M. BHAKTAVATSALAM:—"I shall look into the matter."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"May I know whether Government have taken any steps to supply cement to agriculturists who have sunk wells and who need cement for constructing them as otherwise the well sunk runs the risk of collapsing or want of cement?"

THE HON. SRI M. BHAKTAVATSALAM:—"Under the present arrangement, permits for cement are being issued by the honorary regional advisers originally appointed by the Government of India. We have found it is not working satisfactorily and that is why we are considering the question of taking over distribution of cement."

11-30
a.m.

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is the Hon. Minister aware that while the controlled price of cement per bag is somewhere between Rs. 2 and Rs. 3 actually it is sold at Rs. 10 in the black-market so much so people are put to a great deal of hardship in getting cement required for the repair of houses?"

THE HON. SRI M. BHAKTAVATSALAM:—"I have heard of such complaints, Sir. That is why this Government has taken up the question."

P. P. HASSAN KOYA SAHIB BAHADUR:—"Will the Government be pleased to consider the desirability of making an

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interim arrangement for the distribution of cement by authorizing the Revenue Officers to issue permits and prohibiting sub-agents of cement companies from selling cement in their own discretion?"

THE HON. SRI M. BHAKTAVATSALAM:—"We are in correspondence with the Government of India on the matter and we hope to take a decision very soon."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Since there are many school and college buildings whose construction programmes have been delayed for want of cement will the Government give them high priority when they take over the control of cement?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir, these purposes will have their due priority."

SRI K. ANANDAN NAMBIYAR:—"Will the Hon. Minister be pleased to state whether the Government are proposing to take over charge of or nationalize all the cement factories including the Dalmia Cement Factory in Trichinopoly?"

THE HON. SRI M. BHAKTAVATSALAM:—"That question does not arise out of the present question, Sir."

SRI C. M. KOTHARI:—"Will the Hon. Minister be pleased to give high priority to the factories of textile mills for cement as their works are held up?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Government will examine the importance of the various purposes and prepare a priority list accordingly."

SRI P. NATESAN:—"Would it be possible for the Hon. Minister to address the Dalmia Cement people and ask them why their prices are much more than the prices ruling for other brands of cement in the market?"

THE HON. SRI M. BHAKTAVATSALAM:—"I understand, Sir, that such a state of affairs has been rectified recently."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Are the Government aware that even in cases where the District Collector has issued permits to agriculturists for supply of cement the distributors have not supplied cement to them?"

THE HON. SRI M. BHAKTAVATSALAM:—"Perhaps so, Sir. Even the Public Works Department requirements have not been met with."

SRI N. M. R. SUBBARAMAN:—"Will the Government be pleased to take steps immediately to see that cement is made available in villages for firka development schemes?"

THE HON. SRI M. BHAKTAVATSALAM:—"When we take over control and distribution, we will give necessary attention to the requirements of firka development."

SRI R. V. SWAMINATHAN:—"When taking over control, will the Government bear in mind to allot a certain percentage for the use of the villagers so that the cement may reach the villagers?"

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THE HON. SRI M. BHAKTAVATSALAM:—"All that will be gone into by those who will be put in charge of distribution, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Cannot the Government give us an idea of the total quantity of cement available in the Province?"

THE HON. SRI M. BHAKTAVATSALAM:—"I would like to have notice, Sir."

SRI K. VARADACHARI:—"Will the Hon. the Minister be pleased to state whether the Dalmias are amenable to the control of the Provincial Government?"

THE HON. SRI M. BHAKTAVATSALAM:—"We need not ask them, Sir, whether they are amenable or not."

SRI T. VISWANATHAM:—"In view of the answer that the scarcity is due to the defect in the distribution system and in view of the answer that the Government is contemplating the taking over of the distribution system, I want to know what are the defects discovered by the Government and how they propose to remedy those defects?"

THE HON. SRI M. BHAKTAVATSALAM:—"We have seen, Sir, that the permits issued by the honorary regional advisers originally appointed by the Government of India have not been honoured by these concerns."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"When the Government take over the control of distribution of cement in the Province, will they consider dividing the quantity of cement between the Government and the people proportionately according to their respective requirements?"

THE HON. SRI M. BHAKTAVATSALAM:—"We shall consider the suggestion, Sir."

P. P. HASSAN KOYA SAHIB BAHADUR:—"May I know, Sir, whether under the present arrangement it is possible for the Government to supply cement to local boards and municipalities at least, either by persuading the cement companies or by any other method, because most of the local bodies are very much in want of cement and their works are held up?"

THE HON. SRI M. BHAKTAVATSALAM:—"Under the present arrangement, we can only persuade the people and we have no other course to adopt."

Assessments under the General Sales Tax Act.

* 204 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of M. A. Muhammad Ibrahim Sahib Bahadur): Will the Hon. the Minister for Finance be pleased to state—

(a) the number of cases of assessments under the General Sales Tax Act which have been set aside by civil courts since 1st April 1940, the amounts involved in each case and on what grounds they were set aside; and

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(b) whether the Government propose to consider the desirability of amending the General Sales Tax Act?

THE HON. SRI B. GOPALA REDDI:—" (a) In all, six cases of assessments under the General Sales Tax Act were set aside by civil courts since 1st April 1940. The amounts involved in each case were Rs. 4,922, Rs. 1,973, Rs. 6,146, Rs. 2,116, Rs. 37,039 and Rs. 3,140. Out of these, 4 related to the assessments on commission agents for violation of the conditions of licence. They were set aside on the ground that there was no violation of the provisions of section 8 of the General Sales Tax Act and the conditions of the licence. The other two related to the assessment of a dealer for violation of section 13 of the General Sales Tax Act by the maintenance of incorrect accounts. These were set aside as the court held that the dealer was eligible for exemption under section 5 of the General Sales Tax Act as he possessed a valid licence under the section and he had not committed any breach of the conditions of the licence.

" (b) A Bill for amending the General Sales Tax Act has been introduced yesterday."

SRI P. NATESAN:—"May I know how much it cost the Government to get represented in the cases?"

THE HON. SRI B. GOPALA REDDI:—"I am afraid I have no information just at present."

P. P. HASSAN KOYA SAHIB BAHADUR:—"May I know whether a large number of revision petitions have been pending with the Board of Revenue for the last two years?"

THE HON. SRI B. GOPALA REDDI:—"Perhaps so, Sir. I am not quite sure."

SRI P. NATESAN:—"May I know who was the person or public body responsible for the Rs. 37,000 assessment which was set aside by the civil court?"

THE HON. SRI B. GOPALA REDDI:—"I do not have the name of the person, but it was in Salem."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Is it the view of the Government that because certain cases went against them the jurisdiction of the courts should be taken away thereby depriving the private citizen of the right to go to a court to get a correct decision in the matter involved?"

THE HON. SRI B. GOPALA REDDI:—"The whole Bill is on the anvil, Sir, and this can be usefully discussed then."

P. P. HASSAN KOYA SAHIB BAHADUR:—"Is the Hon. the Finance Minister aware that the delay by the Board of Revenue in disposing off the appeals is preventing the assesses taking the matter to court and will he issue immediate instructions to the Board of Revenue to dispose of these appeals that have been pending for the last two years?"

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THE HON. SRI B. GOPALA REDDI:—"Steps will be taken to ask the Board of Revenue to expedite the disposal of the matters."

* 205 Q.—

[In view of answer to Question No. 195, this identical question was not put.]

Provision of hostel for Law College students.

* 206 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that no hostel is provided at present for the students of the Law College, Madras;

(b) if the answer to (a) is in the affirmative, the reason therefor; and

(c) what steps the Government propose to take to provide the Law College with a hostel at an early date?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) & (b) There is at present no hostel separately for students of the Law College, but the University Students' Club generally accommodates them.

"(c) There are no specific proposals to provide a separate hostel for the Law College students. The Government have recently secured a building named "Keith Lodge" in San Thome to run a hostel. The Government understand that many of the Law College students have been admitted into it."

SRI T. VISWANATHAM:—"May I know what is the amount of saving from the Law College every year for the last 25 or 30 years? Is it not more than Rs. 30,000 every year?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"That certainly does not arise out of this question."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know whether it is not a fact that some time previously provision was made for a hostel for the Law College students? What has happened to that?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"Not as far as I am aware, Sir."

BEGUM SULTAN MIR AMIRUDDIN:—"Are the Government aware that the students of the Law College are suffering considerable inconvenience for lack of a hostel, particularly during this period of insufficiency of accommodation, in the City? Will the Government see their way to providing a hostel for the Law College at a very early date?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"Instead of providing a separate hostel for the Law College students, the Government thought of opening another hostel. In the meantime certain organizations came forward to run a hostel themselves if the Government would secure accommodation for them. The Government did secure a house for

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the purpose and I may tell the hon. Lady Member that there are a large number of Law College students admitted in the hostel."

SRI T. VISWANATHAM:—"With reference to the mention of the University Students' Club, may I know, whether the Hon. Minister has ever visited that hostel and seen the size of the rooms and how many students are occupying each room?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"Yes, Sir. I have had the privilege of visiting the hostel once."

SRI T. VISWANATHAM:—"Is he satisfied about the accommodation?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"It is not a matter of satisfaction or not, Sir. There is some provision there, which is all that is possible."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know whether the newly opened hostel is exclusively for the Law College students and if not whether the Hon. Minister is aware that in all the hostels in the City of Madras there are at least three, four or five students in each room and on that account whether it is not the duty of the Government to try and see that a large number of hostels are brought into existence?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"I entirely agree that the position of the hostels is very unsatisfactory to-day but the Government has been trying to do what they can. In this connection I may say that they are making plans for opening a women's hostel. The Government are making every effort but the difficulties also are known to the friends who are putting the question."

SRI T. VISWANATHAM:—"May I know whether in view of the fact that the Law College is giving a large amount of revenue and the Government have saved a good deal of it the students of the college are not entitled to demand from the Government a comfortable living while they are in the College?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"The Government do not think that the Law College has any particular claim for a preferential treatment."

SRI T. VISWANATHAM:—"Is it not a fact that the income from the Law College is very great and that every year more than 30 or 40 thousands of rupees are saved from the income of the Law College and spent on other expensive institutions without providing any amenities for the students of that college?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"At that rate the Medical College students should not be given a hostel at all if this argument is accepted."

SRI S. NAGAPPA:—"May I ask the Government whether it is a fact that the Harijan students of the Law College are compelled to live in any one of the recognized hostels and until then they are not granted scholarships?"

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ I am not aware of it, Sir, that the Harijans are compelled to live anywhere. It is open to them to go to other hostels also.”

SRI S. NAGAPPA:—“ May I ask, Sir, how can the Government withdraw their scholarships for the period for which they have not lived in a recognized hostel simply without providing a hostel for the Law College? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ The hon. Member may put a separate question. That does not arise from this.”

SRI N. S. VARADACHARI:—“ Will the Government discourage this compartmental finance of ear-marking Law College income for Law College and income from particular departments 11-45 a.m. and institutions for those particular departments and institutions? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ I believe that is a reply to the question put by another hon. Member.”

BEGUM SULTAN MIR AMIRUDDIN:—“ Are the Government aware that the provision made for the students of the Law College is most inadequate? In view of the fact that the legal profession has been providing leaders for the country, I wish to know why those who are equipping themselves for this profession are treated worse than those who wish to pursue other professions? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ Hereafter all professions will provide leaders to the country.”

SRI T. VISWANATHAM:—“ Arising out of the answer given by Mr. Varadachari to a question put by me, may I know whether the Hon. Minister will do away with compartmentalization of finance altogether? ”

(No answer.)

SRI V. I. MUNISWAMI PILLAI:—“ Will the Government consider the necessity of granting scholarships to Harijan Law College students without insisting on their being in a recognized hostel prior to their being granted scholarships? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ That matter will have to be gone into. If the hon. Member wants information on that point, he may put a separate question.”

SRI S. NAGAPPA:—“ Will the Government consider the desirability of meeting the cost of the students instead of fixing a certain amount for scholarships as it is done in other places? ”

MR. SPEAKER:—“ The hon. Member may put a separate question.”

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Starting of a Secondary School in Vedaraniyam.

* 207 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received any representation for starting a secondary school at Vedaraniyam in Tanjore district; and

(b) if so, what steps the Government have taken on the representation?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ (a) & (b) No. The District Board, Tanjore, sent a proposal to the Director of Public Instruction for the opening of a secondary school at Vedaraniyam. It was not approved by the Director of Public Instruction as he was of opinion that the District Board should provide for the essential needs of the existing schools before proceeding to open new schools.”

SRI A. VEDARATNAM PILLAI:—“ Will the Government direct the District Board to provide the necessary funds? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ The Government are not aware whether the District Board has sufficient funds. If it has sufficient funds, the Government will certainly forward this question and answer to the District Board.”

SRI A. VEDARATNAM PILLAI:—“ The District Board has enormous funds and can open many schools.”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ I am not aware of that. If it is so, I am happy.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“ If the District Board will not open a high school in a place where it is absolutely necessary will the Government themselves open a high school? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ In certain areas where there is not even one high school for a whole taluk the Government have taken steps to open a high school and are meeting the full cost of the High school? ”

Payment of arrears of dearness allowance in aided training schools.

* 208 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Education be pleased to state—

(a) why the Government have not directed the managements of aided training schools to pay the arrears of dearness allowance for 1945-46 as they have done in the case of aided secondary schools;

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(b) whether it is a fact that dearness allowance at Rs. 16 per month the rate fixed by Government for all aided elementary schools from 1st February 1946 is not being paid in some of the model schools attached to training schools; and

(c) if so what steps the Government have taken to rectify this defect?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) The special grant towards dearness allowance for 1945-46 has already been sanctioned.

“(b) & (c) The hon. Member is referred to the answer given on 18th April 1947 to clauses (b) and (c) of Question No. 546-J.”

SRI R. V. SWAMINATHAN:—“In order to get over all these difficulties and have effective control over elementary education may I ask why the Government should not take over all the elementary schools in the Province under their control?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“It is a very big question.”

SRI K. ANANDAN NAMBIYAR:—“May I know whether the Government will direct the managers to pay the extra pay to the teachers and not close the schools, I mean the extra pay of Rs. 5 and Rs. 2?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“It would seem that the hon. Member is trying to speak both ways. The Government Order is that the managers must pay the five rupees. The threat of the managers is that they would close the schools if they are forced to pay. The hon. Member now wants that the managers should pay and continue the schools. I do not see what he wants us to do.”

SRI K. ANANDAN NAMBIYAR:—“If the manager does not want to pay and if he closes the school, what will the Government do?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“We will consider the matter when the occasion arises.”

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—“Have not the Government received many petitions saying that it would be a hardship if the managers were compelled to pay this Rs. 5?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“Yes, Sir.”

SRI KALLUR SUBBA RAO:—“May I know that if the managers want to close the schools, can the Government force them to open them?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“No, Sir.”

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P. K. MOIDEEN KUTTY SAHIB BAHADUR:—“May I ask what action the Government have taken on the representation of the managers?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“The matter is under consideration.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know whether the Government will take up those schools which the private managements want to close?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“No, Sir.”

Use of the word “Harijan” for “Scheduled Castes.”

*209 Q.—MRS. JEBAMONY MASILLAMONEY: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that in the Educational Rules in the place of ‘Scheduled Castes’ the word ‘Harijan’ is used;

(b) whether Harijans and Scheduled Castes are one and the same; and

(c) what the justification is for effecting this change?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) Yes.

“(b) Yes.

“(c) The term ‘Harijan’ is more commonly known to the public than the term ‘Scheduled Castes.’”

SRI S. C. BALAKRISHNAN:—“Is it a fact that the North Indian Harijans dislike the name Harijan?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“We are not concerned with North Indian Harijans.”

SRI S. C. BALAKRISHNAN:—“Is it desirable that some section of the Hindus should be called by a particular name, Sir?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“That name has come to vogue, whether they considered it desirable or not.”

SRI S. NAGAPPA:—“May I ask if the non-Harijans such as the Brahmans and the Non-Brahmans will be called Sirijans?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“The hon. Member may ask anything he likes. That is his privilege.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“Under rule 92 of the Madras Educational Rules, a number of communities are put under a schedule. May I know how those communities are styled?”

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“The untouchable—so called before, it does not exist any more now—among the scheduled castes are called Harijans and the other people are called as the names exist in the list.”

SRI V. RAGHAVAYYA:—“Will the Government be pleased to extend the facilities under the Educational Rules available to Harijans to the ex-criminal tribes and the aboriginals as well?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“I think this question does not arise out of this, but I may state for the satisfaction of the hon. Member that the matter is being considered.”

SRI N. M. R. SUBBARAMAN:—“May I know whether the Christian converts come under the scheduled classes?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“No, Sir.”

Appointment of women teachers under local bodies.

* 210 Q.—SRI P. R. KANDASWAMI GOUNDER: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Government have issued an order in 1937 or so, that in the matter of appointing women teachers, etc., under local bodies, preference should be given to widows and spinsters; and

(b) whether the Government propose to exclude Harijans, Muslims and other backward communities from the scope of the above Government Order?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“(a) Yes.

“(b) Does not arise as these orders have since been cancelled.”

Mortality among cattle.

* 211 Q.—SRI M. D. THIAGARAJA PILLAI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) what the Veterinary department has done to eradicate mortality among cattle caused by ticks; and

(b) whether there is any proposal to carry out any scheme similar to one of those employed by the Agricultural department in combating pests in order to exterminate ticks?

THE HON. SRI K. MADHAVA MENON:—“(a) & (b) Mortality among cattle is not caused by tick infestation alone. The methods used by the Veterinary department to eradicate mortality among cattle caused by tick infestation are (1) destruction of ticks by removing them by hand from the body of the animals, and (2) spraying or dipping the animals—the latter two methods are not however widely used. In addition,

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leaflets on tick fever in animals and on dipping and drenching of sheep have been printed by the Veterinary department, and they are distributed free to the ryots. Control of ticks is possible if dipping on a large scale is carried out. The Government have recently sanctioned the construction of a dipping tank at kancha No. 40 of Kambakkam reserved forest in Ponneri taluk of Chingleput district where the scheme for the salvage of dry cows in Madras City is being worked in order to control the tick infestation of cattle. It is the intention of the Government to construct similar tanks in selected areas of the Province if the one sanctioned at Kambakkam proves successful.”

Request for grant of land on lease from the people of Ovelikudi village.

* 212 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any representations from the people of Ovelikudi village, Mannargudi taluk, Tanjore district, requesting grant of land on lease;

(b) if so, what steps the Government have taken on the representations;

(c) whether it is a fact that the Government have leased the lands referred to in the representation to one A. Ramaswami Kandiyar of Karuvakurichi who already possesses enormous lands;

(d) whether it is the policy of the Government to lease out lands to people who already own large estates; and

(e) whether the Government propose to consider the case of the poor people and lease out lands to them instead of to the rich?

THE HON. SRI KALA VENKATA RAO:—“(a) & (b) Petitions were received by the Collector of Tanjore from the residents of Ovelikudi, hamlet of Porayur village, Mannargudi taluk, Tanjore district, requesting the grant of a competent block of land measuring 236.97 acres in Porayur village for growing casuarina. Final orders have not been passed in the matter.

(c) No.

(d) & (e) Under the existing orders, lands at the disposal of the Government are granted for temporary cultivation with foodcrops up to the end of fasli 1357. In making the grants, preference is given to applicants from among the landless poor except in cases where a well-to-do applicant is found to have a marked advantage over the landless poor in bringing lands speedily under cultivation. In the excepted cases, orders of Government are necessary.”

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Land colonization schemes.

213 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether any land colonization schemes are under the consideration of Government for the educated unemployed; and

(b) whether the Government propose to grant lands for the benefit of Congressmen who had been in prison as was granted to ex-soldiers?

THE HON. SRI KALA VENKATA RAO:—“(a) No.

“(b) Yes. The attention of the hon. Member is invited to the Press Note^a on the subject issued on 14th August 1947 and placed on the table of the House to-day.”

SRI V. RAGHAVAYYA:—“Will the Government be pleased to consider the inclusion in the proposed list of beneficiaries those who resigned Government jobs in 1921 and have been suffering since then on account of the sacrifices that they made in the movement?”

THE HON. SRI KALA VENKATA RAO:—“Some of these gentlemen have already been receiving benefits and if any are not receiving, their cases will be considered.”

SRI V. RAGHAVAYYA:—“Will the Government be pleased to consider whether they cannot adopt the United Provinces practice of giving alternate money grants to those people who, on account of various difficulties, cannot avail themselves of land grants?”

THE HON. SRI KALA VENKATA RAO:—“The present question is with reference to the grant of land. If my hon. Friend wants any other grant, he can address the question to the Minister concerned.”

SRI V. RAGHAVAYYA:—“Will the Government be pleased to place these political war sufferers—I call them war sufferers—on the same footing as ex-army men so far as money grants for housing, reclamation of lands and other things which have been given by the Madras Government to ex-army men to an extent of Rs. 1,900 per soldier?”

THE HON. SRI KALA VENKATA RAO:—“If I can, I would like to place them much higher.”

SRI T. VISWANATHAM:—“May I know the number of applications which have so far been received, the number disposed of, and whether there is any time-limit for sending applications?”

THE HON. SRI KALA VENKATA RAO:—“I have asked the Collectors to prepare a list of available lands so that these people may select them. Till now, that work is not yet complete. No time-limit has been fixed for applications.

^a Printed as Appendix on page 812 infra.

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A Press note will be issued fixing a date before which applications should be sent and showing the way in which applications should be sent and how they will be disposed of.”

SRI D. V. RAMASWAMI:—“May I know whether the Government will be pleased to extend the same concession to the widows or heirs of the political sufferers?”

THE HON. SRI KALA VENKATA RAO:—“I invite the attention of the hon. Member to the Press note which says that such cases will be considered.”

SRI GUNTUR NARASIMHA RAO:—“May I know why¹² the Government have chosen the date of 1st April 1946 and why noon. Hon. Minister is always fond of retrospective dates?”

THE HON. SRI KALA VENKATA RAO:—“Because I fear that such rich people as Mr. Narasimha Rao will sell away a portion of their lands so as to become eligible for the grants.”

SRI G. KUMARASWAMI:—“Will those political sufferers, who actively participated in the independence movements, but were not arrested or incarcerated for some reason or other also be eligible for these grants?”

THE HON. SRI KALA VENKATA RAO:—“It depends on the circumstances, Sir.”

SRI S. NAGAPPA:—“Arising out of the answer to clause (a), may I ask the Hon. Minister to consider the desirability of forming collective farms on a co-operative basis for Harijans and other poor landless labourers?”

THE HON. SRI KALA VENKATA RAO:—“Clause (a) refers to the educated unemployed. I do not know on whose behalf Mr. Nagappa is pleading.”

SRI B. VENKATARATNAM:—“రాజకీయ వాధకులకు భూమినిచ్చే సరికొద్దములో ప్రభుత్వమువారు డెల్టా గ్రామములలో ఉండేటటువంటి పుంజులు, పొరంబోకులు, చెరువు గర్భాలు మొదలైనవివంటివాటిని మంజూరు చేయరని హామీ ఇస్తారా?”

THE HON. SRI KALA VENKATA RAO:—“అటువంటి భూములు ఎవ్వరికీ ఇవ్వబడదనే ప్రభుత్వమువారి అభిప్రాయము.”

SRI PILLALAMARRI VENKATESWARLU:—“Will the Government give an assurance that no political discrimination will be made in the assignment of lands?”

THE HON. SRI KALA VENKATA RAO:—“We will take all precautions, Sir.”

MAHBOOB ALI BAIG SAHIB BAHADUR:—“May I enquire whether it is the policy of the Government to exclude educated unemployed non-Congressmen?”

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THE HON. SRI KALA VENKATA RAO:—"I have already answered that the Government have no scheme under contemplation for the educated unemployed. As I informed the House yesterday and the day before, the policy of the Government in assigning lands is being formulated and will be published in due course."

SRI ALLURI SATYANARAYANA RAJU:—"ఎవరు రాజకీయ వాదనల కోసం ఎవరు కార్య నిర్ణయించే విషయమై ప్రతి జిల్లాకు ఒక కమిటీని వేస్తారని ఇదివరకే తెలియజేశారు. ఆ విధంగా కమిటీలను ఏర్పాటు చేసేది లేనది మంత్రి గారు తెలియజేయ గోర్తును."

THE HON. SRI KALA VENKATA RAO:—"కమిటీలను ఇంకా ఏర్పాటు చేయలేదు; వేయటానికి ఆలోచిస్తున్నాము."

SRI R. V. SWAMINATHAN:—"May I submit that, when a question is put in Telugu or Tamil, the Hon. Minister will at least reply in English so that the Members can understand the question also?"

THE HON. SRI KALA VENKATA RAO:—"If the questioner does not know English, what is the use of my replying in English?"

SRI A. KALESWARA RAO:—"May I know whether those who want to make Government impossible by strikes and other means will also be assigned lands if they apply for being treated as political sufferers?"

THE HON. SRI KALA VENKATA RAO:—"If they had suffered in any one of the independence or non-co-operation movements, I must certainly give them."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Will the Government consider the question of relieving the unemployment problem among the educated unemployed also?"

THE HON. SRI KALA VENKATA RAO:—"That is not within my province. Nonetheless, the Government are willing to do it."

SRI N. S. VARADACHARI:—"Will care be taken to see that in making these grants we do not create a class of absentee landlords?"

THE HON. SRI KALA VENKATA RAO:—"After all, individual assignments will not exceed 5 acres, and there cannot be any big absentee landlords."

SRI K. VARADACHARI:—"Arising out of the answer of the Hon. Minister, may I enquire whether he is contemplating to constitute committees for selection of candidates for getting these 5 acres?"

THE HON. SRI KALA VENKATA RAO:—"My hon. Friend is entirely mistaken. If more than one person apply for the same land, adjustments might have to be made. Committees will be constituted only to consider such cases. Applications will have to be made to the Collectors only."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Do the Government contemplate making it a condition that these 5 acres of land are inalienable?"

THE HON. SRI KALA VENKATA RAO:—"Yes, Sir, they can never be sold. They must pass to the heirs; if there are no heirs, they will become escheat to the Government."

Municipal Health Officer, Tiruppur.

* 214 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether any representations have been made to the Government by the public of Tiruppur regarding the Tiruppur Municipal Health Officer; and

(b) if so, what action has been taken thereon?

THE HON. SRI A. B. SHETTY:—" (a) No.

" (b) The question does not arise."

SRI S. C. BALAKRISHNAN:—"Has any complaint against him been made by any other people?"

THE HON. SRI A. B. SHETTY:—"A joint representation from some members of the health staff has been received by the Director of Public Health."

SRI S. NAGAPPA:—"May I know whether this Health Officer was slipped by one of the lady doctors when he attempted to molest her in the open office?"

MR. SPEAKER:—"I wish to know whether the hon. Member is putting a supplementary question."

SRI S. NAGAPPA:—"Yes, Sir."

MR. SPEAKER:—"Question time is over."

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

II.—THE MADRAS GENERAL SALES TAX (AMENDMENT)

BILL, 1947—cont.

* M. S. ABDUL MAJID SAHIB BAHADUR:—"Mr. Speaker, Sir, I rise to support the amendment moved by my hon. Friend Mr. Natesan. In moving that the Bill be referred to a Select Committee, the Hon. Finance Minister said that the merchants in this province started a very great agitation when the original Sales Tax Bill was introduced in the previous Assembly and that at a later stage they reconciled themselves to the Sales Tax Act. In other words, he was trying to misrepresent or create a misconception in the minds of the public. It is not that they have reconciled themselves to the Act. There is no question of reconciliation. I would like to bring to the notice of this House that the merchants are in no way affected by this Bill. Sales tax is not a direct tax like the income-tax. It is an indirect tax the incidence of which falls on every one in this province. Vast masses of the working classes are affected, vast masses of the

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salariated servants of this province are affected, and every man, woman and child is affected by this Bill. Perhaps, *fakirs* and *sanyasis* living in forests and subsisting on roots and leaves might escape the operation of this tax. Perhaps people that appear and disappear in the fertile imagination of hon. Friends like Mr. N. S. Varadachariar may not be affected by the provisions of this Bill. I say, Sir, the Bill affects every one. If the merchants agitated in the past and are to-day agitating against the Act or the amending Bill, it is on behalf of the consumers, the teeming millions of this province who happen to be their potential customers.

"It is also tried to be pointed out on the floor of this Assembly, particularly by hon. Members like Mr. N. S. Varadachariar, that the object of the Amending Bill is to give an impetus to the constructive programme of the Congress. The Statement of Objects and Reasons and the short and sweet speech of the Hon. the Finance Minister in introducing the Bill say that the object in introducing the Bill is to get increased revenue from this source in view of the extension of Prohibition. Let us not create a wrong impression in the minds of the public; let us not camouflage the issue. Let us tell the public plainly that this Bill is going to cast a burden on the people and that it is being introduced for a set purpose.

"Secondly, I would like to bring to your notice that this is a very important Bill, and the Government ought to have given us more time to study its far-reaching implications. As it is, it is not possible for us to go deeper into its provisions and offer criticism. I really cannot understand why there should be such haste, such sickly haste. The Government have brought forward a number of Bills. The hurried legislation which shows that something is coming to an end to-morrow. You have plenty of time before you. My hon. Friend Mr. Bhashyam said yesterday that the matter was very urgent and that the Bill need not be circulated for eliciting public opinion. Where is the urgency? If I were the Finance Minister of this province, I will rely on the soundness of our finances and say that more time can be given to the public to study the Bill and offer criticism. I know the soundness of the provincial finances as such, if the figures contained in the Budget Memorandum are correct. Therefore, Sir, there need be no hurry.

"My predecessors who spoke in support of the amendment moved by my hon. Friend Mr. Natesan have pointed out some of the defects contained in the provisions of the Bill. I will deal only with a few of those provisions.

"First of all, I would like to refer to the change in the definition of 'dealer'. In the amending Bill, the definition is amplified so as to include the commission agent or the middleman as such.

12-15 p.m. "Sir, the system of collecting sales tax is not new in this world. Other countries have adopted similar measures and the worst offender of it was the Fascist Germany. Even at a time

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when the Fascist Germany was getting the major portion of her revenues from this octopus of a sales tax, she never included the commission agents as such. For a pittance of a commission, these commission agents are doing a very useful service to the community and to the nation. For a pittance of a commission these people are bringing useful commodities, commodities of necessity, ferrying them across oceans, carting them across continents by undertaking all the risks and troubles. Sir, there would be every reason for the Hon. the Finance Minister to tax, if he wants, the commissions earned by the commission agents, but to declare them as dealers is something which is most unreasonable, something which is against the very accepted principles of trade and commerce. Therefore, Sir, I would urge that the commission agents must be eliminated from the operation of this Bill, as otherwise it will be doing the greatest injury to trade and commerce of this Province. Sir, are not the Government themselves having commission agents to transact several items of their business on their own behalf? While such is the case, it is wrong and unjustifiable on the part of the Government to bring in an amendment to this Bill to include commission agents.

"Secondly, Sir, there is also an attempt being made to tax goods that are being exported to other countries, and to other Provinces. I need not go into every item of the commodities that are being exported outside the Province. I may be permitted to refer to one particular article, namely, the handloom products. The Government are aware of the high prices of the handloom products and if you are going to impose a turnover tax on the sale of these products, you will only be making these goods unpopular in the external markets. The Hon. the Finance Minister may be aware that some Provinces like the West Bengal have refused to accept handloom products coming from this Province because of high prices and to-day, if you impose this tax, it will make their prices still higher, and thus you will make these goods very unpopular and ultimately you will lose the export market. Sir, when all other countries are engaging themselves in vigorous export drives, in this Province attempts are being made to curtail exports by measures like this. The economic prosperity of this Province depends on its exports and the Government must come forward and encourage exports as much as possible and also exclude all exportable commodities from the operation of this Bill.

"Then, Sir, even for small clerical errors the Government propose to take action on the merchants as such, under this Bill. I am really surprised to see that an amendment of this type should emanate from the people who profess the Gandhian philosophy of life and of forgiving the errors of men. After all, Sir, these are only technical errors, errors committed by illiterate merchants or their clerks. Even in Government records errors take place and when a clerk or merchant commits certain errors, should he be punished? Sir, this is a very harsh provision."

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THE HON. SRI B. GOPALA REDDI:—"How is it, that the error is never to the disadvantage of the merchant?"

* M. S. ABDUL MAJID SAHIB BAHADUR:—"Sir, it is an error. Let the officers find out whether it is advantageous or disadvantageous to the merchant. If it happens to be a mere clerical error, why should the merchant be punished?"

"Again, Sir, there is no provision for appeal under this Bill. The denial of appeals to merchants is something that is unheard of in the provisions of any taxation measures of any country. Even under the Income-tax Act, you have the Income-tax Appellate Tribunal. I would urge upon the Hon. Minister for Finance that provision should be made for appeals to civil courts and in addition to it, he should constitute a Sales Tax Appellate Tribunal, so that these merchants, if they want, can appeal to those courts and get redress. This amending Bill, as it stands, invests autocratic powers upon the Commercial Tax Officers. Sir, the only result of this autocracy will be that under its shadow will thrive corruption and you will ultimately injure trade and commerce of this Province. Therefore, Sir, I would make an earnest appeal to the Government to include the provision for appeal in the Bill and to allow the merchants to appeal to civil courts and to the Sales Tax Appellate Tribunal to get redress against any unreasonable assessment of Commercial Tax Officers.

"Sir, I have no time to go into the several other provisions of this Bill, but so far as I can see, I should like to bring to the notice of this House one important effect of this Bill. Sir, this Bill will raise the price level of commodities in this Province. People are already suffering under high prices. Rise in prices in combination with the unhealthy inflationary spiral is eating into the very vitals of our economic life in this Province, and any further increase in the price level will certainly spell disaster. Sir, it is very well-known that the economic prosperity of any country depends upon the price-level of commodities which are necessities of life. The Government must therefore see that they avoid introducing any measure which will disturb the price level. When once the price level is disturbed, it results in opening up several chains of reaction. When prices of commodities go up as a result of this Bill, the wage-earners will cry for more wages, and people with fixed incomes, like the Government servants will clamour for more pay. Already we are hearing that the Government servants of the Secretariat have passed a resolution for direct action. Sir, as a result of this Bill, there will be increased agitation and in that way, the vicious circle will start. If I can bring in a comparison, it is almost like the breaking of an atom. When once you break an atom, it results in creating chains of reaction and ultimately it will end like the fate of Hiroshima and Nagasaki. Sir, I am not trying to frighten people. I am only telling you the natural corollary of a measure of this kind which will ultimately disturb the price level of this Province. In spite of heavy price control in a country like the United Kingdom that the cost

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of living index has not gone beyond 50 or 60 points, whereas in our unfortunate Province we have reached the index level of 275 points. I would therefore request the Government not to bring in this measure, the effect of which will be a further increase in the price level.

"But the question is asked, 'If you are not agreeable to a measure like this, why don't you suggest an alternative source of revenue?' Sir, my hon. Friend behind me says that it is not our duty. No doubt, it is not our duty to suggest alternative source of revenue. But one thing I have got to bring to the notice of the Members of this House and that is that this measure is brought in, in the wake of the extension of prohibition in this Province and we, as a party, have supported that policy. Therefore, to some extent, it becomes our responsibility also to indicate some alternative sources of income to meet the loss of revenue on account of prohibition. I am not going to say, as an hon. Member said yesterday 'Stop prohibition.' I will be dishonest to myself and dishonest to my party and dishonest to the noble ideals of my faith if I say 'Stop prohibition.' I say, 'Proceed with prohibition and make the whole Province dry.' Then if you ask me, 'How are you going to fill up the gap that has taken place as a result of the loss of excise revenue,' my answer will be this. Sir, I think, after all the position is not so hopeless. The Hon. the Finance Minister said yesterday that our estimated income from this tax is about Rs. 6 crores. That is to say, about Rs. 50 lakhs every month. But if he can correctly read the cost of living index, and the revenue from this tax, I can assure him that before the end of the financial year, it is not going to be Rs. 6 crores. He can compare the revenue from the sales tax that the department has collected last month, this month and what it will collect next month. He will find that every month there is an increase and before the financial year is over,—and if the cost of living index which has shown an increase in recent times is correct—our income is not going to be Rs. 6 crores, but more than Rs. 6 crores. I am sure, it will be somewhere in the neighbourhood of ten crores of rupees.

"Then, Sir, there is the question of the Revenue Reserve Fund. You have got now Rs. 23 crores invested in the Government of India securities, and this, the hon. Members on the other side say are going to be utilized for postwar development schemes of the Government. Sir, I tell you, it is useless to undertake any postwar schemes or embark on any postwar enterprises at a time when prices are very high and when there is such an unhealthy inflation in this country. Whatever money you are going to spend on such schemes is going to be a clear loss to the Province. Therefore, Sir, do not go anywhere near the postwar development schemes, so long as the price levels are high, and the inflationary tendencies are on the highest. When prices come to the normal, and the inflation stops, then is the time for the Government to take up those schemes.

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"Sir, people have criticised the past administrators,—I mean the Advisers' regime. But they have left a legacy for you, a legacy from which you can draw and spend and even enforce prohibition throughout the whole Province. It is not so hopeless as the Hon. Finance Minister thinks or as some hon. Members on the other side think.

"Sir, there is another source of revenue also. If I make a reference to that, hon. Members opposite will say 'No.' You had that as your symbol at one time when you were fighting for the political freedom of this country. But after you have attained independence, that symbol has ceased to have any significance—Sir, I mean, the Salt Duty—the abolition of which was one of the planks on which the Congress fought the battle of freedom. As soon as the Congress assumed power in the Central Government, they abolished the Salt Duty. Sir, have you by that measure, brought relief to the poor masses of this country? Do you know, how the salt is selling in the various village parts? It is selling at a much higher cost than it was selling, when the Salt Duty was on. Sir, let the Hon. Finance Minister fly to Delhi and sit at the feet of that great Saint of Wardha and tell him that the abolition of the Salt tax has not in any way brought down the price of salt, that it need not hereafter be a symbol for the freedom-fight as it has been in the past, and seek to include that tax in the Provincial list, so that he might have the freedom to collect the tax. Sir, I tell you, it is a wonderful tax, and a beneficial tax that should be in the armoury of the taxation measures of any Government. (A voice: 'It is taxing the poor!') It is not a poor man's tax, Sir, as I have shown just now. By removing the salt duty, have you benefited the people? You have not. The people are now spending more money on salt. I say let us have the salt duty; but let this be included in the Provincial list; let it not go into the Central list or any other list. Let it come to the Provincial list, so that we may have it as a potent instrument, a wonderful instrument to create revenue resources in this Province.

"Sir, these are some of the suggestions I have made. If only the Government can calmly think over this matter instead of simply getting frightened about wrong figures, they can easily find other sources of income. Therefore I say you need not flog a dead horse. People are already suffering under the rising prices; and if this amending Bill becomes an Act and comes into operation, it will increase the price level and people are going to suffer. They will simply groan under the growing tax burden. The sales tax is a goose that lays golden eggs; but let us not be so greedy as to try to increase the production of the golden eggs and meet the fate of the greedy possessor of that goose. Therefore, Sir, I appeal in the name of reason, in the name of the poor people of this country, not to bring forward this measure at this hour. And after all, what is the amendment moved by my hon. Friend Mr. Natesan? He simply wants it to be sent out to elicit public

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opinion. I do not think there is any hurry in regard to this matter. You have got a big revenue reserve; you have got other sources of revenue too; there is no hurry; the whole world is not going to collapse tomorrow. The financial citadel of this Province is such that it will not fall down tomorrow. As students of constitutional history, we can easily learn something from the result of recent municipal elections. That must let you take the Bill to the people. We say, this is a Government of the people, for the people, by the people; why not then send this Bill to the people, because it affects every one of them, man, woman and child? Why should you think that with your great steam-roller majority in this House, you can pass this Bill and thus get more money? That is not the way of the Government of the people. Therefore, I request that the Bill may be sent for eliciting public opinion.

"Mr. Speaker, Sir, I do not think I need elaborate much more on some of the issues which I have raised under this amending Bill; I hope the Members that will follow me will shed more light on the provisions. I would most earnestly request the Government to circulate the Bill for public opinion and not simply take it to a Select Committee. And after all, what is the time you are going to give to the Select Committee? Will they have time to consider every provision of this Bill in the Select Committee? No. It may be the Hon. Finance Minister may call the committee tomorrow. [The Hon. Sri B. Gopala Reddi:—Only the day after tomorrow.] From tomorrow to the day after; looks like nothing more than a few hours. We are going to legislate for the whole people of this province; let the people be given some time to consider the Bill: there is no hurry. As I told you, there is not going to be an imminent financial crisis in this Province; therefore, let time be given. I once more make this appeal to the Hon. Minister for Finance and resume my seat."

* SRI PILLALAMARRI VENKATESWARLU:—"Mr. Speaker, Sir, it is a strange coincidence that the Members representing the mercantile community and the Members representing the poorest of the poor in the House have to meet at a point, only to go divergent in their reasons. In the speeches that have been made and in the speeches that we are going to make, we shall make clear our views and the angle from which we are going to oppose this Bill.

"Sir, the Hon. Finance Minister is very much obsessed with the idea of balancing his budget. He says there is on the whole six crores of deficit and somehow or other we must find it. He has himself said that, that there is no other source of getting revenue and that is why he wants to impose this sales tax. Let us carefully consider the history of this sales tax. It was an emergency measure introduced by the previous Congress Ministry under the leadership of Mr. C. Rajagopalachariar, the then Finance Minister. Even then, the people as a whole opposed this principle, because it hit the poor people. I was sorry to hear our Friend Mr. Varadachari, from the Congress benches, say that this

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will not affect the poor people at all. Perhaps he does not know the opinion of the poor; perhaps he has lost touch with the poor people. It is the poor that are going to pay this sales tax; at every stage it is the consumer that has to pay this tax and hence it must be opposed.

“ Another important factor to be considered is this: Against whom is this Act going to be applied? The incidence of taxation will be on the poor; the poor will be made to pay more. The Hon. Finance Minister thinks that if the sales tax is increased, he will get more revenue. That may be conceded, but all the same, even though you may get more revenue, you should not forget that the cost of living also will increase along with it. You already find the cost of living increasing day by day and you find the N.G.Os. and particularly the Secretariat staff demanding that the pay recommended by the Central Pay Commission be applied to them; and even if you adopt that, it will not be sufficient. Just because you are going to get some money from the poor people, that will not solve the problem. We must see how we can augment our revenues without increasing the cost of living. Our Finance Minister says there is no other source of income. But if he goes walking from the Parry's Corner to the Mount Road, he will find so many big business houses, which the Government could take over, the Buckingham and Carnatic Mills and other industrial concerns which also can be taken over by the Government to augment their revenues. It is the Congress Government that removed the salt tax very recently and at that time the whole country appreciated the move of the Congress Government. And now I am sorry and it is strange to see a Member from the Muslim League benches opposing this Bill but at the same time asking for the revival of the salt duty once again, when as a matter of fact the League Leader Mr. Liaquat Ali Khan as Finance Member was also a party to the removal of the salt tax. All the same, I consider the opinion expressed by the League Member here was his own and not that of the League. (An hon. Member: ‘Under pressure.’) Then probably the members of the League do not want to help the people. When Congressmen came into office, they removed the salt tax and that was the beginning of our National Government. We fought for it and we had it removed. And what was the underlying principle in removing it? It hit the poor people, every man, woman or child who earned had to buy salt and for that the person had to pay a tax. It was with a view to give relief to these poor people that that salt tax was removed; but now, what is the principle of the sales tax? Foodstuffs are being taxed at every stage. What we expected of the Congress Ministry was that they would be helpful to and bring in some other measure which would remove the Sales Tax and be in the interests of the poor people. The sales tax is not based on the principle of the ability to pay; it hits everybody and all people will be forced to pay. If you just look into what is happening in other foreign countries—let alone Soviet Russia—including the United States and Canada, you don't find the sales

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tax there. Even in France where it has been introduced, it is being opposed. Thus, in the end, we come to the conclusion that the principle of the sales tax is not good, that it is not in the interests of the people and that all people are opposed to the levy of this tax. I am not putting it from the point of view that it will be difficult to keep accounts and all that. According to the present Act, we can have recourse to courts; but even that provision is now being removed. I have however no grievance on that score. Even our coffee and tea are to be taxed, just because we have introduced prohibition. It is of course good you have introduced prohibition—we do support it—but it does not mean that you must hit the poor from another angle and that is what you are doing by this Sales Tax Bill. Instead of this tax, I suggest there can be a manufacturing excise duty from which you can get good revenue; at every stage of manufacture, you can hit the manufacturer. But why do you leave out the manufacturer, and why do you want to hit the poor people? As a matter of fact, it is the mercantile community that always supports the imposition of the sales tax; but here, because of the loopholes you find in the Bill and because the provision regarding going to court is being removed, the mercantile community is opposing this Bill; but, as I said, generally, the mercantile community and the richer section of the population always support the principle of the sales tax. If the mercantile community in this House oppose this Bill, they do not do so in the interests of the poor people. Knowing that this tax would hit the poor people, the previous Congress Ministry fixed it at one pie; but now it is sought to be raised to three pies and you are asking the people to pay more for their food, for their clothing and perhaps even for air and water you will ask them to pay. Now the Government employees are already asking for more dearness allowance and more pay being granted to them, and perhaps Dr. Subbarayan's police will take hold of them, resort to lathi charges and send them to the jail. If you want to avoid these things, you should not raise the cost of living. What I say is, do not resort to this sales tax. If you want more income, there is the Agricultural Income Tax which the previous Ministry brought forward; it was quite good; it can be amended in such a way that the richest landlords and the would-be going-out zamindars could be made to pay more tax. You can hit the rich people by changing the land revenue taxation system itself. It is not the policy of the Congress to hit the poor; but all the same you are trying to adopt that policy. I request the Minister to consider this point. I want to oppose the Bill *in toto*; there is nothing in it to be changed in the Select Committee. The public have already expressed their opinion; they do not favour this sales tax; and they will not favour it. The tax can be levied only if it hits the proper people. Had this measure been brought forward one or two months ago, before the municipal elections took place and had it been mentioned in the election manifesto, the people would have demonstrated how they re-acted to this measure; the public would have given a straight answer to your

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question; but that was not done. The public have not been told that a Bill of this nature was going to be introduced. The public would support other measures in your programme, but not this. With these words, I oppose the motion for reference to the Select Committee."

12-45
P.M.

* SRI V. I. MUNISWAMI PILLAI:—"Mr. Speaker, Sir, I rise to support the motion of the Hon. the Finance Minister for referring this Bill to the Select Committee. Sir, in a matter of this nature, I thought the whole House would be unanimous to support the increase that has been suggested in this Bill, knowing full well for what purpose this Bill has been placed before this House. In the year 1938, when the main General Sales Tax Bill was on the anvil of this Assembly, I know, as a matter of fact, that all parties in this House were one party with regard to the policy of prohibition in this Province. We all know, Sir, that the evil of drink has brought this country to wreck and ruin and it was given to the first Congress Ministry to take up this matter in earnest and to find out ways and means of augmenting the finances for this experiment. Sir, this Bill can be objected to if the Finance Minister has gone astray and has contravened all canons of public finances and taxation. But, I say, Sir, this is not a measure that was brought to harass the poor man or to enrich the middleman or to enable those black-marketeers to grow more fat. This is a measure intended to bring home to the poorest of the poor and the needy some consolation by avoiding the drink evil. It is with this main purpose that this off-shoot of the Madras General Sales Tax has been contemplated by the present Ministry. If it is said that the public opinion of this Province should be sought in this matter, I must say without fear of contradiction that the poorest of the poor will contribute and do so with pleasure to augment the finances of this Province by this small taxation in order that the drink evil may be wiped out. Those of us, Sir, who have seen the great enthusiasm that was prevailing in this Province during the first week of October 1947 when eight districts of this Province were declared dry know as a matter of fact that a great mass of the poor people of this Province were ready to take up this celebration in unequivocal terms. They were prepared to go further and pay this additional tax rather than allow the devil of drink to remain in their own places.

"Sir, I do not find the reason why the representatives of the people in this Assembly should stand up and say that this is not a measure helping the poor. The poorest of the poor have come forward and told in unequivocal terms the benefits of prohibition. We know, Sir, what the evil of drink has been in this country and it was given to Mahatma Gandhi and the Congress High Command to bring this constructive programme into our land and that programme is now being implemented.

"Sir, going to the very objects and reasons of this Bill, we find that the increased rate is after all on luxury articles. It is not the poor that are having all these luxuries and so they will not

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feel the burden of this tax. They have been poor for several decades and now we are trying to reconstruct our society and to bring home some salvation for the economic depression that is prevailing in our country to-day.

"Yesterday, my hon. Friend, Mr. Kothari, was speaking about tea and coffee being brought under the purview of this Bill and he has told us that the poorest of the poor have been taxed. I may tell him the reason why many coffee estates and tea estates have changed hands. At what rate? I know, Sir, that the price of a coffee estate or tea estate was about Rs. 10,000 previously. But now for the same estate one lakh of rupees is paid. Why? Because, the man who purchases it again sells it to another dealer and thus it is changing from one hand to another and thus the owners of the estates have made enormous sums of money. But, what about the poor labourer who is working in the coffee or tea plantation? He is leading the same old life. Where a pound of tea could be manufactured at seven annas, when it comes to the consumer's hands, it costs as much as Rs. 2. Who is responsible for this? It is not the poorest of the poor who toil day and night in the tea plantations unmindful of the weather conditions. The man who purchases the estate pays the labourer a wage which is not in conformity with the high profits which he has made in the transaction and thus the poor labourers are hit hard. I find in the Bill that has been presented to us, the Hon. the Finance Minister has included in notes on clauses, sub-clause 2 (i), not only coffee and tea but also agricultural produce. Well, Sir, I entirely agree with him for taxing coffee and tea at the original source. But, what about other agricultural produce and why they should be included. I would like the Government to say definitely what are the agricultural products that are intended to be taxed. I may tell the Hon. Minister that the House must be taken into confidence before bringing any agricultural produce within the purview of this tax and I hope he will do so. I know, Sir, as a matter of fact, some time back, there was a proposal by the Government of this Province to bring in an Agricultural Income-tax Act but fortunately it has been given up, knowing full well the circumstances under which the agriculturists are carrying on their industry at present. Another important fact I find in the Bill is the introduction of section 8 bringing compulsorily all dealers within the purview of the Act. I welcome it, Sir. There are many dealers who go scot-free without any taxation because they pass off in some sources as growers and in some other sources as consumers. So, it is a very good provision. It will not only increase the revenues of this Province but also will help in putting down effectively the black-marketeers. Compulsory registration of dealers is most essential. Another important feature that I find in clause 9 is that statutory provision is made for the exercise of powers by authorities other than the Board of Revenue. I entirely agree with the Hon. the Finance Minister that there ought to be a body other than the Board of Revenue for the exercise of such powers. As we know, the Board of Revenue is only a fifth wheel in the

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coach of administration of this country and its powers are in very many cases abused. I know as a matter of fact, the intention of the Government is to consider the opinion of the representatives of the country. Recently in the matter of export of potato to other countries the Board of Revenue has gone out of their way and advised the Government on certain matters which are not really in the interests of the country. I feel, Sir, that this amending the General Sales Tax Act, whatever may be the views expressed by some of the hon. Members of this House, will be helping the poorest of the poor and will not affect them because they know full well for what purpose the Government has come forward with this legislation."

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—

"Mr. Speaker, Sir, at the very outset, let me congratulate the Finance Minister not so much for introducing this measure but for his speech. I was very much disappointed, Sir, as well as other hon. Members on this side of the House because it is a very important measure, the full implications of which cannot be fully gone into as the Government are more or less hurrying the matter. So, we may not understand to-day its effects or its actual implications. Again, when it is passed into law so many practical difficulties will arise with regard to its working. In fact, Sir, the Finance Minister in his speech accepted the fact that this Bill is being introduced with a view to meet the heavy deficit consequent on the introduction of prohibition in 16 districts this year and in the remaining districts in the coming year and said that such a measure is quite necessary. Well, Sir, I do not claim to be an expert on financial matters, but as time passes on, we may learn the full implications of this measure. I may also state that it is not a good policy to bring in financial measures now and then simply because the Government want more money. I do concede and the House will concede that the Sales Tax is one of the methods of augmenting the revenues of the Province, but, the question arises whether the sales tax is the only tax whereby Government can get more money. Government should try to bring in legislation for fresh taxes. Before you introduce a tax, you must know the real scope of the tax; if you know its real scope, then you can go ahead with it. But you cannot go on increasing the sales tax saying that you want more money. You cannot simply increase the tax on luxury goods to a maximum of two annas. Well, Sir, a number of speakers have dealt with this point, particularly those who are representing here, the trade and commerce in this Province. I do not like to take much of the time of the House but this much I will say at this stage that a measure like this which is intended to increase the sales tax up to two annas will affect greatly the purchasing power of the people because it is not at one stage the tax is levied but it is levied at a number of stages so that ultimately, the tax will work out to 10 or 15 per cent of the cost and in the case of luxury goods, it may even be 100 per cent. Therefore, Sir, I feel that the Finance Minister should have thought seriously before introducing this legislation.

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"Now, Sir, with regard to the amendment of my hon. Friend, Mr. Natesan, I entirely agree with him, and I support his amendment. He made a request more or less to the House and particularly to the Finance Minister that as this is a very important measure affecting the public, and the trade and commerce of the country, they may be given a chance to consider its implications and to give their views in the matter. There is nothing wrong, Sir, in asking for some more time so that we may have the opinions and the views of the interests which are affected by it. Incidentally, I may mention that there is already a controversy going on both in the press and in the platform about the zamindari legislation. So, it will be really more helpful in a measure like this to wait so that the Government may have some idea of the public feeling in the matter. It is not a very big thing for the Finance Minister to allow this Bill for circulation for eliciting public opinion. After all, it will be a matter of one or two weeks. As I have said on more than one occasion, whatever is said by members on this side of the House it is not going to have any effect on the members of the Treasury Benches. Because, they can hope to pass any legislation; they have a very big majority and with that majority they can pass any piece of legislation. I was very much surprised to see my hon. Friend Mr. K. Bhashyam going to the rescue of the Hon. the Finance Minister and supporting him for sending the Bill to the Select Committee. He said, there is no necessity for circulating it for public opinion; we are going to sit in a Select Committee; we can consider these things there. I do not like to talk disparagingly of him but we know what the Select Committees are. In a committee of about 15 or 20 members, about five are from the Opposition out of which, one will be from the European group, two or three from the Muslim League and so on. So, it is a question of majority even there and the Hon. the Finance Minister as the convener of the Committee will have his final voice in the matter. So, Sir, even in the Select Committee also, things are going to be decided by majority and minority. Therefore, we do not think there is much scope for us to improve the Bill when it goes to the Select Committee. Even while the amendment of my hon. Friend, Mr. Natesan, that the Bill should be circulated for eliciting public opinion is being discussed, the Finance Minister had said that the Select Committee is going to meet day after tomorrow. (The Hon. Sri B. Gopala Reddi:—The hon. Member said tomorrow and I corrected him.) It does not matter much whether it is tomorrow or day after tomorrow because it is a matter of twenty-four hours. Therefore, Sir, when we are still pressing our amendment that the public should be allowed to have their say and those interests concerned might be allowed to have their say, the Hon. Minister has not given out his intention, perhaps he has decided on the matter that the Select Committee is going to meet day after tomorrow. Therefore, all our speeches and appeals are nothing but a sheer waste and I say the Select Committee may not after all help us much in this matter.

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“ Well, Sir, the Hon. the Finance Minister in the Statement of Objects and Reasons admits that this increased taxation is necessary because he has to meet the deficit consequent on the introduction of prohibition.”

SRI V. I. MUNISWAMI PILLAI:—“ Sir, I find some non-members inside the House.”

MR. SPEAKER:—“ Order, order. There is a non-member inside the chamber. I do not blame the non-member who entered the chamber but I do blame the member who brought him inside the House. I want to know the name of member who brought the non-member into the House.

“ Mr. Raza Khan may continue his speech.”

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“ I was saying, Sir, that the Hon. the Finance Minister wants to increase the tax for meeting the loss consequent on the introduction of prohibition, but there is another spokesman of the Congress benches who is both an official and a non-official, I mean my hon. Friend Mr. N. S. Varadachari who says it is not so, prohibition or no prohibition we want to realise more from taxation because there is so much elasticity in this Bill. What that elasticity is, he alone knows and I do not understand what he means by it. I say to him also that it is wrong in principle to think that there is elasticity and so taxation can be increased without knowing its implications and how it is going to affect the masses. There is no doubt that this taxation is going to fall ultimately on the masses whatever arguments may be adduced against it. You may say that as regards the luxury goods it will be the rich people who may buy them, but there is nothing in the Bill indicating the articles to be taxed and you have not included in the Bill any schedule to this effect. Tomorrow you may include any article you like. The Hon. the Finance Minister has not stated, these are going to be the luxury goods that will be taxed up to the maximum of 2 annas but he was kind enough to say that the House will be given a chance to know what items are going to be included in the list.

“ Then, Sir, if you go through the debate, in the year 1938-39 when this measure was first introduced, the then Prime Minister said, it was just to meet the deficit consequent on the introduction of prohibition that the measure was brought forward. But, Sir, you have to remember that at the time the whole income from Provincial Excise was only some 4 crores. The Hon. the Finance Minister cannot now say we are losing 16 crores out of Excise. Somehow the rates have increased and more people have got addicted to drinking and consequently the revenue has increased and you cannot therefore calculate on the basis that because there is a deficit in excise revenue it has to be met by this taxation. If the Finance Minister can get by way of this sales tax at least 8 crores he can have complete satisfaction.

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“ The other point that was referred to in the speech of the Hon. Finance Minister was they were getting a sum of 22 lakhs from the Government of India. You know, Sir, we were the first to levy this excise duty in our province but that was taken away by the Government of India. After all what is it that you get from the Government of India? It is only 22 lakhs as stated by the Hon. the Finance Minister. I was told that the northern districts of our province, particularly the Guntur district, is giving crores to the Government of India because tobacco is grown more and in a larger area in that district than in any other district, but after all we get only 22 lakhs. In this connection I want to bring to the notice of the House that when members of the Opposition put questions, the reply that is given is, well, you want prohibition—of course members of the Opposition and the Muslim League are one in demanding prohibition—why don't you suggest some other alternative means for finding finance for it. I am not retorting when I say, it is not our concern, you are ruling the province and you are now on the Treasury Bench and it is your duty to find ways and means and if you cannot find any alternative means, you may quit and allow some others to take your place. You cannot simply put the question to the Opposition to suggest alternative proposals. We are not here to teach you and it at any time you deserve teaching we will do but not now. Incidentally Sir, my hon. Friend, Mr. Majid, who is also a business man referred to the salt tax and said that it has not helped the poor man and my Friend Mr. Venkateswarlu would not accept even the salt tax. My Friend, Mr. Venkateswarlu, who claims to represent the masses, of course with all the ignorance (Laughter), he should know that after all the salt tax has not helped the poor man and it was only on sentimental grounds that you raised the objection against the then foreign Government. So, Sir, even in regard to this small commodity, salt, actually speaking, the poor man does not pay more than one or two annas. Therefore, it is not going to be a big burden on him compared to what is going to be the case on account of increase in sales tax. Sir, there is another aspect of the question in regard to the salt tax. Now salt is being sold in the market at three times the price that was obtaining before. It is said that the Madras Government have issued a notification to the Collectors of districts in regard to the fixation of price of salt. Whether there is control or no control, I say it is the merchants who indulge in black-marketing, and they know how to circumvent the rules and regulations that may be made, while the poor people will be forced to pay heavily for salt. Therefore, I endorse the views put forward by my hon. Friend, Mr. Majid, that there is nothing wrong in your approaching the Government of India and telling them the difficulties experienced by the people of this province in the matter of salt tax. After all it is a mandate of the Congress High Command or Gandhiji that we should enforce prohibition. Sir, it is our province that is leading the way in this matter and in no other province we find prohibition introduced in three-fourths of the province except in Madras and therefore the Congress High Command and Gandhiji will agree to our proposal, but it is a matter for our Hon. the Finance Minister to decide and agree.

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"In regard to the various clauses in the Bill so much has been said by previous speakers and I do not want to take any more of your time, particularly as this Bill is definitely going to a Select Committee. Of course, I do not depend on the members of the Congress party on the Select Committee, because they have to be always in line with the Hon. the Finance Minister, but a greater responsibility is thrown on the members of the Opposition to see that they take into consideration the points that have been raised in the House and I am sure the Finance Minister will be helpful to them and be very considerate at least in the Select Committee stage as he appears to be now.

"In regard the other matter which most of the Members attacked, namely, on the right of appeal, I think it is necessary that it should be to the High Court or to a judicial tribunal. I do not know why the Finance Minister feels shy of it. My opinion is, it must be there. The original idea was to have a sort of tribunal so that the people affected or harassed may have redress from this tribunal. I do not blame all the officials, but there may be some officials who would like to harass the merchants or businessmen for some motive or other particularly when such an Act is put into force. For these people to get redress, which is the body? You cannot go to the Board of Revenue, as was rightly said by Mr. Batchelor, they cannot be judge and jury at the same time and that therefore there should be some other body. I think it is time the Hon. the Finance Minister concedes the point about the setting up of a tribunal. I think, the Board of Revenue is not at all agreeable to this . . ."

THE HON. SRI B. GOPALA REDDI:—"He is entirely mistaken, Sir."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"If I am mistaken, Sir, I hope the Hon. the Finance Minister will at least agree to my proposal.

"Sir, I do not like to take much of your time . . ."

MR. SPEAKER:—"You have already taken much time."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"In conclusion, Sir, I would appeal to the Hon. Minister for Finance and the other members of this House to accept the amendment of Mr. Natesan for circulation of the Bill for eliciting public opinion."

MR. SPEAKER:—"I request hon. Members not to repeat the arguments previously advanced. I fix ten minutes for each speaker."

SRI T. VISWANATHAM:—"అక్షర, ఆ దృక్పథం . . ."

MR. SPEAKER:—"I cannot compel the hon. Member to speak in English. Section 85 of the Government of India Act has been repealed. Though I cannot force the hon. Member to speak in English, it will be appreciated if he could speak in English."

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SRI K. R. KARANTH:—"Sir, with regard to motions on the Budget, I could understand fixing time-limit on speeches and there are rules provided for the Speaker to fix a time-limit. I could also understand that Members should not repeat arguments, but in the matter of Bills no such rule regarding time-limit exists in any legislature. I would like to know the rule under which you, Sir, fix the time-limit."

MR. SPEAKER:—"At any time the Speaker can point out repetition and fix time-limit. Can you find out the rule, and you were a Minister in the last Ministry?"

SRI K. R. KARANTH:—"I might have been a Minister in the last Ministry and you might be the Speaker now. These are irrelevant. I would like to know what are the rules empowering the Speaker to fix the time in the case of Bills."

MR. SPEAKER:—"If there is repetition, the Speaker is at liberty to fix a time-limit and bring to the notice of the Member that he is repeating the same arguments. It is not only in regard to the general discussion of any Bill but at any stage of the Bill it is open to the Speaker to do so."

SRI K. R. KARANTH:—"Repetition can always be stopped but when a Member speaks for even six hours on a Bill he cannot be stopped."

MR. SPEAKER:—"According to rule 64 (1) of the Assembly Rules, 'no Member except a Member of Government or the Leader of the Opposition or a Member moving a Bill or a no-confidence motion in the Ministry or a particular Minister shall speak for more than 30 minutes'. If the hon. Member Mr. Karanth refers to rule 64 (2) he will find that the Speaker may, by general order, prescribe a time-limit for speeches on Bills or resolutions or amendments to Bills or resolutions, or on adjournment motions under rule 36. So, I am right in fixing the time-limit."

SRI K. R. KARANTH:—"I am sorry, Sir, I am mistaken."

SRI T. VISWANATHAM:—"With reference to what you have just said, Sir, I have to make only one submission. When we have thought it right to speak either in our own language or in the English language . . ."

MR. SPEAKER:—"I appeal to the good sense of the hon. Member to speak in English. Of course, I cannot force him, as I said before, to speak in English."

SRI T. VISWANATHAM:—"I am only submitting to you, Sir, whether if I have to speak in one language, I should stick to it always."

MR. SPEAKER:—"That is not what I said. I appeal to you to speak in English so that all members may understand."

SRI B. S. MURTHI:—"Can a Member speak in English now and in the evening speak in Telugu?"

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MR. SPEAKER:—"I have already informed the House that section 85 of the Government of India Act has been withdrawn and so I cannot force any Member to speak in English. You can now speak in any language you want to. If a Member is well-versed in English he can speak in that language, if not in his own language. For instance, some Members may speak in English when putting questions and if they cannot make long speeches in English, I have no objection to their speaking through the mother-tongue."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I would like to know, Sir, whether a Member can speak in one language at one time and in another language at another time."

1-15 P.M. MR. SPEAKER:—"If a Member can deliver short speeches in English, he can do so, but, on the other hand, if he finds that he cannot make long speeches in English, he can speak in his mother-tongue."

* SRI T. VISWANATHAM:—"I thank the Speaker for enlightening me on the subject that we can speak in any language that is convenient and not stick to one language alone."

MR. SPEAKER:—"This is because that the relevant section has been changed."

* SRI T. VISWANATHAM:—"We are thankful for this ruling, Sir. Anyway, now after this discussion I am also anxious that I should be understood by all persons. I thought in the first instance that because the Minister in charge is a Telugu Minister and the points which I want to address are particularly addressed to him, although, of course, most certainly to all the Members of this House, but in particular to this Minister, I thought I could speak in Telugu. That is all. I do not like to take much time of the House, on this point, Sir."

"As soon as this Bill was placed in our hands the first thing that attracted my attention was the new section 16-A, 'which specifically prohibits civil courts from entertaining suits to set aside or modify assessments of tax, etc.' It attracted my eyes and it has attracted the eyes of several other persons. Now-a-days, Sir, a fatal tendency has overtaken the legislatures not only in India but throughout the world and that is to oust the jurisdiction of civil courts in all matters. It is not a good tendency and I do not like that a Government run by Congressmen in this Province should be a victim to that tendency. Civil courts are very necessary to keep guard against all injustices that are likely to be done by the executive. Particularly when the Government commands a very large majority, the responsibility on the Government is much greater and it is a very healthy practice of leaving important matters for decision by the civil courts and this should be adhered to. This is my respectful suggestion to the Minister. After all he has not given any specific reasons for this denial of

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jurisdiction to courts, but during the interpellations it was elicited that the collection of some 60 or 70 thousands of rupees was not made possible because civil courts set aside this assessment. If that is the reason, I submit, Sir, it is not an adequate reason at all. Were the sum to be collected is nearly about five or six crores a year and a civil court stands in the way of collection of an assessment of Rs. 70,000 and even if it is six or seven lakhs, it is not a sufficient ground for the Government to think that the civil courts are coming in the way of realisation of the revenues of this Province. Section 16-A not merely prohibits the jurisdiction of the civil courts but even of the criminal courts. The court is prevented from deciding whether he is a criminal or not. The question whether he is liable to such assessment or not and the validity of such assessment cannot be questioned in the court. It is something like saying that I will introduce a legislation by which one can enter another's house and take whatever property one can lay hands on and collect the tax. There is no remedy provided for the aggrieved man, either at the time of prosecution or when he wants to litigate on a question of law. This is not a provision which should have really emanated from the draftsman representing the Congress Government and I respectfully submit that it must be dropped. I think the Select Committee in which I have got belief unlike our Friend, Mr. Raza Khan, will certainly attend to this and help the Finance Minister in drafting a good piece of legislation which will not be considered as a Nazi piece of legislation but a decent and honest piece of democratic legislation.

"In the statement of Objects and Reasons it is stated that a number of representations were received by the Government to amend the Madras General Sales Tax Act, 1939, so as to make its administration less burdensome. I do not know to whom. Now judging by the clauses it is made very much less burdensome to the Executive, because there is no right of appeal, there is no right of questioning and when prosecuted you cannot say anything in a court of law and, therefore, it is less burdensome to the Government, but surely that was not the object of those representations. There is a great deal of complaint in the whole country that these assesses, particularly the middle-class ones, and petty merchants are harassed like anything by the officers of the Sales Tax Department. I personally know of several cases and if I have not brought individual cases to the notice of Government, it is only because of the fact that in a big country there are so many places where so many officials have been harassing assesses—they have been accustomed to this method and this has been going on for the last six or seven years—it is, therefore, impossible to draw the attention of the Government to this particular case or to that particular case. The Hon. Finance Minister comes from the people and he knows the sufferings of the ordinary merchant classes and the petty merchants who have to maintain accounts in 100 different forms and added to that there is this differentiation sought to be introduced as regards articles even within the limits of the turnover the distinction between the luxury articles and the non-

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luxury articles. Of course, there is a complaint and a legitimate complaint that we do not know what articles are "Luxury" ones and what are not. What were not luxury articles during pre-war days may be luxury articles to-day. Some articles may be considered luxury articles by some persons and possibly articles of necessity by others. It would have been very nice of the Finance Minister who is generally a courteous and good man to have given a list of these articles to the Members of this House. I do not know how he missed that. He probably thought that this legislation being draconian in character that it did not matter if the list was not given. Is he not aware that no notification will come into effect unless it is placed before the House? When is he going to come with this list? Is he going to come with it after the Select Committee stage? Is he going to have another session for this? In a finance measure, of course, we cannot have a prolonged discussion of these things and we cannot leave this Bill hanging for a very long time. It would have been very wise if he had given us also that list. I would like to appeal that at the Select Committee stage he would make it possible for the Members to know what those articles are so that they and then the House may have an opportunity to discuss as to what are luxury articles and what are not. Apart from that, I would point out that when he is trying to distinguish between luxury articles and other articles in the case of merchants whose turnover is below Rs. 20,000 and all that, it will only lead to further complication and further harassing of assesses in this country. Is it because of his anxiety to fall in line with the modern economists who write that luxury articles should be taxed more than the other articles and to follow the modern way of thinking that he has brought in this legislation? When introducing this differentiation in taxation the condition of the country should have been taken into account. Already the merchants and petty merchants are being harassed. They are not able to keep pace with the new forms the Board of Revenue are supplying to them day to day. They are not able to keep pace with the different interpretations given by Sales-tax Officers which vary from district to district and now with this differentiation of articles their troubles will surely increase. I do not want to repeat what others have said.

"On two things I feel very strongly, i.e., making the administration of this sales-tax burdensome to the tax-payer and this new clause, section 16-A, and I thought it was right and proper that I should place these before this House and before the Finance Minister for their consideration."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, it should be conceded that after the introduction of prohibition money must be found for making good the loss sustained. The Government have got a very strong case as far as that goes and when we in the Opposition oppose this measure it should not be misunderstood that we say that the Government must not find money because it has lost several crores on account of the prohibition

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which everybody welcomes and even hon. Members on our side welcome. Therefore, when we criticise this measure it is done in a very helpful way. I wonder whether the Finance Minister knows the implications of this measure for which he is responsible. What is going to happen if this measure is passed? It must be obvious to everybody that there will be rise in prices and that will lead to the increase in inflation. Inflation is the result of more circulation of money and so when prices rise that means more circulation of money and inflation ensues which every Government should try to check. The Finance Minister who is expected to know the implications of the rise in prices ought to have hesitated before he introduced this Bill. Sir, is he really helping the people by introducing this measure? This new measure will permit taxation from three pies up to two annas on articles to be secured. One important thing to be remembered is that it is not a tax on income, but it is a tax on turnover. We have no objection if this Government increased the tax on income. That will be helpful in putting down inflation but in the case of an increase in the tax on turnover there will be inflation. I wish, Sir, that the Finance Minister knows that point and unless he thinks inflation is not injurious, which I am sure he won't, he ought not to have introduced this measure which will result in inflation. In this connexion I have to refer to Mr. N. S. Varadachari's remarks which are very sound usually but to my great surprise he stated that they wanted to raise the standard of living of the people by this tax. Is this the method of raising the standard of living, Sir?"

MR. SPEAKER:—"The hon. Member may continue his speech after lunch. I now adjourn the House to meet again at 2-30 p.m."

(After lunch—2-30 p.m.)

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I was saying, Mr. Speaker, that every pie of increase in prices by means of this measure will be responsible for increase in inflation, while increase in taxes on income will be a check on it. You might have remembered the Hon. Finance Minister saying that he could not tax people on the basis of their incomes. At the time when the Government of India Act was introduced, they did not foresee that a very important source of income namely the Abkari income, will be interfered with by the National Government of India and therefore, it was included in the provincial list to be dealt with by the provinces. Now, Sir, you know that goes out an account of the policy of the National Government and I am glad to pay a tribute to the National Government; the Congress is doing one of the greatest service to humanity in India by introducing prohibition. Now as far as the incidence of taxation is concerned, it has changed and what is to be done? I know it is the opinion of several members representing the provinces in the Constituent Assembly that the lists should be changed and that many items of taxation should be included in the Provincial list. It is up to the Finance Minister and the Members representing this Province in the Constituent Assembly as well as other provinces to urge

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upon the Central Government to include many more items of taxation in the Provincial list. That should be how they should work. As the Finance Minister of this Province, he ought to recognize the implications of the enhancement, namely increase in prices and he and the other Members of the Constituent Assembly must urge upon the Central Government that more sources of income should be made available to the Provinces. That I say, is my answer to the Hon. the Finance Minister's interjection that he could not tax incomes. That is how he should proceed; or else, he will be doing a great harm to the people and your Small Savings Campaign and other methods by which you want to take away money from circulation, which came to stay as a result of war economy, will not be of much avail. I heard with pleasure the remarks of my hon. Friend Mr. Varadachari, for whom I have got the greatest respect and whose remarks have always been very sane, to the effect that the Government were going to raise the standard of living of the people. I suppose he did not give full thought over the matter. You want to raise the standard of living but on the other hand, you have got this which will help inflation; it is only when you can check inflation and put more money into the pockets of people and not by adopting this method, that you can raise their standard of living. It is by means of industry, both agriculture and other industries, that you can bring more money into your province from outside; it is by increasing the wealth in this presidency that you can raise the standard of living of the people in the country. I submit, therefore, that this is a very wrong method and runs counter to your efforts for checking inflation. I, therefore, appeal to the Hon. the Finance Minister to consider this problem and it is not a small problem—it is not a question of merely getting some money to run the Provincial administration or to cover the gap caused by the introduction of Prohibition; it strikes at the very roots of the finances of the provinces—I appeal to him to consider this problem as an enlightened person, and that is why this portfolio of Finance has been entrusted to him and see whether it does not add to inflation and affects the welfare of the people of this country. It is not a small matter given to everybody to think and ponder over—the common man does not know its implications and most of us may not know it—as the person in charge of the finances of the provinces I request him to look into the matter very carefully lest the ship of State should be wrecked on the rocks of inflation. It is a very important point and I believe he will give his consideration to it."

MR. SPEAKER:—"The hon. Member has already taken ten minutes."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I shall not take much time since you Mr. Speaker, have fixed a time limit."

"Does the Hon. Finance Minister realise at how many points cloth is going to be taxed and to add to it, yarn for the first time is going to be taxed. What does it mean? Even as it is, there is scarcity of cloth and it is being sold at very high rates and

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then it is going to be taxed at several points. I feel that this is a measure noted for its inhumanity. Even my hon. Friend Mr. Viswanatham, a member of the ministerialist party observed, we are asked to vote upon this Bill without knowing what are the articles on which you are going to increase your tax ranging from three pies to two annas. Is it fair on the part of the Government to ask us to vote upon this measure without knowing what articles are going to be taxed and at what rates. It is not at all fair on the part of the Government. We are in the dark whether foodstuffs, rice or paddy will be taxed. We do not know how the votes of this party would be cast as you have not disclosed to us what you propose to tax and at what rate.

"My last point is about the courts. As a person who has been having cases on behalf of the Government, I know much more about them than many others perhaps. You might remember this morning I asked a question whether the adverse decisions against the Government in these cases were responsible for the addition of a clause in this Bill saying that no civil court will have any jurisdiction in such cases. Do you deny the citizens of this country the elementary and fundamental right of seeking justice in a court against the actions of officials of yours of whom there are many—I will not call them dishonest—who are over-zealous and want to curry favour with the Government and they want to tax to the utmost and under the Bill once it is levied, he has no redress and the official once he levies will see to it that it stands. I do not blame them—they are good servants but it is at the cost of the people that they get you money. Is that fair? Are you not representatives of the people and should not the interests of the people be foremost in your hearts rather your revenue? I say that it goes against the fundamental rights of the people of the country. Though it will take some time for the Constituent Assembly to decide what our fundamental rights are, I am sure they will in conformity with rights enjoyed in other civilized Government and it will be a shame to a popular Government that such an act should remain on the statute book which denies people a right to go to court on a matter on which they feel they have been wrongly dealt with. It may be said there will be tribunals but tribunals are a poor substitute for courts. I ask why go to tribunals when we have got your courts; is it that you have lost confidence in your courts? No. It must be said to the credit of the past Government, the British Government, that they have tried to inculcate in us the respect for the rule of law. There may be many defects and for political purposes, they might have done anything but they always respected the rule of law."

MR. SPEAKER:—"I will give a minute more to the hon. Member."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I feel that section 16-A must go. As you, Mr. Speaker, have set a time limit and called me to order, I shall finish by saying that as the Finance Minister of this province, he ought to know the implications of this measure—lay men do not know and even his colleagues may

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not know them as he does and he ought to have hesitated before bringing in this measure; as a public man and as a man representing the people, he should have safeguarded the rights of the citizens rather than trample them under his feet by introducing the new section 16-A."

SRI A. KALESWARA RAO:—"Mr. Speaker, I rise to congratulate the Hon. the Finance Minister for having resolved to raise the Sales Tax."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information: The hon. Member must observe the one foot rule." (Laughter.)

2-45 p.m. SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I had the privilege of being the Parliamentary Secretary of the illustrious Finance Minister of the first Congress Ministry. (Voices from Muslim Benches: That was your misfortune!) It was then that an attempt was made as to what could be the taxes that the Provincial Government could levy, in order to make up for the loss that would accrue from the giving up of the liquor duties. Prohibition is a settled fact, and it would not be unsettled even by the voices of all the Opposition Members. (Mahaboob Ali Baig Sahib Bahadur: We do not oppose). Two great parties like the Congress and the Muslim League are pledged to enforce this great beneficial measure of Prohibition not only in India but also in Pakistan. Nobody on earth can come in the way of this reform. (Hear, hear). Therefore, when we have Prohibition for the amelioration of the millions of people of our country . . ."

SRI C. M. KOTHARI:—"On a point of information, Sir. May I know, Sir, whether Pakistan has agreed to introduce Prohibition in Pakistan area? My hon. Friend has been pleased to say that. I think there is no Prohibition in Pakistan area, nor has any mention of the same been made in any of the speeches of Qaid-e-azam Jinnah or anybody."

SRI A. KALESWARA RAO:—"I am sure, Sir, that all the beneficial things that will be done in India and whatever good things are done in Pakistan will be done in both the countries." (Hear, hear.)

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of explanation, Sir. Does the hon. Member know that there is already Prohibition in Pakistan and in whatever places Muslims are?" (Hear, hear.)

SRI A. KALESWARA RAO:—"Therefore, to enforce Prohibition and to make up the loss arising out of it, what are the taxes that could be levied? As we studied the principles of taxation that are observed in the various modern countries of the world, we found that there were four important taxes that were levied. There is the property tax which goes, in our country, to the municipalities and local boards. There is the income-tax which goes to the Central Government. There is also the inheritance tax. But death duties on succession to agricultural property

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alone could be levied by this Government. Then again, there are several complications, and therefore that has been given up. It is found that sales tax which is levied in various parts of the world—most of the countries of Europe and also all the States of the United States—has been taken up by the Congress Government as a suitable tax for the reason that it is an elastic one, and it can increase along with the prosperity of the country. As the purchasing capacity of the people increases, naturally and automatically it will give greater yield. That is one thing. The most important thing now is the tax is mostly levied on the people of the villages. Land revenue, stamp duties, forest taxes, registration taxes, etc., are the important taxes that mostly fall upon the people of the villages. We are now abolishing the alcohol tax. The sales tax is the only tax which will be coming from the middle classes of the town who do not pay much tax to the Provincial Government. This is a tax on particularly the middle classes and the richer classes, because they consume a lot of articles, and therefore they pay more. Poor people consume less. Their purchasing capacity is less, and therefore they pay less. As the purchasing capacity of the poor people increases, naturally the income to the State becomes more. Therefore, on these principles it was levied by the great Finance Minister of the day, and the successor Government is only following his footsteps. This is a permanent tax. The hon. Mr. Venkateswarlu, the member representing the Communist party, said that it was an emergency measure. No, it was not an emergency measure. The sales tax was intended to be there as a permanent measure. In several countries, the taxes are not uniform. There are taxes varying with persons, sometimes even to the extent of cent per cent, i.e., 25 per cent, 33 per cent, and 50 per cent, on various kinds of goods. It was for the first time, by the first Congress Finance Minister of the day, that a small per cent of general sales tax was introduced, i.e., half a per cent. Other Provincial Governments followed Madras. There was also an appeal to the Federal Court regarding this tax, but the Federal Court decided in favour of the measure."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information, Sir. I want to know what is the country which levies sales tax 100 per cent or 50 per cent. etc. The hon. Member should not include customs duties and other things."

SRI A. KALESWARA RAO:—"I have read the Sales Tax Act thoroughly, and have prepared a note on how the various percentages are working in various countries, e.g., in Spain, in France, in Czechoslovakia and in various states of the United States. (A voice: 'Question.') You may question me; probably you have not read, but I have read. (Laughter). I am certain that it began with half per cent. Then the Advisers' regime made it one pie in the rupee. Now it is one and a half pies, that is Re. 1-9-0 on every 100 rupees worth of goods. What is the difficulty now? Even now the mercantile community raises a hue and cry. They challenged us that the Congress members would

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not be returned again in the polls. We had to go and carry on agitation. Now there is calm in the country. It is for the first time the Opposition Members . . .

SRI C. M. KOTHARI:—"On a point of order, Sir. I would like the hon. Member to let me know the specific allegation. The allegation is made that the mercantile community challenged the Congress that if this tax was levied, the Congress would not come into power. I would like to challenge that statement. The trade never challenged the Congress Ministry."

SRI A. KALESWARA RAO:—"Sir, I know the things better, because my Friend has come newly into the Province of Madras. We had great trouble from Sami Venkatachalam Chetti, a Congress leader, but yet a great leader of the mercantile community of the City. He challenged. I then told him that as a Congress man he should not do that. I went from place to place, particularly to places where merchants are in large numbers. I know the things personally. Myself and Mr. N. S. Varadachari toured and explained . . . (interruptions and laughter). Everything is quiet now. For the first time, the Opposition comes and says 'send it for public opinion.' Public opinion is already settled. They are in favour of this sales tax. They do not grumble. (Voices: No, no). We know public opinion much better than the Opposition Members. Therefore, there is no use in saying no, no. The Select Committee will have to go through the Bill, and if there are any hardships or difficulties, they will be set right by them."

"Then, Sir, much is being made of tea and coffee. Many people are asking us 'why do you come and prohibit this liquor duty; why don't you ask middle class people to give up tea and coffee?' Of course, tea and coffee are luxuries. They have become common even in villages. The evil is spreading, and many doctors have written that they are not so good for the health. Yet, we are levying a small per cent on coffee and tea. On bullion also a very small per cent is levied. It is proposed to levy up to 12½ per cent on luxuries. Really, motor cars have to be taxed. Tobacco has to be taxed. Several of these things have to be taxed, and I am sure that Government will publish the list from time to time as they think of taxing more articles. With regard to hand-woven cloth what is the tax that is being levied? Only once it will be taxed. For a cloth of Rs. 12 value, only three annas and three pies will be levied. Will that ruin the trade, Sir?"

"With regard to the removal of jurisdiction from the courts, that is a doubtful point. The select committee may go into it. But I think circumstances have changed. Hitherto the courts did not belong to Government, but now all courts are under the jurisdiction of the ministry like the executive officers. Therefore, we should not think . . . (interruption). There will be justice only in courts. (Interruption). With these words, Sir, I support the motion that it should be sent to the select committee."

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* MR. H. B. WALFORD:—"I think, Sir, this debate would have provoked more constructive comment and criticism if hon. Members knew how this Bill would affect their constituents. As it is due to the fact that the notification mentioned in section 3, prescribing different rates for different articles has not been published with the Bill we do not know where we stand. We are told in the Statement of Objects and Reasons that it is the intention to tax luxury goods at a higher rate than essential goods. I would like to know on what advice the Hon. the Finance Minister is going to rely in determining what is and what is not essential. The social structure is so divided that what is a luxury for one person is certainly not a luxury for another and there is another point to be taken into consideration also in determining the rate of tax, and that is the number of times the goods changes hands before it reaches the ultimate consumer. This depends upon the custom of the trade in any particular class of goods. If you fix certain items at a certain rate, the ultimate tax levied will be completely thrown out of gear unless the custom of the trade is taken into consideration at the same time. Such a list of goods will be most difficult to compile and will be as complicated as the railway classification of goods which fixes freight in accordance with what each class of goods can be expected to bear."

"There is one other thing, which I would like to bring to 3 p.m. the notice of the House, and that is the assessment without warning and with retrospective effect from the 1st April of commission agents who are now to be brought within the scope of the Act under section 2. You will note, Sir, that section 15 provides that they should be taxed with effect from the 1st of April. I do not think that is fair. It is but one example of many defects that may be cited in this measure, all of which, in my opinion, go to show the need for full examination of this measure before it is brought on the statute book. I therefore trust that the Hon. Finance Minister will accept the amendment moved by Mr. P. Natesan."

* SRI K. ANANDAN NAMBIYAR:—"Mr. Speaker, Sir, I rise to oppose the Bill in toto; and the reasons that I give are different from the reasons already given by hon. Members on this side of the House. Because the Bill not only taxes the poor, but it is wrong procedure to do it. There is no reason why the ordinary man who purchases things needed for his daily consumption and his necessities of life should be taxed. Another most important aspect of the question is that it does not tax the rich, nor the mercantile community. It is for no such reason the mercantile community is opposing the Bill, not on the ground that it hits them, but on some other ground. In fact it does not affect them; it affects only the poor man-in-the-street. It would be a fair act of the Government if they bring in a legislation to tax the rich. I can understand the income-tax being increased: but it may be opposed on the ground that this is not a thing that the Provincial Government can do. I say, if the Provincial Government can't do that, let it press on the Central Government to see that the income-tax on the rich is increased and a share of it be given to

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the Provincial Government. Another point that can be done is that the Excess Profits Tax which was levied during war might be revived and the Central Government may be asked to pay a big share of it to the Provincial Government. The Provincial Government should bring pressure on the Central Government and get its approval to tax the rich, and there should be no alternative at all to it. There should not be an excuse saying that the Central Government alone has a power to tax the rich. I know the exorbitant profit that a mill manager gets to-day. You can see them earning crores and crores, and many a manager has earned in crores during the war, and there is no chance of taxing them. And if the Central Government can't tax them, then the only alternative is to nationalize industries. This will bring in crores and crores of revenue to the State coffers and will enable Prohibition to be worked with success. Therefore I fully concur with Mr. Venkateswarlu who suggested that this was a measure brought forward by Mr. C. Rajagopalachari as a temporary measure; and that it was not intended to be a permanent measure, and I differ from Mr. Kaleswara Rao when he says that Mr. Rajagopalachari brought it as a permanent measure. Therefore this Government should see that the poor is exempted from taxation.

"In this connexion I would like to make some observations on the remarks made by Mr. Majid and Mr. Raza Khan. They said that salt-tax can be increased instead. I say, it stands to commonsense, that if sales tax will hit the poor, the salt-tax will hit them equally, if not more."

SRI A. KALESWARA RAO:—"On a point of order, Sir. Is the word 'commonsense' parliamentary?"

MR. SPEAKER:—"Yes."

SRI K. ANANDAN NAMBIYAR:—"I submit there is no point in saying that the sales tax hits the poor but the salt-tax does not hit the poor."

"Another point I want to emphasize is that Mr. Majid said that there is 23 crores of rupees available with the Central Government to be given to the Provincial Government."

THE HON. SRI B. GOPALA REDDI:—"It is in the Revenue Reserve Fund."

* SRI K. ANANDAN NAMBIYAR:—"Mr. Majid has stated that Fund can be taken and utilized to meet the deficit resulting from the enforcement of Prohibition policy. I say, that Fund should not be touched; it should be utilized only for post-war reconstruction purposes. That Fund should be utilized for improving the standard of life of the man-in-the-street; more industries can be started; more factories can be opened and nationalization can be done in various fields and post-war reconstruction programme can be implemented with the help of this 23 crores. Therefore on that point I differ from Mr. Majid."

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"Another point Mr. Kaleswara Rao said is that this is a tax on the middle classes of the town. I ask him, who are they? Are they not also poor? To the middle classes of the town belong the school teachers, the non-gazetted officers and the ordinary man-in-the-street and in the bazaar. Are they to be taxed? And when they are going to tax them, how can the Finance Minister say that he cannot pay more salary to the non-gazetted officers, the Police constables and other low-paid servants of the Government. I am sorry Mr. Kaleswara Rao made that observation."

"Then the Hon. Finance Minister may ask, 'then where am I to find this money?' I say, my first suggestion is; nationalize textile industry, which will give you twenty crores a year. Then my second suggestion is: you had an idea of taxing agricultural income. There are big landholders, big mirasdars who can be taxed. The last Ministry suggested that all agricultural income above five thousand rupees may be taxed. Now let that minimum be reduced to two thousand or one thousand. If that is done it will add much to the revenues of the Government."

SRI N. S. VARADACHARI:—"Are they not middle classes; can they be taxed?"

* SRI K. ANANDAN NAMBIYAR:—"Yes, they are; they are an upper middle class; they are in a better position than the ordinary man-in-the-street. The Government should see they are taxed in time."

"On the question of eliciting public opinion, Mr. Natesan suggested that certain amendments should be brought in the Bill, and I agree with him in that. I must say if the public are allowed to give their opinion on this Bill, they will say that this Bill should be dropped, because no poor man can be taxed. I am prepared to take a ballot or even a referendum in this matter. I am sure, and I can say with authority, that the man-in-the-street will oppose this measure. Therefore with these words I support Mr. Natesan to see that public opinion is elicited. I suppose the Hon. Finance Minister will take into consideration the various suggestions I have made and the difficult position to which people will be reduced if the Bill is passed into an Act. Therefore I submit this Bill as such should be given up by the Ministry."

* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, I should like to make just a few observations on this Bill. In the first place I should like to make it clear that the members of my party are not unmindful of the requirements of the Present Government in regard to augmenting their finances. We are prepared to extend to the Government every possible support in the matter of raising more funds by all reasonable methods. But in their efforts to increase their resources the Government would do well to bear in mind two points: One is that they should not push forward legislation in a hasty manner; the other that they should see that the incidence of taxation does not fall on the poor. I find that there is a tendency in these days to rush through legislative measures but particularly in regard to a Bill such as this,

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which affects a large number of people it is necessary that public opinion should be elicited for which purpose an amendment has been moved. I may point out, Sir, that it is wrong for us sitting in this House to imagine that we voice the opinion and interpret the feelings of the public in toto in regard to all matters without consulting public opinion. It is imperative that we should ascertain public opinion in regard to vital matters affecting the interests of the citizens. We cannot lay the flattering unction to our souls that every act of ours will be welcomed, simply because we have been returned by them as their representatives. With reference to this Bill the Government would be well-advised to follow the injunction of that great seer Mahatma Gandhi, who has stated that the Executive and Legislature cannot afford to neglect public opinion, and that in regard to matters vitally affecting the people their opinion should be ascertained. I am afraid this measure will hit the poor for essential requisites of every-day life, like foodstuffs of all kinds are to be taxed and also cotton, yarn and even cotton woven on handlooms. Already handloom cloth with which we are expected to supplement our $5\frac{1}{2}$ yards ration of mill cloth, is expensive and after the passing of this measure, it will become costlier still. I find that even tea and coffee, which were exempted originally, have been brought within the ambit of this measure. Some might imagine that these beverages are drunk by the rich, but it is not correct, for both tea and coffee are popular among the poor as well.

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"Moreover, most of our politicians in the south are addicted to coffee—a beverage which according to Pope 'makes the politician wise'. (Laughter.) There can be no gain-saying the fact that both tea and coffee are drunk by the poor to a large extent, particularly in these days when the problem of food scarcity is so acute. Even a peon, even an ordinary labourer,—inspite of the fact that a cup of coffee costs As. 2 or As. 3—very often betakes himself to the coffee hotel, to quench his thirst. If the sales tax is imposed on tea and coffee it will further hit the poor man.

"Apart from this aspect, I may point out, that since the Government have undertaken the Prohibition Scheme it is essential that some substitute drinks should be made available at reasonable prices to those who have been hitherto addicted to toddy. In the words of Cowper 'The cups that cheer but not inebriate,' namely, cups of tea are a source of solace to the poor who have been addicted to intoxicants and if prohibition is to be rendered successful I think that some substitute drinks like tea and coffee should be provided for the poor at reasonable prices.

"Before the last war broke out, when I was in England, I noticed that though there was no prohibition in that country, the Temperance Movement was making much headway there in the matter of weaning away people from drink and that one of the methods whereby this movement was made a success was by provision of substitute drinks for those who were addicted to alcohol. To this end, a number of milk-bars had been opened up there.

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In the same way, I should like to suggest to the Government to provide milk-bars in this country in the dry areas. But this will not be possible in view of the insufficiency of milk in our Province. (Interruption.) Even milk powder is not available; besides milk powder will be costly as it has to be imported from foreign countries. I think, if prohibition is to be made effective, tea and coffee should be exempted from this tax. It has been stated that one of the main purposes of the imposition of sales tax is to meet the cost of prohibition. My point is that, if the Government are interested in the success of prohibition, they should not impose a tax on those beverages which serve as substitutes for toddy. I hope the Select Committee will give this matter due consideration.

"With reference to another defect in the Bill, namely, the insertion of section 16-A, I am glad to find that Members on the opposite side—I am particularly referring to my hon. Friend Mr. T. Viswanatham—are of the same opinion as ourselves, and that they also hold the view that to take away from the public the right of appeals to the law courts is most drastic and revolutionary. There is a tendency in these days, not merely in this country, but throughout the world,—even in that land of democracy, America—for the executive to encroach upon the powers of the judiciary. During the time of the late President Roosevelt, many legislative measures were passed in America empowering the executive to appropriate to itself the powers vested in the judiciary. But I wish to emphasize that we in India should not follow the mistaken path of others; rather, after the attainment of independence, India should be a lesson to the whole world. A wrong course, an unrighteous act, does not become right simply because other countries are pursuing it. Let us not say 'we have adopted a policy because it is in vogue in America, it is popular in Britain.' That policy alone should be pursued by us which to all intents and purposes appears to be right. Is it not very hard and harsh to take away the jurisdiction of the civil courts to set aside or modify the assessment of the tax and of the criminal courts to determine whether a person was criminally liable? I hope this clause will be deleted in the Select Committee. I should like to suggest that there should be instituted in this Province a Tribunal on the lines of the Income-Tax Tribunal, for dealing with matters arising out of the Sales Tax Act, for appeals to the Board of Revenue have meant little or nothing. I therefore hope that the Hon. the Minister for Finance will take steps in connexion with the institution of an independent tribunal.

"Another defect in the amending Bill is that in clause 12 (i) it is stated 'that the word "wilfully" shall be omitted' in regard to penalties to be imposed on a person who submits an untrue return. This is really very hard, because 'intention' is one of the important ingredients in establishing the guilt of the accused. When, even in cases of murder, the prosecution has to come forward and establish that the accused had the intention, and the will, to commit the offence, is it proper to punish a man in regard to the submission of an untrue return if he has not

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committed the offence wilfully but merely by mistake or by reason of inadvertence on the part of his employee? I should therefore like this clause also to be deleted. The Government should also attach to the Bill a schedule of articles which are to be taxed.

"In conclusion, I wish to state, Mr. Speaker, that I have every sympathy with the Hon. the Minister for Finance in his efforts to provide what Cicero called 'the Sinews of the State.' The position of the Hon. Minister for Finance may be compared to that of a housewife, for just as she has to tax all her ingenuity to balance the budget he has to do likewise. I am well aware that it is no easy task to provide Mr. Avinashilingam Chettiar and others with their demands. I therefore assure the Hon. Minister for Finance that we shall lend all possible help to the Government to enable them to raise funds by reasonable means. Meanwhile, I should like the public to be given an opportunity of expressing their opinion on this Bill."

MR. SPEAKER:—"The hon. Member is saying 'we.' May I know what she means by 'we.'"

BEGUM SULTAN MIR AMIRUDDIN:—"I mean all of us who belong to the Muslim League party."

MR. SPEAKER:—"I thought the hon. Member meant only the lady members of the House." (Laughter.)

* SRI K. R. KARANTH:—"Mr. Speaker, as one who has done some spade work in connexion with this Bill, I should like to offer a few remarks on this. It is well known that, in any taxation measure, one ought to see whether additional taxes are necessary and secondly whether the provisions are reasonable and would fall on the proper party, and thirdly as was stressed by more members than one whether a proper opportunity has been given for all concerned to offer their opinions."

"Sir, I support the motion for reference to a Select Committee and I do not think that this is a matter in which any length of time should be taken in order to ascertain public opinion. But all the same I might say, the idea of the Government to convene this Select Committee in two days and then begin collection of taxes from 1st of November is rather too hasty."

"I called, when I was in charge of this work, a meeting of 21 chambers of commerce and associations on the 21st January last and their opinions were taken and the proposals were made then and they had taken the Government nearly eight or nine months from that time to get this Bill ready. The Bill itself was published on the 30th of last month. Surely, it is not too much if the public and the members of this House ask for 15 days' time or so for objections to be considered by the Select Committee itself. I do not want that . . ."

SRI P. NATESAN:—"On a point of information, Sir. The hon. Member, Mr. Karanth, said, Sir, that, during his regime, he invited the chambers of commerce. I should like him to tell us,

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Sir, whether all these items that are mentioned in this Bill were suggested by any chamber of commerce and if so, I request him to let us know which was the chamber of commerce which suggested them."

SRI K. R. KARANTH:—"I never said, Sir, that these exact proposals were placed before them. But what I said was important points were placed for their consideration. Their views were obtained. I have got a list of the subjects on which their opinions were invited. After that, the Government have come to certain conclusions as embodied in the Bill. I was only pleading for what the hon. Member himself said, Sir, by saying that, to consider these conclusions, the public should have a little time. But I have not said that these conclusions were all placed before them. A discussion was called for on several of these points. The eight points dealt with at that time were—

- (1) registration of dealers having a turnover of Rs. 7,500 or more in a year;
 - (2) levy of a fee for each application for registration;
 - (3) taxation of the agents of non-resident dealers;
 - (4) increase in the rate of taxation and taxation of different goods at different rates;
 - (5) taxation of goods applied to contracts in connexion with repairs, constructions, etc., of immovable property;
 - (6) withdrawal of exemptions allowed at present, namely of cotton, cotton yarn, bullion and specie and cloth woven on handloom other than khadi and of hides and skins and the agents of known principals;
 - (7) withdrawal of rebate under section 7;
 - (8) constitution of an appellate tribunal; and
- other subjects that may be raised.

I quite remember that on all these topics the associations offered to give written memoranda and opinions. They did furnish them. They have been examined and now the Bill is the result of the conclusions arrived on them. But what I was saying was it is unnecessary that one should give any long time for this. The Select Committee would be in a position to do this, though I do not exactly agree with the Government that all these things can be done in the course of a few days, particularly because it is very important for the House and members of the public also to know what is the schedule on which you are going to work. As several members have said, you cannot come upon the Bill unless you know that. At present, as you are aware, it is only an one per cent tax. Let it not be supposed that this measure of taxation is going to be in any way a very light taxation, because it all depends upon how you arrange the schedule. It is going to be raised from a quarter anna in the rupee to two annas in the rupee. It is fairly well known, and that was the knowledge which I got, that generally many of the goods pass through four stages

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from production to the consumer. Therefore, if you choose to put 2 annas in the rupee ultimately on certain goods you might get 8 annas in the rupee taxation or 50 per cent. Therefore a great deal depends upon how you divide and I wish the Government would be in a position to place the schedule before the Select Committee.

"Now, Sir, I may submit that it has been said by several friends here: 'You seek other sources of taxation.' Of course, my Communist friends, who are just now not in the House, have suggested . . . (Interruption). My hon. Friend, Mr. Anandan Nambiar, is there. I am very glad. They are fond of nationalizing industries and all motor buses. They are pointing to that particularly. Well, Sir, nationalization may be necessary in the interests of the workers and also for the convenience of the public. I can see that. But let no one in the Province think that they are going to make even a quarter anna of profit on all these nationalized State Transport and things like that. Sometime back I travelled with a member of a committee of the Central Government to go into the finances of the railways. That member told me that the Central Railways would not yield any profit, because of the high rates of salaries which are compelled to be paid. The moment you nationalize the motor transport there are our Communist friends ready to organize strikes so that there may be no profit at all. (Interruption). (Order, order). Therefore, this idea of making a profit by nationalization is an illusion. Therefore, let us not think of that.

"Then I want only to say this. It is quite true, as he said, that there are other taxes and I am sure that the Government must look into them; for example, the agricultural income-tax was one of the things which would have given a crore of rupees. To tax people who have a net income of five thousand rupees and more would not be too much. But some how they have not chosen to proceed with that. Therefore we must look at the measure as it is.

"Now, Sir, I would say that the rates in this Bill are not too heavy. The hon. the Leader of the Opposition was pleased to ask Mr. Kaleswara Rao in which country the rates were high. I would just quote the rates in Great Britain which were imposed under the Finance Act of 1940 and are continued even today. The taxes on costly motor cars were recently raised even to 200 per cent. I say that only from memory. I have in my hand a schedule which shows that the taxes on several articles vary from 10 to 100 per cent. The tax on head-gear and gloves is 100 per cent. The tax is called the British purchase tax, but whether you call it a purchase tax or sales tax, it is immaterial. In this country every trader puts at the end of his Bill, 'Sales tax—so much.' He collects it from the consumer but sometimes he never pays it to the Government. Here in this schedule I find that the tax on walking sticks and canes is 100 per cent, the tax on umbrellas and sun shades is 33-1/3 per cent, the tax on household goods made

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wholly or partly of celluloid is 30-1/3 per cent. You can take any page in this schedule and you will find the tax varying like that."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On what kinds of goods, Sir?"

* SRI K. R. KARANTH:—"On all kinds of goods. The Leader of the Opposition may kindly go through this and enlighten himself."

MR. B. W. BATCHELOR:—"Is it a cumulative turnover tax or a single point tax?"

* SRI K. R. KARANTH:—"It is a single point tax. We wanted here to have something like that instead of harassing every trader but found that it was not possible."

SRI P. NATESAN:—"Why?"

* SRI K. R. KARANTH:—"Because the merchants said that they could not keep correct accounts."

SRI C. M. KOTHARI:—"How do they do it in Bombay?"

* SRI K. R. KARANTH:—"In Bombay their income is about one crore or so, but here we lead with seven crores of rupees. We have to increase our taxes because with the introduction of prohibition in 16 districts we are losing a revenue of ten crores. People want more salaries and how are you going to pay them? The moment the Government introduces some taxation, immediately merchants and Chambers of Commerce protest saying that this is inflationary, that people will be hit hard and that the poor consumer will suffer and so on. Now, Sir, what are the prices at which we get certain articles in Madras? A bottle of Horlicks is supposed to be sold for Rs. 3-6-0 including profit. But today it is actually sold for Rs. 5 and the merchants raise a hue and cry to pay the sales tax when they collect every pie from the consumer."

SRI P. NATESAN:—"Will the hon. Member . . ."

MR. SPEAKER:—"The hon. Member is not yielding. I cannot compel him to do so."

* SRI K. R. KARANTH:—"The hon. Member Mr. Natesan may reserve all his remarks to be made at one time."

"Sir, this cry that the tax is excessive, that the poor men will be hit and so on is a myth and nothing more. As I said, Sir, a bottle of Horlicks supposed to be sold for Rs. 3-6-0 cannot be had for less than Rs. 5. (Interruption.) My friend Mr. Hameed Khan says Rs. 6. Electric switches taken from wholesalers which ought to be sold for Rs. 24 a dozen are sold today for Rs. 48 a dozen. Galvanized pipes which ought to be sold for four annas to eight annas a foot is sold at Rs. 2 to Rs. 6 a foot. Iron rods which should be sold for Rs. 17 to Rs. 25 per cwt. had to be got by a school in my district for Rs. 60 to Rs. 80 a cwt. Sir, the profits these merchants are making are grossly unconscionable. Where

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is the voice raised against it? But when the State has to run the Government and imposes a tax of four pies or six pies and the merchants collect it from the consumer I do not think, Sir, that there is much grace in saying that this tax will be inflationary in effect, that the whole scale of wages will go and that everything will be upset. There is very little argument in all that.

"With regard to certain other matters, I agree with the hon. Members who have stated that the Government should not simply notify the taxes for the articles mentioned in the definition. That is a very dangerous thing. They ought to mention what exactly it is. Even the taxation on tea and coffee I support. In the Agricultural Income-tax Bill we wanted to levy a tax of four annas in the rupee on agricultural incomes of Rs. 50,000 and over. If the Bill had been passed, all these coffee and tea estates would have paid four annas in the rupee instead of one anna or two annas in the rupee which the Government are trying to collect. (Interruption by Mr. C. M. Kothari.) When the companies publish the dividends declared by them, it will then be seen whether they will go out of cultivation.

"With regard to commission agents, this matter should be looked into carefully. There are agents and agents and I have got some experience of them. There are agents who call themselves agents, buy the things themselves when prices are low and sell them when prices are high. Therefore the difficulty was to find out who those agents were. I have actually gone into some of their accounts. Some of the people concerned said: 'Instead of being harassed in this way, you rather tax us and allow the agents to collect it.' It was thought therefore that the exemption of commission agents might go and not that there should be no agents at all. When they collect 3 to 5 per cent for their commission let them also collect three pies in the rupee for the Government.

"Sir, there is one thing on which I join issue with the Government and that is the clause on which several members have spoken. This is a very important measure. When you take powers to tax people—let it be 25 per cent or 100 per cent—there should be some safety for the tax-payer to have the matter decided by an independent tribunal. At the meeting with the Chambers of Commerce held in January last, on behalf of the Government I gave them an assurance that there would be an independent tribunal. I know from experience that appeals to the Board of Revenue mean little or nothing. Mostly the taxes are confirmed. Therefore, Sir, while the Government take powers to tax as they like; let the man who pays the tax have the satisfaction that the matter is decided by an independent tribunal. The Hon. Finance Minister has said that it took ten years to have a tribunal under the Income-tax Act. Under the present Act, we have gone even further. Sections 17 and 18 do not preclude the party from taking the question of assessment to a civil court. This existing right is going to be curtailed. This new section 16-A takes away that

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right. A poor man though he did not trade may be assessed and for not paying the tax he may be sent to jail. It is a barbarous system of collecting revenue to send people to jail. Today he can go before a court of law and plead that he never carried on any trade at all. The court can go into the matter. He can file a civil suit within six months. But even that safety is taken away. Nobody can go to a court of law on this matter and what the Commercial Tax Officer or the member of the Board of Revenue decides is final. He may say that a tax of ten lakhs of rupees should be paid by a man, but there will be no independent tribunal to decide the matter. Sir, it is something which I cannot agree to. I do hope that the Government will see their way, while they retain the power to increase the tax to any extent, to see that the taxes are collected justly and properly and that the tax-payer is satisfied that his case has been heard.

* SRI M. G. NATESA CHETTYAR:—"Mr. Speaker, Sir, I am sorry when the Finance Minister is striving for more revenue I have to plead for exemption from sales tax for the products of the cottage industry, at least at the source. The people must be encouraged to engage themselves in cottage industries and exemption from taxation of the products of this industry is certainly a great contribution which must be made by the State.

"For instance, Sir, sales tax is levied on the products of the country wooden oil chekku industry. It has hit the industry very hard with the result that within a period of five years from 1940-41 to 1944-45 there has been a reduction of the number of oil chekkus in this Province. I approached the previous Minister for Revenue to get this industry exempted from sales tax. He promised to consider the matter and said that the entire Sales Tax Act would be revised shortly and that this particular cottage industry might be exempted then. The revision of the Act is now before the House and I would request earnest consideration for exempting the same. No less a person than the great Mahatma Gandhi has said that this industry is an important cottage industry and is eligible for exemption of tax. I know instances where people engaged in this wooden country chekku oil manufacturing industry could not pay the tax and assesses have been sent to jail as the hon. Member Mr. Karanth said. They were sent to prison for no fault of theirs but due to non-payment of an unbearable tax. The industry has gone down. If the sales tax is levied on this industry, the entire country chekku oil industry may go out of existence before long.

"Sir, in May last there was a provincial conference which considered this question of getting exemption for the country wooden oil mills. The Hon. Minister for Agriculture opened the conference and the woes of this industry were catalogued to him. One of these was the levy of the sales tax which had sent away many of these industrialists out of existence. Nearly about 1,500 wooden country chekkus have gone out of existence according to official estimates, and roughly an equal number more unofficially.

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3-45 P.m. I therefore plead, Sir, that at a time like this, this industry should be exempted from sales tax. The argument that is advanced in respect of these industries is that the turn-over in these cases will not reach Rs. 10,000. A chekku owner must maintain at least a pair of bulls and two servants besides himself. Unless a daily transaction of Rs. 30 to 40 is made he cannot maintain the bulls, pay his servants, and earn for his livelihood. If you calculate the turnover at Rs. 30 a day, it is certainly more than Rs. 1,000 a month. It is not the turnover that should be the main consideration. The main consideration should be the expenditure involved and the natural consequences and requirement in running an industry must weigh. So, I request the Hon. Finance Minister to introduce an amendment in the Select Committee stage for exempting from tax the sales of the products of the country wooden oil chekkus and the other cottage industries."

S. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Mr. Speaker, Sir, many speakers have spoken in favour of and against the Bill. But the speakers against the Bill will be more than those in favour of the Bill. Moreover, the members who spoke against the Bill are only asking for the democratic right of eliciting the opinion of the people. That is not considered, and the Government maintain that it needs money now. The budget for 1947-8 was prepared long ago, and there is no need for this increased tax. The Statement of Objects and Reasons says that this amending Bill has been introduced with a view to lighten the burden on the people. But in reality it is overburdening the already burdened people and killing them. If the Government cannot tap other sources of revenue, it ought to bring a resolution before this House and invite suggestions from the members for augmenting the provincial finances. Instead of doing that, we have been given a skeleton and asked to imagine that it was a fully live body. We have not been given the articles which will be included in the list which is still under preparation. We do not know what articles will be classified as luxury goods. After we vote for the increased taxation, we are told that we will be given a chance to know which articles are classified as luxury goods and which are not. I ask the Hon. Finance Minister whether he has considered of any other source of revenue than this. Simply because sales tax is elastic, he wants to increase it and overburden the people. This tax will affect the poor and the rich alike."

"The clause in the Bill relating to the abolition of the appellate authority is autocratic and dictatorial in its nature. I find favourable response from the Hon. Finance Minister to the speeches made by the hon. members, and I think he is going to implement the suggestion for instituting an appellate authority by introducing a suitable provision."

"Under this Bill, commission agents and banks are going to be taxed. I do not know from what mysterious theory the Hon. Finance Minister has inferred that the commission agents and banks are earning large profits. Simply because they are doing

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some economic service, he wants to tax them. I want to know whether this inference and reasoning cannot hold good for lawyers, doctors and ministers who are drawing large salaries. If commission agents and banks are to be taxed, logically speaking they also should be taxed. Therefore, I appeal to the Hon. Finance Minister to exclude the commission agents and banks from the provisions of the Bill."

"There are large tracts of fallow land in our province. If the Hon. Minister floats a public loan and invests the money on bringing such land under cultivation, I think there will be a substantial addition to the coffers. Instead of that, he is simply overburdening the people by increasing the cost of living and lessening the purchasing power of the people. The people must be given an opportunity to express their opinion on every measure which affects them. In the name of justice and democracy, I appeal to the Hon. Finance Minister to allow sufficient time for eliciting public opinion on this Bill. If public opinion is in favour of this Bill, then he can proceed further with it."

SRI GUNTUR NARASIMHA RAO:—"Mr. Speaker, Sir, eight years ago the sales tax was first introduced to augment the revenues of the Provincial Government. Later on, the tax had to be increased to 1 per cent. Due to the introduction of prohibition in two-thirds of the province, more money is now necessary. So, the percentage of tax has to be increased still further."

"With regard to sales tax, there is no uniform policy in all the provinces. After the 15th of August, several provinces and States have come under the Dominion of India. Unless there is a uniform policy all over India, there will be dislocation of trade. Just as so many Hindus are fleeing away from Pakistan, so many merchants will have to leave the Madras Province and go to other provinces. In Bombay, there is no tax on the sale of goods exported outside the province. But here a merchant will have to pay tax at six points from the time the goods leave the manufacturer to the time they reach the consumer, and the tax will work out to 9 per cent. It will be more advantageous for a dealer to import goods from Bombay where there is no sales tax on goods exported outside the province than to order for goods manufactured within the Province. So, I suggest to the Hon. Finance Minister to see that a uniform policy is adopted in all the other provinces and to bring the taxation in this province into line with the other provinces instead of burdening the merchants in this province alone with heavy taxation. Though ultimately the consumers have to pay the tax, the merchants also have to survive and do business here."

"The District and Assistant Commercial Tax Officers do not know anything about accounts, and they are harrassing the merchants. The Inspectors in the Income-Tax Department are expected to pass an account test. Instead of drafting people from

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other departments as is being done now who do not know anything of accounts, some account test must be prescribed for these posts, so that the officers may follow the accounts easily and not harass the merchants.

" Unless every manufacturer has got a commission agent, he cannot sell his goods. If at every point the commission agent has got to pay $1\frac{1}{2}$ per cent, trade will come to a standstill. There should be security for trade also. Some provision must be made for safeguarding the commission agents.

" With regard to taking away the right of appeal, even the worst criminal on the face of the earth is judged by a jury and a verdict is given. From a district court he has got a right of appeal to the High Court or the Privy Council. Here, if a merchant is taxed rightly or wrongly, he has no right of appeal and the decision of the Revenue Board Commissioner or whoever it is, is final and binding. I should like to say from the eight years of working of the Sales Tax Act that there has been variation from district to district in the assessment of tax. Large amounts have to be paid in advance if a merchant wants to appeal to the Revenue Board. The officer in the Revenue Board is not a judicial officer. Perhaps, he is an officer promoted from a Deputy Collector's or Collector's post. Such an officer has to look into the matter and do justice. I suggest to the Hon. Finance Minister to make provision for constituting an appellate tribunal and to give the assessee complete freedom without fettering his hands."

4 p.m. * N. MUHAMMAD ANWAR SAHIB BAHADUR:—" Mr. Speaker, Sir, while I rise to support the hon. Mr. Natesan's amendment seeking circulation of this Sales Tax Amendment Bill for public opinion, my sympathies go out to the Hon. Mr. Gopala Reddi that he should be to-day in the most unenviable position of a Finance Minister, because to tax and to please is as difficult as to love and be wise. (Laughter.) I am sure, Sir, that if he places his hand on his heart, he will feel that this tax which he proposes to increase is a most obnoxious and a most unpopular measure of taxation in this province and the time he has chosen to bring forward this measure is also very inopportune. My Hon. Friend, Mr. Kaleswara Rao claimed public opinion in his favour with regard to this measure. But let me tell him that already the municipal elections have shown the way the wind is blowing now. I know, Sir, that the day of reckoning is not far off and when that time comes, this sales tax is going to dig their grave. By your own measures of taxation, you are going to sign your death warrant. By your own actions, you are going to scuttle your party. It is not for mere rhetoric that I say all this, but I sincerely want that you must reconsider your stand with regard to this measure of taxation. Call it by whatever name you like, the fact remains that this is a poor man's tax; it is a consumers' tax. My hon. Friend, Mr. N. S. Varadachari, said that in this province we have got such a considerable reserve in our purchasing power that this elastic source of revenue can correspondingly increase with the increase in our purchasing

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power. But let me tell you, Sir, that now when the consumer's surplus is very limited and when it is dwindling day by day,—and what with the ever-increasing cost of living and what with the removal of ever-so-many facilities for trade and commerce—our trade and commerce in this Province is indeed presented with very dark and bleak prospects in the immediate future. I cannot see how trade and industry which are going to face a diminishing return in the near future are going to provide this sales tax with an elastic source of revenue.

" Mr. Speaker, I can see no reason why this Ministry which is now in troubled waters should come forward with this unpopular measure of taxation at this juncture and with such unholy haste. I tell you, Sir, that we are entirely behind this Ministry with regard to their prohibition programme. But it does not mean that we shall have to find the necessary correlation between prohibition and the sales tax. I do not know, Sir, how it is in this Province alone, sales tax and prohibition have come to be associated with each other and how it has come to be recognised that sales tax is an indispensable corollary to prohibition. There are ever-so-many ways and means of finding out new sources of income to augment the revenues of the Province. Of course it is not within my province to suggest to the Hon. the Finance Minister what new methods of taxation should be evolved in order to balance his budget. Already suggestions have been made how the deficit could be met and I warmly endorse the suggestion that was made to-day by my hon. Friend, Mr. Majid, with regard to the re-imposition of the salt tax. I am very much in favour of this measure, because I am certain it is not going to affect the interests of the poor man so much, as many of our friends opposite are imagining that it would. But why on earth do you want to kill our trade and industry, the goose that lays the golden eggs? I do not understand why ever-so-many members in this House and ever-so-many sections of people outside should view it with suspicion and distrust. It is rather unfortunate that because our friends opposite have been elected, they seem to think that they have got all the sanction behind them to carry through whatever programmes they want and that they can lay their axe on anything they like, and particularly on the trade and industries of this Province which have helped them to power.

" Sir, what is the programme that this Ministry has got for the progress and promotion of trade and industry in this Province except the measures of taxation which they have brought in, that will ultimately paralyse their prospects? Mr. Speaker, a suggestion has been made that as a direct repercussion of this sales tax we are going to have a premium on the inflation in this Province. We are already suffering from it and the cost of living has gone very high and yet we are here to provide another occasion for a further increase in that inflation, so that later on when wages and salaries come to be adjusted towards this rise in the cost of living, we will ultimately be presented with a vicious circle again, and we shall again have to face all the problems of inflation with its dire consequences upon our national economy.

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"Sir, the other day, my Friend, Mr. Varadachari, while remarking on the suggestions made by our experienced legislator Mr. Abdul Hameed Khan, said that the poor man that Mr. Hameed Khan was pleading for, was existing only in his imagination. But let me tell you, Mr. Speaker, that this is definitely a tax which the poor man is going to pay. It is certainly going to be transferred to the poor who alone are ultimately going to bear this tax. And the Government which want to claim the support of the people which wants to broaden its basis of popularity cannot expect allegiance from the poor people. It must forfeit all its claims for allegiance from the poor after this tax has been increased.

"Sir, in this connexion I am particularly concerned with one industry, namely, the tanning industry, which I wish to cite as an example of how this tax is going to affect that industry vitally when it passes through the various stages of its transaction. This is an industry, Mr. Speaker, which this provided, has the pride of producing the largest export, and which is carried on by a very large number of small establishments. This industry has a volume of export which is regarded as the largest exporting industry of this Province, and with the dwindling in the export of jute and cotton textiles to foreign countries to-day, this forms the first and the foremost export trade of our Dominion. Sir, I do not want to see that this industry which obtains all its raw materials, like the skins and hides from India and Pakistan, which gets all its ingredients like the wattle bark from South Africa and South America and other things like myrabolams from Malabar, from the Mysore States and from other parts of the Dominion, and which turns out its entire products for export overseas, particularly Europe and America, and which depends, to a very large extent, for its prosperity upon foreign export markets, should come in for a multiple taxation like this, which will ultimately finish this industry and which will bring rack and ruin to this important indigenous industry in this Province. Alas! That will be a day of greatest calamity for this Province, which will bring the output of the industry which has the largest export trade to a standstill and which will deny the proud position which the tanning industry is enjoying to-day. Mr. Speaker, I would personally appeal that at least when this Bill goes to the Select Committee, the position of the tanning industry will be specially considered, by virtue of the peculiarity of the industry and of the frequent fluctuations from which it has been suffering so long in the past and I am sure that necessary provision will be made to lighten the incidence of taxation on this industry as much as possible in view of the potential position it occupies so far as this Province and the Dominion of India are concerned.

"Sir, my friends have already spoken about the claims of the weavers and about the exemption that they have sought for with regard to handloom yarn and cloth. On one thing I want to join with others in registering my emphatic protest, and that is the absence of provision for an appeal against the assessment of the Commercial Tax Officers. I strongly suggest that there

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should be a provision for a tribunal with regard to appeals against the harassments and against the irregularities in the imposition of this tax. I do not think that the Government, particularly when it claims to be a popular Government should fight shy at this proposal to appoint a tribunal for going into the appeal preferred by merchants who are adversely affected by the assessment of the Commercial Tax department.

"Lastly, Mr. Speaker, a subtle distinction has been sought to be drawn between luxuries and necessities without defining what are luxuries and what are necessities and without giving us a list or schedule of articles that come under either of the categories. But I should like to tell the House that what are luxuries to-day may become comforts to-morrow and necessities the day after. How long are you going to treat coffee and tea as luxuries? Nobody considers that they are a luxury to-day. They have become not only articles of comfort, but also articles of necessity. I only hope and wish that the Hon. the Finance Minister will go into this question carefully at the Select Committee and try to minimize the list of articles which are going to be subjected to heaviest taxation in the future."

B. POCKER SAHIB BAHADUR:—"Mr. Speaker, you might well remember that when the original Sales Tax Bill was first introduced in the last Legislative Assembly, the then Premier, the Hon. Mr. C. Rajagopalachari, now His Excellency the Governor of West Bengal, put in a strong plea that though admittedly the tax would fall on the consumers ultimately, yet the amount of tax that would fall on the individual consumer would be so trifling that no one could imagine of complaining against its imposition. If you recollect his speech, Sir, you will find, that he based his whole argument mainly on the trifling nature of the tax that he was seeking to impose by this Act, and said that even the poorest man would not feel its burden and that a claim of half-a-pie in the rupee would not weigh so heavily upon him. That was the merit that he claimed for his Bill and that was the justification for his introducing his Bill for Sales Tax, which sought to tax the people who dealt in articles, whether they were essentials or luxuries, whether they made profit or not, whether they lost their all and became even bankrupts. Well, Sir, I now see that it is the very same Congress Government that is bringing in this Bill and it wants to raise the tax from half-a-pie to two annas in the rupee; and, Sir, let nobody be deceived by this '2 annas'. It is not going to be only two annas. If there are eight stages through which an article has to pass before it reaches the ultimate consumer, it will be eight times the two annas, that is to say, the tax will come to one rupee or cent per cent. On whom is this tax going to fall? Is it on the merchants whom you want to eliminate?

"At any rate, the policy of the last Ministry, as was declared from house-tops, was to eliminate the institution of merchants. I do not think it is necessary for me to dwell on that aspect of the matter, because it has to be admitted now that so far as this

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measure is concerned, it is intended to tax the consumer. This measure is nothing short of a legalised burglary; I say that even burglars may have some principles; the burglars try to commit burglary only on those who have, i.e., the rich. You do not hear of burglars going to the houses of the poor and trying to get something out of nothing at all. But here, it is legalised burglary of the poorest of the poor. You have to admit that it is a taxation on the consumer and consumer alone. Where is the question of rich among the consumers? The large percentage, say 99 per cent of them, are poor consumers. In the present economic condition, in the present impoverished condition of the people, you want the consumer to pay even double the original tax for his actual necessities. This power to tax annas two at each stage would bring the total tax to even Rs. 2. You are now taking that power, and I shall not be surprised if you come again and claim to take even annas four. I am asking whether the Government have considered the implications and the far-reaching effects of this measure which they are putting through. My hon. colleague Mr. Anwar has pointed out that they are digging their own grave. Well, every one has to go to his grave once some day—I am not concerned with that now, but what I am concerned with now is—the poor consumer who cannot get money now even for his food, he is being asked to pay double for his food, the morsel of food he takes. Is this humanity, I ask, on your part at this stage to tax the poor people beyond their capacity?

“Now, Sir, coming to the various provisions in the Bill, one object seems to be clear, i.e., to tax the commission agents, as if they are the dealers themselves. Sir, from the very commencement of the institution of commerce, i.e., right from the very beginning of humanity, commerce has been there; and if you want to destroy this system of commission agency, you will be destroying the institution of commerce itself. I say you cannot do it; it is not the commission agency that will be destroyed; on the other hand, the commission agent will only add on this additional amount to the actual price of the article and therefore you will not succeed in doing away with the business of the commission agents, and you cannot therefore do away with that institution altogether. The commission agent will simply add on this tax as an additional item. So, what will be the result? There will be one more item of this tax on the poor consumer. Is this justice? Is this fairplay on the part of the Government to tax the poor consumer to this unlimited extent, I ask? I find the hon. Speaker getting restive; perhaps he wants me to be short; I shall do so. I only want to refer to one more aspect of the Bill. (Sri T. Viswanatham: Long speeches should be taxed.) I do wish, Sir, that long speeches are taxed. Even when I rose in my seat, I knew full well that no speech from me, long or short, was going to have any effect either on the Government or on anybody else. I am yet to learn of one instance where a speech made in this House has influenced the Government to any extent. If my hon. Friend will contradict me, I shall feel very happy. I know I am wasting my

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breath; but, anyhow, I have to waste it because I want to be true to my constituency and to the public to whom I owe a duty to express their views here.

“I am asking the Government whether they do honestly feel that the public is with them in a measure like this. (At this stage, the gong was sounded.) Mr. Speaker, I do not think I have had my ten minutes.”

MR. SPEAKER:—“The hon. Member has had his ten minutes; I am watching the clock.”

B. POCKER SAHIB BAHADUR:—“I just ask the Government whether they can honestly say that if the Legislature is dissolved at this moment and if they go to the country, a good percentage of the people will support them in this measure. That is the test by which public opinion should be judged. I challenge the Government to dissolve this Assembly now; let them go to the country on this issue and see what the public has to say on this subject. It is asserted time and again that the Congress is now at the zenith of its power; but we will know where they are if they are willing to go to the country on this issue.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Sir, when the Sales Tax was first introduced by the Congress Ministry by the then Finance Minister now His Excellency Sri C. Rajagopalachari, he stated that this was the only source of revenue that the Provincial Government could make use of when they wanted money, particularly when their coffers had been emptied to a large extent on account of the prohibition that was introduced by him then. When he protested—and I was one of those who spoke for the people who then protested against that measure—he asked me to remember a parable to this effect: once upon a time, according to him, there was a patient, a sick man, and the doctor referred to the pharmacopæa; no medicine there was for that disease except one, and he asked me whether I would grudge that drug being given to him. Then I asked him: supposing I prove that that only drug that was left in the pharmacopæa was poison, then would he still administer it to the sick man, knowing that he would die. I then attempted to prove to him, though as my Friend Mr. Pocker said, he was not open to conviction—that that was poison. I pointed out many difficulties that would arise out of that measure; and then he said, when the difficulties actually arose, there would be time enough for setting them right. Later on, I had occasion to ask the Government whether they could set the difficulties right; they said that was the way of the world, i.e., to raise difficulties and afterwards when the difficulties came, find ourselves helpless in the face of those difficulties. That was the position at that time. At that time, they said that the Government of India Act of 1935 did not give them any further power of taxation; that they had nothing further left in the Provincial list of taxation. But now, Sir, the same excuse cannot be adduced. The position is different; you have got your independence; the provincial autonomy is there, and you must insist upon the provincial autonomy being kept

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inact. You must see that all the powers of taxation due to the provinces are reserved to the provinces. Then I am sure they will find ample sources of revenue, that they need not resort to a measure like this which has been described, truly and rightly, as an iniquitous measure. But the Government, instead of fighting in the proper quarter for the rights and privileges of the people of this province, have come down upon the poor people of the province, because they know that the people are helpless because they are under the belief that the party which has been sent by them to this House is really serving their interests. Therefore, the Government perhaps think and perhaps also the party behind them think—I do not know how far they think with the Government but I assume they also think that the people will support them in any measure which they are pleased to bring forward. But I am afraid that if they now accept this motion for eliciting public opinion, they will find that their position is altogether different to-day. They will know then how much support they have got from the people on this measure of the sales tax.

Sir, a taxation measure must be based on certain principles. The levy must fall not uniformly, but equitably on all the people. This tax however does not satisfy that principle. It may be said that it falls uniformly on all people, but it is not equitable. Most of the revenue from this tax will come from the poor people. If anybody is going to prove otherwise, then I say the poor man will be made to pay more than he can bear. By this amending Bill, even foodstuffs are brought within the orbit of taxation. Sir, it is said that the consumption of foodstuffs in this Province during a normal period is 8 million tons per annum. Eight million tons will give you, at the present rate, about Rs. 240 crores. If you take away Rs. 140 crores as falling below the limit of taxation, you will have still left a hundred crores; and at the present rate, this will give you Rs. 1½ crores income and it will come from the poorest of the poor. They will have to pay this Rs. 1½ crores, because they will have to take food for keeping their body and soul together. Apart from these foodstuffs, there are various other articles which the poor man cannot do without, particularly the agriculturist. There is iron which he wants, he wants manure, food for his cattle and so many other things; and if you take into consideration the taxes which he has to pay in respect of all these articles, you will find what inequity is perpetrated on the man who can afford the least to pay all such taxes or afford to bear all those burdens.

“Then, Sir, the question may be put: if you are going to get Rs. 1½ crores only by taxing the foodstuffs at one point alone, what is the amount you may get from all the trades put together; the Hon. Finance Minister said that all the forecasts and the predictions of the people when this sales tax was levied first have not turned out to be true. Sir, if these forecasts did not turn out to be true, it was not because the forecasts themselves were wrong, but because there were conditions created afresh which militated against the forecasts becoming true, and those conditions were really the creation of the Government themselves.

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“What are those conditions? If you want to get these one and half crores you have to employ an army of men, assessors, tax-gatherers, etc., and these men have to be trained in the arts of tax collection. Then if you think seriously of employing these men, you will be told that the expenses will be too much and this collection will not be worth making. That is true. But on that account, what do you do? You employ a fewer number of men, people who do not know anything about trade, anything about accounts and anything about the conditions which are affecting the people who have to pay these taxes. Then, if you entrust these people with the task of collecting these one and half crores at once these people get hold of only a few people who have to pay the tax. It is a physical impossibility for them to go to all the people. Even in the case of these few people whom they approach, they are not capable of scrutinising the accounts properly and they have to be arbitrary there again. Sir, it is human nature. These people are aggrieved, as it is physically impossible for them to make all the collections. Secondly, by the very nature of this measure, they give cause for the people to complain. Then, Sir, if the tax-payer finds that he is being arbitrarily taxed and if he, in his conscience, knows that he is not due to pay so much, then what happens? He thinks that the whole measure is an iniquity and that it is unjust and that there is nobody to remedy this injustice and that there is nobody to help them. Even though facilities are given to protect the interests of these poor people, they begin to think that the whole world is full of iniquity and that even the Government is perpetrating such iniquity. Then, Sir, finally black-market flourishes. Even average people begin to think that it is nothing wrong to indulge in such things, when a Government measure itself provides for it. Therefore, I say that there are certain conditions which must be satisfied by every taxation measure. When the Government take up such taxation measure, it is their function to say whether they will be able to satisfy the requirements of that measure and to see whether conditions in this country will permit such measure being enforced properly without undue and unnecessary hardship to the people. Therefore, Sir, you are producing a mentality which is a very fertile ground for action or for attempts to circumvent such measures of the Government.

“Sir, this is a burden which is really being imposed upon the poor man. The poor man might not pay perhaps as much as the rich man but it does not mean that the measure is equitable. The poor man might really find it very hard on himself to pay Rs. 2 because he may have a cash of only Rs. 10 with him, whereas the rich man who has got Rs. 1,00,000 might not find it so very difficult to pay Rs. 50,000. I mean that the rich man may not find it so very difficult as the poor man even though the latter has got to pay only Rs. 2. (Hear, hear.) As I said before, the poor man is made to pay for the food he consumes, a crore and a half rupees. If you do not get it, you do not get it on account of the very nature of the measure which you are attempting to enforce. It has got other repercussions also. It undermines the morality of the

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people and demoralises the officials who collect them. Therefore, it is that such a measure as this ought not to be on the Statute Book of our Province, and particularly now when we have got our freedom.

“ Then again, Sir, I want to tell you how these poor people are being treated. I am personally concerned in a small trade, personally concerned not as a member of the trade but I am interested in the trade. That is the butchers’ trade. The butchers have got their unions. They tried to impress upon the Government the hardship which they are undergoing on account of this sales tax. I once took them to the Hon. the Revenue Minister and tried to impress upon him the justice of their cause. I told him that the butchers are illiterate people and they cannot keep their accounts. The Minister suggested that they may have accountants. It is like a suggestion made by a German Princess to her people when they complained that they had no bread. She said, if you have no bread, you better have cakes. So also, the Hon. the Minister suggested that these poor people might employ clerks. If they had got the money to employ clerks, then why should they be like this? It was impossible for them to employ clerks. Even those people among them who can write, what is their position? The nature of their trade is such that they cannot carry it on and write at the same time. They are always handling a wet article which they are selling. So, they cannot write. So, there again, in the case of the few people who are literate, it is not possible for them to write and keep accounts. This is one of the typical examples which I wanted to mention in such detail so that, I may, in some measure, impress upon the Government that there are such cases in this Province and persuade them to believe that there are many such cases which deserve consideration. Again, Sir, their trade is such that the articles that they are handling are perishable and if they are not able to dispose of them in one day, they cannot keep them the next day. *Willy nilly*, they have to dispose of them, either by paying the price themselves or selling at a cheaper rate. These are some of the facts which should be taken into consideration by the authorities. I represented their case not on one occasion but on more than one occasion and the Revenue Minister has promised to look into the matter. I also suggested another alternative. If the Government is not prepared to forego this revenue, I told them that they might find some other method and they might levy a lump sum of so much per unit so that these poor people might not be harassed with the necessity of keeping accounts and maintaining clerks. I was told that the matter would be gone into. But then after some time, I was told that the representations were not based on facts. Therefore, I again made a concrete request to the Government that these people have been taxed in an arbitrary way and that they are suffering. But the Minister said that these people are getting so much from their trade and the Government cannot afford to lose the revenue and that all these people must be wrong and must be treated accordingly. That is how this tax is working and is going to work.

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“ Then, Sir, there is this bullion. This is again a poor man’s affair and this is another aspect of the case. I will tell you, Sir, how the poor man is going to be affected by this. When I mention poor man and the bullion together, you may be puzzled. Even my hon. Friend Mr. N. S. Varadachari when he was a member of the Select Committee which sat on the original Sales Tax Bill, protested against this bullion being excluded from the purview of the Bill. I will briefly say how you are going to benefit the poor people by not taxing this bullion. You may ask whether it is not a fact that people buy bullion after satisfying all their other requirements and when they have got something to spare. But, I ask you, Sir, to go to some villages and make a careful study of the villagers.”

MR. SPEAKER:—“ The Hon. the Leader of the Opposition has already taken more than 20 minutes. He must finish soon. As soon as he finishes, the Hon. Minister will be called upon to reply.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ About this bullion, Sir, if you go to the village and take some figures, you will find this. There is one Mirasdar and a few of his relatives and there may be about 2,000 people in the village. If you take into account the gold possessed by these small poor agriculturists, you will find that these people have got more gold than what the Mirasdar and his relatives possess. So, who buys this bullion in this country? It is the poor people who buy the major portion of the gold in this country. The reason is simple. In America, even a worker who has got Re. 1 to spare, can deposit it in a bank and withdraw it the next day when he wants it, but in this country, the worker has not got that facility even in cities. So, the poor people save some money and they invest it in gold or silver not so much for the purpose of making trinkets or ornaments but as a matter of investment. Therefore, if you really tax bullion, you will be taxing the poor people. That is another point that has to be borne in mind, apart from the fact that this particular useful trade will be driven away from our Province if it is taxed.

“ Then, Sir, in regard to bringing the commission agents within the purview of this Bill, I want to tell the Hon. the Finance Minister that my Friends on this side of the House have made out a case for excluding them from this measure and I hope he will consider the matter seriously and not think on the lines described by Mr. Pocker by saying, we have made up our minds and therefore we are not bothered by what people from this side of the House may say. I challenge him—and he cannot prevent me from saying it—and I declare that if a referendum is taken about this measure then the Government will find that the people are not with them and even many of their party-men who are in this House, are not with them in regard to this measure, if they are given freedom of conscience and freedom of choice.

“ Then my hon. Friend, Mr. Varadachari who usually treads on the terra firma of practical politics now soars high on the wings

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of imagination into fictitious regions and says that through this Act he is going to have another achievement and, that is, he is going to make the people of this province take to the universal habit of keeping accounts of the small items which they are engaged in of receipts and expenditure and that they must be taught to put them down in a book; when they are in possession of that habit, well and good. (Sri N. S. Varadachari: With assistance they can do it). If we have your blessing you will have got our assistance in the matter, but don't assume that you have got it. A child is a child and when it grows into a man you can put a bag of corn on his head but when you put that bag of corn on the head of a child you know what you will be doing to the child.

"My hon. Friends suggested that nationalisation of industries might be a remedy for the paucity of funds. I do not know that. The other day, a Colleague of ours in this House said there can be no *via media* between Washington and Moscow and that England tried *via media* and found herself in the present debacle. The financial crisis of England is not all due to war conditions, or as a result of the war, but it was aggravated by their own nationalisation policy.

"Then, Sir, objection was taken to the reference made by some hon. Friends to the salt tax as being one of possible sources of revenue. What they meant was only this. They did not mean that the salt tax was not being paid by the poor man, but what they said was, the poor man takes salt in ever so small a quantity that any tax that is being levied is not being felt by him while it gives a large amount of money to the Government. That is all what they said and that is proved and so the Government will be well-advised to think in terms of the suggestions made by those friends.

"In regard to the right of appeal, Sir, almost all my friends who spoke previously, even including those hon. Friends from the other side, have referred to the elimination of the right of appeal to a court of law. I do not know why my hon. Friends should be afraid of the court of law and if there is the court of law, there will be protection not only to the tax-payer, but there will be protection even for the Government and the officials. It will prevent the grievances of the people from growing and when a court of appeal decides a matter, the people also will be satisfied that what the officials did was right. It is not as if that everybody will go to a court of law, but the very fact that the provision is there, will make the official to be careful and will also give an amount of hopefulness to the tax-payer. That will at least detract from the great sense of helplessness which this measure on the whole is creating in the minds of the people. I do not say that a court of law will remove all the hardships straightway. It won't but on the other hand, it will be creating a sense of relief to a great extent in the minds of the people. It is therefore really a point on which there can be no compromise. I would even say that a tribunal cannot take the place of an ordinary court of law. A tribunal might after all minimise the number of cases which might go to a court of law, but along with the tribunal there must also be a

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court of law. I would therefore request the Government not to be afraid of the court of law. Sir, when my hon. Friends, were on this side of the House they have been harping vehemently about the sacredness of the courts and nobody need be afraid of going to courts and even when Ordinances and other such measures were being discussed in this House they waxed eloquent on the necessity of an appeal being provided in such measures as these and now I repeat the same advice and suggestion to them and request them to restore the provision for appeal in matters where people have got a grievance.

"Sir, in this matter, once again I want to emphasise that I am opposing the whole tax. I opposed it when it was originally introduced and I am not yet convinced that it is a proper tax. It is dictatorial in its levy and dictatorial in collection and a tax should not be of such a character if it is intended to be put on the people.

"With your permission, Sir, I would like to refer only to one other point and that is, Sir, the Hon. the Finance Minister said that the fears of certain people have not come true in some other respects as a whole, that is, the trade has not been affected and that trade has not run away from our province. True, trade has not run away in a large measure from our province. It is not due to the beneficial nature of this measure but to so many other conditions and even now I ask them to prove that even this existing sales tax has not affected our trade. I also ask them to prove that our trade, commerce and industry have made the same progress as has been made by other provinces which have not got the sales tax. They cannot prove it. Simply because people do not take pains to study facts and figures—when they themselves have not taken the trouble to study facts and figures—they could not reply when questions were put as to whether such figures were correct or not—how can you say that our fears are not justified. I say our fears are justified today and if they persist in this measure such justification, though in many cases may be imperceptible, will still be there and continue to be there. With these words I resume my seat, Sir."

* THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, I did not expect when I introduced the amending Bill, that as many as 22 or 23 speakers would participate in the debate and that it would take two days. I was promising my Colleagues that it would be over in two hours and that it would be referred to a Select Committee, but contrary to my expectations it has awakened a lively interest in many members and full two days were devoted to this debate. I am again recollecting in my mind the days when the first Sales Tax Bill was introduced, it again took two days and it was also referred to a Select Committee; an adjournment motion was moved by my hon. Friend, Mr. Hameed Khan and now he has seconded the motion moved by Mr. Natesan. Mr. Natesan was then a member of my party and Mr. Hameed Khan was the Leader of the Muslim League party and he moved the motion for eliciting public opinion and there was also a full debate for two days. Now,

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for the first time after the first Sales Tax Bill was introduced in 1939, the Government have come forward with this amending Bill. So, we have had experience of eight long years in the administration of the Act. Since the Congress Government took up office last year in May 1946, they appointed a Special Officer to go into the question of the working of the Act and the Special Officer who is a Deputy Commercial Tax Officer, went into the question thoroughly and submitted his report to the Government in November last. From November onwards the Government, the Board of Revenue and the various departments concerned were considering the measure and it is not as though we are now rushing through this legislation. If we are charged with the accusation that we are rushing through this legislation, it is not at all a fact because the Government appointed this Special Officer as early as June last year and the report was before the Government from November last. Now, as we were taking decisions, the Board made their final recommendations and the Government and the departments were scrutinizing the various items, I managed to see that some of the items were given to the press, though not in a final manner. The bullion merchants knew that bullion was going to be taxed; the cotton merchants knew that cotton was going to be taxed and likewise various other items. I have received several representations and they are all in the file and the Select Committee can go through all the representations. So, fear it is too late in the day now to ask for eliciting public opinion. I have not known in any part of the world whether any financial measure was circulated for eliciting public opinion. I can understand a Bogum-Melum Bill, or a Child Marriage Bill being referred for public opinion, waiting for six months and correlating all the opinions received by various associations, but in this case you have all given your blessings to the prohibition campaign and we who have inaugurated the campaign in the districts have seen with what great enthusiasm people have received this campaign and they have all been happy that prohibition was introduced and regretted that it was not introduced earlier. So with great enthusiasm and the great ovation they gave to the prohibition movement and with the blessing that this House has given, is it not right that we should take advantage of the situation and push through this amending Bill as early as possible.

5 p.m. "I may state for the information of the House, Sir, originally we wanted to get this Bill into operation from the 1st October but for various reasons I did not bring out the Bill and it had to be delayed till 30th of last month and I am most anxious that it should come into operation from the first of November."

MR. SPEAKER:—"If the Hon. Minister will finish within half an hour I have no objection to continue the sitting."

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir. I will finish within 15 minutes if you like."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I would like that the House be adjourned now."

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MR. SPEAKER:—"I want to know the opinion of the Leader of the House."

THE HON. DR. P. SUBBARAYAN:—"I think that if the Members would agree we might sit till the Hon. Minister for Finance finishes his speech and he has promised to finish it in 15 minutes. It may be that he may take five or ten minutes longer and that is all."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"We do not know even whether there is any finality about anything, Sir, with reference to the actions which are taking place here. When you give us an agenda we do not know when it is going to be changed and whether it will be kept up and when you announce a certain date we do not know whether we are to meet . . ."

THE HON. DR. P. SUBBARAYAN:—"On a point of personal explanation, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I have not yet finished my speech, Sir."

THE HON. DR. P. SUBBARAYAN:—"He has got to yield, Sir, as I want to say something on a point of personal explanation. I want to point out that as far as the Government business is concerned it is customary in every legislature in the world for the Government to arrange its own business as it suits their convenience."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I know, Sir, that the Hon. the Leader of the House will say that it is for the Government to decide this and it is for the Government to decide everything. That has been the answer that has been heard very frequently in this House but what I would submit, Sir, is we know that the Government have got that right. That is why you find me speaking here. If the Government did not have that right I would not be pleading with them but however I want them to have some consideration for the Members of this House. They must also be treated as men who require some time for considering the different subjects. When there is an agenda, we think that this agenda will be kept up and we prepare certain things. Next morning without any warning the agenda is changed and we do not know where we stand. That is the difficulty we have been experiencing. This Bill was introduced in that fashion. We have been complaining that it should not be rushed as it is being sought to be rushed. The Hon. Finance Minister said that it has had all consideration by the Government. If that were so there was no necessity for this House at all to consider this Bill. Therefore, Sir, when we say 'due consideration' it means due consideration by this House and by the people and by the representatives of the people. Therefore, Sir, I am not at all expressing this as a matter of grievance. I appeal to them to have the same consideration for the other Members of the House and to accommodate them in such matters so that the measures that are being considered by the House may be considered in the right perspective."

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THE HON. DR. P. SUBBARAYAN:—"My hon. Friend the Leader of the Opposition knows as well as you do that because we wanted a full debate on this that, as the Hon. Sri Gopala Reddi said, instead of two hours two days have been permitted for this measure and all hon. Members on the other side who wished to take part in this debate were permitted to do so. They have all been accommodated by you, Sir, as far as possible and I cannot see why they should prevent the Hon. Minister concluding his speech and if this time had not been taken up he might almost have concluded his speech by now."

MR. SPEAKER:—"It makes no difference whether you take a vote to-day or on the 15th instant. It is better we take it to-day."

SRI P. NATESAN:—"On a point of information, I should like to know whether I will be allowed to speak on my amendment and I would be allowed some time."

MR. SPEAKER:—"As yours is a substantive motion you will be allowed to reply."

THE HON. DR. P. SUBBARAYAN:—"In view of what has happened and in view of the claim of the hon. Member for Southern India Chamber of Commerce that he will have a right of reply, I think we might adjourn now, Sir."

(Cries of 'Hear, hear' from the Opposition benches.)

THE HON. SRI B. GOPALA REDDI:—"He has already moved the amendment, Sir."

MR. SPEAKER:—"Because it is a substantive motion he has a right of reply. Since the Minister has got a right of reply too, I will ask the Hon. Minister to reply again. That is what is happening in other Parliaments."

THE HON. SRI B. GOPALA REDDI:—"I won't take more than 15 minutes to finish my speech."

MR. SPEAKER:—"It is the intention of the House that we should rise now itself."

"I would like to announce the Agenda for the 15th October 1947."

- (1) Questions and Answers.
- (2) Madras General Sales Tax (Amendment) Bill, 1947.
- (3) Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947.
- (4) Madras Estates Land (Reduction of Rent) Bill, 1947.
- (5) Legislation of the Central Legislature in regard to certain matters falling under the public debt of this province.
- (6) Amendment to rules under the Cotton Transport Act.
- (7) The Madras Entertainments Tax (Amendment) Bill, 1947.

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"The printed agenda will be circulated to the Members who are in the city on the 14th evening."

"I now adjourn the House to meet at 11 o'clock on Wednesday, the 15th October 1947."

III.—PAPER PLACED ON THE TABLE OF THE HOUSE.

G.O. No. 780, Finance, dated 9th October 1947, relating to Schedule of Supplementary Statement of Authorized Further Expenditure for 1947-48 as authenticated by His Excellency the Governor.

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APPENDIX

[Vide answer to starred question No. 213 asked by Sri V. Raghavayya at the meeting of the Legislative Assembly held on the 11th October 1947, page 754 supra.]

GOVERNMENT OF MADRAS
PUBLIC (INFORMATION AND PUBLICITY) DEPARTMENT.

PRESS NOTE NO. 197.

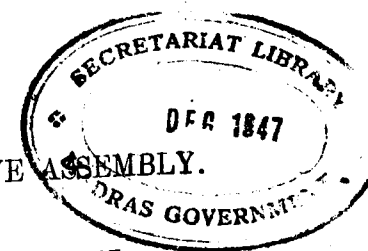
Dated Fort St. George, the 14th August 1947.

The Government have decided to assign isolated plots of land at the disposal of the Government to political sufferers and other classes of people including Harijans, backward classes and ex-service men including Indian National Army.

The term political sufferers means persons who had gone to Jail in the cause of the Indian independence as a result of taking part in movements inaugurated by the Indian National Congress or under its sanction. The Government, however, reserve to themselves the power to decide whether anyone is a political sufferer or not. For the purpose of the assignments proposed the year 1921 will be deemed to be the year in which these political movements started. If there are any persons who have partaken in the political movements earlier than 1921 their cases will be considered separately.

Persons who possessed 5 acres wet or 10 acres dry land on 1st April 1946 will not be eligible for these grants. Individual assignments will not exceed 5 acres of wet land or its equivalent in any single case (two acres of dry land will be treated as equivalent to one acre of wet land except in cases where Government vary the rate after due enquiry into the relative value of dry and wet lands in the areas concerned). The political sufferers will be granted land free of market value. Families of those who died in these movements will also be eligible for these grants. Details will be published in due course.

THE MADRAS LEGISLATIVE ASSEMBLY.



Wednesday, the 15th October 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Government Servants' Conduct Rules.

* 215 Q.—SRI PILLALAMARRI VENKATESWARLU:—
Will the Hon. the Prime Minister be pleased to state—

(a) when the conduct rules for Non-Gazetted Officers and other Government servants were framed;

(b) whether the Government propose to appoint a committee to go into the rules and modify them in accordance with the present-day needs;

(c) whether there are or were any provisions for confidential reports against subordinates; if so, what for; and

(d) whether the Government will place these conduct rules and rules for confidential reports on the floor of the House?

THE HON. DR. P. SUBBARAYAN (on behalf of Hon. the Prime Minister):—“(a) The rules were originally framed in 1893 and have been amended from time to time.

“(b) The answer is in the negative.

“(c) The Government have from time to time issued orders regarding maintenance of confidential reports or personal files as they are called, in respect of their subordinates. The object in maintaining them is to have on record all information necessary for correctly assessing the character, ability, etc., of an officer which will be particularly useful when considering his case for promotion to higher posts.

“(d) The Government Servants' Conduct Rules have been published in Public (Services) Department Notification No. 47, dated 18th December 1936, at pages 212 to 234 of Part I of the *Fort St. George Gazette*, dated 2nd February 1937. There are no rules governing the maintenance of confidential reports. Only executive instructions have been issued by the Government from time to time and these cannot be placed on the table of the House as they are of a confidential nature.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know, Sir . . .”

MR. SPEAKER:—“I think a few days ago a similar question was answered in this House.”

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SRI PILLALAMARRI VENKATESWARLU:—"There is some difference between that question, and this, Sir. May I know whether in spite of the fact that the Non-Gazetted Officers' Association is recognized by the Government, the superior officers are utilizing these rules for taking disciplinary action against the non-gazetted officers for the agitation they are carrying on? If so, may I know what measures the Government propose to take in the matter of protecting the right of recognition granted by the Government themselves?"

THE HON. DR. P. SUBBARAYAN:—"I do not grant the hon. Gentleman's premises, Sir, and therefore no further question arises."

BEGUM SULTAN MIR AMIRUDDIN:—"Is it not a fact, Sir, that there already exists a rule that confidential remarks of a damaging nature are to be communicated to the officer concerned, but that very often this rule is not observed? Will the Government see to it that this rule is strictly observed in the future?"

THE HON. DR. P. SUBBARAYAN:—"Well, Sir, the hon. Lady Member is quite correct in her presumption. As a matter of fact, when adverse remarks are made which can be replied to by the officer concerned, they are sent to him for his reply, and that is also considered when making confidential reports. If, however, they are not observed, I will see that such rules are observed."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know whether the superior officers who are not well-disposed towards their subordinates, make adverse remarks in their personal registers and thus spoil the career of the individual concerned?"

THE HON. DR. P. SUBBARAYAN:—"As I said in answer to the hon. Member for Labour, I do not think this presumption is correct."

SRI V. RAGHAVAYYA:—"Will the Government be pleased to give instructions to Government officers not to use such ambiguous words as 'wanting in tact' and such remarks which cannot be explained? Will the Government also be pleased to see that the successors of the superiors are denied the opportunity of looking into the adverse remarks passed by their predecessors, so that the successors may form their own independent opinions about the subordinates and not be guided blindly by the previous records left?"

THE HON. DR. P. SUBBARAYAN:—"I am much obliged to the hon. Member for his advice, but the Government hope to carry on as they deem it is fit to do so."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government are aware that under the present rules the wives of Government servants are prohibited from taking part in politics, and whether there is any proposal or intention to change this rule?"

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THE HON. DR. P. SUBBARAYAN:—"As far as I know, in spite of that rule, wives of Government servants do seem to take part in politics."

SRI S. NAGAPPA:—"May I ask the Government whether, in view of the fact that the present Government is a popular Government and these rules were framed by unpopular Governments, they want to follow the legacy that has been left by the unpopular Governments?"

THE HON. DR. P. SUBBARAYAN:—"There is no question of popular or unpopular Government; if the Government feel that the rules are being observed properly, they certainly intend to carry on with these rules?"

SRI V. M. RAMASWAMI MUDALIYAR:—"Arising out of the answer given to my question, may I take it that the Government are prepared to agree that there is no prohibition to the wives of Government servants taking part in politics?"

THE HON. DR. P. SUBBARAYAN:—"I am afraid, Sir, the hon. Member is wrong in his presumption."

SRI M. G. NATESA CHETTIYAR:—"May I know whether the confidential remarks and the remarks made during inspection in the inspection reports are compared and promotions are considered on that basis?"

THE HON. DR. P. SUBBARAYAN:—"I could not hear the question, Sir."

MR. SPEAKER:—"The hon. Member will please repeat his question."

SRI M. G. NATESA CHETTIYAR:—"May I know whether the official remarks made in the inspection reports are compared with the confidential reports when promotion is considered?"

THE HON. DR. P. SUBBARAYAN:—"That is so, Sir."

SRI M. G. NATESA CHETTIYAR:—"I did not hear the answer of the Hon. Minister."

THE HON. DR. P. SUBBARAYAN:—"I said 'that is so'."

SRI V. M. RAMASWAMI MUDALIYAR:—"The rules as they stand at present forbid the wives of Government servants taking part in politics; may I ask whether the Government intend to change the rule in view of the progress made in their rights by women in the year 1947?"

THE HON. DR. P. SUBBARAYAN:—"Well, Sir, I shall take the matter up with my Colleagues."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the fact that the Hon. Ministers also are receiving salaries, will the Government consider the advisability of having conduct rules for the Ministers also?"

[15th October 1947]

THE HON. DR. P. SUBBARAYAN:—"Thanks very much for the hon. Member's suggestion; but I do not think this will be done. Perhaps when the hon. Member occupies a seat on this Bench, he will consider this question."

DR. M. J. SAMUEL:—"Are the Government aware that some of the heads of departments have abused their powers in the matter of recording their confidential remarks about their subordinates by prejudiced communal considerations?"

THE HON. DR. P. SUBBARAYAN:—"If there is a particular case of which the hon. Member is aware, he might bring it to my notice if he feels aggrieved."

H. S. HUSSAIN SAHIB BAHADUR:—"Will the Government consider the desirability of so amending the rules as to enable the subordinate to explain his conduct before adverse remarks are entered by his superior officer in his personal register?"

THE HON. DR. P. SUBBARAYAN:—"As the hon. Lady Member explained in her question, Sir, this rule already exists, and any adverse remarks which call for an explanation are sent to the officer concerned and his remarks thereon are also entered in the file."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Arising out of the reply given by the Hon. Minister that some of the Government servants are taking part in politics, may I enquire what steps the Minister is taking to prevent our Government servants from taking part in politics?"

THE HON. DR. P. SUBBARAYAN:—"I am afraid the hon. Gentleman heard my answer not correctly; I never said that Government servants were taking part in politics."

SRI PILLALAMARRI VENKATESWARLU:—"May I know if the Government are aware of the fact that the non-gazetted officers are agitating against these rules?"

THE HON. DR. P. SUBBARAYAN:—"I am grateful to the hon. Member for this information, Sir."

Indecent advertisements.

* 216 Q.—SRI N. GOVINDASWAMI: Will the Hon. the Prime Minister be pleased to state whether there is any proposal to check or stop all indecent advertisements?

THE HON. DR. P. SUBBARAYAN (on behalf of Hon. the Prime Minister):—"Instructions were issued in December last to District Magistrates to take suitable action to prevent the publication or circulation of any such advertisements."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Will the Hon. Minister be pleased to define what the Government mean by 'indecent advertisements'?"

[15th October 1947]

THE HON. DR. P. SUBBARAYAN:—"Advertisements of a nature which might excite people and things like that. If the hon. Member wants further information, I shall have to produce a dictionary."

M. S. ABDUL MAJID SAHIB BAHADUR:—"Will the Hon. Minister give us an assurance that all these pictorial advertisements will be passed by the Board of Film Censors before they are actually put on the boards?"

THE HON. DR. P. SUBBARAYAN:—"I cannot give any such undertaking; but I shall see that such objectionable advertisements are not put on boards; and this will be brought to the notice of the censors."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is the Hon. Minister aware that even horse races excite people which he has so ably defended in the Council?"

THE HON. DR. P. SUBBARAYAN:—"It does not excite me, Sir; it might excite the hon. Member concerned."

SRI M. G. NATESA CHETTIYAR:—"May I know, Sir, whether these indecent advertisements pass through the Censor Boards?"

THE HON. DR. P. SUBBARAYAN:—"I did not hear the hon. Member."

SRI M. G. NATESA CHETTIYAR:—"May I ask the Hon. Minister why restrictions should not be placed to see that these indecent advertisements are not passed by the Censor Boards?"

THE HON. DR. P. SUBBARAYAN:—"What I referred to was the question of pictures exhibited in the cinema houses; but as it is, the Government and the District Magistrates have power to prevent the publication of indecent advertisements."

Recruitment of Deputy Superintendents of Police.

* 217 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Home Minister be pleased to state—

(a) how many Deputy Superintendents of Police are intended to be recruited in the course of the year both from service and from outside;

(b) whether there is any minimum qualification for recruits or period of service for those to be promoted fixed for this purpose;

(c) whether there is any instance where an acting Inspector has been directly promoted as Deputy Superintendent of Police;

(d) if so, what is that officer's name and what are the special grounds which prompted the Government to grant this extraordinary promotion;

(e) where is the officer serving now and what is his present post;

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(f) whether there is any rule prescribing a period of twenty years service before a police officer from the lower grades could be promoted as a Deputy Superintendent of Police;

(g) if so, why was it relaxed in favour of the officer in question;

(h) whether there are instances where officers in the lower grade qualified with the prescribed period of twenty years and without any delinquency in their service have not been so promoted; and

(i) if so, for what reasons?

THE HON. DR. P. SUBBARAYAN:—“(a) The number of vacancies in the category of Deputy Superintendents of Police to be filled by direct recruitments for the year ending 31st March 1948 is eight. As regards recruitment by transfer from the subordinate service, the number depends on leave and other temporary vacancies available each year.

“(b) The minimum general educational qualification prescribed for appointment by direct recruitment is the possession of a degree of a recognized University. The hon. Member is referred to rule 4 of special rules for the Madras Police Service in the matter.

In the case of promotees (Inspectors), no minimum period of service has been prescribed as qualifying for promotion. Apart from their suitability for appointment as Deputy Superintendents of Police, they should have completed their period of probation as Inspectors of Police.

“(c) The answer is in the affirmative.

“(d) Captain Shaik Hamid Sahib. His previous good record of service and war service were taken into consideration. There is no rule which precludes the promotion of an officiating Inspector as Deputy Superintendent of Police.

“(e) Deputy Superintendent of Police, Coimbatore subdivision.

“(f) There is no such rule.

“(g) Does not arise.

“(h) & (i) There are such officers, but as selection is by merit, the more deserving men have been appointed as Deputy Superintendents of Police.”

SRI S. NAGAPPA:—“Arising out of the answer to clause (a), may I ask the Hon. the Home Minister how many of the seats would be given to the Harijans?”

THE HON. DR. P. SUBBARAYAN:—“I have not looked into it; but I know there are three vacancies entirely reserved for the Harijans and recommendations are to come from the Public Service Commission.”

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SRI S. NAGAPPA:—“I could not follow the answer, Sir.”

THE HON. DR. P. SUBBARAYAN:—“I said there are three vacancies reserved for Harijans and the recommendations of the Public Service Commission are awaited.”

SRI A. SUBRAHMANYAM:—“May I know whether any people will be recruited from the backward communities?”

THE HON. DR. P. SUBBARAYAN:—“No, Sir.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“Is it not a fact that subordinate officers who have done meritorious services other than military service are also singled out for special promotions?”

THE HON. DR. P. SUBBARAYAN:—“Well, Sir; it is a military term, and I am not prepared to answer it for the simple reason that promotions are made on the recommendation of the Inspector-General or the Deputy Inspector-General concerned and naturally, merit and service are also taken into consideration.”

SRI M. G. NATESA CHETTIYAR:—“May I know whether recruitments are made on a communal rotation basis?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Member's presumption is correct.”

Public Safety Act.

* 218 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Home Minister be pleased to state—

(a) whether the Government have received many representations for early termination of the Public Safety Act in our Province; and

(b) if so, whether the Government propose to repeal that Act at an early date?

THE HON. DR. P. SUBBARAYAN:—“(a) Yes.

“(b) There is no such proposal under the consideration of the Government.”

SRI R. V. SWAMINATHAN:—“May I know if the Government are aware of the fact that this Act is being misused by the Police and recently they have arrested one Mr. T. G. Krishnamurthi, a Congress worker and some others in the Madura district?”

THE HON. DR. P. SUBBARAYAN:—“I know Mr. Krishnamurthi has been arrested; but whether the Police have misused the Act is a matter for consideration by the Government, and I am not prepared to take the hon. Gentleman's presumption.”

SRI R. V. SWAMINATHAN:—“Sir, will the Hon. Minister tell this House, what is the reason which led to the arrest of Mr. Krishnamurthi?”

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THE HON. DR. P. SUBBARAYAN :—“ As the matter is before the Court under section 107, I submit it is *sub judice*.”

11-15 a.m. MOHAMED ABDUL SALAM SAHIB BAHADUR :—“ Is the Hon. Minister aware of the existence of a feeling in the country that this Act is intended only to fight the Communists and it is being used only to fight them? ”

THE HON. DR. P. SUBBARAYAN :—“ The hon. Gentleman is quite wrong in his presumption; the Act is in order to prevent anything that might affect the safety of the Province. The hon. Gentleman knows as well as I do that things are rather in a difficult position in the country at the present time.”

K. M. SEETHI SAHIB BAHADUR :—“ Arising to answer to sub-clause (a), may I know whether any representations have been received that the Act is being misused by the authorities in whose haps powers have been vested under it? ”

THE HON. DR. P. SUBBARAYAN :—“ Yes, Sir. When allegations are made, the Government do find out whether they are true.”

K. M. SEETHI SAHIB BAHADUR :—“ May I know whether enquiries into these allegations have been made? ”

THE HON. DR. P. SUBBARAYAN :—“ The Government have made such enquiries as they deemed proper.”

SRI PILLALAMARRI VENKATESWARLU :—“ May I know if the Government are aware that the whole country is agitating against the Public Safety Act and it is being condemned from all platforms? ”

THE HON. DR. P. SUBBARAYAN :—“ That is evidently the view of the hon. Gentleman.”

M. S. ABDUL MAJID SAHIB BAHADUR :—“ Are not measures like the Public Safety Act the recognized instruments of fascist administrations? ”

THE HON. DR. P. SUBBARAYAN :—“ I do not think so, Sir. As a matter of fact, ever since the present Government came to power, they have released many who have been taken under the Public Safety Act; but of course, if anybody misbehaves, it may be used against him.”

The Bitragunta Criminal Tribes Settlement.

* 219 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Home Minister be pleased to state whether the present inmates of the Bitragunta Criminal Tribes Settlement in Nellore district are registered under the Habitual Offenders Act and whether there is any proposal to send them to their respective settlements or to liberate them altogether?

THE HON. DR. P. SUBBARAYAN :—“ None of the inmates in the Bitragunta Reformatory Settlement has been registered

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under the Madras Restriction of Habitual Offenders Act. The hon. Member has already proposed the release of all or half the number of the settlers in the settlement and that proposal is under the consideration of the Government.”

SRI V. RAGHAVAYYA :—“ Are the Government aware that they have been spending Rs. 65,000 per year on 25 decrepit, old, miserable souls who have been confined in this Settlement for the last ten years? ”

THE HON. DR. P. SUBBARAYAN :—“ I must thank the hon. Member for giving this information to the hon. Members of the House as Government are already in possession of this information; as I have stated, they are considering what can be done to these 25 unfortunate men as the hon. Member chooses to describe them.”

SRI V. RAGHAVAYYA :—“ In view of the promise of the Hon. Leader of the House at the time of the repeal of the Criminal Tribes Act, will the Government be pleased to abolish the Habitual Offenders Act which is a twin sister to the Criminal Tribes Act? ”

THE HON. DR. P. SUBBARAYAN :—“ I must thank the hon. Gentleman again for his information and his advice; but the Government are already considering in what way the Habitual Offenders Act can be replaced by a more suitable legislation.”

SRI R. V. SWAMINATHAN :—“ May I know what is the fate of the newly repealed Criminal Tribes Act passed by this Assembly very recently? ”

THE HON. DR. P. SUBBARAYAN :—“ The hon. Gentleman knows that the Act has been passed and the Government will bring it into force when necessary arrangements have been made.”

SRI V. RAGHAVAYYA :—“ Are the Government aware that in Chingleput and several other districts, the Police have not yet given effect to the repeal of the Criminal Tribes Act and convicts and ex-registered persons are still compelled to take out passes and to report to the Police and the District Magistrates have not taken care to communicate to Police officials their duty in this matter? ”

THE HON. DR. P. SUBBARAYAN :—“ The hon. Gentleman knows as well as I do that when that Act was passed an amendment was introduced by which the Act would come into force when the Government notified it; the Government are considering when it can be notified and as far as possible, the Government have given instructions to District Magistrates concerned that they should leniently deal with these people and where they find that these people are not in any way liable for the breaches of the peace, they should act as if the Act was not in force at all.”

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Radhakrishna Mills, Coimbatore.

* 220 Q.—SRI R. KUPPUSWAMI: Will the Hon. the Minister for Food be pleased to state—

(a) whether there is any decrease in the production in Radhakrishna Mills, Coimbatore, after the appointment of special officer;

(b) if so, what is the reason for the same; and

(c) whether there is any report regarding the same from the conciliation officer?

THE HON. DR. T. S. S. RAJAN:—“(a) No Sir.

“(b) & (c) Do not arise.”

SRI N. M. R. SUBBARAMAN:—“Authorized controllers are appointed only to certain mills and they are not appointed for others. May I know why this discrimination is made in the matter of the appointment of these authorized controllers?”

THE HON. DR. T. S. S. RAJAN:—“Authorized controllers are appointed only to certain mills and not to all the mills.”

SRI N. M. R. SUBBARAMAN:—“I like to know why this discrimination is being made and why they are not appointed to all the mills?”

THE HON. DR. T. S. S. RAJAN:—“It all depends upon the working of a particular mill; wherever controllers are found necessary, they are appointed.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know what are the grounds on which special officers are appointed for certain mills and not for others?”

THE HON. DR. T. S. S. RAJAN:—“As a general rule, it depends upon the trouble in each particular mill between the labourers and the management and particularly with regard to production.”

Bonus to the ryots.

* 221 Q.—SRI V. RAGHAVAYYA: Will the Hon. The Minister for Food be pleased to state—

(a) whether the Government propose to give the entire bonus to the ryots in cash;

(b) whether procurement has been satisfactory in the surplus districts; and

(c) if not, what are the reasons for the same?

THE HON. DR. T. S. S. RAJAN:—“(a) No. The Government do not propose to pay the entire bonus amount to producers in cash, as it is their main intention that at least a part of it should be utilized by the producers for Grow More Food purposes, i.e., increasing the production of food crops.

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“(b) Procurement in the Northern surplus districts during the current Kharif year is unsatisfactory when compared with that in the last Kharif year.

“(c) The following are the main reasons:—

(i) Selfishness of the non-officials of the food committees in their outlook and delay in the scrutiny of the assessment lists by the village committees.

(ii) Withholding of stocks of foodgrains by the ryots in the expectation of increased prices or a grant of bonus as in last year, and

(iii) Inefficiency of procuring agencies.”

SRI V. RAGHAVAYYA:—“In view of the splendid results that cash payment yielded last year and in view of the non-availability of an efficient distributing system and in view of the utter ignorance of the ryots in the use of chemical manures, will the Government be pleased to take the suggestion of distributing the entire bonus in the shape of coin?”

THE HON. DR. T. S. S. RAJAN:—“I am unable to follow the recommendation or advice of the hon. Member.”

SRI V. RAGHAVAYYA:—“In view of the fact that cash bonus had a miraculous effect last year in yielding up the hidden hoards and in view of the fact that the villagers are incapable of using this chemical manure and the distributing agency of the manure, namely, the village community, is not functioning effectively and in view of the fact that. . . .”

MR. SPEAKER:—“A big compound sentence!”

SRI V. RAGHAVAYYA:—“For fear that more questions may not be allowed and also because the Ministers are annoyingly skillful, delightfully evasive and persistently vague in their replies, I am obliged to put the question in this form—and in view of the fact. . . .”

MR. SPEAKER:—“The rule is that the question must be clear.”

SRI V. RAGHAVAYYA:—“Answers also must be sufficiently lengthy to be expressive. And in view of the fact that cash bonuses have been very useful in getting large quantities of paddy last year and the offer of manure is not very useful and effective this year, for various reasons, namely, the distributing agency is not very efficient, the ryots do not know the use of these chemical manures and the Government themselves are not able to supply enough stocks to ryots at the proper time and season, may I.

MR. SPEAKER:—“No explanations need be given; the hon. Member may put the question straightway.”

SRI V. RAGHAVAYYA:—“May I request the Government to straightway give bonus in cash.”

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THE HON. DR. T. S. S. RAJAN:—"The Government are not prepared to accept the suggestion of the hon. Member."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask if the Government have got enough stock of manure to give as part of the money bonus to the ryots; if not whether the Government would consider the alternative of the ryots taking it either wholly in cash or in manure or partly in cash or partly in manure."

THE HON. DR. T. S. S. RAJAN:—"Sufficient manure for the first instalment could be given and the Government are going to give only manure and till the question of the supply of manure is thoroughly dealt with we do not propose to give cash."

SRI K. P. KAMAKSHI CHETTIYAR:—"May I know if payment of bonuses is indefinitely delayed?"

THE HON. DR. T. S. S. RAJAN:—"There is inevitable delay in the procurement and distribution of manure but the Government are doing everything in their power to see that it is expedited."

SRI M. G. NATESA CHETTIYAR:—"May I know if bonus is given only on the application given within a certain time?"

THE HON. DR. T. S. S. RAJAN:—"The bonus is granted to all the persons presenting the E form receipts to the treasury or Revenue officials concerned."

SRI V. I. MUNISWAMI PILLAI:—"Do the Government subscribe to the view expressed by Mr. Raghavayya that agriculturists do not know the use of chemical manures?"

THE HON. DR. T. S. S. RAJAN:—"I do not accept the view of the hon. Member who made that statement."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know which succeeds better, manure in kind or manure in cash?"

THE HON. DR. T. S. S. RAJAN:—"I have not yet learnt the art of manuring in cash." (Laughter.)

SRI R. V. SWAMINATHAN:—"Is it a fact, Sir, that zamindars and inamdars who receive manure as bonus are selling it at black-market rates to their cultivators because of their inability to use it, not being cultivators themselves?"

THE HON. DR. T. S. S. RAJAN:—"I am thankful for the information given by the hon. Member."

SRI PILLALAMARRI VENKATESWARLU:—"May I know if the Government are aware of the fact that the procuring agents are purchasing them and selling them at black-market rates?"

THE HON. DR. T. S. S. RAJAN:—"Procurement agent has got to procure paddy only and that is what the Government are aware of and whether that particular agent is indulging in black-marketing in such things is a matter for investigation."

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SRI R. V. SWAMINATHAN:—"As the Hon. Minister has thanked me for the information I furnished, may I ask, Sir, if he will consider taking steps to check this kind of misuse by the inamdars and zamindars and design the system in such a manner that it should be given to cultivators only and not to non-cultivators?"

THE HON. DR. T. S. S. RAJAN:—"Those who present the E form receipts are entitled to receive the manure."

S. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Arising out of the answer to clause (c), may I enquire whether the Government are aware that procurement is taking place in cash and the cash thus procured is going into the black-market by the officials?"

THE HON. DR. T. S. S. RAJAN:—"I am unable to follow the question." 11.30 a.m.

S. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Are the Government aware of the fact that officials are procuring not paddy but cash and that cash is used for procuring paddy by buying paddy in the black-market?"

THE HON. DR. T. S. S. RAJAN:—"Procurement is only for the purchase of grains."

BEGUM SULTAN MIR AMIRUDDIN:—"Since procurement has not been satisfactory, may I know whether the Government intend to reduce the rice ration still further?"

THE HON. DR. T. S. S. RAJAN:—"Such a contingency has not yet arisen, Sir."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"Is it not a fact that producers are not given bonus coupons speedily, and therefore the producers are not able to get manure from the Agricultural department speedily?"

THE HON. DR. T. S. S. RAJAN:—"Wherever procurement bonus coupon is presented to the department, the Government have ordered that the bonus should be paid to those who produce receipts."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Does the Hon. Food Minister agree with the views expressed by the Finance Minister just the other day that in view of better procurement food rations will be increased?"

THE HON. DR. T. S. S. RAJAN:—"That does not arise as a supplementary question."

M. S. ABDUL MAJID SAHIB BAHADUR:—"Whatever the amount of bonus assigned, may I know, Sir, that this bonus does get very much reduced by the time it reaches the hands of the ryots?"

THE HON. DR. T. S. S. RAJAN:—"I take that information from the hon. Member."

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M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"In view of the fact, that this is the manuring season in Cauvery delta area, and that producers are not given, as a matter of fact, the bonus, even though procurement was made four months ago, may I suggest to the Government that a speedier method should be adopted for the grant of bonus?"

THE HON. DR. T. S. S. RAJAN:—"The hon. Member is suggesting, and not putting a question."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"May I ask what steps the Government have taken to speed up the supply of bonus coupons to the producers, Sir?"

THE HON. DR. T. S. S. RAJAN:—"All measures for speedy payment of bonus are being taken, Sir."

M. V. HYDROSS SAHIB BAHADUR:—"In view of the answer given by the Hon. Food Minister that the food committees are responsible for the reduction in procurement, will the Government consider the necessity of abolishing these food committees?"

THE HON. DR. T. S. S. RAJAN:—"The question is under the consideration of the Government, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"Arising out of the answer that procurement is not satisfactory, will the Government consider collecting kist in kind?"

THE HON. DR. T. S. S. RAJAN:—"That has nothing to do with the answer given; it is a suggestion by the hon. Member."

SRI R. SUBBA AYYAR:—"May I know, Sir, whether the Government have made the entire bonus payable to the ryots only in manure by virtue of a recent Government Order?"

THE HON. DR. T. S. S. RAJAN:—"The Government communiqué is that half shall be given in manure and half in cash."

SRI B. S. MALLIKARJUNA RAO:—"Only one side is given the opportunity to put questions, and this side is not given."

MR. SPEAKER:—"Order, order. It is not a fact that I have allowed only one side to put questions. I have allowed all sides to put questions. What the hon. Member said is not a fact."

Sree Ramachandra Spinning and Weaving Mills.

* 222 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Food be pleased to state—

(a) whether Sree Ramachandra Spinning and Weaving Mills, Pandalapaka (East Godavari District) is under a lock-out;

(b) if so, since how many months the lock-out is continuing;

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(c) whether the Government sent any instructions regarding the lock-out to the management as well as the District Magistrate; and

(d) what action was taken by the Government in the matter?

THE HON. DR. T. S. S. RAJAN:—" (a) Yes, Sir.

" (b) From 1st July 1947.

" (c) & (d) The Government have prohibited the lock-out in the mills. As the management of the mills failed to reopen the mills, the Government have instructed the District Magistrate, East Godavari, to prosecute the management."

SRI PILLALAMARRI VENKATESWARLU:—"Are the Government aware that the District Magistrate of East Godavari did not prosecute the management?"

THE HON. DR. T. S. S. RAJAN:—"The Government have directed the District Magistrate to prosecute the management. The Government have not yet received information that he had not done so."

SRI K. ANANDAN NAMBIYAR:—"May I know, Sir, what the Government have done to get these men back to work?"

THE HON. DR. T. S. S. RAJAN:—"All that could be done is possibly being done, and the Government cannot go and ask people to work against their wishes."

SRI N. M. R. SUBBARAMAN:—"What are the reasons for the lock-out?"

THE HON. DR. T. S. S. RAJAN:—"The lock-out has been enquired into, and an award has been given. It is only in consequence of the award not being adhered to or followed up by the management, they are being prosecuted."

SRI S. NAGAPPA:—"The reasons for the lock-out have not been given. May I ask the Government to give the reasons for the lock-out?"

THE HON. DR. T. S. S. RAJAN:—"The hon. Member may put a separate question, Sir."

SRI R. SUBBA AYYAR:—"May I know whether the lock-out is legal?"

THE HON. DR. T. S. S. RAJAN:—"It has gone before an arbitrator and he has given his award."

SRI A. KAMESWARA RAO:—"What steps have been taken to enforce that arbitration, Sir?"

THE HON. DR. T. S. S. RAJAN:—"The arbitration has not been accepted by the management, and that is why they are being prosecuted."

SRI A. KAMESWARA RAO:—"Has the prosecution taken place, Sir?"

THE HON. DR. T. S. S. RAJAN:—"The District Magistrate has been asked to prosecute."

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Rationing and control in surplus districts.

* 223 Q.—SRI B. S. MALLIKARJUNA RAO: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government have decided to give up rationing and control in surplus districts; and

(b) whether the Government propose to declare definitely that the ceiling prices for paddy have reached their maximum and that any further increase in price will result in serious harm to the working classes?

THE HON. DR. T. S. S. RAJAN:—“(a) No. The question is under the consideration of the Government.

“(b) No.”

SRI B. S. MALLIKARJUNA RAO:—“Is it the policy of the Government to think of increasing the price when already consumers are feeling the weight of it?”

THE HON. DR. T. S. S. RAJAN:—“Sir, consumers have all along been paying a fixed rate of price to all the controlled commodities, and therefore there is no reason to imagine that the consumers are paying a higher price.”

SRI K. BRAHMANANDAM REDDI:—“Are the Government aware of the universal feeling in surplus districts that this rural rationing should go?”

THE HON. DR. T. S. S. RAJAN:—“The whole question of removal of rural rationing is a subject which is under the consideration of the Government, and it cannot be taken up light-heartedly.”

SRI K. BRAHMANANDAM REDDI:—“Are the Government aware of the fact that very recently Gandhiji has given advice in the matter?”

THE HON. DR. T. S. S. RAJAN:—“The advice given by such a great person as Mahatma Gandhi is entitled to all the consideration that it deserves.”

SRI V. C. PALANISWAMI GOUNDER:—“I only reiterate the statement of Mahatma Gandhi in this connection and invite the attention of the Government to the definite statement there procurement and distribution are unbusinesslike?”

THE HON. DR. T. S. S. RAJAN:—“I do not see any supplementary question in this.”

SRI B. S. MALLIKARJUNA RAO:—“Arising out of the answer given to me by the Hon. Minister, do the Government feel that the prices so far fixed are not unreasonable and are not high?”

THE HON. DR. T. S. S. RAJAN:—“The prices that are fixed by the Government are not at all high.”

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SRI N. S. VARADACHARI:—“Will the Government consider very carefully the risks involved in removing control over rural rationing?”

THE HON. DR. T. S. S. RAJAN:—“The Government are fairly well aware of the situation.”

SRI ROKKAM RAMAMURTHI:—“In view of the prevailing costly agricultural and labour conditions, is it not necessary to enhance the price of paddy, Sir?”

THE HON. DR. T. S. S. RAJAN:—“This again is another question which is not supplementary to the questions that I have answered.”

SRI PILLALAMARRI VENKATESWARLU:—“Arising out of the answer regarding the continuance of rural rationing, will the Government give an assurance that before doing away with rationing, they will consult this House?”

THE HON. DR. T. S. S. RAJAN:—“The question of doing away with rationing is for the Government to decide, and I regret such matters will not be referred to the opinion of this House.”

H. S. HUSSAIN SAHIB BAHADUR:—“Do the Government realize that rationing is the only remedy for the whole Province when food is in short supply for the Province as a whole?”

THE HON. DR. T. S. S. RAJAN:—“That is a perfectly correct proposition, Sir.”

P. P. HASSAN KOYA SAHIB BAHADUR:—“Are the Government aware that the giving up of rationing in surplus districts would make the position of the deficit districts still worse?”

THE HON. DR. T. S. S. RAJAN:—“It may be so, Sir.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Arising out of the answer regarding Mahatma Gandhi's advice, is the Hon. Minister for Food aware that such Mahatma's advice is meant for following it up and not only for considerations?”

THE HON. DR. T. S. S. RAJAN:—“The advice of Mahatma Gandhi is not the subject-matter of the question here, Sir.”
(Laughter.)

SRI K. BRAHMANANDAM REDDI:—“Is it not a fact that in the recent Provincial Food Conference convened by the Hon. Food Minister, the members, excepting one or two, pleaded for the abolition of rural rationing in surplus districts?”

THE HON. DR. T. S. S. RAJAN:—“I do not think the hon. Member is correct, Sir.”

P. P. HASSAN KOYA SAHIB BAHADUR:—“In view of the answer of the Hon. Food Minister, would he give us an assurance that he would consider carefully before rationing in rural areas in surplus districts is taken away, because it would make the position of the deficit districts still worse?”

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THE HON. DR. T. S. S. RAJAN :—“ I may assure the hon. Member that the Government will not go into the question light-heartedly.”

Highways and Electricity Departments.

* 224 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state—

(a) under whose administrative control the Managers of the Public Works Department, Electricity and Highways Departments and Divisional Accounts of the Division Officers are ;

(b) how many Muslims there are in the abovesaid offices (total number);

(c) how many Muslim officers there are in the Public Works Department, Highways and Electricity Departments; and

(d) what measures the Government have proposed to ensure the appointment and fair representation of the minority communities in these posts and in the Highways Department?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) The Managers and Divisional Accountants of the Public Works Department are under administrative control of the Executive Engineer of the division concerned and those in the Electricity and Highways Departments under the administrative control of the Divisional Engineers concerned.

“ (b) The number of Muslims employed as Managers and Divisional Accountants in the Public Works, Electricity and Highways Departments are as follows:—

Public Works Department	...	...	...	3
Electricity Department	...	...	...	Nil.
Highways Department	...	...	...	1

“ (c) The number of Muslims employed in the offices of the Public Works, Electricity and Highways Departments are as follows:—

Public Works Department	...	...	...	296
Electricity Department	...	...	...	78
Highways Department	...	...	...	177

“ (d) Initial appointments are made according to the rule of communal rotation under the general rules for Provincial and Subordinate Services. No service rules have been framed for the Highways Department and pending the issue of these rules, appointment to certain posts have been made on temporary basis having due regard to the under represented communities.”

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SRI S. NAGAPPA :—“ May I ask the Hon. Minister whether in making such appointments, the Government are taking population into consideration, and whether appointments are made proportionate to the population? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Notice, Sir.”

SRI B. S. MALLIKARJUNA RAO :—“ Is it not sufficiently harmful to the social structure to covet public posts at every stage on communal basis? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is so, Sir.”

Memorandum from the Road Maistries' Association.

* 225 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Government have received a memorandum from the Road Maistries' Association;

(b) if so, what are the representations;

(c) what action the Government have so far taken; and

(d) if no action was taken, why not?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) Yes.

“ (b) The representations are—

(1) the district should be taken as the unit for purpose of fixation of the number and emoluments of maistries;

(2) a uniform dearness allowance should be paid at the rate admissible for other establishment; .

(3) the grant of privilege leave should be provided for in the rules;

(4) the number of maistries should be increased and they should be retained throughout the year by increasing the Provision for petty supervision in road work estimates;

(5) jurisdiction should be fixed taking into account facilities for travel and nature of work and it should be on a district basis;

(6) existing disabilities regarding gratuity and provident fund should be removed;

(7) qualified maistries among them should be absorbed as attenders, clerks, etc., in preference to direct recruitment from outsiders; and

(8) the maistries should be given cycle allowance.

“ (c) & (d) The Chief Engineer's detailed remarks in the matter have been obtained recently and they are under consideration.”

SRI S. NAGAPPA :—“ May I ask the Government, out of the eight representations made by the maistries, how many of the representations they think are reasonable and when I can expect redress of those grievances.” 11. 5 a.m.

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THE HON. SRI M. BHAKTAVATSALAM:—"I have already answered that in my answer to clauses (c) and (d)."

SRI S. NAGAPPA:—"Sir, the term 'consideration' is a very vague word. May I ask the Government when this consideration will come to a conclusion and a decision will be arrived at?"

THE HON. SRI M. BHAKTAVATSALAM:—"I cannot give any assurance as to when we will be able to complete the examination and arrive at a final decision in the matter."

SRI B. S. MALLIKARJUNA RAO:—"Are the Government aware that for months together these maistries are not paid their salary, and that seems to be the system prevalent in the Highways Department?"

THE HON. SRI M. BHAKTAVATSALAM:—"I would like to have notice."

The Cement Industry.

* 226 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Industries be pleased to state—

(a) what steps the Government are taking to deal with the problem of cement scarcity in the Province;

(b) whether the Government intend to nationalize the cement industry; and

(c) if so, what steps the Government are taking towards that end?

THE HON. SRI H. SITARAMA REDDI:—" (a) The Madras Government recommended to the Government of India to accord their sanction for the establishment, in this Province, of six new cement factories with a total capacity of 3.1 lakhs tons per annum as shown in the statement^a placed on the table of the House.

The Government of India have so far sanctioned only two factories proposed for Tinnevely and Kurnool districts with a total capacity of 1.5 lakhs tons per annum. On the recommendation of this Government, the Government of India have also permitted Messrs. The Andhra Cement Co., Ltd., to increase their productive capacity to 300 tons per day. The Government of India are being pressed to sanction the remaining four new factories.

The question of taking over the distribution of cement in this Province by the Government is also under the consideration of the Government.

" (b) & (c) A Committee has been constituted to advise the Government on the nature and extent of control which should be exercised over industries. The Committee has submitted a preliminary report containing its tentative conclusions. It has been published for eliciting public opinion."

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BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether the Central Government have given to this Province a higher share in the cement production of this country?"

THE HON. SRI H. SITARAMA REDDI:—"No, Sir."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know whether this provincial Government are pressing on the Central Government with reference to this matter?"

THE HON. SRI H. SITARAMA REDDI:—"In answer to clause (c), I have said the Government of India are being pressed to sanction the remaining four new factories which will enhance the quota of this Province."

SRI KALLUR SUBBA RAO:—"May I know from the Government whether expert engineers have said that cement is not useful for dam construction . . ." (Several voices: "Please speak through the mike.")

SRI KALLUR SUBBA RAO:—"The mike over here is not working."

MR. SPEAKER:—"The hon. Member may go over to the mike near Mr. Venkateswarlu and put the question from there."

SRI K. ANANDAN NAMBIYAR:—"Then the Communists should not be blamed if this mike also goes out of order." (Laughter.)

SRI KALLUR SUBBA RAO:—"May I inquire, Sir, is it the expert opinion of the expert engineers working at the Tungabhadra Project site that cement is not useful for dam construction and that the Government are not going to the cement produced by the cement factories there?"

THE HON. SRI H. SITARAMA REDDI:—"I do not know what the decision of expert engineers is, as I have not been appraised of it. But I may say, I am sure, our engineers did not say that cement is not useful for dam construction."

SRI K. ANANDAN NAMBIYAR:—"Will the Government take over cement factories for nationalization purpose?"

THE HON. SRI H. SITARAMA REDDI:—"I have answered this in my answer to clauses (b) and (c). An interim report has been submitted by the Planning Committee, and copies of it have been circulated to all legislators and public opinion is awaited on the recommendation of the Committee. The question of nationalization of any particular industry will be considered then."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know what is the basis for selecting the places at which cement factories are to be started?"

THE HON. SRI H. SITARAMA REDDI:—"Generally, selection is made on the basis of availability of raw material, on the availability of power and also on the necessity for regional development of every area in this Province."

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SRI C. M. KOTHARI:—“ Will the Ministry be pleased to follow an all-India policy in respect of nationalization of industry so that the industries of this Province may not be at a disadvantage? ”

THE HON. SRI H. SITARAMA REDDI:—“ The suggestion of the hon. Member will be considered. May I invite his attention to the interim report of the Planning Committee? ”

SRI R. V. SWAMINATHAN:—“ May I know whether the two factories sanctioned by the Central Government, that is one at Tinnevely and the other at Kurnool, have started construction work. May I also know when they may be expected to produce cement? ”

THE HON. SRI H. SITARAMA REDDI:—“ Though I cannot give all the information the hon. Member wants, I understand that the India Cements, Limited, at Tinnevely have started construction work, and the other factory at Kurnool has not started work.”

SRI S. NAGAPPA:—“ From the answer, I see the Government have sanctioned one cement factory for Kurnool district. In view of the fact that the party has not proceeded with construction of work, will the Government either compel the party to open the factory or will the Government themselves take up the construction of the cement factory in Kurnool? ”

THE HON. SRI H. SITARAMA REDDI:—“ This is one of the matters that will be considered after the Planning Committee has submitted its report. If the Government feel there is a necessity for a cement factory in Kurnool, the question of how best to get it done will be examined.”

SRI V. RAGHAVAYYA:—“ In view of the difficulty involved in transporting cement, will the Government consider the desirability of encouraging transport of cement by means of petrol lorries and give them more petrol? ”

THE HON. SRI H. SITARAMA REDDI:—“ This question does not arise out of the present question. ”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ I find from the information placed on the table of the House that two cement factories have been recommended for the Tamil Nad and four for the Andhra Desa. Is it because the Hon. Minister for Industries happens to be an Andhra that four cement factories have been recommended for the Andhra area? ” (Laughter.)

MR. SPEAKER:—“ I rule it out of order. ”

SRI N. M. R. SUBBARAMAN:—“ May I ask whether the Government will consider the desirability of taking up fifty-one per cent of the shares in these factories and thus have effective control over them and leave the management to private firms? ”

THE HON. SRI H. SITARAMA REDDI:—“ As I have already submitted there are certain recommendations made by the Planning Committee in their interim report. I would request

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the hon. Member to read that report and then he will be able to understand the suggestions. We have also called for the remarks of the public, and after all the remarks are received, they will be examined and a decision will be taken. Perhaps the point urged by the hon. Member is one of them.”

Compulsory medical inspection of pupils studying in elementary schools, secondary schools, etc.

* 227 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state—

(a) whether medical inspection of pupils is being conducted in any of the schools of this Province, whether under the management of the Government, local body or private agency;

(b) what steps the Government are taking in regard to compulsory and effective medical inspection of pupils in

(i) elementary schools, and

(ii) secondary schools; and

(c) whether any differentiation is made or will be made between boys' schools and girls' schools in regard to this matter?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ (a) Yes. In some schools.

“ (b) & (c) The matter is under consideration.”

SRI S. NAGAPPA:—“ Sir, from the answer I see, there is not a single basic school in Rayalaseema. Will the Government consider the desirability of opening one school at least in the Rayalaseema districts? ” (Laughter.)

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ I am afraid the hon. Member is not looking at the proper question.” (Laughter.)

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“ On a point of order, Sir. When an hon. Member has given notice of a question, is it not his right to put the supplementary question, first? ”

MR. SPEAKER:—“ It is not a point of order. I looked at the Lady Member and as I did not see her rising, I called upon another Member to put his supplementary question.”

BEGUM SULTAN MIR AMIRUDDIN:—“ May I know on what lines the Government intend to organize medical inspection in schools? As the matter has been under consideration for a long time I wish to know whether the Government intend to establish a regular school medical service for medical inspection in schools, whether the Government intend to establish school clinics as recommended by the Bhore Committee and whether the Government intend to charge any fee from the school children who are to be subjected to medical inspection? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“ The Government intend pursuing medical inspection on the lines suggested by the hon. Member.”

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BEGUM SULTAN MIR AMIRUDDIN:—" May I inquire whether the Government intend to establish medical inspection both in elementary and secondary schools? In view of the fact that those most in need of medical inspection are the children reading in elementary schools, may I inquire whether the Government wish to exclude elementary schools from the scope of medical inspection as was done in 1926, when medical inspection of schools was introduced in this Province? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" It is the intention of the Government to introduce medical inspection of pupils in both elementary and secondary schools. But the hon. Member knows it cannot be done all at once, but only gradually."

H. S. MUSSAIN SAHIB BAHADUR:—" May I know what the agency employed for medical inspection of schools is? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" The matter is under consideration."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know whether the Government intend to devise any new method with reference to medical inspection; or they intend to follow the old method of medical inspection without its being followed up by treatment, which was of no use? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" I do not know what the hon. Member means by ' new method ' and ' old method '. But a scheme is being evolved in consultation with the Surgeon-General in the matter."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" In view of the fact that we have now got Swaraj, will Government see that medical inspection is done by Ayurvedic doctors? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" All useful doctors will be utilized."

SRI M. G. NATESA CHETTIYAR:—" Are the Government aware that while fees are collected no medical inspection is done in board schools? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" It is quite possible. If such things are brought to the notice of the Government, they will take action."

BEGUM SULTAN MIR AMIRUDDIN:—" With reference to the remarks of the Hon. Minister that he did not know what was meant by ' old method ' and ' new method ', is not the Hon. Minister aware that the old method consisted of merely medical examination of the pupils without its being followed up by treatment, whereas the new method envisaged is that the person examined should be subjected to treatment as has been recommended by the Bhoré Committee? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" Every effort will be made to follow up medical examination with treatment as recommended by the Bhoré Committee."

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Music teachers in Government Training Schools.

* 228 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) the officer who has been empowered to appoint Music teachers in Government Training Schools;

(b) whether such appointments were made in Madura division during the financial year 1945-46 after due advertisement regarding the vacancies;

(c) if so, how many applications were received from qualified hands and how many were appointed out of them; and

(d) whether it is a fact that the only qualified hand who was appointed in the Government Training School, Dindigul, was ousted in 1946-47 and an unqualified hand appointed, and if so, on what special grounds?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" (a) Divisional Inspector of Schools.

" (b) & (c) No appointments were made during the financial year 1945-46. The posts were created only from the school year 1946-47. The vacancies were not advertised presumably for the reason that the posts are only part-time and there were private music teachers already employed in the schools,

" (d) No: The candidate ousted in 1946-47 was not a fully qualified hand and also his appointment was irregular."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—" In view of the importance of music in the new curriculum will the Hon. Minister see to it that no part-time instructors are employed in future and that full-time instructors are employed? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" This will depend to a great extent upon the need of the school itself and the availability of the teachers, Sir."

Basic schools in this Province.

* 229 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) how many basic schools there are in this Province;

(b) how many of them are recognized by the Government;

(c) whether the Government are giving any grant to them, and if so, how much to each school;

(d) whether the Government have got any proposals to improve basic education and if so, what they are; and

(e) whether the Government have got any training school for teachers in basic education, and if so, how many of them are trained so far?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

" (a) Eleven."

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“(b) All.

“(c) A *statement is laid on the table.

“(d) Orders have been issued sanctioning the conversion of 17 elementary schools in the Coimbatore district into basic schools.

“(e) Two schools were opened last year, one at Perianaickenpalayam in Coimbatore district and another at Vinayasramam in Guntur district, to train teachers in basic education. Sixty-four and seventy-two teachers were admitted for training in the two schools respectively. The Government have passed orders for the opening of three more schools this year, one at Cuddalore in South Arcot district, another at Palayad in Malabar district, and the third at Moodbidri in South Kanara district. About 200 candidates will be trained in the three schools, this year.”

MR. SPEAKER:—“I will take five more minutes and finish the rest of the questions.”

SRI A. VEDARATNAM PILLAI:—“What is the future policy of the Government regarding basic schools in this Province and may I know whether the Government have got any idea of converting the present elementary schools into basic schools?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“Yes, Sir. The policy of the Government is to convert all elementary schools into basic schools.”

SRI S. NAGAPPA:—“May I ask the Government, Sir, whether they will be pleased to open at least one school in the Kurnool district, that is in Rayalaseema? From the answer laid on the Table of the House I find that out of the eleven schools not even a single one is in Rayalaseema and out of the three schools that are going to be opened not one is going to be situated in Rayalaseema.”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“If the hon. Member is prepared to open a basic school the Government will consider giving him all possible help.”

SRI S. NAGAPPA:—“In view of the backwardness of Rayalaseema will the Government consider the desirability of opening at the cost of the Government a basic school in Rayalaseema preferably at Kurnool?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“That will be sympathetically considered, Sir.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Arising out of the answer given by the Hon. Minister that all schools will be converted into basic schools, will the Hon. Minister be pleased to see that expert opinion is taken before being very dogmatic in following up the matter?”

* Printed as Appendix II on pages 899-900 infra.

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“I am afraid, Sir, it is the hon. Member who is dogmatic all the time without making a proper study of the question. The matter has been examined and the Central Advisory Board of Education has put its seal of approval on it.”

SRI N. M. R. SUBBARAMAN:—“May I know whether these basic school trained teachers are given more pay than the ordinary trained teachers?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“No, Sir.”

SRI KALLUR SUBBA RAO:—“May I know from the Hon. Minister whether all the people who were trained in the Vinayasramam and other places have been given appointments?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“Yes, Sir. I presume so.”

SRI N. M. R. SUBBARAMAN:—“May I know from the Hon. Minister whether the basic school trained teachers do not deserve a better scale of pay than the ordinary trained teachers?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“The matter is under consideration, Sir.”

Construction of the Muslim Women's College, Madras.

* 230 Q.—BEGUM SULTAN MIR AMIRUDDIN: With reference to the answer given to starred Question No. 215 on 4th March 1947 will the Hon. the Minister for Education be pleased to state—

(a) why the construction of the building for the Muslim Women's College, Madras, has not yet commenced; and

(b) what steps the Government propose to take to see that the work of construction of the above building is completed in 1948 as stated in reply to the above question?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) & (b) The Chief Engineer (General and Works) has, in his latest report, stated that priced estimates for the work are awaiting his technical sanction, which will be accorded shortly and the estimates sent to the Superintending Engineer concerned for further action.

Much difficulty is being experienced at present in the matter of procuring building materials, especially iron and steel. Several representations have been made to the Government of India regarding the necessity for urgently releasing iron and steel required for this work and for giving high priority to it. Every possible attempt will be made to procure the necessary materials and to complete the work in 1948, if materials become available.”

BEGUM SULTAN MIR AMIRUDDIN:—“Is the Hon. Minister aware that unless and until the building for this college is constructed, it is not possible to get this college affiliated in the

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science courses and that this absence of provision for scientific studies is responsible for the existing numbers in the B.A. classes of the college? In view of the urgent necessity for a building for this college, without which it will be impossible for the Government to expect an increase in the existing number of students in the institution, may I request the Hon. Minister to expedite the construction of the building by hurrying up the Public Works Department, which is well-known for its inordinate delays?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"I am afraid this is not a question, Sir. It is a speech. The Government are trying to expedite the matter."

SRI N. S. VARADACHARI:—"In view of the fact that we are now all one people will the Government consider the advisability of closing down this compartmental education for Muslims, Hindus and Christians and so on?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"I hope, Sir, the House will have an opportunity to express itself on this question shortly."

BEGUM SULTAN MIR AMIRUDDIN:—"May I inform the hon. Member Mr. N. S. Varadachari . . ."

MR. SPEAKER:—"One hon. Member should not inform another hon. Member on the floor of the House." (Laughter.)

BEGUM SULTAN MIR AMIRUDDIN:—"Is the Hon. Minister aware that this institution caters at present more to the requirements of Hindu girls than Muslim girls and that there is no question of exclusion of any community in that institution and that all are admitted there on the same basis?"

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I ask the Hon. Minister whether since the estimates for the construction of this building were prepared any other Government works were not carried out and whether materials required for them were not supplied?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"There are many buildings, Sir, that could not be completed for want of materials."

SRI A. VEDARATNAM PILLAI:—"What is the strength of Muslim girls in this college, Sir?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"I think it is 14 or 15. I speak from memory."

SRI P. NATESAN:—"May I know if the Hon. Minister expects the contractor who is going to do the construction of this building to pay sales tax on the materials which he is going to supply, i.e., bricks, chunam, iron works, etc.?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"That will depend upon the passing of the Bill which is pending now, Sir."

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SRI S. NAGAPPA:—"Will the Government consider the desirability of calling it the Women's College instead of calling it Muslim Women's College as there are other girls also in the college?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"The matter will be considered, Sir."

SRI V. I. MUNISWAMI PILLAI:—"May I know what will be the cost of construction of this college and whether, it will be worthwhile to have such a building for 14 pupils?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"The matter has been cleared up in a previous question, Sir. It is expected that they will have a much bigger strength next year."

Students sent overseas for higher studies.

* 231 Q.—SRI V. RAGHAVAYYA (on behalf of Sri T. Viswanatham): Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have contributed any portion of the cost incurred by the Andhra University in connexion with the deputation of students overseas for higher studies; and

(b) If so, the names of those students and the subjects of study for which they have been sent?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) No.

"(b) Does not arise."

SRI V. RAGHAVAYYA:—"May I know, if the Government have paid any contributions to other universities in this Province in this connection?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"Not as far as I am aware. The hon. Member may put a specific question if he wants more exact information."

SRI V. RAGHAVAYYA:—"What weighty reasons has the Government got in not contributing to this noble object?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"The reason is this, Sir, that the Government do not contribute in these cases. The Government contribute funds only for such people whom as they think necessary to be sent to foreign countries."

Release of one Sadhu Seshiah.

* 232 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have received any representations from the public of Nellore for the release of one Sadhu

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Seshiah, an accused in the communal disturbances at Nellore in 1940 who is undergoing a sentence of imprisonment for seven years; and

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

THE HON. SRI K. MADHAVA MENON:—“(a) Yes.

“(b) The Government do not propose to release him at present.”

SRI V. RAGHAVAYYA:—“In view of the splendid concord that is prevailing at Nellore to-day, do not the Government consider that the release of Sadhu Seshiah will promote the good feelings still further?”

THE HON. SRI K. MADHAVA MENON:—“Both Hindus and Muslim have been convicted in connexion with the rebellion, Sir, and the Government do not propose to release Sadhu Seshiah alone.”

SRI V. RAGHAVAYYA:—“Will the Government be pleased to release the Muslim also who was convicted in connexion with the same Hindu-Muslim troubles and satisfy both the communities who live in concord?”

THE HON. SRI K. MADHAVA MENON:—“I have already said, Sir, that the Government do not propose to release them at present.”

Supply of drinking water in Salem town.

* 233 Q.—SRI A. SUBRAHMANYAM: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that people of Salem town are experiencing great difficulty for want of drinking water; and

(b) what action the present Government have taken about the Mettur Water Supply Scheme introduced by the previous Congress Ministry which was left unfinished owing to the break out of the II Great War?

THE HON. SRI A. B. SHETTY:—“(a) At present, water is obtained for the municipality from Panamarathupatti tank. The rate of supply works out to about three or four gallons per head per day and so, difficulty is experienced for want of sufficient water.

“(b) Almost all items of work connected with the Mettur Water Supply Scheme have been completed except the installation of a pumping plant, construction of a reservoir at Ammapet and other minor items. Tender for the installation of the pumping plant has been accepted. The scheme is expected to function in about a year or two.”

SRI A. SUBRAHMANYAM:—“Are the Government aware that there is a foul smell in the tap water, especially during the summer season?”

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THE HON. SRI A. B. SHETTY:—“I have no information, Sir.”

SRI A. SUBRAHMANYAM:—“Is it not the duty of the Government to arrange for the supply of good drinking water for the people of Salem where there is no river or well-facility?”

THE HON. SRI A. B. SHETTY:—“It is the duty of the municipality as well as the Government, Sir, to supply protected water wherever it is necessary.”

SRI P. KANDASWAMY PILLAI:—“Are the Government aware that a qualified water-works overseer is not employed in the Salem Water Works for the past several years and that as a consequence of that, Salem is supplied with very bad water?”

THE HON. SRI A. B. SHETTY:—“Notice, Sir.”

SRI N. S. VARADACHARI:—“Are the Government not aware that due to structural defects and lack of proper technical advice the whole of this system has suffered?”

THE HON. SRI A. B. SHETTY:—“Yes, Sir. The Government have recently appointed a committee to go into this question and consider how the water-supply and drainage schemes can be expedited all over the Province wherever they are necessary. The report submitted by this Committee will be considered by the Government as early as possible.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“In view of the fact that wells in Salem are too deep involving considerable strain on the part of the women-folk who draw out water, will the Government be pleased to see that facilities are made available such as the supply of Myers pumps to help these women and reduce their strain in drawing out water from the wells?” (Loud laughter.)

THE HON. SRI A. B. SHETTY:—“The hon. Member may put a separate question on the matter, Sir.”

BEGUM SULTAN MIR AMIRUDDIN:—“In view of the fact that the drinking water available in Salem is not healthy and in view of the fact that even so long ago as when Sir S. V. Ramamurti was the District Collector of Salem, he used to bring his drinking water all the way from Mettur which indicates that the provision of suitable facilities for water-supply has been pending in Salem for a long time, will the Government give priority to this scheme over other less important schemes?”

THE HON. SRI A. B. SHETTY:—“Every possible attempt is being made to expedite the completion of the scheme, Sir.”

SRI N. M. R. SUBBARAMAN:—“May I know what action has been taken to remove the foul smell from the water?” 12-15 p.m.

THE HON. SRI A. B. SHETTY:—“I wish to know from the hon. Member what exactly he means by foul water; does he refer to the water from the Panaimarathupatti tank or the well water?”

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SRI N. M. R. SUBBARAMAN:—"The Panaimarathupatti tank water."

THE HON. SRI A. B. SHETTY:—"It is protected water. I do not think it is foul water."

I.M.S. Officers retained in Madras.

* 234 Q.—MUHAMMAD RAZA KHAN SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(a) how many officers of I.M.S. branch both Indians and Europeans, have been retained in Madras;

(b) what are their names; and

(c) how long they will be in the services of the Madras Government and on what terms?

THE HON. SRI A. B. SHETTY:—" (a) & (b) The following I.M.S. officers have been retained in Madras:—

(1) Col. S. L. Bhatia.

(2) Major Sangham Lal.

(3) Lieut.-Col. P. V. Karamchandani.

(4) Major K. N. Rao.

(5) Lieut.-Col. G. S. Gill.

(6) Major W. H. G. Reed.

" (c) Major Reed will be retained so long as the present Governor remains in Madras. The question how long and under what terms the other officers will be retained in service is under consideration."

Cholera in Tinnevely district.

SRI K. T. KOSALRAM:—"On a point of information, Mr. Speaker. Due to cholera in Tinnevely district there have been many deaths and there is a possibility of more deaths occurring. May I know from the Hon. Minister for Public Health whether any serious steps . . ."

MR. SPEAKER:—"The hon. Member may put it in writing and give it to me."

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

II.—SITTINGS OF THE HOUSE.

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I understand that this House will be sitting not till the 21st as you announced sometime back but only till the 18th. I wish to know the correct position."

MR. SPEAKER:—"The other day I announced that this House would sit till the 21st, but the Government have changed their mind and they now want the Upper House to sit on the 20th

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and the 21st. So we are adjourning on the 18th. The other day I said that we would reassemble on the 27th and continue the sittings. But the Hon. the Leader of the Opposition, M. Muhammad Ismail Sahib Bahadur, represented that the Muslim Members would like to go to their homes and spend some time there during their festival and suggested that the Assembly might be adjourned till the 29th. In order to please the Muslim Members, with the concurrence of the Leader of the House, I am going to adjourn the House on the 18th and ask it to reassemble on the 29th."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"I wish to ask whether the Upper Chamber cannot be kept vacant for two more days." (Laughter.)

MR. SPEAKER:—"We have passed a number of Bills and they should all be considered by the Upper House. The House will now resume the discussion on the General Sales Tax (Amendment) Bill. The Hon. the Finance Minister will continue his speech."

III.—THE MADRAS GENERAL SALES TAX (AMENDMENT) BILL, 1947.

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, the debate on this Bill would have been over even the other day, but on account of some circumstances it has been carried over to to-day. I wonder whether yourself and the Hon. the Finance Minister would both agree with the consent of the Leader of the House to allow further debate on this Bill so that some hon. Members who have not taken part in the discussion may have an opportunity of doing so to-day."

MR. SPEAKER:—"As far as the Rules are concerned, they do not permit us to have a debate again now, because the Hon. Finance Minister has already spoken for five minutes the other day. According to the Rules he should continue his speech to-day. After his speech, I will call on the hon. Member, Sri P. Natesan to reply. After his reply I will again call on the Hon. Minister to reply."

* THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, I was telling the House that we were not in a hurry about the Bill. (Hear, hear.) The Special Officer was appointed last year and he submitted his report in November last. The hon. Member Mr. Karanth who was then in charge of commercial taxes convened two conferences of all the interests concerned and he gave them ample opportunity to discuss the various provisions of the Bill. I am aware that the Bill as such was not placed before those members, but the salient points relating to the Bill were generally discussed and general approval was given to them by the members concerned. So since November last this matter has been engaging the attention of the Government and if to-day in October this year we have published a Bill and brought it forward for discussion nobody can charge us and say that we have been in a hurry about the Bill."

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"I have told the House that it is not proper that a Finance Bill should be circulated for public opinion. In this view I am fortified by Mr. C. Rajagopalachariar's statement when he introduced the General Sales Tax Bill in 1939. I shall read the relevant portion from his speech. He says:

"I want the House to be aware that at this stage this Bill should be accepted by the House and sent over to a proper select committee to discuss the matter. If it is impossible for the Government to accept merely putting it off, no taxation measure in this world is ever sent round for public opinion. No Government can function in that manner. We have to act on the authority that we have received and on the general principles on which Governments have to act; that is to say, if the country wants the previous state of affairs and does not want any new taxation even though it is the only form of taxation, it is open for the people to send us out."

I have merely quoted his words. It is not proper that this Bill should be referred for public opinion. Every day we delay the passing of the Bill would mean a loss of Rs. 1,00,000 to the Government if not more. The Government will be deprived of its legitimate dues to the extent of 100 to 150 thousand rupees a day. It is a very serious matter and the House must take it very seriously. I am anxious that the Bill should be referred to the Select Committee as early as possible and that the Select Committee should report as early as possible.

"Sir, some general issues were raised in the course of the debate including the constitutional issue. My hon. Friend Mr. Mahboob Ali Baig raised issues pertaining to the future constitution of India and the allocation of finances between the provinces and the centre. I may tell him and the other Members of the House, Sir, that we are very alert in the matter. It was a member from Madras Province in the Constituent Assembly who was responsible for convening a conference of Provincial Ministers at Delhi where we had a general discussion among ourselves and then pressed on the President of the Constituent Assembly that he must appoint a committee to go into this question. I am glad to say that our suggestion has been accepted and a committee is to be formed very soon which will go into the entire question of the allocation of finances between the Provinces and the Centre. It is also a matter which will be taken up by the Provincial Government at that time. We are also aware how some of the central excise duties, specially the tobacco tax, are depriving this Government of a very large amount of revenue. We have discussed all the provisions of the Government of India Act, namely, sections 137 to 140 relating to the financial portions. Even yesterday I had a lengthy discussion with the Collector of Central Excises and he was telling me that in this Province he was getting 7 to 8 crores of rupees from about 10 articles which are subject to central excise duties. The yield from tobacco alone is Rs. 2 crores. It used to be three crores before. I do not know why it has gone down to Rs. 240 lakhs last year. I have repeatedly represented to the Government of India that our share of this must be not less than 50 per cent. So far, the Government of India have turned a deaf ear to us and they have said that they could only give Rs. 22 lakhs which they are now giving to us and that the matter could not be re-opened.

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We are also thinking, Sir, whether what was done during the time of the Advisers' time, must be binding now upon this Assembly and the Government and whether the agreement cannot be repudiated. If the Committee, I mentioned, goes into the question and if their recommendations do not find favour with the Government, it is up to this Government and the House to repudiate the agreement that was entered into by the Advisers' Government about the tobacco taxation. We are all alive to this matter and I can assure the House that we will do all that is possible.

"Sir, the general sales tax is intrinsically connected with the prohibition programme. Many people have suggested that the prohibition programme might be modified or slowed down if it is possible. We have repeatedly discussed that point and the House has given its blessings to the three years prohibition policy. We have already launched prohibition in 16 districts and 8 more districts will be covered next year. There is no use of going back on that policy and discussing that point repeatedly as it would not be advantageous to anybody. The policy having been accepted by all, it is but right that we should follow it up and bear all the responsibilities that flow out of it and take all the consequential measures. This Bill is one of those measures we wanted to pass so that we may get a revenue of three or four crores of rupees.

"My hon. Friend Mr. Majid in a very beautiful speech asked: 'Why not stop post-war development schemes?' I do not know whether he meant it seriously. It is really a very bad thing to be told that all post-war development schemes may be stopped for the present. Things had been held up for a number of years and no new scheme was taken up during the war. Everything was put off because the conditions were abnormal. Now after two years or more of the close of the war, if all the post-war development schemes like irrigation schemes, repair of tanks, improvement of minor ports, compulsory education, opening of new medical and engineering colleges have to be deferred or dropped, it would be a sad state of affairs for the Province. With great care and great labour these schemes have been drawn up by experts during those days and we are anxious to implement them as far as possible. We are of course painfully aware that our finances do not permit the implementation of the entire post-war development schemes. So we have cut down the first five years programme from 130 crores to 80 crores and we do not know whether even these 80 crores schemes will be implemented by us. So all things considered, it is not right for any popular Government to defer or give up all post-war development schemes in view of the prohibition programme. The other alternative is to tax ourselves and go forward with these schemes.

"Sir, there was a general fear expressed that the trade will be driven out of the Province. That was the burden of the song of so many members the other day. I do not think, Sir, that trade is such a flighty affair that it can take flight to other Provinces and States because some little tax was levied upon it. I know the rigidity with which trade adheres to its place and in spite of

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this tax, the business has to go on and it will also thrive. Trade is not like those thousands and millions of people who are driven from their hearths and homes across the frontiers between Pakistan and India. The people may migrate as evacuees, but trade, internal trade cannot like an evacuee, a wounded evacuee takes refuge in places other than its own locality. I am not therefore afraid that Madras trade will fly to Hyderabad, Pudukottah or Bangalore. I am not at all apprehensive on that score. Trade will stick on here in spite of some additional taxation. I am sure we will be able to tell the House during the budget discussion next year that things are going on beautifully in spite of this small levy.

12-30 p.m. "Again, my Friend Mr. Koya repeatedly referred to the fact that it is to be a single-point taxation. The single-point taxation is one of the main principles of this Bill; we are the pioneers in that respect, and though just now the other provinces have not followed it up, we are hoping that they will veer round and accept this principle.

"Sir, I have before me a report of an expert committee constituted by the Bombay Government, some time ago, with Prof. Gadgil, Director to the Gokhale Institute of Politics in Poona as Chairman. I may read a relevant portion from it in order to show that our Madras multiple taxation principle is generally approved, although there are now some difficulties for them to follow it up immediately. I am sure, however, they will follow it up in course of time. Just now, Hyderabad also has some sort of taxation; about 28 articles have been specified and put in a schedule and all these articles are now paying a very high tax. Somebody said that Mysore has not yet imposed a sales tax; I may say for the information of the House that a special officer from Mysore is just now working in Madras, studying our system. Now that a popular or responsible Government is going to be set up there very soon, perhaps in the course of this week, it will also take our lead in the matter and adopt this multiple taxation principle of our sales tax.

"With regard to Bombay, I shall read:

"It should, however, be clear that there is nothing intrinsically wrong in taxing an article at each stage instead of at one stage only, so long as the total incidence of the tax on the consumer is not different under the two systems. Multiple taxation is not double taxation. Whereas in the single-point system the total burden that an article is intended to bear is imposed on it at one particular stage under the multiple tax system or the general turnover tax the total burden is so divided that a part of it is borne whenever a commodity changes hands."

So, that is the expert opinion of a committee, not appointed by the Madras Government but by the Bombay Government, and they too hold the view that it would be better for them to tax at all points. Moreover, the tax in Bombay is $3\frac{1}{8}$ per cent. Whether it is desirable to tax at one point at $3\frac{1}{8}$ per cent or to tax at several stages at our rate—generally an article does not change hands more than two or three times—it is up to us to see whether this or the other thing is desirable. On the whole, I am inclined to think that the present principle of the Bill need not be changed, and we may adhere to it for the time being.

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"Much was made out that we were going to add to the high cost of living and cause further inflation. I do not know whether this 9 annas is going to materially affect the cost of living in our Madras Province. I doubt it very much because the articles have a tendency to adjust themselves to the prevailing circumstances. So, this nine annas may not add to the cost of living in our Province. We can also watch the cost of living index, and if any member asks for information in that respect, I can certainly supply the information later as to whether the imposition of sales tax has generally increased the cost of living in the city or in the mufassal. It is up to us to watch with great care how the index is going up or going down and it is open to us to review the position some time hence in the light of our experience. I am also afraid that mere higher price is not inflation. It does not add to inflation at all. On the other hand, I am inclined to believe that if we impose taxation, it will contract currency, withdraw money from the market and it will cause a general lowering of the prices themselves. So, inflation has two aspects; one that it may put up the price of commodities, another that the tax may withdraw money from the market and help to lower the price of commodities. How it is going to affect us in general is a thing to be seen, and we shall watch very carefully how it is going to affect us and our internal commerce. So, I do not make much of the fear that has been made out by Mr. Baig and others that this is going to cause a greater inflation and a higher cost of living. On the other hand, as I said, I am inclined to believe that the more we tax, the more it will help to withdraw money from the market, contract currency and generally help to lower down the prices (Mahboob Ali Baig Sahib Bahadur: 'Only in the case of the tax on income.') Any tax will withdraw money from the market. It will draw money into the Government coffers, and to that extent people will be deprived of the use of money.

"As regards Tea and Coffee, my hon. Friend Mr. Karanth has replied to Mr. Kothari and others who said that coffee and tea cannot bear this taxation. It is not as if coffee and tea are going to be taxed for the first time now; they have all through been taxed but this Bill provides for the taxation of these commodities at the first point also. That is the only difference. Coffee and tea are being charged at all the subsequent points, but only at the first point it was not charged till now because it was considered as agricultural commodity; but this Bill contemplates tea and coffee as not purely agricultural commodities but as mere commercial commodities, in that they are not sold either as seeds or leaves, but they undergo a number of processes before they are sold to the wholesaler or to the retailer. So, they cannot be treated merely as agricultural commodities and given exemption even at the first stage. I am not sure therefore that even coffee and tea are going to be costlier hereafter just because we tax them at the first point also. As I said, tea and coffee plantations were not giving anything to the Provincial Government up to now; whatever they paid, they paid to the Central Government; and even the land revenue they were paying to the Provincial Government

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was ridiculously low, and they escaped taxation all these days. So, if we bring them into line with manufactured commodities, there would not be any hardship caused on coffee and tea plantations. So, there is not much point in that remark also.

"As regards the schedule, it was mentioned that we were fighting shy of publishing the schedule, that we were not prepared to take the House into confidence and so on. I may tell this Honourable House that the very fact that we did not give the schedule along with the Bill shows how considerate we are, how anxiously we are examining the question (Laughter) that we are not in a hurry to push through the Bill and take you by storm. The Board and the Government have to examine it and it is very difficult to say which is a luxury article and which is not; so we did not publish the schedule along with the Bill. It is open to the Select Committee to examine some of the items which will be placed before it and the House also will be given ample opportunity to discuss this matter. After all, nothing will be put into the schedule without the consent of the House. If we want to levy a differential taxation on an article calling it a luxury, the House will have a full opportunity to discuss it. Even if I do not bring it up for weeks or even months, it is all the good for you, because we are fighting for the merchants. (Hon. Members: 'No, Sir.') Those articles will not be subjected to a differential taxation for the present. Unless you approve it, nothing will be added to the list. So there is no point in Members saying 'Why don't you tell us what the commodities are that will be taxed?' The very fact that we did not give the list shows that we want to be considerate, we are going slow and we do not want that any necessities should be taxed in the name of luxuries at a higher rate. So, I think the Government must be congratulated on that point instead of being criticised. (A voice: 'Congratulate yourself.')

"Then my Friend Mr. Batchelor, I think, said 'you are going to oust the civil courts from their general jurisdiction and you are going to take power into the hands of the Government,' etc. Suddenly he burst into rhetoric and said 'Are we going back to Hitlerite Germany or to the present-day Stalinite Russia.' Sir, I have my own differences with Hitlers and Stalins, but I must say that during their regimes, their countries showed an enormous amount of efficient organization; they managed somewhat better than others though their political ideologies were perverse; they showed an enormous amount of energy and enthusiasm and they gave a drive to the people to organize themselves in matters of industry and commerce. So, we need not be frightened by the words 'Hitler and Stalin.' Apart from that, the mere fact that we are ousting the civil courts of their jurisdiction does not show that we want to become fascists or that we want to be dictatorial or that we do not want to be amenable to the wishes of the people. There are many things which are not within the competence of the courts; for instance, our own land revenue is not within the competence of the courts. Yesterday I posed a question to the Collector of Customs who is collecting about 40 crores in all the provinces,

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whether the Central Excise is subject to courts, and he frankly told me that the courts were ousted, that an appeal lay to the Collector of Central Excise; if the parties were not satisfied with the orders, they could go to the Central Board of Revenue, and again if they were not satisfied with their orders, they could go to the Government of India in the Finance Department. Ordinarily, the district munsifs' court, the sub-courts and the district courts have no jurisdiction to challenge the assessment made under the Central Excise head. So, it is not a perverse thing to oust courts out of their jurisdiction, because once you provide courts with powers of jurisdiction, any amount of litigation will be there and it may be subject to all sorts of delays. But I want to tell the House that my intention is not to oust the courts of their jurisdiction. That is only a negative thing, but I want it to be followed up by a positive thing, namely the institution of a tribunal itself. I may tell the House that it has led to any amount of criticism and much of our time was spent on that point. I was amused to see that a very innocent intention was subjected to so much criticism by the House. The point of attack was that I wanted to oust the jurisdiction of the civil courts, though Mr. Karanth gave an assurance to the merchants. The rules and other things that were to be framed by the Board of Revenue were not ready, and so I thought that in the Select Committee I could safely insert a clause. Moreover, there are certain other difficulties too. The Department of Commercial Taxes is not yet made permanent; officers come and go and there is no permanency about their tenure. (Sri P. Natesan: 'There is no permanency about their tenure of Members too.' Members too change parties. All sorts of things happen. To-day they are Congressmen and to-morrow they are not. The Manual for the Department was not ready and there were some administrative difficulties in all these cases. When we institute a tribunal, the whole thing must be ready, the Manual must be ready, as many questions like whether the assessment was properly made, etc., would be raised by that body. So we have to delay a bit. If by any chance the setting up of the tribunal is delayed, the civil courts can continue to have jurisdiction. It is open to the Select Committee to make a recommendation to that effect and I for one will not object to it. Our ultimate intention is to set up a tribunal. I must also say, as I interjected the other day, that even the Income-tax Tribunal was set up after forty years' experience. It is not safe to set up a tribunal as soon as you bring in a taxation measure. It is not fair that taxing authorities should be subjected to all sorts of legal scrutiny. The assessee must have some confidence in the assessing authorities, the Board of Revenue and the Government. There is no bad intention on the part of the Government. A tribunal will be set up and pending the establishment of the tribunal, the civil courts can continue to have jurisdiction.

"There are some things which escaped the attention of the House. For instance, newspapers were being taxed both at the headquarters and the agency at Dindigul, Madurai, Coimbatore, Berwada, etc. The agents in the mufassal were clamouring that they must be tax-free. We have taken note of their demand, and the present

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Bill exempts them from the tax. Likewise, though we are taxing cotton yarn and handloom cloth, we have given a general exemption for khaddar. Khaddar will not be taxed at any point and will continue to have the exemption it enjoyed hitherto. It is not going to be taxed at any stage, because we want to encourage hand-spun and hand-woven cloth in the Province. These are matters which can be gone into after the Select Committee has reported.

"I was very sorry that my friends Mr. Pocker and Mr. Anwar had thrown a challenge. Mr. Anwar, in his own eloquent way, said: 'Apparently, the Congress Party is scuttling itself, is committing suicide, and all sorts of suicidal measures are contemplated by the party in power.' My Friend, Mr. Pocker, followed in the same strain and said that the Congress Party was committing a suicidal act. History is repeating itself. I followed the discussion in 1939 when five taxation measures were introduced simultaneously and discussed—the General Sales Tax Act, the Tobacco Tax Act, the Electricity Duty Act, the Petroleum Act and the Entertainment Tax Act. The same arguments were used then. Perhaps, the word 'scuttling' was not popular in those days, as it has come into vogue only recently. The Members said that the Congress Party would not be returned if it goes to the electorate on the basis of these taxation measures. Immediately after the passing of these five taxation measures, there was a bye-election for the Council in South Arcot, when our Hon. Premier Mr. Ramaswami Reddiyar contested the seat. It was a hotly contested bye-election and the result was that the Congress candidate came out with a very decent majority. Immediately after that in 1939, elections to eight district boards were held and the Congress Party came out very successful sometimes having as many as 50 members out of 52 being returned on the Congress ticket. That was in 1939. In the bye-elections to the Council in 1940 in twelve districts, the Congress came out successful in eleven districts except Kistna. Again in 1946, the Congress has come in greater strength. Then we had only 163, but we are having 166 Congress members. I may also tell him that just now there is a bye-election pending in Madura. Let the critics set up candidates and see whether they can defeat the Congress even on the basis of this General Sales Tax Bill. This tax is not an isolated tax. We know how it is coupled with prohibition. People will be asked to give a verdict on prohibition and sales tax together. I am sure the people will give their verdict in favour of the Government. Hereafter, elections will be on the basis of joint electorates. If I go to the electorate on the basis of the General Sales Tax Bill, I am sure I will capture not only the general seats, but also almost all the Muhammadan and Christian seats. Let them beware that they will have to face this eventuality also! Mr. Mahboob Ali Baig, Mr. Anwar Mr. Pocker and all of them will have to seek the suffrage of not only the Muhammadans but also of the Christians, the Harijans and the Caste Hindus. They will have to go to the people in general and get a verdict.

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"There are other matters also, but all of them can be more usefully discussed in the Select Committee. The Select Committee consists of seven merchants, who are very experienced people. They have great experience of industry and commerce—Messrs. Natesan, Kothari, Batchelor, Abdul Majid, Hassan Koya Sahib, Guntur Narasimha Rao and Pyndah Venkatanarayana. So, Sir, the Select Committee can usefully go into the provisions of the Bill and submit its report. I need not dilate upon the other provisions of the Bill at this stage. When we discuss the report of the Committee, we can go clause by clause and discuss all the relevant point in greater detail. So I request my friend Mr. Natesan to withdraw his motion and agree to refer the Bill to a Select Committee."

* SRI P. NATESAN:—"I do not know if I should congratulate the Hon. Finance Minister; if he expects any congratulations from me, I am afraid, he must be disappointed. He has made a very disappointing speech. My point was that this Bill should be circulated for eliciting public opinion, but he never attempted to give a direct reply to that. He said: 'We have consulted the Chambers of Commerce; we have put in a special officer to deal with this matter; you better go and face a bye-election.' I say it is absolutely unfair to utter that threat here, because you must know that the people are now suffering under a sense of frustration. They know that the Congress Party is riding rough-shod over public opinion. This is beside the subject and I am not going to dwell on it. Otherwise, the Finance Minister will turn round and say: 'You once belonged to the Congress Party.' That seems to be the stereotyped answer. He forgets that I came out of the Congress because I could not continue as a member with a clean conscience. On that account, does it mean that I am any the less nationalistic than any of the hon. Members here?

"I say I represent the general consumer in this Province. I am certainly not speaking on behalf of the rich mercantile community. Sir, take the population of the Madras Province; how many people are paying tax on an income of over a lakh and how many on an income over Rs. 10,000? Barring these few so-called rich people, all the other people are below average and they have got to be consulted. If you are not going to be guided by what appears in the papers, which are supposed to reflect public opinion, whom else are you going to consult? The leader in this morning's *Hindu* which is one of the very leading papers here says:

'The Sales Tax Bill is not a Finance Bill in the ordinary sense; it is just a fiscal measure like the Income-Tax Act; by publishing it, you will not let out any taxation secret such as would affect the stock and commodity markets, cause loss to bona fide merchants and enable speculators to make unconscionable profits.'

This is also my argument. The other day *The Madras Mail* wrote *leaderette* saying that there was no harm in referring the Bill to the public. What is the reply he has given? There is the threat of bye-election!

"Then, I asked him 'what about agricultural crops? The Hon. Minister says: 'We are not taxing agricultural crops.

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What is his explanation for the words 'and also includes all growing crops' occurring in section 2 (iii)? Are you going to tax paddy crop? It is a growing crop. If it is not his intention, let him say what exactly the meaning of the above words is.

"My complaint is that he has not given a direct answer as to why the Bill need not be referred to the public. He says: 'We have consulted the Chamber of Commerce; we have appointed a special officer to deal with the matter. I was in a hurry; that is why I did not put in a clause for constituting a tribunal.' Then he said that in Mr. Rajagopalachari's time, i.e., in 1939, so many Bills went through. Times were propitious then. What is the condition of the Province to-day? There is no food, no house and no cloth. That is why we are grumbling. Here they say that there is scarcity of building materials. Are you going to tax the bricks, the chunam and the carpentry work? Is it administratively practicable? House building is encouraged all over the Province, and you know that there is shortage of housing accommodation. I say this tax will seriously hamper building activities.

"He says we have got a single-point tax. He would like it to be multiple and says that it will not be difficult to pay. The existing tax is a multiple tax except in respect of skins and hides. By this Bill you are not only raising the multiple tax, but you are putting in differential rate of taxes. Don't think I am representing the merchants; I am just stating facts. Take for instance, Spencer and Company and N. Desai Gounder. They will find it very difficult to keep accounts. Cosmetics may perhaps come under luxury goods, and there may be a 100 per cent tax on them. They will have to enter the sales in one column. For the sale of radio, velvet goods, etc., they will have to put in another column. It will be absolutely impossible administratively. That is my complaint.

1 p.m. "Sir, my hon. Friend Mr. Karanth said yesterday that these merchants are avaricious, that they are making exorbitant profits, that they are selling Horlicks at Rs. 6-8-0 per lb., and so on. Sir, I ask him, 'Why do you pay such a high price for it? Why don't you refuse to buy it altogether?' That is what Mahatma Gandhi wants you to do. That is how you should discourage black-market. Then Sir, I ask, 'Is it the merchants alone that are charging exorbitantly for their articles? Are not the lawyers doing the same thing?' What about my lawyer friends like Mr. Bhashyam who is looking at me? Mr. Bhashyam says we are shedding tears for the consumers? Is he not charging exorbitant fees? Then what about doctors? Do they not say, 'I am very expensive; if you want to get the thing done by me, you must pay me the fees that I ask.' Sir, that is the case with every profession. What about musicians? Take for instance, Mrs. M. S. Subbulakshmi. What is the fees she is charging for her performance? Sir, it all depends upon demand and supply. Because there is a shortage in the supply of Horlicks, there is a demand for it and people are prepared to pay a higher price. Therefore, I like my friend Mr. Kothari will only advise these gentlemen not

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to go in for such articles as Horlicks and pay such a high price. After all, is it every man that is going in for Horlicks? Is it the average clerk or a peon who buys Horlicks every day? What does it show? Was Horlicks available a century ago? To-day you want Ovaltine and Horlicks. You go to a merchant and ask him to give you the same. I say the merchant is right in charging you a high price, because he has put up a board on the window saying that the cost of Horlicks is so much. There is no black-marketing in it, because you know the price you have to pay for it. If the Government want that the price should be less, let them control the article. But to try to bring that point here, when we are discussing the incidence of the Sales Tax, is, I think, not right.

"Sir, the Hon. the Finance Minister referred to the Postwar Reconstruction schemes which the Government have undertaken. I am doubtful, Sir, whether many of us will be alive to enjoy the benefits of such post-war schemes. The Hon. Minister has simply given up a list of the post-war development schemes which the Government have contemplated. But simply giving the House a statement of the activities of the Government does not mean that all the schemes will be carried out speedily and successfully. What is the post-war scheme which the Government can hope to complete within the next five years? I am sure they cannot do anything appreciable, because the materials necessary are not available. No scheme among the postwar schemes will be completed within the next ten years, and yet, the Hon. Finance Minister is talking about post-war development schemes. That is why, Sir, I suggest that these schemes may be taken sometime hence, and that this Bill may now be referred to public opinion, and that the tax brought into force from the 1st of April 1948. I want to know what is the justification for his hurry.

"Then, Sir, it is said that Congressmen are public-spirited people, that they represent public opinion, that they are patriotic men and that no further reference to public opinion is necessary. I ask, Sir, 'Is patriotism the monopoly of Congressmen alone? Are they alone representing public opinion? Are we simply logs of wood on this side of the House? Do we not represent anybody? Do we not understand who have got to pay this tax?' (Interruption by Mr. Bhashyam.) Sir, of all people, I do not want lawyers to interfere in this matter.

"Then, Sir, it is said that a combination of luxuries and non-luxuries will lead to administrative difficulties and that the list of articles to be included under luxuries will be considered in the Select Committee. On the whole, Sir, I say that the Hon. the Finance Minister has not answered my point as to why this Bill should not be sent out for public opinion. Why should you not wait till the public have a say on this Bill? What do the newspapers of Madras which are supposed to reflect public opinion, say about this Bill? Let the Government answer the points raised by them. But then the Hon. the Finance Minister will tell me

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that if the Bill is delayed, he will lose Rs. 1,00,000. Then I would say Sir, that you simply want to fleece the people and ask 'Why not plunder the entire Province?'

"Sir, I have got here a telegram from a Merchants' Association, protesting against this tax. (Interruption.) I have also got some other letters from other merchants but, this telegram is from Vizianagram from one V. Seshayya Chetti. (A voice: 'He is also a merchant!'). Yes, Sir, he is also a merchant. Merchants are more human than we. Let me tell you that it is the merchants who support your All-India Congress organization and it is they who are financing the Congress. Therefore do not shout at merchants as if they are a set of criminals. Merchants have got to be there, whether you like them or not. When you are taking advantage of merchants, why are you decrying them?

"Then, Sir, I want to say a word about a little business, though it is an important one in the City—I mean, the fruit trade. It seems that the Hon. the Finance Minister has already met a deputation from this trade and has given some reply. But this much I want to say about that trade. It is in the hands of a set of illiterate men who cannot maintain proper accounts. They simply note down how many fruits arrived and how many perished in course of time, and they do not know what sales are effected in the course of the day, etc. How are you going to tax them on their turnover?"

SRI N. S. VARADACHARI:—"Are they so simple fellows as not to know, what tax they have got to pay?"

* SRI P. NATESAN:—"I say that they do not know how to keep accounts and all the statements that the Government insist under this Bill. Therefore I say, tax them any specific amount; but do not ask them to bring in their statement of accounts, and do not ask your subordinate officers to go on harassing them. Sir, as I said just now, this is a very important trade in Madras which is run by a set of poor and illiterate men. These fruits come from Nagpur and other places from the North India, and this is at a time when local fruits are not available, and if you introduce any tax here, probably they will stop the supply from Nagpur and Madras will be put to severe hardship. Therefore, my whole point is that you must refer this Bill to public opinion. I am very keen about it. (A voice: 'You are the public'.) Sir, I am certainly representing public opinion. I am representing 99 per cent of those who belong to the mercantile community in this Province.

"Sir, how happy these Congressmen are about this turnover tax? They are not bothered about it at all. In a few months' time the Congress organization is going to disappear and the Assembly will have to be re-elected. Let them go out and fight the elections not in the name of the Congress, but on any other name. Then we will come and fight as Labourmen or men belonging to the Communist party; then we shall see who will be elected.

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"Sir, I am very glad to hear from the Hon. Finance Minister that he received a deputation from the bankers. I do not know what happened at the interview, and whether the Hon. Finance Minister understood the bankers' point of view."

THE HON. SRI B. GOPALA REDDI:—"They went thoroughly satisfied."

SRI P. NATESAN:—"I am very pleased to hear that, Sir. I have got here a four-pages memorandum from the bankers, which contains certain very complicated points, and I do not know whether the Hon. Minister thoroughly understood them. I only hope that the Hon. Finance Minister will give a few days' time to the bankers and other important representative interests and let them be granted a personal interview and discussion and let them be satisfied on the various points raised.

"Sir, as for the popularity of this measure, it is said that the Hon. Minister for Finance, when he was on tour, had received ovation from the people. I have no belief in such things, because if a Minister of the Government goes to a place in the mufassal or to some temple like the Tiruvottiyur temple, he is surrounded by a number of officials and friends and the poor people also, flock together to see the sight. They simply cry the slogan Mahatma-Gandhi-ki-Jai and Vandematharam and so on. That does not mean that the public have approved of this Bill. Of course, I am not disputing about elections, but I say that this is not public opinion. Sir, in this very House, the Muslim League has spoken; the Independent group has spoken and the European group has also spoken; the Communist group has also spoken, all in favour of circulating this Bill for public opinion. That is to say, the entire opposition wants the Bill to go for public opinion. When such is the opinion of the various parties in this House, it is not right on the part of the Hon. the Finance Minister to come and say, that there is no need to circulate the Bill for public opinion. Then what regard are you showing to the Opposition? Why do you want these people to be here at all? Where is the need for the opposition?"

SRI M. BAPINEEDU:—"To make speeches!"

SRI P. NATESAN:—"Sir, I know that the Hon. Finance Minister is not going to accede to the wishes of the Opposition.

"Then, Sir, the Hon. Minister says that the trade cannot migrate. Perhaps he seems to know the mind of the merchants better. But I may state, Sir, that he is wrong. Particularly when you impose this tax on the bullion and specie, do you know what the merchants will do? Suppose one wants to purchase diamonds for a lakh of rupees. He will simply fly across the air to Bombay and buy all he wants. One-fourth per cent on a lakh of rupees is no insignificant amount, and the turn over is also very great. Therefore it is worthwhile flying to Bombay and do the business; and suppose if this thing goes on throughout the year, can you say with any justification that the trade has not migrated?"

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"Sir, the Hon. the Finance Minister said that if this tax is delayed, the prohibition programme will have to be slowed down, that the House has given its blessings to it and that he will not be carrying out the wishes of the House if he allowed it to go slowly. I say, Sir, that a portion of the House which gave its blessings to the prohibition programme now wants you not to proceed in such a hurry, then why do you not do so? Sir, as all the parties other than the Congress party in the House are expressing their desire that this Bill should be circulated for public opinion and as all the leading Madras papers are of the same opinion, I hope, that the Hon. Finance Minister will accede to their wishes, without bringing in the name of Mr. C. Rajagopalachari or his arguments about its urgency. The condition at present is entirely different from what it was then.

"Sir, let me refer to one more point before I sit down. With regard to the question of the institution of a tribunal for appeals, the Hon. the Finance Minister said that in the case of the Excise Duty, there is no such tribunal, that he consulted the Collector of Customs in this matter and that he was assured that there is no provision for such a tribunal in the Central taxes also. Sir, he takes what is good for him. What about Income-tax Tribunal? There is the Assistant Commissioner who hears the appeal, then the Tribunal and then the High Court. He also brought in for his support the Gadgil Report, wherein also there was no provision for an appellate tribunal. But he was, however, good enough to say that he would consider this question at the Select Committee. Also he has not taken the trouble to see the qualified nature of the recommendation, wherein the Gadgil Report sought to distinguish between taxation and incidence of taxation. Sir, with these words I would again request the Hon. the Finance Minister to consider my amendment to the motion."

THE HON. SRI B. GOPALA REDDI:—"Sir, this Bill was published on the 30th last month and the Bill has been before the public from that date. In the meanwhile, the Ministers were having their tours in the districts and were having discussions with the public and merchants on this Bill. So far as I am aware, no consumer as such, and no representative of the consumers as such, ever approached me or any other Ministers and made any representation about the sales tax. It is only the Chamber of Commerce and the Merchants' Association that are clamouring about its imposition. I do not know whether they are really paying the tax or are passing on this tax to the consumers. Indeed they must be passing it on to the consumers. Sir, this is really a consumers' tax. But the consumer does not say anything about it. It is the Chamber of Commerce and the merchants that collect the tax from the consumer that are making all this agitation."

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P.M. SRI P. NATESAN:—"Does it mean that the Chamber of Commerce does not represent the consumers?"

THE HON. SRI B. GOPALA REDDI:—"It is not as if that Mr. P. Natesan alone represents the consumers. All the members of the Congress Benches are also representing the consumers."

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SRI P. NATESAN:—"You said the Congress alone represents the consumers."

THE HON. SRI B. GOPALA REDDI:—"So, Sir, my first point is that no consumer has sent any memorandum or made any representation to the Government and secondly, it is not that Mr. Natesan alone or the members of the Muslim League that represent the consumers. We are fully aware of the difficulties which the consumers would be put to when the tax is ultimately imposed. Again, Mr. Natesan said that patriotism is not the monopoly of the Congress members alone. I say it is not the monopoly of Mr. Natesan alone to represent the consumer. The Congress also represents the consumers and the consumers will gladly agree to the tax being imposed especially as it is linked up with the prohibition programme. Again, Mr. Natesan ridiculed the idea about the post-war development schemes. Some of those schemes have already been started. Some engineering and some medical colleges have already been opened. Some new irrigation projects have been taken up and compulsory education is being introduced. All these come under post-war development schemes."

SRI P. NATESAN:—"I am only asking, why not wait for six months more."

THE HON. SRI B. GOPALA REDDI:—"We have already started some of these colleges. Some buildings are being constructed and the new colleges will begin to function in two or three years. Some more buildings have to be constructed. Colleges for Muslim women have to be started. All these things come under post-war development scheme. So, the scheme is not something sacred. Then Mr. Natesan asked whether we are going to impose a tax on paddy, grass and things like that. Sir, we have taken the definition from the Sale of Goods Act enacted by the Government of India. Here is the wording, Sir: 'All growing crops, grass and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale.' Some administrative difficulties have been experienced in the working of this clause. Some people have tried to evade the taxation when they produced casuarina or things like that, because the trees at the time of purchase were immovable property and they escaped taxation. But, under this clause they were intended to be taxed. When they were transported to the market for sale, the immovable property became movable property. So, as it was not possible to tax it at the stage when it was an immovable property, it was cut and was made movable property and then it was taxed. We have boldly taken that definition from the Sale of Goods Act. Again, Mr. Natesan said that things like chunam, bricks, etc., used for the construction of buildings should be exempt from this tax. We propose to tax these things also though it is against the Bombay Act and the Bengal Act."

"Then, Mr. Hassan Koya said that I am taking all advantages with regard to this taxation and that there is nothing left which is not to be taxed and does not come within the purview of the Act. But, Sir, we are consulting the engineers who take up the contract work of buildings and who know actually how much

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lime, chunam and things like that are going to be used. It is not as though the contractor is losing in the business. He sends his tender having a little margin over his own purchase price and there is nothing wrong to impose a little tax on the contractor of buildings. Because, when he goes into a contract, he will quote his own rates.

"So, Sir, as I said, there is no point in referring this Bill for public opinion. It means delay and loss of revenue to the Government which we can usefully get for our expenditure. I certainly feel there is no point in referring it for public opinion. The Select Committee will go carefully into the provisions of the Bill.

"Then, Sir, as regards the bankers, the deputationists had about ninety minutes' interview. We discussed the matter; the Finance Secretary and the Deputy Commissioner, Commercial Taxes, were also present at the interview, and everybody was satisfied. They did not object to the levy of the tax as such, but they pointed out certain administrative matters to which we responded readily and said that we would consider them.

"Sir, with these words, I request Mr. Natesan to withdraw his motion."

SRI P. NATESAN:—"Sir, in view of what the Hon. the Finance Minister has said, I do hope all these things will be looked into at the Select Committee stage and that relief will be given to the people as much as possible. With the permission of the House, I am withdrawing my amendment."

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER:—"The question is that the Madras Sales Tax (Amendment) Bill be referred to a Select Committee consisting of the following members:—

Mrs. Lakshmi Sankara Ayyar,

Sri K. R. Karanth,

Sri N. S. Varadachari,

Sri Guntur Narasimha Rao,

Sri P. Govindan Nair,

Dr. M. J. Samuel,

Sri B. Parameswaran,

Sri Pyndah Venkatanarayana,

Sri P. Natesan,

Sri C. M. Kothari,

Mr. B. W. Batchelor,

P. P. Hassan Koya Sahib Bahadur,

Abdul Majid Sahib Bahadur,

Hon. Sri B. Gopala Reddi, and

Hon. Sri H. Sitrama Reddi."

The motion was put and carried.

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MR. SPEAKER:—"Under rule 78 of the Assembly Rules, I am appointing the Hon. Sri B. Gopala Reddi to be the Chairman of the Select Committee. I wish to know from the Hon. Sri B. Gopala Reddi when he is going to submit the report."

THE HON. SRI B. GOPALA REDDI:—"Before we meet on the 29th, Sir."

MR. SPEAKER:—"We shall now proceed to the next item on the agenda which stands in the name of the Hon. Sri Kala Venkata Rao."

THE HON. SRI KALA VENKATA RAO:—"I wish to know from the Hon. Speaker whether we can take it up now or after lunch because it is only five minutes more for lunch."

MR. SPEAKER:—"With the consent of the House, we shall take it up after lunch."

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

IV.—THE MADRAS ESTATES COMMUNAL, FOREST AND PRIVATE LANDS (PROHIBITION OF ALIENATION) BILL, 1947.

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I beg to introduce the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947, and move that the Bill * be referred to a Select Committee, the names to be given later.

"Sir, I wish to invite the attention of the House to the fact that an Ordinance in almost similar terms of the Bill was promulgated on 27th June 1947 by this Government. That Ordinance lapses on the expiration of six weeks after the first sitting of this Assembly after its promulgation. Therefore it will lapse on 26th October 1947 and before that date we will have to pass the terms of that Ordinance into an Act so as to achieve its objects. Therefore I have sought precedence for moving this Bill. The need for this Bill arose on account of a large number of complaints that were received against landholders. It was alleged that the landholders were alienating on a large scale communal lands, including the beds and bunds of tanks and forests and it was also alleged that some of the landholders claimed communal lands as their own and sold them also. Then, Sir, there was the question of private lands. These private lands were also sold at fancy prices and what was not private land was also being included in such transactions. This was the situation in or about June last or even some months earlier. Before the Ordinance was promulgated there were certain enactments which prevented such wholesale alienations or assignment of these lands. There is section 20-A of the Madras Estates Land Act under which no landholder can assign any communal land without the previous permission of the District Collector or change the nomenclature of such land. But, there was also another

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difficulty. Section 3 (16) defines only ryoti land and does not define what is called communal land. It defines it in a negative way, because that section excludes certain types of land as not being ryotwari land and so out of the negative description we have got to know what a communal land is.

“ Then, Sir, last year, my hon. Friend, Mr. Karanth, introduced a Bill which subsequently became law, called the Madras Preservation of Forests Act and by giving a wide definition of the word ‘ forest ’ that Bill drove the nail into the coffin and prevented many of these alienations. Section 3 (1) of that Act lays down that no owner of any land which is a forest for the purposes of that Act, shall, without the previous permission of the District Collector, sell, mortgage such land or otherwise alienate the whole or any portion of the forest. Subsequently, many evasions were reported and therefore it was deemed that a consolidated Act was necessary and as the Legislature was not then sitting we had recourse to an Ordinance in the general interests of the public.

“ Before proceeding further, I would like to deal with private land. The word ‘ private ’ used here, is not used in the ordinary sense, but it is a statutory definition and it occurs in the Madras Estates Land Act. I need not take you through the definition of private land, Sir, because section 3, clause (10), defines private land in two clauses. Clause (a) reads ‘ in the case of an estate within the meaning of sub-clauses (a), (b), (c) or (e) of clause (2), means the domain or home-farm land of the landholder by whatever designation known, such as kambattam, khas, sir or pannai and includes all land which is proved to have been cultivated as private land by the landholder himself, by his own hired stock, or by hired labour, with his own or hired stock for a continuous period of twelve years immediately before the commencement of this Act.’ Clause (b) deals with inams which were made into estates under the Madras Estates Land Act, 1936. In the Ordinance as well as in the present Bill the prohibition of sale of private land has got only a very limited application and it is only in regard to private land in impartible estates and also such impartible estates notified by Government from time to time that there is prohibition of alienation of such lands. This Bill practically embodies what was contained in the Ordinance. The whole difficulty arose because of some criticisms that private land need not have been included in this Bill and that the definition of the word ‘ forest ’ in the Act is too wide. I would say the difficulty arose because, as I told you earlier, some zamindars took into their heads to call even communal land as private land or ryoti land as private land and began to alienate such lands. As it is likely that a lot of inconvenience would be caused before the Zamindari Abolition Bill comes into force, because third parties would come in, and it would be difficult to withdraw the lands from them and it would lead to a lot of legal complications. We now seek to take power to prohibit such attempts in terms of the sections contained in the Zamindari Abolition Bill. The mere

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calling of certain lands as kambattam, khas, sir or pannai and converting them into private land cannot become the private land of the landholder. Then there is section 8 (1) also which lays down the general principle which is usually known as, ‘ once a ryoti land, always a ryoti land ’. The object of the section is that the Abolition Act which confers occupancy rights should not be defeated by landholders becoming entitled to such lands and a landholder by becoming entitled to a ryoti land cannot himself become a tenant or a mere undertenant but will have all the status of a ryot who has permanent occupancy rights. Section 18 of the Madras Estates Land Act also refers to private lands. As I have just now shown once a ryoti land always a ryoti land and in spite of the fact that it came into the possession of the zamindar by other means, it cannot be called a kambattam, sir or private land according to the Act. But, Sir, certain zamindars wanted to circumvent this provision. For instance, if a land was purchased by a zamindar in a court sale and though he bids at the sale and gets it, it cannot become his private land. Once you let in a ryot into that land, he will become an occupancy tenant. Therefore to circumvent this position, many zamindars who purchased such land or got into possession of such land, alienated them in favour of their daughters or some other people. Therefore, a lot of dislocation occurred in the rural areas and in order to meet the situation a consolidated Act was deemed to be necessary. This Bill is practically a temporary one in view of the forthcoming measure relating to the abolition of zamindaris. This will have effect till the actual abolition of zamindaris takes place and prevents the landholders from in any way dealing vandalistically with the communal lands and lands defined as forest land, porambokes, etc., and also with private lands. Private land refers only to private land as defined in the Estates Land Act, such land which was cultivated by the zamindar with his own stock or by hired labour for a continuous period of twelve years before the commencement of the Madras Estates Land Act, 1908, in the case of zamindars and similarly in the case of inamdars previous to the year 1936.

“ Now, Sir, on all these points I hope there is not much difference of opinion but I do hope that much criticism has been levelled against clause 4 in the present Bill giving retrospective effect to certain of these ideas. Sir, giving retrospective effect is not a new one and I need not be attacked that I have innovated something new. Even in the existing Estates Land Act, sub-section (1) of section 8 deals with retrospective effect. It says ‘ Whenever before or after the commencement of this Act the occupancy right in any ryoti land vests in the landholder ’ Therefore, the element of retrospective effect is there. Here, I may also refer to the Land Revenue Bill prepared by my hon. Friend Mr. Karanth. It refers in section 15 (3) to communal lands and declares such alienations after 1908 as void under certain conditions. Section 13 (1) deals with waste lands and declares assignments or alienations after 1937 as void under certain conditions.

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So, Sir, when it is fairly evident that certain acts were done by zamindars in order to circumvent measures, retrospective legislation becomes a real need and that is the justification for this. I know, Sir, that in section 4, a few difficulties have been pointed out, namely, certain bona fide persons purchasing private lands or waste lands coming under the definition of forest land will be penalised under this section. There is no doubt an element of hardship in this. Again, Sir, a ryot might have purchased three or four acres of some waste land; he might have cultivated it or improved it during the last ten years and now such transactions become null and void. Therefore, it is said that these people will get into difficulties.

2-45 p.m. "Another difficulty pointed out is that in Salem, Karaikudi and some other places some of these lands were purchased for the purpose of building houses and that buildings have been erected there already and this wide provision will create hardship to such purchasers. There is also the complaint that forest lands have been leased to some people and there is no provision for compensation for these contractors. Then there is also the suggestion that if at all some exemption has got to be given it has to be given to these small holders and not to the zamindars who hold sufficiently large tracts of land. These are the points that have been urged through statements and through the petitions I have received. These points, Sir, can be discussed in the Select Committee.

"As I have said in the beginning, this Bill has to become law before the 26th of this month and therefore I would request through you, Sir, all the hon. Members of this House not to enter into long discussions over this matter just now. If at all there is anything, they can speak after the Bill emerges from the Select Committee tomorrow or so and if there is anything to be amended in clause 4, the other clauses being generally acceptable to all, then we can have some discussion about it and I appeal to you, Sir, to help me to get through the Bill through this House so that it may reach the Council on the 20th of this month and become law by the 26th of October. There is some urgency about this Bill and therefore I am placing it before the House today. I cannot go into the other details. I have sought to explain as shortly as possible what is contained in this Bill. I would in conclusion request you, Sir, to refer this Bill to the Select Committee."

(Sri M. G. Natesa Chettiyar rose to speak.)

MR. SPEAKER:—"The Hon. Minister has just concluded his speech. First of all it is my duty to put the motion to the House."

SRI M. G. NATESA CHETTIYAR:—"It is not for discussion that I have risen. I just want to elicit some information. That is all that I want, Sir."

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MR. SPEAKER:—"I will allow the hon. Member to speak afterwards and allow the Hon. Minister also to reply to the point. The motion before the House is—

'that the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947, be referred to a Select Committee the names of which will be announced later on.'"

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, I agree with the mover of the Bill that the matter must be expedited. There is no doubt that there have been some abuse of power in respect of alienation of certain lands which were intended for the benefit of the village community. It is also true that the Ordinance promulgated by the Government will expire by the 26th of October and therefore expedition of this Bill is quite necessary, but certain fundamental facts must be really clarified before we agree to the Bill being referred to a Select Committee.

"The Bill itself purports to deal not only with estates lands but also with inams. There is this central fact that there are some persons who really object to the inams being included and treated in the same way as zamindaris in respect of the various Bills which are now or will be placed before this Assembly by the Revenue Minister. Therefore, Sir, so far as the inams are concerned, I should like the Government to make their position clear as to whether they propose to deal with them in the same manner as zamindari estates in the various Bills that are on the anvil or whether they are going to make any distinction between the two and if they are going to make any distinction, what it is? The newspaper reports and the talks of the people at large vary about this matter and there have been some suggestions that the inam lands should be excluded altogether from these Bills. There have been also some suggestions that if they are to be included, compensations on a more liberal basis than in the case of zamindaris should be given and there should be also some other provisions for the purpose of treating them differently from the general zamindari lands. I do not want to speak on this in any extended manner. I have entered my protest and expressed my opinions in the newspapers in fairly strong terms. However I do not want to raise this question on this Bill because this Bill is only temporary one in the sense that it is only for the purpose of preventing alienations till such time as the other Bill for the purchase and acquisition of zamindari lands and inams is to be passed. Therefore I do not want to enter into the details just now. But there are certain provisions in the Bill which would be somewhat incongruous if they are applied to inam lands. I should like to know from the Revenue Minister how far the provisions of the Bill in all its entirety will be applicable to the inams and see how they can be modified if at all they have to acquire the inams. The Revenue Minister, Sir, in his usual and clear way anticipated some of the remarks which may be made against the Bill. That is a good tactics and as a lawyer I

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thoroughly appreciated the way in which he put it. However, I may point out he has not sufficiently appreciated the force of my remarks. That is the only complaint I have to make. It is not that he has not understood them but he has not fully appreciated the points.

"In the very first sentence of this Bill it is mentioned 'pending the enactment of legislation for acquiring the interests of landholders in such estates and introducing the ryotwari settlement therein.' So far as that is concerned I agree to it, but I should like the Revenue Minister if possible to exclude altogether the inams from this Bill and see whether he cannot bring a separate Bill and deal with these inam lands in a separate manner.

"Next I am not able to agree to the definition of the word 'forest land.' It is mentioned 'forest land' includes any waste land containing trees and shrubs, pasture land and any other class of land declared by the Provincial Government to be forest land by notification in the *Fort St. George Gazette*." This is very vague. This definition was there in the earlier Act and was prepared when the previous Ministry was in power. It was an emergency legislation and complaints about alienation of forest lands were being received and therefore it was absolutely necessary to have a definition which was wide enough to cover all possible forest lands. Therefore, I should like the Revenue Minister to bear this fact in mind and give a more precise definition of the forest lands. That is very necessary, otherwise all land covered with little shrubs would come under the provisions of this Bill. I should like to read a definition of 'forest' which I have evolved: 'Forest land means tract of waste land covered with trees, brush-wood and plants of natural growth designated as forest in the village registers or commonly known or used as forest by the villagers and includes all lands which have been declared as forest land by the Government.' If such a definition is used, perhaps many of the difficulties which have been felt in the application of the Act to the various lands in the zamindari and inam lands will really disappear.

"Under section 3, the landholder is not entitled to convert into ryoti land any communal land and also any private land. I do not know, Sir, whether sufficient attention has been paid by the Revenue Minister in respect of this provision. You may remember that in the published Bill for the acquisition of the zamindari and inam lands there is a provision that all private lands shall be treated as ryotwari land and be given to the landholders. If the ultimate aim is to treat private lands or ryoti lands as ryotwari lands when the Bill is passed, then this provision that a private land should not be converted into ryoti land is redundant. I do not see any necessity for this at all. In fact, it is more in favour of the ryot if the private land is converted into ryoti land. It is not in favour of the zamindar at all. I should like to draw particular attention of the Revenue Minister whether that provision should be there at all. In fact, I am speaking for

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the ryots. Every zamindar may try to convert all his land into ryotwari so that he may be in a position to claim the benefit of the Act of 1936 or the Act of 1908. Therefore, Sir, that is a provision which requires an amendment.

"Reference has already been made by the Revenue Minister to the proviso under section 4. So far as forest lands and communal lands are concerned, he says that any transaction in such lands after 1939 will become null and void. I should like to point out that so far as communal land is concerned there is already a provision in the Estates Land Act that it should not be sold or at least dealt with without permission. As for forest lands however there is no such provision but I think the Revenue Minister must be aware of the fact that in many zamindaris and even in inams, forest lands have been given to the ryots for the purpose of clearing the forests and bringing the land into cultivation. Especially during recent years such things have taken place for the purpose of the Grow More Food Campaign. What is the fate of those people who have taken these lands and cultivated them for one or two years if any transaction by the landholder in respect of these forest lands is to be made null and void?"

MR. SPEAKER:—"The hon. Member will kindly keep a little longer distance between him and the mike."

SRI K. BHASHYAM:—"That is what I am trying to do and I believe there is some defect with regard to the mike and I hope that the Housing Committee will look into it. I must say that under the Estates Land Act itself the landholders are entitled to alienate to *bona fide* tenants such lands for the purpose of clearance and bringing them into cultivation. It will be hitting these ryots if such alienations are made null and void. I would request the Revenue Minister to carefully consider this matter also.

"With regard to private lands I find that in the Bill to be introduced for the purpose of acquisition of the zamindari lands and inam lands, there is a provision for setting up a tribunal for finding out which is a private land, which is not a private land. If that tribunal is to decide hereafter about this question there is 3 p.m. no point now in dealing with it in this Bill as difficult situations will arise when a private land has been found to be communal or forest land.

"In the Bill to come, private lands are to be treated as ryotwari lands and the zamindars are to be given ryotwari pattas. I do not see the need for a provision giving retrospective effect. It may be said that they are applicable only to the two or three zamindaris notified; but still I should like to point out that there is no point in prohibiting alienations prior to 1945. You recognize the zamindar himself as possessed of the title to these lands and these lands were not got by the ryots from him for nothing; they have paid nazaranas. Are you going to say that all these transactions

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are null and void and these alienees of these lands are to go without compensation? There is no remedy for them even against the zamindars. For when the lands were sold, the zamindar had full title to them and in that capacity had sold them and if that title which he transferred is taken away by a later legislation, he will not be responsible and he will not be liable to pay compensation for a right extinguished by this legislation. So far as retrospective provisions are concerned, in respect of these private lands, I feel that they are wholly unnecessary and it defeats the very purpose of the legislation and it hits people whom it is the purpose of this Government to benefit under the Bill itself.

"Some complaints have been made that some zamindars have been alienating their lands in favour of their sons, daughters and other relations. What are you going to do with them under the Bill? In any case you are going to treat the zamindars as ryotwari pattadars in respect of their private lands; why not his sons or daughters or his other relations be treated in the same way? I do not see any objection and I do not see why alienations after 1945 should be null and void. In the Bill that is to be introduced powers have been taken to set up tribunals to decide whether a particular piece of land is private land of the zamindar or not. If it is to be dealt with later in the coming legislation, I do not see why it should be dealt with here. There is no point in dealing with that matter now in this particular Bill. I feel that the difficulty about 'private lands' should be thrashed out in the Select Committee before it is incorporated in this legislation. You will see from the Preamble that it is of a transitory nature; but the various points to be dealt with must be taken into consideration in the Select Committee and I support the motion."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Mr. Speaker, I congratulate the Revenue Minister on trying to do something in the matter of the zamindari question; but in his anxiety to do away with zamindaris, legislation has been undertaken which has far-reaching effects on the food situation in the country. It is, therefore, that I should scrutinize the Bill clause by clause in order to show to the House that it is a short-cut tactics of Government to earn cheap popularity without really accomplishing anything. The Hon. Revenue Minister in a very innocent way was saying that this Bill had no far-reaching consequences at all. But I tell you that the provisions are far reaching and will affect the innocent ryots who have done something depending upon the law of the land at the time in existence and not in the least suspecting that a future Government will come and bar all past transactions. The Hon. Minister was saying that the Bill was only a copy of the Ordinance that it replaces. It is in fact not so. You will see it from the very fact that the provision regarding retrospective effect, clause 4 of this Bill, was not there in the Ordinance which was promulgated; there was no question of retrospective effect there at all. My party, though it stands for

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the cardinal principles of this Bill, feels that the Government are more anxious to do harm to certain people and do not care for the consequences. They seem to have acted on the advice of some local members of the House rather than think in a broad manner which we expect from any Government of this Province. It is said that it will affect only notified zamindaris. What does it mean? Are you anxious to satisfy certain members by abolishing some one or two zamindaris and then later on taking the cudgels and saying: 'Here is the power vested in my hands and I shall notify as I like.' I ask if it is in the nature of a Criminal Tribes Act to be used only against particular zamindars. I ask why not all the zamindaris be brought in; why not say that it will apply to all zamindaris. If you are thinking of real legislation designed for the benefit of all, you ought to say that it applies to all zamindaris and all alienations shall be null and void. This absence gives rise to suspicion in the minds of the public that they are trying to use their powers for various nefarious purposes. Even though the party to which I belong stands for the cardinal principles of the Bill, I can prove that there is no necessity for this Bill. The hon. Mr. Bhashyam has shown that there is no necessity for it. If only the Hon. Minister gives time and you bear with me for a while, I can prove that everything that is sought to be done under this Bill, is possible under the Madras Estates Land Act. The Government already have powers to prevent the alienation of communal lands, forest lands and private lands and the like. I wish to ask you why you want a specific Act and that with retrospective effect? Even under the Estates Land Act, the Collector has got powers to go into the nature of the private lands by means of a summary enquiry and there is no appeal against it. The Collector has got power to deal with cases even if they refer to cases where the zamindar concerned or somebody else was squatting on the land for 29 years; why must you be in a hurry to deal with lands which are the subject-matter of transactions of the last three or five years? Already in the Prakasam Report, there is a clause, namely, clause 21 (a) which says that Collectors can decide the nature of the private lands. The Hon. the Revenue Minister says very cleverly that there may be courts and there may be decrees. I do not see the need for it when the Collector can deal with communal lands by summary powers. As regards forest lands, it is a very humorous thing to see the definition of 'forests' in this Bill. It has been defined as any waste land containing trees and shrubs and any other class of land declared to be so by Government. I am afraid it is not a definition worth the name; that is the kind of definition given to forest lands by this wonderful Government. Supposing there are some shrubs and trees in Mount Road, it can be taken to be a forest land or there are some trees and shrubs in the backyard of a garden, then it is a forest land; the Government have only to say it is so; and then automatically, it cannot be sold and even if sold, it is null and void. I do not

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know why it was not possible for Government to have put in a clear definition. I feel it is rather too wide. My hon. Friend Mr. Bhashyam has stated that this defect requires modification. I am forced to say that this Government do not believe in cut and dry definitions and want to take powers by all means possible, notifications in the one case and defective definition in the other case, so that all cases satisfying this definition may be roped in for action under the Bill. I do not know if it is because we have not had a correct definition of 'forest lands' so far. It is always bad for any Government to have unlimited powers and by the exercise of unlimited powers, you can do things which have far-reaching effects upon the country and the people. So far as this definition is concerned, is it because the Secretaries were not able to define it properly or is it because the Hon. Minister himself was not able to define forests? They have attempted to do something and they do not know what forest land really is."

THE HON. SRI KALA VENKATA RAO:—"The hon. Member must not forget that he accepted it only a few months ago."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"This definition is taken from the Estates Land Act of 1908; then why do not the Government come forward with a clear definition at least now; it does not matter if it was accepted in 1946. Such a definition should not be allowed to go into the statute book because it would give wide powers to Government and it is likely to be abused. Then there is another complication. There are certain lands which according to the old records are forest lands but the forests are no longer there; they have either become waste lands or have been brought under cultivation. In connexion with the appeals by the previous Government and the present Government for growing more food, the zamindars or the alienees have spent lots of money to bring them under cultivation. For the mere reason that according to the old records they are called forest lands, are they going to penalize the zamindars or the alienees? It must be remembered that they are producing food and for that they have had to spend lots of money and that they did in response to appeals made by the Government from time to time. I have one case. A particular zamindar had a vast tract of a thousand acres of forest lands. The Government said even though this is a forest land, it must be cultivated and the Government paid compensation to him to the tune of a lakh of rupees for acquisition of the lands under the Land Acquisition Act and canals were also dug. Then these lands were sold by him and they are now growing crops on them. Are you now going to cancel all that and say that because it is a forest land under some old register, all sales will become null and void. I ask then, Sir, why have the Government paid him compensation. I do not think it fair that the Government should punish people who had made this transaction long

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ago. It is an accepted principle of law that only in exceptional circumstances can a law be given retrospective effect. I do not think there is any such grave reason for it. Further, there has not been given any warning to the people and there was also no indication given to the people as regards the date from which they wished to give retrospective effect. Without doing all that, the Government have now come forward to say that these zamindars are a very bad lot and that they should be abolished. I must, in this connexion, refer to the fact that the Hon. the Revenue Minister said that the zamindaris had been in existence for the last 150 years and that within 150 days of his coming to power, he would see to it that they are liquidated. I welcome his resolve and the fact that he proposes to do away with them. But it is bad to discuss and do these things in great hurry. If the Government wish to abolish certain things, they must do it in the proper manner. It cannot merely be done by going to New Delhi and other places and adopting all party tactics. But so far as I can see, the Government have got power to do it and if they really wish to do it honestly, they can direct the Collectors to take suitable action.

"As regards home lands, this Bill tries to prevent the alienation by zamindars of home and farm lands. There is the definition of private land in section 3 (10) of the Estates Land Act, and you have simply copied it. There is no original thing about this definition. The Estates Land Act gives the definition like this: 'Any land which has been personally cultivated by the zamindar thirty years before this Estates Land Act came into force is private land.' Any land can be the home land or private land of a zamindar provided he was cultivating it before thirty years of the introduction of the Estates Land Act. (An hon. Member: '12 years'.) If only a zamindar was cultivating the land in 1888 . . . (An hon. Member: '1896'.) If the zamindar can claim his land as his own if only he has been personally cultivating it since 1896, our wonderful Revenue Minister . . ."

AN HON. MEMBER:—"What is that word 'wonderful', Sir?"

MR. SPEAKER:—" 'Wonderful' is a parliamentary word."

SRI K. BHASHYAM:—"He himself is wonderful."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"The Madras Estates Land Act allows the zamindar to sell his lands. Now, what does this private land mean? It means that cultivating . . ."

MR. SPEAKER (pointing to Sri Bhashyam):—"The hon. Member is reading a newspaper, which is not allowed."

SRI K. BHASHYAM:—"I am reading something about the Bill, Sir."

MR. SPEAKER:—"But the hon. Member should not read newspapers in the House."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—“The Bill tries to put off the introduction of the next Bill. Since a very long time, alienation of private land by the zamindars was allowed. What does it mean? Even under the Bill for the revocation of zamindari, private land reverts to the zamindar and he can do as he likes. Now, what are we aiming at this Bill? All the private lands which the zamindar was allowed to sell, and which he has sold for growing more food, to some people who have bought them for growing more food, will revert, according to the Bill, to the zamindars. What does it mean? Whom are we harming now? In our anxiety to do something about zamindaris, in our anxiety for cheap popularity, should we not consider the far-reaching character of these alienations? Have you got figures to show how many acres have been sold and how many persons have been affected? It is not one zamindar or one hundred zamindars. I challenge the Revenue Minister that this stopping of alienations of private lands will affect many people. Is it not the elementary duty of any Government to go into this question thoroughly? Have the Government asked the Collector to find out from the office of the Inspector-General of Registration how many documents are there? They say that they received from some members petitions that these zamindars sold lands in their name or in the name of their wives, etc. But how many of the innocent public have parted with good consideration and bought these lands, came into possession of these lands, and cultivated foodstuffs on them? Have they considered the consequences? Have you written to the Inspector-General of Registration to find out how many acres have been affected? You come forward with this Bill and say that there are petitions, notifications and all that. It is true, Sir, that the zamindar sold the lands. But the law at that time allowed it. Now you want to penalize. Do you want to give back the lands to the zamindars and ask the other people to go without land? The zamindar sold the lands to the people, and now you want to cancel the documents without knowing the consequences.

“Then, Sir, conferences are arranged and Ministers go and talk about. The Revenue Minister, in one of his speeches, said that he had discovered that in this land of ours, India, the Ruler never had both the melvaram and kudivaram rights. If you do not possess melvaram and kudivaram rights, how can you deal with them? Because the Moghuls and because the British were not having kudivaram and melvaram rights, they could not alienate lands and so the zamindars were only bill-collectors. Now you are trying to deal with them. If those Governments did not have these two rights, how did the Revenue Minister discover that he had these powers? Those Governments did not have zamindars, and there are several families of zamindars. They are contractors, they are agents and of so many kinds. There is one answer of the Revenue Minister. He simply says when all these details are mentioned to him ‘I cannot go into the past;

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I cannot go into the details of their families or origin or how they got these things; I cannot think of their kudivaram and melvaram rights.’ It is time that before you introduce this measure, you go into this question of zamins and inams carefully and then do something. You cannot simply tell the public that for party interests ‘I am going to abolish them.’ Do it systematically and legally, and see that you do not interfere with the kudivaram and melvaram rights. Before you stop alienation of private lands, you must know the consequences of the documents that came into existence and which were legal in the past. It is said, Sir, that he has first come here to this House to take our assent for the Ordinance. He has stated that he has received a petition from the Provincial Cyclone Relief Association, and from certain quarters, the source of which has not been revealed to us. These things can all be manufactured, we know. The Revenue Minister says that he has received representations. But why should he change the Ordinance itself? When there is real need for it, it is necessary. If there was really any need at that time, you ought to have included ‘retrospective effect’ then. You now come and say ‘there is nothing up my sleeves.’ Whatever that was not necessary at the time of the issue of the Ordinance, you have now put. You say ‘I have only added a clause because I have received petitions.’ Sir, the effect of this is a few zamindars are included. I leave it to the House to understand the consequences and effects of giving such wide powers to this Government.

“Again, Sir, even though sales were going on for a long time, no warning has been given. At least on that account, that is, that Government have not given a warning to the unwary public, Government should accept the amendment to clause 4 which I have given notice of. This retrospective effect should go. Suppose, the zamindar has sold his private lands, how does it affect other persons? Under the Estates Land Act he (the zamindar) can cultivate it or sell it. How do the other persons go? The Revenue Minister, as the hon. Mr. Bhashyam stated, has come forward with some arguments and tried to meet the points that are likely to be raised here. His first point is that the zamindar is selling away all the private lands, communal lands, forest lands and all that. I have seen the Bill which he has already published, and is likely to be introduced for the abolition of the zamindaris. In it, there is a provision for a tribunal which is going to decide the nature of the land. Tomorrow some one will be asked, and rightly too, to prove his case, whether his land is ryotwari or private land or patta land. When there is a provision like that, why do you want to include it here? Am I to know that the Revenue Minister is not sure of bringing in the other Bill for a long time? If you really mean it, and if you really have confidence that we are going to have it in a week or two, where is the need for this provision here? In that Bill you have got a provision for a tribunal. Every acre has to be decided whether it is a patta land, etc.

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If the land is sold out before 12 or 30 years, the Collector can interfere. He cannot convert forest land into a private land because of the provisions of the Estates Land Act. My whole point is that it is not necessary to have this provision here. Government should resort to such legislation only when absolutely necessary. When there is the Estates Land Act, and when you are going to get something very soon, why bring in these complications?

"As regards forest lands, there is already the Preservation of Private Forests Act. There, alienation is banned. Why then do you want to bring that here. If the sale of forest land is not banned by the Estates Land Act, you have got that in the Preservation of Private Forests Act. Is it not simply making confusion worse confounded by bringing in such hasty legislation like this? I can understand the difficulties of Government.

"Then, Sir, about the notification. This is a most serious matter, and I like this House to take that into consideration. Like the Criminal Tribes Act, there is power for the Minister to notify any zamindari. There is nothing that prevents the Minister from so notifying even though there is evidence to the contrary. Suppose—God forbid it—Mr. Kala Venkata Rao is not in the Ministry tomorrow, and this Act is there, is it not likely that this clause, this power of notifying any zamindari, is just the same as the Police notifying anybody that he is a criminal tribe. These people will be asked to do some work in the Police officers' houses, and if they do not do that, they will be notified as criminal tribes. I do not wish, Sir, that people should take Mr. Kala Venkata Rao to task for taking more powers than is necessary and for taking dictatorial power. You have full time before you. You can come tomorrow without this fire hanging on everybody's head. Why should you have the power of the Court?"

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"Again, Sir, it is but proper that zamindars should not be allowed to circumvent things and say that they escape the objects of the next Bill. But, is it absolutely necessary that you should have retrospective effect? I have read the promulgated Ordinance. We will empower you to make that an Act. There it ends. You cannot come now and say 'I have discovered a thing, and so this retrospective effect is there.'

"And then what are the dates fixed? No basis on which the dates have been fixed has been given. I read the Statement of Objects and Reasons, once, twice, several times; and not a word can I find in it to explain the fixation of the dates? I had to go about the Secretariat to find out how the date has been fixed. And then, not the same date is fixed for all lands. One date is fixed for private land and another date is fixed for forest land. There is not a single word in the Statement of Objects and Reasons why such a date is fixed. It all appears to have been fixed arbitrarily. If the Hon. Minister had any reason for doing so he should have explained it while introducing the Bill. Of course I know the Hon. Minister will now give reasons for the

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same in his reply. But that is not the occasion for doing that; he should have given it while introducing the Bill. Perhaps in his anxiety to do something for the zamin ryots he has fixed the dates. I was told, one date was fixed, because it was said that it was on that date the Congress pledge was printed and the Congress Party went to the electorate with that pledge. Now, I ask, are you going to do all that you pledged before the electorate? Many a time have I asked, whether you did not pledge yourself to do this and to do that. It seems one date is fixed because the pledge was printed on that date. Again, somebody said, 'that date is fixed because on that date petitions were received.' Sir, petitions come and petitions go, and we know how petitions are manufactured. (Laughter.) It is not a matter for laughter of hon. Members. Surely you should be able to give some sound reason for fixing the particular dates."

MR. SPEAKER:—"Order, order. I have been noticing the hon. Member saying 'you,' 'you.' It is not parliamentary to say 'you.' In parliamentary practice when a member says 'you' it refers to the Chair. Therefore the word 'you' should not be used in debate. This morning I noticed the Hon. Finance Minister when he was referring to consumers, he was always using the word 'you.' [An hon. Member: 'Are you not a consumer?'] (Laughter.) The word 'you' always refers to the Chair in Parliament."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I stand corrected. I will take only two minutes more to finish my speech. I do not wish to take up much time of the House as it is likely that the Bill will undergo substantial change in the Select Committee stage, and having regard to the weighty arguments the Hon. Minister is likely to adduce in his reply. (Laughter.)

"I will refer to two clauses in the Bill and then I will finish. Clause 7 of the Bill runs thus:—

'No notification or order of the Provincial Government or of the District Collector under this Act shall be liable to be questioned in any court of law.'

"This clause says, that this Government,—not only this Government, but their Collector also—can do anything under the sky and nobody can question it in a court of law. Now, Sir, Congress is a party pledged to do justice to all. It is also commonsense that every action should be subject to the jurisdiction of a court of law, so that injustice may not be done to anybody. You should therefore see that the jurisdiction of the court is not taken away. You should not say your action cannot be disputed in a court of law."

MR. SPEAKER:—"The hon. Member is again saying 'you'; he can as well say 'the Hon. Minister.' I will read to the House the recent ruling on this point given in the House of Commons on 28th February 1946. It is found at page 2331 of the proceedings. The hon. Member, Mr. Macaulay, who was representing Montrose was speaking like this:

'When you go back to your constituencies, if you have allowed this Order-in-Council to go through'

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Immediately the Speaker stopped him, as I have done here to-day (laughter) and he said:

'I am not allowing anything. The hon. Member said 'you' which means me'.

So I hope Mr. Salam will not use the word 'you' which actually refers to the Chair."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I bow to your ruling, Sir. I was referring to clause 7 which empowers Government to do anything and nobody can question it in a court of law. Apparently, the Government is feeling shy to face a court of law. Are you not convinced (laughter), I am sorry, is not the Hon. Revenue Minister convinced of the strength or soundness of the case; is he doubtful to succeed if the case is taken to a court of law."

(At this stage Mr. Seethi Sahib passed between Mr. Salam and the Chair.)

MR. SPEAKER:—"The hon. Member should not cross the floor of the House between the Chair and an hon. Member speaking."

K. M. SEETHI SAHIB BAHADUR:—"I am sorry, Sir."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"It is only customary in countries where dictators rule that such clauses find a place in legislation. I do not understand why this Government should come forward with this clause after the achievement of independence. Sir, formerly, that is, before the 15th August, there used to be a Secretary of State for India in England who used to be a check on any hasty legislation. Every act of the Provincial Government and the Central Government used to be sent to him for scrutiny. Now, you have independence, there is no such check on you. (Laughter.) It is high time the Government framed their rules under this clause. I can understand Government taking power for elucidation and clarification of things, but not bringing forward such a bald clause as clause 7. This clause is very very despotic. It is asking for powers to oust the jurisdiction of courts. It shows either they have no confidence in a court of law or they have no confidence in themselves. If any Government worth the name not depending on its members, has confidence in itself it should bring along with its Bill the rules and regulations framed under that Bill, when it brings forward legislation. It is high time the Government think twice over this clause, revise their opinion and come forward with a more concrete and definite proposal than this vague and despotic clause."

"I will say one word about clause 9 and finish. It runs thus:—

'If any difficulty arises in giving effect to the provisions of this Act, the Provincial Government may, as occasion may arise, by order do anything which appears to them necessary for the purpose of removing the difficulty.'

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"Now, Sir, this clause seeks to oust the jurisdiction of the Court as well as this House. It says, 'as occasion may arise, that means, it does not say how many times; it does not say once or twice; it means innumerable times. Again it says, 'the Provincial Government may . . . by order'; it means they need not come to this House for sanction. It can act independently of this legislature."

MR. SPEAKER:—"I think the hon. Member has taken more than 35 minutes."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I am finishing. They can order anything which appears to them to be necessary for any purpose on the ground of removing a difficulty. They can say whatever is not favourable to the Government is a difficulty; and to remove that difficulty they can take power under this clause 9. The Hon. Revenue Minister may say one day, 'I hear such and such a zamindar is acting in such and such a manner; I think this is a case for issue of a notification against him under this Bill.' And when he issues the notification, it cannot be questioned in a court of law. Thus the present Government are empowered to do whatever they like under this Bill."

MR. SPEAKER:—"The hon. Member will now resume his seat as he has far exceeded his time-limit."

* SRI K. R. KARANTH:—"Mr. Speaker, Sir, since the time when the Ordinance was published and also since when this Bill was published I have been trying my very best to understand the necessity for this legislation and the wisdom of it also. That is because this Ordinance refers to two subjects. One is the alienation of communal or forest lands and the other is the alienation of private lands in notified estates. Now with regard to the former, I put it to the Hon. Minister whether the whole subject that is in the Ordinance and in the Bill to-day has not been covered by an Act of Legislature passed by this very House. The two Acts which were passed last year were the Madras Preservation of Private Forests Act, 1946 and the Madras Tenants and Ryots Protection Act, 1946. Now what is sought to be done under this Ordinance and re-enacted in this Bill is to prevent the alienation of forests or communal lands. Last year we did the same thing. The only difference between the two is that last year in the Act we made the definition of forest so wide as to include communal land. It all depends as to how it is defined. Forest under section 2 of Act XVIII of 1946 was defined as including waste or communal land containing trees, shrubs, pasture, etc. Whereas what is now done under the Ordinance is, forests are separated from the communal lands, but the subject-matter is the same."

"And the alienation of these two classes of lands were prohibited last year under section 3 of the Act by saying that 'No owner of any forests shall, without the previous sanction of the Collector, sell, mortgage, lease or otherwise alienate the whole or any portion of the forest.' And what are the penalties? It is two

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years' imprisonment or Rs. 5,000 fine or both. Now I find under the Ordinance the same punishment is repeated and the same subject is repeated. Only, instead of saying 'forests' in its comprehensive definition as in the last year's Bill, what is now stated is 'forests and communal lands.' Except for this I would request the Hon. Minister to show wherein lies the difference. I do not see. Therefore when there is already a legislation on this on the Statute Book I wonder, Sir, why an Ordinance should have been passed. An Ordinance should be passed only if there is no law on the subject. When there is already one that deals with the very same subject, one cannot simply separate a few words, alter a definition and put them simply in another Ordinance and then in a separate Bill. What is much more is, in the Ordinance no reference was made to the previous Act. It is a good law and it can go on for two years. The Government have got power to extend it for two more years. Therefore, Sir, there is no need for this new Act while there is the old Act already on the Statute Book.

"One point I might concede, namely, the necessity for controlling alienations in respect of private lands. All that we did last year by means of Act XVII of 1946 (the Madras Tenants and Ryots Protection Act)—which was passed in this House—was to the effect that the tenants on private lands and also in all estates were prohibited from being evicted. That much of protection was considered adequate. It may be that subsequently in view of the coming legislation the zamindars might have thought of alienating private lands. That possibility I concede. To that limited extent only, there must have been the idea of the Ordinance. But, Sir, that is not sought to be achieved at all either in the Ordinance or in the Bill. I would have supported the Hon. Minister if the idea was to prevent all such alienation of all such private lands, because it is very likely that there might be alienations with all sorts of motives. But that is not sought to be done at all. As has been strongly objected to the purpose of the Ordinance is very limited. It is only 'if the estate is an impartible estate notified by the Provincial Government in the *Port St. George Gazette*'—i.e., it applies to only private land in such an estate. That is all that is sought to be done. I would have liked the idea of a legislation for the prohibition of all alienations of all private lands in any manner which was not consistent with the objects for which the private lands should be used, or some thing like that. But the large body of people who would be affected by the alienation of private lands are not sought to be protected in any manner from such alienations. All that is done is only 'if the Government think they can take up any estate as an impartible estate.' That too I believe, does not relate to hundreds of estates, as far as my memory goes, but only about 21 or 30—my Hon. Friend may be able to give a correct figure. (Interruption.) My Hon. Friend says it is 131 estates. Out of these I understand that so far notifications have taken place only in respect of three. That is the information that I have got. Therefore, there is a good deal of substance in the

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objection raised by the previous speakers when they said 'Why take this power, so that the people might go to the Government and then say, you notify this or that estate.'

"What is the distinction at all between private lands in impartible estates and private lands in other estates? All private lands need to be protected from any sort of alienation which may be harmful. My submission is that they should have dealt with all without any distinction. There should be no distinction made at all in any legislation as far as possible. This idea of taking up one by one so that the people may go and approach the Government is not at all a happy state of things. Nobody should wish to have that sort of power at all. I have no doubt that the Hon. Minister has done it without any such idea. But all the same it is bad and it is not necessary. I do not know, Sir, whether the Select Committee would have the power to go into these things when the object of the Bill is so limited, and to cover the entire field of private lands.

"Then, Sir, the Hon. Minister was pleased to say that in this Bill and in the Ordinance he had made the idea of private land much bigger than what it was under the definition of the Estates Land Act. I do not know whether I understood him correctly. (Interruption.) But he says he has not said so. That is also what appears in the Bill. The definition of private land in the Bill is exactly what was defined under the Estates Land Act. So far at least as this provision is concerned, this is one which ought to have been dealt with in a more comprehensive measure and in a different way.

"Then lastly, the third point which I wish to stress is with regard to clause 4, which prohibits and invalidates all alienations of private lands in notified estates only. Here again, Sir, as will be seen, there have been a large number of alienations. I would not go into the details, Sir, as other hon. Members have already done it. Sir, this is a substantial piece of legislation, namely, to declare invalid alienations which have taken place on a large scale during the last 10 or 15 years. Such a thing was not in the Ordinance. Therefore, it should not be in the Bill. It should be in the major Bill dealing with all classes of lands, i.e., the Zamindari Bill that should be coming. Its place is in that Bill. What is the definition of private land going to be? What are we going to do with the forest and waste lands hereafter in the Province when Government takes them up? All this should find a place in that Bill. What you are going to do with the large number of alienations which have taken place in the past, should never have found a place in clause 4 of this Bill, I hope, Sir, that when the measure goes before the Select Committee they will try to delete it from here and put it where it should properly lie."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, this Bill as well as the Rent Reduction Bill and the Bill to abolish the Zamindari system, i.e., the permanent settlement, are I submit very great steps forward in the land tenures of this

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Presidency. I have no hesitation in congratulating the Hon. Revenue Minister for having so soon after his assumption of office, brought forward this legislation in regard to land tenures. I entirely agree with him in the general fundamental principles underlying the abolition of permanent settlement. I am in a happy position to state that I have anticipated him in the year 1939 when I gave my minute of dissent to the main report of the Prakasam's Committee. I am of the view that it is the ryot and the ryot alone who is the owner of the land and the zamindar is only entitled to the raja bhogum. The permanent settlement was a mistake committed by the foreign Government having been misled by the analogy of the landlord and tenant system obtaining in England. In my recommendation, Sir, I said that this permanent settlement must go. I have also stated, Sir, that the transfer of this right of taxation which is the sovereign right of the King was bad on principle. When the permanent settlement was enacted the right of the Crown and the Sovereign to collect taxes was transferred to some other body. I said, Sir, that such a pernicious system must go. I have also stated that as between the ryot and the Government there cannot be any middleman or intermediary, whether he is a zamindar or an inamdar or an under-tenure holder. As I said taxes are liable to be paid to the Sovereign and for the maintenance of the Government. So in that view there can be only one class of ryots. There should not be any classes of ryots, the ryotwari ryots, inam ryots or zamin ryots. That is the only correct view to be taken in the matter. So I am glad that the Hon. Revenue Minister whom as I said I have anticipated in 1939 has come forward with a legislation to put an end to this zamindari system. And he is trying to see that there are no classes of ryots. So I welcome the measure for the abolition of the permanent settlement and for the abolition of all intermediaries between the ryot and the Government. But I differ from him in a very substantial way in the matter of taking away vested rights. I only wish the Government and the Revenue Minister to consider the question, i.e., respect for law must be inculcated in one and all. Let the Government respect the law first. If according to law certain rights vest in the people it cannot take away those rights without injuring itself and injuring the people. I am not now referring to section 299 of the Government of India Act which is adopted under the Adaptation Order. It is not necessary for me to do it. For any Government worth the name when it asks people to respect law, to respect the rights of others, it must itself respect the rights of others. I know my Hon. Friend Mr. Kala Venkata Rao will say: 'Well, we are not taking away the rights of the people. We are giving them compensation.' That is how my Hon. Friend will put it. My Hon. Friend Mr. Kala Venkata Rao is very clever or at least he thinks he is clever. By saying that the income of the inamdar or the zamindar must be reduced first to the ryotwari rates and then that it must be trisected . . ."

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Mr. SPEAKER:—"I am afraid the hon. Member is speaking on a different Bill and not on the Bill before the House."

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MAHBOOB ALI BAIG SAHIB BAHADUR:—"I say I differ from him in this matter. I am coming to the point. As between the ryots who are going to be Government's ryots and the Government; the latter may reduce the rates not only to the ryotwari rates but even still further. My complaint has always been that these ryots—ryotwari and zamindari—are being burdened more than other persons and the rates they are paying may be done away with or reduced to an equitable level. But for that, you should not do away with the rights vested in the zamindars or the inamdars for a paltry compensation. You must give them a reasonably adequate, an equitable compensation. The question as between the Government and the ryot, the question of reducing his taxes to the minimum and treating him leniently—that question cannot and need not interfere with the fact that you should pay adequate compensation to the zamindars. Let not the ryots go away with this idea. I want to draw the attention of the Government and especially the Hon. Mr. Kala Venkata Rao who has been able to capture the imagination of these ryots to this aspect of the question. These ryots are told: 'The zamindars want compensation, adequate compensation according to the Land Acquisition Act and that is going to interfere with the rates of your rent.' No, not at all. You may reduce the rates to the minimum possible, but it cannot, need not and ought not to affect the quantum of compensation that you should give when you are divesting people of their vested rights. That is not proper and just, and that is not the way in which any Government can conduct itself.

"Sir, this is a Bill asking zamindars not to alienate their lands, and further it says that alienations made between the years 1939 and 1945 or so are null and void. I again stress the importance of inculcating in yourselves first and then in the people a respect for law. If at a certain point of time the law gives persons and the Governments certain rights, you cannot subsequently divest those persons of those rights and say they are null and void. It is bad Government. Of course, every Government must be free to say that it is necessary in the common weal to acquire certain rights and it must be allowed to acquire those rights. We are not opposed to the Government's right to acquire vested rights, but when a Government acquires vested rights, it must pay proper compensation.

"Sir, I cannot agree with my hon. Friend Mr. Bhashyam when he pleaded that the inams should be left out of consideration, because, as I said, it has been proved beyond doubt that the cultivating ryot is the owner of the land. If it is true that the Government in the ryotwari areas is not the owner of the land, if it is true that the zamindar in the zamindari area is not the owner of the land, is it possible that the inamdar of a whole village is the owner of the lands owned and cultivated by the ryots? It is impossible. On the face of it, it is wrong. Therefore, I do not agree with Mr. Prakasam in the view . . . (An hon. Member:

Mr. Prakasam?) I mean the hon. Member Mr. Bhashyam, in the view that inams must be treated differently."

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SRI T. PRAKASAM:—"By mentioning my name, you are only adding to the false propaganda that is being carried on in this matter."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"My Hon. Friend Mr. Kala Venkata Rao said that giving retrospective effect to legislation was not an unusual thing. He has referred to section 8 (1) of the Estates Land Act. Section 8 prohibits a zamindar from owning both the varams. Where he owns the melvaram, he cannot purchase the kudivaram also from the ryot and make the land his own. This is done for very good reasons. The legal conception is that it is the ryot who is the owner of the land, and 'once ryoti, always ryoti' is the rule. But the law provided that 'nothing in this sub-section shall prejudicially affect the rights of any other person.' Have you said that in your Bill here? You have not done it. Where the zamindar acquires the kudivaram right also, it has been stated that he cannot be allowed to become the owner of the land but he will be allowed to continue only as a zamindar, the owner of melvaram. But it has been added that in any transactions, if third persons acquire rights, they will not be affected. Reference was made to Mr. Karanth's Bill. It refers only to communal lands. My friend was referring to section 185 of the Act. Very dangerous changes are sought to be brought about. Section 185 says that the court can determine whether any plot of land is the private land of the zamindar or not. The presumptions are against him: it is presumed that the land is ryoti and if the zamindar wants to prove that it is his private land, the burden of proof is upon him. But section 185 has been omitted from the schedule which deals with the forum for determining certain questions. What is sought to be done is this. Provision is made in the main Bill for the appointment of a tribunal. Why, I ask, should the zamindar be asked now to go to a tribunal which will decide whether a certain land is his private land or not? It is unnecessary when section 185 is there. I am opposed to the Government arrogating to itself rights which legitimately belong to the courts. It is a very bad principle and this ousting of the jurisdiction of the courts has become a fashion with the Government. It cannot be too strongly condemned. I do not know where it is going to lead. I was very surprised to hear Mr. Gopala Reddi say that Stalin and Hitler made their Governments efficient. Although he did not agree with the ideologies of the two dictators, he said that a dictatorial machinery was better. I say, Sir, that in this century and in this country after the 15th August people like Mr. Gopala Reddi have no place. (Hear, hear.) It is not that way that democracy should work. If he is trying to make his Government efficient by ousting civil courts and judges and even (An hon. Member: 'Lawyers!') the august House like this, if he wants to rule like dictators, I tell him and the party to which he belongs that they have no place in this country in these days. That is a tendency which cannot be too strongly condemned.

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"Then, Sir, a mistaken view has been taken by the Hon. Minister for Revenue with regard to the alienation of communal lands. Section 21 is very clear on the point. Communal lands have been described in clauses (a) and (b) of sub-section (16) of section 3 and if anybody trespasses on those lands and uses them for any purpose other than that for which it is set apart, the Collector can summarily eject him. If your staff is efficient and if you want to preserve the communal lands, you have only to issue an order to the Collector saying: 'People are using these lands described in these sections in a different way. Eject them summarily.'

(At this stage, the Deputy Speaker occupied the Chair.)

"The suggestion here is a very bad suggestion. At least under section 21, if alienation had taken place 30 years prior to this day, that is in 1916, the transaction is void. The trespasser can be ejected. But according to this section which is going to replace section 21 of the Estates Land Act, if an alienation has taken place in 1930 of communal lands such as kunthas and porambokes or grave yards, it cannot be questioned now. Under section 21 of the Act, a man like that can be ejected summarily, but under this Bill if alienation has been made prior to 1939, the man gets scot-free. He enjoys the rights. I do not know whether my Hon. Friend has given any thought to this. He is doing more harm by this provision which is quite unnecessary.

"With regard to forest lands, I concede that every government must have the right to acquire the rights of the people. But you cannot divest a man of his rights without compensation. If the theory of the Hon. Minister that the ryot and not the Government is the owner of the land is correct, have this Government any right in the forests? If they have, all such rights have been transferred to zamindars under the Permanent Settlement Regulation of 1802, and they have been enjoyed by the zamindars for 4-15 p.m. 45 years. May I ask whether it is not expropriation to tell the zamindars now that all alienations made by them are set aside and that neither they nor the alienees will get any compensation? The incorrectness of this position has been very well exposed by my Friends Mr. Salam and Mr. Bhashyam. With regard to communal and forest lands, in the one case it is unnecessary for you to legislate and in the other case you have not considered the implications of the series of transactions that might have taken place. Forest lands might have been converted into arable lands or paddy-growing lands at great cost, and to some extent that might have helped in solving the food problem. You are declaring void all transactions from 31st October 1939, and it is legally inconceivable. As Mr. Bhashyam said, in the Act relating to the abolition of zamindaris, you are going to make the zamindar a ryotwari tenant. Have you ever considered the injustice of this? By trying to punish the zamindar, you are not really punishing him, but the alienees. A person might have purchased a land at Rs. 100 from a zamindar, spent a lot of money in improving it, and sold it to

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others. It must have passed through several hands like this and when the last vendor sold it to the present-holder, he must have sold it for thousands of rupees. What is going to happen to these transactions? Have the Government applied, if not a legal mind, at least a commonsense mind? I think there is something wrong somewhere. I quite agree you have got the right to say: 'You shall not alienate from to-day.' But bear in mind that you shall have to pay compensation for that also because it is valuable right.

"With regard to private lands, the less said the better. The zamindars and the inamdars stand on a very stronger ground. All the enactments beginning with the Permanent Settlement Regulation of 1802 up to date have classified a certain type of land as the zamindar's private land. Very severe tests have been laid down. If a zamindar has been cultivating the lands with his own labour for twelve years from the date of the passing of the Estates Land Act of 1908 and if an inamdar has been cultivating the land with his own labour for twelve years prior to 1933, these lands must be declared as private lands. Private lands are alienable. So long as we have not quit the society where the present capitalist structure has not been totally changed and where rights have got value, we must respect the rights of people with regard to property and other things. You cannot treat one class of persons in one way and another class of persons in another way. For instance, if the Hon. Mr. Kala Venkata Rao had in his bank account a lakh of rupees on a certain date before 31st October 1939 or a house or other property and if to-day a legislation is passed that the one lakh of rupees or the house or the other property is null and void, I can understand that in an extremely socialistic State. I do not know whether such an extreme socialistic State is going to be advocated by the party to which he has the honour to belong. But till the changeover to the Soviet socialistic structure where money has no value and rights have no value, let there be respect for law. I know my Friends will say we are paying compensation. I know how illusory it is. Alienations of private lands on or after the 1st November 1945 have been declared void. I am very doubtful with regard to the legal position in the matter. At least in the abolition of zamindaris, they would say that some compensation is being paid. Taking away the right of the civil court to decide whether a certain land is a private land or ryoti land and handing it over to a tribunal is a very suspicious thing. How the tribunal will be constituted, we do not know. Even then, you must make a distinction between a private land and a ryoti land, and the same rule cannot be applied to both.

"These are some of the defects in the Bill. Though I congratulated the Hon. Revenue Minister for taking this great step forward in changing the land tenure system, yet I think he should proceed cautiously where the rights of parties are involved. Although the Government can acquire the rights of persons for the common weal, they cannot say that people should go without compensation or with an illusory compensation.

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"I would like to answer to what Mr. Karanth said. I entirely agree with the view taken by the Hon. Mr. Kala Venkata Rao regarding the necessity for legislation to prohibit further alienations of private and other lands which the Government are going to acquire. Under the Bill for the abolition of zamindaris and inams, the Government are going to acquire the rights of zamindars and inamdars. It is absolutely necessary to prevent alienations till the Act comes into force. Prohibition of alienation of communal lands is unnecessary as it goes against the interests of the village community. So, this Bill is necessary and, as I said, it is a measure which attempts to make a change in the land tenure system. With due respect to Mr. Karanth, I submit I do not agree with his view. You are going to abolish the Permanent Settlement, you are going to abolish the zamindaris and inams. In the Act for the abolition of zamindaris, it is necessary that you must take all steps to give effect to the transfer of rights. Therefore while congratulating the Hon. Revenue Minister, I take serious objection to certain provisions of the Bill, especially those giving retrospective effect to the alienations of communal and forest lands from the 31st October 1939 and private lands from the 1st November 1945."

* SRI SARVAGNA KUMARAKRISHNA YACHENDRA BAHADUR VARU OF VENKATAGIRI:—"Madam, Deputy Speaker, while I consider that this Bill which has been brought forward in lieu of the enactments already passed, namely, Acts XVII of 1946 and XVIII of 1946, is unnecessary and may cause complications not contemplated by the Hon. the Revenue Minister, I do not propose to deal with certain points raised in the course of the debate to-day, namely, whether or not both the varams rested with the landholder, what the position of the landholder was at the time of 1802 or prior to 1802 and various other aspects of the Bill. I propose to deal with them on a more appropriate occasion.

"Madam, Deputy Speaker, the reasons why I consider this Bill unnecessary have already been explained clearly by the previous speakers who have dealt with all the aspects of the subject and they have thus lightened my task. The Act XVII of 1946 deals with both private lands and other lands to be notified. There can only be two kinds of private lands, lands cultivated by the landholder and lands let out by them to others. As regards the lands let out by the landholders to others, in my opinion, those enactments are quite enough—and here I stand subject to correction by those who are more competent to deal with the legal aspect of the subject—because they prevent the eviction of the tenants who have been let into occupation of private lands. Therefore this Bill is unnecessary in so far as it deals with tenants to whom private lands have been leased out.

"Then as regards private lands under the personal cultivation of the landholder—though it may be considered that I may not be able to appreciate the point of view of those who are against my interests, yet I have looked at this question from the point of

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view of the common man, forgetting for the time being that I am a landholder, and I may tell the House that I do not happen to be a landholder who owns such a wide extent of land which comes under the classification of private lands, and therefore I suppose I may claim my views are entitled to dispassionate consideration by the House—I find myself unable to understand why lands assigned prior to 1939 should be declared null and void, because those lands even before 1939 had been under the personal cultivation of the landholder.

“As I said, Madam, in regard to lands where the tenants have been let into private lands as lessees the Tenants and Ryots Protection Act already provides them with enough safeguards. For these two reasons and also for the reason that it is bound to cause several complications, un contemplated hardships and great loss to the various persons who have purchased these lands, I consider that the retrospective provision contained in this Bill should be deleted.

“Madam, it has been most rightly stressed by other speakers that sections 20 and 21 of those Acts are sufficient to deal with cases of unlawful occupation of communal lands by others. It was alleged that the landholders either in a state of panic, or due to avarice or nervousness on account of the pending legislation have disposed of their lands, without proper consideration as to the propriety to the nature of the transactions. If there is any zamindar who has wantonly let out, or assigned or sold away certain of his lands which he should not have done, then no words are sufficient for condemning him for this most anti-national act. But where there are sufficient safeguards for preventing such acts, I consider that this Bill is unnecessary for preventing such alienation of communal or private lands. As has been rightly pointed out by my hon. friend Mr. Ali Baig, I fail to understand why zamindars should not be allowed to own lands provided they cultivate those lands themselves, or have them cultivated on proper lines. I cannot also understand why, when the need for greater production of foodgrains is so acute and urgent at present, the zamindari class alone should be prevented from owning and cultivating large extents of lands and thereby adding their contribution to the solution of the food problem. Madam, when the time comes, as it will, when limits will be placed on individual holdings, then will really be the time for imposing restriction of this kind as regards the areas to be owned by these zamindars also.

“As regards forest land, Madam, the definition given to it under this Bill is indeed very wide. There again, I consider that the Forest Preservation Act is quite sufficient and that this Bill is unnecessary to carry out the objects which the Government have in view. Several complications will arise here also, if this Bill is passed into law, but I do not propose to go into them in any details, as it will take the time of the House, especially when the

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Hon. the Revenue Minister is so very anxious to have this Bill referred to the Select Committee and have it passed into law as early as possible, although I cannot agree with him in his justification for this Bill, nor can I appreciate his anxiety in rushing it through. Madam, I hope that the Select Committee will make such changes in the Bill as are necessary to achieve the real objects of this legislation and not allow it to become an impediment in the way of the landlords carrying out their policies and programmes.

“For these reasons, Madam, namely, that in the first place I consider that this Bill is unnecessary and in the second that even if the Hon. the Revenue Minister should consider that the Bill should be passed into law as early as possible, at least in the hope that the Select Committee would make such changes as are necessary to remove the objectionable features of this Bill and to achieve the only object which the Hon. Revenue Minister has in view, namely, to prevent the alienation of communal, forest and other private lands, whose alienation is not desirable in the interests of the country, that I oppose this Bill.”

THE HON. SRI KALA VENKATA RAO:—“I want to submit, Madam Deputy Speaker, that it is better that we finish with the discussions on this Bill to-day, so that it may go before the Select Committee to-morrow and that it might return from the Select Committee to this House for being passed into law in time before the 26th, when the Ordinance will cease to be in force. That is why, Madam, there is such an urgency in this matter.”

* SRI A. KALESWARA RAO:—“Madam, Deputy Speaker, I shall say only a very few words on this Bill. This Bill is a continuation of the Ordinance. This Ordinance, as the House knows, was passed at a time when certain zamindars of certain Estates began alienation their private lands and when certain political parties went and squatted on those lands and prevented cultivation, when there was trouble and the department of law and order had to take strong action and when firing was also resorted to. Under those circumstances, certain estates were notified and alienation was prevented by the Ordinance and the parties that squatted on those lands quif the same saying that the Ordinance had come and that there was no further need for their agitation. Madam, at that time two Estates were notified under that Ordinance in the Kistna district.

“Now, when a Bill of this permanent nature is being passed into law, there is no need for us to copy all the provisions of that Ordinance. Of course, certain provisions of the Ordinance will have to be repeated, because the Ordinance will cease to have any force very soon and because the Ordinance will cease are still pending under that Ordinance and because certain rights have been created and disabilities imposed. But at the same time, Madam, this is only a preliminary Bill, because we are very soon going to have a very comprehensive Bill abolishing the entire zamindari system as such.

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"In the first instance, with regard to the definition of forest land, a slight change, I believe, is necessary. I do not want to go into details because everything will be considered by the Select Committee. Secondly, the prohibition of alienation of private lands is restricted to impartible estates only. It should be to all estates whether impartible or not. The present clause may be kept because it prevents the alienation of private lands in impartible estates. Another clause has to be added prohibiting alienation of all private lands in all estates whether impartible or partible, whether inams, aghrahams, zamindaris or jagirs.

"Another clause contained in the Bill is about to trespass on communal lands. Provision is made in the Bill that not only a Collector could immediately eject any trespasser on a communal land but this Bill also makes the trespass penal. That is an additional thing contained in this Bill. Alienation of private lands or communal lands or forest lands is made penal. That is why that clause has been introduced.

"Again, with regard to clause 4, it makes any transaction of the nature prohibited in clause 3 in the case of a private land in a notified estate null and void. Clause 4 is a new one. The Hon. Minister has introduced some retrospective provision and has confined it only to notified estates. Why should Government notify and confine the clause only to notified estates? Complaints may come or may not come to the Government. So, this clause should apply to all estates whether partible or impartible, whether zamindars or inamdars without the need for notification. Then with regard to the retrospective provision so far as communal lands are concerned, these lands really belong to the village community. Therefore alienation made by a powerful zamindar from time to time or from a very long time, is really most objectionable. I know of instances where communal lands were utilized and alienated as if they were private property. If these lands are alienated, the ryots lose such valuable things as paths, tanks, etc. In that way, several depredations were made by the zamindars. So, all alienations of communal lands from 1908 should be made void.

"With regard to the forest land also, I agree with the retrospective provision in the Bill but with regard to the retrospective effect given to alienations of private lands, I do not know whether it is right. Apart from the consideration whether such retrospective effect can be given, we have to consider whether such a retrospective effect will be advantageous to the alienees or the purchasers. I think that point will have to be considered at the Select Committee stage. With these words, Madam Deputy Speaker, I generally support the provisions of the Bill but I feel that in the Select Committee stage, several important changes have to be made before the Bill is passed into law."

(At this stage, Hon. Speaker occupied the Chair.)

* SRI PILLALAMARRI VENKATESWARLU:—"Sir, I am giving my whole-hearted support to this Bill. In spite of the

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fact that the Congress party has taken a decision that inams also should be included in the coming legislation, I am surprised to find opposition with regard to inclusion of inamdars from the Congress Benches themselves. At the same time, there is another sort of opposition that there is no need for the provision of a Bill like this at all. This is the stand taken by my hon. Friend, Mr. Karanth and the hon. the Raja of Venkatagiri. I am surprised to hear this from Mr. Karanth because when he was a Minister for Revenue previously, there have been so many circumstances regarding the alienation of communal and private lands and no action was taken by him. In spite of the fact that there were two Bills, no action was taken by the hon. Mr. Karanth when we asked him to take action against the zamindars and though there were provisions in previous legislation, it was not applied in such cases. Therefore, there is no justification for my hon. Friend Mr. Karanth, to oppose this piece of legislation. We welcome this, Sir, and we consider this Bill necessary and this proves correctness of the policy and the stand we have taken. We have advocated and we have done so much of propaganda with regard to these private lands and for that action was taken against the Communist party under the Public Safety Act and they were prosecuted. It is the zamindars that ought to have been prosecuted but unfortunately the Congress Ministry took action against us.

"Sir, I do not like to take much of the time of the House, but I want to say this. Zamindars never hesitated to adopt all means legal and illegal to extend the acreage under their possession. How? They have acquired their private lands and developed their zamindaris. Before, 1908, for instance, the Raja of Chellapalli did not possess much land. But now he owns about 20,000 acres of private land. He is not a cultivator; he is not a ryot but he appropriated these private lands from the tenants. So, Sir, we want to see that the zamindars who have expropriated the private lands of the tenants are to be expropriated once again so that justice may be done to the toiling millions. We know the history of these private lands. These individual ryots are being expropriated by the zamindars and thus the number of acreage in their possession has increased.

"Then, regarding the retrospective effect the Bill provides for retrospective effect since October 1939. It is perhaps for the reason that the Congress Ministry resigned from that date and on the assumption that the zamindars began alienating their land from that date. But it is not so. These alienations were there before 1908. I remember the speeches of the Hon. the Revenue Minister in 1937-38 on Prakasam Committee Report. Then he said that these alienations can be traced from the year 1802 and alienations became more frequent afterwards. But after that lands were alienated all the more because in 1898, there was a Tenancy Bill introduced by the then Government . . ."

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MR. SPEAKER:—"The Hon. the Minister for Revenue wants that the Bill should be referred to the Select Committee to-day. So he requests you all to sit at least till 6 o'clock and finish this Bill."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"5-30 will be all right."

MR. SPEAKER:—"We shall sit till 5-30 if it is agreed upon."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"The best alternative I wish to offer is to finish it early. Probably by 5-30, we can finish it. If it is a question of obliging the Hon. Revenue Minister, we can sit till 5-30 and finish it."

MR. SPEAKER:—"We shall sit to-day till 5-30."

SRI KALLUR SUBBA RAO:—"I want to move a closure to the debate, Sir."

MR. SPEAKER:—"The thing is this: firstly, the closure should be accepted by the Chair. Secondly, the House should accept it. I wish to tell hon. Members that I am following the procedure of the House of Commons and not that of the Central Assembly. If closure is accepted by me, and accepted by the House also the Minister will not be allowed to reply and that is the practice in the Commons. But in the Central Assembly after the closure motion has been passed the mover of the motion and the Minister are called to reply. So, we shall sit till 5-30 and finish the Bill."

SRI PILLALAMARRI VENKATESWARLU:—"Sir, I welcome the provision regarding the retrospective effect. It is given retrospective effect only since October 1939. We demand that it should be made applicable since 1908 because many alienations have taken place since that date. In the year 1898, a Tenancy Bill was introduced by the Madras Government. Then there was the Estates Land Act of 1908. The zamindars began alienating their land even from 1898. So, the Act must be given retrospective effect at least from ten years before 1908. When the Bill is in the Select Committee, this amendment must be incorporated in the Bill."

"Then, another point is about the scope of the retrospective effect. It is restricted to private lands in notified impartible estates. It should be made applicable to all estates whether notified or not. It is a very serious defect. It should also be made applicable to all estates whether partible or impartible. The Hon. the Revenue Minister himself has said that there are 131 estates. But the present Bill will be made applicable only to three estates which are notified. So, the scope of the Bill should be extended and the Bill should be made automatically applicable to all estates whether major or minor, whether partible or impartible, and whether notified or not. Again, the scope of

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the present Bill is restricted to only forest or private lands in impartible estate. But, there are various tank-beds, etc., which do not come within its scope. Again there are waste lands."

THE HON. SRI KALA VENKATA RAO:—"It applies to waste lands."

SRI PILLALAMARRI VENKATESWARLU:—"There are only forest lands provided in the Bill. The zamindars today are alienating all their land. In order to prevent it, there must be a comprehensive legislation. But, so far as the present Bill is concerned, I wholeheartedly welcome it and support it."

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Sir, I do not like to take much of the time of the House as I want to oblige the Hon. the Revenue Minister so that when the discussion is over to-day, the Bill may go to the Select Committee. But, at the same time, I want to impress upon the Hon. the Speaker that when the Opposition want to speak, we want to do our duty and it is not for mere fun that we are discussing. Therefore, it is not right for a member of the Congress party to come forward and move for closure of the debate and to stop the discussion. If that is the object, there is no necessity for a discussion at all. Having said that, I may point out that the measure is not less important as pointed out by the Hon. the Revenue Minister. After all, this Bill forms part of a major legislation which is ultimately to come before this House, viz., the abolition of the zamindari system. I do not like to go into the details of the matter as they have already been stated by my friend, Mr. Salam. 5 p.m. So far as this Bill is concerned, it tries to prevent alienation of lands in the zamindari areas which is taking place. There is a quantum of opposition to the Zamindari Bill. Therefore, Sir, it is for that reason that a number of speakers have said that there is not such an emergency as is attempted to be proved by the Hon. the Minister for Revenue, for this measure. Sir, objections have been raised on a number of points, particularly in regard to clauses 4, 7, 8 and 9 and I do not like to go into details at present and I am sure the Hon. the Revenue Minister will clarify as to the basis for coming to the decision that October 1939 and November 1935 should be the dates for retrospective effect. Of course he did not say anything about it in his speech and I am sure he will do so in his reply to the debate."

"Sir, the subject of the abolition of zamindaris has become a question of wide discussion and the Congress party is yet to decide. We find there has been a sharp cleavage of opinion in the party, where even the Ministers differed among themselves and the Hon. the Premier, the Leader of the House and the Hon. the Revenue Minister have to go to Delhi and settle matters. Therefore I think a wide opportunity should be given to the members of this House to come to a conclusion on it. I will only appeal to the Hon. Minister that when the Bill actually comes before this House, let us not be hasty in passing it and let not people say that members of the Assembly simply talk for an hour or two

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and pass the Bills into law, but we should see that we consider it in all its aspects so that when once the Bill is passed into law, it would be as best as possible so that people may not be put to trouble. With these words, I conclude, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Mr. Speaker, Sir, I support the view that the proposals contained in this Bill and the other two Bills for reducing rent are really obnoxious to the Zamindari Abolition Bill and the procedure ought to have been that that Bill should be taken up and then to consider the consequences of that measure. But, now what is actually done is you are putting the cart before the horse by bringing forward this measure. The proper procedure would have been to take up the Zamindari Abolition Bill and not to assume that the House will somehow pass that Bill as is conceived by the Hon. the Revenue Minister. First that Bill ought to have been taken up and then after passing that Bill, a survey ought to have been made according to the 1914 Act and then a settlement ought to have been effected. The land should be taken possession of as and when at least a substantial amount of compensation is paid and not until then. However, now that the Government have come forward with this Bill in advance of the Zamindari Abolition Bill, we are supporting this Bill in the hope that it will be subjected to drastic alterations in the Select Committee. It is only in that hope that we are supporting this measure.

"Now, Sir, with reference to certain of the clauses of this Bill, remarks have already been made, comments and criticisms have been offered by my hon. Friends and I only want to draw your attention to clause 4 which speaks of communal and forest land and also private lands. It also gives retrospective effect to the proposals brought forward by the Government. I do not know what is the sanctity about the date 31st October 1939 and why retrospective effect has been carried back so far as that. Then again, though the Ordinance prohibiting the sale of private land has been issued only in May 1947, retrospective effect is being given even with regard to that matter up to 1st November 1945. I do not think it is fair, especially when you are passing the measure now.

"My hon. Friend, Mr. Kaleswara Rao, said that communal land and forest land really belong to the people and that the zamindars and landholders have no business to alienate them. When they belong to the community and when the object can be achieved under the existing law, why a new measure is necessary at all, I cannot understand. If they really belong to the community and the zamindars have no right to deal with them as they might have dealt with them hitherto I do not think there is any necessity for such a proposal as the one we are now considering. If the zamindar cultivates the land as any other landholder does outside his zamindari sphere, then it means he should also be considered as the owner of the land as any landholder in

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the ryotwari area is being considered as owner. When the reform of the ryotwari land is being brought in then there is time enough to consider the question of these private lands.

"Then, Sir, with regard to private land retrospective effect is being given even beyond the date of the Ordinance. In such a case, what happens to the transactions bearing upon these private lands. People would have entered into these transactions with all good faith and they would be thinking that the Government would be acting in a bona fide manner and in a legal way by the measures passed in this House. Now to forestall or even to nullify the transactions which they have entered into is not proper and just.

"Again, Sir, it is stated that people have no right to go to a court of law. I do not know why Government should fight shy of these law courts and why they have developed this attitude of systematic denial of the rights of people to go to a court of law. Are they thinking of removing the institution of law courts? Government should never fight shy of law courts at all. They must, on the other hand, scrupulously maintain the right of appeal for the people to a court of law. I say this because, to-day they may be on the Government Benches, to-morrow they may not be there and then they will be the first to plead for the maintenance of the powers of the court and the right of the people to go to a court of law in time. Therefore, Sir, I plead with them not to meddle with this precious right of the people. (Interruption.) We would never have done it and we are democratic enough not to deny the right of appeal to the people to go to a court of law. Therefore, Sir, I want Government even now to give an undertaking that they will remove this clause, clause 5, which takes away the right of people to go to a court of law.

"Sir, as I said even at the beginning, I hope they will remove the obnoxious clauses and also certain other portions of the Bill, in the Select Committee and make the Bill as beneficial and harmless as possible."

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I must thank you and the members of this hon. House for having responded to my appeal to facilitate reference of this Bill to the Select Committee even to-day and I really thank you and them, Sir.

"I have carefully followed the criticisms offered by many Members and also the favourable support that I have received from some Members. I do not like to take the time of the House as I told you at the beginning, that I myself have certain ideas with reference to certain amendments that ought to be incorporated in this Bill but I must tell plainly that any amendment which goes against the fundamental sections of the Bill will not be acceptable. Subject to that, any hardship or any difficulty the Bill might cause will have to be rectified and I am one of those who feel that what is wrong should always be rectified.

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"Sir, certain hon. Members were over-enthusiastic in their criticism and my hon. Friend, Mr. Salam, said that we actually manœuvred petitions before the Bill was drafted. I am sorry that has never been the case at any rate with me, not even with any one of my Colleagues. But I must say that in future we have to be careful when the hon. Member Mr. Salam presents any petition to the Government.

"Sir, the main objection was with reference to clause 4. Clause 4 gives retrospective effect to certain things. As I have explained in the beginning the reason is that certain acts of vandalism, if I may call it, have been perpetrated by certain individuals during the ten years from the time Mr. Prakasam undertook to bring in legislation with regard to zamindaris. We can quote chapter and verse, we can quote figures and names, though I do not want to give names, substantiating the above claim of mine. Therefore necessity arose to provide for retrospective effect in this clause. (Muhammad Ismail Sahib Bahadur: 'Why do you assume that the Zamindari Bill will be passed?') I am not assuming, Sir. When the Bill is actually placed before this House it is open to hon. Members to accept it or to throw it out. Therefore, I am quite aware that if it does not receive the approval of the House, all the other Bills will go out. Sir, there have been other acts of vandalism. Forests have been cut away so as to make them waste land and I call it vandalism. If it is necessary to have cultivable land, it is also necessary to have forests and unless there are forests this Presidency is not going to prosper. As a matter of fact the extent of forests in this Presidency is only 13 or 15 per cent less than what it should be and it is therefore necessary that we should grow more forests and at least we should not allow forests to be cut. Everyone knows that in order to get rains we must have forests. (M. Muhammad Ismail Sahib Bahadur: 'Why not the Government prevent the cutting of forests?') [We are trying to do so. As a matter of fact, we find that in each survey even in ryotwari lands porambores are done away with and as ryots we know 'that if a tenant pays Rs. 4 to the surveyor it brings an extra cent of land into his field and in zamindaris this happens in extenso because there is neither survey nor settlement. The result is that to-day much of the communal land is done away with, many of the forests is cut away, made into waste land and are assigned. This is not with any idea of the Grow More Food campaign but simply to get some money out of it. The idea therefore is to prevent such things and nothing more than that. I have been charged that I have brought retrospective effect into the Bill as if by surprise while it has not been provided for in the Ordinance. This is because retrospective effect could not be provided for in the Ordinance. It was the act of a single person, the Governor. I mentioned in the statements that I issued on that day that the Bill will contain all the clauses with reference to retrospective effect. I did not arrive at that conclusion

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p.m.

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suddenly and it was done only after due deliberation. I can quote large number of instances in which there were certain land-holders, I wish to underline the word certain, who wanted to benefit themselves to the detriment of the ryots. After all, what is it that is being sought for in this Bill? The hon. Leader of the Opposition said that there was no necessity for this in view of the other Bill that is coming but this is only an interim measure and as soon as that Bill becomes law this will lapse. It is only to prevent these acts meanwhile that this is sought to be put on the statute book. It was expressed why this Bill should be brought up when the Tribunal under the Zamindari Bill is going to decide which is private land. This is only a transitory measure. I may mention in this connexion that many of these lands which are not really private lands and which do not come under that definition in the Estates Land Act are sought to be made into private lands and sold and that will injure many people. After all what is it that we ask? We did not prevent its lease for two years. By that time we will determine whether it is private land or not as soon as the other Bill is passed. I should like to quote instances. While discussion was going on about this certain acts were done to circumvent things. We had to tackle them and therefore we thought a reasonable date should be fixed. We thought that the date when the Congress Election Manifesto was published would be a good date. With reference to communal lands we ought to have gone to 1908. I would have liked to have added that anything subsequently done under certain sections were illegal. We have recognized all alienations done with the permission of the Collector. Under this Bill if the zamindars assigned communal lands or alienated them without the permission of the Collector we are saying they will become null and void. I think no objection need be taken regarding communal lands because it is not anybody's property and none have a right to sell or purchase them.

"Another objection was with reference to forests, Sir. It was mentioned that the definition was wide. It was made wide as Mr. Karanth said to meet a particular situation and that particular purpose has not yet lapsed. As a matter of fact we only practically copied the definition from last year's legislation. In this connexion I will have to answer another objection of my hon. Friend that when there were two measures already—Section 20-A in the Estates Land Act and the Madras Preservation of Forests Act what was the need for this legislation. Even in my introductory speech I said that we wanted to consolidate all the measures because you see that under the legislation in vogue now certain procedure has to be followed with reference to the stopping of these alienations. It is only when one files a petition before the Collector that action under section 20-A comes into operation. This has been found impossible in view of the fact that these alienations became a general question throughout the Presidency. There is no gainsaying the fact that the Madras Preservation of Forests Act has done good in this country. I was myself in the

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Select Committee at that time and we supported the Bill. We are only taking advantage and consolidating that measure and section 20 of the Madras Estates Land Act along with other categories.

"Now I have to answer one more question particularly with reference to the reason why we restricted this to impartible estates and why we did not apply to all estates. Of course I would have been prepared to do it. My mind went that way. We were advised that unless there was a tangible reason we should not proceed against them and the reason why we restricted it to individual estates is because it was only in those places there was tension. There were two deaths in one place and five deaths in some other places. It was not abuse of power. Mr. Salam said we misused our power. We did not extend it to unnecessary places. This is itself positive proof that we are not prone to misuse powers. He objected that powers taken under clauses 7 and 9. He need not characterize the Madras Government as a dictatorship. He can go through any of the parliamentary acts in England and he will find similar provisions and on account of the recent developments in political thought provisions like this have become necessary. You can point out to us that the particular power was misused. We have never misused this power and this is itself a sufficient guarantee and I hope Mr. Salam will be satisfied.

"The other points raised are not many. In the beginning itself I have mentioned that the Select Committee will go into this question and except for fundamental changes all requisite changes may be made. One point urged by Sri Bhashyam was to exclude inams. I am sorry I cannot oblige him in this matter.

"I request the House to give me leave to refer this Bill to the Select Committee and as I have already mentioned this has to become law by the 26th of this month and I again earnestly appeal for the co-operation of the House in making this into law."

MR. SPEAKER:—"Before I put the motion to the vote of the House I should like to refer to the word 'you.' I have told the House that the word 'you' used in a Parliament or in a Legislature refers to the Chair. I may here refer to a ruling in the House of Commons in October 1946. It is on page 483:

'Mr. Speaker: If I may interrupt the hon. Member—The hon. Member said "You", and that means me.'

"Again there is a recent ruling about ten months back, i.e., 22nd January 1947. In page 254 it is mentioned:

'The hon. Member must remember that when he uses the word "you" he is referring to the Chair and not the member opposite.'

"In this connexion, I wish to make a request to the hon. Members that whenever they refer to any other hon. Member to use 'hon. Member, Mr. so and so' instead of the word 'you.' When a member uses the word 'you' it refers to me, that is the Chair.

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"I now put the motion to the vote of the House. The Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947, be referred to a Select Committee consisting of the following Members:—

Sri S. Nagappa.
Sri Gona Seetharamaswami.
Sri T. K. T. N. R. Tatachari.
Srimathi V. Sitamahalakshamma.
The Zamindar of Mirzapuram.
Sri K. R. Karanth.
Sri K. Bhashyam.
The Hon. Dr. P. Subbarayan.
Sri P. Kandaswami Pillai.
Mr. W. J. Fernandez.
Mahboob Ali Baig Sahib Bahadur.
H. S. Hussain Sahib Bahadur.
Sri P. Venkateswarlu.
Sri R. V. Swaminathan and
Hon. Sri Kala Venkata Rao."

The motion was put and carried.

MR. SPEAKER:—"Under rule 78 I appoint the Hon. Sri Kala Venkata Rao to be the Chairman of the Select Committee. I wish to know from the Hon. Member when he will present the report."

THE HON. SRI KALA VENKATA RAO:—"Day after to-morrow, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"With due deference to the Chair, I should like to know why such a question was asked?"

MR. SPEAKER:—"It was to elicit information as to when the Bill will be ready so that the Chair may have notice."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I think it is a matter for the Leader of the House and I submit this with due deference to the Chair."

MR. SPEAKER:—"I put the question to know when it will be ready. I have to get notice. I must know when the Select Committee will present its report. In case the hon. Member wishes he may refer to the relevant rule."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I know that rule, Sir. All the same, I think, we Members of this House really expect the Hon. Speaker to weigh his influence equally on both sides. The Hon. Member has been making an appeal to the

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House to see that the Bill is passed expeditiously so that it might go to the other House. I thought that when the Bill will come back from the Select Committee is a matter which is the concern of the Member in charge of the Bill and I do not know . . ."

MR. SPEAKER:—"Nothing prevents the Chair from asking a question."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I leave the Chair alone for the present. I do not know, Sir, how the Hon. Minister in charge of the Bill could assure this House. . ."

MR. SPEAKER:—"It is not an assurance but it is a suggestion. He did not give a definite reply."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"It only stresses the point that the Hon. Minister wants to keep up to the policy of hasty legislation that has been followed in the past and I may point out, Sir, even if these hon. Members did want to get these things done, they should not make a public declaration of the way in which the legislation would be hustled. I want you, Sir, to kindly bring to the notice of the hon. Gentlemen that they should at least outwardly respect the Opposition to the extent they deserve. I want you to give a ruling on this, Sir."

MR. SPEAKER:—"Without giving my ruling I think the Treasury Bench always respects the Opposition. That is my opinion. That has been confirmed by my observations. They are ready to oblige the Opposition and they are also willing to help them."

"I now adjourn the House to meet again to-morrow at 11 a.m."

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APPENDIX I.

[Vide answer to starred question No. 226 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly held on the 15th October 1947, page 832 supra.]

List of new cement factories recommended to the Government of India.

Serial number and district.	Name of firm or person.	Capacity in tons per annum.
1 Tinnevely	Messrs. The India Cements, Limited (Sri S. N. N. Sankaralinga Ayyar).	100,000
2 Kurnool	Sri Rao Bahadur B. P. Sessa Reddi ..	50,000
3 West and East Godavari..	Sri A. S. Murthy	50,000
4 South Arcot	Sri S. S. Natarajan	50,000
5 Tungabhadra Project ..	Government concern	30,000
6 Godavari Project ..	D.	30,000

APPENDIX II.

[Vide answer to starred question No. 229 asked by Sri A. Vedaratnam Pillai at the meeting of the Legislative Assembly held on 15th October 1947, page 838 supra.]

Particulars regarding basic elementary schools in the Province.

Name of the school.	Amount of teaching grant paid.
<i>Boys' schools.</i>	
1 Tilak National Elementary School, Kovur (Guntur district).	No grant is paid for this school as it forms part of the Basic Training School, Vinayasararam, conducted under Government management.
2 Valluvar Gurukulam Higher Elementary School, Kadapperi (Chingleput district).	Rs. 190.
3 Kamala Nehru Basic School, Koossenipattu (South Arcot district).	Rs. 311.
4 Kasturba Basic School, Kila-moongiladi (South Arcot district).	Recognition accorded recently. The question of payment of grant is being examined.
5 Basic Elementary School, T. Kallupatti (Madura district).	Rs. 290-14-0.

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Name of the school.

Amount of teaching grant paid.

Boys' schools—cont.

- 6 Basic Elementary School, V. Ammapatti (Madura district).
 7 Gandhi Ashram Basic School, Pudupalayam, Tiruchengode (Salem district).

Girls' schools.

- 8 Basic Elementary School, Tanuku (West Godavari district).
 9 Sri Kasturba Basic Vidyalaya, Konetipuram.
 10 Avvai Ashram Basic School, Adyar, Rs. 1,012.

- 11 Sri Kasturba Basic School, Maharajapuram (Tanjore district). Management has not sought for any aid.

The question of grant is under consideration.

APPENDIX III.

[Vide item IV on page 861 supra.]

A Bill to prohibit the alienation of communal, forest and private lands in estates in the Province of Madras.

WHEREAS it is necessary to prevent the indiscriminate alienation of communal, forest and private lands in estates in the Province of Madras pending the enactment of legislation for acquiring the interests of landholders in such estates and introducing the ryotwari settlement therein; It is hereby enacted as follows:—

1. (1) This Act may be called the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Act, 1947.

(2) It extends to all estates in the Province of Madras governed by the Madras Estates Land Act, 1908.

(3) It shall come into force at once.

Short title, extent and commencement.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(a) "estate," "landholder," "private land" and "ryoti land" shall have the same respective meanings as in the Madras Estates Land Act, 1908, and "communal land" means any land of the description mentioned in section 3, clause (1c), sub-clause (a) or sub-clause (b), of that Act;

(b) "forest land" includes any waste land containing trees and shrubs, pasture land, and any other class of land declared by the Provincial Government to be forest land by notification in the *Fort St. George Gazette*;

(c) "impartible estate" means any estate included in the Schedule to the Madras Impartible Estates Act, 1904, or subsequently declared to be an impartible estate within the meaning of that Act, by an Act of the Legislature.

Madras Act I of 1908.

Madras Act I of 1908.

Madras Act II of 1904.

[15th October 1947]

3. (1) Notwithstanding anything contained in any other law for the time being in force, no landholder shall sell, mortgage, convert into ryoti land, lease, or otherwise assign or alienate—

Prohibition of the alienation of communal, forest and private lands in estates.

(a) any communal or forest land in his estate without the previous sanction of the District Collector, on or after the date on which the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Ordinance, 1947, came into force, namely, the 27th day of June 1947, or

(b) any private land in an impartible estate notified by the Provincial Government in the *Fort St. George Gazette*, in pursuance of this clause or the corresponding clause in the Ordinance aforesaid, on or after the date on which the estate was so notified:

Provided that private land in an impartible estate so notified may be leased for a period not exceeding two years.

(2) Any landholder who has contravened or contravenes the provisions of sub-section (1) and any agent of the landholder who abets such contravention shall be punishable with imprisonment which may extend to two years, or with fine which may extend to five thousand rupees, or with both.

4. Any transaction of the nature prohibited by section 3 which took place, in the case of any communal or forest land, on or after the 31st day of October 1939, and in the case of any private land in a notified estate, on or after the 1st day of November 1945, shall be void and inoperative and shall not confer or take away, or be deemed to have conferred or taken away, any right whatever on or from any party to the transaction.

Certain prior transactions of the nature specified in section 3 to be void.

5. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any Magistrate of the first class specially empowered by the Provincial Government in this behalf to impose a sentence of fine exceeding one thousand rupees for any offence under section 3, sub-section (1).

Power to enhance jurisdiction of First-class Magistrates to impose fines.

6. No prosecution shall be instituted under this Act against any person without the previous sanction of the District Collector.

District Collector to sanction prosecutions.

7. No notification or order of the Provincial Government or of the District Collector under this Act shall be liable to be questioned in any Court of Law.

Bar of jurisdiction.

8. The Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Ordinance, 1947, is hereby repealed:

Repeal and saving.

Provided that all notifications and orders issued under the said Ordinance and in force immediately before the

Madras Ordinance II of 1947.

Central Act V of 1898.

Madras Ordinance II of 1947.

[15th October 1947]

commencement of this Act shall continue to be in force and be deemed to have been issued and shall have effect as if they had been issued under this Act.

Power to
remove
difficulties.

9. If any difficulty arises in giving effect to the provisions of this Act, the Provincial Government may, as occasion may arise, by order do anything which appears to them necessary for the purpose of removing the difficulty.

STATEMENT OF OBJECTS AND REASONS.

A number of representations were received by Government that landholders were resorting, on a large scale, to the alienation and assignment of communal lands including the beds and bunds of tanks, and also of forests. Some landholders were also reported to have claimed communal lands as their private lands and to have assigned such lands for large sums of money. It was further alleged that several landholders were alienating their private lands after receiving large amounts by way of *nazarana*. It was clear that some landholders were acting recklessly, feeling perhaps that their future was uncertain and that whatever money they might manage to make would remain with them and would not affect the question of the compensation payable to them when their estates were taken over by Government. Government therefore decided that all these assignments and alienations should be prohibited altogether and penalized, and on the 27th June 1947, the Legislature not being then in session, promulgated an Ordinance called the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Ordinance, 1947, for the purpose. Under sub-section (2) of section 88 of the Government of India Act, 1935, this Ordinance will lapse on the expiration of six weeks from the re-assembly of the Legislature. It is therefore proposed to repeal the Ordinance and re-enact its provisions with certain modifications. The alienation of communal and forest lands will be rendered void and penalized only where it has taken place without the previous sanction of the District Collector, and not otherwise. But alienations without such sanction have been made void, with retrospective effect from the 31st October 1939. As regards private lands in estates notified by Government, their alienation has been made void with retrospective effect from the 1st November 1945.

KALA VENKATA RAO

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 16th October 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Transfer of Food Secretary as Collector.

* 235 Q.—SRI V. PONNUSWAMI GOUNDER: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that the Food Secretary, Mr. Subba Rao, was transferred as Collector; and if so, for what reasons; and

(b) whether it is also a fact that the Hon. the Minister for Food was not consulted in the matter?

THE HON. DR. P. SUBBARAYAN (on behalf of Hon. Prime Minister):—“(a) No. Sri Subba Rao proceeded on leave for two months for reasons of health.

“(b) It is not a fact.”

SRI V. PONNUSWAMI GOUNDER:—“கனம் மந்திரியார் அவர் களை தயவுசெய்து பதிலை தமிழில் சொல்லவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.”

THE HON. DR. P. SUBBARAYAN:—“அவரை கலெக்டராக transfer செய்யவில்லை. அவராகவே இஷ்டப்பட்டு உடம்பு அசௌகரியமாக இருக்கிறது என்று போனார்.

“இரண்டாவது கேள்விக்கு பதில் இல்லை.”

SRI V. RAGHAVAYYA:—“Is it not a fact that Mr. Subba Rao has been universally accepted as the best authority on food matters and that his services could be taken advantage of as soon as his health permits him?”

THE HON. DR. P. SUBBARAYAN:—“Well, Sir, it would be advisable for the hon. Gentleman to put a separate question to my Colleague the Minister for Food.”

* 236 Q.—

MR. SPEAKER:—“The hon. Member who put the question not being in his place, the answer will be printed in the proceedings.”

Choice of journals by Government for giving advertisements.

* 236 Q.—SRI T. VISWANATHAM: Will the Hon. the Prime Minister be pleased to state—

(a) the principles on which journals are chosen for giving Government advertisements;

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(b) whether political leanings of the journals form one of such principles;

(c) the names of the journals chosen by Government for giving advertisements, and their audited circulation; and

(d) whether any journals were removed from the list in the last six months, and if so, why?

THE HON. DR. P. SUBBARAYAN (on behalf of Hon. Prime Minister):—“(a) The principles on which journals are chosen for giving Government advertisements are wide publicity and rates of advertisement.

“(b) The answer is in the negative.

“(c) A statement is laid on the table of the House.

“(d) The answer is in the negative.”

Alleged refusal of permission to Communist party to hold meetings, etc., in Dharmapuri.

* 237 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that permission to hold meetings and conduct processions was refused to the Communist Party in Dharmapuri (Salem district) in March 1947, while at the same time permission was being granted to hold meetings to local Congress and Dravidian Sangham; and

(b) if so, the reasons for such difference in treatment?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) In March 1947 three permits to hold meetings at Dharmapuri were issued under the District Police Act. Permission was granted for the celebration of ‘Kaman’ festival on 6th March 1947, for the local Congress members’ meeting on 14th March 1947, and for the local teachers’ meeting on 15th March 1947. On 18th March 1947 the members of the Communist party applied for a permit. The Police apprehended a breach of the peace at this particular meeting and as there was no adequate police force for bandobast duty the police refused to permit the meeting.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know what are the grounds . . .”

SRI V. RAGHAVAYYA:—“I thought we are in 236. If permitted I shall put the question for Mr. Viswanatham.”

MR. SPEAKER:—“I am sorry I cannot allow it. I waited for a moment when I saw that Mr. Viswanatham was not in his place and I turned to this side and that, but nobody stood up. It is not possible for me now to go back.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know what are the grounds on which the Police apprehended a breach of the peace?”

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THE HON. DR. P. SUBBARAYAN:—“Evidently the hon. Member did not hear what I said. It has been stated at the end of the answer that the Police felt they had not enough force to do bandobast on the occasion and therefore, they refused to permit the meeting.”

SRI PILLALAMARRI VENKATESWARLU:—“My question was not followed. My question is what the grounds are on which the Police apprehended a breach of the peace.”

THE HON. DR. P. SUBBARAYAN:—“It is a matter for the Police to judge on each occasion.”

Steps taken to put down corruption.

* 238 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that commercial and other public bodies have made representations to the Government complaining against the widespread corruption in the Administration; and

(b) if so, what steps the Government are now taking and propose to take in future, to arrest the spread of corruption first and then eradicate the evil altogether?

THE HON. DR. P. SUBBARAYAN:—“(a) The Government have received representations from certain public bodies complaining against widespread corruption in the Administration.

“(b) The measures taken by the Government to stamp out corruption are embodied in the Press Communiqué No. 26, dated 19th July 1946, which was placed on the table of the House with reference to Legislative Assembly Question No. 176 of 1946 answered on 7th September 1946. The Government have also since constituted a committee to enquire into the question of corruption in Government departments and to suggest ways and means of dealing with it. The question what further steps should be taken in the matter will be considered after the Committee's report has been received.”

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—“There are two aspects to this question, the one is permanent and the other is temporary. If the permanent solution is to be adopted, they have to change the conditions of service, pay, allowances and similar matters. May I know if the Government have issued wide terms of reference to them for enquiring into this matter of permanent solution?”

THE HON. DR. P. SUBBARAYAN:—“The Committee has been constituted and they have been given terms of reference under which they are acting and what the hon. Member talked about is also part of the reference, and corruption is to be eradicated whether it is of a temporary or permanent nature.”

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MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is it a fact, Sir, that commercial bodies are also responsible for corruption inasmuch as they make other people receive these things?"

THE HON. DR. P. SUBBARAYAN:—"I entirely agree with the hon. Gentleman that the corruptor is as much responsible for corruption as the person corrupted."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know, Sir, whether the responsibility of the Government in regard to corruption has ceased as soon as they appointed an Anti-corruption Department? Is it not the duty of the Government to notify to this House the progress that the Committee is making from time to time?"

THE HON. DR. P. SUBBARAYAN:—"The responsibility of the Government never ceases because it is a continuing body. When the Government have appointed a Committee to consider the question, they have got to wait till that report is ready; it is within the power of the Government when individual cases of corruption come to their notice to set in motion their machinery to deal with the matter as well."

SRI R. V. SWAMINATHAN:—"Will the Hon. Minister tell the House the personnel of the Committee?"

THE HON. DR. P. SUBBARAYAN:—"I suggest to the hon. Member that he puts a separate question."

SRI S. NAGAPPA:—"May I ask, Sir, if the Committee's jurisdiction is confined to the City of Madras or extends to the whole of the Province; or whether there are sub-committees in the mufassal?"

THE HON. DR. P. SUBBARAYAN:—"The Committee is to enquire into the existence of corruption as a whole and therefore, it deals with the officers in the whole Province and they deal with matters of the whole Province and not merely in the City of Madras."

SRI S. NAGARAJA MANIGAR:—"Is it not a fact that the Government are moving rather slowly in the matter of putting down corruption?"

THE HON. DR. P. SUBBARAYAN:—"Slow or fast is a relative term; the hon. Gentleman may draw his own inferences."

SRI P. KANDASWAMI PILLAI:—"May I know how many officials and how many non-officials are there in the Committee?"

THE HON. DR. P. SUBBARAYAN:—"As I have already said, the hon. Member if he wishes to have this information, may put a separate question; but as a matter of fact these names appeared in the newspapers and if the hon. Gentleman is interested in this matter, he might have made the necessary analysis for himself."

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SRI V. RAGHAVAYYA:—"In view of the difficulties the Government seem to be feeling in the matter, will the Government form committees in the districts to help them in booking the corrupt officials without mercy?"

THE HON. DR. P. SUBBARAYAN:—"I never granted the fact that the Government are feeling any difficulties in the matter; they know what they are dealing with and they have their own method of dealing with the matter."

SRI S. NAGAPPA:—"In view of the fact that corruption is still prevailing in the Province, will the Government consider the desirability of taking straight action against officials who are either corrupt or dishonest without any further investigation?"

THE HON. DR. P. SUBBARAYAN:—"I am sure the hon. Gentleman is aware that there is the Government Servants' Conduct Rules and according to it, enquiries have got to be conducted and conclusions have got to be arrived at before any action could be taken."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, apart from the constitution of the Committee, whether they have any means of knowing to what extent corruption prevails in each of the various departments and if they do have that means, whether the heads of departments are held responsible and what action Government propose to take in these matters?"

THE HON. DR. P. SUBBARAYAN:—"I am thankful to the hon. Gentleman for the long speech he has made. But I would like to point out that the Government have got ways and methods of getting at corruption; and it is not possible to give out in public what methods they adopt. Heads of departments are not certainly responsible for corruption; if corruption prevails individual officers concerned, who are found guilty will be punished."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"May I know what are the duties and functions of the special officer for departmental enquiries with reference to this Anti-corruption Committee?"

THE HON. DR. P. SUBBARAYAN:—"He has nothing to do with the Anti-corruption Committee. The person who is concerned with the departmental enquiry makes enquiry on the basis of facts placed before him, gives an opportunity for the person concerned to lead evidence if necessary both for and against and comes to his conclusion and sends the matter up to the Government for final decision."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know if the Government ask Members of the House to rely upon newspaper reports about what the Government are doing and whether Government will not help Members to verify the facts appearing in the papers. This I put with reference to the answer which the Hon. Minister gave in reply to the question regarding the composition of the Committee?"

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THE HON. DR. P. SUBBARAYAN:—"I am sure the hon. Leader of the Opposition was present when I answered the question; I said that if a separate question could be put, I will place it on the table; the hon. Gentleman wanted to know what the composition of the Committee was—it was already published in the newspapers and it was a communiqué and not a mere newspaper report requiring verification. Therefore if the hon. Gentleman wanted to analyse the matter, he could have done it for himself."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"My question has not been directly answered and I refer to the last portion of the answer given by the Hon. the Home Minister. I did not refer to the reason behind his suggestion to put a separate question but the matter was with reference to the newspaper report, the member was asked to have it analysed for himself and get the information. What appears in the paper may be read or may not be read. Is it not the duty of Government to answer a question on that point when it is put in the House when what appeared in the paper may not be helpful—whether it is a Press Note or not, it does not matter—is it not the duty of the Government to give the answer?"

THE HON. DR. P. SUBBARAYAN:—"All the Government Communiqués are placed on the table of the House and if the hon. Leader of the Opposition is so interested in the matter, he may have himself found it out."

SRI KALLUR SUBBA RAO:—"May I know whether they have defined what corruption is?"

11-15
a.m.

THE HON. DR. P. SUBBARAYAN:—"It is a difficult term to define; but I would like to refer him to Oxford Dictionary, a book of 13 volumes."

SRI N. VENKATASUBBAYYA:—"If putting down corruption is to be effective, is it not desirable to associate non-officials in districts and if so, what action has been taken by the Government in this regard so far?"

THE HON. DR. P. SUBBARAYAN:—"The committee has some non-official gentlemen in it, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask the Hon. Minister whether he has studied the ways and means adopted by Governments in sister provinces, and whether it did not strike him that there is much lacuna in the method adopted by this Government in the non-association of non-officials, Sir?"

THE HON. DR. P. SUBBARAYAN:—"I am only grateful for the hon. Member's information. But each Government have their own opinion in this matter."

SRI A. KALESWARA RAO:—"May I ask whether the Government will take steps against officers who have, in the public opinion, earned notoriety wherever they went, i.e., whether Government will take steps on the ground of notoriety alone?"

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THE HON. DR. P. SUBBARAYAN:—"I have already answered the question. The Government know what is happening, and all the facts are submitted to the Special Officer who conducts the enquiry."

SRI S. NAGAPPA:—"Arising out of the answer given to my supplementary question that Government are not able to change the rules, will not the rules be changed in such a way that when Government are satisfied that a particular officer is corrupt, they themselves can haul him up then and there without looking into the rules, Sir?"

THE HON. DR. P. SUBBARAYAN:—"That is not possible under the rules, Sir."

SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR:—"May I know, Sir, whether the Government will take necessary action to stop corruption in municipal councils and local boards?" (Laughter.)

THE HON. DR. P. SUBBARAYAN:—"This is a matter which my hon. Friend might as well address to my Hon. Colleague, the Minister for Local Administration."

H. S. HUSSAIN SAHIB BAHADUR:—"In view of the alleged widespread corruption, may I know how many cases of corruption have been brought to light since May 1946, Sir?"

THE HON. DR. P. SUBBARAYAN:—"Well, Sir, I think that is a matter which has to be carefully considered, and I would advise the hon. Gentleman to put a separate question."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—"Is it not a fact that the previous Ministry created an Anti-corruption department, and if so, may I know whether that department is still functioning?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Gentleman is correct in his presumption."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Will the Government be pleased to consider the advisability of publishing the proceedings of this Anti-corruption department so that it may have a deterrent effect upon others?"

THE HON. DR. P. SUBBARAYAN:—"I do not think that will be wise, Sir."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Do the Government know that in many charges against corruption of officials, the officials are more sinned against than sinning?" (Laughter.)

THE HON. DR. P. SUBBARAYAN:—"The hon. Gentleman, having occupied the position of an official, knows where the shoe pinches." (Laughter.)

SRI K. ANANDAN NAMBIYAR:—"Will the Government consider 'jamabandi mamool' as corruption?"

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THE HON. DR. P. SUBBARAYAN:—"I do not know what the hon. Member means by 'mamools'. Government are not officially aware of it." (Loud laughter.)

DR. M. J. SAMUEL:—"In view of the fact that many complaints are received from villagers regarding the procurement staff, may I suggest to the Government to consider the advisability of abolishing the procurement officers in the dirkas?"

MR. SPEAKER:—"The hon. Member is suggesting something to the Government."

SRI A. KALESWARA RAO:—"May I know, Sir, whether it is not the best method of putting down corruption if Ministers tour in each district and get into touch with the heads of departments of the district, and make them responsible for keeping the department free from corruption?"

THE HON. DR. P. SUBBARAYAN:—"I am thankful for the suggestion of the hon. Member. I am sure my Colleagues are very much elated over this suggestion." (Laughter.)

SRI P. KANDASWAMI PILLAI:—"May I know, Sir, whether, when every high official tours in his jurisdiction, he issues a definite instruction to his subordinates to give his supply at the cost of the subordinates. (This is called 'mamool'.) In villages, every big official, when he goes on tour, he takes the supply from the . . ."

MR. SPEAKER:—"The hon. Member need not repeat the question."

SRI P. KANDASWAMI PILLAI:—"I want to be clear, Sir. That is why I was saying, Sir, . . ."

MR. SPEAKER:—"The question is clear."

THE HON. DR. P. SUBBARAYAN:—"Thank you, Sir. The hon. Gentleman's question, though so clear, is full of conundrums that I would advise him to put a separate question."

Alleged zulum of procurement officials in Bapatla taluk.

* 239 Q.—SRI V. RAGHAVAYYA (on behalf of Sri T. Viswanatham): Will the Hon. Minister for Food be pleased to state—

(a) whether the Government have made enquiries as regards the sulum of procurement officials in Bapatla taluk as alleged in a communication of the Andhra Provincial Congress Committee published in the *Andhra Patrika*, dated 23rd July 1947;

(b) whether it is a fact that the officials in some places are breaking open godowns of ryots in their absence and taking away all that is found;

(c) whether the Government made enquiries regarding the conduct of the Tahsildar of Bapatla in the matter of procurement of paddy in Appikatla and whether it is a fact that he left out the paddy of rich people while he harassed the poorer ryots; and

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(d) whether it is a fact that he compelled some of them to deliver paddy at Bapatla factory while they desired to deliver it at Gorrikapadu, and, if so, what were his reasons for doing so?

THE HON. DR. T. S. S. RAJAN:—" (a) Yes.

" (b) No. All procurement officials were already instructed to serve a notice before breaking open godowns for seizing stocks and this formality is strictly observed. The procurement officials took away only some of the surplus stock left as per procurement registers. There is still something due from some of the ryots.

" (c) Yes. Enquiries have been made regarding the conduct of the Tahsildar. No. The Tahsildar did not show any partiality between the rich and the poor in the verification of stocks. In fact he verified the stocks of all producers possessing surpluses whether rich or poor.

" (d) Yes. He had to do so for the following reasons:—

(1) He heard reports that there was no rice in some depots in Bapatla itself.

(2) It is difficult to get rice from the Gorrikapadu mill to places like Bapatla, Ipurupalem, etc., villages where rice is constantly required.

(3) It is difficult to take paddy from Appikatla to Gorrikapadu village, during the rainy season when canals are opened.

(4) The agent of the Gorrikapadu mill was offering increased prices to ryots and so the Tahsildar had to warn both the mills not to compete with each other as the result will be deterioration in quality to the consumer.

(5) The Agent of the Gorrikapadu mill had not brought E. forms, kata, and kata men."

B. POCKER SAHIB BAHADUR:—"In view of the long answer and details, is it not desirable, Sir, that this answer should be printed or typed and placed on the table of the House so that supplementary questions may be put to-morrow."

THE HON. DR. T. S. S. RAJAN:—"Sir, I would say that the answer is not at all long. Only to make the answer clear, a summary of the explanation of the Tahsildar has been given to the House. If you still consider that this should be placed before the House, I have no objection to do so, and I will place it as early as possible."

MR. SPEAKER:—"This question will be taken up to-morrow or the day after to-morrow."

Interim relief to employees of certain Motor Transport Services.

* 240 Q.—SRI B. S. MALLIKARJUNA RAO: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government are aware of the fact that there is a common complaint that the proprietors of the Motor

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Transport Services have failed in most parts of the Presidency to make due payments of the interim relief and bonus declared by the Court of Enquiry constituted to go into their conditions; and

(b) what steps the Government have so far taken—

(i) to secure the prompt payment of the interim relief, and

(ii) to respect the awards of the Industrial Court?

THE HON. DR. T. S. S. RAJAN:—“(a) Yes, Sir.

“(b) The payment of bonus recommended by the Court of Enquiry is not binding on the managements and therefore the Government have commended the recommendation to the parties.

“The Government issued a press communiqué on 8th July 1947 asking the parties concerned to implement the award of the Adjudicator in respect of the payment of interim relief immediately and that action would be taken against the defaulters.

“The District Magistrates and the Commissioner of Labour have now been asked to prosecute the defaulters after a final warning.”

SRI B. S. MALLIKARJUNA RAO:—“Does the Hon. Minister know that, if it takes months for an award to be implemented, it creates no confidence amongst the working classes in the system of adjudication, Sir?”

THE HON. DR. T. S. S. RAJAN:—“The legal procedure of getting a report, examining that report, and issuing orders thereon, takes some time, and the Government have always taken, consistently with their responsibilities, the minimum possible time in the discharge of their duties.”

SRI B. S. MALLIKARJUNA RAO:—“Will the Government be pleased to note the fact that invariably in all concerns there is a systematic violation of the awards, and this is creating an impression that these managements have full confidence that Government will not take any steps against them?”

THE HON. DR. T. S. S. RAJAN:—“The fact that prosecutions have been ordered against the managements show that Government have not been showing any indulgence to the managements.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know, Sir, that as the managements are failing to implement the awards entirely, the workers are resorting to strikes and thus there is a breach of the peace, and it is at the responsibility of the management. Will the Hon. Minister be pleased to consider

THE HON. DR. T. S. S. RAJAN:—“He is giving a lecture, Sir.”

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MR. SPEAKER:—“Please put it in the form of a question. The hon. Member is using compound sentences.” (Laughter.)

SRI PILLALAMARRI VENKATESWARLU:—“Arising out of the answer given by the Hon. Minister, may I know, Sir, that because the awards are not implemented by the managements, the workers are forced to go on strike . . . ”

MR. SPEAKER:—“The hon. Member need not give the reasons.”

SRI PILLALAMARRI VENKATESWARLU:—“Are Government aware of the fact that the managements are responsible for the breach of the peace, and will Government take action against them?”

THE HON. DR. T. S. S. RAJAN:—“The premises contemplated by the question are such that I cannot give a definite answer to it.”

Reinstatement of certain workmen of the Deccan Sugar and Abkari Company, Samalkota.

* 241 Q.—SRI B. S. MALLIKARJUNA RAO: Will the Hon. the Minister for Food be pleased to state—

(a) whether the 464 workmen of the Deccan Sugar and Abkari Company, Samalkota, have been appealing to the Government since last year to intervene and press the management of the company to reinstate the retrenched workmen, in place of the new recruits taken for every seasonal work, as per the assurance of the company; and

(b) in what way the Government helped the workmen in the matter?

THE HON. DR. T. S. S. RAJAN:—“(a) No, Sir.

“(b) Does not arise.”

SRI B. S. MALLIKARJUNA RAO:—“May I know, Sir, clearly what is meant by the answer ‘no’ to my question in clause (a)?”

THE HON. DR. T. S. S. RAJAN:—“I think the negative answer is pretty clear and very definite.”

SRI B. S. MALLIKARJUNA RAO:—“It is not yet clear, Sir.”

THE HON. DR. T. S. S. RAJAN:—“The answer is ‘No’, Sir.” (Laughter.)

SRI B. S. MALLIKARJUNA RAO:—“Am I to conclude that the correspondence between the Government and the applicants has not been gone through by the Minister?”

THE HON. DR. T. S. S. RAJAN:—“I do not know what the hon. Member means. Whatever correspondence is addressed to Government, the Government certainly peruse it with all the care that is necessary.”

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SRI PILLALAMARRI VENKATESWARLU:—" May I know, Sir, whether the Hon. Minister is aware of the fact that so many representations were made to the Labour Commissioner, in this connexion, by the Union representatives? "

THE HON. DR. T. S. S. RAJAN:—" The Labour Commissioner certainly would have informed the Government of all the representations, if he thought those representations were worth being perused."

Anicut across the river Vamsadhara.

* 242 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) at what stage the scheme for the construction of an anicut or reservoir over the river Vamsadhara in Vizagapatam district at present is;

(b) when is the scheme likely to be started; and

(c) whether there is a scheme for the construction of an anicut over Nagavalli near the village of Guttavalli of Palakonda taluk, Vizagapatam district?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) The preliminary investigation of the scheme has recently commenced and is in progress.

" (b) It is not possible to say now when it will be started.

" (c) Yes."

SRI G. KUMARASWAMI:—" May I know, Sir, what the recommendations of the Hon. Minister for Public Works are after he visited river Nagavalli near Guttavalli village of Palakonda taluk on the 30th of October last? "

THE HON. SRI M. BHAKTAVATSALAM:—" There was no recommendation that I could make."

Improvements to Chicacole Road Railway Station.

* 243 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Public Works be pleased to state whether the Government of India have communicated any proposal to improve the platform of the Chicacole Road Railway Station (Vizagapatam district, B.N.Ry.) by constructing immediately first, second and Inter. class waiting rooms for ladies and gentlemen and by opening bath rooms which will be accessible to all classes of passengers?

THE HON. SRI M. BHAKTAVATSALAM:—" No."

SRI G. KUMARASWAMI:—" Will the Government be pleased to appoint a committee to enquire whether there is any necessity for constructing such waiting-rooms on the Chicacole Road Railway station platform to make necessary recommendation to the Central Government? "

THE HON. SRI M. BHAKTAVATSALAM:—" I may suggest to the hon. Member to move the Railway Advisory Committee through the member representing this Assembly."

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SRI K. ANANDAN NAMBIYAR:—" May I know why the Government cannot ask the Madras and Southern Mahratta Railway direct, and why should this go through the member representing the Madras and Southern Mahratta Railway, here? "

THE HON. SRI M. BHAKTAVATSALAM:—" They have to examine whether it is necessary. It is for the Central Government to do it."

Sales tax on gold and silver.

* 244 Q.—SRI C. M. KOTHARI: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that gold and silver were exempted from sales tax, when it was first introduced;

(b) whether later during the Advisers' regime such exemption was withdrawn;

(c) if so, what was the amount of collection of the tax per year;

(d) whether the Advisers' regime again exempted gold and silver from sales tax, as the amount of tax collected was small and the bullion business was being transferred from this Presidency to other parts of the country;

(e) whether there is any proposal again to include gold and silver for purposes of sales-tax; and

(f) if so, what the expectations are as regards revenue by the fresh inclusion of gold and silver for sales tax?

THE HON. SRI B. GOPALA REDDI:—" (a) Yes.

" (b) Yes, during 1944-45.

" (c) Rs. 25 lakhs.

" (d) & (e) Yes.

" (f) About Rs. 10 lakhs."

SRI C. M. KOTHARI:—" May I ask the Hon. Minister for Finance whether there is any sales or purchase tax in any other province of India or Pakistan or in any part of the world on gold and silver? "

THE HON. SRI B. GOPALA REDDI:—" As far as I am aware there is none; but Madras wants to be the pioneer in the matter." (Laughter.)

SRI C. M. KOTHARI:—" In view of the expected return of only Rs. 10 lakhs will the Hon. Minister say whether he does not feel that the administration of the Act will be very difficult in respect of the tax on gold and silver? "

THE HON. SRI B. GOPALA REDDI:—" The administering authority have recommended that we can levy this tax and so we do not feel any difficulty will be felt."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—" Will the Hon. Minister concede that if any trade will go away from this province because of an increase in the sales tax, gold and silver trade will be the first to go? "

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THE HON. SRI B. GOPALA REDDI:—"I do not expect trade will migrate in that fashion."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Does the Hon. Finance Minister realize that the bigger market for gold and silver is Bombay and not Madras?"

THE HON. SRI B. GOPALA REDDI:—"It may be so."

SRI P. KANDASWAMI PILLAI:—"Has the Hon. Minister for Finance received any representation from the gold and silver merchants from various parts of this Presidency requesting him to increase the licence fee instead of the sales tax?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know whether it is not a fact that bullion and specie trade actually migrated to other provinces in 1944-45 when there was sales tax on bullion, and may I know on what grounds now the Hon. Minister thinks that this trade will not fly? Is it based on his robust optimism or on practical considerations?"

THE HON. SRI B. GOPALA REDDI:—"During 1944-45 the percentage of tax was one-third, but now it is one-fourth per cent, and so I do not think trade will be driven to other provinces."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer of the Hon. Minister for Finance that he wants Madras to be pioneer in the matter, may I know whether this Government wants to be a pioneer in taxation only or in all matters?"

THE HON. SRI B. GOPALA REDDI:—"In all good matters."

SRI P. KANDASWAMI PILLAI:—"Arising out of the answer, may I know whether the Hon. Minister has calculated which will yield more revenue or income, by increasing the licence fee or the sales tax?"

THE HON. SRI B. GOPALA REDDI:—"Ample calculations were made and it was found sales tax will yield more money."

Alleged corruption in Mettupalayam-Coonoor Motor Service.

* 245 Q.—SRI R. NADHAMUNI REDDI (on behalf of Sri T. K. T. N. R. Tatachari): Will the Hon. the Minister for Prohibition be pleased to state—

(a) the result of the enquiry promised by the Hon'ble Minister for Motor Transport in reply to a supplementary question to Question No. 59 answered on 7th February 1947 about the corruption case with photographic copies of letters written by a certain bus proprietor;

(b) whether it is a fact that the Mettupalayam-Coonoor Service collected a fare of Rs. 2 from several passengers for

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travelling from Mettupalayam to Coonoor whereas the actual prescribed fare is only Re. 1-6-0 on 9th May 1947 and this was reported to the Hon'ble Minister for Transport by one of those who travelled by that bus, by name, K. Sundaram, giving a list of witnesses in his complaint; and

(c) what action the Government have taken in the matter?

THE HON. MR. DANIEL THOMAS:—" (a) The allegation was not found to be proved.

" (b) The answer is in the affirmative.

" (c) The explanation of the company was called for by the Regional Transport Officer. As the explanation was found to be unsatisfactory the company was severely warned."

SRI PILLALAMARRI VENKATESWARLU:—"May I know who inquired into these allegations?"

THE HON. MR. DANIEL THOMAS:—"I presume the Regional Transport Officer, Coimbatore."

SRI PILLALAMARRI VENKATESWARLU:—"May I know whether the Hon. Minister has any definite information in the matter, as he said 'presume'."

THE HON. MR. DANIEL THOMAS:—"The papers show that The Regional Transport Officer, Coimbatore, called for the explanation of the company and the company submitted an explanation, which was found to be unsatisfactory."

SRI V. I. MUNISWAMI PILLAI:—"May I know on what grounds the explanation was declared to be unsatisfactory?"

THE HON. MR. DANIEL THOMAS:—"I am unable to say. I have got only the statement that the Regional Transport Officer found the explanation to be unsatisfactory."

SRI V. I. MUNISWAMI PILLAI:—"There are two classes of buses running in that line, first class and the ordinary class. May I know to which class this question refers?"

THE HON. MR. DANIEL THOMAS:—"Ordinary class."

SRI S. NAGAPPA:—"May I know whether Government consider warning a sufficient punishment?"

THE HON. MR. DANIEL THOMAS:—"The position now is this: the present bus fares were fixed under the Defence of India Rules. Some time last year these rules ceased to have operation. Government have now to fix the fares under the Motor Vehicles Tax Act; but it will take some time for the rules to come into force. Till that time, Government have only power to warn and not punish."

SRI S. NAGARAJA MANIGAR:—"May I know whether Government consider 'warning' an effective method to put down corruption in these days?"

THE HON. MR. DANIEL THOMAS:—"This is not corruption; this is overcharging."

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SRI V. RAGHAVAYYA:—“Are Government aware that long-distance fares are collected even from passengers who travel only for a short distance in several parts of the Presidency?”

THE HON. MR. DANIEL THOMAS:—“Representations have been received like that from several districts.”

SRI V. I. MUNISWAMI PILLAI:—“Is it on the definite complaint of one Mr. K. Sundaram that this matter was taken up?”

THE HON. MR. DANIEL THOMAS:—“Yes, Sir.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“Do not Government consider that for a man of self-respect warning is sufficient and that the matter need not be pursued further?”

THE HON. MR. DANIEL THOMAS:—“I am sure the hon. Member is entitled to have his self-respecting opinion.”

SRI R. V. SWAMINATHAN:—“May I know, if overcharging is not corruption, whether the Hon. Minister takes this as another taxation on the people?”

THE HON. MR. DANIEL THOMAS:—“Illegal taxation.”

Sub-Registrar's Offices in Vizagapatam district.

* 246 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Prohibition be pleased to state—

(a) how many Sub-Registrar's Offices were recently opened in Vizagapatam district, and at what places;

(b) what the recommendations of the Inspector-General of Registration are regarding the opening of offices in Vizagapatam district;

(c) whether there is agitation by the public in any other parts of the district for more offices;

(d) if so, from where; and

(e) what the attitude of the Government is regarding opening more offices?

THE HON. MR. DANIEL THOMAS:—“(a) Two new Sub-Registry offices were opened in the Vizagapatam district with effect from 1st May 1947—one at Kasibugga and another at Ponduru.

“(b) The Inspector-General of Registration recommended the opening of a new Sub-Registry office at each of the following four places in the district, viz., Kasibugga, Jami, Ponduru and Amadalavalasa.

“(c) & (d) The Government are not aware of any such agitation.

“(e) The following considerations are held in view in connexion with the opening of new Sub-Registry offices:—

(1) Public convenience and particularly the distances to be traversed;

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(2) financial position with regard to its being a self-supporting office; and

(3) administrative efficiency.”

SRI G. KUMARASWAMI:—“Is there any likelihood of opening Sub-Registry offices at Jami and Amadalavalasa in the near future?”

THE HON. MR. DANIEL THOMAS:—“If it is considered necessary to have these offices opened it will be taken up.”

SRI G. KUMARASWAMI:—“Has it not been recommended by the Inspector-General of Registration, Sir?”

THE HON. MR. DANIEL THOMAS:—“But the financial implications have to be examined by the Government.”

Licences to Harijans for retail cloth business.

* 247 Q.—SRI M. P. PERIYASWAMI (on behalf of Sri S. C. Balakrishnan): Will the Hon. the Minister for Industries be pleased to state—

(a) the number of licences issued to Harijans for retail cloth business;

(b) the number of wholesale licences issued to Harijans for cloth business;

(c) the number of licences districtwar issued to Harijans; and

(d) the policy of the Government regarding this matter?

THE HON. SRI H. SITARAMA REDDI:—“(a) 192 mill cloth licences and 165 handloom cloth licences for retail business.

“(b) One mill cloth licence and 11 handloom cloth licences for wholesale business.

“(c) The information will be found in the statement ^a placed on the table of the House.

“(d) The Government are doing their utmost to help Harijans to obtain licences to deal in textiles, particularly to serve the needs of the Harijan population.”

SRI S. NAGAPPA:—“Arising out of the answer placed on the table of the House, regarding clause (c), may I ask the Hon. Minister why in Kistna, Malabar, South Kanara, Cuddapah and Kurnool no licence was issued to Harijans up to date?”

THE HON. SRI H. SITARAMA REDDI:—“I invite the attention of the hon. Member to the note issued along with the statement.”

SRI S. NAGAPPA:—“Yes, I have seen the note. I would like to request the Hon. Minister why these people were not granted even a single licence?”

THE HON. SRI H. SITARAMA REDDI:—“I invite the attention of the hon. Member to the recent Government Order

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in which we have said licences must be issued in every district to Harijans, and I am sure in every district licences would have been issued or will be issued to Harijans adequately, and that is why I drew the hon. Member's attention to the note."

SRI P. KAKKAN:—" May I know Sir, whether the Government will issue an order to give two or three wholesale licences to Harijans in each and every taluk? "

THE HON. SRI H. SITARAMA REDDI:—" No, Sir."

SRI V. I. MUNISWAMI PILLAI:—" Have representations been made to the Hon. Minister by several district people that the licences now granted are not enough, and if so, will Government kindly advise the district authorities to be liberal in this matter? "

THE HON. SRI H. SITARAMA REDDI:—" Government have already advised the district authorities to be as liberal as possible in the case of Harijans, and I am sure the district authorities who are the people in charge of licencing under the new Government Order and the textile committees concerned will look into the interests of Harijans."

SRI B. S. MURTHI:—" Is it not a fact that the Collector who is the licensing officer in the districts is guided by the Textile Committee consisting mostly of non-Harijans. Therefore will Government see that in all districts proper representation is given to Harijans? "

THE HON. SRI H. SITARAMA REDDI:—" Sir, I have had similar representations made by certain members. Recently an order has been passed that in the case of Harijan licences not only the Textile Committees need not be consulted, and that instead of the Textile Committee—so far as Harijan licences are concerned—the Harijan Welfare Committee in each district should be consulted by the Collector."

SRI B. S. MURTHI:—" May I draw the attention of the Hon. Minister that in most districts it is not known who are the members of the Harijan Welfare Committee are and therefore why don't Government leave the discretion entirely in the hands of the Collector? "

THE HON. SRI H. SITARAMA REDDI:—" Sir, representations were received that it would be good if proper representatives of Harijans were consulted in the matter of granting licences to Harijans, and it was represented to Government that the Harijan Welfare Committee must be the most suitable organization to represent the interests of Harijans, and the Government accepted that proposal, and so it has been done and I expect it will succeed."

SRI S. NAGAPPA:—" Sir, in view of the fact that most Harijans were not aware of the recent Government Order, and

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hence as they were not able to apply in time will Government consider the desirability of relaxing the date fixed to enable Harijans to apply now? "

THE HON. SRI H. SITARAMA REDDI:—" If there are any particular hardships or difficulties in particular districts they may be brought to the notice of the Government. No general relaxation can be made as the hardships and difficulties may vary from place to place."

SRI B. S. MURTHI:—" May I inform the Hon. Minister that this difficulty is not peculiar to any particular district and that the difficulty is experienced in almost all the districts because the Harijans do not know the exact date on which they should register themselves? Therefore may I request the Hon. Minister to issue a general order that Harijans who wish to deal in handloom cloth and other cloth may be given a licence without registration? "

THE HON. SRI H. SITARAMA REDDI:—" No, Sir. I cannot accept the proposition of issuing licences without registration."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" In view of the fact that many Harijan licensees are not financially well off, is the Government aware that many of the caste Hindus are doing business in the name of the Harijans? "

THE HON. SRI H. SITARAMA REDDI:—" I do not know of any such instances, Sir, and if my hon. Friend brings to my notice any such instances I shall certainly take care to see that the licences are cancelled."

SRI N. M. R. SUBBARAMAN:—" May I know, Sir, whether it is not a fact that Government have issued orders that licences should be given to Harijans where their population is 1,000 or more? "

THE HON. SRI H. SITARAMA REDDI:—" Sir, the Government Orders are known to my hon. Friend and he can easily refer to the Government Orders as to the details of the orders issued."

SRI V. RAGHAVAYYA:—" Is it a fact that there is a priority list given by the Government to the District Collectors under which the Harijans come second, the old dealers come first and co-operative societies come last? May I request the Hon. Minister to treat ex-criminals, the aboriginal tribes and the criminal tribe members on the same footing as Harijans in view of their common difficulties? "

THE HON. SRI H. SITARAMA REDDI:—" I do not know why the ex-criminals should be placed higher than the others, Sir. I think they must take their turn along with others."

SRI S. NAGAPPA:—" May I request the Government in view of the fact that most of the Harijans are poor people, will the Government allow them to do cloth business not only for Harijans but also to all others? "

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THE HON. SRI H. SITARAMA REDDI:—"The licensees may be Harijans Sir. But they are allowed to do business not only with Harijans but with non-Harijans also."

SRI B. S. MURTHI:—"May I request the Hon. Minister to see that those Harijans who could not register before the particular date announced by the Government are exempted as far as the date and the particular condition is concerned, and after registration they are given licences?"

THE HON. SRI H. SITARAMA REDDI:—"I want notice, Sir."

Handlooms in the Province.

* 248 Q.—SRI A. VEDARATNAM PILLAI (on behalf of Sri V. S. Sankarasubrahmanya Mudaliyar): Will the Hon. the Minister for Industries be pleased to state—

(a) what is the total number of handlooms in the Province districtwar according to the Fact Finding Committee and what is the present number;

(b) whether the Government are allotting yarn to various districts in proportion to the number of looms according to the Fact Finding Committee or according to their present number;

(c) the quantity of yarn provided for each handloom countwar in fixing the district quota of yarn; and

(d) whether in view of the proposed fixing of fair wages for handloom weavers in the Province, the Government has got any scheme for ensuring a steady supply of at least the promised quantity of yarn for each loom?

THE HON. SRI H. SITARAMA REDDI:—" (a) A statement * showing the number of handlooms in the several districts of the Province according to the Fact Finding Committee and according to the census of looms taken by the Textile department in 1945 is placed on the table. There might be some increase in the number subsequent to 1945.

" (b) The allotment of yarn to the districts is being made with reference to the number of handlooms according to the census of 1945.

" (c) The scale of yarn rations for the different counts of yarn under the District Quota Scheme is as follows:—

Counts.	Monthly yarn ration per loom.
Up to 8½s and 2/10s, 2/12s and 2/20s	40
8½s to 19s and 2/42s	30
20s to 26s	17
28s to 32s	14
40s to 44s	10
60s	7
80s	6
100s	5

* Printed as Appendix III on page 985 infra.

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Handlooms in Weavers' Co-operative Societies are allowed 20 per cent extra yarn rations.

" (d) Yes. Since August 1944 a scheme has been in force to ensure steady supplies of the yarn allotted to the districts. The details of the scheme were furnished to the house in reply to question No. 86. Every effort is made to see that the allotted quantity is received by the districts."

SRI PILLALAMARRI VENKATESWARLU:—"The answer is too long, Sir. I request that the question may be taken up to-morrow."

MR. SPEAKER:—"The statement has been placed on the table of the House. It is not possible for me to postpone the question. The hon. Member would remember that in the last session about 600 questions could not be answered because a number of similar questions were repeated."

SRI R. V. SWAMINATHAN:—"I see from the printed reply, Sir, that there is a difference in thousands between the report of the Fact Finding Committee and the number of looms that actually exist. I want to know how this increase came about and who was responsible for the increase in the number of looms."

THE HON. SRI H. SITARAMA REDDI:—"I believe the people who took the census were responsible for the numbers, Sir."

SRI B. S. MURTHI:—"May I know whether the yarn position in the Province has been improved?"

THE HON. SRI H. SITARAMA REDDI:—"The yarn position is as it was."

SRI P. NATESAN:—"In view of the maldistribution of yarn will the Hon. Minister be pleased to consider the allotment of yarn to weavers directly instead of through quota holders, after collecting the quantity of cloth?"

THE HON. SRI H. SITARAMA REDDI:—"The suggestion of the hon. Member will be borne in mind when the subject is considered."

SRI C. M. KOTHARI:—"In view of the reports that course counts of yarn and cloth below 30s are not being given any increase in price, is the Hon. Minister aware that the majority of the mills in the south will be working at a loss and if so will the Hon. Minister represent to the proper authority for giving a rise in the price of courser counts of yarn and cloth?"

THE HON. SRI H. SITARAMA REDDI:—"The Government are aware of the fact that the prices of yarn below 30s have not been increased and several representations were received by the Government from the various mills in the Province that they were working at a loss and that some of them

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would be compelled to close and all these representations have been communicated to the Government of India, who are responsible for the fixation of prices."

SRI P. NATESAN:—"May I remind the Hon. Minister that about two months ago he gave a reply that this question of yarn being distributed to weavers directly would be considered? May I know why no further action has been taken on the matter, Sir?"

MR. SPEAKER:—"Two months ago there was no meeting of the House!"

SRI P. NATESAN:—"I meant on a previous occasion, Sir."

THE HON. SRI H. SITARAMA REDDI:—"As I have already submitted this is one of the subjects that is being considered along with the question of appointing Stamping Inspectors."

SRI C. M. KOTHARI:—"Arising out of the answer given by the Hon. Minister may I know, when the representation has been sent to the Government of India why should not the Central Government take the clue from the closing of certain mills in the Presidency? Is it due to the fact that it has not been very strongly represented to the Government of India?"

THE HON. SRI H. SITARAMA REDDI:—"My hon. Friend knows, Sir, that the question of price fixation is an All-India one. It does not depend on the Madras Government alone. The Government of India would have naturally taken up the question and viewed it as an All-India question and I am sure that they realise the necessity for keeping up production."

SRI PILLAIAMARRI VENKATESWARLU:—"As most of the mill managements are complaining that they are running at a loss will the Government consider taking over the mills and save the managements from the loss?"

THE HON. SRI H. SITARAMA REDDI:—"That is not at present being considered, Sir."

M. S. ABDUL MAJID SAHIB BAHADUR:—"Arising out of the answer given by the Hon. Minister that it was the census takers who were responsible for the mistakes in the figures, is it not a fact that the Fact Finding Committee itself made mistakes and gave wrong figures?"

THE HON. SRI H. SITARAMA REDDI:—"So far as I am concerned, I may tell the hon. Member, Sir, that we are trying to get at the correct number of looms in the Province. Every attempt is being made to get at the correct figures."

SRI K. ANANDAN NAMBIYAR:—"May I know whether it is not a fact that the handloom weavers are getting yarn only for 10 or 15 days' work in a month?"

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THE HON. SRI H. SITARAMA REDDI:—"That is what I am told, Sir."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know why these Stamping Inspectors have not been appointed in every district, Sir?"

THE HON. SRI H. SITARAMA REDDI:—"As I have already said, Sir, that is one of the questions that is under consideration of the Government."

SRI P. NATESAN:—"May I know when the census of the looms will be brought up to date?"

THE HON. SRI H. SITARAMA REDDI:—"It is not a question of census, Sir. We are trying to get to know the number of looms that are inactive or bogus and we are trying to see that the distribution of yarn is made only to genuine handlooms. That is what is being done by the Government. As my hon. Friends know it is a very difficult matter and we are trying to do it as quickly as possible."

SRI B. S. MURTHI:—"May I know what has happened to the efforts of the Government to root out bogus looms?"

THE HON. SRI H. SITARAMA REDDI:—"It depends very much on the co-operation of the Members of this House, Sir."

SRI N. M. R. SUBBARAMAN:—"Will the Government consider the desirability of prohibiting the manufacture of yarn of finer counts till the yarn position eases?"

THE HON. SRI H. SITARAMA REDDI:—"The question of prohibiting the manufacture of yarn of any particular count is a matter that rests with the Government of India and not with the Government of Madras."

Starting of a paper mill at Polavaram.

* 249 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: "Will the Hon. the Minister for Industries be pleased to state whether it is a fact that one Mr. P. Chettiar is given permission to start a paper mill at Polavaram?"

THE HON. SRI H. SITARAMA REDDI:—"No, Sir."

Government grant to the Andhra University.

* 250 Q.—SRI V. RAGHAVAYYA (on behalf of Sri T. Viswanatham): "Will the Hon. the Minister for Education be pleased to state—

(a) the amount of grant given by the Government for revision of salaries of the staff of the Andhra University in 1946-47 and for 1947-48; and

(b) whether the Government prescribed any method of disbursement of the grant?"

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) One lakh of rupees in each of the years 1946-47 and 1947-48.

“(b) The grant is a recurring block grant payable in monthly instalments with the other grants payable to the University.”

SRI V. RAGHAVAYYA:—“Is the Government aware of the impression that this grant has not been equitably distributed by the University among the professors?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“No, Sir.”

SRI B. S. MURTHI:—“May I know whether the Government is satisfied that this grant is enough for the University?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“They asked for a grant Sir, and we gave them one lakh.”

SRI B. S. MURTHI:—“Is it not a fact that other universities are getting more grants than the Andhra University?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“The hon. Member may put a separate question, Sir.”*Alleged refusal to admit Harijan students in the Municipal High School, Palni.*

* 251 Q.—SRI M. P. PERIYASWAMI (on behalf of Sri S. C. Balakrishnan): Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received any petition or representation that the Headmaster of Palni Municipal High School refused to give admission to two Harijan students; and

(b) whether the Government propose to insist that Harijan students are admitted according to the recent Government Order in this connexion?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) Yes.

“(b) Yes.”

SRI S. NAGAPPA:—“May I ask, Sir, whether the Government is aware that it is not only in Palni but in almost all the high schools the Harijan children find it difficult to get admission and in view of this fact whether the Government will consider the desirability of fixing a certain percentage for these Harijan children in each and every class?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“A percentage has been fixed, Sir.”

SRI S. NAGAPPA:—“May I know what is the percentage, Sir?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“I thought, Sir, that a gentleman who is taking so much interest on questions regarding Harijan uplift would know it already. It is 10 per cent, Sir.”

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SRI R. RAMANUJALU REDDIYAR:—“May I know for what reasons admissions were refused for the Harijans, Sir?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“Sir, one P. Samiappan sought admission for the third form. He was examined. He secured 19 per cent in English and 10 per cent in Mathematics. So he was refused admission in the third form. But he was asked to sit for a test for admission into the second form. He did not get admitted in the second form.

“Another boy was seeking admission in the fourth form. But it was found that his standard was far below in Mathematics and his knowledge of Tamil was deplorable.

“Another applicant, K. Mariappan, was refused admission in the fourth form first for want of a seat. But later on on receipt of sanction for a greater number of admissions he was admitted.”

SRI B. S. MURTHI:—“Am I to understand that the reservation of places for Harijans is made on a population basis?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“It is made on a demand basis, Sir.”

SRI B. S. MURTHI:—“May I inform the Hon. Minister that in the particular case the demand has not been granted?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“It was granted wherever they were qualified.”

SRI B. S. MURTHI:—“Am I to understand that the efficiency test is being imposed upon the Harijans?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“Naturally, Sir, people will have to pass a minimum efficiency test.”

SRI B. S. MURTHI:—“May I inform the Hon. Minister, Sir, that it is not possible for the Harijan students to compete with other non-Harijan boys as far as the efficiency test is concerned?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“The hon. Member is entirely mistaken, Sir.”*Purchase of manures.*

* 252 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have received any memorandum from the Secretary, Bandar Taluk Ryots' Association, on 23rd August 1947, regarding the collection of loans advanced by the Agricultural department for the purchase of manures; and

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

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THE HON. SRI K. MADHAVA MENON:—“(a) & (b) A memorandum, dated the 27th August 1947 in Telugu addressed to Hon. the Minister for Rural Development by the President, Bandar Taluk Ryots' Association, has been received by the Government. An English translation of the Memorandum is placed on the table. The matter is under consideration of the Government.”

12 noon.

SRI PILLALAMARRI VENKATESWARLU:—“May I know what action the Government is going to take on the memorandum?”

THE HON. SRI K. MADHAVA MENON:—“The last sentence of my answer was, ‘The matter is under consideration of the Government’.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know how long the matter is going to be under the consideration of the Government and whether it is going to be considered at all?”

THE HON. SRI K. MADHAVA MENON:—“The hon. Member is at liberty to think anything he likes. As far as the Government are concerned, they are considering the matter.”

SRI PILLALAMARRI VENKATESWARLU:—“Since how many months are the Government considering the memorandum and how many months more will it take?”

THE HON. SRI K. MADHAVA MENON:—“I do not know how many months more it will take. We have been considering the matter since we got the memorandum.”

Abolition of private money-lending.

* 253 Q.—S. MUHAMMAD ISMAIL SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state—
(a) whether the Government are aware that there is private money-lending done by Marwaris, pawnbrokers and Kabuliwallahs; and

(b) whether the Government have any proposal under consideration to abolish private money-lending in this province?

THE HON. SRI K. MADHAVA MENON:—“(a) Yes.

“(b) There is no proposal under consideration to abolish private money-lending in this province. The Government have however under consideration the question of undertaking legislation to control the business of money-lending by a system of licence, the main object of the legislation being to check the exploitation of the poor by unscrupulous money-lenders.”

SRI V. I. MUNISWAMI PILLAI:—“Are the Government aware that the poor classes fall an easy prey to the Kabuliwallahs and that it is greatly resented by the public?”

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THE HON. SRI K. MADHAVA MENON:—“To some extent it is true, Sir.”

MR. SPEAKER:—“We will take five more minutes to finish the remaining questions.”

S. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Are the Government aware that the poor people who borrow money from the pawnbrokers are charged terribly prohibitive rates of interest and thus reduced to the position of perpetual debtors and if so, in the interests of the public, is it not advisable that Government should abolish private money-lending and put in its place some form of banking?”

THE HON. SRI K. MADHAVA MENON:—“The question of the harassment of the poor debtors by these creditors is to some extent true. That is why the Government have extended the application of the Pawnbrokers Act to the whole province. But at present the Government do not think it advisable to stop private money-lending business altogether.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I ask whether the Government intend to restrict the rate of interest charged by these money-lenders?”

THE HON. SRI K. MADHAVA MENON:—“They have already restricted the rate of interest under the Pawnbrokers Act, if I remember correctly.”

K. M. SEETHI SAHIB BAHADUR:—“Do the Government propose to have any new legislation to control the money-lending business apart from the Pawnbrokers Act?”

THE HON. SRI K. MADHAVA MENON:—“I have already said in answer to the question that legislation is under contemplation to check the exploitation of the poor by unscrupulous money-lenders.”

K. M. SEETHI SAHIB BAHADUR:—“Have the Government received any representations about the hardships likely to be caused to money-lenders by certain provisions of the Pawnbrokers Act and do the Government propose to take any action in the light of the representations received with regard to the control imposed upon the money-lenders by the powers vested in the Police like the inspection of accounts?”

THE HON. SRI K. MADHAVA MENON:—“I think a separate question was asked by the hon. Member himself and if I remember correctly, the matter has been referred to District Magistrates for their remarks.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“May I ask, Sir, if private money-lending is abolished without organizing proper money-lending system, whether it will not paralyse the economic life in the village?”

THE HON. SRI K. MADHAVA MENON:—“I think so, Sir.”

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SRI P. NATESAN:—“Are the Government aware that Government servants, particularly the non-gazetted officers have recourse to borrowing from private money-lenders at exorbitant rates of interest and what steps do the Government propose to take to prevent this?”

THE HON. SRI K. MADHAVA MENON:—“It is quite possible that some Government servants are borrowing at higher rates of interest. But there are Government Servants Co-operative Societies which lend them money at lower rates of interest.”

SRI V. I. MUNISWAMI PILLAI:—“As the present system of money-lending by the Kabuliwallas is so undesirable, will the Government ask the District Collectors and the Police Officers to watch whether the provisions of the existing Money-lenders Bill are carried out by these Kabulis in the matter of interest charged by them and avoid unpleasantness?”

THE HON. SRI K. MADHAVA MENON:—“The Pawn-brokers Act which has been made applicable to the whole province will give the relief that is sought by the hon. Member.”

SRI B. S. MURTHI:—“Is it not a fact that the present Act is helpless to prevent the harassment by money-lenders?”

THE HON. SRI K. MADHAVA MENON:—“I do not think so, Sir.”

Hunger-strike by Sri A. K. Gopalan in Cannanore Jail.

* 254 Q.—SRI K. ANANDAN NAMBIYAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that Sri A. K. Gopalan, Communist prisoner in the Cannanore Jail, is now on hunger-strike;

(b) whether the hunger-strike is due to the Government's failure to treat him and other Communist, Trade Union and Kisan Sabha prisoners in the Cannanore Jail as political in spite of repeated representations or to offer the facilities as per the G.O. No. 2436, dated 23rd June 1947; and

(c) what steps the Government propose to take to get Sri A. K. Gopalan to terminate his hunger-strike?

THE HON. SRI K. MADHAVA MENON:—“(a) A. K. Gopalan was on hunger-strike when notice of this question was received.

“(b) A. K. Gopalan's demands made in his petition, dated 14th September 1947 are:—

(1) Release all the Communist political prisoners in this jail and other jails so as to enable them to co-operate and work with the Government.

(2) Withdraw all pending cases and security proceedings.

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(3) ‘Special class’ to all Communist prisoners who are convicted as a result of Communist activities such as labour kisan and anti-imperialist struggles.

(4) Till such classification is made, immediately give the following facilities to all Communist prisoners:—

- (i) allow all papers not banned outside without prejudice;
- (ii) allow soap, oil and smoke at their own cost; and
- (iii) a little better food in quality than the present one.

(5) Enquiry into petition sent by him as well as other prisoners if any, and action to be taken against corrupt officials.

(6) Stop division of Communist prisoners into class I and class II and place all in one class, class I or class II.

He also said in his petition that if these demands were not conceded he would go on hunger strike from 20th September 1947. The petition was received by the Government on 21st September 1947.

“(c) No special steps are called for. He has since been released.”

SRI K. ANANDAN NAMBIYAR:—“May I ask whether any of the points raised by Sri A. K. Gopalan has been considered by the Government?”

THE HON. SRI K. MADHAVA MENON:—“They have been considered by the Government and the Government do not see any reason to grant any one of them.”

SRI K. ANANDAN NAMBIYAR:—“May I know if the trade union and kisan sabha prisoners will be treated as political prisoners?”

THE HON. SRI K. MADHAVA MENON:—“There are no such prisoners as trade union and kisan sabha prisoners.”

SRI K. ANANDAN NAMBIYAR:—“May I know to whom this G.O. No. 2436, dated 23rd June 1947, applies if it is not to political workers?”

THE HON. SRI K. MADHAVA MENON:—“If the offence is of a political nature the Government would classify the prisoner as a political prisoner and then the Government Order will apply to him. It will not apply to cases simply because the man who committed an offence is a kisan worker or trade union worker.”

SRI R. V. SWAMINATHAN:—“May I know whether Mr. Gopalan was released as a matter of policy regarding the release of politicals in this Province or because he was on hunger strike?”

THE HON. SRI K. MADHAVA MENON:—“On the 15th August certain cases were proposed to be withdrawn and this was one of those cases. His hunger strike had nothing to do with his release.”

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Do the Government intend that the term 'political prisoners' should apply only to Congress workers?"

THE HON. SRI K. MADHAVA MENON:—"The term 'political prisoners' cannot apply to Congress workers even if they do not commit political offences."

SRI A. KALESWARA RAO:—"May I know if the term 'political offences' includes violence and carrying on of strikes in order to make Government impossible?"

THE HON. SRI K. MADHAVA MENON:—"That is a matter of opinion, Sir."

SRI S. NAGARAJA MANIGAR:—"May I know, Sir, if this is the self same Mr. A. K. Gopalan who ran away from Vellore Jail once as an ordinary criminal?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir. He escaped from the jail where he was a detenué in 1940."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, if persons who took part in the kisan struggle, in the anti-zamindari struggle, in the anti-janmi struggle and in other working class struggles are considered as political prisoners or not?"

THE HON. SRI K. MADHAVA MENON:—"Nobody has been convicted for taking part in kisan agitation or labour agitation. But if anybody commits an offence under the law and if he is convicted, the classification will depend on the nature of the offence committed."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"May I ask, Sir, in view of the food crisis, are we not to welcome hunger-strikes rather than feel alarmed about them?" (Laughter.)

THE HON. SRI K. MADHAVA MENON:—"Hunger-strikes in jail have never alarmed this Government, Sir."

MR. SPEAKER:—"Question time is over."

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

II.—ADJOURNMENT MOTION *RE* DIRECT ACTION BY SECRETARIAT ASSOCIATION.

MR. SPEAKER:—"The hon. Member Mr. Anwar Sahib has given notice of an adjournment motion under rule 36 of the Assembly Rules. The motion runs as follows:—

'That the business of the Assembly stand adjourned to discuss a definite matter of urgent public importance, namely, the serious situation arising out of the decision arrived at on or about the 10th of this month by the Association of the Non-Gazetted Officers of the Madras Secretariat to resort to direct action because of their failure to otherwise obtain satisfaction from the Government in their demands for better emoluments.'

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"I admit the motion. I wish to know what the Hon. the Leader of the House has to say."

THE HON. DR. P. SUBBARAYAN:—"I oppose the motion, Sir."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"I will explain the motion, Sir."

MR. SPEAKER:—"Not necessary. Since it is objected to, I will have to put it to the vote of the House."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I say one word, Sir, . . ."

MR. SPEAKER:—"The hon. the Leader of the Opposition has been here for the last one and a half years and he should know. . ."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"It is in view of that experience I want to make a submission, Sir."

MR. SPEAKER:—"Make a submission? Yes, but it should not be a speech."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I shall be quite relevant in my submission, Sir."

MR. SPEAKER:—"I cannot allow a debate at present."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"No, Sir, a mere submission, Sir."

"I want to submit through you, Sir, to the Hon. the Leader of the House that this question is really an urgent and very important one . . ."

MR. SPEAKER:—"That is why I have admitted it."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I also request the Government to view the matter from the same point of view. It is only for helping the Government that this motion has been brought forward. There is a lot of sympathy for them with the public. Therefore I think it is advisable for the Government to agree to this motion and explain the position. Otherwise if things go on like this, it will upset the Government and paralyse the Government. It will mean that the interests of the public will be seriously affected. It is why we want the Government to agree to this motion and have a debate on the subject. I would therefore request the Hon. the Leader of the House not to be very adamant but agree to explain the position to the House and to the Province."

* THE HON. DR. P. SUBBARAYAN:—"This is rather an unusual position, Sir, and it is a matter for the Government to consider. As a matter of fact trade unions among Government officials have not been usually allowed in well-understood democratic countries. If this is done and if hon. Members take the

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opportunity of pressing the Government on this matter it may lead to consequences which they may not be aware of. That is why I put it to you that it would not be in the public interest. Now that the hon. Gentleman has chosen to give notice of his motion and you have, of course rightly, admitted it as being in order, I have a right to oppose it, which I have done."

12-15 p.m. MR. SPEAKER:—"Rule 40 of the Rules for the Madras Legislative Assembly reads as follows:—

"If the Speaker is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the House and ask whether the Member has the leave of the House. If objection is taken, the Speaker shall request those Members who support the motion to rise in their places, and if thirty-five or more Members rise accordingly, the Speaker shall intimated that the Member has the leave of the House and that the motion will be taken at 4 p.m. the same day. If less than thirty-five members rise, the Speaker shall inform the Member he has not the leave of the House. A motion which fails to obtain the requisite support shall not during the same session be brought up again under rule 36."

"I have already read the motion to the House and I request the Members who support this motion, to please stand in their places."

[Nineteen members stood in their places.]

MR. SPEAKER:—"The House refuses to give permission to the hon. Member to move his adjournment motion."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I wish to make one submission, Mr. Speaker."

MR. SPEAKER:—"No, I cannot allow it; when the hon. Mr. Anwar came to me this morning, I advised him to take up this matter under rule 14, but he refused to hear my advice. Now the House has not given permission. Therefore I cannot reopen this question again."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, Mr. Speaker. Of late, some of the Hon. Ministers have made it a point not to answer short-notice questions. For instance, yesterday I gave a short-notice question about the appointment of the Chief Presidency Magistrate in the Madras City. The Hon. Minister for Home has been going on making appointments and when he is questioned, he says that because they are temporary appointments, they are not answerable to rules and regulations. I should like to know, Sir, when he is going to answer my short-notice questions."

MR. SPEAKER:—"When the answers are ready, they will be placed before the House."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I have put six short-notice questions up till now, and none of them have been answered."

MR. SPEAKER:—"Hon. Members seem to think that when they put short-notice questions, they are all urgent and that they should be answered the next day. They must give me the discretion to decide which questions are urgent and which are not. It is I that give a ruling as to the urgency of the question."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Sir, regarding my short-notice question; yesterday a press note was issued announcing the appointment of a number of Presidency Magistrates and when I raised this question, the Hon. the Home Minister said that all these appointments are temporary and that they are not governed by any rules. My question regarding the Chief Presidency Magistrate was not answered at all. I should like to know, Sir, when he is going to answer the same."

THE HON. DR. P. SUBBARAYAN:—"It will be answered in due course. It is also in the discretion of the Government whether to waive the short notice or not."

MR. SPEAKER:—"So far as questions are concerned, it is my duty to scrutinize and admit the same, and when the answers are ready, they will be placed before the House by the Ministers concerned."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, when the Hon. the Home Minister is going to answer my question? Is it before making the appointment or after the appointment has been made?"

THE HON. DR. P. SUBBARAYAN:—"After the appointment has been made, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information, Mr. Speaker, I have to beg your pardon, Sir, that before I wanted to make the matter clear, the other question butted in. I wish to know whether you have given your final ruling as to whether there should be an half-an-hour's debate on this question or not, and also whether you are going to consult the Leader of the House on this question."

MR. SPEAKER:—"The Hon. the Leader of the House has nothing to say on this matter."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, it is entirely in your discretion to allow the debate or not. However, I should like to know whether you are going to exercise that discretion and consult the Leader of the House."

MR. SPEAKER:—"Now that the motion under rule 36 has been disallowed by the House, I have no discretion in the matter. That is why I advised Mr. Anwar to bring it under rule 14, but he has not chosen to do so."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"However, you may use your discretion now and see whether this motion cannot be brought under rule 14 and that an half-an-hour's debate is allowed."

MR. SPEAKER:—"I again repeat that it is not possible for me to do anything in this matter. Simply because the motion has failed to get the necessary permission from the House, I do not see why it should be now taken under rule 14. That is why I advised

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the hon. Mr. Anwar to bring it under rule 14. You must know that the Speaker is there to offer his advice on certain matters brought before him, and when members refuse to take my advice, and press their question, and when it is defeated, to come up to me again asking me to take it up under rule 14, will not be fair."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of explanation, I am very grateful to you, Sir, personally, and I also express my gratitude on behalf of my party for the very good advice which you Mr. Speaker, has always been giving. I am sorry that your advice has not been availed of in this matter and I now make a request that an half-an-hour's debate may be allowed under rule 14, and we shall be very grateful to the Chair, if you would exercise that discretion now in my favour."

MR. SPEAKER:—"The Leader of the Opposition puts me in a very delicate and awkward position by making an open request in the House but, however, I would also request him to consider the position of the Chair. This motion has already been thrown out under rule 40, and it is not possible now to take it up under rule 14. He can however put a short-notice question on this subject and then we shall take it up under rule 14."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"On a point of personal explanation, Sir. My self-respect is now at stake. Sir, I am only sorry that you should have cited me as having disrespected your advice. On the contrary, Sir, let me assure you that there is no member in this House who will be much more respectful towards your advice than I can be, and I do not know, Sir, how it is that I have disrespected your advice now. But whatever has happened now, Sir, let it always be in your mind that I am most respectful to your advice."

SRI PILLALAMARRI VENKATESWARLU:—"Sir, I have given a short-notice question on this matter, but it has been treated only as an ordinary question."

MR. SPEAKER:—"The hon. Member can bring it to my notice in my chamber."

III.—NON-OFFICIAL BUSINESS.

(A) Bills.

(1) THE MADRAS HINDU BIGAMOUS MARRIAGES PROHIBITION AND DIVORCE BILL, 1947 (L.A. BILL NO. 6 OF 1947)—*cont.*

MR. SPEAKER:—"Mr. Kaleswara Rao's Bill is now before the House for discussion."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, with regard to the hon. Sri Kaleswara Rao's Bigamous Marriages Bill, may I know how many days you have allowed for discussion."

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I know there can be no restriction on the discussion, and it is entirely in your discretion. But, however, may I know in what way you have exercised your discretion and how many days of the non-official days you have allowed for the discussion of this Bill, so that we may know, what other business will come during the non-official days in future."

MR. SPEAKER:—"A number of hon. Members wish to take part in the discussions of this Bill. I have not fixed any days at all nor any time-limit."

* SRI M. S. PATTABHI RAMIAH:—"Mr. Speaker, Sir, I rise to support this Bill. This reform of the Hindu society is very necessary at this moment. When this Bill was circulated for public opinion, many distinguished people have expressed their support for this Bill in very clear terms. Those who oppose this Bill have expressed their opposition in very vague terms and in a very unconvincing manner and they take their stand generally on the Hindu scriptures. Sir, the Hindu scriptures are based upon Vedas. Vedas are pure science and whatever is unscientific is unscriptural in the Hindu Sastras. The claims of the oppositionists are based more upon sentimental grounds than upon practical considerations and their opposition is directed to some of the clauses in the Bill specially connected with divorce. About the divorce in the Hindu society, people are fed in Puranic lore, which had their vogue in the mediæval times and in dark ages of the Hindu civilization. If we go back and scrutinize the earlier classical works some two thousand years ago, which depict the Hindu society, we find that the women of those days had the same liberty as men in regard to marriage and divorce. This can be found very clearly in Kowtilya's Arthasastra which is a very realistic work. As I once mentioned before, the other Smrithis are more idealistic and Kowtilya's Arthasastra was based upon the conditions that existed in the Hindu society in those days some 2200 to 2300 years ago. The laws enunciated by Kowtilya were practical and administrative and his laws gave women greater facility for divorce. Only in very rare cases do they prohibit the exercise of divorce for a woman. When a husband is sent out by the king on a political mission to another country, the wife of that person is prohibited from seeking divorce till her death. That is the only exception that was made in those circumstances. But it is hard for people who are soaked in our Hindu literature based upon Puranas now-a-days to think of divorce. And now, Sir, even the ancient Smrithis, like the Manu Smriti are considered very old and archaic and not suited to modern times. Manu himself says that his smriti does not contain all the laws, rules and regulations and so, whenever any occasion arises for people to find out some new rule or regulation, some wise people, people learned in all the Vedas, i.e., pandits in social science, in political and economic sciences should all join together in an assembly and come to some conclusion and formulate some suitable rule or regulation for the conduct of the society then and there."

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p.m.

"That is the dictum given in the Manu Smrithi. We have been fighting for independence, but I am afraid the minds of those who swear by the Smrithis have not yet become quite independent. They should have a broad outlook and feel the responsibility for seeing that the Hindu society does not perish for want of timely reform. This reform is very urgent.

"Some pseudo-scientists and sociologists compare human beings to animals and say that, because one male animal has a number of females, the sexual relations in human society also should be in the same manner. In the opinions received on the Bill, I am surprised to see one such opinion. When we are endeavouring to reach the highest ideal of spiritual life, it is absurd that we should turn to animals for our ideal. A Roman Catholic gentleman and a Muslim gentleman have also expressed their opinion. I think this Bill ought not to have been circulated to them and their opinion published, though they are the heads of certain institutions. It is purely a matter for the Hindu society. The Hindu members should be scientific and be bold to risk anything to reform themselves. We should not fear to take a forward step, simply because we may commit mistakes. If we find that a reform is not as perfect as we want it to be, we must be prepared to revise it afterwards. Therefore along with the provision for divorce, it is essential to prohibit bigamous marriages among Hindus. According to the Sashtras, our sexual relations should be based on the principle of restraint, and therefore there is no meaning in objecting to the prohibition of bigamy. Divorce is necessary not because this element of restraint is taken away but to rectify any mistake in the contract of marriages. The provision for divorce should be viewed in that light. Scientifically there cannot be a sacramental view of marriage; there can only be a secular view. God has infused us with the sexual urge for the perpetuation of our race, and our sexual relations should be based on the principle of restraint.

"I heartily support the Bill as one which is necessary for the regeneration of our society. We should not think of opposing or modifying any of the provisions of the Bill in the Select Committee. With these words, I resume my seat."

SRI A. VEDARATNAM PILLAI :—"கனம் தலைவர் அவர்களே, இந்த ஏகதார விவாக மசோதாவை கொண்டுவிட்டு கனம் காளைஸ்வர ராவ் அவர்களை நான் பாராட்டுகிறேன். இது மொழியும் முக்யமான விஷயம் என்பதைப்பற்றி சந்தேகமே கிடையாது. அவர்கள் நன்றாக படித்த பெரிய அறிவாளி, மொழிப் பிரக்யாதி பெற்ற வக்கீல். ஆகையால் இந்த விஷயத்தைத் துருவாக ஆராய்ச்சி செய்யாமலும் ஆலோசனை செய்யாமலும் கொண்டுவிட்டுக்கொண்டார் என்று நம்புகிறேன். ஆனால் அவரை ஒன்று கெடக் விரும்புகிறேன். அதுவும் எனக்கு முக்யமாக இதில் சந்தேகம் எழுகிறது. 1941-ம் வருஷம் சென்சஸ் பிரகாரம் நம் மாகாணத்தின் ஜனத்தொகை 49,840,564, அதில் ஆண்கள் 24,800,309 பேர் இருக்கிறார்கள். பெண்கள் 25,040,255 பேர் இருக்கிறார்கள். அதில் 239,946 பெண்கள் ஆண்களைக் காட்டிலும் நம் மாகாணத்தில் அதிகம் இருக்கிறார்கள். இதற்கு மசோதாவில் என்ன ஏற்பாடு செய்திருக்கிறார்கள் என்று கேட்கிறேன். 239,946 பேர் ஆண்களைக்

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காட்டிலும் அதிக பெண்கள் இருக்குமானால் அவர்களுக்கு இந்த மசோதாவில் ஏதாவது ஏற்பாடு செய்யவேண்டுமென்று அவர்களை கேட்டுக்கொள்ளுகிறேன். முக்யமாக எனக்கு சந்தேகம் ஏற்படுவது என்னவென்றால் தஞ்சை ஜில்லாவில் இப்பொழுது 2,563,375 பேர்கள் ஜனத்தொகையில் இருக்கிறார்கள். அது 1941-வது சென்சஸ் பிரகாரம். அதில் 1,247,065 பேர் ஆண்கள் இருக்கிறார்கள். 1,316,310 பெண்கள் இருக்கிறார்கள். பெண்கள் 69,245 பேர்கள் ஆண்களைவிட ஜாஸ்தியாக இருக்கிறார்கள். அதே மாதிரி மதராசில் எந்த ஜில்லாவை எடுத்தாலும் எந்த கிராமக் கணக்கை எடுத்தாலும் ஆண்களைக் காட்டிலும் பெண்கள் அதிகமாக இருக்கிறார்கள். ஆகையால் அவர்களுக்கு ஒரு பிரகாரம் செய்ய வேண்டியதாக இருக்கிறது. கனம் மந்திரி அவர்களுக்கு இந்த விஷயத்தை வேரட்கு விடுமுன் இந்த ஜன கணித விஷயத்தை ரூபகத்திற்குக் கொண்டு வருகிறேன். கஞ்சம் ஜில்லாவை எடுத்துக்கொண்டாலும் ஒரு பகுதி ஒரிசாவில் தானிருக்கிறது. இந்த ராஜ்யத்தைவிட்டு வெளியில் மணம் செய்து கொள்ளப் போவார்கள். பிரஞ்சு இந்தியா முதலிய பல இடங்கள் இருக்கிறது. அங்கே போய் மணம் செய்து கொள்வார்கள். இப்பொழுது சாரதா ஆக்ட் வந்த காலத்தில், அதாவது 14 வயதுக்குள் கல்யாணம் செய்யக்கூடாது என்று சட்டம் வந்தபோது, அநேகம் பேர் இவ்விடத்தைவிட்டு சமஸ்தானங்களிலும் பிரஞ்சு இந்தியாவிலும் போய் இந்த மாதிரி மணம் செய்துகொண்டு வந்திருக்கிறார்கள். அந்த மாதிரி செய்கிறவர்களுக்கு என்ன பாதுகாப்பு இந்த மசோதாவில் ஏற்படுத்தப்பட்டிருக்கிறது என்று அவர் விளக்க வேண்டும். இவைகளுக்கெல்லாம் சரியான பிரகாரம் இல்லை. ஆகையால் இவைகளைத்தடுக்க இடம் இல்லாததால் இந்த மசோதா சாரமற்றதாகிவிடும் என்ற விஷயத்தை மட்டும் அவருக்கு ரூபகமூட்டி நான் விடைபெற்றுக் கொள்ளுகிறேன்."

SRI K. ANANDAN NAMBIYAR :—"I have great pleasure in supporting this Bill, because it seeks to reform Hindu society. It allows divorce, and divorce is necessary for very many reasons. In case a husband and wife do not find it possible to live together the law must allow them divorce. It has been remarked in the House that marriage has to be considered as a contract. I do not think that marriage is a contract; marriage is a social relation. My hon. Friend Mr. Bhashyam said that very many legal complications would arise regarding inheritance and so on. Litigation may increase and the Judges will have to decide more cases. But I submit to hon. Members that such considerations should not stand in the way of social reform.

"Another important provision in the Bill is the provision permitting a man or woman to re-marry. In Tamilnad re-marriage is not allowed among the Hindu women, whereas in Kerala, it is allowed. This social disability has caused unhappiness in some homes in Tamilnad. Indirectly, the Bill permits the re-marriage of widows."

N. MUHAMMAD ANWAR SAHIB BAHADUR :—"In view of the fact that this Bill is going to become law very soon, some Members of this House are trying to hurry up their second marriage. (Laughter.) In order to forestall that contingency, may I know what provision has Mr. Kaleswara Rao made in his Bill? (Laughter.)

SRI K. ANANDAN NAMBIYAR :—"I may assure this House that none of us is going to contract a second marriage. The

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youngsters, both men and women, are not going to misuse this right. Many view the matter with suspicion, but it is a wrong suspicion. Youngsters are getting more and more educated and cultured. Education and culture will bring home to them that second marriages are wrong. A law preventing second marriages cannot have any effect, because there are ever so many ways of circumventing it. Only the cultural and educational improvement of the society will help social reform. On behalf of my party, I support the Bill and the motion for reference to Select Committee, and I congratulate Mr. Kaleswara Rao on introducing the Bill in the Assembly."

12.45 P.M. MR. SPEAKER:—"I shall now call on Mr. A. Kaleswara Rao to reply. The hon. Member will also reply to the point raised by Mr. Anwar." (Laughter.)

THE HON. SRI K. MADHAVA MENON:—"The Hon. the Leader of the House has requested me, Sir, to state the Government view of the matter, after the hon. Member in charge of the Bill has made his reply, in case he is not present in the House."

MR. SPEAKER:—"Yes, as soon as the reply is over, you may do so."

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, with regard to the question of hon. Members of this House taking advantage of the present law and contracting bigamous marriages before this Bill becomes law, I have to state to my hon. Friend that Mussalmans can marry; there is no objection because they do not come under the purview of this Bill. As regards Hindus, if they marry, we shall think of making this retrospective in the Select Committee stage (laughter), if any cases come to our notice."

"Sir, I am thankful to the hon. Members of this House for having supported the motion that this Bill should go before a Select Committee. Nobody has objected to it and so I am grateful. All the points raised by hon. Members will naturally be taken into consideration by the Select Committee and suitable amendments will be made. I am particularly grateful to the Women's Indian Association who have sent to me a separate memorandum, dated 15th October, supporting the whole Bill and only proposing a few amendments in the divorce clause. They support the two portions; I value their support most because this is a Bill which concerns the women of this Province. They want prohibition of bigamy without any exceptions; certain friends wanted also that a man should be allowed to marry a second wife if he does not produce children by the first wife for a long time or if the wife becomes very sickly. There is one association which claims to deal with Vedic religion, which claims to introduce reform in Hindu society on Vedic lines. Their opinion is that even a woman should be given permission to marry again with the consent of the husband; that women also should be allowed to remarry during the lifetime of the husband if the husband is sickly."

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I appreciate it from one point of view, viz., that they want to put woman and man on an equal status. To that extent, I appreciate it. That shows that even in Vedic times, that glorious period of our Indian history, there was absolute equality between man and woman. But I think those things are now impracticable; we should not allow polyandry even under exceptional circumstances; so also we should not allow polygamy even under exceptional circumstances."

"The Women's Indian Association supports the principle of divorce. They want that under certain exceptional circumstances, in hard cases, divorce should be allowed. They want to add also one or two things, e.g., change of religion. Of course we have to consider all that seriously at the Select Committee stage. The Association is also more conservative than I am in one respect; it says that instead of three years' time, five years should be allowed to give a chance for the recovery of the husband or wife from lunacy. One valued friend of mine, Sardar Vedaratnam Pillai, has been telling us that according to the present census, the women are more in number and therefore he asked 'What shall we do?' Sir, the census figures are not always steady; sometimes men are more in number; are we to change the law at once and say that polyandry is allowed just because men are more in number at the time? We need not take that into account. For instance, there are many widows who do not remarry. A few lakhs difference this side or that side should not influence us on a question like this. It is on grounds of equality, justice and fairplay to the women who have been suffering under social disabilities that this Bill is intended to be placed on the Statute Book. We have already got two Acts like this passed by the Bombay Legislature. Some friend seems to have doubted whether any law like this has already been passed in Bombay, I say yes, Act No. XXV of 1946 is the Bombay Bigamous Marriages Prevention Act; and Act No. XXII of 1947 is the Hindu Divorce Act. These two Acts have already been passed and I have got copies of them from my friend the Hon. Mr. Murarji Desai, the Home Minister of that Province. There is one important provision in that Act. Among the grounds for divorce, they have added that if a man having one wife has already married a second wife before the Act came into force, the first wife would have the right to sue for divorce in a court of law. On that ground when the second wife is there, it is the first wife that suffers. This has resulted in injustice to the first wife, and they have not even put a time-limit. They have gone to that length there; but I do not want to put that provision in this Bill because I am much more conservative than my hon. friend Mr. Murarji Desai of Bombay. But if the Select Committee wants such a provision, I have no objection to make this somewhat retrospective, because I have been receiving letters from several friends that at least in respect of marriages that have taken place five or six years before this Bill was introduced, some such provision should be made since it is a clear injustice done to the first wife by the man."

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taking a second wife. That point also may be considered at the Select Committee stage. All the hon. Members have unanimously agreed that bigamy should be prohibited, that man should be reduced to the same status as the woman. At present woman is not allowed to re-marry during the lifetime of the husband; it is agreed now that man also should not be allowed to re-marry during the lifetime of the wife. To that extent, we all agree. Of course, my hon. friend Mr. Hameed Khan wants four wives—but we are not now concerned with him.

“With regard to divorce, many respected colleagues of mine have said that divorce is against the Hindu religion, against the Hindu customs, against the Hindu genius and against the Hindu spirit and therefore they say, ‘Let us not introduce the principle of divorce, otherwise, the whole society and the religious spirit of the Hindu society will be lost.’ But I must tell them that this cry of religion in danger is not a new thing; this cry has always been raised whenever any social reform legislation was attempted to be introduced, from the time of the great Raja Ram Mohan Roy, the father of Modern India. He wanted to suppress Sati; even when he wanted to prevent the burning of Hindu widows, thousands of people sent up a mahazar to the British Parliament against this encroachment on religion. On that account that great Raja Ram Mohan Roy had to go to London and represent to the Government there that this was a barbarous custom not sanctioned by the Hindu religion or the Hindu scriptures or the Hindu society, that it was a mediæval superstitious institution which had crept in on account of the selfishness of man, on account of the fact that men wanted to take away the rights and properties of the poor widows. He was successful and that most cruel custom was suppressed. I remember when I was a student, there was a great agitation against the Age of Consent Bill. When the social reformers wanted to hold a conference at Poona, the orthodox people there burnt their pandal just because the social reformers were saying that girls below a certain age should not be consummated. Again, when Iswarchaudar Vidya Sagar wanted to introduce the Widow Re-marriage Act, and also in connexion with the Castes Disabilities Bill—in fact on every occasion we were confronted with such agitation. When I was a lawyer, I was taking signatures and was carrying on agitation in favour of the reforms—to abolish the Child Marriage. Then, even against the Child Restraint Act, i.e., the Sarda Act, the orthodox community raised a hue and cry. Then, about the Harijans, but for the great Mahatma Gandhi coming and taking up that cause and making it a part of the Congress programme, really the Harijan cause would have been still where it was before he took it up. It was due to his great statesmanship and great personality. So, in the Harijan cause, the reformers, the nationalists and the revolutionaries have succeeded. All the temples, the most sacred things of the orthodox people have been thrown open to the Harijans in spite of much hue and cry. Therefore, I say we have to march on; there is nothing to stop us. The political revolution

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is to be followed up by a social and economic revolution and this is a great revolution, I admit, i.e., to put woman on an equal status with man.

“With regard to divorce, I want to say that it is in the 1 p.m. interests of man that divorce is necessary. Now you are telling the man: ‘If you remarry, you will be punished; it will be an offence punishable up to seven years under section 494 or 495 of the Indian Penal Code and the marriage will be void.’ Then what should he do if the wife elopes or if she deserts him? In such cases, therefore, shall we say ‘no, you must suffer’? Some Roman Catholic friends have been saying something about this, but I do not know exactly what their custom is. But I see that in every legislation in the world, in India or elsewhere, wherever there is monogamy enforced by law, there is provision for divorce; of course, under difficult circumstances, under impossible conditions, there must be provision for divorce.

“If you try to stop this divorce, and allow one portion of 1 p.m. the Bill, namely, the prohibition of bigamy alone to pass through, the Bill will not serve the purpose for which it is framed. Some people contend that a Hindu marriage is a sacrament and that it has sacred ties and that the husband has a sacred duty to the wife and *vice versa*. The husband and wife should live together with affection and they should be of pure character and so on. They say that marriage is religious and that it is sacred and so we should not interfere with it. But, everything is religious. The freedom of a country is religious; the uplift of the Depressed classes is religious; to give equality to women is religious. True religion consists in the uplift of humanity and in the removal of disabilities and hardships. True religion consists not in allowing superstitious customs to grow. Therefore, Mr. Speaker, I do not understand the argument that marriage is a sacrament and that there should be no divorce. God is Sathyam and Gynanam; God is wise. True wisdom consists in being rational and not in being irrational and superstitious. What is the sacrament when a drunkard kicks and tortures his wife and keeps a concubine? There is no sacramental tie there. It is lost. That is why our law calls such a man a ‘Patita’. A man becomes a ‘Patita’ when the sacramental tie is gone.

“Sir, there was one important suggestion and it is a very reasonable suggestion that there should be one Bill for the whole of India and not for this Province alone. It is a thing to be considered. What happened in the Bombay Act is this. The Rao Committee dealt with several things and they submitted a report and that report has now been presented before the Central Assembly. We do not know how long it will take because it is a complicated thing. The whole Hindu Law is complicated. There are so many branches of the Hindu Law; there is the Dayabhaga Law, Mitakshara Law, the Mayuka Law; then there are laws about the adoption, maintenance and many other things. Therefore, should we wait? We have asked some members of the Central Assembly and they said that it is not coming before

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the Assembly soon. So, Bombay began to lead in this social reform and we are now following Bombay. There is one more thing that I want to say. When I went to Mysore, they told me that the Special Marriage Act that was passed in 1875 or so—I think it was amended in 1923—that special Marriage Act does not apply to Mysore. Therefore, if a person who is married under the Special Marriage Act in British India goes to Mysore, the Act will not apply to him. Therefore, it is better if there is one Bill not only for all the Provinces, but the States also. But is it practical? So let us proceed with this Bill in Madras.

“My hon. Friend, Mr. Anwar has given me a caution that unless we proceed with this Bill immediately, there is the possibility of several bigamous marriages taking place under the existing system. (Laughter.) To be more serious, I may tell, Sir, that in the countryside, just when the Marriage Restraint Bill was about to be introduced, people in a hurry celebrated the marriages of girls, aged six years, four years and even two years because, it was believed according to their superstition, that the marriage of a Brahman or Vaisya with a girl after she has attained puberty is wrong and sinful. So, we should not threaten but we should take steps to see that the Bill becomes law as early as possible. Therefore, I request this Honourable House to refer this Bill to the Select Committee. We shall consider at the Select Committee whatever is reasonable; we shall also consider the various suggestions made by various members of the public and also the views of the Indian Women's Association which is a responsible body and finish it early so that the Bill will be passed into law as early as possible. I also thank hon. Members for not opposing this Bill going to the Select Committee.”

* THE HON. DR. P. SUBBARAYAN:—“Mr. Speaker, Sir, the Government have no objection to this Bill proceeding to the Select Committee. They are in agreement with some of the amendments of Mr. Kaleswara Rao and I hope the Select Committee will consider the whole matter, and there is no distinct cleavage with regard to this measure.

“With regard to divorce, whether it should be introduced in this Bill or not, is a matter which the Select Committee can consider, because it is for the Select Committee to decide whether these two things can be grouped together. It is a very difficult matter because reform of Hindu law has always led to objections on the part of members who are conservatively minded and who think that society should not be reformed out of shape. But, at the same time, I am sure my hon. Friends will realize that society is advancing and reform is bound to come. Monogamous marriage is, according to me, a real necessity if you are to safeguard the rights of women. Under the Hindu Law, as it stands today—and the Hindu Law Reform Committee have also pointed it out—that the woman today is in a more difficult position than man is. Under the Hindu Law, as it is today, the woman is placed in a very inferior position. I am sure many people will

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thank Mr. Kaleswara Rao for having brought this measure in order to enable women to raise their status. It is absolutely necessary in modern society. The question of divorce again is a moot point. Once you restrict the marriage to be monogamous, it is but natural that divorce should come as a matter of course because if there is any incompatibility between the husband and the wife or if they are in difficulties, they may prevent the marriage ruining itself. It ought to be a matter of right of a man or woman to put an end to this relationship, if they find themselves in difficulties. This is a matter, as I said, which will be considered by the Select Committee. The Bill has been circulated for public opinion and all the views that have been expressed have been placed before the hon. Members in the pamphlet that was supplied to them. On the whole, we accept this measure and we tell the orthodox minded people who are conservative in their outlook that the days of conservatism are now over, as seems to be the case in this reform. The world is advancing and it is not narrowing down. What happens in the western part of the world is quickly known to us by means of the radio, the aeroplane and other modern conveniences. Therefore, reactions are bound to occur if any conservative minded man raises his voice against this measure. Therefore, I accept this measure and I welcome its going before the Select Committee.”

MR. SPEAKER:—“The motion before the House is that the Madras Hindu Bigamous Marriages Prohibition and Divorce Bill, 1947, be referred to a Select Committee consisting of the following members:—

- (1) The Hon. Dr. P. Subbarayan.
- (2) Sri T. Viswanatham.
- (3) Mrs. Rukmani Lakshmipathi.
- (4) Srimathi C. Ammannaraja.
- (5) Srimathi A. V. Kuttimalu Ammal.
- (6) Sri K. Bhashyam.
- (7) Sri V. M. Ramaswami Mudaliyar.
- (8) Sri U. Padmanabha Mallayya.
- (9) Sri V. S. Sankara Subramaniya Mudaliyar.
- (10) Sri D. V. Ramaswami.
- (11) Sri M. Pattabhi Ramiah.
- (12) Sri Pillalamarri Venkateswarlu.
- (13) Sri P. Natesan.
- (14) Sri C. M. Kothari.
- (15) Sri A. Kaleswara Rao.”

The motion was put and carried.

MR. SPEAKER:—“Under rule 78 of the Madras Assembly Rules, I appoint the Hon. Dr. P. Subbarayan to be the Chairman of the Committee.

“We shall now proceed to the next item.”

[16th October 1947]

(2) THE MUSLIM PERSONAL LAW (SHARIAT) APPLICATION
(MADRAS AMENDMENT) BILL, 1947.

* K. M. SEETHI SAHIB BAHADUR:—"Mr. Speaker, Sir, I beg leave to introduce the Muslim Personal Law (Shariat) Application (Madras Amendment) Bill, 1947. In doing so, I might mention that it is only an attempt to make the benefit of the Act No. XXVI of 1937, the Muslim Personal Law (Shariat) Act, known as the Shariat Act applicable to the agricultural lands of this Presidency and also to some matters omitted in the Government of India Act."

MR. SPEAKER:—"I shall read the relevant rule on this matter. Rule 72 of the Assembly Rules says—

'If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from a member who opposes the motion, may without further debate put the question thereon.'

"Therefore, after a brief explanation by the hon. Member who introduces the Bill and from the hon. Member from the Government side, I will put the motion to the vote of the House."

THE HON. DR. P. SUBBARAYAN:—"I am not opposing leave to introduce the Bill."

MR. SPEAKER:—"Therefore, no speech is necessary by the hon. Member at this stage. I shall put the motion to the vote of the House. The motion before the House is that the Muslim Personal Law (Shariat) Application (Madras Amendment) Bill, 1947, be introduced."

The motion was put and carried and the Bill was introduced.

(B) Resolutions.

(1) AMENDMENT TO THE GOVERNMENT ORDER REGARDING RECRUITMENT
TO SERVICES ON THE PRINCIPLE OF COMMUNAL ROTATION.

SRI S. NAGAPPA:—"Sir, as the Government has come forward to amend the communal Government Order so as to give proper representation to the communities that have not been represented and as the Government themselves have taken up this matter, I do not propose to move the resolution that stands in my name at this stage."

(2) ADMISSION OF STUDENTS TO UNIVERSITY EXAMINATIONS
WITHOUT THE PRESCRIBED ATTENDANCE.

1-15 P.M. SRI A. VEDARATNAM PILLAI:—"கனம் தலைவர் அவர்களே, நான் நேட்டில் கொடுத்திருக்கிற தீர்மானம் சர்வ கலாசாலை நிர்வாகத்தினுடைய உரிமையை பாதிக்கும் என்று கருதும் காரணத்தால் இதை நான் வாபீஸ் வாங்கிக்கொள்ளுகிறேன்."

(3) INSTRUCTION THROUGH THE MEDIUM OF URDU IN SCHOOLS
AND COLLEGES.

* BEGUM SULTAN MIR AMIRUDDIN:—"With reference to this resolution, Mr. Speaker, I may point out that I have already

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finished my speech and that discussions were going on. Mr. Mahboob Ali Baig seconded my resolution and Mr. Hameed Khan supported it but he did not finish his speech on the non-official day, when this resolution came up."

MR. SPEAKER:—"The session was over and the resolution lapsed. Now the resolution has to be moved again *de novo*."

BEGUM SULTAN MIR AMIRUDDIN:—"Have I to speak again on the resolution, Sir?"

MR. SPEAKER:—"Yes."

* BEGUM SULTAN MIR AMIRUDDIN:—"Sir, I wish to move the following resolution:—

'This Assembly recommends to the Government to make provision for Muslim students to receive instruction in schools and colleges through the medium of Urdu, wherever they desire to do so.'

"I have already spoken at length on this subject on two previous non-official days. Therefore I do not wish to take up much of the time of the House to-day. The point that I wish to emphasize, is that the demand that is being made by me in pursuance of this resolution is most reasonable for all that I am asking for is that provision should be made for imparting education to Muslim students through the medium of their mother-tongue Urdu in places where a sufficient number of Muslims come forward and declare that they wish to be instructed through this language. In this connexion, I wish to state that Maulana Abul Kalam Azad who is in charge of the Education portfolio at the Centre has himself accepted the principle of instruction being imparted to the children of the land through the medium of their mother-tongue. It is also an accepted principle all the world over that the easiest medium whereby a person can receive instruction is his mother-tongue. When the British Government were in power the members of the Congress party cried hoarse against instruction being imparted through the medium of a foreign language. The members of the Congress cannot have one rule for themselves and another for others. Having been pushed backward in education all these years by being subjected to the thralldom of a foreign tongue. Muslims cannot acquiesce to their continued backwardness by the imposition of a language upon them which is not their own. I see, Sir, that the Hon. Minister for Education is not in his place. I wish to know whether he is in Madras at present. What is the use of my speaking when he is not here? We may as well adjourn and resume discussions after he comes."

MR. SPEAKER:—"In his place the Hon. Mr. Bhaktavatsalam is here and he is taking notes."

* BEGUM SULTAN MIR AMIRUDDIN:—"The presence of another Minister is of no use. As a matter of fact, on the last occasion when the Hon. Mr. Avinashilingam was away at Delhi,

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and the Hon. Mr. Gopala Reddi was officiating as the Education Minister the latter was prepared to accept my resolution. Thus there is no use, Sir, for any other Minister to hear my speech."

MR. SPEAKER:—"I have sent word and if he is in his room he will be coming down presently."

* BEGUM SULTAN MIR AMIRUDDIN:—"It is no use wasting my breath on others."

SRI A. KALESWARA RAO:—"Sir, the Hon. Mr. Bhaktavatsalam is taking notes of the discussion."

BEGUM SULTAN MIR AMIRUDDIN:—"After all his views on this subject may be different from those of the Hon. Mr. Chettiar, and the notes will not be of much help."

MR. SPEAKER:—"The Hon. Minister for Education will be here in a minute or two."

(At this stage the Hon. Sri Avinashilingam Chettiar entered the House and occupied his seat.)

BEGUM SULTAN MIR AMIRUDDIN:—"I am glad the Hon. Minister for Education has come. Perhaps he was not sure that this resolution would be reached to-day. (A voice: 'Or he wanted to evade it.') No, no, he would not have evaded it. He told me he would be present."

"Sir, I wish to point out to Mr. Avinashilingam Chettiar that this is an old resolution which has been pending for a very long time."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"The hon. Member must address the Chair, Sir."

* BEGUM SULTAN MIR AMIRUDDIN:—"I have addressed the Chair, Sir, I am sorry the Hon. Minister did not hear it. I wish to point out to the Hon. Minister that this resolution has been pending for a long time; hence I would like the discussions to be completed and votes taken on my resolution to-day, for, otherwise we do not know when this question will be settled. If the matter is delayed, it is possible that the Hon. Minister might be away at the time when this resolution comes up next. I would, therefore request you, Sir, to see that the discussions on this resolution are completed to-day and also that the Hon. Minister gives his reply."

MR. SPEAKER:—"Yes, it all depends entirely upon the members and if the members finish their speeches before 4 o'clock, I will ask the Minister to reply at 4 o'clock."

* BEGUM SULTAN MIR AMIRUDDIN:—"I think the members of my party would not take much time."

MR. SPEAKER:—"We shall see."

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* BEGUM SULTAN MIR AMIRUDDIN:—"Sir, with reference to imparting education to Muslims in Urdu I wish to state that some months ago the Hon. Maulana Abdul Kalam Azad while in charge of the Education portfolio recognized the desirability of instruction being imparted to the children of this land through the medium of the mother-tongue. I am sure Hon. Members of this House have read the statement that he made in this connexion, which appeared in the Press. My demand cannot be dubbed as unreasonable for it is just the self-same demand that the Congress has been making for the past 150 years, since the British Government assumed power. Ever since then the clamour all over the country has been that instruction should not be imparted through the medium of a foreign language but rather through the mother-tongue. The reason for this is very simple and plain for it is evident that it is only when a child is taught through a language which he speaks at home that he can grasp the subject quickly and make adequate progress in his studies. If, on the other hand, education is imparted to the child through the medium of another language there is no gainsaying the fact that he remains backward in his class. That is why I wish to urge that Muslims who are already backward in education on account of the imposition of a foreign language upon them should not be pushed further backward in the educational field by being made to learn their lessons in a language which is not their own, and in which they cannot with ease express their thoughts and ideas. If my demand is not conceded, Sir, it is plain and incontrovertible that the Muslim community, which is already backward in education will be pushed further backward in the educational sphere. To enable the Muslims to keep pace with the forward communities I have brought forward this resolution."

"Mr. Speaker, Sir, my hon. Friend Mr. Kaleswara Rao in his speech on the last occasion made allusions to what prevailed in a neighbouring state. But I may point out that it is wrong on the part of Members on the opposite side to justify their wrong actions on the analogy of occurrences elsewhere instead of judging an act on its merits as every right-thinking citizen should do. I am sure the hon. Member is well aware that things have changed in that state as well and that instruction there is now being imparted to the children through the medium of the mother-tongue. Sir, if another State acts wrongly, it is not becoming of the Members of this House to say that they would follow its footsteps. Let us exercise our own judgment, our own reason, and come to a decision as to what is right and not blindly follow others. In that State matters have been rectified to the satisfaction of the people, namely, that instruction in elementary schools there is to be imparted through the medium of the mother-tongue. There is a tendency among some Members of this House to justify their acts by reference to what is happening in other parts of the world, but if others commit mistakes, if others have a purblind vision and are not realists, we are not here to follow their mistaken path, rather we are here to do that which we feel is right, dictated

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by our conscience. Sir, what I wish to urge is that the resolution that I have moved is a very modest one. I do not say that instruction should be given through Urdu to those whose mother-tongue is not that language. My purpose merely is that those whose mother-tongue is Urdu and who are unable to express themselves properly in any other language should be given the necessary facilities for instruction in their mother-tongue so that they may keep pace in the field of education with others and not be pushed backwards. Sir, the principle of instruction being given in the mother-tongue is one which has been recognized throughout the world. Let the Hon. Minister find out whether this is not so. I have travelled a good deal in western countries. Wherever I went I found that instruction was being imparted in the schools through the medium of the mother-tongue.

“ Mr. Speaker, while I do not wish to take up much of the time of the House I wish to urge upon the hon. Members not to view this question from the political but from an academic perspective, for politics, Sir, has been the bane of society and it is politics that has reduced the world to its present plight. Therefore, Mr. Speaker, let us in this House not regard ourselves as politicians but on the other hand let us act as true statesmen. Let us not be guided by political slogans, prejudices and shibboleths but by a spirit of truth, righteousness and a far-sighted vision. I appeal to you, my friends on the opposite side, to be realists in the true sense of the word and be governed by the true spirit of statesmanship. I have great hopes in the people of this province and I am sure that not only in regard to one matter, but in many matters, they will display a balanced outlook. The people of this Province are endowed with wisdom, with a sense of proportion, with balance, so much so that in course of time they will be a lesson to the whole of India. There is a feeling in the North that the people of Madras are not up to the mark with reference to their ideas and their ideals, but I may state that the people of the South will be a model to the people of the other provinces in regard to balanced statesmanship. Therefore, Sir, I wish to urge that this question be viewed dispassionately. I hope hon. Members on the other side would imagine themselves in our position and view this question from the human and not from the political perspective. I ask ‘ Would not those Members have preferred a similar demand had they been placed in the position in which we are to-day? ’ ”

MR. SPEAKER:—“ The hon. Member may continue her speech after lunch.”

(The House then adjourned for lunch.)

(After lunch—2-30 p.m.)

* BEGUM SULTAN MIR AMIRUDDIN:—“ Mr. Speaker, Sir, I was adverting to the point that if the medium of instruction for the Muslims was made any language other than their mother tongue the effect of that would be to relegate them to a state of

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backwardness. In stressing this I wish to emphasize that instruction is the essence and medium is only a step; the essence should not be sacrificed for the step. The Hon. Minister, I am sure, is well aware that educationists are of the opinion that the mother-tongue alone should be made the medium of instruction. They have expressed this view at many educational conferences. In this connexion I wish to quote what was stated some time ago, not by a Muslim but by a Hindu gentleman. I am referring, Sir, to the remarks of Dr. A. Krishnaswami. In his inaugural address to the Headmasters' and Headmistresses' Association delivered at the Corporation Boys' School, Chintadripet, Madras, which was reported in the ‘ Madras Mail ’ on the 22nd September 1946, he said:—

‘ If Muslims said that instruction should be given in Urdu to Muslim children, I would support their struggle against an administrative tyranny which attempted to stifle their culture.’

He has expressed himself strongly, but I do not believe in strong language. This is the opinion not of a Muslim but of a Hindu gentleman, Sir, in the academic sphere, there is no such thing as Hindu or Muslim. In that sphere, we are to be governed by a broader outlook, namely, that of fostering culture. I have been a member of the Senate of the Madras University for the past seven years and it has been my privilege and good fortune to associate with Hindu members in that body. I may inform the Hon. Minister that for the past seven years, very often the resolutions that I have moved were seconded by the Vice-President of the Mahasabha and very often I seconded his resolutions. The question of Hindu or Muslim does not arise in the academic field; it arises only in the political sphere and it is politicians that try to exploit the differences between the communities.

“ Mr. Speaker, Sir, the Hon. Minister might say that if instruction is imparted to the Muslims through the medium of Urdu, the members of that community would not get their due chances in the administrative departments. In this connexion, I wish to state that Muslims would be learning the regional language also as their second language. Evidently, Muslims would not act in such a manner as would be detrimental to their interests. The question of the medium of instruction must be settled in consonance with the desires of the Muslims themselves and the Hon. Minister need not express any solicitude on behalf of the Muslims with reference to their recruitment to the services. They will look after their own interests in regard to this matter. I wish to emphasize that when a body of people express themselves that they should be instructed in a particular manner, it is the duty of the Government to respect the wishes of that body and allow them facilities for such instruction. It is their own look out as to whether they would suffer by this in the long run and not that of others.

“ Another point to which I wish to advert to is that the Congress in the resolutions that it passed in 1933 and also in 1938 with reference to fundamental rights, declared in emphatic terms that

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it was its prime duty and fundamental policy to respect the cultural and linguistic rights of the minorities. Now, if this Government is a Government not merely of the majority but of the people and for the people, they must remember that the term 'people' includes minorities as well. Majority rule cannot crush the will and aspirations of the minority and the desire of the minority for self-expression and the preservation of their identity. As such, the rights of the Muslim minority in regard to the preservation of their language and culture ought to be protected. The Hon. Minister, I am aware, is averse to what he calls 'separatism,' and 'fissiparous tendencies.' He wishes that the people of this Province should be instructed through the medium of one language only so as to bring about unity but, Sir, I may point out that unity will not be achieved by his having recourse to this method. Is not the Hon. Minister aware that in the provinces of the Punjab and Bengal, the language of the Hindus and Muslims is the same, viz., Urdu in the Punjab and Bengali in Bengal but that this has not helped to inculcate a spirit of fellowship among the people, for despite unity of language terrible butcheries have been committed in these provinces? Did the people of these provinces live like brothers because they spoke one language? No. On the other hand, we find that we in this Province, in spite of our differences of language, for we have here not only Urdu and Tamil, but also Malayalam, Telugu and Kanarese, have been more united, and have lived more in peace, harmony with one another than the people of the northern provinces where they have only one language. Therefore, Sir, I wish the Hon. Minister to dismiss the idea from his mind that unity in regard to language brings about unity in other spheres as well.

"Humanity, Mr. Speaker, is diverse in culture and multitudinous in expression. These differences must be respected, for they are the logic of necessity and cannot be wiped out by the efforts of any politician. It is unnatural to expect uniformity in the world. Unity may be achieved, but not uniformity which is different from unity, for it connotes the destruction of individuality. Look at the birds, the beasts and the colours of the landscape. Has God made them all the same? Is there uniformity to be found in the work of creation? Nay. The colours of the landscape, the beasts in the forests and the birds in the air are of different tints, forms and varieties. Sir, humanity is different and will continue to remain so. Politicians must learn to respect those differences instead of attempting to wipe them out, for it is precisely the efforts of politicians to eradicate the differences that exist between the members of various communities that create discord, disharmony and dissension. Let politicians remember that unity is perfectly compatible with diversity. Let them give up their narrow outlook and adopt a spirit of sympathetic understanding and become statesman, in the true sense of that word, then and then alone would the emotions and passions that dominate the atmosphere subside; then and then alone would there be peace, harmony and happiness in this land.

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"Sir, the Hon. Minister is of the opinion that differences in language create differences in other spheres, but I wish to emphasize that this is not correct. There are other ways of producing unity among the people than through uniformity in language. The true basis of unity is the creation of a spirit of good will and fellowship. India is in the throes of chaos because the mental approach of the people is defective, because our educational institutions ignore implanting into the minds of the young the ideal of fellowship. I am afraid I cannot entertain much hopes from the members of the older generations, because they have already formed their opinions; they are adamant in their prejudices and not prepared to shed their narrow outlook. But I entertain great hopes from the youths of the land who, I believe, if trained on the right lines, will produce a state of society which will be a model to the whole world. I wish to ask the Hon. Minister as to what he is doing to create the necessary mentality among the youths of this Province to achieve communal harmony?

"A relation of mine narrated to me how years ago before the Russo-Japanese War broke out, the Japanese Government created a mentality among their people to fight the Russians. It seems when he was travelling on board the steamer and found a batch of Japanese as his fellow-travellers, he asked those gentlemen as to what they were teaching in their schools. The Japanese informed him that at that time they were concerned most with the impending Russo-Japanese War and that the first lesson that they were imparting to their school children was that of fighting the Russians. Thereupon, my relation inquired: 'How are you doing that?' To this, the reply was: 'We are creating the mentality for it thus. When the children assemble in the schools every morning, the headmaster or the headmistress is instructed to ask them the question: 'What have you come here for? What are you prosecuting your studies for?' To this, the children are required to reply in chorus 'We are being educated here in order to fight the Russians.' That is how the mentality to fight the Russians was created in the minds of the Japanese children and eventually the Russo-Japanese War did break out. In like manner, I wish to urge upon the Minister to create a mentality among the younger generations in this Province to live in peace and concord with those pursuing other faiths and impress upon them the imperative need for unity and harmony in the land. I wish to appeal to the Hon. Minister to take necessary steps in this direction. The best method that he can devise is to instruct the headmistresses and headmasters of schools to instil ideas of fellowship in the minds of their pupils. Let the heads of educational institutions daily put this question to their pupils when the latter assemble: 'Why are you being educated?' and let the school children thus reply in chorus: 'We are being educated to live as brothers with members of other communities. We are prosecuting our studies so that the Hindus and Muslims may live in this land in peace and harmony.' When this idea of fellowship is instilled into the minds of the young from their earliest days, they are bound to grow up different from the older generations. It is no

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use expecting people whom age has hardened to reform themselves and shed their narrow outlook. The hope lies with the youth of the land. Realizing the efficacy of moulding the supple minds of young people, Hitler and Mussolini utilized the schools for the purpose of inculcating their ideals in the rising generations. Likewise, if we are really interested in creating the spirit of harmony and peace in the minds of the people of this land, we should see to it that the truth of brotherhood is awakened in the child and made part of his consciousness. I may inform the Hon. Minister that I have in my own humble way been discharging my duty in this respect. I have not been a politician; it is only a little over a year since I entered this Assembly. Throughout my past years, social service and education have evoked my interest and whenever I have addressed students in schools and colleges, I have commended to them, be they Hindus or Muslims, the following lines of that ancient scripture of India—the Rig Veda: 'Together walk ye; together speak ye; together know ye your minds; let your resolve be one; let your hearts be of one accord; let your minds be united that your assembly may be happy.' Sir, it is by such methods that we can create a sense of unity among the people. Unity cannot be achieved by the abolition of Urdu, a language through whose medium alone Muslims can preserve their culture and develop along lines suited to their particular genius and traditions. In the past, the Hon. Minister for Education has been so adamant in his attitude towards the demands of Muslims that the following lines of Shakespeare did well apply to him:—

'You might as well go stand upon the beach
And bid the main flood bate its usual height;

You might as well forbid the mountain pines
To wag their high tops and to make no noise
When they are fretten with the gusts of wind
You might as well do anything most hard'

than argue with Mr. Avinashilingam Chettiyar. But I hope he has changed his attitude now and will realize the reasonableness of our demands. So far as Members of this House are concerned, there are many who are my side and who have expressed themselves in favour of my resolution. Even when I retired to my room a little while ago to have my lunch, I got encouragement from members belonging to the opposite party, who said that the demand contained in my resolution was perfectly legitimate. But, of course, when they come into this House, the whip goes round to them to vote in the manner the Education Minister desires. I therefore hope the Hon. Minister himself will accommodate himself to the reasonableness of my demand and will accept my resolution as the Hon. Mr. Gopala Reddi was prepared to do. I also hope that the Members of this House will judge the issue on its merits and will vote according to their conscience and see that due justice is done to the demands of the Muslims."

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"I have great pleasure in seconding the resolution moved by the

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hon. Begum Amiruddin. Both during the speech she has concluded now after an hour and also on the previous occasion when she spoke in *extenso*, she has really made a very good case whereby Muslims whose mother-tongue is Urdu—this is the position which obtains in the Andhra area and in such other areas of the Tamil Nad and other places—should have their medium of instruction in Urdu."

THE HON SRI T. S. AVINASHILINGAM CHETTIYAR:—"What about the Muslims of Ramnad district?"

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Our Minister for Education is a very good man who understands the feelings of others, particularly of the minorities and he knows that the Muslims have a very good case and our Lady Member has convinced him more than sufficiently. Of course what attitude he will adopt when the time comes for him to reply I cannot predict and I cannot be a prophet in that direction at all and I am sure any change on his part will be for good. The Hon. Minister and particularly the members of his party should understand and realize as to what the purpose and object and motive of our bringing such a resolution is. Is it just because we want to come here and make a speech; that is not it; we know the real difficulty experienced by Muslims regarding education not imparted in their own mother-tongue. We have had occasions, particularly in the Andhra districts, when it has affected Muslims very much. When there was a change in the attitude of the Ministry with regard to educational policy, the Congress Ministry could have studied, gone through the whole matter and they could have appointed a committee and they could have come to decisions; but I am sorry to point out that without going into the merits of the case, they have simply passed orders putting people to trouble. They have been under the wrong impression that because the Muslims speak Telugu it is therefore, their mother-tongue. It does not mean that their mother-tongue is Telugu. There are many Hindu friends of mine from the Andhra districts who can speak very good Urdu, perhaps much better than any of us can claim to do. They speak Telugu also but on that score it cannot be said that their mother-tongue is Telugu. I am not in a spirit to challenge the Minister because that it will do no good and is indeed bad. But it cannot be denied or ignored that the mother-tongue of Muslims in Andhra districts in almost all the places, in certain portions of the Tamilnad, particularly of the City of Madras and other parts, is Urdu. In certain places the mother-tongue may be the local languages of the place like Malabar; but that does not take away the right of the Muslims in the parts mentioned to claim that Urdu is their mother-tongue. Let me inform the House that consequent on this decision that the imparting of education should be in the regional language, a number of Muslim boys were thrown out of schools. Their only mother-tongue was Urdu and now they had to learn things through the regional languages and in addition to learning their lessons they

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had to study the language also. This handicap has affected the education of Muslim pupils very badly and I know a number of cases where Muslim parents had actually to withdraw their children from schools for the simple reason that the pupil could not do it and were unequal to the new set of circumstances."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"May I know in how many schools this occurred and how many pupils had to stop away on account of their not knowing the language."

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"If I knew that this poser would be addressed to me, I would have come prepared with the statistics he requires."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
"I thought every member making a statement would make himself responsible for it."

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"To-day I say 'Notice' to the question put by the Hon. Minister. I assure him that when the opportunity comes, I shall provide the statistics and information to him. There is one case in my own constituency, that is Madanapalle. There is one High School there and students are being taught either in English or in Telugu. Regarding second language there is no provision to teach Urdu and there is no provision for the appointment of a teacher to teach Urdu to the Muslim candidates with the result that they had to prepare the lessons themselves. The Muslims of the place approached the authorities but they said they were not concerned and that it was not their concern. The pupils thereafter arranged for a teacher so that they may learn Urdu and appear for the S.S.L.C. examination. The Minister may disagree with me. But I say this question of language has nothing to do with politics. But I agree there are difficulties; this is not only a bi-lingual province but a tri-lingual or even more. Therefore, I say that the thing has to be viewed in a proper perspective. Further it is not a feeling confined to the Muslims only. In Madras City so many petitions, representations and resolutions of meetings have been received from people belonging to South Kanara, Andhra districts, or Malabar saying that they do not want their children in schools to be taught in Tamil as the medium of instruction is in Tamil. We are not the only people who have a grievance of this nature. Even our other friends on the other side who came from Malabar or from South Kanara or the Andhra districts and have settled in Madras are asking for it and they are perfectly right in demanding that their children also should be taught in their own mother-tongue; it may be Malayalam, Kanarese or Telugu. There is no point in saying that as they had settled in the City of Madras, where Tamil is predominantly spoken, therefore, their children should be taught in that language. How is it possible? Regarding myself, I may say that though I was born in Madras, though I can speak a word or two in Tamil, I cannot

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understand that language. As a matter of fact, when the Hon. the Premier and the Leader of this Party and others were speaking in Tamil, I could not understand a word of it. Of course I may say it is my fault in not learning it; when people like us who can get through business, when we are not able to follow it, how can you expect pupil of four, five and six years to understand their lessons, especially if suddenly they are being asked to learn in a language which is foreign to them."

SRI N. S. VARADACHARI:—"Children can easily learn; because this is the first time they learn; unfortunately you and I learned long ago and have yet to learn other things."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"We have yet to unlearn many things."

* MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"I have really very great respect for my hon. Friend Mr. Varadachari for whenever he speaks, words of wisdom fall from him and I take them."

"Let me not enter into controversies. I know that a time will come when you will have to replace the English language by the regional language or by the provincial language, and have one common language for the whole of India. Do not think that we have so much attachment to the English language. After all English is as much foreign to us as it is to you. We have all been forced to learn English language. That language has served a useful purpose. But now things have to be adjusted, and in the matter of policy, it would be always wise to see that we do not rush in with things and take decisions in a light-hearted manner, but only after a careful consideration of the various aspects of the question. I may draw your attention to what appeared in the paper this morning. I do not like to exploit the name of the great man of our country, Gandhiji. What has he said about United Provinces? My friends from the Congress side will say 'even Muslim members quote Gandhiji'. But, we are the people who follow it up when really something good is said by some one. I do not mean any disrespect. In some respects we follow Gandhiji, and in so many other respects we oppose him, and we will continue also to do so. Sir, this is only by the way. The Government of the United Provinces passed orders to the effect that the language of the Province will be Hindi. It is a big controversy between Urdu and Hindi. Language is not such a simple thing you can pass orders so easily. It is not a thing . . ."

SRI N. S. VARADACHARI:—"Sir, may I inform the hon. Member that Gandhiji referred only to the script? The United Provinces Government have prescribed Devanagari script. There is no reference to Hindi and Urdu. It is only the script that he referred to."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Sir, both myself and Mr. Varadachari read the papers this morning. I do not know where the mistake lies. Gandhiji objected not only to

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the question of script but also to the language. He said that in a place like United Provinces where more Hindus speak Urdu, it is wrong to enforce Hindi in the Province. Gandhiji himself has said 'do not force a language on those who do not know it'. Language is not such a thing. It is not a sort of political dogma to simply force it on people. Language should be allowed the opportunity to develop itself, and I am sure the language will develop itself then. You cannot simply force the people to learn a language, and that is the reason here also. My point in quoting Gandhiji is that the language of the Province is not Hindi. The only controversy is Urdu or Hindi. It is wrong on the part of the United Provinces Government to have made Hindi as the language of the Province. Gandhiji might not have put it so bluntly as I am putting it. That is all the difference. But it does not matter much for the sake of argument. I am not going into the question of script. No doubt you may have the power to pass orders. But it is wrong on the part of Government to force on people a different language; particularly on youngsters who do not know it. If it is the regional language, then you have to follow it. Even to-day our Minister has to define what he means by regional language. I know regional language is one which is generally spoken in that region. In every place, apart from that language, there may be other languages also. That is quite possible. Therefore, you cannot say a particular language as the regional language in a particular place. Mind you, it is not a question of a few people. The Muslim population of Andhra districts is fifty lakhs who have to take their studies in Telugu. Therefore, it is really not a right policy. What is our appeal? We do not demand anything from you. I do not like to exploit the differences in our Province. Whenever we Muslim Leaguers say anything we are dubbed as communalists. Even when we talk on things which are very good and which may be appealing, still for the fact that it comes from this side, we are stated as communalists. Unfortunately, there are more differences than Hindu-Muslim differences here. It is the difference between culture and religion. What are the differences between the Tamils and Andhras except in language? When the members from Andhra districts say that they want a separate province, what is the basis for that? They are so much attached to their language, and to them language comes first. The members from the Andhra area feel it their right that they must have a province for themselves so that they may develop their Telugu language. People in Tamilnad also feel that Tamil has got its past, there are the famous Bharathi songs, etc., and they have the right to have their Tamil language. You are also of the same view. I concede that. Therefore, it is the endeavour and anxiety of every section of this Province, Tamil, Telugu, Malayalam and Kannada, to preserve their language. When these people are allowed to do this, what is the wrong on the part of the Muslims in Andhra area to preserve their language, which is Urdu?

"Sir, I do not like to take more time of the hon. Members here. You have got to understand the gravity of the feelings.

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We have to do our duty and discharge our responsibilities. It is not for the pleasure of talking that we have brought this resolution. I am sure we have got a very strong case. For a minute, rule out the question of Urdu. The resolution reduces itself to this. The position is you say about regional language. We concede that. But along with the regional language, we say, give us the opportunity to have instruction through the medium of the mother tongue, which is Urdu. If the Hon. Minister is really convinced that the mother tongue of Muslims in Andhra Desa is Urdu, I am sure nothing would stand in his way to concede the demand of the Muslims. Even during the last Session, there was too much of discussion on this. The Hon. Minister can go round along with us, and he can satisfy for himself that the mother tongue of the Muslims in Andhra area is Urdu. The fact that they are speaking Telugu does not mean that their mother tongue is Telugu. I am sure the Hon. Minister will have regard for the feelings and sentiments of the people here. No doubt you are in a majority. No doubt you may be in the Government. We feel nothing wrong about it. Simply because you are in a majority, decision on matters like this should not rest on the majority vote alone. This is not a question between majority and minority. After all, though we are a minority, we are as much an integral part of the State as the majority are. We have got as much rights as the majority have. The fact that one is in a majority does not mean that one has got the right to trample upon the rights of others. I am sure the Hon. Minister and his party will do justice in this matter. It is not a big thing. We are demanding only just what we deserve and nothing more and nothing less. I am sure the Hon. Minister will give deep consideration to this question. With these words, Sir, I have great pleasure in seconding this resolution."

MR. SPEAKER:—"The motion is—

'This Assembly recommends to the Government to make provision for Muslim students to receive instruction in schools and colleges through the medium of Urdu, wherever they desire to do so.'"

Sri N. M. R. Subbaraman began his speech in Tamil.

BEGUM SULTAN MIR AMIRUDDIN:—"He seems to know English, Sir."

MR. SPEAKER:—"It may not be possible for him to speak in English fluently."

BEGUM SULTAN MIR AMIRUDDIN:—"During question time he speaks in English, Sir."

MR. SPEAKER:—"Yes; only sometimes. But whenever the hon. Member makes a speech, he speaks in Tamil alone."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"It is his right to speak in his mother tongue, Sir."

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BEGUM SULTAN MIR AMIRUDDIN:—"Then, I cannot understand it, Sir."

MR. SPEAKER:—"I am not responsible for it." (Laughter.)

*SRI N. M. R. SUBBARAMAN:—"கனம் அக்கிராசனாதிபதி அவர்களே, இப்பொழுது சபையில் கொண்டுவரப்பட்டிருக்கும் தீர்மானத்தை நான் எதிர்க்கிறேன். உருதுவின் மூலமாக கல்வி கற்பிக்க வேண்டுமென்று விரும்புகிற முஸ்லீம் மாணவர்களுக்கு பள்ளிக்கூடம், கல்லூரி இவைகளில் வசதி செய்து கொடுக்க வேண்டுமென்று தீர்மானம் வந்திருக்கிறது.

"முதலாவதாக முஸ்லீம்களில் எல்லோருக்குமே தாய்மொழி உருது என்று நினைக்கப்பட்டால் அது தவறு. முன்னால் பேசின ஸ்ரீ ரஜா கான் இதை ஒருவாறு திருத்தினார். சென்னை மாகாணத்தில் நாலு பாஷைகள் பேசக் கூடியவர்களும் உண்டு. தமிழ், மலையாளம், தெலுங்கு, கன்னடம். தமிழ் நாடு, மலையாளம்—இப்பிராந்தியங்கள் பொருத்த மட்டும் பெரும் பாண்மையான முஸ்லீம்களுக்கு தாய்மொழி உருது இல்லவே இல்லை. மற்ற இடங்களிலும் அப்படியேதான். மதுரை நகரம், திண்டுக்கல் டவுன் இந்த இரண்டு ஊர்களில் தவிர, மதுரை ஜில்லாவில் மற்ற ஊர்களிலெல்லாம் மிகப் பெரும்பான்மையோர் உருதுவே பேசுவது இல்லை. தமிழ்நாட்டே தாய் மொழியாகக் கொண்டிருக்கிறார்கள். மலையாளத்தில் தாய்மொழி மலையாளமாகவும் தென் கன்னடத்தில் வேறு ஒரு மொழியாகவு் பெரும் பாலோருக்கும் இருக்கின்றன. உருது இல்லவே இல்லை. வேறு பாஷையாகத் தானிருக்கிறது. ஆனால் எங்கு தெலுங்கு நாட்டைப் பற்றி அதிகம் தெரியாது. அங்கும் அதிகமான பேர்களுக்கு உருது தாய்மொழியாக இல்லை என்று சொல்லப்படுகிறது. ஆகையால் முஸ்லீம்கள் தங்கள் மாணவர்களுக்கு உருது மூலமாக பாடம் புகட்டவேண்டுமென்று கேட்பது ஒரு விதத்திலும் நியாயம் இல்லை. ஆனால் தாய்மொழி மூலம் கல்வி புகட்டவேண்டும் என்பதில் ஒரு தத்துவம் இருக்கிறது. கல்வியில் நிபுணர்கள் அனைவரும் இதை ஒப்புக்கொண்டிருக்கிறார்கள். அதனால் உருது மூலம் கல்வி கற்பிக்கப்பட்டேண்டும் என்று கேட்பது நியாயம் இல்லை. பல பிரதேசங்களிலும் பெரும்பான்மையான முஸ்லீம்களுக்கு உருது தாய் மொழி இல்லாமல், அந்த அந்த பிரதேசத்து பாஷையே தாய் மொழியாக இருக்கிறது. ஆகையால் உருது மூலமாக கல்வி புகட்டவேண்டுமென்று கேட்பதானது கல்வி தத்துவத்திற்கு நேர் விரோதமானதாகும். கல்வி தத்துவத்தை மறந்துவிட்டு உருது மூலம் பாடம் புகட்டவேண்டுமென்று முஸ்லீம்கள் சொன்னால் அதை ஒருவரும் ஒப்புக்கொள்ளமாட்டார்கள். முஸ்லீம்களில் ஒருவாறு உருது பேசுகிறவர்களை எடுத்துக்கொண்டால் உருது பேசுகிறவர்கள்..

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information, Sir. I want to tell the hon. Member who was speaking just now that he has not understood the meaning of the resolution. The resolution asks for Urdu being made the medium of instruction to those people who have got Urdu as their mother tongue. It does not speak of the other Muslims who have Tamil, Malayalam, or Kannada as their mother tongue. Therefore, it is clear that wherever Muslims have got Urdu as their mother tongue, Urdu must be made the medium of instruction. Let there be no mistake about that, and let not the hon. Member spend much of his time labouring on this point. Only for this I wanted to intervene at this stage, Sir."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"May I point out, Sir, that the Hon. the Leader of the Opposition

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is not correct at all? The words in the resolution are wherever they desire to do so ' and not wherever the mother tongue is Urdu. The resolution will be interpreted only by its words."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I may also say, Sir, that when an hon. Member has got the right to interpret the words in the resolution in his own way, and when the hon. Mover of the resolution gives the meaning of the resolution, it must be accepted. Moreover, this is not new to this House that for months and months we have made it clear that Urdu must be made the medium of instruction only to those who have Urdu as their mother tongue."

MR. SPEAKER:—"I shall allow the hon. the Leader of the Opposition to speak when his turn comes."

SRI A. KALESWARA RAO:—"On a point of order, Sir, Should they not bring in an amendment and make the words clear before they talk?"

MR. SPEAKER:—"This is only an information, and no point of order."

*SRI N. M. R. SUBBARAMAN:—"இந்த தீர்மானத்தை நன்றாகப் படித்ததான் நான் பேச ஆரம்பித்தேன். வேறு எந்த வியாக்கியானமும் அவசியம் இல்லை. வார்த்தைகள் எவ்வளவு தெளிவாக இருக்கவேண்டுமோ அவ்வளவு தெளிவாக இருக்கின்றன. முஸ்லீம் மாணவர்கள் எங்கே உருது மூலம் படிக்க விரும்புகிறார்களோ அங்கே அதற்கு வசதிசெய்து கொடுக்கவேண்டுமென்றிருக்கிறது. தாய் மொழியைப்பற்றி எந்த இடத்திலும் சொல்லவே இல்லை. ஆகையால் இதைப் பற்றி இன்னும் அதிகம் பேசவேண்டாம் என்று நினைக்கிறேன்.

"உருது தாய்மொழியாக இருக்கக்கூடியவர்கள் பல ஊர்களில் ஒரு சிறு அளவு இருக்கிறார்கள். இருந்தாலும் இவ்விடங்களில் எல்லாவற்றிலும் உருது மூலமாக கல்வி போதிக்க முடியுமா என்ற விஷயத்தை நன்கு யோசித்துப்பார்க்கவேண்டும். ஒரு ஊரில் நூற்றுக்கு இரண்டு பேர் மூன்று பேர்கள் உருது தாய்மொழியாகக் கொண்டிருந்தால் அந்த இருவர் மூவருக்காக ஆரம்பத்திலிருந்து கடைசிவரைக்கும் தனிப் பள்ளிக்கூடம் அல்லது வகுப்பு வைத்து படிப்பு சொல்லிக்கொடுப்பது என்பது முடியுமா என்றும், அதில் எவ்வளவு சிரமம் இருக்கிறது என்றும் யோசிக்கவேண்டும். அதனால் எவ்வளவு பொருள் சிலவு உண்டாகும்! அதோடுமட்டும் அல்ல. இவ்விதமாக நூற்றுக்கு இரண்டு பேர் மூன்று பேர்களுக்காக அவர்கள் தாய்மொழியில் கல்வி போதிக்க ஆரம்பித்தால் அதற்கு முடிவே இருக்காது. முஸ்லீம் நண்பர்கள் தங்களுடைய முஸ்லீம் சமூகம் மட்டும் சம்பந்தப்படுவதாக நினைக்கிறார்கள். முஸ்லீம்கள் அல்லாதவர்கள் அநேக பாகங்களில் பல பேர்கள் பல பாஷைகள் பேசுவருகிறார்கள். தெலுங்கிலும், கன்னடத்திலும், மலையாளத்திலும், வடமொழிகளாகிய ஹிந்தி, குஜராத்தி, மகாராஷ்டிரத்திலும் பேசுவருகிறார்கள். 2%, 3% உருது பேசக்கூடிய முஸ்லீம்களுக்கு நாம் தனியாக கல்வி போதிக்கவேண்டுமென்று ஏற்பாடு செய்தால், அவர்களைவிட அதிகமாக உள்ள 5%, 10% உள்ள தெலுங்கர்கள் களுக்கும், கன்னடர்களுக்கும், மலையாளத்தார்களுக்கும், வடமொழிகள் பேசுபவர்களுக்கும் இவ்விதமாக தனித்தனியாக ஒரு ஏற்பாடு செய்ய வேண்டியதாக இருக்கும். இது எந்த சர்க்காராலும் செய்யமுடியாத காரியம். ஆகையால் தாய் பாஷையில் பாடங்களை கற்றுக்கொடுக்கவேண்டுமென்று விரும்பினால் அவர்களே தனியாக பள்ளிக்கூடங்களை வைத்து நடத்தலாம். அதற்கு சர்க்கார் இடஞ்சல் செய்யாது என்று நினைக்கிறேன்.

[Sri N. M. R. Subbaraman] [16th October 1947]

ஆகையால் அவரவர்கள் தாய் பாலையில் பாடம் போதிக்கவேண்டுமென்று சொல்வது அவ்வளவு சரியல்ல. அதற்கு அவர்கள் தனித்தனியாகவே ஏற்பாடு செய்துகொள்ளவேண்டும்.

“தவிர பீகம் அமிர்யுதின் அவர்கள் ஒரு யோசனை கூறினார்கள். அது மிகவும் நல்ல யோசனைதான். அவர் ஐக்கியம் உண்டாகவேண்டுமென்று வற்புறுத்தி பேசினார். இதை எல்லோரும் போற்றக்கூடியதுதான். இதையே தான் காங்கிரஸ்காரர்களும் பேசிவந்திருக்கிறார்கள். ஆனால் முஸ்லீம் லீக் நண்பர்கள் அவ்விதமான ஐக்கிய உணர்ச்சி வளரும்படி ஒரு வார்த்தைகூட பேசவில்லை என்பதுதான் எங்களுடைய குறை. ஹிந்துக்களுக்கும் முஸ்லீம் களுக்கும் சம்பந்தம் இல்லவே இல்லை என்றார்கள். அவர்கள் வேறு தேசிய இனம் இவர்கள் வேறு தேசிய இனம் என்று பேசிக்கொண்டு வந்திருக்கிறார்கள். ஆனால் காங்கிரஸ்காரர்கள் நாம் எல்லோரும் ஒன்றுதான் என்று கூறிவந்திருக்கிறார்கள். முஸ்லீம் லீக்கர்கள் இருவருக்கும் உள்ள சம்பந்தத்தைப்பற்றி பேசிவருவது என்னவென்றால் இவர்களுக்கு இரண்டு கண் இருந்தால் அவர்களுக்கும் இரண்டு கண்கள் இருக்கின்றன. இவர்களுக்கு இரண்டு கால்கள் இருந்தால் அவர்களுக்கும் இரண்டு கால்கள் இருக்கின்றன. இவர்களுக்கு ஒரு மூக்கு இருந்தால் அவர்களுக்கும் ஒரு மூக்கு இருக்கிறது. இவைகளைத்தவிர வேறு ஒரு சம்பந்தமும் இல்லை என்று பிரசாரம் செய்து வந்ததால்தான் இப்பொழுது விரோதமான மனப்பான்மை ஏற்பட்டிருக்கிறது. இவ்விதமாக முஸ்லீம்கள் ஒருவிதமான வெறுப்பு உணர்ச்சியை உண்டாக்கிவந்திருக்கிறார்கள். ஆனால் காங்கிரஸ்காரர்கள் எப்பொழுதும் ஐக்கியத்திற்கே பாடுபட்டுவந்திருக்கிறார்கள். எந்த மதமும் எந்த பாலையும் எதுவும் நம்மைப் பிரிக்கவே பிரிக்காது என்றும் எல்லோரும் ஒற்றுமையாக இருக்கவேண்டும் என்றும் ஒற்றுமையை வளர்க்கவேண்டுமென்றும் காங்கிரஸ்காரர்கள் சொல்லிக்கொண்டுவந்திருக்கிறார்கள்.

“எந்த முறையில் ஒற்றுமையை வளர்க்கவேண்டுமோ அந்த முறையில் பள்ளிக்கூடங்களை நடத்தவேண்டும் என்பதே எங்களுடைய நோக்கம். ஆகையால் முஸ்லீம்களுக்கென்று தனிப் பள்ளிக்கூடங்கள் கூடாது என்று சொல்லிவருகிறோம். இருவருக்கும் ஒரே பள்ளிக்கூடமாக இருந்தால் சிறு குழந்தைகள் முதற்கொண்டு ஒரு ஜாதியோடு இன்னொரு ஜாதி கலந்து ஒருவரை ஒருவர் நன்கு அறிந்துகொள்ளக்கூடிய நிலைமை ஏற்படுகிறது. ஒன்றாகப் பழகி ஒன்றாகப் படித்துவந்தால் வேற்றுமை குறைந்து ஒற்றுமை வளர்ந்து அந்நியோன்னியம் பரவுவதற்கு மிகவும் உதவியாக இருக்கும். கல்வியை தனித்தனியாக புகட்டுவதால் ஒருவிதமான குறையும் வராது என்று முஸ்லீம் நண்பர்கள் நினைக்கலாம். ஆனால் அந்த மாதிரி நடந்தால் என்ன குறைகள் ஏற்படும் என்பதை இந்நாளில் புதிதாக ஒருவர் எடுத்துக் கூறவேண்டியதவசியமில்லை. ஒற்றுமை உணர்ச்சி பரவவேண்டுமென்றால், தனிப் பள்ளிக்கூடம் இல்லாமல் ஒன்றாக இருந்து சிறு குழந்தைகள் முதற்கொண்டே படித்துப் பழகிவரவேண்டும்.

“ஆகையால் இந்த தீர்மானத்தை நான் எதிர்க்கிறேன்.”

3-15 SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB
p.m. BAHADUR:—“Mr. Speaker, Sir, shall I speak in Urdu.”

MR. SPEAKER:—“The hon. Member can speak in Urdu if he wants; but I will advise him to speak in English; but if he wants to speak in Urdu I shall allow him.”

SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR:—“So if I speak in Urdu now, I will have to speak in Urdu alone hereafter.”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—“It will help me if he speaks in Urdu; for I need not take the trouble of replying him.”

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“That is rather unfair.”

* SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR:—“Of course I can speak in Urdu, but who is there to hear me. (Laughter.) So I shall speak in English.

“Sir, after all this is a small subject; but it has become a very controversial one. Now it is an admitted fact and it was accepted on a former occasion by Hon. Dr. Subbaraman that this province is a multi-lingual area. (At this stage the Deputy Speaker occupied the Chair.)

“Now the only difficulty is whether to have Tamil or Urdu as the medium of instruction for Muslim boys. If we dive deep into the subject, we will find that both of us do not differ much. The Hon. Minister wants to have Tamil as the medium of instruction. Unfortunately the Hon. Minister has misunderstood some of our Muslim members' speech. We do not want Urdu as the medium of instruction in all schools in Madura, Trichinopoly and elsewhere. We want Urdu to be the medium of instruction in some of the schools in Madura district and in Telugu districts where the mother-tongue of the majority of Muslim boys is Urdu. If in a certain number of schools the majority of Muslim boys happen to have Urdu as their mother-tongue, in such schools we should have Urdu as the medium of instruction. So the only thing that is required from the Government is a sympathetic consideration of our reasonable demand. Of course even God can be convinced by men. We can convince people who do not understand, but it is impossible to convince those who refuse to be convinced. That is the only thing I want to bring to the notice of the Hon. Minister now. Now, Sir (laughter). I am only addressing the Minister. Even on the last occasion, Madam, you allowed me to address you as 'Sir'.”

THE DEPUTY SPEAKER:—“You can address me as 'Madam' or 'Sir'; I will allow you that; but you cannot address the Minister direct.”

* SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR:—“Now, Sir (laughter). I have got the permission of the Chair, so let there be no laughter. Madam, you will see when a party is in a majority what all it does cannot be right. But its actions should be judged by others, the minority. Though we, the minority, may be defeated, at times, our defeat may be an honourable defeat. Success or defeat is not the only criterion. You and I are here to satisfy our conscience and our electorate. Now every action of ours should stand to commonsense logic and reason. Suppose you teach your boys in Latin and Greek, what is the use? Likewise, should you not see this question in that light? You come forward with the high-sounding philosophy that language is one of the fundamental means of attaining unity. Sir, as I said, I have got the permission of the Chair to address her as I like. Now, Madam, in Switzerland, as national

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language, they are having more than eight languages. In Bengal, they have Bengali and Urdu. Yet is there not unity there? In the Punjab, you have Punjabee and Urdu; is there not unity there? I submit, whatever you do should stand to reason and commonsense. The theory of one language cannot stand scrutiny. Why were the Vedas written in Sanskrit. How is it the Avesta and Zendavesta is in the Persian language? How is it the Koran is in Arabic? Allah has said in Koran that it is written in Arabic so that the people of Arabia may understand it. Likewise, Sir, the great saints and prophets wrote for their people. Similarly the great poet, Tagore, wrote his poems and dramas in Bengali so that his people may understand them. Similarly poet Bharathi wrote his songs in Tamil, as he lived among Tamilians. Thus they all wrote for the people living in their place in the languages which were their mother-tongues.

3-30 p.m. "We are the best judges to say whether we want Urdu as a medium of instruction for our children. You cannot say that our students should be instructed only in Tamil. We are the best authority to decide this question. To say that all the Muslims in Tamilnad talk Tamil and that all the Muslims in the Andhra talk Telugu is far from facts. The hon. Member, Mr. Subbaraman, knows that in Madura town we have got twelve Muslim schools where the medium of instruction is Urdu. And in Trichinopoly also, though I do not know the exact number, the medium of instruction for Muslim boys is Urdu. I know nothing about the Telugu districts. When such is the case, when our children could understand only when education is imparted through the medium of Urdu, should we not have Urdu as the medium of instruction? In such a case you should not stand in the way."

* SRI N. M. R. SUBBARAMAN:—"On a point of information, Madam. The hon. Member stated that in Madura in twelve schools, the medium of instruction is in Urdu. Are they elementary schools or high schools, may I know?"

* SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR:—"Certainly they are elementary schools. We can only start with the elementary schools and proceed to the high schools and colleges. (Laughter.) When we are not in a position to have one pie, how can we aspire for Rs. 1,000?"

SRI N. M. R. SUBBARAMAN:—"One more point of information, Madam. Is it not a fact that Tamil is the mother-tongue of the majority of Muslims in Madura?"

THE DEPUTY SPEAKER:—"The hon. Member cannot go on putting questions. He will have to come to his conclusions after listening to the speech as a whole."

SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR:—"I want notice, Madam."

"Finally I should like to submit that every day the 'Thanthi' paper is saying that the Muslims are fifth columnists when we are sincere subjects of the Indian Union. When you call

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an honest man a thief every day, he will become a thief and if you call everyday a thief, an honest man, he will become an honest man. When we are sincere, when we are loyal subjects of the Indian Dominion, the 'Thanthi' paper has chosen to dub us as Fifth columnists. In every sense we are loyal subjects of the Indian Dominion and we have declared it and our leaders have declared it. If you want to have a healthy body, you must have healthy limbs. Therefore take us along with you. Do not try to amputate. If we are backward as the subject of the State of the Indian Dominion, the Indian Dominion will become weak. You develop and also allow us to develop. That is my request.

"Finally, I should like to say that this is a matter which is concerned with the education of the Muslim boys. We are unanimously of the opinion that Urdu alone will be the proper language as a medium of instruction in those places where Urdu happens to be the mother-tongue of our boys and in such schools where the majority of the Muslim boys happen to have Urdu as their mother-tongue. So, I request that this question must be sympathetically considered. With these words, Madam, I support the resolution."

* SRI N. S. VARADACHARI:—"Madam Deputy Speaker, I heard with great interest, Madam, the speeches made on this very interesting subject by the hon. Members sitting opposite. As I said on another occasion, I have a serious outlook on matters like this. Even when I am not minded seriously, I take the proceedings of this House seriously and I also take that the hon. Members opposite are very earnest in their pleadings for the cause which they have taken up. We must show all consideration to minorities in our country. (Hear, hear, from the Muslim League benches.) We are one people. But we have to reckon with the fact that we have minorities living amidst us who need special treatment. Let them rest assured that all their reasonable claims will be conceded and more especially claims in respect of education. We have had so much confusion in the past on educational policies that we have got to revise the whole of it afresh and I plead with the Hon. Minister to take things at one glance and reform the entire educational system of the country in order that we may make progress towards the end which we all of us so much desire, that we become in our heart of hearts one people and one nation. The limit of concessions will only be when such concessions begin to perpetuate the unfortunate idea of separation and separate nationhood. Short of that all concessions must be given. In fact large sums of money earmarked for the purpose should be set apart for education of backward communities. If the Muslims admit that they are backward and I know many of them are hopelessly backward in education, they need all the assistance we would like to give from this side of the House. I am not opposed to any concessions being made to them in respect of education and all that means."

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" But let me draw the attention of the hon. Members opposite to another aspect of the matter. The medium of education is one thing and the substance of education quite another. It is unfortunate, no doubt, that we have all received our education in a totally foreign tongue and if our education has suffered in any degree, it is primarily due to this cause. But you cannot say that regional languages are foreign languages. You must also be aware of the fact that we may not be sitting as a composite Province in this Legislature all the time. We have to look ahead to the future. We may have separate Provinces based on languages, not because language is the symbol of our unity—I do not admit that proposition for one moment—but because unity may be helped to some extent by the adoption of one common language for any people living within a geographical limit.

" Now there is not much difficulty—Madam, I should have used the words 'there is not much hardship'—in the case of the Muslim boys, even in the Andhra Desa learning his ordinary lessons in the regional language. I do not say that he should give up Urdu or that we should put wrong ideas into his head that Urdu is a foreign language which he may not touch or study. That is not the object of anybody on this side. The idea is that if our Courts, if our Government, if the whole of the administration from the village official right up to the Collector are to be conducted in the language of the Province the best thing would be for education to be imparted in the language of that area. If we once begin to make distinctions even for small numbers and instil the idea of separate schools based on separate language media then arises the demand for separate teachers, separate hostels and separation in every thing that we believe is bad. I object to the whole policy of separate schools, separate teachers, separate mentality and separate nationhood. That is to go and I know it won't go very quickly. I am not a vain optimist who looks forward to its disappearing overnight but when we meet together again and again and thrash out subjects not only on the floor of this House but before the public we shall be able one day to show that we have got rid of this pernicious doctrine of separate nationhood.

" Madam, the first thing is that the child should learn that it is living not only in a free country but in a united country. It is most important for the child. Mr. Raza Khan made a very fine speech. I like him for one thing. He says things bluntly and he says things in an understandable manner. But I must respectfully tell him that we are not out here to wage war on Urdu or any such thing. Urdu will occupy an honoured place in the curriculum if boys want to learn Urdu. They will learn it even as they learn Sanskrit, not as an optional, but as a language in which to specialise. Let us grant scholarships. Let us encourage research work in Urdu and all that. Unfortunately he referred to Gandhiji's statement which has appeared this morning in the papers. Let me dwell on it for a few minutes. Gandhiji

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says: We should all talk one language if possible. In Northern India, a message goes easily home because they all talk in day-to-day practice one language call it what you will, Hindustani or Urdu or Hindi. But it is written in two scripts, Devanagari and Urdu. He says: Why should you not make the scripts optional for both people. Hindus may use Urdu if they like. Muslims may use Devanagari if they like. But if Muslims want to use the Urdu script why do you object? I agree, Sir. Let me add my own little experience. In jail I tried to learn Urdu script at the age of 45 which is a very difficult thing to do. It is a beautiful script. It is like shorthand. It saves a lot of space but it is a very complicated script for an aged man, for a middle-aged man like me. It may be an easy script to learn for boys. I am glad to inform you that in a school run in jail more than 100 boys, all non-Muslims, learnt the Urdu script and then when they went out on parole, they made it a point to write letters to the Munshi in the jail in the Urdu script which they learnt in jail from him. As I said there is no question of shunning any language. We are all civilised people. A country which gave domicile to all the nations of the world and to all religions cannot be accused of intolerance in this matter. Let us develop the language by all means. Let us also encourage the use of the script wherever it can be encouraged in private schools and even in Universities, but let us bear in mind one governing factor that all education must aim at uniting the people and with that aim solely in view, the best thing to-day would be not to teach any people in a foreign language—English or some other language—which is totally foreign either to the people inhabiting the region or the country as a whole. Let us educate ourselves in the language of the people amongst whom we live. If we go to the bazaar, or the shandy or to the college or if we reside in the remotest villages of the area, let it be recognised that our education is the same. There is no Tamil mathematics as such; there is no Urdu mathematics as such. Ten plus ten is twenty whether it is taught in Urdu or in any other language. The substance of education is the same. The utmost need of the hour is education and more education. (M. Muhammad Ismail Sahib Bahadur: Then why not in English?) I have told you that you can study your language, you can ask for special facilities to learn particular languages as part of the curriculum. More than that you cannot ask. Let there be no statement about the neglect of minorities. All that I wish to say, Sir, is that the obligation cast on the majority—they have only obligations, mind you—is to protect the rights of minorities. Please underline the word 'rights'. Minorities will never be forgotten by this country. India Zindabad!"

* SRI K. ANANDAN NAMBIYAR:—" Sir, I rise to support the resolution moved by hon. Friend Begum Sultan Mir Amiruddin. The purpose with which I do so is this. I find in this House two camps, one camp belonging to the minority says that the majority are oppressing them and the majority say that they are not oppressing them and that they give them what

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they are entitled to. I find that these two run on parallel lines with no chance of ever meeting. There must be a place where these two must meet, more so now because there is the greatest danger of the communal strife in Northern India spreading to other parts of India also. (Kumararaja Sir Muthiah Chettiyar of Chettinad: 'Like railway lines.') The Kumararaja need not worry about it. There must be an understanding between the majority and the minority if communal strife is to end and never to take place again in this country. The plea of the minority is that those Muslims who speak Urdu at home should be permitted to have their studies in schools in Urdu. The resolution as it is moved is a bit ambiguous and I hope the mover of the resolution will certainly make it clear. But that is no reason why the entire spirit of the resolution should be fought against. We will take the resolution as explained by the mover into consideration. We feel that if after August 15th, the Muslims in this part of India feel that they are neglected, they should not be allowed to do so. We should give the Muslims even more than they are entitled to. So I would request the Hon. Minister to tell them: 'If till yesterday you have been speaking or learning through Urdu in your school, you will be allowed to continue that'. I do not mean to say that in Malabar where the Mappillas are not speaking Urdu it should be thrust on them, or where in Tamil Nad or Andhra Desa Muslims are not speaking Urdu, it should be thrust on them. But wherever Muslims feel that this is their right and they claim it as their right, give it to them in the interest of communal unity. Minorities must be given encouragement especially when they are not asking for more seats and more money. They only say: 'Allow us to learn our language and develop our culture'. Culture must be encouraged. The culture of Muslims must be encouraged and the culture of Hindus must be encouraged. When we have more culture unity will come. In the interest of unity, I submit that the Hon. Minister should take a serious notice of this question and see that Muslim members are not made to feel that they are deprived of a right or that they are disrespected in this respect. Now to-day they say that they are one and that they would live as loyal subjects of this Dominion which is their homeland. Their feeling also has been expressed in every practical way. I have seen the Indian Dominion flag flying on many Muslim League offices. They are not creating communal strife. They are creating unity in the Madras Province. We must help them and remove any fear they may have in their minds. If in any particular thing they ask for more than they are entitled to, we must be prepared to give them. That must be the policy of the majority, the Hindus, the Congress party now in power. That is why I support this resolution and I request the Hon. Minister for Education to consider the matter from this point of view and not from a party point or political point."

* N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Madam, we are now passing through very delicate times of transition and

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it is very unfortunate that certain developments in the north should have given cause for certain feelings and even such problems which must have been guaranteed statutorily in any constitution as part of the safeguards for minorities should now come in for discussion on the floor of the House. But I am sure, Madam, we are going to have very soon a turn for the better, a good and glorious future when the different communities are going to work hand in hand notwithstanding the antecedents we have experienced in the past. I want the Hon. Minister for Education and the hon. Members opposite to view matters in that perspective and visualise the problems in that context and see how best we can seek harmonious relations between the different elements in this dominion.

"Madam, language has come as the most important problem even for the division of our province. When such is the importance attached to language I wonder how it is that some hon. Members opposite have not realised how keen the Muslims must feel with regard to a language which they consider as their mother tongue in many parts of the province. Madam, the resolution which has been moved is so clear that it only seeks for the provision of Urdu as the medium of instruction in schools only in such areas where Muslims have it as their mother tongue. I do not see why any reasonable Government and any reasonable people should have any objection when a particular section of people claim it as their mother tongue. The language we learn in our cradle we have a natural right to claim and a birthright to claim as our mother tongue. We should not be denied that right. I am sure, Madam, that this country which would seek pride of place in the comity of civilised nations would very much in its own interest like to promote harmony and peace and would not try to interfere with the legitimate rights of minorities.

"Madam, let it not be for a moment misunderstood that Urdu is the language of the Muslims and Muslims alone. No doubt, in this province Urdu is spoken largely by the Muslims and it is viewed by most of them as their mother tongue. I do concede that in certain areas particularly in Tamil Nad and Malabar Urdu might not have spread as mother tongue of the Muslims, but there are large areas particularly in Andhra Desa where Muslims consider Urdu as their mother tongue. We have no antipathy or prejudice against the regional language. In fact we are happy that English is going. It must go. The sooner the better. But I would go a step further than the Hon. Minister for Education and plead that this English which is surviving as a relic of our slavery must die and die soon. I know too well its importance in matters of international relations, yet it should not be given priority over other languages of international importance like German or French or Arabic. I do not mean that we have a prejudice against the claims of the regional language. We are only asking for our birthright, our elementary right, our human right to be allowed to learn through a language which we have learnt in our cradle, a language which we carry through

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in our homes, a language in which we can express our ideas and culture as best as possible. I believe nobody can with reason interfere with this legitimate rights of minorities. When I say that this language is largely spoken here by the Muslims, it does not necessarily mean that it is the language of the Muslims alone. It might be so in the south. Even here in certain areas, there are people belonging to different communities who know and speak Urdu. Particularly I speak of the Ceded Districts. Madam, in the United Provinces, Urdu is the language of all the communities. The Prime Minister of the Indian Dominion Pandit Jawaharlal Nehru and his entire family take pride in expressing their thoughts in Urdu, a language which has been flourishing and which has given inspiration for millions and millions including me. The Kashmiri Pandits have got Urdu as their mother tongue. The President of the Urdu Anjuman of India happens to be Sir Tej Bahadur Sapru. We have got great poets, great authors, and great savants of literature in this language from among Hindus, Christians, Jains and Buddhists. Yet it has been mistaken in the south that it is the language of the Muslims alone. If that prejudice is still lurking in the mind of the Hon. Minister for Education, I would appeal to him to wipe out that prejudice and approach the problem afresh. It is very unfortunate that this problem

4 p.m. should have been approached from the standpoint of politicians. Let us confess that while politicians have a claim to represent the people, they should not arrogate unto themselves the claim to be authorities in matters of language and literature and interfere with even the legitimate rights of minorities. It is true, as my hon. Friend Mr. Subbaraman has said, that there are certain schools at Madura City where Urdu is the medium of instruction notwithstanding the fact that the Muslims in the district happen to claim Tamil as their mother tongue. We are not here asking for pressing down the unwilling throats of even Muslims a language which is not their mother tongue. That will be very unfair on our part. We are only asking this that in such areas of our province where the Muslims have been claiming by tradition and by genius Urdu as their mother tongue, let them be given this elementary right to receive instruction through their mother tongue.

“ Madam, here I would like to refer to the controversy to which reference was made by my hon. Friend Mr. Varadachariar, the controversy over the *lingua franca* of the future. We are happy, I think much more happy than many friends sitting opposite, that Hindustani—call it by any name Hindustani, Urdu or Hindi—is going to be the *lingua franca* of India. We know that the common vocabulary, the language which is spoken in the market-place, is very largely understood by the generality of the people and we would very much wish that that language becomes the *lingua franca* of India. But we do not feel happy when certain-powers-that-be are still agitating against the Persian script being given its rightful place on a par with the Devanagiri script. I should like to bring to your notice, Madam, that we

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have got mighty giants taking up our cause at the Centre. Gandhiji has been pleading for several months now, notwithstanding the fact that the Powers at the moment are running counter to his advice. It is true that when feelings are running high and when appeal is made not so much to the intellect as to the emotions, certain vested interests have been captivated by slogans which are ultimately going to be prejudicial to the interests of this Dominion. But Gandhiji, shrewd that he has been, has foreseen the repercussions of that tendency, and time and again he has been crying halt to the controversy that there must be propagation of only one script to the utter exclusion of the Urdu script. Let me tell you on the authority of those who possess secret knowledge of the powers—that-be that there is considerable controversy among the powers themselves. Pandit Jawaharlal Nehru, Maulana Abdul Kalam Azad who is in charge of the Education portfolio in the Indian Dominion, and ever so many others are already feeling pitted against this political capital that certain reactionaries are making at the Centre to propagate only one script. In the interests of your own party, in the interests of your own government, in the interests of the future of this Dominion, if you want to preserve peace and harmony in the province, if you want to enlist the consent and willing co-operation of the minorities, if you want to seek and sustain our goodwill, allow us this elementary right! I do not want that the hon. Mr. Varadachariar should stop with mere words, words and words! Times are gone when we can stop with words. We will judge you by your actions and achievements and not by mere slogans. You are not taking heed at the moment of the future which we particularly want India to witness. (Interruption.) I beseech you to hold your souls in patience for a moment and understand the problem. You are not dealing with the issue of a language or the sentiments of a people; you are dealing a deathblow to the future prospects of the Dominion if you are going to deny to the Muslims of our province their solemn birthright!

* SRI A. KALESWARA RAO:—“ Madam Deputy Speaker, a great lady has moved an important resolution. But I must give my opinion in a rational way. The resolution wants that the Government should make provision for imparting to Muslims boys and girls instruction in Urdu from the lowest standard to the highest class. ‘Schools and colleges’ those are the words used, not only elementary schools, not only high schools, but also colleges and research institutions. The funds of the State have to be utilized for establishing separate institutions for teaching in Urdu from the first standard to the Ph.D. class. That is the proposition before the House. Is it practical? Is it necessary? These are the questions that I have to put before the House without any prejudice. Now in the Indian Dominion, we are one nation under one flag. Hindus, Muslims, Christians, Anglo-Indians are all brethren. We must thank the Muslims of our province (Abdul Hameed Khan Sahib Bahadur: and also the Hindus) for having kept up harmony among the two communities.

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Of course, we Hindus also are as anxious as you are. This proposition has come in the old fashion. There was the fashion of division; there was the fashion of two-nation theory. Our angle of vision must change. The Muslims of our province are in a minority, a small minority I should say. Here I have got the figures for the Andhra districts. The Muslim population in Vizagapatam is less than 1 per cent, in East Godavari less than 2 per cent, in West Godavari 2.1 per cent, in Kistna 5 per cent, in Guntur 8 per cent and in Nellore 7 per cent. It is only in the Ceded districts that their population strength is between 10 to 15 per cent. The Muslims concede that there is no necessity for having separate schools for teaching in Urdu in Tamilnad, Kerala and Karnataka, because that their mother tongue is admittedly the regional language. I also admit that in Andhra the Muslims talk Urdu and that that is their mother tongue. They know Telugu also but that is a different matter. I can understand the minorities expecting the Government to give facilities for teaching primary education in their mother-tongue. In the Madras Province, Muslims will be about 40 lakhs or 50 lakhs at the most. The Telugus in Tamilnad are also 40 lakhs. Whatever I expect for the Telugus in Tamilnad, I am prepared to concede to the Muslims. I do not expect that separate high schools and colleges should be opened for the Telugu-speaking people in Tamilnad. That is not a reasonable request. At the most I expect that the Andhras, who have settled in the Tamil districts, may be given instruction in Telugu in the primary stage, so that they may not forget their mother tongue. I cannot expect the Government to do more. In the new curriculum the Congress Ministry is going to make Hindustani compulsory not only for the Muslims but also for the Hindus. Every boy of the future generation will have to learn Hindustani as a compulsory second language. That is a great gain to the Muslims as a whole. English will be replaced by Hindustani on a large scale. We call it Hindustani, but we do not want to quarrel over the script. We follow the advice of Mahatma Gandhi that Hindustani will be in two scripts. I learnt Urdu in jail. I know the Urdu script better than the Hindi script. Very often I write letters to Mahatma Gandhi in Urdu and I get the reply also in Urdu. Therefore I prefer that the Andhra Hindus, particularly those living near the Nizam's State, should learn the Urdu script. I do not see why my Muslim friends are disturbed over the future. They need not be anxious about the future. Hindustani will be made compulsory from the lowest to the M.A. or Ph.D. class. I am talking as a member of the Andhra University Syndicate. India is going to be divided into linguistic provinces. Within one year Madras will be divided into Tamilnad, Andhradesa and Kerala, and not into a Urdu province. The language of the province will be the medium of instruction from the lowest to the highest standard. That will be the language of the administration also from the karnam's *duftar* to the High Court and the Government Secretariat. Telugu will be the language in Andhra Province and Tamil in

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the Tamil province. Therefore I do not see how the recommendation in the resolution is a practical proposition. You want Urdu to be the medium of instruction. Mathematics, physics, chemistry everything should be taught in Urdu. You are not satisfied with Urdu being a second language so that you may not forget your mother tongue. That is reasonable and the Government are going to make it without your asking. In the village schools and the district board schools, there are not many Muslims. The Muslims are congregated only in towns. How can there be separate schools teaching science, mathematics, history and every other subject in Urdu, I ask. Now after the separation of Pakistan and India, when we are one under the Indian Dominion, this request is quite unreasonable. What shall we do with Anglo-Indians? They will say that English is their mother tongue and ask that that language should be the medium for teaching them mathematics, science, history, philosophy, technical education, etc. So we shall have to continue the foreign language as the medium. Is it reasonable? There must be some rationale in the demand. It is not practical that the State funds should be spent on two sets of universities, two sets of colleges, and two sets of schools everywhere. If the Muslims get a Urdu province, then it will be a different matter. In the Indian Dominion, they are dispersed in various places. As I said, India is going to be divided into linguistic provinces. Only the provincial language can be the medium of instruction leave aside the regional language hereafter. The medium of administration must be in the Provincial language.

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"Therefore, Madam, this question of the medium of instruction through Urdu for Muslim boys is not practical and it is not a question of the minority rights at all. But if certain special facilities are demanded by Muslims for developing Muslim culture in Urdu, or if Islam is to be taught separately in certain institutions, as for instance the starting of a Telugu Academy in Trichinopoly, or an Andhra Encyclopedia somewhere in the Andhra districts, perhaps the Hon. Minister for Education will be glad to open such institutions and develop them. But to make Urdu as the medium of instruction in every school and college and to run parallel institutions for the Muslims in Urdu is too much to demand and I therefore oppose this resolution."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Madam, Deputy Speaker, I wish to support this resolution and in doing so, I wish to say this at the outset, that whenever we discuss the question of the rights of minorities not only in this province, but also in the Union of India, we do so, after the 15th August, on a different level from what we did before that date. The Hon. the Minister for Education is a learned gentleman. He is a nationalist and he wishes to do his best for evolving an educational policy which will be responsible for creating unity in this Province and bringing about a national outlook among the children of to-day

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who will be citizens of tomorrow. We entirely agree; and it is our endeavour to try to inculcate in the minds of the children and of the youth to-day that spirit of nationalism and service to the mother country. We are in no whit less anxious than the Hon. Minister nor any other members sitting opposite in this direction. While we do so, we wish to make it clear that there can be no two opinions as regards the question of the mother tongue of a people. My hon. friend Mr. Kaleswara Rao took a lot of pains to collect statistics of the Muslim population in the various districts in the Province, particularly in the Andhra districts. It is true that in some of the districts the percentage of population is very small and in some others, it is not large. But at the same time, I am sure he will be rational enough, as he started his speech with that claim, to admit that you cannot be any artificial means change the mother tongue of one individual or one community. You can do so only in two ways. One of them is to compel people to learn a language even from the cradle—if a child can speak—which is not the language of the mother. The mother tongue is the language of the mother and also of the child. The mother is there and the child which can learn only the language of the mother is lying in the cradle or on the lap of the mother. It is impossible for you to think of the child without the mother. You cannot separate the child by any means from the mother nor can you teach the child any other language except that of the mother. It is too late in the day for you to tell us that the mother tongue and the regional language are one and the same thing. The other way is to take away the boys from their homes and put them in a concentration camp and educate them in a language which is not the language of their mother. Are you going to adopt such methods? Are you going to say here and now, 'Children speaking their mother tongue in Urdu will not be given education in that language. They will have to learn through the medium of the regional language.' Will that be a reasonable order? Will that order be accepted by the great leader Gandhiji? I do not think that any Congress leader or any honourable gentleman however anxious he is to nationalise this country will agree to such a regimental method of unifying the nation, destroying everything that makes any difference between one thing and another, or between one individual and another. It is not by the iron hand, it is not by adopting such Hitlerian methods of regimentations that you can succeed in bringing about unity and amity among the people or a national outlook among them. It is not by these Hitlerian ways that you can achieve your great objective. You have to recognise the differences wherever they are. Only with those differences you will have to build up the country. It is not by overlooking the differences, it is not by avoiding the differences or by destroying them, that you can build up a unified country. Madam, I am glad when my friend Mr. N. S. Varadachari said 'You will learn Urdu; you will learn more Urdu.' That ought to be spirit in which we have to look at the question and I believe we have to go about our business with that spirit.

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"Madam, my hon. Friend Mr. Kaleswara Rao rightly referred to the remarkable harmony, understanding and social fellowship that have been prevailing among the various communities in this part of the country. It is certainly due to the understanding and goodwill on the part of both the communities, the Hindus and the Muslims that there is such a harmony to-day and that we are spared of all those unfortunate things that are blackening the fair name of our country in the north. It must be our endeavour to sustain that harmony, not only to sustain that harmony, but also to make it grow, to increase it, to redouble it, and if possible, to make it manifold in its strength. We can do so only by recognising our differences and understanding the different requirements of the different people. We in our youth allow our enthusiasm to surpass our reason. It is true that some of us, when we were young, had ambitions very different from what we have to-day. A nation cannot be built by undeveloped minds, but it can be built only by minds which have attained maturity and which are fully developed. We depend on those master brains to come and tackle these problems in the manner in which they have to be tackled and to solve them to the lasting benefit of all people and of all communities.

"Madam, my hon. Friend Mr. Kaleswara Rao—I cannot forget him, he is an old friend of mine—is one who has laboured hard for the country and has put in a very long time in the service of the country and has struggled hard for the achievement of her freedom. (Mr. Salam: He has not become a Minister yet!) That does not matter. It is not possible for everyone to become a Minister. Madam, in the course of his very reasonable speech, he referred to the fact that the Government of Madras is going to make Hindustani compulsory for all the students in this Presidency. He said that Hindustani will be taught to every child, boy and girl from the beginning, that is, from the lowest standard to the highest and that it is going to replace English. When the Government are proposing to teach Hindustani to everyone, there ought to be no difficulty whatsoever to find ways and means of at least having certain classes for pupils learning Urdu to the extent they require. That can be done only if you recognise that Urdu is their mother-tongue. Before I proceed further, I should like to refer to what Gandhiji said—and is reported in this morning's paper—with regard to what happened in the United Provinces. He has been saying so for a long time past, and he has said it to-day that Hindustani should be taught, written and learnt, not only through the medium of the Nagari dialects, but also through the Urdu script.

"I dare say the Hon. Minister for Education and the Government of Madras will make arrangements for teaching Hindustani in both the dialects. If you are going to make Urdu one of the compulsory dialects for Hindustani, it becomes necessary for you to have a large number of teachers who can teach Hindustani through the Urdu dialect. If you are going to prevent even the Urdu-speaking Mussalmans from learning through the medium of

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Urdu, how much effort can you honestly and sincerely make to teach Hindustani through the medium of Urdu to people other than Mussalmans? There ought not to be any difficulty whatsoever in making it possible for a large number of people to learn Hindustani or Urdu through the medium of the Urdu dialect. If you should have teachers who can teach in the elementary schools, in the high schools and in the colleges Hindustani in the Urdu dialect, after all you must have people who have learnt that language from the beginning. You cannot all of a sudden ask a Tamil-speaking Muslim or Hindu to come to the Intermediate or B.A. class and try to learn Hindustani either in the Nagari script or the Urdu script. You will have to learn that language from the very beginning in both these dialects. The Muslim must learn the Nagari dialect and the Hindu must learn to read and write in the Urdu dialect, if we are anxious to propagate the learning of Hindustani in both these dialects in obedience to the wishes of Gandhiji. There again, I say you cannot ignore the teaching and the learning of Urdu. I have said that a large number of Muslims in the Andhra districts claim that Urdu is their mother-tongue and that if you are going to introduce compulsory primary elementary education up to a certain standard, and you are not going to allow—and naturally you will not allow—any other agency to be responsible for the education of a certain section of the population at least up to the elementary standard of education and you are going to take the entire responsibility of educating the students of all classes in the State up to a certain standard, whether lower elementary standard or the higher elementary standard, if the State is going to spend the funds from its coffers, then it becomes your duty and your responsibility to impart education to the children of the various classes and communities in the province according to the mother-tongues of the child. I think I have graphically described the impossibility of compelling a child from his cradle to learn a language different from that of his mother. The resolution, worded as it is, speaks of making provision 'for Muslim students to receive instruction in schools and colleges through the medium of Urdu, wherever they desire to do so.' My Hon. Friend the Minister for Education might probably accept the resolution if it was worded somewhat differently, if it was confined to making Urdu the medium of instruction so far as elementary education is concerned or if the medium of instruction so far as high schools are concerned was Urdu or if the medium of instruction did not go beyond the high school stage. All these things can be examined and dealt with when we sit down to discuss the pros and cons of the various aspects of the question, when the Hon. Minister for Education and the members of this party sit together to try to devise ways and means of solving the problem. I submitted in the earlier stages of the discussion, that this is a very important question, a subject which vitally affected the life, culture and the future well-being of a certain class of people in this Province. For solving the problem and for achieving the object common to all of us, I believe if the Hon. Minister for Education, the Hon. Leader of the House and my Hon. Friend, the Minister for Finance

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prepared to have a heart-to-heart talk with some of us on this side of the House and thrash out this vital question threadbare and fully, I have no doubt in my mind that it will be possible for us to find a satisfactory solution to this question. A demand of this nature was made by the Hon. Minister for Education. He agreed or rather offered to the Leader of the Opposition that these questions could be settled and an amicable arrangement come to with amity and understanding on both sides. We have been trying to do so for some time now and I am sure it will not be long before we can find a solution for this problem. The Hon. Minister for Education is anxious and we are also anxious, that an understanding should be come to, not only on this question but on other major and vital questions also, there must be complete agreement between the Muslims and the Hindus living in this Province. For instance, there are questions of religion, the question of music before mosques, the question of education, the language, etc., and we are all anxious that we must come to complete understanding with perfect amity on these vital questions, so that hereafter there will be no opportunity for misunderstanding and no need for members sitting on this side to ask questions like 'How many schools have you opened for Muslims, how many appointments have you given to Muslims' and questions like that. We are all anxious to come to such an understanding—I am sure my Hon. Friend the Leader of the House also is anxious—in the interests of the welfare and well-being of the people of this Province. It is not our anxiety only; it is the anxiety of all the people of the Province that whatever differences there are to-day, should be settled very soon, in the interests of the future well-being of this great Province. Madam, you are aware that the question of minorities occupies to-day a very high place, not only in the Union of India but also in Pakistan. There is a move at a very high level to reach conclusions satisfactory to both the Dominions on the questions of the position, place, language, culture and other vital questions relating to minorities in both the Dominions. They are now being discussed and negotiated at high level and I am sure it will not be long before these questions are solved satisfactorily. Here in this Province also, these questions can be discussed and agreement come to on a high level, in a willing and heart-felt manner; because in this Province particularly, it will be the easiest thing to do. Because we Muslims understand our brothers the Hindus and the Hindu brothers understand us. Therefore we can easily come to an agreement here; and even before other questions are solved at high level between Hindustan and Pakistan—I am sorry, I stand corrected by my Hon. Friend the Home Minister—between the Indian Union and Pakistan, we in Madras can easily settle these questions much earlier."

SRI P. KANDASWAMI PILLAI:—"On a point of information, Madam. I would like to know whether the hon. Member is speaking about unity in this country or about the education in this country which is the subject-matter."

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THE DEPUTY SPEAKER:—"The hon. Member thinks that he can bring about unity by speaking about the common language."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I am thankful to the Hon. the Deputy Speaker for clarifying the position. My hon. Friend Mr. Kaleswara Rao knows more than I do with what vehemence and with what anxiety they view this language question. Some of my hon. Friends from the Andhra Desa rise up whenever the question of linguistic provinces comes up in this House. We want linguistic provinces because we love our respective languages. The Andhras love the Telugu language. They believe that they must have all the opportunities to cultivate their culture through their own mother-tongue. So, Telugu, the mother-tongue of my Andhra friends is so beloved to them and so also Tamil which is the language of the people here is so beloved to them. So, I submit that Urdu language which is the mother-tongue of a certain number of people in this Province is equally beloved to them, because they find their literature in that language and they find their culture in that language and what is more, they want to ask the Government to make Urdu the medium of instruction for them so that they can grow along with my friends the Telugus and the Tamils side by side, separately but as one people for all practical purposes. I therefore plead with my hon. Friends who have great regard and respect for their respective languages to give the same regard and respect for the languages of the other people also. I do not agree with what the Hon. the Minister for Education says, because when once this Province is divided on linguistic basis, Andhra Desa becoming separate with Telugu as its State language and Tamil Nad separate with Tamil becoming its State language, where will the Muslims be in this Province when the language of the State will be other than Urdu? My answer to this question, Madam, is this. We are oblivious to that hard fact. We fully realize our future position in these two linguistic provinces. We will have to learn the respective regional languages. The Telugu Muslims whose mother-tongue is Urdu will have to learn Telugu and similarly the Muslims in the Tamil Nad will have to learn Tamil if they want to exist and prosper in both these linguistic States. (Interruption). I must tell my Hon. Friend, the Leader of the House, that some of us will be in a very difficult position. For the matter of that, when once the regional language becomes the language of the Parliament or the language of this House, the Muslims will find it very difficult for them. We understand the entire aspect of the question and we know what to do and how to solve the problem. It is not as if that we do not want our children to learn either Tamil or Telugu. They will learn those languages but they cannot be de-nationalized and they ought not be de-nationalized for the sake of their bread.

"Madam, the argument that used to be advanced always against the English language holds even with regard to this matter. We were compelled to learn the English language, not for its

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own sake. Perhaps we learnt the English language because we thought there was culture in it, because we thought there was Shakespeare, Tennyson, Ruskin and so many other great authors. So, we learnt that language and that literature and we came to understand what is democracy. So, also we learnt so many other languages. The argument that has been advanced against the English language should hold good so far as the Urdu-speaking Muslims whose mother-tongue is Urdu are concerned to the same extent, if not more. So, I say that either Tamil or Telugu will be foreign to us whose mother-tongue is Urdu. We will learn Telugu and Tamil just as we learnt the English language for the sake of our bread. (At this stage the Speaker occupied the Chair.) We will learn those languages to the extent necessary to serve that purpose but we cannot be asked to de-nationalise ourselves and to forget that our mother-tongue is Urdu. We should not be compelled to learn a foreign language, foreign to the extent that it is a language which is not our mother-tongue. I do not want to classify Tamil and Telugu along with English. English occupies a different place altogether but inasmuch as it is a language which is not known to us, to that extent it is an alien language, a foreign language. So, I say the same argument will hold good to this aspect of the question. The Hon. the Minister for Education who has been thinking very seriously on this question has not yet made up his mind because he is seeing things differently. He can invite us to a social meeting where we can sit together and most conveniently and comfortably apply our minds to this vital question and solve it in a manner which will be acceptable to both him and to ourselves. It is a very serious matter which affects our future. It affects our culture and it affects our well-being. We do not want to be de-nationalised so far as our language and our culture are concerned. I am sure the Hon. the Education Minister who has got all sympathy for all the people in this Province will try his best to bring all the people to one point of unity. He must recognise—I dare say he will recognise—that differences are there and differences will be there but these differences will not be so serious as to keep us apart but are such as will bring us together and to a certain extent we will become one. I support the motion."

* M. S. ABDUL MAJID SAHIB BAHADUR:—"கனம் தலைவர் அவர்களே, நான் இந்த பிரேரணையை தமிழில் பேச கனம் தலைவர் அவர்கள் உத்தரவு கொடுத்ததைக் கண்டு மகிழ்கிறேன். தமிழகத்தில் பிறந்த நான், தமிழ் பாஷையை தாய் பாஷையாகக் கொண்ட நான், தமிழ் பாஷையை அபிவிருத்திசெய்ய ஆழ்ந்த அபிமானத்தைக்கொண்ட நான், தமிழில் பேச இவ்விடத்திற்கு வந்ததற்கு காரணம் உண்டு. ஏனென்றால் எனது தாய்பாஷையாக இருக்கும் தமிழை ஒவ்வொரு தமிழனும் ஆதரிக்க வேண்டுமென்று அழுத்திச்சொல்லவே இப்பொழுது நான் தமிழில் பேச முன்வந்தேன். நமது கனம் கல்வி மந்திரி அவர்கள் சென்றவரும் அண்ணாமலை யுனிவர்சிடிக் கழகத்தில் Convocation address-ஐ நமது அழகிய தாய்பாஷையாகிய தமிழிலேயே நிகழ்த்தினார். நான் அந்த யுனிவர்சிடிக் Senate மெம்பராக இருப்பதால் அச்சமயத்தில் நான் அங்கு சென்றிருந்தேன். அவர் செய்த Convocation address-ஐ நான் மிகவும் ஆழ்ந்து கவனித்தேன். ஒரு சமூகத்தினர், ஒரு

[M. S. Abdul Majid Sahib Bahadur] [16th October 1947]

நாட்டிலும், தங்களது கலையையும், தங்களது கலாசாரத்தையும் அபிவிருத்தி செய்யவேண்டுமென்றால் அந்தக் கலையையும், அந்தக் கலாசாரத்தையும் அந்த நாகரீகத்தையும் அவர்கள் தங்களது தாய்பாஷையில்தான் அபிவிருத்திசெய்ய முடியுமென்று அவர் தெரிவித்தார். அதை நான் மனப் பூர்வமாக ஆதரிக்கிறேன். அதை ஆதரிப்பதுடன் அவ்விதமான தன்மையையும் அவ்விதமான ஒரு நிலமையையும் அந்த நியாயத்தையும் எல்லா சமூகத்திலிருக்கும் எல்லா மக்களுக்கும் கொடுக்கவேண்டுமென்பதே ஒரு தமிழனின் விருப்பமாக இருக்கிறது. எனென்றால் ஒரு சமூகத்தினரின் கலை, கலாசாரம், நாகரீகம் வளரவேண்டுமாயின் அந்த சமூகத்தினரின் பாஷையில்தான் வளரமுடியும். தனக்கு ஒரு நியாயமும் மற்றவருக்கு ஒரு நியாயமும் என்று நினைப்பது தமிழனின் வழக்கமில்லை. தமிழன் அன்றும், இன்றும், என்றும் பரந்த நோக்கமும், உயரிய எண்ணமும், ஆழ்ந்த அறிவும் படைத்தவன். எவ்வித, பாகுபாடு மில்லாமல் அந்நியர்களை அன்புடன் வரவேற்று உபசரிப்பவன். அரேபியர்கள் வந்தார்கள், ரோமாபுரி மக்கள் வந்தார்கள், இன்னும் வடநாட்டினர் அநேகம் கோடி மக்கள் தமிழகத்திற்கு வந்தனர். அவர்களை அன்புடன் வரவேற்றது மல்லாமல் அவர்களுக்கு பாஷா சுதந்திரம், மற்றுமெல்லா சுதந்திரங்களையும் வழங்கினர்.

MR. SPEAKER:—"Just five minutes ago, some hon. Members expressed their wish that we might adjourn for the day. But after hearing the splendid speech of the hon. Member, Mr. Majid, I think the House is prepared to sit even till 6 o'clock."

(SOME HON. MEMBERS "no, no.")

The House then adjourned to meet again at 11 a.m. on Friday, the 17th October 1947.

IV.—PAPER LAID ON THE TABLE OF THE HOUSE.

Notification issued with G.O. No. 3682, Home, dated 27th September 1947, making certain amendments to the Madras Motor Vehicles Taxation Act, 1931, published with Home Department Notification No. 1193, dated 17th October 1941 and Notification No. 357, dated 29th March 1938, as subsequently amended.

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APPENDIX I.

[Vide answer to starred question No. 236 asked by Sri T. Viswanatham at the meeting of the Legislative Assembly held on the 16th October 1947, page 904 supra.]

Statement of newspapers suitable for Government advertisements.

Name of the newspaper.		Audited circulation figure.
<i>Madras City.</i>		
1. Mail	(D)	31,917
2. Hindu	(D)	61,867
3. Dinamani	(D)	62,456
4. Indian Express	(D)	46,149
5. Swadesmitran	(D)	34,215
6. Andhra Patrika	(D)	(Not available)
7. Sunday Times	(W)	Do.
8. Andhra Prabha	(D)	28,985
9. Ananda Vikatan	(W)	76,574
10. Hanuman	(W)	(Not available)
11. Hindustan	(W)	3,830
12. Tamil Mani	(W)	21,017
13. Liberator	(D)	6,849
14. Musalaman	(D)	3,500
15. Vinodhan	(M)	10,900
16. Vinodhini	(M)	12,181
17. Sunday Observer	(W)	(Not available)
18. Shakti	(M)	Do.
19. Kalki	(W)	50,392
20. Jadeed Dilchasp	(W)	(Not available)
21. Navajeevan	(W)	Do.
22. Indian Women's Civic Corps Journal.	(M)	Do.
23. Swatantra	(W)	5,100—5,300
24. Thyagi	(F)	2,500
25. Jai Bheem	(W)	(Not available)
26. Navodaya	(W)	1,470
27. Bharat Devi	(D)	(Not available)
28. Free Press	(D)	Do.
29. Dinasari	(D)	28,737

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Name of the newspaper.		Audited circulation figure.
<i>Madras City—cont.</i>		
30. Sunday Herald	(W)	2,132
31. New Times	(D)	4,951
32. Dhanka	(M)	(Not available)
33. Anandavani	(W)	3,929
34. Madras Commercial Review	(W)	(Not available)
35. Mathrubhumi	(W)	Do.
36. Tamil Murasu	(F)	4,000
37. Picture Post	(M)	3,000
38. Silpi ; Andhra Silpi	(M)	(Not available)
39. Prajabandhu	(W)	Do.
40. Jayakeralam	(W)	Do.
41. Indian Journalist	(M)	Do.
42. Surya Prabha	(M)	Do.
43. Commercial Progress	(W)	Do.
44. Chitrangi	(W)	Do.
45. Sirpi	(M)	Do.
<i>Anantapur district.</i>		
1. Sri Sadhana Patrika	(W)	650
<i>North Arcot district.</i>		
1. Thennadu	(W)	(Not available)
<i>Bellary district.</i>		
1. Nava Sandesh	(W)	(Not available)
<i>Chittoor district.</i>		
1. Royalaseema	(D)	(Not available)
<i>Coimbatore district.</i>		
1. Kudiyarasu	(W)	(Not available)
2. Kootturavu	(M)	Do.
3. The Coimbatore Times	(F)	Do.
<i>East Godavari district.</i>		
1. Sudharma	(W)	(Not available)
2. Praja Patrika	(W)	3,000
3. Telugu Prema Pracharak	(W)	750
4. Jai Bheem	(W)	(Not available)
5. Vennela	(W)	Do.
<i>West Godavari district.</i>		
1. Manjuvani	(W)	Do.

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Name of the newspaper.		Audited circulation figure.
<i>Guntur district.</i>		
1. Radical	(W)	(Not available)
2. Pakistan	(W)	2,500
<i>South Kanara district.</i>		
1. Swadeshabhimani	(W)	(Not available)
2. Rastrabhandu	(W)	Do.
3. Swatantrabharatha	(W)	Do.
4. Kanteerva	(B.W)	Do.
5. Human Affairs	(M)	Do.
<i>Kistna district.</i>		
1. Krishnapatrika	(W)	(Not available)
2. Desa Seva	(W)	Do.
3. Janmabhoomi	(D)	Do.
4. Prajasakthi	(D)	Do.
<i>Madura district.</i>		
1. Thanthi	(D)	19,650
<i>Malabar district.</i>		
1. Chandrika	(D)	6,648
2. Champion	(W)	(Not available)
3. Powrasakti	(D)	Do.
4. The Malabar Herald	(W)	Do.
5. Mahthru Bhumi	(D)	16,930
6. Harbinger	(W)	(Not available)
7. The Manorama	(B.W)	Do.
8. The Mitran	(M)	Do.
9. The West Coast Spectator	(B.W)	Do.
10. Janasakthi	(W)	Do.
11. The West Coast Reformer	(T.W)	Do.
<i>Nellore district.</i>		
1. Jamin Ryot	(W)	(Not available)
<i>Nilgiri district.</i>		
1. South of India Observer	(W)	(Not available)
<i>Ramnad district.</i>		
1. Kumaran	(W)	(Not available)
2. Chettinad	(W)	Do.
<i>Tanjore district.</i>		
1. Yatharthavaachani	(W)	(Not available)
2. Nava India	(W)	Do.
3. Catholican	(M)	Do.

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Name of the newspaper.		Audited circulation figure.
<i>Trichinopoly district.</i>		
1. Shivaji	(W)	(Not available)
2. City Herald (Nagara Thoo- than)	(W)	Do.
3. Dravidamani	(W)	Do.
4. Samarasam	(W)	Do.

<i>Vizagapatam district.</i>		
1. Visakha Patrika	(W)	(Not available)
<i>Note.—D. denotes Daily.</i>		
W.	..	Weekly.
B.W.	..	Bi-weekly.
T.W.	..	Tri-weekly.
F.	..	Fortnightly.
M.	..	Monthly.

APPENDIX II.

[Vide answer to starred question No. 247 asked by Sri M. P. Periyaswami (on behalf of Sri S. C. Balakrishnan) at the meeting of the Legislative Assembly held on the 16th October 1947, page 919 supra.]

Statement showing number of retail and wholesale licences issued to Harijans in each district to deal in mill cloth and handloom cloth.

Serial number and district.	Mill.		Handloom.		Total.	
	Whole-sale.	Retail.	Whole-sale.	Retail.	Whole-sale.	Retail.
1 South Arcot	..	2	..	1	..	3
2 Anantapur	..	19	..	..	..	19
3 Ramnad	..	1	..	2	..	3
4 Kistna	..	..	..	..	..	..
5 Tanjore	..	1	..	..	..	1
6 East Godavari	..	..	..	..	..	..
7 Madras	..	2	..	2	..	4
8 Malabar	..	..	..	..	..	..
9 Chingleput	..	..	..	..	..	..
10 Salem	..	95	1	39	1	134
11 Madras	..	6	..	6	..	12
12 Chittoor	..	..	..	..	..	..
13 Bellary	..	33	..	..	..	33
14 Vizagapatam	..	..	..	..	..	..
15 North Arcot	..	9	..	9	..	18
16 Tinnevely	..	..	10	89	10	89
17 Coimbatore	..	..	..	..	..	..
18 South Kanara	..	..	..	..	..	..
19 The Nilgiris	..	1	..	..	..	1
20 Trichinopoly	..	..	..	14	..	14
21 Cuddapah	..	..	..	..	..	..
22 Kurnool	..	..	..	..	..	..
23 West Godavari	..	1	..	..	..	1
24 Guntur	1	19	..	..	1	19
25 Nellore	..	3	..	3	..	6
Total	1	192	11	165	12	357

NOTE.—These figures represent the actual licensees now in the trade. Under the scheme of overhauling of licences approved by the Government in G.O. No. 4653, Development, dated 19th December 1946, more Harijans will be licensed as dealers in mill cloth and also in yarn. When this scheme is fully implemented in all districts, the total number of Harijan licensees may increase well above 500.

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APPENDIX III.

[Vide answer to starred question No. 248 asked by Sri A. Vedaratnam Pillai (on behalf of Sri V. S. Sankarabrahmanya Mudaliyar) at the meeting of the Legislative Assembly held on the 16th October 1947, page 922 supra.]

Statement showing the number of handlooms in the Province.

District.	Number of active looms according to Fact Finding Committee's report.	Number of looms according to the loom census of 1945 for which ration cards have been given.
Vizagapatam	15,803	27,169
East Godavari	13,017	18,900
West Godavari	4,633	7,909
Kistna	5,892	7,821
Guntur	20,002	22,447
Nellore	11,691	13,051
Cuddapah	11,898	19,932
Kurnool	12,686	8,757
Bellary	13,500	14,079
Anantapur	10,687	10,525
Madras	1,791	3,714
Chingleput	16,600	30,684
Chittoor	7,853	15,935
North Arcot	23,334	38,856
Salem	36,540	65,073
Coimbatore	23,415	28,113
South Arcot	11,028	24,438
Tanjore	10,161	10,415
Trichinopoly	8,407	14,070
Madura	7,722	24,367
Ramnad	18,167	25,830
Tinnevely	17,013	30,126
Malabar	14,857	28,235
South Kanara	2,586	5,497
Total	319,283	495,943

APPENDIX IV.

[Vide answer to starred question No. 252 asked by Sri Pillalamarri Venkateswarlu at the meeting of the Legislative Assembly held on the 16th October 1947, page 928 supra.]

Translation of a Memorandum in Telugu from Sri G. Anjeneyulu, member, Bandar Taluk Food Committee and President, Taluk Ryot Congress, Kistna district, to the Hon'ble Minister for Rural Development, Government of Madras.

The loans granted during 1945-46 for the "Grow More Food" campaign in the Bandar taluk by the Agricultural Department for purchasing manure are being collected now (i.e., August and September 1947). The ryots request that the collection of these loans may be postponed till January 1948, as eighty per cent of the ryots in this taluk are poor and are only tenant ryots.

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These ryots do not have food to eat. They get rice on loans and get on. The Revenue authorities are collecting these loans according to the instructions received from Government even by auctioning the movable property held by them.

The District Collector, Deputy Collector and Tahsildar have been requested to postpone the collection of these loans. They told us that they will move the Government in the matter. The attachment of properties is temporarily stopped. But we request the Government to postpone collection of loans taken for purchasing manures by the ryots.

The Hon'ble Minister's attention is particularly drawn to these points. As the crops were completely spoiled during the cyclone of 1945, the Government postponed the collections of these loans till 1947. The ryots have not yet recovered from this loss. These loans were not collected along with the kists collected during January-February 1947. The ryots at present do not have money to pay the loans till they get their harvest. These ryots did not take any loan again in 1947. I request that the collection of the loans may be postponed till January 1948 in view of the conditions cited above of the ryots.

THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 17th October 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

M. S. ABDUL MAJID SAHIB BAHADUR:—"On a point of information, Sir, I find a number of taxis outside the Assembly Hall. Is there any idea of the Government taking the Members for an excursion?"

MR. SPEAKER:—"We shall take it up after question time."

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Auction of toddy shops in North Arcot district.

* 254-A Q.—B. POCKER SAHIB BAHADUR: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that the Government put up for auction on 7th August 1947 or thereabouts all the toddy shops within a belt of five miles around the district of North Arcot and that the sales to the highest bidders were confirmed on 8th September 1947 or thereabouts;

(b) whether the Government subsequently cancelled the said auction sales of the toddy shops within the said area;

(c) whether it is a fact that subsequently the Government have issued orders allowing all the coconut trees within a radius of five mile around North Arcot district to be numbered for tapping toddy for the purpose of being sold in toddy shops in non-prohibited areas beyond the radius of five miles around North Arcot district;

(d) whether any deputation waited on the Hon. the Minister for Prohibition and complained to him that the purchasers of the toddy shops at the said auction sales, confirmed and subsequently cancelled by the Government, are put to heavy loss by the order of the Government allowing the coconut trees in the said area to be tapped for toddy for being sold in toddy shops in areas outside the belt of five miles around North Arcot district as the owners of coconut trees will not refund the large advances paid to them on account of the order of the Government allowing the coconut trees to be tapped for toddy to be sold outside the said area;

(e) whether it is a fact that the Hon. the Minister for Prohibition assured the deputationists that not a single tree within the said area would be allowed to be tapped and whether in spite of this assurance the coconut trees in the area are being numbered for tapping toddy;

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(f) whether the Government allow coconut trees in prohibited areas to be tapped for toddy to be sold in toddy shops outside the prohibited area; and

(g) what steps the Government propose to take to remedy the injustice?

THE HON. MR. DANIEL THOMAS:—“(a) Six toddy shops in Madurantakam taluk and 42 toddy shops in Conjeeveram taluk within a belt area of five miles adjoining in North Arcot district were put up for sale on 1st August and 7th August 1947, respectively. The sales of 5 of the 6 shops in Madurantakam taluk and 37 of the 42 shops in Conjeeveram taluk, were confirmed in the names of the highest bidders on 11th August and 8th September 1947, respectively.

“(b) Yes. The closure of the shops was ordered from 1st October 1947.

“(c) On a reference from the Board of Revenue the Government informed the Board that marking of trees may be allowed as in the previous years in the shopless belt area of five miles adjoining the Prohibition districts for shops outside the belt subject to the restrictions already in force, viz., that the number of trees to be marked for the tapping of toddy in a belt area of ten miles adjoining the Prohibition districts and the number of trees to be marked for shops which are situated within the belt area should be restricted to the average number so marked during the preceding five years. The Government are considering the question of issuing instructions to the Board not to allow any further marking in the five-mile shopless belt area.

“(d) There was no such deputation. But representations were made by lessees of toddy shops about the loss and hardships which may result from the closure of the shops in the five-mile belt area.

“(e) The answer is in the negative.

“(f) No.

“(g) There is great demand for marking of trees in the belt area by toddy renters in Madras as well as in Chingleput and South Arcot and the trees taken on lease by those persons whose licences for shops within the five-mile belt area have been cancelled, can easily be transferred to other subsisting licensees. Government will instruct the concerned Excise officials to render all possible help in this arrangement. Moreover, the renters concerned had sufficiently early notice, as the Board issued telegraphic orders to the Collectors so early as 6th September 1947 to cancel all licences for shops within the five-mile belt area.”

B. POCKER SAHIB BAHADUR:—“Are the Government aware that on the basis of the purchase which the Government confirm, the purchasers have advanced lakhs of rupees to the owners of these coconut trees for purposes of tapping toddy within the area of five miles and as a result of the policy that is admittedly being

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followed by the Government, according to the answer given by the Hon. Minister, there is no hope for these purchasers to get back the money from the owners of these coconut trees?”

THE HON. MR. DANIEL THOMAS:—“I do not know whether it is lakhs of rupees, but I believe some sums should have been advanced to these renters at the auction of bidding for shops which are to be resold in the second five-mile belt area. Moreover, Government have always the right in the licence itself to cancel the sale on giving notice.”

B. POCKER SAHIB BAHADUR:—“Is the Government aware that it is not possible for anybody to say whether these purchasers will be able successfully to bid for the shops outside the five miles and even if they bid, whether they will be successful in carrying on their trade as regards toddy shops outside their residence and outside the area of five miles?”

THE HON. MR. DANIEL THOMAS:—“It all depends on the sums they bid.”

B. POCKER SAHIB BAHADUR:—“Are the Government aware that by the policy which the Government are following in regard to this matter they are exposing themselves to legal action by the purchasers concerned and is it not therefore advisable for the Government to take steps even now to prevent such complications?”

THE HON. MR. DANIEL THOMAS:—“In the circumstances set out the Government are doing everything possible to ease the situation and Sir, as I said already, Government have the ultimate and unqualified right to cancel the licence.”

Promotion of Mr. Vivekananda Moorthy as Collector.

* 255 Q.—SRI V. PONNUSWAMY GOUNDER: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that Mr. Vivekananda Moorthy, an acting Deputy Collector, has been promoted as Collector overlooking the claims of over a hundred senior officers; and

(b) if the answer to the above question is in the affirmative whether the Government will be pleased to state the reason for such extraordinary action?

THE HON. DR. P. SUBBARAYAN (on behalf of Hon. the Prime Minister):—“(a) & (b) Mr. Vivekananda Moorthy has been appointed to act as Collector and it is a fact that some of his seniors have been passed over. Promotions from the ranks of Deputy Collectors to that of Collectors are made not on grounds of seniority but on merit.”

SRI V. PONNUSWAMY GOUNDER:—“தயவுசெய்து தமிழில் சொல்லவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.”

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THE HON. DR. P. SUBBARAYAN:—“ Mr. கிளைவாநந்தமூர்த்தியை கலெக்டராக நியமித்திருக்கிறார்கள். கலெக்டராக promotion செய்வது ‘merit’ இல் அல்லது ‘seniority’ யில் இல்லை.”

SRI V. PONNUSWAMI GOUNDER:—“ அந்தமாதிரி சாஸ்திரிய முள்ளவர்களுடைய ஜாப்தாவை சர்க்கார் சொல்லவாக்களை?”

THE HON. DR. P. SUBBARAYAN:—“ ஜாப்தாவை சொல்ல முடியாது.”

SRI S. NAGARAJA MANIGAR:—“ May I know, Sir, whether it is not a sudden discovery?”

THE HON. DR. P. SUBBARAYAN:—“ The Government have to go through all the records and after going through the records they evidently found that Vivekananda Moorthy was capable and fit to be the Collector of the district.”

SRI V. RAGHAVAYYA:—“ May I know, Sir, whether this impression of the Government is based upon merit or confidential history sheets?”

THE HON. DR. P. SUBBARAYAN:—“ Not only that but the Government know what their officers do and from this they judge whether a person is capable or not capable.”

SRI K. RAJARAM NAYUDU:—“ May I know, Sir, whether this appointment was made during this Ministry or during the previous Ministry?”

THE HON. DR. P. SUBBARAYAN:—“ He was appointed Collector during the present Ministry.”

SRI R. V. SWAMINATHAN:—“ As the Government are not strictly following the principle of seniority with regard to promotions may I request the Government to give promotion with reference to efficiency for non-Brahman, backward communities and for Harijans in respect of promotions without going into the question of seniority?”

THE HON. DR. P. SUBBARAYAN:—“ Merit of every community is taken into consideration in the matter of appointments.”

B. POCKER SAHIB BAHADUR:—“ May I know what are the tests which the Government apply in deciding the merit of any particular candidate?”

THE HON. DR. P. SUBBARAYAN:—“ It is impossible to enumerate the tests.”

SRI V. I. MUNISWAMI PILLAI:—“ May I know whether the same procedure is followed in promoting a man for efficiency over-riding so many of the seniors?”

THE HON. DR. P. SUBBARAYAN:—“ As I have already explained, appointments to the grade of Collectors or any other superior posts are made by the Government and the Government choose whomsoever they think is best fitted for the job.”

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SRI N. M. R. SUBBARAMAN:—“ May I know whether there is nobody else who is as qualified as Vivekananda Moorthy?”

THE HON. DR. P. SUBBARAYAN:—“ The fact that the Government chose to promote Vivekananda Moorthy means that Government thought he was the best fitted person.”

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“ May I enquire, Sir, who is this Vivekananda Moorthy; whether he is a Brahman, non-Brahman, Harijan, Scheduled caste or what he is?”

THE HON. DR. P. SUBBARAYAN:—“ He unfortunately happens to be a Brahman.”

SRI S. NAGARAJA MANIGAR:—“ May I know the number of persons who were passed over in this instance, Sir?”

THE HON. DR. P. SUBBARAYAN:—“ The hon. Member may put a separate question because I have not got the details at the moment.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“ Does the Hon. Minister know that this appointment of the Brahman has caused disappointment among several non-Brahmans?”

THE HON. DR. P. SUBBARAYAN:—“ I know that every appointment causes many disappointments.”

SRI T. K. T. N. R. TATACHARI:—“ May I know, Sir, whether promotions are made on any definite principle or on the discretion of the Government?”

THE HON. DR. P. SUBBARAYAN:—“ I have already stated that promotions are made according to certain tests and according to those tests persons who deserve recognition are appointed.”

Appointment of Collectors in the Madura district.

* 256 Q.—SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(a) whether there has been a Muslim Collector for the Madura district on any occasion, and, if so, when;

(b) whether there has been a Hindu Collector for the Madura district on any occasion and if so, when;

(c) whether it is a fact that the present Collector, Sub-Collectors, City Magistrate, Deputy Collectors and Tahsildars in Madura are all non-Muslims; and

(d) whether it is a fact that two Muslim officers with first-class magisterial powers have been appointed there, one for special duty and another as District Supply Officer?

THE HON. DR. P. SUBBARAYAN (on behalf of the Hon. the Prime Minister):—“ (a) Yes. The last period was from 24th May to 7th June 1944.

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“(b) Yes. The present Collector is a Hindu. There have been Hindu Collectors on previous occasions also for short periods.

“(c) Yes, excepting the two officers referred to in clause (d) below.

“(d) Yes.”

Alleged assault on one Sudalaimuthu in Kalakad, Nanguneri taluk.

* 257 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that on 14th April 1947 Sudalaimuthu, a young Adi-Dravida of Puduthuru (Kalakad, Nanguneri taluk) was beaten by two paid agents of the local landlords, viz., Anna-muthu Ayyar, Ambi Krishna Ayyar, Nilakanta Ayyar and Krishna Ayyar while he went round the villages to announce their Sangam meeting;

(b) whether it is a fact that on 15th April 1947 they engaged goondas to beat the peaceful Adi-Dravidas and that later in the day they ravaged the village, killed the sheep belonging to Adi-Dravida, Sivlaperian, looted Muthiah's shop, demolished the house of Tadian (Adi-Dravida) and man-handled the Adi-Dravida women;

(c) whether any petition was given by the Adi-Dravidas to the Assistant Superintendent of Police, Tinnevely; and

(d) if so, what action was taken in the matter and whether the Government will be pleased to place the petition on the table of the House?

THE HON. DR. P. SUBBARAYAN:—“(a) No.

“(b) There is no indication to show that the landlords instigated goondas to beat Adi-Dravidas. But on 15th April 1947 there was a rioting between the Federation party which had the support of 36 Adi-Dravida cheris in and around Kalakad and the non-Federationists, a minor party who stood independent and helped the mirasdars in the cultivation of their lands. Nine Adi-Dravida members of the non-Federationists' party were hurt in the affray. A case was registered in Kalakad Police station and the accused were charged under sections 147 and 323, Indian Penal Code, before the Sub-Magistrate, Nanguneri.

“(c) A petition was sent to the District Superintendent of Police by Sri K. Muthiah and two others which was received by him on 19th April 1947.

“(d) A copy of the petition^a is placed on the table of the House.

On 24th September 1947 the Deputy Superintendent of Police, Sermadevi, personally inquired into the allegations and found

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them to be false. He examined Muthiah one of the signatories of the petition who denied any knowledge of the facts contained in the petition. Sudalaimuthu was also examined by the Deputy Superintendent of Police and he denied having been assaulted by any one on 14th April 1947.”

SRI PILLALAMARRI VENKATESWARLU:—“Arising out of the answer given by the Hon. Minister may I know whether at the time of the enquiry the police officials tease and harass these Adi-Dravidas to get information according to their convenience?”

THE HON. DR. P. SUBBARAYAN:—“I deny this allegation, Sir.”

SRI S. NAGAPPA:—“May I draw the attention of the Government to the petition presented by the people and according to paragraph 6 of which very many people have been man-handled especially women and if so, what action the Government have taken?”

THE HON. DR. P. SUBBARAYAN:—“I have already explained the Adi-Dravidas were in two sections, the Federationists and non-Federationists and the person who gave this petition, Muthiah, was examined and he denied any knowledge of these facts. Therefore, I cannot understand where the question of man-handling comes in at all.”

SRI S. NAGAPPA:—“May I know, Sir, whether it is not a fact that before recording a statement the police harass people and see that the statements recorded are according to their convenience and not according to truth?”

THE HON. DR. P. SUBBARAYAN:—“I am grateful to the hon. Member for the information, but I believe the police know how to act.”

SRI S. NAGAPPA:—“Will the Government kindly conduct an impartial enquiry now without taking police help and arrive at the truth and do justice to these Adi-Dravidas who have been suffering a lot at the hands of these landed aristocrats everywhere in the Province?”

THE HON. DR. P. SUBBARAYAN:—“It is not a question of landed aristocrats at all. It was a quarrel between Federationists and non-Federationists among the Adi-Dravidas.”

SRI V. I. MUNISWAMI PILLAI:—“May I know, Sir, whether these Adi-Dravidas were made a cat's-paw for arranging meetings of the Communists?”

THE HON. DR. P. SUBBARAYAN:—“I am grateful to the hon. Member for his information and I think he is very correct.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know, Sir, whether the mirasdars have induced certain of these Adi-Dravidas to become anti-Federationists?”

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THE HON. DR. P. SUBBARAYAN:—"I am not prepared to draw the inference that the hon. Member chooses to draw."

Promotions to officers who suppressed the Independence movement.

* 258 Q.—SRI K. T. KOSALARAM: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that during the previous regime (Advisers' regime) officers who suppressed the Independence Movement were given promotions and rewards; and

(b) whether they are still in service?

THE HON. DR. P. SUBBARAYAN:—" (a) In recognition of the services rendered by certain Government servants in connection with the Civil Disobedience Movement of 1942, the Government sanctioned to them the grant of advance increments.

" (b) Most of them are still in service."

SRI K. T. KOSALARAM:—"Will the present Government also continue to recognize such unwanted promotions, pensions, allowances and other rewards?"

THE HON. DR. P. SUBBARAYAN:—"I would refer the hon. Member to the Government Servants' Conduct Rules under which when one is promoted and is in permanent service and has got his increases there are certain regulations set up and this Government cannot do anything against the rules."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I request the Government to put a list containing the names of such persons on the table of the House?"

THE HON. DR. P. SUBBARAYAN:—"If the hon. Member chooses to put a separate question I will supply him that information."

SRI K. T. KOSALARAM:—"May I know, Sir, whether the following are not among those persons:—

Sri Appadurai Pillai, Deputy Superintendent of Police, Tinnevely,

Sri Sivanandam Pillai, Circle Inspector of Police,

Sri Sankarappa Naidu, Inspector of Police, Alvarthirunagary,

Sri Devasahayam who is now promoted as Deputy Inspector-General of Police, and

Sri Viswanatha Nayar, Deputy Superintendent of Police."

THE HON. DR. P. SUBBARAYAN:—"The hon. Member has gone into the records and he is correct in his assumption."

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Special Officers for Firewood, etc.

* 259 Q.—SRI R. SUBBA AYYAR: Will the Hon. the Minister for Food be pleased to state—

(a) the duties and functions of the Special Officers for Firewood and Movement officers; and

(b) the amount spent by Government on these officers and their establishments?

THE HON. DR. T. S. S. RAJAN:—"The answer^a is placed on the table of the House."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask the Government, Sir, to discontinue firewood rationing in the City of Madras as it exists nowhere in the province?"

THE HON. DR. T. S. S. RAJAN:—"As long as the firewood supply is deficient in the City we are obliged to continue the firewood rationing."

SRI V. I. MUNISWAMI PILLAI:—"May I know, Sir, whether the duties of the Special Officers were carried on by the District Forest Officers during pre-war days?"

THE HON. DR. T. S. S. RAJAN:—"It may be a fact, Sir. I am not aware of it."

B. POCKER SAHIB BAHADUR:—"Would it not be a disastrous step if the firewood rationing in the City is removed under the existing circumstances?"

THE HON. DR. T. S. S. RAJAN:—"That is what I have said, Sir."

SRI V. I. MUNISWAMI PILLAI:—"Will the Government consider the desirability of asking the Forest Department itself to undertake these duties?"

THE HON. DR. T. S. S. RAJAN:—"No, Sir. There is too much work for the Forest Officers and it has therefore to be done by a separate department."

SRI V. M. RAMASWAMI MUDALIYAR:—"When the supply and demand has adjusted itself in all parts of the Presidency why should there be with regard to firewood a different state of affairs in the City of Madras?"

THE HON. DR. T. S. S. RAJAN:—"It is for the simple reason that there is not sufficient firewood coming into the City."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether the firewood situation is likely to so improve as to do away with the necessity of having these Firewood Officers?"

THE HON. DR. T. S. S. RAJAN:—"It is very difficult to limit or fix a time because the Government are guided by

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the flow of firewood into the City and when the requirements of the City are sufficient and there is a guaranteed supply, we can think of removing these officers."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is the Minister aware that people have to pay more charges for firewood in the City of Madras than in other places?"

THE HON. DR. T. S. S. RAJAN:—"I do not think so."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Are the Government aware that there is scarcity of fuel in the City of Madras and may I know what steps the Government are taking, Sir, to augment the supply of firewood in the City?"

THE HON. DR. T. S. S. RAJAN:—"I would request the hon. Member to go through the paper placed on the table of the House and it gives all the information that is necessary."

Need for an All-India Foodgrains policy.

* 260 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Food be pleased to state—

(a) how much longer the Government propose to continue the reduced food ration of 8 oz. of rice;

(b) how the Government propose to make good the deficit of over a lakh of tons of foodgrains before 31st October; and

(c) whether the Government have impressed upon the Central Government the need for an All-India Foodgrains policy?

THE HON. DR. T. S. S. RAJAN:—" (a) The scale of rice ration has to be continued at the present reduced rate of 8 oz. per head per day until sufficient stocks of rice are built up which would enable the Government to increase the scale. If the harvest of the short-term paddy crop, which is coming shortly, is good, and if a sufficient quantity of paddy and rice is procured out of this crop it may perhaps be possible to increase the scale of ration sometime in December.

" (b) Besides urging the Central Government for more allotments of foodgrains to this Province from other Provinces and from the stocks imported from overseas, the Government have launched an intensive drive for procurement of all the available foodgrains in this Province in which the Hon. Ministers as also all the officers of the Government who come into contact with ryots are taking an active part.

" (c) There is an All-India Foodgrains policy already. The Government of India have also recently announced the constitution of a new Foodgrains Policy Committee whose recommendations may be expected to be available shortly."

BEGUM SULTAN MIR AMIRUDDIN:—"With reference to (c), Sir, what I want to know is whether the Provincial Government have impressed upon the Central Government the need to

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have an All-India uniform ration and not merely an All-India Foodgrains policy. I want to know whether this fact has been sufficiently impressed on the Central Government."

THE HON. DR. T. S. S. RAJAN:—"The whole policy of the foodgrains and their distribution in this country has been laid down in the basic policy of the Government of India and every month there is a Conference of all the Food Officials of all the Provinces and in that meeting the whole position of foodgrains in the whole country is placed before them and allotments are made after discussion amongst the officers as to how much each Province should get according to the quantity at the disposal of the Government. This takes place every month, Sir."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether this Government have impressed upon the Central Government the desirability of having a uniform ration throughout the country. Since they are having an All-India Foodgrains policy, justice and fairness requires that all the Provinces should share the scarcity instead of Madras alone suffering?"

THE HON. DR. T. S. S. RAJAN:—"I may say, Sir, that our Government have more than once impressed upon the Central Government for a uniform policy of rationing but I may say, Sir, that Provinces differ from each other and the variations in the foodgrains that the people eat in the particular Provinces have got a bearing upon the rationing. I may, however, inform the hon. Member that a fair distribution is being done by the Central Food Policy Committee."

P. P. HASSAN KOYA SAHIB BAHADUR:—"Two days ago the Finance Minister in his speech in the City of Madras said that there is going to be an increase in the rice ration and I want to know whether the Hon. the Food Minister subscribes to that view, Sir?"

THE HON. DR. T. S. S. RAJAN:—"I do not think I was consulted when the announcement was made by the Finance Minister."

SRI R. V. SWAMINATHAN:—"Sir, as we are suffering a very acute shortage in regard to food and in view of the fact we were importing rice from Burma in the pre-war years, and as we are not now able to import rice from that country due to the prevailing anti-Indian feeling, will the Government send a good-will mission to procure foodstuffs from that Government?"

THE HON. DR. T. S. S. RAJAN:—"The Agent of the Government of India is already in Burma and he is arranging for the transport of such surplus grain as are available in Burma to this country and I may inform the hon. Member that a shipment from Burma will be arriving in the course of a day or two at the Cochin Harbour."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINADH:—"Sir, while we are thankful for the procurement of rice from

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Burma, in view of the fact that the High Commissioner there is already overworked with reference to emigration and other Indian rights would it not be advisable, Sir, to permanently station in Burma an Indian Food Mission to purchase rice from time to time and be in touch with the Burmese officials and may I add, Sir, that the Indian mission should consist of many Madrasis also?"

THE HON. DR. T. S. S. RAJAN:—"There is already an Indian Agent in Burma and he is arranging exports of rice from Burma and recently the High Commissioner from Burma who has come here has expressed the goodwill of the Burmese people to help us in our crisis. It is certainly unnecessary to remind the Government of India to post a Food Mission there since one is already there in the person of the Food Commissioner."

B. POCKER SAHIB BAHADUR:—"May I know, Sir, whether in the Foodgrains Policy Committee, Madras Province is represented by any one other than the Hon. the Food Minister?"

THE HON. DR. T. S. S. RAJAN:—"I may tell the hon. Member that the Food Minister of this Province is not a member of that Committee but I might also add that this Food Committee is not composed provincialwar. It is a committee of experts who are called by the Government of India and as far as Madras is concerned, we have two civilians on the Committee, one is the Regional Food Commissioner and the other is Secretary of the Agricultural Department and both of them are Madras I.C.S. men."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, in view of the answer given by the Hon. Food Minister to the effect that Madras Government had on more than one occasion made representations to the Government of India regarding equitable distribution of foodgrains and also in view of the answer given by him that the distribution is fairly made by the Government of India, may I know, Sir, what was the previous representation about? Does it mean that the distribution of foodgrains has become equitable only after the representations of this Government?"

THE HON. DR. T. S. S. RAJAN:—"This Government maintains that the distribution has been equitable all along and such representations as were made were only for the purpose of rectifying some defects."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, in view of the fact that we have the pleasant information that the Hon. the Food Minister has made a great impression on the Committee and contributed much to its proceedings—I am basing this on a letter which Mr. Kothari has received—may I request the Government to include him as a permanent member of the Committee?"

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THE HON. DR. T. S. S. RAJAN:—"The question to decide is whether one has to act as a witness or as a Judge. Personally I believe it is a good thing to give evidence rather than sit in judgment."

SRI B. S. MURTHI:—"May I know, Sir, whether the Madras Government has made use of the promise given by the late Aung San and his Government that any amount of rice required will be supplied from Burma?"

THE HON. DR. T. S. S. RAJAN:—"Sir, this will depend upon the supplies in Burma."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Arising out of the answer, may I remind him of the statement made by the Hon. the Prime Minister some time ago that Madras is the province which is getting the lowest rations in the whole of India and may I ask him if that statement is correct?"

11-30
a.m.

THE HON. DR. T. S. S. RAJAN:—"I do not know how far the statement he made has a bearing on this question; but I may say that as a general rule, the consumption of food-grains by the people of Madras is less as compared with the food-grain consumption by the people of Northern India."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer to the effect that the Finance Minister has not consulted the Food Minister before making the statement, may I know what happens to the joint responsibility of the Ministers and whether Government will give an assurance that Ministers will not go about making statements about portfolios belonging to other Ministers."

THE HON. DR. T. S. S. RAJAN:—"Certainly it is a matter of opinion and every Minister is entitled to give his opinion for what it is worth."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Is the Hon. Minister aware that in most of the ration shops throughout the province only the eight ounces of rice rations is given and the other two ounces of millets is not at all given so much so that people suffer a lot on account of low rations?"

THE HON. DR. T. S. S. RAJAN:—"I do not think so."

P. P. HASSAN KOYA SAHIB BAHADUR:—"Is the Hon. Minister aware that a variety of wheat flour imported from Australia and Canada has been found in the market for the last three or four months and whether he would arrange for large stocks of that variety especially as it would help to tide over ration restrictions and whether import licences would be given to merchants at least to get that variety of flour?"

THE HON. DR. T. S. S. RAJAN:—"Import licences in respect of wheat and other things which have to be secured in Australia and Canada are given by the Government of India and not by the Government of Madras."

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M. S. ABDUL MAJID SAHIB BAHADUR:—"Is it not a fact that a representative of a Chamber of Commerce belonging to Madras was a member of the Gregory Food Policy Committee and would the Government insist upon the Central Government to always follow that convention of appointing a Madrasi on their Committees?"

THE HON. DR. T. S. S. RAJAN:—"The Gregory Committee does not exist now and I do not know how that forms a precedent for any Government to be represented."

SRI R. V. SWAMINATHAN:—"Arising out of the answer given by the Hon. Minister may I inform the Hon. Minister that the information which we get from South Indians returning from Burma is quite contrary to the statement made by him and the fact seems to be that though there is enough food in Burma, the Agent who is there on behalf of the Government of Madras is not able to procure satisfactorily from Burma and may I enquire whether he would apprise the Central Government of this matter?"

THE HON. DR. T. S. S. RAJAN:—"Sir, the information got from people who return from Burma is not authoritative so far as Government is concerned. The Government of India are better posted with information than having them from people who come here from Burma."

SRI B. S. MURTHI:—"Is it a fact that millets imported from places outside the province and outside India are paid more than the price for grains that are locally available in the presidency and that the ceiling price now prevailing is prohibitive?"

THE HON. DR. T. S. S. RAJAN:—"But the consumers are not asked to pay anything more than the price they have been paying hitherto for millets, either imported or indigenous. In any case the prices are fixed and stationary."

SRI V. RAGHAVAYYA:—"Are the Government aware that the procurement and bonus policy of the Government has been condemned by all the Madras papers, particularly the *Hindu* and in view of this, will the Government now change its procurement and bonus policy?"

THE HON. DR. T. S. S. RAJAN:—"Government are perfectly satisfied with the progress of procurement and the effect which the bonus has upon the rate of procurement."

SRI S. NAGARAJA MANIGAR:—"Do the Government believe that this eight ounces of food now given is sufficient for the people and that they live only on that quantity; if the Government do not believe it is so, does it not mean that the Government is encouraging indirectly blackmarketing?"

THE HON. DR. T. S. S. RAJAN:—"There is no such thing as Government encouraging anything. The Government can give eight ounces only consistent with their stock at their disposal and so they cannot give more and that is why they have supplemented this with cereals and millets to the tune

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of two ounces and though they feel that it is deficient they have got the satisfaction that they have supplemented it and have given the consumer grains for ordinary existence."

SRI S. NAGAPPA:—"May I ask if Government are aware of the fact that hard manual workers are not able to get the four ounces extra for the manual labourers and will Government change the rules and see that mixed diet eaters and millet eaters are given the extra four ounces rations?"

THE HON. DR. T. S. S. RAJAN:—"If facts are brought to the notice of the Government they will certainly go into that question."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"With reference to the statement made by the Hon. the Minister that the consumer is not asked to pay higher prices paid to the foreign millets, may I put it to him that he pays in the form of taxes for the foreign millets which are being paid at higher prices, though he does not pay higher prices straightway; if so, is not the taxpayer himself entitled for that higher prices which the foreigner gets?"

THE HON. DR. T. S. S. RAJAN:—"There is certainly a confusion in the statement of the Leader of the Opposition. The Government of India pays whatever competitive prices necessary from whatever market it is made available; the Government of India pays it but that does not mean that the tax-payer should be made good to the extent of the difference between prices at which local purchase is made and the price that the Government of India is driven to the necessity of paying for securing grains to avert famine conditions."

SRI B. S. MURTHI:—"Are the Government aware of the fact that redgram, greengram and blackgram purchased from Hyderabad are paid more than those purchased within the province, namely in the districts of East and West Godavari?"

THE HON. DR. T. S. S. RAJAN:—"The prices are controlled according to the various places from which the grains are bought."

B. POCKER SAHIB BAHADUR:—"In view of the fact that the scale of rations is low in this province, may I ask what further steps the Hon. Minister proposed to take in order to make the scale of rations uniform in the whole of India by putting more pressure on the Government of India."

THE HON. DR. T. S. S. RAJAN:—"No amount of pressure on the Government of India could make them distribute more than what they have in their own possession."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"While submitting that there was no confusion in the statement I made, the prices paid by them for articles are in terms of world prices and

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the prices which they are prepared to pay for those commodities are on that basis, if that it so, will it not be inequitable to refuse the same prices for the internal producers?"

THE HON. DR. T. S. S. RAJAN:—"I am not able to follow the argument of the hon. Member; it is certainly not a supplementary question."

Electric meters for house connexions.

* 261 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state what action the Government have taken to satisfy the acute demand for electric meters for house connexions from the public in our Province?

THE HON. SRI M. BHAKTAVATSALAM:—"There has been a heavy rush of applications for supply of electricity for house connexions consequent on the gradual relaxation of the restrictions and control on the supply of electricity for new services. In order to connect up as many new services as possible, orders have been issued by the Government permitting the supply of electricity on an unmetered basis to all domestic services, as a temporary measure, until the stock position of meters improves. The Government Electricity Department have also placed bulk orders for the supply of meters."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"May I know when the supply of meters will be received?"

THE HON. SRI M. BHAKTAVATSALAM:—"I do not know definitely; it will take some time."

M. S. ABDUL MAJID SAHIB BAHADUR:—"Now that the Government have taken charge of the Madras Electric Supply Corporation, will they consider the question of reducing electric charges so that electricity might become the poor man's commodity?"

THE HON. SRI M. BHAKTAVATSALAM:—"I would suggest that a separate question might be put, Sir."

SRI ALLURI SATYANARAYANA RAJU:—"Are the Government aware that the West Godavari district suffers worst from want of electricity and there are electric posts without wires and bulbs?"

THE HON. SRI M. BHAKTAVATSALAM:—"I would suggest a separate question being put."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"May I ask if the Hon. Minister is aware that my village Valathoor in Gudiyattam taluk, North Arcot district, is still not yet supplied with electricity?"

THE HON. SRI M. BHAKTAVATSALAM:—"I take the information from the hon. Member."

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Construction of a railway line from Calingapatam and Chicacole Road.

* 262 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Public Works be pleased to write to the Central Government and ascertain whether there is a proposal to construct a railway line from Calingapatam and Chicacole Road via Chicacole by the Bengal-Nagpur Railway?

THE HON. SRI M. BHAKTAVATSALAM:—"There is a proposal for a railway line from Calingapatam to Parvatipuram via Amadalavalasa, Hiramandalam, Battili and other important places, the construction of which has been urged for by the Bihar and Orissa Local Advisory Committee of the Bengal-Nagpur Railway in a resolution passed at its meeting held on 2nd August 1947. The alignment of this line may pass through Chicacole Road and Chicacole. This proposal has been referred to the Madras Board of Transport for examination and report. There is no separate proposal for a line from Calingapatam to Chicacole Road via Chicacole."

SRI G. KUMARASWAMI:—"May I know, Sir, if in such cases as this, which are not within the jurisdiction of the Provincial Government, the Provincial Government will do well to undertake to recommend all deserving cases to the Central Government after making a thorough enquiry into the matter?"

THE HON. SRI M. BHAKTAVATSALAM:—"In the first instance, the matter will be taken up with the local advisory committees and then the Madras Board of Transport will examine it and forward its recommendation to the Government of India."

SRI B. S. MURTHI:—"May I know when the Cocanada-Kottilapalli line will be taken up?"

THE HON. SRI M. BHAKTAVATSALAM:—"A separate question might be put."

Bezwada-Samalkot Thermal extension scheme.

* 263 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Public Works be pleased to state—

(a) how far the Bezwada-Samalkot Thermal extension scheme which is part of the Machkund Hydro-Electric scheme, has progressed;

(b) whether it is a fact that a 4500-K.W. mobile set has been purchased from the War department;

(c) if so, whether it was supplied to Bezwada Thermal station where it was needed; and

(d) to what station was it diverted?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Turbo Alternator sets, boilers and accessories ordered for the scheme

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are awaited. The Turbo sets are expected to be ready for shipment by October 1947 and the boilers by April 1948. Meanwhile, work on the Bezwada power house building and the erection of a 110 K.V. line between Bezwada and Rajahmundry and a 33 K.V. line between Rajahmundry and Samalkot is in progress. Contracts for the supply and erection of Bezwada-Rajahmundry-Samalkot sub-station equipments have been awarded; in view of the long delivery quoted for the Samalkot sub-station equipment, the feasibility of making other temporary arrangements is being examined.

“(b) One 4000 K.W. turbo alternator with boiler and accessories, and not a 4500 K.W. mobile set, has been purchased from the All-India Reserve Pool of the Government of India.

“(c) No. The set was intended for the Nellore thermal scheme and not for the Bezwada thermal station.

“(d) It was diverted to Madura for inter-connexion with the Papanasam hydro station, where the water conditions indicated the urgent need for a thermal station, as contemplated even in the original Papanasam Scheme. Further, it was considered undesirable to have a single set without any spare for an isolated station as at Nellore. Two 2500 K.W. sets, which are to be installed initially at Nellore, have since been purchased.”

SRI PILLALAMARRI VENKATESWARLU:—“ May I know, Sir, why the set was not diverted to Bezwada when there was a great need for it there and when it was not suitable in Nellore? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ I have nothing more to add to what I have already stated in the answer.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ May I know why this 4000 K.W. set which was purchased for Andhra was diverted to Tamilnad? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ There is nothing like purchase for Andhra or Tamilnad.”

Improvements to Paper Industries.

* 264 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Industries be pleased to state—

(a) what steps the Government have taken to improve the paper industry;

(b) how many applications were received for Madras, Papanasam and East Godavari centres;

(c) whether it is a fact that a licence is given to start a paper mill at Pollavaram;

(d) whether the Government propose to undertake to improve the existing Andhra Paper Mills; and

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(e) how many applications were received for permission to start new paper mills in the Province and how many have been recommended for capital issue and for import of machinery?

THE HON. SRI H. SITARAMA REDDI:—“ (a) The Government have appointed a Paper Specialist and opened three centres for the manufacture of hand-made paper. In addition demonstration parties are sent to rural areas to teach the people the manufacture of hand-made paper as a cottage industry. As regards the establishment of large paper mills, the Government have been supporting suitable applications for capital issues and for import of capital goods.

“(b) Madras . . . Nil.

Papanasam . . . 3.

East Godavari . . . Nil.

“(c) No, Sir.

“(d) No, Sir.

“(e) Five and one respectively.”

SRI PILLALAMARRI VENKATESWARLU:—“ May I know, Sir, when applications are not coming forward, the Government will consider it essential to start the paper mills in both the places themselves? ” 11-45 a.m.

THE HON. SRI H. SITARAMA REDDI:—“ I have already answered that some applications have been received, and one has been recommended. So, it is not as if there are no applications.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ Instead of inviting applications and appointing specialists, this is a good opportunity for the Government to help the mill at Rajahmundry by taking it up themselves. Why should the Government sleep over the matter and send it for liquidation? ”

THE HON. SRI H. SITARAMA REDDI:—“ The Government are aware of the fact that there is a paper mill at Rajahmundry, and they have been interesting themselves in the matter. I may inform my hon. Friend that Government are not shareholders of the Andhra Paper Mills. There is some difficulty in the way of Government intervening. The question was examined by the Legal Department, and a reply has been sent to the shareholders who represented the matter to Government.”

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“ May I enquire whether any survey was made by the Department of Industries and Commerce about the possibility of starting paper mills in different parts of the Province; at least on a regional basis? ”

THE HON. SRI H. SITARAMA REDDI:—“ I cannot give details now. I believe a certain survey was made. Applications were received and some applications were recommended for capital issue by this Government. The question

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of the location of the industry and the availability of raw materials was also taken into consideration. All these things were considered, because Government must have some information with them which will help them as a guide in the matter of recommending applications for capital issue."

M. S. ABDUL MAJID SAHIB BAHADUR:—"In addition to the encouragement given to private enterprise, will the Government also undertake to start paper industries by themselves?"

THE HON. SRI H. SITARAMA REDDI:—"I may remind my hon. Friend that we have appointed a committee, which has submitted an interim report. The committee is expected to suggest ways and means and also advise the Government. When its final report is received, the question raised by my hon. Friend will be considered."

SRI P. NATESAN:—"Is it not a fact that this Andhra Paper Mills have had a chequered career on account of the cantankerous nature of the Andhra shareholders?" (Laughter.)

THE HON. SRI H. SITARAMA REDDI:—"I do not know the reasons for its chequered career, but I know, Sir, that the paper mills have had a very chequered career."

SRI NEELAM SANJEEVA REDDI:—"Since there are necessary facilities in Kurnool district, will the Government consider the necessity of starting a paper industry in Kurnool district?"

THE HON. SRI H. SITARAMA REDDI:—"If applications are received from Kurnool district, the question of recommending applications and helping Kurnool people to start the industry will be considered sympathetically by the Government."

SRI P. NATESAN:—"May I know why the Andhra Paper Mills which have been in existence for over twenty years have not worked satisfactorily?"

THE HON. SRI H. SITARAMA REDDI:—"I will suggest to the hon. Member to put a separate and specific question."

SRI B. S. MURTHI:—"Arising out of the answer to a former question, may I ask the Government, whether, not being shareholders of the Andhra Paper Mills, they (Government) have lost the interest which is incumbent on them?"

THE HON. SRI H. SITARAMA REDDI:—"I have already answered that Government are very much interested in the industry in the Province. They are doing their best in the matter. I am not prepared to give any further information."

SRI V. I. MUNISWAMI PILLAI:—"During the years 1937-39, students were sent to Wardha to get training in paper making, and on their return they were given a small capital to start the industry in their own villages. May I know, Sir, whether the Government have given up that scheme?"

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THE HON. SRI H. SITARAMA REDDI:—"I am grateful to the hon. Member for the information and if the hon. Member wants any further information, I would suggest that a separate question be put."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask, Sir, with regard to Papanasam, whether the Government will not allow it to private enterprise? May I also ask whether till the final report of the committee is made available to the House and its recommendations considered by the Government, the grant of a licence will be held in abeyance?"

THE HON. SRI H. SITARAMA REDDI:—"Certain applications have been recommended. It will be very unfair, after recommending an application to go back on what has already been done."

SRI D. V. RAMASWAMI:—"Is paper manufacturing one of the industries included by the National Planning Committee? If so, may I ask what definite steps have been taken by this Government to nationalise this industry?"

THE HON. SRI H. SITARAMA REDDI:—"May I submit, Sir, that the question has already been answered."

SRI S. NAGARAJA MANIGAR:—"May I know, Sir, whether the Government are satisfied with the progress of production of hand-made paper, and if so, may I know if they are purchasing for their needs hand-made paper?"

THE HON. SRI H. SITARAMA REDDI:—"So far as the question of hand-made paper is concerned, one of the Centres, viz., Bezwada, is working successfully and economically. There are two other Centres, one of which has been closed down by the Government, and another is being tried. That is all that I can give now. If he wants further information, I would suggest that he puts a separate question."

SRI K. T. KOSALARAM:—"May I know, Sir, whether the Government of Madras have been asked by the Government of India to consider the possibility of running the Papanasam Mills, as a State concern and not as an individual one?"

THE HON. SRI H. SITARAMA REDDI:—"No, Sir."

SRI S. NAGAPPA:—"Arising out of the answer given to my hon. Friend Mr. Sanjeeva Reddi, may I ask the Hon. Minister why he has been so kind to close the Giddalore industry, which is situated in Kurnool district?"

THE HON. SRI H. SITARAMA REDDI:—"Because, it worked at a great loss. We tried and we gave it every chance to improve. But it was found that it was uneconomical, and that it would serve no useful purpose in continuing it. So it was closed."

SRI K. LINGA RAJU:—"May I know, Sir, whether the failure of the Paper Mills is more due to the greed of the capitalists from other Provinces?"

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THE HON. SRI H. SITARAMA REDDI:—"I have no information, Sir, about what my learned Friend has asked."

SRI C. M. KOTHARI:—"In view of the great loss sustained by the hand-made paper mills, may I know, Sir, how much was the loss in these two centres?"

THE HON. SRI H. SITARAMA REDDI:—"Notice, Sir."

SRI B. S. MURTHI:—"May I know, Sir, that in view of the fact that the Andhra Paper Mills was started over 20 years ago, and it has had a very chequered career in the words of the Minister, whether the Government will see that the mills are placed on a sound basis?"

THE HON. SRI H. SITARAMA REDDI:—"The question of putting these mills on a sound basis is now in the hands of the shareholders. It is up to the shareholders to take steps to place the mills in a sound position. So far as Government are concerned, they are prepared to help the shareholders to the extent possible."

SRI A. VEDARATNAM PILLAI:—"What sort of help the Government can give to the hand-made paper industry, Sir?"

THE HON. SRI H. SITARAMA REDDI:—"I have already answered that we have appointed a paper specialist to advise the people who are interested in the manufacture of hand-made paper as to how to go about it, and also, if necessary, to help people to get the necessary raw materials."

SRI PYNDAH VENKATANARAYANA:—"May I know, Sir, whether the Government propose to purchase the mills in liquidation, and may I also know whether a handful of Tamilian capitalists are manipulating to have the concern for a song?"

THE HON. SRI H. SITARAMA REDDI:—"I do not know about manipulations and all that. But the suggestion that the Government might think of buying the mills from the liquidators will be considered."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the havoc done by the North Indian people to the industries in Madras, will the Government give an assurance that no licence will be given to start paper mills to outsiders like Goenkas and Birlas, and licences will be given only to genuine Madrasis?"

THE HON. SRI H. SITARAMA REDDI:—"I do not accept the proposition of the hon. Member that some people are responsible for the ruin of any particular industry in any particular place."

P. P. HASSAN KOYA SAHIB BAHADUR:—"In view of the heavy loss sustained by these two hand-made paper centres, and also in view of the fact that we are living in modern times, will this Government give up the idea of hand-made paper and pay greater attention to the paper mill industry?"

THE HON. SRI H. SITARAMA REDDI:—"I have already replied that as long as it is economical we will certainly

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continue to encourage the manufacture of hand-made paper, and I have already showed that the Bezwada centre is not only successful, but also economical."

SRI PILLALAMARRI VENKATESWARLU:—"May I know, Sir, if the Government are aware of the fact that the paper mill in Rajahmundry has been liquidated and the machinery is about to be removed, and if so, what steps the Government are going to take to prevent that?"

THE HON. SRI H. SITARAMA REDDI:—"So far as my information goes, a liquidator has been appointed by the High Court. I do not know about the mills having been liquidated."

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"In view of the fact that some of the hand-made paper are most attractive as letter-head papers, will the Hon. Minister encourage the hand-made paper to that extent, Sir?"

THE HON. SRI H. SITARAMA REDDI:—"The policy of the Government has been to encourage the hand-made paper as far as possible. It is only when we have found that it is absolutely not possible in any particular centre to push on with the production of hand-made paper, the Government have been reluctantly compelled to close it down."

Allotment of iron and steel to Sri Ramnath Goenka.

* 265 Q.—SRI A. SUBRAHMANYAM: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that 230 tons of iron and steel were allotted to Sri Ramnath Goenka, Managing Editor of the *Indian Express*; and

(b) if the answer is in the affirmative when was it allotted and to what purpose?

THE HON. SRI H. SITARAMA REDDI:—" (a) A quantity of 256 tons of iron and steel was allotted to Sri Ramnath Goenka. Of this he was able to procure about 239 tons only.

" (b) The allotment was made in March 1947. The materials were intended for the construction of the premises in which the plant and machinery, editorial and managerial offices of the *Indian Express*, *Dinamani* and *Andhra Prabha* are proposed to be housed."

SRI A. SUBRAHMANYAM:—"Is it not a fact that hundreds of persons who have applied for permits for agricultural purposes are not getting even a fraction of a hundredweight for months together?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, this is a quota 12
that is allotted for the construction of a newspaper office, and noon.
this quota is quite distinct and separate from the agricultural
quota."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Sir, in view of the fact that Mr. Goenka has not used one-third of this iron and steel, will Government consider the desirability of cancelling the licence and use the balance available for agricultural purposes?"

THE HON. SRI H. SITARAMA REDDI:—"I may inform the hon. Member that once a permit is given to a party it is open to the party to use it as he likes; we cannot take it back."

SRI A. SUBRAHMANYAM:—"Will Government adopt a more liberal policy towards agriculture for some time, at least till the present food crisis is tided over?"

THE HON. SRI H. SITARAMA REDDI:—"I may inform the hon. Member that after we took up office we have been giving priority to agriculture, and in fact agricultural quota has been considerably increased, and if my hon. Friend has seen press reports he would have seen the priority fixed been announced in a recent notification."

DR. M. J. SAMUEL:—"May I know what is the maximum quantity of iron and steel that Provincial Government can sanction to any factory or individual?"

THE HON. SRI H. SITARAMA REDDI:—"It all depends upon the size and nature of the factory."

DR. M. J. SAMUEL:—"My question has not been answered. I would like to make clear my question. I would like to know from the Hon. Minister the maximum quantity of iron and steel corrugated zinc sheets that the Provincial Government can sanction under any circumstances to a single individual or factory?"

THE HON. SRI H. SITARAMA REDDI:—"It all depends upon the nature and size of the industry and the availability of material."

SRI N. SANJEEVA REDDI:—"Are Government aware that Birlas and Goenkas are able to get their immediate and urgent requirements in Madras than in other provinces?"

THE HON. SRI H. SITARAMA REDDI:—"I may inform the hon. Member that this quantity of 256 tons of iron and steel was given on the 19th March before I took up office."
(Laughter.)

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I ask what percentage of iron and steel is allotted for agricultural purposes and what percentage is allotted for building purposes?"

THE HON. SRI H. SITARAMA REDDI:—"Out of the provincial quota, it has now been decided that fifty per cent of it must be given to agricultural purposes and the rest for other purposes."

B. POCKER SAHIB BAHADUR:—"May I know whether the Government has realized the necessity of giving higher importance to agriculture than to the development of newspaper buildings?"

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THE HON. SRI H. SITARAMA REDDI:—"Government have realized that agriculture is the most important thing and so they have raised the percentage (which was till now much lower) to fifty per cent, and I have also been representing to the Government of India that more iron and steel should be allotted to Madras."

SRI K. A. NACHIAPPA GOUNDER:—"Arising out of the answer of the Hon. Minister, may I ask, when once the permit is given to a party, is it not the duty of the authority to see that the article supplied is used for the particular purpose for which the permit was obtained?"

THE HON. SRI H. SITARAMA REDDI:—"It seems to be so."

SRI K. A. NACHIAPPA GOUNDER:—"Arising out of the widespread feeling in the matter and in view of the allegations made by hon. Members here; will the Government be pleased to direct the Director of Industries or the Steel Controller to find out whether this large quantity has been used actually for the purpose for which it was intended?"

THE HON. SRI H. SITARAMA REDDI:—"I may inform the hon. Member there is some confusion in this matter. Government of India have now made a special allotment for newspaper offices for new construction and extension. Thus there is separate allotment for this purpose, and this is the present rule. When the allotment was made in March last the quantity that has been allotted would have been taken by the party, and the party would naturally use it for the purpose for which it is intended. If any hon. Member proves that it has been abused Government will take suitable action in the matter."

SRI N. S. VARADACHARI:—"Apart from what has happened in the past, may I urge as a matter of policy not to grant in any one quarter or month more than that can be reasonably consumed in that quarter or month for either building or other purposes?"

THE HON. SRI H. SITARAMA REDDI:—"I am grateful for the suggestion of the hon. Member. That practice is already being followed."

SRI P. KANDASWAMI PILLAI:—"May I inquire whether the Government will make necessary arrangements to provide more than 75 per cent of the quota to agriculture in preference to other industries in the province?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, I may inform hon. Members that Government realize the importance of agriculture and so they have provided adequate quotas for agriculture. But I would like to inform them, there are other things equally important, like food and housing, and some material has to be provided for housing and also for small scale industries. Considering all these aspects Government have made the allotment. Above 60 per cent is reserved for agricultural purposes from the defectives."

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SRI S. NAGARAJA MANIGAR:—“Is the Hon. Minister aware that plough iron, which is an important article in agriculture, is not available to villagers, and does the Minister find it impossible to cancel the orders passed by his predecessor?”

THE HON. SRI H. SITARAMA REDDI:—“Plough iron is not used in house construction.”

SRI GUNTUR NARASIMHA RAO:—“May I inquire whether the special quota for newspapers forms part of the provincial quota or the Central quota?”

THE HON. SRI H. SITARAMA REDDI:—“Provincial quota.”

Communal representation in the Municipal Commissioners.

* 266 Q.—SINNA KAZIAR HAJI MOULYI S. A. F. IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state how many Muslim, Christian, Scheduled class, Brahman and Non-Brahman Municipal Commissioners there are in this Province

drawing a monthly salary of below Rs. 100;

drawing a monthly salary of above Rs. 100 and below Rs. 200;

drawing a monthly salary of above Rs. 200 and below Rs. 300;

drawing a monthly salary of above Rs. 300 and below Rs. 400;

drawing a monthly salary of above Rs. 400 and below Rs. 500; and

drawing a monthly salary of above Rs. 500?

THE HON. SRI K. CHANDRAMOULI:—“

	Muslims.	Christians.	Scheduled Castes.	Brahmans.	Non-Brahmans.
Number of Commissioners drawing a monthly salary of below Rs. 100 ..	Nil.	Nil.	Nil.	Nil.	Nil.
Number of Commissioners drawing a monthly salary of above Rs. 100 and below Rs. 200 ..	5	8	1	12	35
Number of Commissioners drawing a monthly salary of above Rs. 200 and below Rs. 300 ..	2	Nil.	Nil.	3	10
Number of Commissioners drawing a monthly salary of above Rs. 300 and below Rs. 400 ..	Nil.	1	Nil.	Nil.	2
Number of Commissioners drawing a monthly salary of above Rs. 400 and below Rs. 500 ..	Nil.	Nil.	Nil.	Nil.	Nil.
Number of Commissioners drawing a monthly salary of above Rs. 500 ..	Nil.	Nil.	Nil.	Nil.	1 (I.O.S. officer)."

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SRI R. V. SWAMINATHAN:—“May I request the Government that whenever they give information about Non-Brahmans will they give information both as regards Non-Brahmans and Non-Brahmans (Backward) so that it may be more informative?”

THE HON. SRI K. CHANDRAMOULI:—“I will take the suggestion of the hon. Member.”

SRI B. S. MURTHI:—“May I know why only one Scheduled-Caste person has been appointed out of 80, and will Government see the desirability of appointing more Harijans on a population basis?”

THE HON. SRI K. CHANDRAMOULI:—“I can say this much to the hon. Member. After I took charge I have not appointed any Commissioners. I will take the hon. Member's suggestion to see that the communities are represented properly.”

Speech made by the Hon. the Minister for Local Administration at Kurnool.

* 267 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that in the course of a speech at Kurnool on 8th July 1947, he said that the Congress Ministry was not having the required control over the members of the Indian Civil Service and that when he wanted to take action against two procurement officials for corruption, the concerned departments prevented matters being set right;

(b) whether he compared the present Cabinet to an imbecile (*napumsaka*) and characterized the Ministry as being in Thri-sankuswarga;

(c) if so, what was the occasion for these remarks; and

(d) whether the Minister actually complained that the Governor's wishes alone were prevailing in the Cabinet and that those of the Ministers were never taken into account?

THE HON. SRI K. CHANDRAMOULI:—“The question apparently arises out of the publication by the Indian Express of a distorted and incorrect version in English of my Telugu speech in Kurnool on 8th July 1947, which was promptly contradicted. I would refer the hon. Member to Jwala, a Telugu Weekly, dated 13th July 1947, in which a report of the above speech is published.”

SRI V. RAGHAVAYYA:—“May I draw the attention of the Hon. Minister that even the corrected report does not cover the entire ground but only denies the charge comparing the present Cabinet to an imbecile and ask why all other charges have not been contradicted even in that correct version of his speech?”

THE HON. SRI K. CHANDRAMOULI:—“I would refer the hon. Member to ‘Jwala’.”

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Emergency course for teachers.

* 268 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that an emergency course for teachers' training which is being held at Calicut and Cannanore will be given up by the end of June this year;

(b) whether it is a fact that the Government are considering to introduce normal two years' course in the place of one year's emergency scheme; and

(c) if so, the reasons for such course of action?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) Yes. The Government ordered that the normal two years' course for secondary grade training be held in abeyance during 1946-47 and that a course of one year's duration be conducted instead. Accordingly the emergency course which commenced in July 1946, ended by June 1947.

“(b) The Government have since ordered reversion to the two years' course from 1947-48.

“(c) The emergency course was introduced as an experimental measure to quicken the pace of training for the large number of teachers required for the introduction of compulsory elementary education; however, actual experience of this course of training showed that such a shortened course was not sufficient.”

Mid-day meal in schools for poor children.

* 269 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that mid-day meal for poor children in elementary schools has been stopped; if so, since when and for what reason; and

(b) the facilities provided by the Government for the education of the Depressed classes?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

“(a) The supply of mid-day meals to poor children attending elementary schools in areas, where compulsory elementary education was introduced after 1945, has been discontinued with effect from 1st April 1947, on financial considerations. Children attending Labour schools are even now being supplied with mid-day meals.

“(b) The facilities provided by the Government for the education of Harijans are—

(1) Opening of Labour schools in localities where there are no facilities for the education of Harijan children;

(2) grant of full-fee and half-fee concessions;

(3) free supply of books and slates;

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(4) reservation of seats in schools and colleges;

(5) grant of residential and non-residential scholarships for general education, professional education and industrial education;

(6) running of Labour Department Hostels;

(7) payment of boarding grants; and

(8) payment of grants to private institutions which are engaged in the education of Harijans.”

Veterinary hospital for Palakonda taluk.

* 270 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether there is a veterinary hospital in Palakonda taluk of Vizagapatam district; and

(b) if not, why not?

THE HON. SRI K. MADHAVA MENON:—“(a) The answer is in the negative.

“(b) There is a touring Veterinary Assistant Surgeon at Palakonda, whose jurisdiction extends throughout the Palakonda taluk. There is an acute shortage of technical staff in the Veterinary Department. The question of opening a Veterinary hospital in the Palakonda taluk will be considered in due course.”

Petition for grant of lands.

* 271 Q.—SRI A. SUBRAHMANYAM: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether he has received a petition from the President, Loseri-Gutlapadu Field Labour Society, on behalf of the residents of Loseri-Gutlapadu and its hamlets, belonging to West Godavari district praying for grant of 7,000 acres of waste lands in the said area to them; and

(b) if so, what action has been taken by the Government in the matter?

THE HON. SRI KALA VENKATA RAO:—“(a) Yes.

“(b) The petition was referred to the Registrar of Co-operative Societies for remarks. The Registrar of Co-operative Societies has submitted an interim report stating that the Collector of West Godavari is not in favour of granting the lands in question and that the petitioners were already informed by the Collector accordingly. The reasons for which the Collector is against the grant have not been made clear. The Registrar of Co-operative Societies has promised to submit a further report to Government after consulting the Board of Revenue and the Director of Agriculture. The question will be examined by Government on receipt of his final report.”

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Amendments to the Madras Estates Land Act.

* 272 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government received any representation that the revenue courts dealing with rent, patta and award suits under the Madras Estates Land Act are not fully competent or that the parties are put to all sorts of difficulties and hardships in regard to proceedings before the Revenue officials; and

(b) if so, whether the Government propose to change the jurisdiction to civil courts and make necessary amendments in the Madras Estates Land Act?

THE HON. SRI KALA VENKATA RAO:—“(a) & (b) The Kumbakonam Bar Association has requested that the proceedings under the Madras Estates Land Act which are of a judicial nature should be transferred from the Revenue to the Civil Courts. The Government have since decided to abolish the zamindari system by acquiring the estates and converting them into ryotwari. They propose to introduce a Bill for the purpose in the Legislature shortly. In the circumstances they do not propose to take any action on the request of the Bar Association.”

Asylums for the old and the sick.

* 273 Q.—SRI N. GOVINDASWAMI: Will the Hon. the Minister for Public Health be pleased to state whether there is any proposal to establish asylums for old and sick persons who are destitute?

THE HON. SRI A. B. SHETTY:—“The question of providing accommodation for destitute paupers suffering from incurable diseases is under consideration.”

Schools for Harijans in Tanjore district.

* 274 Q.—SRI M. MARIMUTHU: Will the Hon. the Minister for Rural Development be pleased to state whether it is proposed to provide schools for Harijans in such of the places in the Tanjore district as are without schools?

THE HON. SRI V. KURMAYYA:—“It is presumed that the hon. Member refers to the opening of separate schools for Harijans, namely labour schools, in the district. The policy of the Government is to endeavour as far as possible to get Harijans admitted into schools already existing in the locality and to open separate schools for them only in places where the existing schools are not easily accessible to them or where there are no schools whatsoever. The need for starting labour schools in places in the Tanjore district will also be examined and decided, wherever necessary with reference to the criteria mentioned above.”

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—“On a point of information, Sir. I would like to know from the Hon. Minister for Prohibition whether he is aware of the taxis' strike and the demonstration at the gates of the Fort St. George here. I would like to know whether the Hon. Minister has something to say about the matter.”

THE HON. MR. DANIEL THOMAS:—“I have received no representation in the matter and I am not officially aware of any motor taxis' strike.”

SRI K. ANANDAN NAMBIYAR:—“The Hon. Minister can go to the gate and see the demonstration. At least he can take notice of it now and then tackle the matter. All the taxis are here and the entire populace of this City are suffering for want of taxis.”

THE HON. MR. DANIEL THOMAS:—“Probably as was suggested, Sir, hon. Members are going out for a picnic.”

II.—GOVERNMENT MOTION.

MOTION FOR THE APPOINTMENT OF ADDITIONAL MEMBERS TO THE SELECT COMMITTEE APPOINTED TO CONSIDER THE MADRAS DEVADASIS (PREVENTION OF DEDICATION) BILL, 1947.

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

‘that in view of sub-rule (1) of rule 77 of the Madras Assembly Rules requiring the Member of the Government in charge of the department to which the Bill relates to be a member of the Select Committee, this House do proceed to appoint the Hon. Sri O. P. Ramaswamy Reddiar, Prime Minister, to be a member of the Select Committee appointed to consider the Madras Devadasis (Prevention of Dedication) Bill, 1947 (L.A. Bill No. 21 of 1947). This House further appoints Sri S. Nagappa to be a member of the said Select Committee.’”

SRI KALLUR SUBBA RAO:—“On a point of information, Mr. Speaker. May I know under what capacity and also of efficiency Mr. S. Nagappa is sought to be appointed a member of this Select Committee?”

THE HON. DR. P. SUBBARAYAN:—“It is not a question of efficiency or capacity, Sir. He happens to be a Member of the House and the Government thought that he might be useful in the Committee.”

MR. SPEAKER:—“This is not the way of raising a point of information. The hon. Member should not ask such a question on the floor of the House. It is not open to an hon. Member to ask a question regarding the capacity and efficiency of another hon. Member. The hon. Member should withdraw his question.”

SRI KALLUR SUBBA RAO:—“I only wanted to know, Sir, when once the Committee has been appointed under what capacity Mr. Nagappa was appointed to the Committee.”

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MR. SPEAKER:—"That is not the way of putting the question. The hon. Member should withdraw it."

SRI KALLUR SUBBA RAO:—"I withdraw it, Sir. But the Leader of the House should have put his name in the beginning itself and not have come forward with this proposal afterwards."

The motion was put and carried.

III.—THE MADRAS ESTATES COMMUNAL, FOREST AND PRIVATE
LANDS (PROHIBITION OF ALIENATION) BILL, 1947.

THE HON. SRI KALA VENKATA RAO:—"The report of the Select Committee is placed on the table of the House, Sir. I propose that the Bill may be taken up tomorrow so that hon. Members might have some time to consider the report. I would therefore like to proceed with the next subject, Sir."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, Sir. Are we to take it that the Government will be coming forward tomorrow only with these amendments or further amendments. The report is already on the table of the House. We want to know whether they contemplate any more changes."

THE HON. SRI KALA VENKATA RAO:—"If there are any amendments to be moved they will be given notice of during the course of the day and they will be circulated to the hon. Members, Sir."

IV.—THE MADRAS ESTATES LAND (REDUCTION OF RENT)
BILL, 1947—cont.

THE HON. SRI KALA VENKATA RAO:—"I have already moved, Sir, that the Bill referred to a select committee. The other day Mr. Kaleswara Rao was speaking on the motion, Sir."

MR. SPEAKER:—"Mr. Kaleswara Rao is not in his seat. Any other hon. Member can speak on the motion."

* SRI K. VARADACHARI:—"Mr. Speaker, Sir, I support the Bill which has been given notice of by the Hon. Minister for Revenue. The Bill seeks for an immediate reduction of rents in all estates, estates which are covered by the definition contained in section 3 (2) of the Madras Estates Land Act, that is to say, this scheme of reduction applies not only to the estates which are under the management of the zamindars actually so called, but also inams in the hands of grantees whether they are pre-settlement or post-settlement inams or whether they are situate within the ambit of a zamindari or even in the ryotwari areas.

"Sir, I come from a constituency which is wholly covered by the Karvetnagar zamindari. The Karvetnagar zamindari is one of the three distinct estates in the Province which were not regularly assessed to peshkash on the general lines applies to other estates. But these were military palayams which were contributing a contingent or two of both cavalry and infantry to the

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military forces of the East India Company and at the time of the permanent settlement the peishkush payable by these three estates was determined not on the gross income of these estates but on the actual cost of the military equipment that they were supplying to the Company's Government; it was on that basis that the peishkush was fixed. But so far as this Karvetnagar zamindari is concerned the rents that were in vogue at the time of the permanent settlement were sufficiently high that there was a large margin from the income of the estate available to the zamindar after paying the peishkush. The position is similar in the case of the other two estates also, namely, Venkatagiri and Kalahasti. In the case of the Karvetnagar estate the rates that were in vogue in 1802 in so far as non-money rents were concerned, i.e., in so far as grain rents were concerned, they have not been altered at all. All the same the rents were so heavy that we can easily characterize the estate as the most rack-rented one in the whole Province. This estate of Karvetnagar has passed into the hands of private proprietors, the bulk of which has gone into the hands of the Thirumalai-Thirupati Devasthanams. This estate lies within the jurisdiction of two revenue taluks of Puttur and Thiruttani. Nearly 400 to 500 villages have passed into the hands of the Thirumalai-Thirupati Devasthanams and about 120 villages have passed into the hands of the Raja of Chettinad and the rest are distributed among small proprietors scattered throughout the two taluks. One redeeming feature at the present day in this estate is that in so far as the Thirumalai-Thirupati Devasthanams are concerned they have been able, under advice from public men and others and also on the advice of the Government to revise the rates of rent, at any rate on a temporary basis. Already during the last two or three years, the rates of rent have been settled in many areas more or less conforming to the rates of rent obtaining in the ryotwari areas so that all that agitation which was raging in these two taluks about the high rates of rent has subsided to a large extent in the area which is under the control of the Thirumalai-Thirupati Devasthanams. In other area in the same taluks not covered by the Thirumalai-Thirupati Devasthanams' administration the rates of rent in many villages are money rents and only in a few villages there are grain rents still operating. But whatever that may be the rates of rent which have been in vogue in 1802 have not been altered so far as this grain rent is concerned and they are high as I said already. What is done is, by the Nirtku system which is prevailing in the zamindari, the price of grain on the date on which demand is made is the price which is adopted for determining the rent to be paid in kind, as equivalent to the grain. Therefore the grain is not collected in kind as such but it is collected always in cash and the value of the grain is commuted into cash rent. We find therefore that in some of the villages in the zamindari heavy rents ranging up to Rs. 120 or Rs. 150 per acre are levied from the tenants. So it is that a measure of this kind, even in the happier conditions that prevail in the Karvetnagar as a whole at the present day, is a necessity

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for reducing rents in villages which are still left out of any settlement altogether, pending any permanent legislation that may be put on the anvil. I say, Sir, that the scheme adopted or suggested in this Bill for reducing rents is not—even though it tends to make the position easier for the ryot—a charming one, for we have to test it on the basis of either consistency or logic or equity.

“There is a complaint throughout the Province that even the ryotwari rates are very heavy and that the ryots are unable to bear the burden. Judged by the standard of that criticism the adoption of the ryotwari rate will not be a great blessing conferred upon the zamindari ryot, because the zamindari ryot particularly has been suffering from rack-renting for such a long time, that he has lost so much and that he has been impoverished to an extent which has economically ruined him, that he is unable to lift his head or to improve his living to an extent, so much as the ryotwari tenant is able to do. That being so, that he should in the name of uniformity be given the same status as the ryotwari tenant is not a very equitable way of dealing with the zamindari ryot. But the Government have been, through the Hon. the Revenue Minister, promising us that legislation would be on the anvil very soon to bring down the sufferings of the ryots throughout the Province including the ryotwari areas and to make the ryots much more happy than they are. If it is going to be so, we should welcome this initial measure of reduction of rent to the ryotwari level at least pending such legislation which has been promised. But in trying to adopt the ryotwari system even as a temporary measure, I am afraid that Government may not be able to introduce uniformity in any sense, whether it is a temporary measure or a permanent measure, because the rates of assessment even in the ryotwari areas are not uniform. They differ from village to village, from holding to holding and from district to district. We have also got settled districts and unsettled districts. With all these differences, where the uniformity will come in I do not know. My only prayer is that ultimately the Government should abolish assessment on all land as such and resort to the agricultural income-tax arrangement which they were thinking of long before. I do not know why that legislation has been kept back. It would be the only way in which you can do good to the agricultural population in this province. With these remarks, I support the motion for the appointment of a select committee to go into this Bill.”

* SRI T. PRAKASAM:—“Sir, although this Bill is called a Rent Reduction Bill and put up separately from the main Bill. I may point out at the very outset that this is a very important measure. It looks like a test measure before we come to the main Bill. Although it is called a Rent Reduction Bill I may point out that this is not a Rent Reduction Bill, but it will become a Rent Enhancement Bill if it is allowed to pass as it is proposed. The total extent of zamindari land is about 1,62,00,000 acres. It is this land that is proposed to be taken over by the Government after abolishing the zamindari system and it is proposed after

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taking it over or as it is being taken over to convert into ryotwari land immediately. It is proposed that the rent as it is prevailing in the zamindari areas to-day should be reduced to the level of the tax that is prevailing in the ryotwari areas. The total extent of the ryotwari area is 2,76,61,319 acres in fasli 1355 corresponding to the year 1945-46. Out of this the cultivated area is 2,02,00,000 acres and the rest is uncultivated.

“Sir, I may mention at the very outset a few facts relating to the land tenures and rents and taxes that have been levied upon these different kinds of lands and about the suffering of the tenants or the ryots in the different areas. During the Moghul period, Sir, the system of land tenures was not disturbed to the extent to which it was disturbed after the British took charge of this country. After the British took over control of the lands, they divided the whole area into what is called zamindari area the total extent of which, as I have pointed out just now, is 1,62,00,000 acres and into a ryotwari area, that is the area over which the Government maintained control, the total extent of which as I have just mentioned is 2,76,00,000 and odd acres. Besides these there were inams under different heads such as pre-settlement inams and post-settlement inams, etc. These are the three different main classes of lands in which the whole land was divided by the British Government.

“Before the British Crown took charge after 1857, the East India Company had been controlling these lands. It was the East India Company that decided to convert the land that came under direct British control into what was called ryotwari lands. And it is with the introduction of this ryotwari land tenure that the troubles of the tenants started in this country.

“Sir, the introduction of the zamindari system began in 1801 and went on up to 1810. Although it is ordinarily called the Permanent Settlement of 1801-02, it was not confined to those years 1801 or 1802. It went on from 1802 to 1810 and zamindaris were formed and sanads were issued between those dates. Now, Sir, after nearly 150 years, this question has come to this House and this Government to review the whole of the land tenure systems in this country and decide upon a proper and equitable basis of rents to be paid by the unfortunate tenants. Who are these tenants? If you go into the villages you will find these people with mere skin and bone and with their huts not completely covered in many places. You will find utmost poverty prevailing. It has become proverbial in the history of the world how the Indian villages have become impoverished and how the Indian peasants have been reduced to their present level.

“Sir, it is the privilege of every one of the hon. Members here to sit here and consider this great question and decide upon a proper and equitable rate of rent that is to be paid by the tenants of the zamindari areas or the ryots of the Government jirayati

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P.M. areas or the inam areas. I would like to remind hon. Members that we have been going through very critical times for several years past. After a continuous struggle for 28 to 30 years independence is said to have been won for the people. And it is also stated thus in the preamble to the Union Dominion constitution that will be adopted possibly in the next session or soon after that, of the Constituent Assembly which has been vested with sovereign powers. The Preamble says that it is a constitution that is being determined by the people of India. Who are the people of India? The millions of India of all classes and communities into which they have been divided. It is they that have fought for the freedom of this land for the last thirty years directly and they have won freedom. It is in their name that the Union Dominion Constitution is being drafted, it is those people that have become the rulers now, it is they that are framing the constitution and it is they that will be framing the provincial constitution, which has already been adopted there, when it is introduced here. It is for the benefit of those millions of people that this legislation is intended. These millions of people have been reduced to beggary to-day, nothing is left for them. We have to declare to-day what rent should be charged for the land they have been in possession of and enjoyment for ages and *yugams* as it were. I am telling all the hon. Members of this House, though they know it already, until the 14th of August we were under the authority and control of the British people. From the 14th midnight, we have become free. As free people of India, we are considering this Bill to-day together with the main Bill that will come soon after this. With what motive, with what spirit, are we to approach this legislation? Just as that unfortunate Andhra Paper Mills had gone through a chequered career, we have gone through a chequered career for thirty years, particularly during the last three years. If we look into our own hearts, we can see what all controversies we have been going through, what all struggle we have been going through until now and where we stand to-day. I am appealing to the hon. Members of the House to forget all the troubles that had overtaken us before the 15th of August last. Those differences among ourselves and those troubles are unthinkable and indescribable. We must forget all those things. I have been telling the hon. Members both here and in the Constituent Assembly as to how we should conduct ourselves in this matter. Before the 15th of August, we know in what condition this House was. This House was divided into certain groups over a certain matter. That group mentality or group feeling that had overtaken us for one particular purpose has to be abandoned and we have to move on together in a different manner as if we are one people with one mind, with one feeling and with one object, namely, service to the millions who are outside this House and who sent every one of us here. Whatever might have been the differences or struggle among ourselves, now the question is how are we to move in the direction of legislating for the millions of the masses. It is a very important and a very

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difficult matter from the point of distance of time that has elapsed. But it is not difficult if we approach properly to settle this matter. Within a couple of weeks, all the things can be put together and settled if we have got one mind, if we have got one desire and one object. But what have we been doing since August 15th? Are we changed, or are we still in the old state of feelings owing to human weaknesses that we all possess? I appeal to every one here earnestly not to go back to the old state of slave mentality. I have been hoping that that slave mentality will go and that we will become free and independent men meeting in this House, and passing this Bill into law for the benefit of the millions of people. But what have we been witnessing? Even since the 15th of August a complete change has not yet come over us. We are still struggling—I do not blame anybody and it is human nature not to be able to shake off a state of mind into which people have been steeped for years. Therefore we must make an honest effort now to approach this legislation without any other considerations in our mind. I say that this Bill, though it is called a Reduction of Rent Bill, is not a Rent Reduction Bill. I have been struggling hard with the Hon. Revenue Minister for sometimes past over this issue. We have been carrying on controversy through the press also with a view to clear our positions. I thank the Hon. Revenue Minister and I am very glad that he was good enough to change his original position and to come to the true level with regard to the status of these zamindars. A common notion has been that the zamindars were the persons who possessed proprietary interest in the land, that they were the owners of the soil and that they were entitled to deal with the land and also the human tenants as chattels as they pleased in regulating the rents or taxes. That was the position taken up by the Revenue Minister originally. The Madras Estates Lands (Prohibition of Alienation) Bill, the Bill for the abolishing of zamindaris, and the Bill on which I am now speaking were drafted on the basis that the zamindar had proprietary interest in the land. I was joining issue with the Hon. Revenue Minister for sometime and we went into the columns of the press by way of controversy. I was very glad that the Revenue Minister was good enough to state clearly that the zamindar was not the proprietor of the land or that he had any interest in the land. He said that the zamindar was only a rent collector. I thank him very much because that cleared the ground to a very great extent so far as we and those who took a different view were concerned. When once it is admitted that the zamindar is only a collector appointed in 1802 and subsequent years for collecting the land revenue due to the Government from the tenants and paying the Government on specified terms, I take it that everything else should be solved without much trouble. I was from the very beginning contending for the acceptance of that position by the Revenue Minister.

"In 1937, a resolution was moved in this House by the present Revenue Minister Mr. Kala Venkata Rao himself for

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appointment of a committee to investigate into zamindari system. The House adopted it and appointed a committee to enquire into the zamindari tenure, the rights of the parties involved in zamindari lands and the rents that could be levied on the tenants. That committee took a long time and I should say at this distance of time a foolishly long time. I was the President of that committee. I must say that this has been held up for such a long time partly because of the delay caused then, though it is not the sole cause. It was our desire to know the whole truth about these tenures, the taxation on these lands, the real position of the tenants and how they have been reduced to this poverty and why. It was our desire to take up and solve the whole question then by removing the burden which the tenants have not been able to bear. This is an ill-fated province where the ryots have been put to great trouble even though some of us, their representatives in the Legislature and the Government, are keen on relieving them of their troubles. We the members of the committee toured different parts of the country wherever zamindaris existed, recorded evidence, and produced a report which for the first time in the annals of the revenue history in the whole of India declared that the ryot or the tenant was the owner of the soil and not the zamindar, not any other man who claimed to be the proprietor, not even the King and not even the Government which have got the right to collect rents or taxes from the tenants or the ryots. It was declared in this report of ours that it was the ryot or the tenant who tilled the soil that was the real owner of the land and that he was the person who should be treated in a most equitable manner by any ruler, whether it is the British Government, the Advisers Government, the Justice Party Government, the Congress Government or the present Government under the new dispensation."

The House adjourned for lunch.

(After lunch—3 p.m.)

* SRI T. PRAKASAM:—"I got your note about . . ."

MR. SPEAKER:—"That was a private note sent to the hon. Member."

* SRI T. PRAKASAM:—"Then I shall not refer to it, Sir. I was submitting in the morning about the duty imposed upon all of us for assessing and fixing the rate of rent which the cultivator of the lands in the zamindari areas has to pay. I have been contending all along—for over eleven years perhaps now—that the tenant in the zamindari areas was made liable at the time of the permanent settlement to pay a fixed and unalterable rates of rent. It is necessary, Sir, that you as well as the Members of this House should know how this Permanent Settlement came about. It was not a random action on the part of the Directors of the East India Company. It was a matter of life and death so far as the rulers and the cultivators were concerned. It was a matter of life and death when the East India Company was ruling here when the tenants were suffering. It is a matter

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of life and death to-day also. Now it is for the hon. Members of this House to see how the Directors of the East India Company, even though they were foreigners, conducted their business in the matter of permanent settlement and how we, after the new dispensation are conducting our business here. It is not a matter which I can deal with in a few minutes and explain the whole situation to the hon. Members of the House and to the country outside. The Directors of the East India Company—however much we may have abused the East India Company in all other matters and however much we may have said against the British rule—acted at that period, having regard to the condition of the tenants and the people of this country, most honourably and in a perfectly gentlemanly manner. They were not so greedy as to destroy the tenants who were suffering from heavy taxation. Before the permanent settlement, these tenants in the zamindari areas had been suffering very much on account of the conduct of the amins, farmers and zamindars. The so-called zamindars were not really zamindars before the permanent settlement, but they became zamindars only after the introduction of the permanent settlement and they were simply collectors of rent. The way in which the zamindars oppressed the tenants was noticed by the Directors of the East India Company and by the British people who were ruling over this country from England, six thousand miles away and it was with a view to prevent such hardships and oppression that the East India Company introduced the permanent settlement, fixing permanently the tenure and rent of the land at that time.

"Sir, now let me tell you and also the other hon. Members of this House how this permanent settlement came to be introduced into this country. Most of the hon. Members are not familiar with this subject and they are not expected to know the same. As one who has been in it, who has been acquainted with it for at least fifteen years, if not longer, I can say with a certain amount of authority, what the object and the intention of the Directors of the East India Company were, in having introduced the permanent settlement into this country. What exactly happened at that time was, that the collection of land revenue was in a most uncertain and hopeless condition. No definite rent was fixed and the collection of rent was most haphazard, and the rents themselves were not uniform. Tyranny, oppression and harassment by the rent collectors went on unchecked. A good deal of correspondence passed between the officers of the East India Company here and their Directors in England with regard to these things, and after sometime they came to the conclusion that the whole system of the collection of revenue and rent should be regulated properly by fixing the rent permanently and unalterably, so as to save the unfortunate tenants from the oppression and harassment of all kinds by the rent collectors. They said, 'We must once for all put an end to this tyranny and oppression of the officers, namely, the zamindars and rent collectors, whom we have let loose on these poor and unfortunate people for

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collecting the tax. We must introduce a permanent revenue settlement, whereby people could be freed from oppressive and heavy taxation. That was the origin and history of the Permanent Revenue Settlement. Sir, I have referred to these things in order to enable hon. Members of this House who had no opportunity or occasion to follow the exhaustive enquiries that were made during 1938 or to go through the Report that was then drafted, to understand real object and implication of the permanent settlement. The rules and regulations that were framed by them was for the emancipation of the people. They fixed the rent permanently and for ever so that none who might come to rule in the future might alter it. There is a confusion of thought in the minds of some of our friends in this matter and they are not able to understand the difference between the tenure and the rent fixed under the permanent settlement and the rent fixed under ryotwari settlement. Even trained lawyers are going wrong on several occasions. Now I wish hon. Members of this House, although many of them are not lawyers, and although many of them were not able to understand and follow the things that had happened at the party meeting outside the other day, to apply their minds and their commonsense to this matter. If you apply your minds, you can understand the subject without any difficulty. Everything depends upon the applications of our mind and commonsense to the subject, however difficult the experts might call it. I do not see any such difficulty here. It is a matter of pure commonsense. Now I would urge upon hon. Members of the House who are not familiar with the constitutional or the legal aspects of these things, not to abandon their commonsense. If they carry their commonsense with them, then everything will be intelligible and will become clear.

"Now, Sir, let me tell you a small anecdote in this connection. Once upon a time, not very long ago, I happened to witness a Jury trial in an English Court of appeal in London. There, an ex-Attorney-General of Ireland was arguing on one side and he had to tackle a very tough case and had to address the Jury, with a judge who was hopelessly prejudiced against him. The judge was hopelessly against him because he was a very great lawyer. He began addressing the Jury in this way. By the way, Sir, most of us here are like the Jurymen there. None of us are experts in this; that or any constitutional law. Even though I have been a lawyer all through my life, even at this age and at this distance of time, I am learning everyday. Therefore there is no finality in these matters.

"Now, Sir, that great lawyer addressed the Jury thus: 'You Jurymen I am appealing to you to carry your commonsense with you. The learned judge can afford to leave his commonsense outside, but you cannot. You have to keep your commonsense in order to understand the facts which I am placing before you.' It was a very sensational case in those times and that was the way how the great lawyer addressed the Jury. I am appealing to everyone of you in the same way not to be carried away by

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any considerations in regard to this matter. It is a matter concerning the life and death of millions of poor people at whose instance and by whose votes we have come to this House. So far as this question is concerned, I once again tell you that the rent was fixed by the East India Company permanently and unalterably. Here I must make that position very clear, because it is not a case of fixation of rent as between the tenants and the Government or between the zamindar and the tenants. It was definitely settled at the time of permanent settlement that the rent of 1802 could not and should not be altered at any future date under any circumstances and not only the rent was so fixed, but also the tenure, along with the rent.

"Now, the Hon. Minister for Revenue says that he does not care for the Permanent Settlement Regulations, nor for the Report that we prepared in 1938 after an exhaustive enquiry and with so much care. He has simply brushed it aside saying that we need not consider it because we are going to revert to ryotwari system. The policy of the present Government is to go to the ryotwari settlement. I ask, how on earth could the Hon. Minister for Revenue go to that stage of raising the rent to the level of the ryotwari assessment without in the least considering the real and full implications of the permanent settlement? He must know that the rent and the tenure were fixed permanently and unalterably under the Permanent Settlement Regulations. Nobody can alter that. That was altered by the zamindars in the Andhra districts, arbitrarily and high-handedly, increasing it from time to time as they pleased, imagining that they were landlords themselves, imagining that they were the owners of both the land and the soil, and imagining that they were kings and lords and could do whatever they liked. So far as the southern districts are concerned, this rent, this tenure that was fixed as permanent, has not been enhanced. I am now talking only of admitted facts; the regular discussion on these things will come on the main Bill. If I take a little time now, it is only with a view to facilitate the business with regard to the main Bill. This Bill ought not to have been brought now at all—I agree with the remark of the Leader of the Opposition, Mr. Muhammad Ismail Sahib, when he said that the three Bills are not introduced in the order in which it should have been introduced—this is not the way in which we should proceed with the question, because of difficulty in handling the whole thing. This Bill is called a Rent Reduction Bill. I am trying to show to you that this is not a Rent Reduction Bill but a Rent Enhancement Bill so far as tenants in the Andhra districts are concerned. In the southern districts, the rent has not been increased as I pointed out to you; it was discussed at great length ten years ago when the matter was before the Legislature between the years 1937 and 1939. Then it was elicited that in the southern districts, there was no enhancement at all; it was only in the northern districts that the enhancement was made. In this Bill, it is stated that

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if rents are lower than the ryotwari rates on the date of the introduction of the Bill or when it comes into force, they shall not be enhanced to the level of ryotwari rates. When the policy of the Government is that the rent should not be enhanced—and it is not to be increased in the southern districts—am I wrong in asking the Revenue Minister to change his view and come to a correct conclusion? The Revenue Minister admitted until very recently that 1802 permanent settlement rates were permanent and unalterable. He should now revert to that view and accept that 1802 permanent settlement rate was fixed for ever and that it was not open to him alter it to the level of current ryotwari rate merely because the zamindari is proposed to be abolished now. That cannot be a reason for his adopting the ryotwari rates enhanced as they are today. When once he has accepted that position, is there any reason why he should take a different view at this stage? The tenants are there to pay the rent, and the abolition of the zamindaris means only that the agency for the collection of revenue is to be abolished. When the main Bill comes up, that will be the position we have to deal with. But what has that abolition got to do with the zamindari tenants? There is no reason for the Revenue Minister, when once he has accepted that position, now to change his view and say 'we will brush aside your report, we will brush aside the permanent settlement and the Regulation No. XXV of 1802; we do not care because we have become the lords, the rulers here, the masters here, we will see to it that we set aside all these things; we will go straightway to the ryotwari position.' How can the Government declare openly like that under the present conditions, after we have become free people; how can any Government say 'we do not care for all those things; our policy is such and such.' Whose policy, I ask? Who are you? Are you different from the people through whom you have come here? They sent you here, to legislate for them, to work for them and to do all that is just and proper for them. What is the policy of any Government? Can any Government bring a policy from the Heavens and thrust it upon the people here? Examine whether the 1802 rate is correct or not and then you can decide for yourself. This permanent settlement, this fixation of tenure permanently and this fixation of rent permanently did not come about all of a sudden in the way in which we are trying to get through legislation at this juncture, in our time. Prior to the introduction of the permanent settlement, there was considerable discussion among the officers and the Directors of the East India Company. I shall just read, not from what we have reported, but from what we have quoted with reference to the Permanent Settlement Regulations. I shall not read the whole thing as it will take a long time; I shall just read a few lines relevant to the point here:

'They took into account the losses or the deficiencies that might arise out of bad seasons and contented themselves that the yield of the favourable years would surely counter-balance the deficiencies of the bad seasons. It is thus made clear that the Government intended to confer valuable rights on the mass population and the cultivators who are actually engaged in the cultivation of the land.'

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In express terms, the rule lays down—I am reading from the rule laid down by them, not my language, not the language of any politician here or anybody who is advocating the cause of the tenants or the ryots—

'The valuable rights that can be conferred on the body of the people who are concerned in the cultivation of the land; the measure is likewise connected with the emancipation of this class of people from the severities and oppression of amins, farmers and other officers necessarily employed to collect the public dues that was liable to arbitrary variations. It involves the happiness of the cultivators of the soil who cannot expect to experience moderation or encouragement from their landlords while they themselves are exposed to indefinite demands.'

That is how the Directors of the East India Company, who were in charge of the Government of this country, framed the rules under the Regulation. That shows why this permanent settlement was introduced and how anxious they were to see that these people were not oppressed by the landlords. When they said they wanted to emancipate these poor people, are we to enslave them once again after we have attained freedom in this country of ours? I am trying to place before the members of this Honourable House the fact that this is not a Bill to reduce the rent, but on the other hand it is a Bill calculated to enhance the rent due from the unfortunate men in the zamindari areas. The duty of the present Government is to cut off the enhancements made by the zamindars either in the north or in the south, without the least compunction and reduce the rent, because the permanent settlement was made for the emancipation of the masses with a view to prevent anybody from exploiting and going on worrying them. For such a long time as 146 years, this wretched thing has gone on. In no other part of the world, let me tell you, Mr. Speaker, the tenants and the cultivators could have survived 150 years of exploitation, particularly in the northern districts where the zamindars have been increasing the varam any money rates in a merciless manner. My Hon. Friend when he was not the Revenue Minister, when I happened to be the Revenue Minister, eleven years ago, made brilliant speeches; he appealed to the then Revenue Minister (myself) and called upon him to have recourse to early legislation so that the tenants either in the zamindari areas or in the ryotwari areas would not be subjected to the tyranny of the enhancements they had been suffering under. I do not wish to quote his speeches because he does not contradict but he is prepared to admit it. He says 'until this abolition question came up, I was with you; I agreed with your report; your report was also so good; the 1802 rate also was good.' Sriji Rajagopalachari, who was the Prime Minister between 1937 and 1939, took part in the deliberations regarding this Bill in the Legislature. Read the brilliant speeches which he made then, see how he addressed himself to the question of the 1802 permanent settlement rates and find out for yourself how clearly he put the whole thing in such a way that even a boy, a man in the street, could understand without being confused; see how he stated this rate was fixed permanently, unalterably and that that rate should stand for ever. He referred to the difference

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between the northern and southern districts zamindaris. Mr. T. C. Srinivasa Ayyangar, one of the very able and good men of that day, though not of the Congress persuasion, pointed out that in the south, the zamindars did not enhance the rents fixed in 1802. If they did, they did so only with regard to the varam rates where it was paid in kind. This was discussed at great length by Mr. Rajagopalachari and he agreed that Mr. T. C. Srinivasa Ayyangar was correct. It was a matter of clear common sense based on actual facts; but in spite of this clear direction, to the misfortune of the tenants of this Province, a legislation on this matter has been postponed for eleven long years for one reason or other. I should have expected this thing to be over in two days if only the Revenue Minister's brain had not been twisted and he had not gone round and round to evolve some plan. What is the plan which has been evolved here? Three Bills. I am appealing to the Revenue Minister, I am not trying to quarrel with him; I wanted to know who framed these Bills, who was responsible for these Bills. What was the information I could get? Nobody except perhaps the Revenue Secretary knew who was responsible for these Bills. The Home Member who was present when the discussion took place elsewhere, disclaimed all knowledge. Who drafted these Bills and how have they come up now? Are we not dealing with the millions of people outside who have constituted this House, who are expecting us, whether Congressmen or not, to do justice by them? I am appealing to the Revenue Minister who has stated that it is for the party in power to devise measures like this. Yes, it is for the party in power; but what is the party? It must be the party that represents the people, it is not the party that says 'we represent the people's interests' and shifts for itself. After all, we have all come here to do good to the people: Therefore, my appeal to-day to the Revenue Minister is this. Let us have in this particular Bill all these three items. The rent which the tenants have to pay in the zamindari areas, the rents which they have to pay to the Government in the ryotwari areas and the rents which the tenants have to pay in the inamdaris, all these three things must be settled once for all, even if this session continues for two or three months more. It is worthwhile that all the hon. Members of this House go into this matter and draft a Bill so that the rights and liabilities of cultivators will be settled once for all. We have to consider how many people there are in the ryotwari area who pay rent to the Government, how many in the zamindari areas and so on. It is such a vast business, and it is not a matter to be trifled with. We cannot say that we shall pass such a legislation later. It is a standing test to this House that we should pass such a most important legislation. It is a privilege that each one of us in this House has got to deal with and it is of such great importance after 140 or 150 years of British rule. It will not be in the fitness of things to keep quiet to-day criticising the Prakasam Committee Report or the permanent settlement or any of those things. We have got to go into the details of the rates of rent paid by the tenants in the zamindari

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areas. You say, our policy is to enable them to pay the same rate in the ryotwari areas. Is it not a cruel business, I put it to you hon. Members of this House? Let us take the northern districts. As I told you, the rents went on increasing. As an example, I will take up one area, the estate of the Yuvaraja of Pithapuram who is a member of this House. Let us take this estate. In this estate, in 1802, the rates were fixed and were registered in the books. All these books are lying with the Collector and hon. Members may easily know the rates. In 1937-39 I actually went to that estate with some of my friends and I was able to check up the whole position. I got the books from the Collector's office and looked into the whole thing. The details of the money rents paid by the tenants are there and also the rates as fixed in the year 1802. Then my friend Mr. T. C. Srinivasa Ayyangar said that it was true that the rates were raised in certain zamindaris whereas the rates in other zamindaris were not raised at all. What were the rents paid by the tenants of the Pithapuram Estate as given in these books, I would like to know, Mr. Speaker. I request the Hon. Speaker to attend to this a little bit closely."

MR. SPEAKER:—"I am attending to the hon. Member's speech."

SRI T. PRAKASAM:—"I know it, Mr. Speaker. The Hon. Speaker should not take it amiss if I stress upon this fact a little bit because with reference to this particular estate, I am giving certain figures about the rents paid by the tenants there and the Hon. the Revenue Minister himself is aware of those figures. The rents paid by the tenants in that estate is over eight lakhs of rupees now. What is the amount paid by them in 1802 after the permanent settlement? It was Rs. 3,92,000. That was the rent paid by all tenants in that estate at that time. What is the ryotwari rate proposed here? It is over seven lakhs. Whatever be the reasons or the causes, the rents have increased. Now, the rent which the Maharaja of Pithapuram is collecting is over eight lakhs of rupees every year whereas it was only Rs. 3,92,000 before."

"So, Sir, what is proposed in this Bill is that the unfortunate tenants in the Pithapuram Estate are made to pay the rent prevailing in the neighbouring ryotwari areas. Are they not entitled to say, whatever may have happened, whatever may have been the misfortunes which have compelled us to pay these enhanced rates, now at least let us pay the rents that were fixed in the permanent settlement? As the permanent settlement rates are fixed and unalterable, each one of them is entitled to ask this Government to revert to those rates and not to the rates prevailing in the neighbouring ryotwari areas. But, what is it that is proposed in the present Bill? Government say, we shall abandon the Estates Land Act Committee Report; we shall not care for the permanent settlement rates; we are not interested in the Permanent Settlement Regulations, we cancel those regulations and we say that the tenants in the zamindari estates should pay the rents prevailing in the neighbouring ryotwari land. That is the policy of this Government and that is what is contained in this Bill. I am asking

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the hon. Members of this House to find out what is the ryotwari rate that is proposed to be paid by the tenants in the Pithapuram Estate. The Yuvaraja of Pithapuram himself was good enough to say that it would be over seven lakhs of rupees if the rents were fixed on the basis of rents prevailing in the neighbouring ryotwari areas. I ask, why should the tenants in the Pithapuram Estate be compelled to pay three lakhs of rupees over and above what they were paying in 1802. So, Sir, it is not a rent reduction Bill but it is a rent enhancement Bill. To show a concrete case, I have taken this estate of the Maharaja of Pithapuram and the Hon. the Minister for Revenue himself knows the facts. That is the position so far as this matter is concerned. It is not a question of a small change in the rate of rent. It will not be a slight increase over the rate of rent fixed in 1802. Mr. C. Rajagopalachariar has also made the position clear. He dealt at great length on this subject when addressing the Legislature, both in the Lower House and in the Upper House. He said that the 1802 Permanent Settlement is not merely an alteration in the rate of rent, but a system of tenure. A big increase in the rate of rent has come about unnoticed by the Government. But, the Government have come forward with this present Bill. I have been struggling hard with the the Hon. the Revenue Minister—we may not quarrel actually—but these are the facts which should be known to one and all. Therefore, we ask the Government to come with a legislation now which will settle these rents once for all. But you must fix fair and equitable rents which can be only the permanent and unalterable rent fixed at the permanent settlement. You may not postpone the abolition of the system. Even while carrying on the abolition of the system as against the zamindars, the rent or tax that is payable by the zamindari tenant to the Government shall not exceed the rate of rent fixed unalterably at the time of permanent settlement. It is only then it will be fair and equitable tax. I have made the position clear with regard to the permanent settlement and as regards the change in the policy of this Government, it is no advantage to the tenants. The policy of the Government is to ask the tenants to pay the rents prevailing in the ryotwari areas. What is the ryotwari rate? Is it a just one? Is it a proper one? When the Revenue Minister was an ordinary member of this House, he made a passionate appeal to me while I was the Minister for Revenue with regard to the ryotwari tenures. He was sorry that these tenants were burdened with additional taxation by the Government. But, Sir, the difference between the northern zamindaris and the southern zamindaris is this. The English Government were very clever people. They were experts. They became land revenue experts after having taken possession of this land and also of our bodies and souls. Look at the revenue system which they have built up. Hon. Members of this House are aware how they have tied us hand and foot to their land revenue system, to the rules and regulations which they had prepared. They were experts; they knew the law; they knew the enactments. I am quoting the Hon. Minister Mr. Venkata Rao, now the Revenue Minister, as my

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authority to show how he condemned the revenue system, how he condemned the Board of Revenue and the orders passed by the Board of Revenue. He condemned the Board's Standing Orders with regard to this rent regulation. He condemned the four volumes of the Board's Standing Orders which constitute the land revenue system here in the morning, in the afternoon and all the time. He regretted and he mourned for it eleven years back and said that we should immediately come up with a legislation for the abolition of the zamindaris. The predecessors of the Congress Government, the Justice Party, were not able to change the land revenue system. We brought in a Bill for reduction in 1802 level in zamindari areas in response to the appeal of Sri Kala Venkata Rao and also in response to the appeal made in 1937 of Sir Muthiah Chettiyar, representative of zamindars, asking why I did not think of revising ryotwari rates also. I told him that I was preparing the Bill. I did prepare a Bill. Mr. Speaker—let it be known to my hon. Friend—it was drafted by the Revenue Secretary, the late Mr. Holdsworth. In that Bill I proposed the cancellation of the enhancements made by the British Government in a civilised fashion. They were clever than the zamindari people. They introduced a Bill; they introduced a system of resettlement. In resettlement, they enhanced the rates. If it was the desire of the Revenue Minister to completely revise the land revenue system of the Government, I should have expected him to come forward with a comprehensive Bill.

"I do not want to go into the details of the ryotwari areas at full length. There is the Marjoribanks Committee Report dealing with the ryotwari lands. That report clinched the matter up to a point although it did not go up to 1810 as in the Bill which I drafted. But it dealt with the whole subject. I have got the report here. In paragraph 6 of the report it is stated:

'The Committee is now informed that periodical settlements are to be abolished and that the present rates of assessment are to be reduced to the extent of Rs. 75 lakhs and that the reduced rates should remain unaltered.'

That is the expression used in the Marjoribanks Committee Report, a much earlier report than the one which we prepared when we came to office. That report recommended that the rate in ryotwari be reduced by Rs. 75 lakhs and then the reduced rates should remain unalterable. If anybody wanted to increase the rates, the Committee recommended that they should not be increased by the Government of its own accord but that they should be brought before the Legislature for approval. So you reduce the rates in the Government ryotwari areas to the extent recommended by the Marjoribanks Committee Report. After we came to office in 1937 we gave effect to this recommendation and gave remissions of Rs. 75 lakhs. But on one occasion the whole amount was not utilized, a few lakhs were left unallotted and the present Revenue Minister then raised a point and said: 'A few lakhs of rupees are still remaining there and they might be utilized in connection with the percentage enhancement in Kistna and Godavari districts and the water-rate enhancements from Rs. 5 to Rs. 6-8-0. Four lakhs of rupees may be spent immediately and early legislation might be

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brought forward. That was the burden of his song then. Therefore the first thing the Revenue Minister must have done today is to take the ryotwari system itself, examine the recommendations of the Marjoribanks Committee Report which were given effect to by us and which, owing to political controversies subsequently and one flying at the throat of the other and losing sight of the country's interests were not fully implemented. Now, Sir, with what grace can you say in this Bill that the rent which the zamindari tenant is liable to pay after the abolition of the zamindari is the rate prevailing in the ryotwari area without reducing it to proper level? It should not be done. I am fighting and have been fighting against odds. I do not want to take you into old stories showing what kind of obstructions were raised and what powerful forces were against us, how powerful men waited in deputation on Congress High Command and how thing done here. That stage also we reached eleven years ago. When this report was made ready some members said that this document should be closely preserved, locked and sealed so that the public could not know anything about it. For if the contents of the report were published, they thought the public would be enraged and there would be breach of the peace. But I was the chairman of the Committee. Then the Governor was approached with a request that this report should be prevented from being presented to the House. Mr. B. Sambamurthy was the Speaker then. When he was called by the Governor and when he was asked to see that this report was not presented to the House, he said: 'How can it lie in my power to prevent this? This report has been prepared by the Committee appointed by the House on a motion passed by the House and it should be presented to the House. How can I prevent this being done?' Now, Sir, circumstances have changed and an opportunity has been given to the Hon. Revenue Minister to pilot that Bill. He should pilot the Bill in a manner befitting the work which the Congress Party has been carrying all these years.

"Sir, even with regard to the adoption of the ryotwari rates, it is not a ready-made thing which can be easily adopted. It has got so many difficulties which I have been pointing out. There is a press controversy going on, but I do not wish to refer to it here. It is not a thing which can be settled easily. The Government are aware of it. In clause 2 of the Bill it is proposed that a Special Officer should be appointed to enquire into the matter, this ryotwari rate business, for the purpose of determining the equitable rates of rent and so forth. It is stated that it is only for a temporary period. I am fighting against this even for a temporary period. God only knows what would happen if once this is allowed for a temporary period. I am unable to understand what is meant by a temporary period. What business has this Government to call upon zamindari tenant even for a temporary period to accept ryotwari rates which are not accepted by the Marjoribanks Committee Report, which the Government themselves did not accept and pleaded that it should be changed?

"I have said at the beginning that this is a most important Bill not to be treated as a mere temporary measure. This temporary

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measure will become a permanent measure and will choke up whole country. Even if it is a temporary measure, there are so many clauses. It says that village after village must be dealt with, that neighbouring villages should be taken into account and so on.

"I have pointed out the difficulties. Therefore go straight to the permanent settlement rate which nobody can alter. Failing that, go to the Marjoribanks Committee Report which you accepted and which we all enforced. Leaving out all these things, you have come forward with this measure, this wonderful measure! It is not easy to amend this Bill and yet I have given amendments to the Office and I have shown how the Bill will stand if my amendments are carried. If what I am saying before you and hon. Members of this House are accepted as reasonable and correct, a proper and reasonable and equitable rate of rent can be fixed for these lands without making any violence to law or justice or equity. That is the position, Sir.

"I am thankful to the Government for having given an opportunity in clause 2 of the Bill with regard to the appointment of a special officer to settle fair and equitable rent. After all what is the comparison between the permanent settlement of 1802 and the appointment of a special officer to settle fair and equitable rent? What is the comparison? The Special Officer has been asked to determine rates of rent with reference to assessments in neighbouring ryotwari areas. A most complex revenue system has been introduced by the British Government in this country. We have been chained and roped into rules and regulations. The Board's Standing Orders are a living monument of the woes of the ryots. The Government formed its own Code, everything was done on slips of paper and there was no legislation and no consideration, nothing at all. Anybody can do anything he likes. Under the circumstance when millions of people have been thrown into our hands and when we have to settle this matter what is the way to settle this matter? To discard all recognised positions and say that we must and we will do this or that is not fair or proper.

"Sir, I must say a few words with regard to the inam lands. Such a storm has been raised about it. It was stated here that at an early stage I took a particular line and a particular view with regard to the exclusion of inams. I did take that view along with the other members of the committee when the Estates Land Act Committee report was prepared by us. We stated all the reasons. Eleven years have elapsed since then. This Government should have taken up this inams question immediately after coming into office if they held strong views on it. Now scandal has been created. It is stated: 'Mr. Prakasam has been against the inclusion of inams in this Bill and he does not want the inclusion of inams in this Bill also.' Who started this scandal? Who is the man responsible for it? How did it start? I gave notice of amendments even before the party meeting discussed the matter explaining my position with regard to these inams. So, Sir, should there not be a limit to the vagaries in this country when we are dealing with matters of life and

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4 p.m. death concerning millions of people. Professional men to be let loose in the streets and even into out-houses to talk about these things! People have begun to come into my house and ask my view about these inams. What happened to these people I will reserve that, Sir, for a later date. There is a lot about it to be stated and it will be interesting also. I have stated already what should be the basis of this Bill. I stated that these inams also should be introduced but I added in the end that the Inamdars are stating that their cases should be enquired into and that the enquiry be held now. It has not however been done though the position is serious. Hon. Members in this House may be worried because of the time taken by me but the ground must be made clear with reference to the main Bill by placing all the facts before them. I would request the Hon. the Revenue Minister to distribute the Report of the Madras Estates Land Act Committee to each one of the members of this House. Let them investigate that report and all the literature connected with it so that they will be able to draw their conclusions and understand the position. Now so far as the inam position is concerned, my feeling is that it also must be taken up, must be gone into, must be enquired into and must be settled now.

"With regard to the ryotwari lands I am anxious that this thing which has been causing so much trouble to the tenant population in the country should be gone into. I am not raising any technical objections with regard to this but only urge for an enquiry into these matters. Draft the Bill in such a manner that all these three questions are settled so that peace may come in the end. There is no necessity for drafting the Bills. Three Bills have been already framed for this purpose.

"I did not expect to take so much time of the House but it was necessary to make my position clear so far as these matters were concerned. If the Government are good enough to distribute the old reports, hon. Members will be able to understand."

SRI A. KALESWARA RAO:—"I am sorry I thought the other Bill would be taken. I was also slightly indisposed and I came late. Therefore, I request you to excuse me and allow me to continue my speech either now or afterwards."

MR. SPEAKER:—"If I allow the hon. Member to speak, it will become a bad precedent. I have no objection personally to allow you. Then another Member will rise to do the same thing and it is therefore better I stick to the rules."

SRI K. BHASHYAM:—"Let him be treated as a different and fresh speaker."

MR. SPEAKER:—"No one can be allowed to speak twice on the same motion."

* M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"Sir, it is very very uncharitable on the part of the Revenue Member to introduce this Bill without introducing the main Bill. No

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doubt so far as we are concerned, we stand for doing justice to all classes of people and we stand for removal of inequalities in the societies. We find a lot of controversy in the papers in regard to two aspects of the main Bill, that is payment of compensation and the inclusion or non-inclusion of inams. We do not know whether the Government have decided yet with regard to these aspects and that is why perhaps they have not introduced the main Bill. Without introducing the main Bill now they are introducing this subsidiary Bill. Therefore it will be very difficult for us to form our own views upon this matter. Anyhow, so far as this Bill is concerned, the principle is for the reduction of rents and doing justice to the various ryots. On that principle alone we accept the principle of this Bill. It should not be understood that we accept inclusion of all sorts of inams or the rate of compensation to be paid to inams or zamindaries as mentioned in the main Bill. With this reservation, I want to point out some main defects in the Bill itself.

"No doubt the Government is going to appoint Special Officers to determine the rent in each village according to the adjacent ryotwari area. Under Section 2, they have taken this power. Then in section 2, clause (2), they have also explained further what will be the principle upon which the rent also should be determined but now they say under section 2, sub-clause (1), that in such estate or estates, equitable rents should be fixed taking the assessment fixed for similar ryotwari lands in the neighbourhood as the basis. In the same section, sub-section (3), they also reiterate in the same manner that 'the rates determined for each village shall be based, as far as possible on the average assessments prevailing in respect of the different classes of land in the nearest ryotwari village.' My submission, Sir, is that this is only an intended clarification of clause 2 (1) and it ought to have been deleted or put in as an explanation.

"Further, there is also I find a certain amount of inconsistency in regard to section 4 and section 2. In section 2 (1), the Government say that they are appointing a Special Officer to determine equitable rate of rent and sub-section 2 of section 4 says that the Government is going to pass an order with regard to rent; but in passing the order what will be the consideration of the Government, whether they are going to consider the circumstances under which the rent should be determined as per section 2 or in their own individual discretion will they arrive at any sort of rent? So far as that is concerned the matter should be made clear.

"Section 6 is not at all understandable in this piece of legislation. This is a piece of legislation which has been drafted mentioning known principles that should govern the relationship of the landlord and the tenant. Then why the Government fight shy of civil courts? In former times in this Presidency such legislations were passed but they did not remove the civil court jurisdiction. When they have made certain provisions and they have

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made clear that certain principles should govern the determination of rate of rent, why should they fight shy of the civil courts. I do not understand? They ought to have allowed the civil court to find out whether it is the same principle that has been applied in each and every case. Sir, we are living in democracy. Of course during war time the executive usurped so many functions of the legislature. After the war in Europe the tendency is the legislature to dominate over the executive has grown and that sort of thing should be allowed in this Presidency. I do not see any necessity for section 6 which says 'no order under section 4, subsection (2), shall be liable to be questioned in any court of law.'

"With regard to section 7, I do not understand the necessity of that section because the Government has stated clearly that in section 5 'where an order is published under section 4, subsection (2), in respect of any estate, rents for lands in that estate shall be payable only in money and at rates not exceeding those fixed in the order, notwithstanding anything contained in the Madras Estates Land Act, 1908.' They have excluded the operation of the Madras Estates Land Act in fixing the rent. Now they say that 'the rights of the landholder and the ryots shall be adjusted accordingly in section 7.' Will that mean that the operation of the Madras Estates Land Act with regard to the remedies contained therein will be given to the landholder? This should be made clear. It should be specifically stated that notwithstanding all these provisions the remedy open to the landholder are still available. That sort of explanation or clear statement is also necessary in this piece of legislation.

"Then there is another clause and that is section 8. There is a provision that the Provincial Government may make rules to carry out the purpose of this Act. Since the Act is a very important one I would suggest to the Government that they should follow another method. In the Companies' Act there is a table attached to that Act with regard to regulations for meetings and other things of the companies formed. In framing this Act they should also frame model rules how the rent should be determined by the Special Officers; and they should place before the House for the information of the House. A chance should be given to the House to see whether by those rules fair and equitable rent can be determined by the Special Officer and if there is any lacuna the members of the House can give their suggestions.

"With regard to section 9, I do not see any necessity for this section at all. I have seen this sort of omnibus section in two or three pieces of legislation. It says 'If any difficulty arises in giving effect to the provisions of this Act, the Provincial Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.' This is a popular Ministry. It has the confidence of the majority of the people. Whenever any difficulty arises, they may pass in a day the necessary legislation. I do not see any

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necessity for this provision at all in this Bill. I therefore request that directions may also be given to the Select Committee to consider this point and make this legislation a smooth one."

SRI K. ANANDAN NAMBIAR:—"Mr. Speaker, I am here to support this Bill. While doing so, I would like to bring to the notice of the Hon. Revenue Minister that in fixing the rent on the basis of the ryotwari assessment, the re-settlement rates that came into being after 1913 should not be taken into account. For it had always the effect of putting up the existing rates by annas two or three per rupee. So, if the tenants who have the benefit of this Bill are to be asked to pay at the rate obtaining for ryotwari lands, it will mean that they would have to pay the same rent, which will mean an excess of annas two or three per rupee over what was in 1913. I, therefore, appeal to the Hon. the Revenue Minister that the rate of ryotwari assessment as it obtained before 1913 should be allowed. That will be a great help to these tenants. I admit that the present Bill itself has afforded them much help. In this connexion, I differ from my hon. Friend Mr. T. Prakasam because he wants to show that this is a rent enhancement Bill and not a rent reduction Bill. He argues that the rates obtaining in 1802 is a lesser rate. That rent may be lesser but it has to be remembered that the settlement then made in 1802 made it clear that it should be paid in kind. He says that there are some records somewhere in the Collector's office, even if it is so, who is going to find out the rate and how are you going to fix the rate, for it will depend upon so many things, the rate levied at that time, the value of paddy at that time and so on. It will be very difficult and even unworkable. Of course, he is taking a very sympathetic attitude towards the tenants though during the period of his Ministry, he did not show so much solicitude and kindness for their cause and now when a Bill is brought he asks the Revenue Minister: Why are you taking ryotwari rates; why do not you go to the rates as it existed in 1802? As I have explained this is difficult and if it is insisted upon, the poor tenants will lose the benefit that this Bill gives to them. Let the tenants in the zamindari areas be given some benefit; the sooner it is done, it is better. There is no use of trying to put the cart before the horse. As I said, it will be a very miserable state of affairs if, for the purposes of fixing the rent the Government will have to be diving into the records of each Collector's office, to find out the rent in kind that exists: we may get it or we may not or it may be favourable or not and so, I say that that is a suggestion which cannot be supported and so, I am here to support the Bill. But I agree with the spirit of Mr. Prakasam's suggestions and I am fully with him when he says that the poor tenant should be given more consideration and I will even go to the extent of suggesting 50 per cent or even 25 per cent of the 1802 rates. But I feel that there is no use of saying that even the zamindari Bill may be postponed and that it will be enough if the 1802 rate is introduced. I am sorry to observe that he confuses the issue of the abolition of zamindaris

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with the reduction of rents; he seems to feel that the rent reduction based upon the 1802 rate will give more benefit to the tenants than the abolition of zamindaris. I feel that we cannot confuse one with the other."

SRI T. PRAKASAM:—"I am not proposing the postponement of the abolition of zamindaris; it will be in the forefront."

SRI K. ANANDAN NAMBIAR:—"I have written the very words of the hon. Member in my note book and he has stated 'postpone the zamindari legislation'—that is what he said. Perhaps he used them in some other setting. If the hon. Member feels that he is not for postponement, I will be the first person to congratulate him and I will be the first person to appreciate his stand. We want the abolition of the zamindaris in toto. Also about inams, he said that he is for their abolition but he said that the whole matter must be enquired into. What is there to be enquired into. Honestly, I tell him, Sir, 'enquiring into the whole affair', 'considering the question' are legal quibblings and constitutional jargon with which we cannot get through business; and we are very much afraid of all these expressions. I myself had had very bitter experience of these matters with Government officials who used to say: 'We shall have it examined; we will consider the case and we will go into it or we will enquire into it' and so on. The Congress Legislature party has once for all decided that the zamindars and the inamdars should be wiped out. I am with him if he honestly feels that an enquiry that he suggests will be concluded in a short time and that it will decidedly better their position. In that event, I would even be with him. But that will not be so. I request the Hon. the Minister for Revenue in conclusion that he considers the question of taking the ryotwari rate prior to 1913 as the basis. In that case, it will help them to the extent of 12 per cent more than what is proposed. If difficulty is experienced in the matter of finding out the 1802 rate, at least this may be given to the zamindars."

"Regarding special officers, I feel that they are good for understanding things; but if they are given special powers to decide and find out the equitable rate and if they fix it, where are the tenants to go if they feel they had been wrongly dealt with. So far as this legal bar goes, I take it in a different light. This bar against going to law courts will be dangerous to both parties; it is dangerous to the zamindar as well as to the tenant and both of them must be opposed to it and I on behalf of the tenant plead that there must be an appeal to higher court; there must be a legal authority above them to decide at a later stage whether the decision of the special officer is correct. That must be given and it is necessary."

"Regarding section 9, we shall have only to read to find what sweeping powers are taken by the Government:—

"If any difficulty arises in giving effect to the provisions of this Act, the Provincial Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty."

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They say they can do anything and even the spirit of this legislation can be undone and I say that these things should not be there in the Bill. With these words, I wholeheartedly support the Bill and I appreciate the Hon. Revenue Minister's action the revolutionary action and I hope that not only on this matter but also with regard to the abolition of zamindaris and inamdars, he will continue the same revolutionary spirit and completely abolish them."

SRI M. G. NATESA CHETTIYAR:—"Mr. Speaker, while any legislation touching the Estates Land Act is being discussed in the House, it has always become the custom to catalogue the woes of the ryots. It may be quite right; but the zamindars are not so great sinners as they have been pictured to be on the floor of the House. As Mr. Prakasam has said, in the South there were zamindaris which were created long before Regulation XXV of 1802. This really took effect in 1805 or 1806. In those days, the regular feature of encouraging cultivation was to take up a tract of land and lease it over for a period of three or four years and the duty of the lessee was to supply the cultivator with plough, a house, grain for his subsistence and clothing and see that the entire cultivation is carried on with every assistance. The hon. Mr. Prakasam was quite right when he said that the zamindars of the South were quite good and that they were farmers themselves and were conducting agricultural operations and I know and I have even papers to show that even the right of the soil was given to the zamindars in Salem district at any rate. When the East India Company came in after the defeat of Tippu the cultivated area was not even one-fourth of what it was in 1850. Subsequent increase in the cultivated area was due to the efforts of the zamindars as I have stated above. The permanent settlement brought about in 1805 was merely an attempt to augment revenue and subsequently controlled by Regulation IV. of 1822, Act VIII of 1865 and lastly by Act I of 1908. We have a special consideration for the ryots and the cultivation and even to-day zamindars are supplying manure, cattle, ploughs and other things in order to help agriculture. During unfavourable seasons remissions are being granted and during outbreaks of epidemic, they are being treated just like the kith and kin of the zamindar. It was under those conditions that the zamindari legislation came into force. The rate of rent fixed there was the same as the ryotirata namely the 1802 rate. It is not as if they are battenning at the expense of the ryots. If that be the case, I ask people who hold that view whether it would have been possible for nearly 129 estates changing hands within a period of eight years? The very fact that these have passed from the hands of the original owners is sufficient proof that the management and upkeep of estates is not a profitable concern. No doubt it might have become a profitable concern now and you may take it that the rents are more than what they had been. But I say when the peshkush was fixed what was it that was fixed; is it only the rent of the land? I am sorry, I beg to differ. It is not a fact

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in Salem district. Along with other emoluments were also given command respect and regard. They were never treated as renters or 'kanganis' as was said once on the floor of this very House. What was it that was settled? The rate of rent on all the then cultivable lands only were settled and not the rent on other lands which were left to be settled by the Zamindars as per his own terms. It is only to such extent the unalterable nature of the rent was fixed and not in respect of the lands that were assigned and brought under cultivation subsequent to permanent settlement. This was done after a careful and considered survey and assessment carried on by Colonel Reed and his assistants in Salem district. For a number of years, they in Salem were paying rates much more without any sort of reduction even during a string of bad seasons. I tell you, Sir, in Salem district, if the area of cultivation then is taken into account, it will be found that it was only in zamindari areas that cultivation was carried and not in ryotwari areas. I assert not on an oral statement but based on the very records of the district.

"Sir, I may be excused if I am taken as a bit enthusiastic over this. But I tell you I am very calm, very considerate, and am one who moved a Bill in 1937 for the abolition of partible zamindari. It is not as if I want to grapple more money. That is how many of my friends thought then. I wanted them not to mistake me. It is a legal thing that we should get. What is the record on which I am basing my claim. I will not be surprising the House when I say that the estates that were created in 1802 were subsequently purchased by the Government as if it is a property and for that value. The zamindari which was created by the very company in 1805 had been purchased from the zamindars, and these zamindars are now called renters. It is true that under Regulation XXV of 1802 proprietary right of the soil was conferred on the zamindars. But in 1922, under Regulation IV, this right was watered down. There was correspondence between the Collectors, and the Board of Revenue considered it. They said that they have done a mistake, and that they were rectifying it. But what about the legal position during the period of these twenty years? Were they not landlords possessing proprietary right in the soil. Proprietary right of the soil and the occupation of the land is confused now. Why is it called rent? It is a tax payable for the use and the occupation of the land. That is why it is called rent and payable for the use and the occupation of the land. That is why it is called rent and not kist. This took place during the discussion in 1865 and later in 1905. There is no doubt as to the proprietary right of the soil, and there is no doubt as to the settlement of the rent also, permanently and unalterably. Today, it is said that the Salem zamindars are getting Rs. 14 lakhs while they pay only Rs. 6 lakhs. What about the land that was purchased, Sir? we had the proprietary right of the soil in respect of waste lands, poramboke and forests. Supposing, all these lands were brought under cultivation by the zamindar, is it wrong? As a matter of fact, it was this which attracted the mittadars of Salem district to go in

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for estates. Imprisonments were effected for not giving the peshkush. Because the zamindar could not collect from the ryot and pay to the Government, he was imprisoned. His personal property was taken over. I need not go further to tell this House that this class of people are really, and were really, a great help to the cultivating classes. To-day, I ask the hon. Mr. T. Prakasam what is the area that has been given? He very nicely said it, Sir. He said one crore and sixty two lakhs of acres of land were given to the zamindars in 1802. The cultivated area now, Sir, is one crore and twenty-two lakhs acres. What about the area cultivated in ryotwari? It is about six crores and seventy-nine lakhs or so. What is the proportion of cultivation there? What is the area of cultivation in 1802? Was it as much as this one crore and twenty-two lakhs of acres? Can we ever imagine it? Was not the Province then something like a jungle, and only here and there there were patches of cultivation. Sir, that is a fact. The development of the area after 1802 must be counted with the right of the use of all waste land and arable land. That is the private income for the zamindar. In fact that is the only bargain which invited many people, big and respectable, to come in. Sir, if these lands were very valuable properties, will change of hands take place within a few months? This month one mittadar, and next month another mittadar, and so on it went between 1805 and 1813 and later in Salem district. I was changing hands very rapidly as if it is a sweet 'laddu' being sold. What is the situation of these families? I know all those families to-day. What are they doing? They are all ruined, and they are not able to get on in their life. Out of mercy, they are being paid something or other from the very ryots of the village. We have got respect for the original zamindars. We are zamindars who have purchased, who have invested money, and who have paid the consideration under your very nose, Sir. (Laughter.) To-day what is the position? Where are the zamindars to go? What are they to do? The rates of rent have been so well put. The hon. Mr. Prakasam said that even at the time of 1802, when the Raja of Pithapuram was having his estate, he had all the lands cultivated. Is it right?"

SRI T. PRAKASAM:—"Have I said that, Sir?"

SRI M. G. NATESA CHETTIYAR:—"How else then, Sir, the assessment could be compared now? Well, how could four lakhs of rupees become eight lakhs of rupees? How could you attribute that to the 1802 rate? (A voice: 'No.') (Laughter.) For that, there must be development in the area of cultivation. The peshkush that was fixed in 1802 . . ."

SRI T. PRAKASAM:—"The enhancements made from time to time are borne out by records in the Estate office and also in Government offices."

SRI M. G. NATESA CHETTIYAR:—"If all the legal details are going to be thrown on this poor mouse Natesan (hear,

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hear and laughter), I am very sorry, Sir. I cannot meet by argument, but I can meet by facts. I will now furnish facts. What was the peshkush that was fixed. The peshkush was fixed on the rental of the then cultivated area. It is not peshkush that has been fixed for all the lands in a zamindari area. That is what I want to tell him. To-day's rental has no connection with the 1802 peshkush. The peshkush is only one-third or sometimes two-third, because it is all on reclamation area. Most of the Salem district zamindaris are reclamation areas. It was given as land. Right or wrong, these estates came into being in 1808. It was originally treated as a single land. The entire area of each estate was given, with proprietary right of the soil, to the zamindar, of course with certain limitations—limitations of the right to occupy and cultivate the land, as long as they paid the established rate.

“ With these remarks, and coming back now to the Bill proper, I would just request the Hon. Minister for Revenue to consider the present Bill as one for the provisional reduction of rent in estates where higher rates than ryotwari rates prevail. How are such estates to be determined? Who is going to determine it? Is it on the complaints of the ryots, or on a search of the records by Government themselves? If it is to be on the complaints of ryots, how are the complaints to be verified? Verification of complaints by Congress Governments has been very many. We have been having certainly a very hard time verifying all these pseudonymous complaints. It has become very common nowadays. Meanwhile what is to happen to the collections? Again, Sir, a higher and lower rent may prevail in one and the same estate. In that case, what is the Government going to do? After the introduction of the ryotwari rate, who is the agency to collect the rent? Is it the Government or the landlord himself? Then, again, grain rent is to be commuted into money rent, and this is to be implemented under clause 3 (1). In that case what are the institutions like mutts, chatrams and temples, etc., which require grain for their maintenance going to do? Why should their grain be converted into money rent, and then they should be made to purchase grain?

“ Sir, it is presumed Government want to introduce ryotwari rates. May I know at what rate. Is it under the present rate of rent or at the lower rate of rent to be fixed hereafter by the Government in their proposed Bill? Whatever it is I believe all the benefits of the ryotwari system will also be available to the ryots where higher rates are now prevailing. I presume that is the understanding, and if it is so, that is bound to give some consolation to the ryots. When I say “ benefits of ryotwari system ” I mean seasonal remissions particularly. And that should start from fasli 1357 and continue until the final take over of the estate by the Government had been completed. Now as regards the ryots in areas where lower rates of rent prevail, should they not also have the same benefit. Now I ask why do Government want this difference between high and low rent? The final object of the Government is to introduce ryotwari system in all estates; I ask,

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why not introduce it straightway in all estates. If there is regional rate, there is area rate also, and all these facts are available with the Government. It may be correct, and in every taluk we have some of these particulars. Why not allow all the ryots a uniform rate, also the benefit of remission as we have in respect of ryotwari areas directly under the Government. If, supposing it is the intention of the Government why should they give more money to the indulgent people, just as the hoarder gets the benefit of bonus under the procurement of food scheme. It is doubly wrong; it is wrong because you are not considerate to the ryot; it is wrong because you are considerate to the indulgent zamindar; for where a man who had been getting more all along will now get more. You are paying him, if I may say so, a bonus. I once again say, even in respect of lands, where a lower rate of rent prevails, it is really very laudable that Government should introduce a uniform rent.

“ Again, Sir, what shall I say of our Government? It is ever in need; they have very big programmes; but they always fall into deficit; they want to augment their resources; so they want to impose some tax or other. Now if they introduce a uniform system of ryotwari tenure, will it not help them to find new sources of revenue, say, an agricultural income-tax? Certainly, this can be done, without any distinction between the higher and lower rate of rent, by adopting a uniform system of ryotwari rates.

“ Sir, provision in respect of collection of arrears of rent and also remission of rent to the landlord must also be made. This is a legal thing; he has paid his peishkush and why do you want him to write off his rent due from his land? Whatever it is, he would have spent some money to collect it by securing a court decree, and I know, in my own office I have got a number of decrees, because I have been indulgent to my tenants. Is my indulgence to be punished. I think it is wrong to punish people who have been indulgent to the ryots. Provision must also be made for the payment of rent in regard to private lands of the zamindar. Otherwise a zamindar will not only have to leave his estate but he will have to be lingering in front of the ration shop! I don't think that is right. The Bill must be rent repeal and not mere rent reduction Bill alone. The very title of it has to be changed, as the hon. Member Mr. Prakasam rightly put it. There may be some legal difficulty. But I say, it is not really scientific either to go to 1802 or to come to the conclusion all at once without giving effect to the Marjoribanks Committee Report in respect of remission in the ryotwari area. Of course it is clearly stated in the Bill that the ryotwari rate according to the rate to be proposed in the Bill that is to be brought by Government should be fixed.

“ Sir, I will conclude with making a reference to the important nature of the present measure. The House is aware, the abolition of the zamindari is being enacted in more than one part. Already one part of it had passed the stage of select committee and is placed before hon. Members of this House. The Rent Reduction Bill is

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before the select committee. And the main Bill is yet to come. All these three must be considered together with relation to one another before they become law. It is but fair that an enactment which is going to affect one-third of the province because of a change from one system to another must have proper time for consideration and co-ordination before it becomes law. Thank you, Sir."

SRI B. VENKATANARAYANA REDDI:— "అధ్యక్ష, ఎస్టేటు (estate) లోని భూములపై శిస్తును తగ్గించుటకుగాను మన రెవెన్యూ (Revenue) మంత్రిగారు ప్రవేశ పెట్టిన ఈ బిల్లును నేను హృదయపూర్వకముగా విలపరచుచున్నాను.

"ఈ బిల్లు ప్రకారము ఎస్టేటు (estate) గ్రామములలో ఇప్పుడు రైతులు ఇచ్చుచున్న శిస్తులను రద్దుచేసి వారు సమీపమునగల రైత్వారి (ryotwari) గ్రామములలోని రైతులు ఇచ్చుచున్న రేట్ల ప్రకారమే శిస్తు చెల్లించునట్లుగా నిర్ధారణ చేయవలసి యున్నది. రైత్వారి గ్రామములలోని రేట్లు ప్రకారము కాకుండా 1802 వ సంవత్సరం పెర్మనెంటు సెటిల్ మెంటు (Permanent Settlement) రేట్ల ప్రకారము శిస్తు చెల్లించునట్లుగా నిర్ధారణ చేసినట్లైతే రైతులకు చాలా లాభదాయకముగా ఉంటుందని కొందరు గౌరవనీయులగు సభ్యులు చెప్పియున్నారు. ఈ విధముగా శిస్తు నిర్ణయించిన కొన్ని కష్టములకలవని మనవి చేయుచున్నాను. 1802 వ సంవత్సరము నాటికిని నేటికి చాలా తేడా యున్నది. అనేకమగు మార్పులుకూడా జరిగినవి. ఆనాడు రైతులు జమీందారులకు శిస్తును కొన్ని రూపములలో కాకుండా ధాన్య రూపకముగా ఇచ్చు అలవాటు ఉంటూఉండేది. ఇప్పుడు శ్రీ ప్రకాశం పంతులుగారు 1802 వ సంవత్సరపు శిస్తులను నిర్ణయించిన రైతులకు చాలా లాభదాయకముగా ఉంటుందని చెప్పియున్నారు. 1802 నాటికి ఎస్టేటులలో కొంతభాగమే సాగుకాబడుచుండేది. ఆ భూములకే అప్పుడు శిస్తులు నిర్ణయించినారు, మిగత భూములు బంజరులుగా ఉండేవి. వాటికి ఏ విధమైన శిస్తు నిర్ణయించబడియుండలేదు. కాని ఈ బంజరు భూములలో కొంతభాగము దరిమిలాను సాగులోనికి తీసుకొనిరాబడినది. దానిపై జమీందారులే శిస్తులు నిర్ణయించినారు. శ్రీ ప్రకాశం పంతులుగారి రిపోర్టు (report) ప్రకారము 1802 నాటికి ఏ భూమిసాగుగా ఉన్నదో ఆ భూమికి అప్పట్టి రేట్లు ప్రకారము, దరిమిలాను సాగులోనికి వచ్చిన భూములకు దరిమిలా శిస్తు నిర్ణయించవలసినదిగా ఉన్నది. యిందువలన 1802 నాటికి యేడు భూములు సాగుగవున్నది, దరిమిలా యేభూములు సాగుకాబడినవి అనే విషయం ఋజువుచేసుకొనవలసియున్నది. ఈ విధానమువలన రైతులకువారు ఎంత శిస్తు చెల్లించవలయునో బోధపడక కోర్టుల దుట్టును వకీళ్లచుట్టును తిరుగవలసివచ్చును. ఇది రైతులకు ఎంతమాత్రము సాధ్యమైనటువంటి విషయముకాదు. కాని నేను మనవి చేసినట్లు సమీప గ్రామములలో ఉన్నట్లు రైత్వారి రేట్లను నిర్ణయించినట్లైతే ఏ రైతు ఎంతెంత శిస్తు చెల్లించవలయునో వారికి సులభముగా బోధపడి వారు కోర్టులకుగాని వకీళ్లవద్దకుగాని వెళ్లవలసిన అవసరముండదు. ఈ విధానమే రైతులకు చాలా లాభదాయకముగాను సులభముగాను ఉంటుందని మనవి చేస్తున్నాను.

"శ్రీ ప్రకాశం పంతులుగారు తయారుచేసిన రిపోర్టు ఇదివరలో ఈ శాసనసభలో చర్చకుపెట్టినపుడు వారి రిపోర్టులో తెలియజేసిన ప్రకారము 1802 వ సంవత్సరపు రేట్లను నిర్ణయించవలసినదను విధానమును విలపరచినవాళ్లలో నేనుకూడా ఒకణ్ణి. కాని ఆ నాటికి ఈ నాటికి తేడాకుకారణము ఏమనగా రైత్వారి విధానమువలననే

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రైతులకు చాలా లాభండుననుటయే. ఈ విషయమై ఆ నాడుకూడా ప్రకాశంగా కమిటీలో సభ్యులుగా ఉన్నటువంటి శ్రీ రంగస్వామి అయ్యంగారు అప్పుడే వారి అభిప్రాయమును (రైత్వారి రేట్లను నిర్ణయించవలసినదిగా) తెలియజేసినారు. వారు అప్పుడు కార్మికులను సార్వీ సభ్యులుకూడాను. వారు అప్పుడే 1802 వ సంవత్సరపు రేట్లను నిర్ణయించిన రైతులకు చాలా వాదకరముగా నుండునని ఈ రేట్లను నిర్ణయించుట చాలా కష్టమనియు, ప్రత్యేకముగా వారియొక్క వ్యతిరేకతను తెలియజేసియున్నారు. ఆ రోజు నాకు వాగుగా జ్ఞాపకమున్నది."

MR. SPEAKER:—"As the hon. Member wants more time to finish his speech he may continue his speech to-morrow.

"The House will now adjourn to meet again to-morrow at 11 a.m."

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APPENDIX I.

[Vide answer to starred question No. 257 asked by Sri Pillalamarri Venkateswarlu at the meeting of the Legislative Assembly held on the 17th October 1947, page 992 supra.]

Petition from T. S. Peter, son of Sudalaimuthu, Melapathai Muthaiah, son of Keelakarivelangal, M. Kanakaraj, son of Muthiah, Pathai, on behalf of themselves and other Adi-Dravidas of Pathai village, to the District Superintendent of Police, Tinnevely.

1. Petitioners are inhabitants of the village Pathai, near Kalakad in the Nanguneri taluk. They are Adi-Dravidas and they and other Adi-Dravidas of the village are eking out their livelihood by either working as farm-servants or cultivating on lease the lands belonging to rich landholders such as Annamuthu Iyer (village munsif of Pathai), Nilakanda Iyer, Ambikrishna Iyer, Krishna Iyer and others.

2. With a view to safeguarding their legitimate rights and bettering their lot, the tenants and farm-servants of Pathai and other villages adjoining Kalakad have formed themselves into a sangam (union). They have been peacefully agitating for an increase in the share of crops due to them.

3. This, however, has enraged the landlords and they are out to suppress by hook or crook the peasants and prevent them from ventilating their grievances. They are using their paid servants in order to provoke clashes and create dissensions.

4. To give some instances, on 14th April 1947, Sudalaimuthu, a young Adi-Dravida of Pudutheri, had gone round the surrounding villages in order to announce a meeting of the Adi-Dravidas. But at Singampathu, he was set upon and beaten by Subbiah, Velandi Shanmugam and Sadayandi, son of Mada. They are all paid-agents of the landlords.

5. Not content with this, on the 15th at 12 noon, these fellows, Masanam, Chitrai, Nainar, Alakunathan and others came to Pathai and began to abuse and beat the peaceful inhabitants. Among those that were so beaten were Perumal, son of Veeran. Perumal, son of Sudalai, Malai, son of Essakki, Ganapathi, son of Kakkayan, Vellavan, son of Kuttayan, Iatchumanan, son of Aladian, Muthiah, son of Kalam and others. They, however, defended themselves well. So Masilamani, Chitrai and others took to their heels.

6. Later in the day, all the male persons had gone away to the toddy shop because it was festive occasion. At that time Masanam, Chitrai, Nainar, Alakulathan, Sadayandi and others again raided the village and committed the following among other atrocities:—

(a) The plank used for closing Muthiah's shop was demolished.

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(b) The sheep belonging to Perumal, son of Sivalaerian, was cut and massacred.

(c) The window of the house of Palavasam, son of Thadi-veeran, was broken.

(d) The roof of the house of Perumal, son of Thadian, was demolished.

(e) Kuthachi, wife of Vannian, Poduvu, wife of Sivalaparian, and Kalammai, wife of Perumal, were all manhandled and beaten.

(f) The hands of Alakamuthu, Avadayappan and Sivamar were tied to their back and they were beaten.

Since mostly, females alone stayed at home, the culprits could commit all these acts.

7. In order to cover up their guilt, some of the assailants are trying to foist false cases upon those belonging to the party of the petitioners.

8. In this they are supported by the local village munsif, Annamuthu Ayyar, who himself is a landlord and also by other big landlords. They try to coerce and intimidate the petitioners and other Adi-Dravidas into submission to the landlords.

9. The petitioners and other ordinary Adi-Dravidas folk are therefore placed in a very hazardous position and their lives and liberty are constantly at stake.

It is therefore prayed that your honour be pleased to enquire into the matter, warn and direct the people concerned not to harass the petitioners and other similar folk of the village by injuring them, or by committing acts of deprecation in respect of their properties and thus render justice.

APPENDIX II.

[Vide answer to starred question No. 259 asked by Sri R. Subba Ayyar at the meeting of the Legislative Assembly held on the 17th October 1947, page 995 supra.]

(a) There are, one Special Officer for Firewood Supplies, Madras, five Firewood Movement Officers for Tanjore, South Arcot, Chingleput, Nellore and Chittoor and one Assistant Firewood Movement Officer at Renigunta for Chittoor and Cuddapah.

The post of Special Officer for Firewood Supplies, Madras, has with effect from the 2nd May 1947, been amalgamated with the post of City Firewood Officer, Madras. The duties of the Special Officer are to investigate new sources of supply of firewood to the Madras City, to inspect the supply centres under working and to check and issue permits for the import of twigs into the City. He is also responsible for the administration of the Timber Transit Rules in the City and the adjoining areas.

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The Firewood Movement Officers and the Assistant Firewood Movement Officer attend to the movement of firewood from the mufassal to the City of Madras. Their main duties are :—

(1) To contact the agency with which each Firewood Movement Officer is concerned, maintain close touch with it, and work in close collaboration with it in the procurement and movement of stocks of firewood;

(2) To find out, from time to time, what arrangements have been made by the agency for supplying the monthly quota, the exact localities from which the firewood is to come and the stations from which it should be despatched;

(3) to visit the localities from time to time and see how the work progresses; where transport by rail is involved, to move from one despatching station to another, and arrange with the stationmasters concerned for the speedy provision of waggons allotted and ensure that stocks at the railhead are loaded into waggons without delay and to their full capacity and moved with the utmost possible expedition;

(4) to discuss with the supplying agent the problem of transport and labour, render all possible help to secure coolies and carts or boats, as the case may be, using their influence with local village officers, other Government servants, etc.;

(5) to keep a close watch over the work of the supplying agency and bring to the notice of the Board of Revenue (Civil Supplies) any tendency on their part to slacken;

(6) to report weekly to the Commissioner of Civil Supplies and Chief Conservator of Forests the quantity of firewood transported during the week and supplies that may be expected in the succeeding week and to bring to the notice of the Board promptly any factor impeding the movement of firewood to Madras or any hitch in the arrangements for despatch; and

(7) (a) to move about and collect information regarding sources which can be tapped for extraction of firewood and arrangements, with the agency to work the areas. Should it be found necessary to commandeer any topes or private forests, it will be the duty of the Firewood Movement Officer to take the matter to the notice of the Collector and the Commissioner of Civil Supplies and to attend to further developments promptly.

(b) The expenditure incurred on these officers and their establishments during 1946-47 was Rs. 93,382.

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, the 18th October 1947.

The House met in the Assembly Chamber at Fort St. George at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHAN-MUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

* 239 Q.—

THE HON. DR. T. S. S. RAJAN:—"The question has already been answered on 16th October 1947 and it is only for supplementary questions that it is to be taken up to-day."

SRI V. RAGHAVAYYA:—"Written answers were promised to be given, Sir."

MR. SPEAKER:—"The answer is laid on the table of the House. The hon. Member can put supplementary questions if he wants."

SRI V. RAGHAVAYYA:—"Will the Hon. Minister be pleased to answer whether there is not a feeling in the country, particularly among the people in the districts which are surplus in paddy, that the real culprits are not being touched and only those small people who carry small head-loads just for their sustenance are being prosecuted and if this impression is correct, will the Government take care to see that such small prosecutions are not allowed, and not only that, but that the people with small bundles which they take for bona fide use are let off?"

THE HON. DR. T. S. S. RAJAN:—"The Government in their discharge of their duties do not consider whether a man is big or small. Whoever commits an offence and is liable under law is proceeded against."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Are the Government aware that in Bapatla taluk Mr. Ranga and his followers are going about asking the people not to surrender paddy and, if so, what action the Government are going to take in this matter?"

THE HON. DR. T. S. S. RAJAN:—"If listening to such advice people have kept paddy in their possession without surrendering to the Government, the Government will certainly take action against them."

SRI V. RAGHAVAYYA:—"Arising out of the answer given by the Hon. Minister that the law will have its inexorable course may I just ask him why the Government are not keen on tracing

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those bundles to the original fellows and try to catch them and disgorge them of their stock? May I know what prevents the Government from doing so?"

THE HON. DR. T. S. S. RAJAN:—"There is nothing to prevent the Government from taking action as suggested."

SRI S. NAGAPPA:—"Are the Government aware that most of the greedy ryots are not willing to part with their grains and, if so, do not the Government think that with regard to people who are not amicable to reason the rod should be used?"

THE HON. DR. T. S. S. RAJAN:—"I do not know, Sir, whether it is legally permitted."

SRI GUNTUR NARASIMHA RAO:—"When it has been brought to the notice of the Government that certain ryots who have excess stocks have not delivered them, what steps the Government have taken against those persons?"

THE HON. DR. T. S. S. RAJAN:—"The Government have got the right to take steps and seize the stocks if they refuse to deliver and they will be procured by the Government."

SRI V. RAGHAVAYYA:—"Even granting that Mahatma Gandhi is as good a politician at least as any one of us, will the Government be pleased, in view of Mahatma Gandhi's statement in the morning papers, to see its way to abolish all rationing of food and clothing straightaway?"

THE HON. DR. T. S. S. RAJAN:—"Certainly, Sir, the opinion of Mahatma Gandhi is entitled to very great respect. But even then the Government have got a duty to carry on the administration and they will certainly pay as much heed to it as may be consistent with the discharge of their duties with regard to the carrying on of the administration, and not merely adopt it because Mahatma Gandhi has said it."

SRI N. S. VARADACHARI:—"Will the Government consider the advisability of not granting milling permits to those who wish to shift paddy for purposes other than their own consumption?"

THE HON. DR. T. S. S. RAJAN:—"I do not know, Sir, whether any general rule to that effect could be passed; but certainly the scrutiny of such milling permits shall be undertaken."

SRI S. NAGAPPA:—"Are the Government aware that the procurement officials are not able to approach big ryots and that they harass only the middle class and poor people, as they are afraid that the big ryots have influence with the Government?"

THE HON. DR. T. S. S. RAJAN:—"It is not so, Sir."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"My question was, Sir, apart from taking action against persons who

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have not surrendered paddy, what action the Government propose to take against people of the sort of Mr. Ranga and his followers and who are preaching to the people not to surrender paddy?"

THE HON. DR. T. S. S. RAJAN:—"It is left to the citizens, Sir, to adopt or reject that advice. But if in following the advice they infringe the law they become liable for prosecution."

SRI PILLALAMARRI VENKATESWARLU:—"May I know if the Government are aware of the fact that the local officials are not harassing big landlords even though they are caught with paddy?"

THE HON. DR. T. S. S. RAJAN:—"The Government are satisfied that their officers are discharging their duties properly."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"May I know, Sir, whether the Government have taken any steps to trace the merchant or the ryot who is actually selling rice to these poor people who are caught when taking away bundles of rice?"

THE HON. DR. T. S. S. RAJAN:—"Whenever information reaches the Government they are taking action."

SRI K. VARADACHARI:—"Is it not a fact, Sir, that Mr. N. G. Ranga repudiated the allegations made against him?"

THE HON. DR. T. S. S. RAJAN:—"That is not at all the point here, Sir, for a supplementary question."

SRI N. S. VARADACHARI:—"Will it be made at least a matter of policy that if milling permits are to be issued at all, they should be issued only through the procurement agents excepting in cases where personal consumption is to be met?"

THE HON. DR. T. S. S. RAJAN:—"That is generally the policy adopted, Sir. If there is any infringement of that policy and if it is brought to the notice of the Government, the Government will certainly go into the question."

SRI S. NAGAPPA:—"Arising out of the answer given by the Hon. Minister that he is satisfied, with regard to procurement, are the Government here to satisfy themselves or the people, Sir?"

THE HON. DR. T. S. S. RAJAN:—"Primarily it has got to satisfy themselves, Sir, and indirectly to satisfy the people."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know from the Government whether they have a difference in the policy of procurement so far as the surplus districts and the deficit districts are concerned and if so whether they are adopting the same measures of procurement in the Ceded districts,—particularly in Kurnool,—which are deficit districts?"

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THE HON. DR. T. S. S. RAJAN:—"It is not as if all the districts are deficit in all the grains, Sir. There are certain districts which are surplus in millets and many others which are surplus in paddy. Whatever is in surplus in a district the Government secure them under the procurement arrangements."

Appointment of Chief Presidency Magistrate.

* 274-A Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Home Minister be pleased to state—

(a) whether the Government are considering the appointment of Chief Presidency Magistrate; and

(b) if so, whether the Government are going to make the appointment by promotion from service or by direct recruitment?

THE HON. DR. P. SUBBARAYAN:—" (a) The Chief Presidency Magistrate will soon be appointed.

" (b) The appointment will be made by transfer from service."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, whether it is not advisable to appoint the Chief Presidency Magistrate by direct recruitment?"

THE HON. DR. P. SUBBARAYAN:—"After very deep consideration, Sir, the Government have come to the conclusion that they can find the right kind of man from among the members of the service."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is it not a fact that in the last 20 years the appointment of the Chief Presidency Magistrate was made by direct recruitment?"

THE HON. DR. P. SUBBARAYAN:—"No, Sir. Members of the Indian Civil Service have held that office on the last few occasions."

Recall of police official lent to the Travancore Government.

* 275 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state—

(a) whether the Provincial Government have received any instructions from the Central Government in the matter of taking action against the Government of Travancore; and

(b) whether it is a fact that a police official whose services had been lent to the Travancore Government has been recalled; and if so, the reasons for the recall of the officer?

THE HON. DR. P. SUBBARAYAN (on behalf of Hon. the Prime Minister):—" (a) The answer is in the negative.

" (b) Yes. The reason for deciding to recall was that the Travancore Government did not at that time join the Indian Union. But the officer was actually reverted to this Province in the normal course on the expiry of his term of service with the Government of Travancore."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer to clause (a) which is in the negative, when this Government have not been instructed by the Central Government, is it proper for this Provincial Government to take the action they have taken?"

THE HON. DR. P. SUBBARAYAN:—"Yes, Sir. I think the Provincial Government have a certain amount of responsibility."

SRI L. S. KARAYALAR:—"May I ask, Sir, whether this Government claim that they could themselves take action against the Government of Travancore?"

THE HON. DR. P. SUBBARAYAN:—"With regard to their own officials they have the right to get them back, if they think that they ought to be got back."

K. M. SEETHI SAHIB BAHADUR:—"What was the term of office of the officer concerned, Sir? For what period was he lent there?"

THE HON. DR. P. SUBBARAYAN:—"Well, Sir, I must make enquiries. If the hon. Gentleman will put a separate question about the term of office of the officer I may be able to give him a reply."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"May I enquire, Sir, whether the Government of Travancore joined the Indian Union simply because that officer was called back to Madras?" (Laughter.)

THE HON. DR. P. SUBBARAYAN:—"The questioner can draw his own conclusion, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether there was any request from the Travancore Government for an extension of the term of office of this officer?"

THE HON. DR. P. SUBBARAYAN:—"Even before there was any demand for an extension of his services we had decided to recall him, Sir."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Apart from taking action against Travancore Government by withdrawing the officer, do the Government propose to take any other kind of action against any State in other matters?"

THE HON. DR. P. SUBBARAYAN:—"This question might as well be addressed to the Member of the Government of India in charge of the States, Sir."

Retention by members of the Provincial Legislature of their seats in the Constituent Assembly.

* 276 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state—

(a) whether this Government have been consulted by the Central Government in respect of the Members of Provincial Legislature retaining their seats in the Constituent Assembly even after 15th August 1947; and

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11-15 a.m. (b) if so, what advice the Government have tendered in that behalf?

THE HON. DR. P. SUBBARAYAN (on behalf of the Hon. Prime Minister):—“(a) No.

“(b) Does not arise.”

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—“May I know whether this Government voluntarily tendered any advice in this matter?”

THE HON. DR. P. SUBBARAYAN:—“That is a matter between the Government of India and the Government of Madras.”

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—“May I enquire Sir, whether at least the Ministers of this Province who are members of the Constituent Assembly will resign their seats in the Constituent Assembly as it affects their work here?”

THE HON. DR. P. SUBBARAYAN:—“It is a matter of opinion which is to be judged by the Ministers concerned.”

MOHAMED RAFEEUDIN AHMAD ANSARI SAHIB BAHADUR:—“In view of the fact that the Constituent Assembly is now functioning as a Central Legislature also, is it possible for a member of a Provincial Legislature to be a member of the Central Legislature as well?”

THE HON. DR. P. SUBBARAYAN:—“I do not know whether the hon. Gentleman has read the Adaptation Order under which we are allowed to be members of both the legislatures.”

SRI K. ANANDAN NAMBIYAR:—“May I ask, Sir, whether we are not entitled to know whatever happens between the Central Government and the Provincial Government?”

THE HON. DR. P. SUBBARAYAN:—“Certainly not, Sir, if they are of a confidential nature.”

Alleged raiding of certain villages by the Nizam's Police.

* 277 Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that the villages of Amarapuram, Srinivasapuram and some other villages in Lakkavaram in Lingavaram Parganas (Kistna district) were raided on March 2nd, 3rd and 4th by the Nizam's Police who also searched some houses and beat some peasants;

(b) whether it is a fact that one Yadla Pichaiah of Lakkavaram village (Lingavaram Parganas) was arrested and beaten severely by the Nizam's Police;

(c) whether it is a fact that the Kistna district Police helped the Nizam's Police in the above matter; and

(d) if the answer is in the affirmative, what action the Government propose to take?

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THE HON. DR. P. SUBBARAYAN:—“(a) No houses were searched and no peasants were beaten. A search was however, made at Amaravaram, Srinivasapuram and Lakkavaram villages by Sub-Inspector of Police, Hazurnagar (Hyderabad State) assisted by Kistna District Police for the arrest of one Yedla Pichaiah of Lakkavaram, an important accused in Bhaktavachalagudem village munsif murder case.

“(b) Yedla Pichaiah was arrested in the limits of Bhaktavachalagudem in Nizam's territory. He was not beaten.

“(c) It is a fact that the Kistna district Police helped the Hyderabad Police in arresting the accused.

“(d) Whenever assistance was sought for by the Hyderabad Police it was given to them. This was a reciprocal arrangement followed by the Hyderabad and Madras Police in all investigations and other important enquiries. The Government do not therefore consider that any action is called for.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know, Sir, whether it is the policy of the Madras Government to support the Nizam's Government in its action against the people and in suppressing the movement there by arresting people coming to the Madras province?”

THE HON. DR. P. SUBBARAYAN:—“If the hon. Gentleman had listened to my answer he would have found that it was a case of murder of a village munsif. In such cases of a criminal nature, naturally the two Governments have reciprocal arrangements which they follow.”

SRI PILLALAMARRI VENKATESWARLU:—“May I know whether the police here enquired into the matter and found that it was a case of murder before they acted on the charge of the Nizam's Government police? As far as my information goes, it is not a case of murder, but only a case of suppression of the political movement that is going on in the Nizam's State.”

THE HON. DR. P. SUBBARAYAN:—“I do not grant the hon. Gentleman's premises.”

SRI S. NAGAPPA:—“Are the Government aware that two people from Kurnool, responsible congressmen, have been arrested simply because they went to a place called Atmakur in the Nizam's dominions?”

THE HON. DR. P. SUBBARAYAN:—“If a separate question is put, I will make an enquiry.”

Release of Communist detenus.

* 278 Q.—SRI K. T. KOSALRAM: Will the Hon. the Home Minister be pleased to state—

(a) whether any negotiations are going on between the Provincial Government and the Communist Party of India for the release of Communist detenus; and

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(b) If so, whether the Government propose to revise its policy towards Communists and when?

THE HON. DR. P. SUBBARAYAN:—“(a) No.

“(b) Does not arise.”

SRI K. T. KOSALRAM:—“May I know from the Hon. the Home Minister whether Mr. Mohan Kumaramangalam from Bombay has been deputed by the Communist party to tour Tamil Nad and whether he visited all the jails and interviewed the Communist detenus in this Province?”

THE HON. DR. P. SUBBARAYAN:—“That question might be addressed to the Central Communist Party of India.”

SRI K. ANANDAN NAMBIYAR:—“May I know, Sir, whether the communists now serving various terms in the jail will be released?”

THE HON. DR. P. SUBBARAYAN:—“That is a matter which requires separate consideration.”

SRI T. S. PATTABHIRAMAN:—“Is it a fact that on the night following the visit of Mohan Kumaramangalam two communist detenus escaped from jail?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Gentleman is not correct. The visit of Mohan Kumaramangalam has nothing to do with the escape of prisoners.”

SRI GUNTUR NARASIMHA RAO:—“Are the Government satisfied with the conduct of the communist leaders subsequent to their release from jail?”

THE HON. DR. P. SUBBARAYAN:—“As far as I know, they are behaving in a manner worthy of the citizens of this province.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“In view of the fact that in the past Congressmen have come out of jail by negotiations will the Government be prepared to meet persons if they go to them for negotiations on behalf of the Communist Party?”

THE HON. DR. P. SUBBARAYAN:—“Certainly, Sir. Everybody is allowed to approach the Government.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“May I ask, Sir, whether this Communist Mohan Kumaramangalam is in any way related to the Hon. the Home Minister of this Province?” (Laughter.)

THE HON. DR. P. SUBBARAYAN:—“As Home Minister I have nothing to do with my relationship to Mohan Kumaramangalam.” (Laughter.)

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Appointment of Crown Prosecutor.

* 279 Q.—MOHAMED RAFEEUDIN AHMAD ANSARI SAHIB BAHADUR: Will the Hon. the Home Minister be pleased to state—

(a) whether it is a fact that there is a vacancy in the post of Crown Prosecutor, Madras High Court;

(b) if so, why the vacancy has not so far been filled up;

(c) whether it is a fact that no Muslim has so far been appointed to that post; and

(d) whether the Government will consider the claims of a Muslim to that post?

THE HON. DR. P. SUBBARAYAN:—“(a) Yes.

“(b) The Government have decided not to make the appointment immediately as certain proposals for the reorganization of the work of the High Court are under consideration.

“(c) Yes.

“(d) The claims of all deserving candidates including Muslims, will be considered, as they have been in the past, when the appointment is made.”

MOHAMED RAFEEUDIN AHMAD ANSARI SAHIB BAHADUR:—“May I know whether applications will be called for before the appointment is made?”

THE HON. DR. P. SUBBARAYAN:—“I have already explained that Government have decided not to make any appointments at the present time.”

MOHAMED RAFEEUDIN AHMAD ANSARI SAHIB BAHADUR:—“When they do decide to make appointments, will they call for applications?”

THE HON. DR. P. SUBBARAYAN:—“It is done on the recommendation of the High Court and I am sure the High Court will do what is right.”

Rice ration to Madras Corporation workers.

* 280 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Food be pleased to state whether it is a fact that the workers of the Corporation, Madras, are not given the full ration of 12 oz. of rice?

THE HON. DR. T. S. S. RAJAN:—“The present scale of ration to rice eaters is 8 oz. of rice plus 2 oz. of millets. No class or category of persons is being given 12 oz. of rice ration at present. Hence the question put by the member does not arise.”

SRI M. KANNIAPPAN:—“பதிலை தமிழில் சொல்லுமாறு கேட்டுக் கொள்ளுகிறேன்.”

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THE HON. DR. T. S. S. RAJAN:—"இப்பொழுது இருக்கும் முறைப்படி 8 அவுன்ஸ் அரிசியும் 2 அவுன்ஸ் தானியமும் ஒவ்வொருவருக்கும் கொடுக்கப்படுகிறது. ஒவ்வொருவருக்கும் 12 அவுன்ஸ் அரிசி கொடுப்பது இல்லை. ஆகையால் மெம்டர் கேட்ட கேள்விப்படி நடக்கவில்லை."

SRI M. KANNIAPPAN:—"அந்த மாதிரியாக தனியாக தானியங்களை கொடுக்கவில்லை என்று எனக்கு தெரியவருகிறது. அதைப்பற்றி உங்களுக்குத் தெரியுமா?"

THE HON. DR. T. S. S. RAJAN:—"கொடுக்கப்படவில்லை என்பதைத் தான் நான் சொல்லுகிறேன்."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Is the Hon. Minister aware that in the City of Madras for a long time past and even up to this moment, the two ounces of millets have not been given, as stated by the Hon. Minister?"

THE HON. DR. T. S. S. RAJAN:—"I take the information from the hon. Member."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I want to know, Sir, whether he is aware of it. I do not ask the Minister to take any statement or information from me. I want to know from him whether it is a fact or not that in the City of Madras millets are not given in addition to rice?"

THE HON. DR. T. S. S. RAJAN:—"The fact is that millets are being given. But sometimes for want of stock millets were not issued on some days. It must be understood that the provision of giving millets depends upon the stock on hand at the depots concerned."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, Mr. Speaker . . ."

MR. SPEAKER:—"No point of information can be raised during question time."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I ask whether the Government will place a statement on the table of the House showing on what day since the issue of the Government Order regarding two ounces of millets, millets were given in any of the shops in the City of Madras to the card-holders?"

THE HON. DR. T. S. S. RAJAN:—"I shall call for the information."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask, Sir, whether the ration does not consist of rice plus millets and if millets are not given, what substitute is given to the people to satisfy their hunger?"

THE HON. DR. T. S. S. RAJAN:—"The rice ration is compulsory and it depends on the stock at the disposal of the Government. Millets also depend on the stock at the disposal of the Government."

SRI S. NAGAPPA:—"Are the Corporation workers who are manual workers given the four ounces of extra ration given to manual workers?"

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THE HON. DR. T. S. S. RAJAN:—"If they are classed as manual labourers and if they have been getting their rations like that, they would certainly be given those rations."

SRI M. KANNIAPPAN:—"எல்லா தொழிலாளிகளுக்கும் 2 அவுன்ஸ் வேறு தானியங்களை உடனடியாக கொடுக்கும்படி உத்தரவு கொடுக்கமுடியுமா? தொழிலாளிகள் கஷ்டப்பட்டு வேலை செய்கிறவர்கள்"

THE HON. DR. T. S. S. RAJAN:—"வேறு தானியங்களை கொடுப்பது என்பது கையில் இருக்கப்பட்ட தானியங்களைப்பொருத்தது."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Are the Government aware that even this ration of eight ounces of rice does not all of it consist of real rice but that 25 per cent of the same consists of extraneous matter?" (Laughter.)

THE HON. DR. T. S. S. RAJAN:—"No, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, whether the Hon. Minister is aware—and if he is not aware of it, he may try and get the information from his department—that on account of the fact that the two ounces of millets have not been given to the people in the city, particularly the labourers, they have had to buy rice in the black-market?"

THE HON. DR. T. S. S. RAJAN:—"I am not aware of the conditions under which black-market trade is going on."

SRI V. I. MUNISWAMI PILLAI:—"Is it not a fact that the Government have allowed ration card-holders to take two ounces of potatoes in place of millets?"

THE HON. DR. T. S. S. RAJAN:—"No, Sir. Potatoes have got to be paid for whoever takes it."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Arising out of the answer given by the Hon. Minister to my question, may I request him to inquire whether what is stated is a fact or not, namely, that about 25 per cent of the rice—so-called rice—does not really consist of rice at all?"

THE HON. DR. T. S. S. RAJAN:—"The Government have issued instructions to the ration shops that the rice issued has got to be cleaned and that clean rice should be given to card-holders. If facts to the contrary are brought to the notice of the Government, we would certainly enquire into the matter."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I enquire, Sir, if the Hon. Minister for Food is taking the rationed rice or any special rice?"

THE HON. DR. T. S. S. RAJAN:—"The Minister concerned is obeying the law as much as any other citizen."

B. POCKER SAHIB BAHADUR:—"In view of the statement made by the Leader of the Opposition, will the Hon. Minister for Food be pleased to make enquiries regarding the quality of the rice given, inspect the ration shops and take steps to improve the quality of rice without waiting for any further complaint?"

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THE HON. DR. T. S. S. RAJAN:—"The debate in this House is sufficiently illuminating and I am sure the authorities concerned will take note of this."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of order, Mr. Speaker, when this House is debating the food problem, is it in order for the Hon. Home Minister to be reading books on cricket?" (Laughter.)

MR. SPEAKER:—"Order, order."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Arising from the answer of the Hon. Minister, may I ask whether the Government themselves, before the rice is issued to ration shops, will make arrangements to have the rice cleaned and issued, in order to avoid any miscarriage in the ration shops?"

THE HON. DR. T. S. S. RAJAN:—"It has to be done on such a large scale in this province-wide rationing that it is not possible for Government to do it. The Government expect that as long as those who get rations pay for it, they have got a right to insist on good rice being served out to them."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"When the Government do not themselves discharge their duty, how do they expect the ration shop owners to clean the rice and sell it in view of the fact that as soon as the rice is received, it has to be doled out to the ration card-holders?"

THE HON. DR. T. S. S. RAJAN:—"The Government as far as they know of the matter hold the view that the rationed rice issued is good. It is open to every member of the public who buys the rice to complain to the Government in cases where the rice is bad. In that case the Government will certainly look into the matter. Now, they have already laid down a rule that the rice should be cleaned before it is served out."

11.30 a.m. DR. M. J. SAMUEL:—"May I know from the Hon. Minister for Food, who has formerly been the Minister for Health, whether the 12 ounce of rice ration will satisfy the calorific value required for a Madras labourer?"

THE HON. DR. T. S. S. RAJAN:—"We are not issuing 12 ounce of rice ration to any class or category of persons, as the hon. Member presumes. It is not a question of calorific value; it is a question of avoiding starvation."

Illegal lock-out of the Hindustan Engineering Construction Company, Vizagapatam.

* 281 Q.—SRI B. S. MALLIKARJUNA RAO: Will the Hon. the Minister for Food be pleased to state—

(a) whether the District Collector, Vizagapatam, has applied to the Government for action against the illegal lock-out of the Hindustan Engineering Construction Company, Vizagapatam, commenced from 1st September 1947, by discharging

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summarily 439 workmen of the company in open violation of the prohibitory orders of the Government and that of the Industrial Tribunal appointed to adjudicate the dispute; and

(b) whether the Government have authorized the District Collector to take prompt action and prosecution against the management or the Manager under the Industrial Disputes Act for disobeying the prohibitory order?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) Correspondence between the District Magistrate and the Government is confidential and cannot be divulged."

SRI B. S. MALLIKARJUNA RAO:—"As the lock-out has been declared illegal by the Industrial Tribunal and as the workers have been thrown out of employment for nearly fifty days, may I request the Government to take early steps to launch prosecution against the management?"

THE HON. DR. T. S. S. RAJAN:—"Such legal action, as is provided for in the law, is being taken."

SRI D. V. RAMASWAMI:—"May I know whether the Government do not think it advisable to amend the Trade Disputes Act so as to empower them to take more severe action against the management of such firms as the Hindustan Engineering Construction Company?"

THE HON. DR. T. S. S. RAJAN:—"If there is sufficient evidence to show that the law as it is is ineffective, we shall certainly see what further can be done by either amending the law or enhancing the penalties."

SRI B. S. MALLIKARJUNA RAO:—"Is it not a fact that the Government have not taken any steps in the matter beyond serving a notice asking why action should not be taken against the management?"

THE HON. DR. T. S. S. RAJAN:—"Such steps as can be taken under the law are being taken."

SRI B. S. MALLIKARJUNA RAO:—"Am I not entitled to know what exactly are the steps that are taken by the Government, as it is a matter concerning workers in which the House is interested?"

THE HON. DR. T. S. S. RAJAN:—"If the hon. Member peruses the press communique issued yesterday, he can understand what the Government have said, namely, that they are taking action to enforce severe measures against the conduct of the management."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know whether it will be possible for the Hon. Minister to give some more time to the Labour department to see that the rights of labour in this Province are protected?"

THE HON. DR. T. S. S. RAJAN:—"I deny that labour is not receiving the necessary protection."

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Eviction of agricultural labourers.

* 282 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that many mirasidars are compelling their agricultural labourers in Tanjore district to quit their houses built on pannai lands; and

(b) whether the Government propose to stay such eviction immediately?

THE HON. DR. T. S. S. RAJAN:—“(a) Some representations have been received to this effect.

“(b) The representations are under investigation and suitable action will be taken, if called for.”

SRI S. C. BALAKRISHNAN:—“Is it not a fact that the mirasidars are compelling their agricultural labourers to quit their houses built on pannai lands as the labourers ask for fair labour charge?”

THE HON. DR. T. S. S. RAJAN:—“I have already answered that some representations have been received, that they are under investigation, and that suitable action will be taken.”

SRI V. I. MUNISWAMI PILLAI:—“As we are in the middle of a sowing season, will the Government take immediate steps to do something for the labourers?”

THE HON. DR. T. S. S. RAJAN:—“If it is absolutely necessary, the Government will take such action as is necessary.”

SRI S. NAGAPPA:—“Is it not a fact that the mirasidars hand over their agricultural labourers as if they are cattle or commodities, when they sell their land?”

(No answer.)

SRI V. RAGHAVAYYA:—“In view of the well-known semi-slavery condition of the pannai labourers, will the Government instruct the District Labour Officers to avoid such disputes by fixing a fair wage for agricultural labour and thereby remove the impression that this Government are soft to the rich and hard on the poor.”

THE HON. DR. T. S. S. RAJAN:—“The fact that labour officers have been appointed in the districts shows that the Government are keen on avoiding such disputes. The officers can only persuade the parties to come to a fair settlement. But where the parties do not come to a settlement, it is certainly not within their province.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“Are not the civil laws of the country sufficient to protect the interests of the people in possession?”

THE HON. DR. T. S. S. RAJAN:—“Civil laws take a long time, and the procedure is delayed. Therefore we thought that the good offices of the labour officers would be more effective in giving relief to the parties concerned.”

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SRI K. ANANDAN NAMBIYAR:—“May I know the approximate number of tenants so evicted and how many of them are homeless?”

THE HON. DR. T. S. S. RAJAN:—“I will call for the information.”

SRI N. M. R. SUBBARAMAN:—“Will the Government consider the desirability of bringing forward legislation to prevent the eviction of these labourers?”

THE HON. DR. T. S. S. RAJAN:—“If legislation becomes necessary, I may assure the hon. Member that steps will certainly be taken.”

SRI S. C. BALAKRISHNAN:—“Will the Government consider to bring a legislation to assign these houses to the poor labourers?”

THE HON. DR. T. S. S. RAJAN:—“That is another question. I do not think this arises as a supplementary to the question.”

SRI M. S. PATTABIRAMIAH:—“Will the Government consider the desirability of acquiring the house-sites in the pannai lands of the mirasidars in Tanjore district and give them to the Harijans who are generally the agricultural labourers in that district?”

THE HON. DR. T. S. S. RAJAN:—“It is a matter for legislation which is not so easy. The Government are taking all the relevant facts into consideration.”

SRI S. NAGAPPA:—“As there was no answer to my previous question, may I ask whether the Government are not feeling shy at such atrocities being committed during the regime of a popular Government?”

THE HON. DR. T. S. S. RAJAN:—“The Government are very much concerned with the self-respect of the parties concerned. If a question is derogatory to the self-respect of the parties, the Government refuse to answer.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“If the Government feel that legislation is necessary, will they come forward with legislation instead of following the Hon. Mr. Kala Venkata Rao's procedure of an Ordinance and then a Bill with retrospective effect?”

THE HON. DR. T. S. S. RAJAN:—“Legislation is certainly a matter for the Government to consider and it cannot be rushed through. But an Ordinance can be more easily passed to secure the object in view than a Bill with its elaborate procedure.”

SRI V. I. MUNISWAMI PILLAI:—“Since the Government have a housing scheme for the whole province, will they take up this question along with that scheme?”

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THE HON. DR. T. S. S. RAJAN:—"The housing scheme is a very big scheme. I do not know whether it comprises all the areas in the Province, but an attempt is being made just now. I am sure in course of time it will cover the whole area."

Compensation to Madras Electric Supply Corporation.

* 283 Q.—SRI K. ANANDAN NAMBIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) the basis on which the sum of 1-1/3 crores of rupees has been paid to the Madras Electric Supply Corporation as compensation for the Government taking over that concern;

(b) whether the Government intend paying any further amount and if so, how much;

(c) why an European firm was appointed to estimate the value of the Madras Electric Supply Corporation;

(d) why the Government have failed to appoint a Select Committee of M.L.As. to go through the question of compensation to the Madras Electric Supply Corporation, thus failing to take the Legislature into confidence on this question; and

(e) why the Government did not consider the desirability of taking over the Madras Electric Supply Corporation without compensation as the company had already earned profits four to five times more than the capital invested and as the shareholders have been paid three to four times of their share capital?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Under section 7 of the Indian Electricity Act, 1910 (Central Act IX of 1910), which relates to the compulsory purchase of electrical undertakings on the expiry of their licences, payment to the Madras Electric Supply Corporation at the fair market value as on 29th August 1947 was essential before Government could take possession of the undertaking on 29th August 1947, the date of expiry of the licences granted to the company. As it was not possible that the valuation as on 29th August 1947 could be finalized before 29th August 1947 arrangements had to be made for payment initially of an agreed sum by the Government for taking possession of the undertaking, subject to adjustment after the purchase price was fixed. After taking into account the price demanded by the company and the price which the undertaking was worth according to the opinion given by the technical officers, the Government agreed to the payment initially of Rs. 1-1/3 crores, the rupee equivalent of £1,000,000, subject to later adjustment after the purchase price was fixed.

" (b) This will be known only after the purchase price is determined by the valuers or by arbitration, as the case may be.

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" (c) The firm appointed by this Government is doing similar work for the Governments of the Punjab (now West Punjab), the United Provinces and others in India. This firm is the only firm reported to have the necessary experienced staff and prestige to undertake such important work satisfactorily.

" (d) & (e) As the price to be paid to the Madras Electric Supply Corporation should be determined according to the provisions of the Indian Electricity Act these questions do not arise."

SRI K. ANANDAN NAMBIYAR:—" May I know who is to decide the fair price that is going to be paid? "

THE HON. SRI M. BHAKTAVATSALAM:—" A firm, whom we have appointed will value the property and report to us. Then it is for the parties to agree. If there is difference between the parties, arbitration will decide the fair market value."

SRI K. R. KARANTH:—" May I ask whether the last Ministry had not decided to give only one crore of rupees as interim payment, leaving the rest for payment later on, and, if so, what the reasons are that prompted this Government to raise it to 1-1/3 crores, as naturally a larger payment will prejudice the claim of the Government for a lower price? "

THE HON. SRI M. BHAKTAVATSALAM:—" The last Ministry decided to give one million pounds as interim payment and one million pounds is equivalent to 1-1/3 crores of rupees."

SRI PILLALAMARRI VENKATESWARLU:—" May I know what was the price demanded by the company and what was the Government offer? "

THE HON. SRI M. BHAKTAVATSALAM:—" The company demanded two crores of rupees; there was no Government offer."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" While the Government are paying a fair market value for purchasing the company, may I know why they are not paying a fair market value for the zamindaris they are going to acquire? "

11-45 a.m.

THE HON. SRI M. BHAKTAVATSALAM:—" Acquisition of zamindaris is not governed by the Indian Electricity Act."

SRI R. V. SWAMINATHAN:—" May I know, Sir, what is the yearly income which the Government expect to derive from the Madras Electric Supply Corporation? "

THE HON. SRI M. BHAKTAVATSALAM:—" I am unable to give the answer just now, Sir."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—" Is it not a fact, Sir, that the Government stand to lose by paying the market price for the electric installations of the company now? "

THE HON. SRI M. BHAKTAVATSALAM:—" I don't think so, Sir."

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ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, what will be the cost of machinery that the Government will have to import in order to make this Electric Supply Corporation function satisfactorily?"

THE HON. SRI M. BHAKTAVATSALAM:—"I should like to have notice, Sir."

SRI N. M. R. SUBBARAMAN:—"Is it not a fact, Sir, that the Government have purchased only the Madras Electric Supply Corporation's power manufacturing station and distribution system, and not its sister company, the Madras Electric Tramways, and, if so, why the Government have not considered the question of purchasing the Madras Electric Tramway Company also?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Madras Electric Tramway Company has a different licence which was renewed sometime back, Sir, and does not expire presently."

SRI S. NAGAPPA:—"Before the acquisition was made, what was the dividend declared by the Corporation during the past three years?"

THE HON. SRI M. BHAKTAVATSALAM:—"I have no idea, Sir. A separate question may be put."

SRI V. M. RAMASWAMI MUDALIYAR:—"Is it not a fact, Sir, that the Madras Electric Tramway Company is operating under the Madras Electric Supply Corporation, and if the Government had negotiated with the Madras Electric Supply Corporation for the purchase of the Tramways, would it not have been possible to acquire the Tramway system also, in spite of the continuance of the licence?"

THE HON. SRI M. BHAKTAVATSALAM:—"We can acquire it only when the licence expires, Sir, and that question will be taken up separately by the Government."

SRI C. M. KOTHARI:—"In view of the high prices of electrical materials at present, is it not a fact that we are paying a higher price, and that if we had waited for a year or two more, we would have got the concern for a much lower price and would have thus saved a lot?"

THE HON. SRI M. BHAKTAVATSALAM:—"Sir, the licence expired on the 28th August. There were only two courses open to us. Either we should renew the licence or should take up the concern. We considered the question and decided to take it up."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Sir, arising out of answer to clause (c), is it not a pity that even after the 15th August 1947, this Government should think that only a European firm can do the estimation work better than an Indian firm and why should this Government not become a pioneer in this field by appointing an Indian company, as some other Ministers are anxious to become pioneers in their own fields?"

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THE HON. SRI M. BHAKTAVATSALAM:—"It is not a question of appointing an Indian company, Sir. It is a question of creating an Indian firm. It is no doubt a pity we have not had an Indian firm which can undertake this work."

SRI R. V. SWAMINATHAN:—"Is it not a fact, Sir, that a higher rate of compensation has been paid to this company out of public funds, while the Cabinet has decided to pay lower rate of compensation to the zamindars under the Zamindari Bill?"

THE HON. SRI M. BHAKTAVATSALAM:—"There is no question of compensation involved here at all, Sir. I have already stated that we are governed in this matter by the Indian Electricity Act."

SRI C. M. KOTHARI:—"Was it not possible for the Government to issue a temporary licence to the Madras Electric Supply Corporation for a year or two and then have the valuation made out, when conditions would have become more favourable and prices would have come down?"

THE HON. SRI M. BHAKTAVATSALAM:—"It was considered not possible, Sir."

Dam across Manimutha Nadhi, Tinnevely district.

* 284 Q.—SRIMATHI V. LAKSHMI AMMAL: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have under consideration a scheme for an irrigation dam and reservoir across the river Manimutha Nadhi in Ambasamudram taluk, Tinnevely district;

(b) whether an estimate has been prepared for the scheme;

(c) when the Government expect to take up the preliminary work in connection with the scheme; and

(d) whether the scheme will be provided for in the budget for 1948-49?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Yes.

" (b) No.

" (c) The detailed investigation of the scheme may be sanctioned soon. The execution of the scheme will depend on the result of the investigation.

" (d) No provision is likely to be made in the budget for 1948-49 for the execution of the scheme, as it stands at present."

SRIMATHI V. LAKSHMI AMMAL:—"May I request the Government to speed up the investigation, Sir?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir, we shall do our best in the matter."

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Andhra Polytechnic and Industrial School, Cocanada.

* 285 Q.—SRI D. V. RAMASWAMI: Will the Hon. the Minister for Industries be pleased to state—

(a) how many courses of studies were sanctioned by the Government in the Andhra Polytechnic and Industrial School at Cocanada, and how many were actually started;

(b) whether it is a fact that the drawing and lecture classes are still located in two thatched sheds and if so, what is the present position in respect of accommodation and equipment;

(c) whether there is a hostel provided by the Government for the large number of students attending the polytechnic;

(d) whether it is a fact that the difficulties experienced by the pupils in respect of messing conditions in the institutions have long ago been represented to the authorities but with no effect; and

(e) whether the Government propose to give them better living conditions?

THE HON. SRI H. SITARAMA REDDI:—“(a) Six courses of studies of ‘Diploma’ Standard and thirteen courses of ‘Certificate’ Standard were sanctioned by the Government in the Andhra Polytechnic and the Industrial school at Cocanada. The following courses of Diploma Standard were actually started:—

Licentiate in Civil Engineering Course .. 3 years duration.

Licentiate in Mechanical Engineering Course. 3 years duration.

Licentiate in Electrical Engineering Course .. 3 years duration.

Fisheries, Technology and Navigation .. 3 years duration.

“(b) The answer to the first part of the question is in the affirmative.

In regard to accommodation inclusive of hostel, plans and estimates have been prepared and sent to the Public Works Department for their approval and the construction of the building will be taken up after Government sanction. Arrangements are being made to supply the minimum equipment required for the first and second year classes now started in each course.

“(c) to (e) It was mentioned in the prospectus of the Polytechnic that there was no hostel for the students and that arrangements would be made in due course.

The students represented their difficulties to the Officer-in-charge of the Polytechnic. Hostel arrangements will be made as early as possible.”

SRI D. V. RAMASWAMI:—“Is it not a fact, Sir, that owing to want of equipment, several subjects have not been taught in this year and even the syllabus has not been framed at all?”

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THE HON. SRI H. SITARAMA REDDI:—“Quite probable, Sir.”

SRI D. V. RAMASWAMI:—“May I ask, Sir, whether the Government are aware that the foundation stone for the hostel was laid by Lady Hope as early as 1945 and still no progress has been made in the construction of the hostel?”

THE HON. SRI H. SITARAMA REDDI:—“I have already explained the reasons why there has been delay in the construction of the hostel, and I have already said that the matter is pending with Public Works Department and that plans and estimates are being prepared.”

SRI D. V. RAMASWAMI:—“May I know Sir, whether it is not a fact that the Government have spent only very little, if not nil so far, for the School, while the Malladi Satyalingam Charities have not only donated about 30 acres of land and buildings, but also have given half-a-lakh of rupees as donation this year?”

THE HON. SRI H. SITARAMA REDDI:—“I take the information from the hon. Member and I thank the people that are encouraging such institutions.”

SRI D. V. RAMASWAMI:—“May I request the Hon. Minister to pay a personal visit to the school and see that the construction is expedited.”

THE HON. SRI H. SITARAMA REDDI:—“I shall take an early opportunity to visit the particular institution, Sir.”

SRI B. S. MURTHI:—“Is the Hon. Minister aware that many of the students are discouraged because of the lack of equipments and because of the defects that are found in the school and therefore they are intending to go away from the polytechnic school?”

THE HON. SRI H. SITARAMA REDDI:—“On the contrary, Sir, the complaint is the other way. I have had a representation that some more students should be admitted and I had specially to intervene in one or two cases to see that the boys were admitted.”

Issue of ration cards to Telugu-speaking weavers of Chingleput district.

* 286 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government are aware that there are about 32,000 handlooms in the Chingleput district;

(b) whether about 20,000 of the weavers working on these looms are Telugu-speaking people;

(c) whether these weavers are experiencing great difficulty in getting yarn ration cards and in making representations, as the Textile section in the District Collectorate consists of Tamil-speaking staff;

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(d) whether representations were made to the District Collector and Government requesting appointment of some Telugu officers to help the weavers to make representations and get redress easily; and

(e) if so, what action the Government have taken or propose to take on them?

THE HON. SRI H. SITARAMA REDDI:—“(a) There are 33,000 handlooms in the district.

“(b) No. Only about 9,000 looms in the taluks of Trivellore and Ponneri belong to Telugu speaking people.

“(c) No. The bulk of even the Telugu-speaking weavers in the district can, in fact, speak Tamil. There is an attender in the Textile Branch of the Collector's office, whose mother-tongue is Telugu and his services are utilized for dealing with Telugu petitions and petitioners.

“(d) Yes.

“(e) The Collector of Chingleput has reported that he is taking action to allot a Telugu-knowing clerk to the Textile Branch besides the attender who is already working in this branch.”

SRI V. RAGHAVAYYA:—“In view of the complaints that have been made by the Telugu-speaking people of the Chingleput district, will the Government take measures to facilitate the teaching of Telugu in the schools and also appoint Telugu-speaking men in the Government offices?”

THE HON. SRI H. SITARAMA REDDI:—“The question may be addressed to the Hon. Minister for Education, Sir.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I know, Sir, why it is that Telugu-speaking people do not seem to have confidence in Tamilians and *vice versa* though they belong to the same culture and religion?”

THE HON. SRI H. SITARAMA REDDI:—“Sir, the question relates to the understanding of the language. I do not think that there is any such feeling between the two people as has been referred to by the hon. Member.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“Does not the Collector of the district know Telugu and is it not sufficient to give protection to the Telugu-speaking weavers, Sir?”

THE HON. SRI H. SITARAMA REDDI:—“I understand that the Collector of the district knows Telugu.”

SRI K. ANANDAN NAMBIYAR:—“May I know, Sir, whether the Government cannot appoint a Telugu knowing clerk instead of an attender in the Textile Branch of the Collector's office?”

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THE HON. SRI H. SITARAMA REDDI:—“Sir, I invite the attention of the hon. Member to my answer to clause (e) of the question.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Sir, arising out of answer to clauses (c) and (d), may I know who prepares the statistics, whether Tamilian or Andhra, and whether the Hon. Minister will see that there is no organized attempt here to tamper with the statistics?”

THE HON. SRI H. SITARAMA REDDI:—“Sir, I do not accept the proposition that there is an organized or dis-organized attempt to tamper with statistics.”

SRI S. NAGAPPA:—“May I know whether the Hon. Minister will be pleased to promote the attender as a clerk, because he is doing the work of a clerk.”

THE HON. SRI H. SITARAMA REDDI:—“It is not in my hands, Sir.”

SRI D. V. RAMASWAMI:—“May I ask whether the Hon. Minister will give an assurance that better facilities will be given in the matter of writing up ration cards correctly by appointing more Telugu knowing clerks?”

THE HON. SRI H. SITARAMA REDDI:—“I have already answered this question, Sir.”

Petition for yarn ration by a Harijan in Malabar.

* 287 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that Sri K. Sumukhan, a Harijan of a weaving society of Azhicode P.O., North Malabar, has put in a petition for yarn ration to Harijans; and

(b) if so, what action has been taken on it so far?

THE HON. SRI H. SITARAMA REDDI:—“(a) Yes. A petition was received from Sri K. Sumukhan and 62 other Harijans in July 1946 requesting supply of yarn for a handloom factory proposed to be started for Harijans.

“(b) The petitioners were informed that yarn would be supplied to the proposed handloom factory if the weavers working in it were Harijans having looms of their own and for which they already had yarn ration cards, and that no yarn would be issued to a factory having new looms and in which the weavers had no ration cards of their own.”

SRI S. NAGAPPA:—“Sir, will the Government at least now consider the question of relaxing some of the rules in order to encourage the poor Harijan weavers and give them as much help as possible?”

THE HON. SRI H. SITARAMA REDDI:—“Sir, the relaxation of rules will mean that there will be additional looms and

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there are already several poor Harijans who are already card-holders who are not able to obtain their full quota, and along with other people these Harijans also will suffer."

Multi-purpose co-operative societies.

* 288 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Local Administration be pleased to state the number of multi-purpose co-operative societies so far organized for labourers throughout the Province, districtwar?

THE HON. SRI K. CHANDRAMOULI:—"Two multi-purpose co-operative societies have so far been organized for labourers in this Province. They are: (i) The Lepakshi Multi-purpose Co-operative Society, Ltd., in the Anantapur district and (ii) The Pammal Settlement Multi-purpose Co-operative Society, Ltd., in the Chingleput district."

SRI S. NAGAPPA:—"May I ask, Sir, whether the Government are satisfied with the organization of these two societies for the whole Province in these hard days?"

THE HON. SRI K. CHANDRAMOULI:—"Sir, if people are forthcoming to start more multi-purpose societies, the Government will have no objection to register them."

SRI S. NAGAPPA:—"May I ask, Sir, what attempts the Government have made to educate the people about the advantages of the multi-purpose co-operative societies and encourage them to come forward and start the same?"

THE HON. SRI K. CHANDRAMOULI:—"There are a number of organizers who can educate the people and I request the hon. Member also to take interest in the matter."

SRI B. S. MURTHI:—"May I request the Hon. Minister, whether in view of large benefits that can be derived from the multi-purpose co-operative societies, he will be pleased to ask the Registrar of Co-operative Societies to make a drive in that direction?"

THE HON. SRI K. CHANDRAMOULI:—"There were already instructions in this matter to the Registrar and I would request hon. Members of the House to take interest in the organization of such co-operative societies."

Scholarships for studies abroad.

* 289 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state—

(a) the number of candidates recommended this year by the Government of Madras to the Central Government for the award of scholarships for studies abroad;

(b) the different courses for which the above candidates have been selected;

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(c) the number of (i) Muslims and (ii) women that have been recommended for foreign scholarships and the courses for which each of these candidates has been recommended; and

(d) whether the candidates that have been recommended by the Provincial Government are all from among those who are employed in Government service?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Minister for Education):—" (a) It is proposed to award 35 scholarships in all as detailed below to students in 1947-48 for undergoing advanced courses of studies in the subjects mentioned below:—

Subject.	Number of scholarships.
Civil Engineering—	
(i) Dam Design	1
(ii) Surveying	1
Electrical Engineering—Generation, transmission and utilization of electric power	2
Mechanical Engineering—Heat and Hydraulics Engineering	1
Nursery Education	1
Physical Education	1
Teacher's Training—Educational Psychology	1
Vocational Education—Manual training subjects with special emphasis on weaving	1
Cinematography—Sound Recordist	1
Applied Physics (Electronics)	1
Chemical Engineering	1
Educational administration, with specialization in various aspects, e.g., recreation and social activities and juvenile employment	2
Fertilizers—Chemical Plant Maintenance	1
Fisheries	1
Forestry	2
Geophysics	1
Industrial and Applied Chemistry—	
(i) Industrial and Applied Chemistry	1
(ii) Printing and Reproduction	1
(iii) Tanning, Currying and Leather Technology	1
Mercantile Marine Engineering—Engineering aide	1
Meteorology	1
Navigational research	1
Textile Technology	1

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Subject.	Number of scholarships.
Civil Engineering—General—	
(i) Sanitary Engineering—Modern sewage treatment and sewage disposal	1
(ii) Architecture	1
Civil Engineering—Highways—Construction—	
(i) Bridging	1
(ii) Low Cost Roads	1
Civil Engineering—Irrigation—	
(i) Constructional methods with special reference to irrigation structures	1
(ii) Structure with special reference to irrigation and flood control works and testing of materials	1
(iii) Soil Mechanics with its application of design of irrigation works	1
Electrical Engineering—	
(i) Electric switches and accessories—Manufacture	1
(ii) Electric Traction	1

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“(b) For four scholarships, Provincial Government servants eligible for study leave have been selected finally. As the entire cost of their studies abroad will be borne by this Government, their names have not been forwarded to the Central Government for their approval. For the remaining 31 scholarships, this Government have recommended 94 names in all indicating for each scholarship the order of merit of candidates.

“(c) As the selections of candidates for all the scholarships have not been finally approved by the Government of India, it is not possible to furnish the information asked for.

“(d) No.”

BEGUM SULTAN MIR AMIRUDDIN:—“ May I know, Sir, why no one was selected for research and investigation into any health subject? While many engineering subjects have received attention, the same has not been the case with health subjects? ”

THE HON. SRI B. GOPALA REDDI:—“ For Sanitary Engineering, some people have been selected.”

BEGUM SULTAN MIR AMIRUDDIN:—“ Sir, subjects pertaining to women also deserve consideration and not men's subjects alone. May I ask the Government whether in the future they will

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be pleased to give due consideration to the requirements of women when selection is made by them for the award of scholarships for foreign studies? ”

THE HON. SRI B. GOPALA REDDI:—“ We cannot create subjects for the sake of women; the subjects are there and women also can take them up.”

BEGUM SULTAN MIR AMIRUDDIN:—“ Is the Hon. Minister aware that there is great scope for research and investigation into matters like maternity and child welfare? ”

THE HON. SRI B. GOPALA REDDI:—“ Yes, Sir; if the necessity is felt, certainly the subject will be included.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“ Is the Hon. Minister for Finance aware that there are subjects separately styled male subjects and female subjects in this category? ”

THE HON. SRI B. GOPALA REDDI:—“ I do not know, Sir.”

BEGUM SULTAN MIR AMIRUDDIN:—“ May I know why a Christian by name Miss Varkey possessing higher qualifications than the other candidates who is now qualifying for the Ph.D. degree, was not selected and someone else who was less qualified was selected instead? ”

THE HON. SRI B. GOPALA REDDI:—“ I suppose the question was previously asked and replied to.”

BEGUM SULTAN MIR AMIRUDDIN:—“ No answer was given to my question. Will the Hon. Minister investigate into this matter? ”

THE HON. SRI B. GOPALA REDDI:—“ I do not think there is any necessity.”

SRI B. S. MURTHI:—“ May I know whether the Government have recommended any Harijan candidates; if so, what are the names of those candidates? ”

THE HON. SRI B. GOPALA REDDI:—“ Sir, at present I am not prepared to disclose the names recommended by this Government to the Central Government.”

SRI B. S. MURTHI:—“ My point is whether the Government have at all recommended any Harijan candidates from this Presidency? ”

THE HON. SRI B. GOPALA REDDI:—“ I am sure, Sir, there are some Harijan candidates in the list.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ In view of the answer given by the Hon. Minister for Finance that if they feel any necessity for sending students to countries abroad for studying maternity and child welfare, they will do so, may I know whether they have not so far felt the necessity and whether they think that arrangements for maternity and child welfare are quite satisfactory in the Province now? ”

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THE HON. SRI B. GOPALA REDDI:—"The training given in our hospitals is already adequate and we do not think any useful purpose will be served by sending our students abroad."

MR. SPEAKER:—"It is now twelve o'clock; I shall take five more minutes to finish the questions."

Depots for manure and agricultural implements.

* 290 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Agriculture be pleased to state how many depots there are for storing and distributing manure and agricultural implements in Vizagapatam district, talukwar?

THE HON. SRI K. MADHAVA MENON:—"There are 44 Agricultural depots in Vizagapatam district. They are:

North Vizagapatam—		South Vizagapatam—	
Ichapur taluk..	1	Sarvasiddhi taluk..	2
Sompeta ..	3	Golugounda ..	2
Patapatnam ..	3	Veeravalli ..	3
Narasannapeta.	2	Anakapalle ..	2
Tekkali ..	3	Vizagapatam ..	1
Chicaole ..	3	Bimlipatam ..	2
Chipurupalle ..	3	Srungavarapukota ..	2
Palakonda ..	3	Vizianagram ..	2
Bobbili ..	3	Salur ..	1
Parvatipur ..	3		
Total ..	27	Total ..	17

SRI G. KUMARASWAMI:—"Arising out of the answer given by the Hon. Minister, may I know if it is not necessary that such big taluks as Patapatnam, Tekkali, etc., should be given more depots in the interests of public convenience?"

THE HON. SRI K. MADHAVA MENON:—"It depends upon the demand for manure in that particular area."

SRI GEDDAM SANYASI RAO:—"May I know why the Government have failed to supply agricultural implements to the ryots?"

THE HON. SRI K. MADHAVA MENON:—"As much agriculture implements as were available with the Government till the 1st January 1947 have been supplied. After that date, the supply was not made by the Agricultural Department."

SRI S. NAGARAJA MANIGAR:—"May I know if the Hon. Minister is aware that there are sub-depots in the taluks where these implements are not stocked and therefore the villagers have

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to go a long distance to purchase such a small article as an iron plough which costs annas 8, spending for their conveyance, a rupee or more?"

THE HON. SRI K. MADHAVA MENON:—"I have already said that since 1st January 1947, the Agricultural Department is not supplying the implements. The iron required for the implements is however supplied by the Steel Controller."

Salaries of village officers in estate areas.

* 291 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether there is any proposal to bring the salaries of the village officers in estate areas to the level of the village officers in ryotwari areas; and

(b) if there is a proposal, when it is likely to be given effect to?

THE HON. SRI KALA VENKATA RAO:—" (a) There is no such proposal.

" (b) Does not arise."

SRI G. KUMARASWAMI:—"In view of the fact that all the duties of village officers in estate areas as well as ryotwari areas are almost the same, is it not necessary that the case of estate village officials should be considered favourably and with retrospective effect in the matter of pay?"

THE HON. SRI KALA VENKATA RAO:—"As soon as we get into possession of the zamindari areas and convert them into ryotwari areas, the question will surely be considered."

Codification regarding land tenure.

* 292 Q.—M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government intend to attempt at codification of laws and regulations regarding land tenure in our Province; and

(b) if so, what steps the Government have till now taken or propose to take in the immediate future?

THE HON. SRI KALA VENKATA RAO:—" (a) Yes.

" (b) A special officer has been appointed for the purpose and he is examining the question."

Midwives and Health Visitors.

* 293 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to state—

(a) the number of (i) Midwives and (ii) Health Visitors the Government trained last year;

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(b) the number of (i) Midwives and (ii) Health Visitors the Government intend to train this year;

(c) the number of stipends given to trainees in midwifery; and

(d) the amount of each such stipend?

THE HON. SRI A. B. SHETTY:—“(a) The number trained last year is:—

(i) Midwives trained in the languages of the Province 261. Midwives trained in the advanced course, that is in English 221.

(ii) Health visitors 20.

“(b) The number of Government intend to train this year is—

(i) in the languages of the Province 185. Advanced course 93.

(ii) Health visitors 100.*

“(c) The number of stipends given to trainees is—

Midwives in the languages of the Province 185 and midwives Advanced Course 93, i.e., to all of them.

“(d) The stipends and allowances payable to midwives are—

Midwives in the languages of the Province stipend Rs. 18 per mensem, dearness allowance Rs. 16 per mensem and dhoby allowance Rs. 1-12-0 per mensem. Midwives in Advanced Course stipend Rs. 30 per mensem; dearness allowance Rs. 16 per mensem and dhoby allowance Rs. 2 per mensem.

In addition an allowance of Rs. 75 for books, uniforms, etc., is paid to each candidate for the entire course.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I enquire whether it is not a fact that the number of midwives and health visitors that the Government intend to train this year is most inadequate? May I enquire whether the Hon. Minister is aware that the minimum number of midwives that are required to be trained is 10,000 at the rate of one midwife for 5,000 people?”

THE HON. SRI A. B. SHETTY:—“Yes, Sir; the number of midwives we are training is not adequate to our needs and a sub-committee appointed at the Medical Conference is considering the question as to how many more midwives we should train and what facilities should be given to them. As regards health visitors, it was proposed to open three training centres this year and admit 100 candidates; unfortunately however only 22 candidates applied and 21 were admitted, and of them, six have left, so that we have only 15 candidates now under training.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I enquire why the Government are not taking steps to make provision for training

* Subject to the decision of the Selection Committee.

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more midwives in the Gosha Hospital by providing more accommodation? The Hon. Minister might be aware that what is needed for the training of midwives is mainly the provision of necessary accommodation.”

THE HON. SRI A. B. SHETTY:—“Midwives who are to be trained in the English language are being trained in the Women's and Children's hospitals including the Gosha Hospital. I have already said that this question of training more midwives is under consideration.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“In view of the fact that the number of midwives and health visitors is very inadequate to meet the requirements of this Province, what steps are the Government taking to make this profession attractive in order that a larger number of people could take to this nursing profession?”

THE HON. SRI A. B. SHETTY:—“I have already said that the whole question is being considered by a sub-committee.”

SRI B. S. MURTHI:—“May I know, in view of the inadequate number of midwives, whether the Government will devise a shorter course, so that adequate number of midwives will be made available in a shorter period?”

THE HON. SRI A. B. SHETTY:—“Eighteen months' course of training is given to them, and it is not considered desirable to shorten the period of training.”

SRIMATHI V. LAKSHMI AMMAL:—“Will the Government consider the question of relaxing the rules for the midwifery course in regard to age and stipends and give more attractive pay to the midwives?”

THE HON. SRI A. B. SHETTY:—“Recently the pay of midwives has been revised and enhanced; the suggestion made by the hon. Lady Member will be considered.”

MAHIN SCHAMNAD SAHIB BAHADUR:—“May I know why midwives are not made available in the mufassal villages and why they should be stationed only in the towns?”

THE HON. SRI A. B. SHETTY:—“The services of midwives are made available in the rural areas also by the local bodies.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“With regard to the suggestion of reducing the period of training of these midwives, may I suggest to Government that in trying to get the quantity, they should not sacrifice the quality of the midwives?”

THE HON. SRI A. B. SHETTY:—“I have already said that 12-15 it is not considered desirable to reduce the period of p.m. training.”

DR. S. SUBRAHMANYA AYYAR:—“In view of the paucity of midwives, will the Government consider the desirability of training midwives in hospitals which have got more than 500 confinements a year?”

THE HON. SRI A. B. SHETTY:—“Training is being given in almost all the District Headquarters Hospitals, Sir.”

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SRI B. S. MURTHI:—" May I know why there is a paucity of midwives? "

THE HON. SRI A. B. SHETTY:—" Steps will be taken to give training to more people hereafter."

12-15 P.M. SRI S. NAGAPPA:—" May I know whether it is a fact that the midwives that are trained in the mufassal are not given stipends? "

THE HON. SRI A. B. SHETTY:—" They are given stipends and I have already answered the question."

People of the Agency tracts employed in anti-malarial stations.

* 294 Q.—SRI K. VEERANNA PADAL: Will the Hon. the Minister for Public Health be pleased to state the number of people of the Agency tracts employed in the anti-malarial stations in the Agency?

THE HON. SRI A. B. SHETTY:—" A statement* is placed on the table."

SRI V. RAGHAVAYYA:—" In view of the realization that malaria in these parts is entirely due to the absence of drinking water wells, will the Government immediately launch upon a scheme for providing a well in every agency village? "

THE HON. SRI A. B. SHETTY:—" This question relates to the number of people of the Agency tracts employed in the anti-malarial stations. If the hon. Member wants information about wells, he may put down a separate question."

MAHIN SCHAMNAD SAHIB BAHADUR:—" May I know, Sir, where the Government intend to post these midwives? " (Loud laughter.)

MR. SPEAKER:—" We are not in the previous question. We are now in question No. 294."

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

II.—INFORMATION ON SHORT NOTICE QUESTION RE INTENDED STRIKE OF MEMBERS OF THE SECRETARIAT SERVICE.

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" On a point of information, Sir. I gave notice of a short-notice question day-before-yesterday on a very important subject. The question has not come before the House, nor have I been informed what happened to that question, whether the notice has been waived or not. Sir, it is a very very important question and I am sorry that the Government has taken it in this indifferent way. May I know from the Hon. Speaker what has happened to that question and whether the Government is prepared to answer it? "

MR. SPEAKER:—" The Hon. Minister in charge is not here."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Then, what is the remedy, Sir? "

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MR. SPEAKER:—" So far as our Department is concerned, we have already admitted it and sent it to the Department concerned."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" It is a very important matter, Sir. So, I requested the Hon. the Speaker to have it answered as a short notice question. To-day is the last day of this sitting and we are having an interval of ten days before we again meet. On such an important matter, we should be informed as to what was the idea of the Government, in regard to this matter."

MR. SPEAKER:—" I have already stated that the question has been admitted and sent to the Department concerned and we are expecting an answer."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" The matter is with reference to the threatened strike by the members of the Secretariat Service."

MR. SPEAKER:—" As far as I am concerned, it has gone out of this Department and more than that I cannot do. As soon as questions are received, they are scrutinized and admitted and sent to the Departments concerned for getting the answers. As soon as the Hon. Minister in charge of that question comes, the hon. Member can put that question."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Sir, another point of my grievance is this. I have not been informed of the fate of that question whether the Government was pleased to waive notice or whether they were answering it or not. If this courtesy is not extended, really the relief should come from the Hon. Speaker."

MR. SPEAKER:—" As I told the Hon. the Leader of the Opposition before, he can put that question to the Minister concerned as soon as he comes."

III.—GOVERNMENT BILL.

THE MADRAS ESTATES COMMUNAL, FOREST AND PRIVATE LANDS (PROHIBITION OF ALIENATION) BILL, 1947 (L.A. BILL NO. 26 OF 1947).

THE HON. SRI KALA VENKATA RAO:—" Sir, as I told you before, the report of the Select Committee on the Bill to prohibit the alienation of communal, forest and private lands in the estates in the Province of Madras was placed on the table of the House yesterday. Notice of amendments was also given. There is not very much to say before we take up the Bill clause by clause. As we go on discussing clause by clause, further discussion on the Bill can be had. May I also remind the House that the Bill should become law before the 26th? So, I request all the hon. Members to facilitate the passing of the Bill before this evening so that it may be taken up in the Council on 20th and 21st and so that it may become law before the 26th. While I do not like to curtail any aspect of the discussion, I would like to have the

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co-operation of the House in passing this Bill before the evening of to-day. Sir, I move that the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947 (L.A. Bill No. 26 of 1947), as reported by the Select Committee, be taken into consideration."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"The Hon. the Minister submitted the report of the Select Committee on this Bill yesterday. I believe it will not be in order in view of the fact that according to rule 88 of the rules for the conduct of business in this House, no motion of this nature submitting a report of the Select Committee should be presented within fifteen days after the Select Committee finishes its business."

Mr. SPEAKER:—"I have gathered the point. The hon. Member has quoted rule 88; but I may read another rule, i.e., rule 112. It states—

"The Speaker may in his discretion dispense with the provisions of this Chapter regarding notice and may in his discretion allow any motion regarding a Bill or any amendment to be moved without notice or with such shorter notice as he may think fit."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"This subject deals with a very important matter and there are diverse views on this subject. I do not know whether the Hon. the Speaker has taken into consideration all these facts before he used his discretion in waiving that rule."

Mr. SPEAKER:—"First and foremost, I have considered the request of the Hon. the Minister that the Bill should become law before the 26th and I sympathized with his position and I therefore waived the notice."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"This is a very important matter affecting the privilege of the members of this House and the discretion which vests with the Hon. Speaker is a very important discretion. It is intended for the protection of the rights of the Members of the House in the main. If the Hon. the Speaker is interested in the rights of the Members and the protection of those rights, he should have made use of his discretion to see that matters are not stamped in this manner and are not rushed through. We would like the Hon. Speaker to see that this protection is given to the House and that he prevents things from being rushed through in this way."

Mr. SPEAKER:—"No assurance can be given by the Chair. Wherever it is necessary, rule 112 will be used. Now the motion before the House is that the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947, as reported by the Select Committee, be taken into consideration."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of order. We see on the table of the House that the Hon. Sri Kala Venkata Rao has given notice of certain amendments but

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in the Select Committee he has not been pleased to move those amendments. Can he come forward with those amendments now and move those amendments directly before the House? I would like to know this from the Leader of the House."

Mr. SPEAKER:—"In the light of the amendments that were moved in the Select Committee, Government are at liberty to move further amendments."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"It was reported in the Press that Mr. Vaidyanatha Ayyar has resigned his membership of the Assembly. Still we find him here. I would like to know whether his resignation has been accepted or whether he has withdrawn his resignation."

THE HON. DR. P. SUBBARAYAN:—"I may submit for the information of the hon. Member that the very fact that Mr. Vaidyanatha Ayyar is present in this House shows that his resignation has not been sent in."

Sri R. V. Swaminathan began in Tamil.

THE HON. SRI KALA VENKATA RAO:—"I am only requesting hon. Members to speak on the clauses instead of having a general discussion."

SRI R. V. SWAMINATHAN:—"கனம் தலைவர் அவர்களே, கனம் ரிவினியூ மந்திரி அவர்கள் கொண் வந்திருக்கும் மசோதாவை ஆதரித்து நான் பேசுகிறேன். இந்த மசோதாவானது Select Committee யில் சலிஸ்தாரமாக விவாதிக்கப்பட்டது. அதற்குப் பிறகு இங்கு வந்திருக்கிறது.

"முதல் முதலாக இந்த மசோதாவானது அவசரச் சட்டம் மூலமாக வந்தது. அதில் எனக்கு சில சந்தேகங்கள் எழுந்தன. பின்னர் அதை யோசித்து மந்திரி அவர்களைக் கலந்து கொண்ட பிறகு விபரம் அறிந்து கொண்டேன். அவர் சொன்னதாவது அநேகம் ஜமீந்தார்கள் இந்த ஜமீந்தாரி abolition வருவதை எதிர்பார்த்து அவர்கள் தங்களுடைய நிலங்களை விற்று விட்டு அதிலிருந்து அவர்கள் தப்பித்துக்கொள்வதற்கு ஏற்பாடு செய்கிறார்கள். அதைத் தடுக்க வேண்டுமென்ற காரணத்தால் இந்த அவசரச் சட்டம் போடப்பட்டது என்று சொன்னார். ஆனால் இது சம்மந்தமாக முக்கியமாக ஒரு விஷயத்தை இந்த பிரச்சினையில் தெரிவிக்க விரும்புகிறேன். அதிலிருந்து நாலாவது செக்ஷன் Select Committee யில் நீக்கப்பட்டது. Retrospective effect கூடாது என்று நீக்கப்பட்டது. பலவிதமான ஆட்சேபணைகளை பலபேர்கள் இந்த செக்ஷனுக்கு தெரிவித்தார்கள். முக்கியமாக ரயத்துக்கள் அநேகம் பேர்கள் இந்த ஜமீந்தாரர்களிடமிருந்து நிலங்களை வாங்கி இருக்கிறார்கள். சமீபத்தில் அரசாங்கத்தார் ஆரம்பித்த Grow more food திட்டத்திற்காக விவசாயிகள் அநேகமாக waste நிலங்களை assignment வாங்கி இருக்கிறார்கள். சாதாரணமாக அவர்கள் 4, 5 ஏக்கர் அல்லது அதிகமாக நிலங்களை வாங்கி அதை பண்படுத்தி விவசாயம் செய்து வருகிறார்கள். அத்துடன் எங்கள் பக்கத்தில் இராமநாதபுரம் ஜில்லாவில் அநேகம் செட்டியார்கள் வீடு கட்டுவதற்காக ஜமீன் நிலங்களை வாங்கி ஏராளமான பணம் சிலவு செய்து வீடு கட்டி இருக்கிறார்கள். இந்த மாதிரி வீடுகளுக்கெல்லாம் லட்சக்கணக்காக சிலவு செய்து கட்டியிருக்கும் வீடுகளுக்கெல்லாம் ஆபத்து வரும் நிலைமையில் இந்த செக்ஷன் இருக்கிறது என்று ஆட்சேபணைகளைத்

[Sri R. V. Swaminathan] [18th October 1947]

தெரிவித்தோம். இத்தகைய உண்மையான காரணங்களுக்கு விதிவிலக்கு வேண்டுமென்று தெரிவித்தோம். இது சம்பந்தமாக செலக்ட் கமிட்டியில் ஒரு திருத்தப் பிரேரணையை கொண்டுவந்தேன். ஆனால் செக்ஷன் 4 நீக்கப்பட்டுவிட்டதால் என் திருத்தப் பிரேரணையை கொண்டு வருவதற்கு அவசியமில்லாது போய் விட்டது. ஆனால் அந்த திருத்தப் பிரேரணையிலிருந்து விஷயத்தை உள்ளடக்கி இப்பொழுது ஒரு திருத்தப் பிரேரணையை கனம் ரிவினியு மந்திரி கொண்டு வந்திருக்கிறார். இந்த திருத்தத்தை ஆதரிக்கிறேன்.

“அடுத்தபடியாக சில முக்கியமான விஷயத்தைப்பற்றி கூற விரும்புகிறேன். இந்த பில்லில் இனமைச் சேர்ப்பதைப்பற்றி அநேகம் பேர்கள் ஆட்சேபித்தார்கள். இனமைப்பற்றி இப்பொழுது நான் விரிவாக பேசப் போவது இல்லை. ஜமீந்தாரி இனம்தாரி பிரச்சனையைப்பற்றி சமீபத்தில் ஒரு பெரிய மசோதா வரப்போகிறது. அந்த சந்தர்ப்பத்தில் பேசிக்கொள்ளுகிறேன். அதில் முக்கிய விஷயங்களை மாதிரி சொல்லிக்கொள்ள விரும்புகிறேன். என்னவென்றால் குறிப்பாக இந்த விஷயத்தில் பல அபிப்பிராய பேதங்கள் இருக்கின்றன. செல்வாக்கு உள்ளவர்களும் அதிகார சக்தியுள்ளவர்களும் இந்த இனம்களை நீக்கி விடவேண்டுமென்று பிரச்சனையை கிளப்பி இருக்கிறார்கள். கனம் கெ. பாஷ்யம் அவர்கள் கூட இதை ஆட்சேபித்திருக்கிறார். சகல துறைகளிலும் செல்வாக்குள்ளவர்களும் சக்தி வாய்ந்தவர்களும் இந்த இனம்களை நீக்கவேண்டுமென்று கிளர்ச்சி செய்து கொண்டு வருகிறார்கள். கனம் தலைவர் அவர்களே, இந்த இனம் சம்பந்தமாக ஜமீந்தார் ரயத்துக்கள் கஷ்டமும் இனம் ரயத்துக்கள் கஷ்டமும் ஒரே மாதிரியாக இருக்கிறதென்று குறிப்பாகச் சொல்லுகிறேன். உதாரணமாக நாட்டில் உயர்ந்த சமூகத்தினர் ஒரு சமூகத்தை தாழ்ந்தவர்களென்று தூர் அதிர்ஷ்டவசமாக ஒதுக்கி இருக்கிறார்கள். மேல் ஜாதிக்காரர்கள் ஆங்கிலேயர்களுக்கு அடிமையாக இருந்தார்கள். தாழ்த்தப்பட்டவர்களென்று சொல்லப்பட்டவர்கள் மேல் ஜாதிக்காரர்களுக்கு அடிமையாக இருந்தார்கள். இவ்வருஷம் ஆகஸ்டு மாதம் 15-ம் தேதி இந்தியா விடுதலை அடைந்தபோது ஆங்கிலேயர்கள் தாழ்த்தப்பட்டவர்களென்று சொல்லப்படுபவர்களிடம் மேல் ஜாதிக்காரர்கள் தான் விடுதலையடைகிறார்கள். நீங்கள் தான் அவர்களிடம் அடிமையாக இருந்தவர்களா ச்சே? நீங்கள் எங்களுடைய அடிமையாகவே இருங்கள் என்று சொன்னால் எவ்வளவு பொறுத்தமோ அவ்வளவு பொருத்தம் தான் இனம் இருக்க வேண்டுமென்ற வாதம். சாதாரணமாகச் சொல்லுகிறேன். இந்த இனம் ரயத்துகளுடைய கஷ்டம் இந்த ஜமீன் ரயத்துகளுடைய கஷ்டத்தைக் காட்டிலும் அதிகமாக இருக்கிறது என்று எடுத்துச் சொல்லுகிறேன். சாதாரணமாக சிலரிடம் 1,000 ஏக்கர்களுக்குமேல் இனம் நிலம் இருக்கிறது. இவர்களிடம் ரயத்துக்கள் மிகவும் கஷ்டப்பட்டுக்கொண்டிருக்கிறார்கள். இந்தக் கஷ்டம் மாகாணம் பூராவும் இருக்கிறது. இது ஒரு பெரிய பிரச்சனையாக இருக்கிறது. உலகத்திலேயே மிகப் பெரியவரான மகாத்மா காந்தியடிகளின் செய்தியை சுமார் 20 வருஷங்களாக கிராமங்களிலே பிரசாரம் செய்து வரும்போது இனம் கிராம வாசிகள் தங்களுக்கு ஏதாவது கதி மோட்சம் உண்டா என்று கேட்டார்கள். தேசத்திற்கு எப்பொழுது சுவதந்திரம் வரப்போகிறதோ அப்பொழுது இந்த காங்கிரஸ்காரர்களால் உங்களுக்கு கதி மோட்சம் வருமென்று சொன்னோம். அதே போல் நாங்கள் உறுதி கொடுத்திருக்கிறோம். ஆனால் இன்றைய தினம் செல்வாக்கு படைத்தவர்கள் இதற்கு விரோதமாக கிளர்ச்சி செய்து வருகிறார்கள். அவர்களுக்கு சக்தி இருக்கலாம், அதிகாரம் இருக்கலாம். தலைவர் அவர்களே ஒன்று சொல்லுகிறேன் யாராவது இந்த இனமை விலக்க வேண்டுமென்று சொன்னால் தேசத்தில் கண்டிப்பாக போராட்டம் ஏற்படும். பிறகு போராட்டத்தை தான் எதிர்பார்க்கலாம். இன்னும் கிராமங்களிலுக்கூட நாட்டில் இரத்த களரி ஏற்படுமென்று எச்சரிக்கை செய்கிறேன். இந்த இனம் விஷயத்தில் சிலரை தலையிடாமலிருக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். இப்பொழுது இந்த இனம்களை மசோதாவில் சேர்க்கப்பட்டிருப்பதற்கு சந்தோஷமடைகிறேன்.

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“அடுத்தபடியாக சிலர் retrospective effect விஷயத்தைப்பற்றி ஆட்சேபனை சொன்னார்கள். ஆட்சேபனை முக்கியமானதல்ல. அந்த மாதிரி ஏற்கனவே செய்யப்பட்ட விஷயத்திற்கும் முடிவு செய்யப்பட்டிருப்பதற்கும் மாறுபட்டு ஒரு சட்டம் செய்யவில்லை. இந்த retrospective effect இருப்பதால் ஜமீன் பிரைவேட் நிலங்களை அரசாங்கம் எடுத்துக்கொண்டு விடாது. Private நிலமா அல்லது ஜமீன் நிலமா என்ற பிரச்சனை வரும்போது ஜட்ஜுகள் மூலமாக அவர்களுடைய பிரச்சனைகளை தீர்த்துக் கொள்ளலாம். ஒரு நிலம் ஜமீனைச் சேர்ந்ததா அல்லது private நிலமா என்று தீர்த்துக்கொள்ளலாம். அதைக் கண்டு அஞ்ச வேண்டிய தில்லை. Retrospective effect உள்படவும் திருத்தம் உள்படவும் இந்த மசோதாவை முழு மனதுடன் ஆதரிக்கிறேன்.”

SRI N. S. VARADACHARI:—“May I rise to a point of point of information, Sir. I would like to know from the Hon. Minister whether he wants to reenact the Ordinance or whether this is to be treated as a fresh Bill with certain modifications from the original Ordinance. If it is a reenactment of the Ordinance, under section 88 of the Government of India Act, I think, the Ordinance expires naturally with the date suggested. There is a small amendment in the Adaptation Orders which does not take away the conception of section 88. If it is the same Ordinance that can be reenacted obviously, he cannot incorporate new provisions. If, on the other hand, it is a new Bill, there is time enough for the Hon. Minister to consider every reasonable suggestion and get through the Bill as expeditiously as possible. I therefore want to know whether he wants to reenact the Ordinance as he says in the Statement of Objects and Reasons or whether he is putting forward this Bill as a new Bill and whether it will have to be considered by both Houses of the Legislature. I certainly agree that if it is a new Bill to be passed, every reasonable suggestion will be taken into account and the Bill passed after taking all the suggestions into consideration.”

THE HON. SRI KALA VENKATA RAO:—“It is practically, Sir, the old Ordinance as I said, with slight modifications which have been necessitated as a result of experience. I said even on the first day, there is no fundamental change in the conception of the Bill and that if reasonable suggestions were put forward, Government were prepared to accept them.”

SRI N. S. VARADACHARI:—“The Hon. Minister will incorporate the Ordinance in this reenactment, then I submit, under section 88 of the Government of India Act, the Bill should not contain any more provisions than what the Ordinance contained. If it is a new Bill then I accept it and let the Hon. Minister come forward and tell us that this is a new Bill though the purpose is only to confirm the Ordinance.”

MR. SPEAKER:—“To the Ordinance Government may also add something more.”

SRI N. S. VARADACHARI:—“Section 88 reads as follows:—

‘If at any time when the Legislature of a Province is not in session the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action he may promulgate such ordinances as the circumstances appear to him to require.’”

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MR. SPEAKER:—"The hon. Member should remember that all these provisions have been left out in the Adaptation Order. He should then go to sub-section (2), but all these have been left out in the Adaptation Order."

SRI N. S. VARADACHARI:—"I am reading from the Adaptation Order, and all it says is, *omit* sub-section (2) of the section 88 and for the proviso to sub-section (1) *substitute* so and so and in sub-section (2) *omit* paragraph (b)."

MR. SPEAKER:—"The old Act has now been amended, and for the proviso to sub-section (1), the following has been substituted:—

'Provided that the Governor, shall not, without instructions from the Governor-General, promulgate any such Ordinance if an Act of the Provincial Legislature containing the same provisions would under this Act have been invalid unless, having been reserved for the consideration of the Governor-General, it had received assent of the Governor-General.'

I understood the hon. Member to say that it has been deleted."

SRI N. S. VARADACHARI:—"I want to read the whole section and explain, Sir. An Ordinance promulgated under this section . . ."

MR. SPEAKER:—"After reading this section, the hon. Member should go to sub-section (2) which says: 'An Ordinance promulgated under this section shall have the same force and effect as an Act of the Provincial Legislature, etc.'"

SRI N. S. VARADACHARI:—"According to 2 (a) 'every such Ordinance shall be laid before the Provincial Legislature and shall cease to operate at the expiration of six weeks from the reassembly of the Legislature, or if a resolution disapproving it is passed by the Legislative Assembly and agreed to by the Legislative Council, if any, upon the passing of the resolution, or, as the case may be, on the resolution being agreed to by the Council.

"This sub-clause itself says that it will expire six weeks after the reassembly of the Legislature because the Legislature is expected to discuss its provisions and pass it as it was originally introduced. If the intention is not to pass it as originally introduced but to add new sections and then pass it into law, this should be treated not as one coming in an emergency under section 88 but one on which reasonable discussion and amendments should be allowed and all latitude given to members for the consideration of such an important subject as this. I concede that the amendments made by the Hon. Minister no doubt meet certain difficulties but all the same it cannot be presumed that this will meet all the points—he says this is a major matter—I submit this is not a major matter. Sir, in view of what I feel, I am entitled to request the Minister to consider all reasonable suggestions and not to imagine that he is reenacting the original

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Ordinance, though he is adding substantial provisions to it which vitally affect the rights of various people. Sir, whatever his doubt may be, I want him to take a correct legal stand that he is enacting a new Bill which will not only enact some of the provisions of the Ordinance but also go far beyond it."

MR. SPEAKER:—"Does the Hon. the Leader of the House want to say anything on this?" 12-30 p.m.

THE HON. DR. P. SUBBARAYAN:—"I do not want to say anything, Sir."

THE HON. SRI KALA VENKATA RAO:—"Mr. Varadachari has only taken unnecessary trouble over this and there is nothing in the section which he has read to show that we cannot add anything more to the Ordinance that we have brought forward in the form of a Bill. Nonetheless we have been seeing Mr. Varadachari always talking in a loud tone although as I said we have not gone fundamentally against the Ordinance as it was originally introduced and every suggestion proved to the satisfaction of the House and to the Government were considered."

* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, while supporting the principle of this Bill I wish to state that from the very outset I have felt that this Bill was redundant and unnecessary in view of the fact that there are already ample provisions in the Madras Estates Land Act, the Madras Preservation of Private Forests Act, 1946, and the Madras Tenants and Ryots' Protection Act, 1946, to give effect to the intentions of the present Bill. When there are already provisions in those Acts to deal with matters, mentioned in the Bill, I cannot understand why the Hon. the Revenue Minister has been asking us to expedite legislation on this subject. I entirely agree with the point that has just now been raised by the hon. Mr. Varadachari that this is a new piece of legislation, because if the Minister wanted to reenact the Ordinance he should have conformed to its terms. Undoubtedly this is fresh legislation and not a reenactment of the Ordinance because the Hon. Minister has included in this Bill a new provision contained in clause H, which was not to be found in the original Ordinance. If the Hon. Minister had taken legal opinion on this matter, he would have been advised that this is not a reenactment of the Ordinance but a new piece of legislation. Such being the case, I do not find the necessity of hurrying up the members of this House in regard to the passing of this measure. I feel that on an important subject such as this the members should not be rushed up as they were with reference to other matters, but that they should be allowed every facility, every latitude, every opportunity for expressing their views. The Hon. Minister desires that this Bill should be passed to-day so that the Council may discuss it and it may become law before the expiry of the Ordinance, but I hold the view that even if the Ordinance lapses, it does not matter for this legislation can be brought forward as a new enactment; hence there is no necessity to expedite the measure. 12-45 p.m.

[Begum Sultan Mir Amiruddin] [18th October 1947]

" Mr. Speaker, Sir, yesterday when the report of the Select Committee on this Bill was given to me, I felt rather gratified that clause 4 of this Bill had been suitably amended, but in the evening, to my regret, a paper was handed over to me containing the amendment that the Hon. Minister wishes to move, whose effect is to nullify the recommendations of the Select Committee. This sort of procedure is rather unusual for it was open to the Hon. Minister to bring forward his amendments in the Select Committee. I do not know why he did not do so but intends to move his amendment in this House. The very length of his amendment serves to indicate that the subject with which he intends to deal is a very complicated one. Having regard to the confusion that his amendment would create, it would be most advisable on the part of the Hon. Minister to accept the recommendation of the Select Committee. Sir, this is not a small matter. This is a matter affecting the interests of those very people whom the Hon. Minister intends to help, viz., the ryots, some of whom have reclaimed the lands under the Grow More Food Campaign, who will be deprived of the rights that they have legitimately acquired. A legislation which would deprive 'bona fide' purchasers of their rights would be detrimental to the interests of thousands of honest citizens. In view of the fact that this Bill will be repealed shortly, being an interim measure, it would be advisable on the part of the Hon. Minister to accept the recommendations of the Select Committee, and not move his amendment.

" Another matter to which I wish to refer is that I am sorry to note that the definition of the word 'forest' remains the same and that the Select Committee did not see its way to alter it. In this Bill the definition of 'forests' is as sweepingly wide as that contained in the Madras Preservation of Private Forests Act, 1946. When last year the hon. Mr. Karanth brought forward his Bill for the preservation of private forests, I drew his attention to the fact that the definition of 'forests' that the Government intended to adopt in that Bill was so wide that the Government could even include Mount Road within the scope of their definition. Despite appeals the Hon. Mr. Karanth did not choose to alter the definition and the Hon. Mr. Bhashyam who was the Law Minister then did not advise him to do so. I am glad to find that the hon. Mr. Bhashyam has now come round to our point of view and that he now realizes the reasonableness of our demand and has given notice of an amendment to the definition of 'forests'. I wish he had arrived at the same conclusion last year when the Hon. Mr. Karanth brought forward his Bill. If Mr. Bhashyam had then advised his colleague to alter the definition in a reasonable manner the present Ministry would not have followed the bad precedent of its predecessor. However, I am glad that Mr. Bhashyam has to-day come forward with a suitable amendment with reference to the definition of the term 'forests' and I hope the House will accept his definition rather than that contained in the Bill under discussion.

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" I now wish to deal with clause 7 of the Bill which seeks to take away the jurisdiction of the Law Courts with reference to matters connected with this measure. Sir, there has been a tendency in the past on the part of the Government to deprive the law courts of their jurisdiction in regard to many matters. I wish to point out that the Law Courts are the custodians of the rights and liberties of the people of the land and that the citizens should not be deprived of their legitimate right to appeal to the Judiciary to redress their grievances. Sir, because the law courts have been impartial, because they have not seen their way to adopt the Government's point of view in regard to every matter, because they have stood for justice and justice alone, is it meet, is it desirable that they should be deprived of their powers in regard to matters over which they have had jurisdiction in the past? Whatever may be said of other departments, so far as the Judiciary in this Province is concerned, it has been above influences, it has remained impartial. Well, this is not a matter for regret but on the other hand, a cause for intense gratification. I, therefore, request the Government not to introduce into their legislation any provision depriving the law courts of the jurisdiction which they have hitherto possessed. In the interests of the common weal, which I am sure this Government have much at heart, I appeal to them to see that the citizens of this land are not deprived of their legitimate right to address the law courts to redress their grievances.

" Another matter to which I wish to refer is that there has been a tendency on the part of both the present and the past Ministry to insert a clause in all their legislative measures giving the Government extensive and omnibus powers to deal with matters in regard to the removal of difficulties. Sir, true democracy requires that the Government should not be invested with such wide powers as are likely to be wrongly utilized. The Hon. Minister the other day assured us that the omnibus powers that are to be found in the present piece of legislation would not be wrongly used. So far as his assurance goes, we are satisfied. We have taken him at his word and we are sure that he would see that the executive officers concerned would not exceed their limitations. But, in these days of changing Ministers, of continuous resignations, and rumours of likely changes, the Hon. Minister must bear in mind that he cannot assure us on behalf of his successor. He can give us an assurance on his own behalf but we do not know in what manner the provisions contained in this Bill would be used by others. Therefore, Sir, I wish to suggest that in all their legislative measures the Government should not act in such a manner as to invest the executive with large powers, for the danger is that those very powers may at some future date be used against the hon. Members who now occupy the Treasury Benches. It would be best to be cautious in regard to this matter. I do not wish to dwell further on this topic.

" In conclusion I wish to express the hope that the Minister for Revenue will not rush through this measure for this is fresh

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legislation and not a re-enactment of the Ordinance, which would necessitate the passing of the Bill before the 26th of this month. My request to the Hon. Minister is to give full latitude to the members of this House to discuss this Bill in all its aspects, and to take into consideration every reasonable suggestion.

"With these remarks, Sir, I support the principle of this Bill and I hope the Hon. Minister will bear in mind all the points raised by me."

* SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, on the subject of this legislation, I have got a few comments to make which I hope the Hon. Revenue Minister will keep in mind, not merely with regard to this legislation but with regard to all legislations that may be brought in the future. In the first place, I find that with the new born enthusiasm of a baby who has got his freedom with full and sovereign powers, there is an attempt now to exercise it without regard to the consequences of the legislation. Radical legislations are being brought forward, of course with the best of motives, with a view to help classes of poor masses but while attempting to do so, the welcome principle, the fundamental principle is being forgotten that while you are trying to do a good thing in one place you cannot commit a wrong in other places, i.e., with a view to help Paul you should not rob Peter. Here is a body which is vested with legislative powers and which are sovereign in their nature so far as the Provincial subjects are concerned. Within the four corners of these, this Legislature should be very careful to see that their acts do not wrong either large masses of people or even a section of the people.

1 p.m. "But I find that that kind of feeling is completely kept apart irrespective of consequences that it might entail on others and without any attempt to remedy the injurious results legislation is being rushed through. You will find that when the last Act was being considered—Forest Lands Alienation in Estates—I raised the question that 'forest' is a subject which comes under the Provincial list and therefore, it has got a particular meaning and if any land does not satisfy the name of forest, you cannot make it into a forest by decreeing it to be a forest or by defining it to be so. I can well see how if the place where we are at present is in an estate, you can merely say the Legislature and the Government House are forests and we are denizens living in it; but fortunately that contingency is ruled out as this is not inam estate. At that time, I also drew attention to the fact that it is even doubtful whether your legislation by means of your 'deeming or definition' would be intra vires. Then as a last resort, as a desperate resort, because I did not want the legislation to be strangled straightway, I requested the hon. Mr. Bhashyam, the then Law Minister, to have the said Act reserved for the assent of the Governor-General, so that it might be rectified there if necessary. But to my dismay, I find that the same definition has been perpetuated and I do not know if it has come to stay in the

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four corners of this law-making body. In the whole of Ramnad district and a portion of the Madura district, there are many estates; there are some waste lands and there are some brushwood growing and these are generally converted into house building sites and buildings are put up. What would happen to them under the definition that you are having in the Bill? Any person who got it from the zamindar after 1939, will have to give it up to the zamindar and what happens to the buildings that have been put up and the money invested on them? I pleaded with the Hon. the Revenue Minister that it will spell ruin to a section of the population. I personally know that in 1940 in Karaikudi people secured fifty acres from the Sivaganga estate and put up about a hundred houses and there is brushwood growing there and it is got from an estate. The result would be that it would be a forest, because it is fifty acres and not twenty acres to come under the exception. I feel that this kind of legislation by 'deeming' is bad and it is high time to cry halt to them.

"One word about retrospective effect. We have known it in law and we do not like it at all because ordinarily a man does anything under the existing law and whether he does it rightly or wrongly or legally or illegally is to be determined in the light of the law on the subject then in force. We know how much we protested when retrospective legislation was introduced during the adviser Government in 1942, when offences which were punishable with two years were made punishable with death and actions which were not offences were declared to be offences. We were the first to stoutly protest against it and it is we who said that it is all against the fundamental principle of law and yet we have no qualms now in declaring that transactions occurring from 1939 onwards would be illegal and therefore, null and void, subject only to what Government propose to bring forward by way of amendments to the Select Committee Report. I say it is wrong in principle. What is there that compels Government to legislate like this? Has there been any wide denudation of forests? As far as we have been able to ascertain from the Hon. Minister for Revenue, it is only one or two zamindars here and there that have done so. Does the fact that there are a few dishonest persons here and there, warrant retrospective legislation which will affect hundreds and thousands of families? I was glad that my hon. Friend, Mr. R. V. Swaminathan, for once agreed with me, that by reason of the retrospective effect proposed to be given, considerable numbers of his community in his district would be affected because they have taken lands from the estates for purposes of grow more food campaign. I shall just give the Hon. Minister an example of what havoc would be caused. For example in the Pattukottai taluk, there was a rush for cultivable land because Mettur water was coming and food also was scarce and for that matter, even notices were served under the Defence of India Rules compelling people to cultivate food. I myself know of a man in Devakottai who owns land in Pattukottai taluk purchasing forty acres of land for Rs. 20,000 and this is after

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1940 and this was done pursuant to the request of Government. Now, what is to happen to it? Because it is forty acres, the transaction is void and it goes back to the zamindar. I wish to point out to the Revenue Minister that the matter went to the Select Committee and we agreed to stand by the Select Committee. Once it has come out of the Select Committee, you cannot say: 'Heads I win and tails you lose'; that is not the way that Government legislation ought to be undertaken. Even now, I ask the Hon. Minister whether in regard to his amendment to clause 4 as amended by the Select Committee, he had the unanimous support of the Cabinet or whether it was carried by a bare majority. If it was only by a bare majority, is it not ground enough for not rejecting the Select Committee amendment of clause 4? Instead, he comes with a long list of amendments fighting against this even before the matter in print was handed over to us. Even as the clause stands, is it intended for the benefit of the ryots or is it intended for the benefit of the zamindar? A man pays a certain amount and takes it from the zamindar; you have declared that it is void; pursuant to the words 'shall not take away' which finds a place in the clause, and 'shall not vest' in the alienee, you declare it goes back to the zamindar. The man has erected a building or has effected some improvements and invested money on it. If you annul such transactions which were valid before and declare them invalid, ordinary common honesty requires that legislation should provide for the man being compensated; that is in this case you cannot do less than what a District Munsif will do in such cases. Is that what you have proposed even in the amendments proposed by Government? You have set a limit of 20 acres and I am glad that at least here the District Judge comes in and that the system of normal adjudication of justice is reverted to. You are going to acquire the zamindaris and according to the Bill that is to come before the House, the zamindar is to get compensation on the forest income and you deprive the man who has put money into the land under the existing law. You make the land go back to the zamindar and make him get compensation but the man that actually put money on the land comes nowhere in the picture. Even if your amendments are carried I beg you to see that the man gets back consideration for his improvements and for the money invested by him. As regards private lands, as my hon. Friend, Mr. Swaminathan, knows owing to the load lifted off their heads by means of Agriculturists' Debt Relief Act, people had some money and they were able to invest it in lands by buying private lands from zamindars. They have not only paid the purchase money but have spent considerable amounts for cultivating them. But now this Act says all that will be null and void and that it will all go back to the zamindar. This means that the man who has purchased goes without his money and the money invested by him for improving the land. I know that a man in Devakottai has invested 20,000 rupees in Pattukottai for purchasing private lands from a zamindar."

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THE HON. SRI KALA VENKATA RAO:—"If Patta Kollai is a zamindari, and the case does not come under the exceptions, it will cover that case also."

* SRI A. VAIDYANATHA AYYAR:—"I believe the Hon. the Revenue Minister knows that it is not an *iyam* property."

"In respect of such lands, the zamindar is automatically given ryotwari interest and he enjoys it when all the spending had been done by another and the land is taken away from him. Can you think of anything more unreasonable than that? You take away property from an honest purchaser, give it back to the zamindar and he is given ryotwari interest on it. I think there cannot be any better instance of injustice than that kind of legislation. The suggestion has been made by my hon. Friend, Mr. Varadachari, that with regard to private lands which have been purchased, the ryotwari patta granted to him might at least go back to the purchaser who has paid money for its purchase from the zamindar. I do not think that this is a well considered legislation. And I feel that it would have been much better if such kind of legislation is not passed."

"I desire to say a few words about the deprivation of the powers of courts of law. For the dispensation of correct, and even-handed justice, we used to cry in the olden days and democratic conscience was trying to see that justice is done to all in the speediest manner and it shall not be denied to the people. If you leave it in the hands of a few officials, what will happen? Of course, it may be said there is the Government. But the Hon. Minister alone cannot deal with these things. If it is merely the Collector doing it, in the final analysis, it will mean not the Deputy Collector, the Tahsildar or the Revenue Inspector but ultimately the karnam decides. Is it proper to deprive the court of law? At least there you have got the chance that both the parties will be heard and I respectfully urge that you should not deprive the powers of the court of law."

"As a lawyer, I have been acquainted with several penal and punitive legislation. We know that in the Indian Penal Code, there is a section which says that a debtor who fraudulently disposes of his property with a view to escape from his creditors shall be punished, imprisoned, etc., and a similar provision exists in the Insolvency Act. But during the last 36 years of my life at the Bar, I have not come across a single case of prosecution under those sections. Why are you going to add one more such section to the existing number merely to satisfy your conscience? Of such a defective one is clause 3 (2). The only justification for it seems to be that it is found in the Ordinance. But then the Ordinance was a piece of legislation for which you were not responsible. After all, the zamindars have been there for the last 150 years. There are other persons also. There is no good of saying 'well, we will punish you with two years' imprisonment.'"

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It will give us some pleasure to tell our constituency 'look at the way the zamindars are being treated.' Short of that there is no other benefit. No Government which has got the power and responsibility should be at liberty to enact such a measure. I would therefore request you to keep these principles in view and examine them sympathetically. It may be that the number of people to be benefited are ten times more than the number of people likely to be affected by this legislation. Even if it be 10 per cent, they have to be considered. It is not a fundamental piece of legislation to widen the law so as to spoil the rights of persons who have bona fide rights of property. I would request you to keep all these things in mind, and see that the Select Committee's decisions are upheld. In the Select Committee, there was good lot of discussion, and it has given its recommendations. Please pay respect to the Select Committee. There is no use of appointing Select Committees if you are going to have your own way. It means disrespecting the Committee of your own creation. I say who would be willing to serve on the Select Committee if you are not going to accept its recommendations? They may say 'after all you are going to have your own way: why should we waste our time.' Let me therefore urge that better discretion, greater wisdom, and greater care shall prevail with regard to this measure. After all, you must remember that you are not a Government representing only certain sections of the people. As a matter of fact you are expected to safeguard the rights of all. You must see that the rights of both the sets of people are preserved and that no injustice is done to anybody. I would request the Hon. Minister to accent at least the Select Committee's recommendation on forest land."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Mr. Speaker, Sir, this is a very rare occasion when I have to agree with most of the sentiments expressed by my hon. Colleague, Mr. Vaidyanatha Ayyar. (Laughter.) It is very good that my hon. Friend has withdrawn his resignation and has given the benefit of his views. This is a very important matter, and I say let us not consider this question from the political point of view either as a Muslim Leaguer or as a Congressman. We have only to do our duty, and in this respect, the members on this side and also on the opposite side have to do their duty to the public. At the very outset, I say that I entirely sympathize with the poor lot of our Hon. Minister for Revenue, Mr. Kala Venkata Rao, because he has landed himself in trouble. He has bungled. Therefore we cannot go to his rescue. People have been telling him that this is a very important question. I admit the anxiety of Mr. Kala Venkata Rao, who thought that he could have good popularity if he could say 'well, I have abolished the zamindari.' Let me tell him, rather remind him, that this House is not going to be the final authority in the matter. You are going to land the Province in trouble. There are going to be appeals to High Court and also Federal Court. For all these things, you

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and you alone are responsible. I know that the Congress Party has given a pledge to the public that they would abolish zamindari. We on this side also said 'all right; abolish zamindari; but please see that you do justice to all. My hon. Colleague, Mr. Vaidyanatha Ayyar, pertinently asked 'are you going to benefit the people or are you going to make people suffer.' It may not be right on my part to say what happened in the Congress Party itself with regard to this matter the other day, and what is yet to happen in New Delhi when our Premier, the Hon. Revenue Minister and Dr. Subbarayan go there. To-day, we may come to certain conclusions. It may be changed from Delhi. We do not know whether the decision of Delhi or our decision will be final. It could have been very well if Mr. Kala Venkata Rao had waited for some time and given a chance not only to the members of the Legislature but also the public to have their say in the matter. Some time in the month of June when the Assembly was not in session an ordinance was passed in a hasty manner, not knowing its repercussions. To-day, you say, 'the Assembly will meet only on the 29th; the Council will meet on the 20th; this Bill should be passed into law here before it goes to the Council.' We are not going to oblige you. We are not going to allow you to have the Bill passed into law. Ever since this Bill was introduced, a number of speakers have taken special exception to the clauses of the Bill. Not being a lawyer myself, I cannot go into the intricacies of the law, but I shall deal with the Bill as a lay man. Great objection was taken by member after member to clause 4, which gives retrospective effect. Of course, as my hon. Colleague, Mr. Vaidyanatha Ayyar, has rightly said certain things might have been done. Some zamindars might have alienated their forest lands because the law allowed such a thing then. You should not have retrospective effect and penalize the people simply because you have passed a law. Whom are you going to benefit? Are you benefiting the zamindars or the people? The poor people have not only paid money, but they have spent some more money on the lands in converting them into fertile lands. Therefore, by saying retrospective effect, are you going to benefit the people? Is the Bill really intended for the benefit of the people? I say, Sir, it is not so.

"Then, Sir, what is the purpose of the Select Committee? Mr. Vaidyanatha Ayyar has said about this, and I want to continue from where he has left. What is the purpose of the Select Committee? The House had the opportunity to discuss the Bill fully. Ultimately, the Minister himself said 'why do you take so much time and why should I take down so many points.' Sir, we did not give the names of the members of the Select Committee. You cannot say that we packed the Select Committee with all our men. You were the convenor of the Select Committee. The Hon. the Revenue Minister gave the personnel of the committee. The Hon. the Leader of the House attended it. Mr. Bhashyam was in the Committee. The Revenue Minister's predecessor, Mr. Karanth, was in the Committee. Mr. Nagappa was also in the

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Committee. (Laughter.) What happened to the Committee, Sir? Just about 5 o'clock yesterday, we were given some papers. Paper after paper of amendments is coming in either in the name of Bhashyam or in the name of some other. I will not be surprised, Sir, if some amendments are even moved by the Hon. the Leader of the House, because things are moving fast in that direction in the House to-day. It is nothing but mere confusion with regard to this legislation. For all this, it is the Hon. the Revenue Minister who is responsible. He has created more confusion, and he is struggling to get out of it. Of course, we are not going to allow it. All the members feel that it is quite wrong to penalize people by this retrospective effect. The decision of the Select Committee is there, and it is binding on the Hon. the Revenue Minister. The decision is that clause 4 should go. I do wish to go into the amendments of Mr. Bhashyam, but I will like to finish as early as possible. The Minister opposed the decision of the Select Committee to do away with clause 4. Afterwards he has given a list of 5 or 6 amendments. If these amendments were really necessary, he ought to have presented them in the Select Committee itself. If this House is going to alter the decisions of the Select Committee, in future our Select Committees will have no value, and they serve no purpose. The Select Committees go into the matter quite dispassionately, and come to certain decisions. The Select Committee is the place where ample chance is given to the people to go into the merits or demerits of the question. The Select Committee appointed by the Minister himself has voted him down. I do not like to go into the proceedings of the Select Committee because I do not know how the voting was—whether one Minister voted against another Minister. I want to know whether there is anything like Cabinet responsibility in the present Congress Ministry. Is it Cabinet responsibility on a very important measure—ten Ministers voting, two Ministers remaining neutral, and one Minister running away? I tell you, you are really landing the Province in trouble. If you really feel that you are incapable of dealing with this important legislation, you quit the Ministry and walk out. Once you said 'quit India' and now you quit the Ministry. This will be my solution. The Select Committee which consisted of eminent men, after deep consideration decided that clause 4 should go, but our Minister has brought in so many amendments. I am sorry I do not have even time to go through these amendments. But I can say just a word or two about them. In the first place, you take clause 4. In clause 4 (1) (r), he says 'religious, charitable or educational institution, or of any hospital, or of any local board, municipal council, or co-operative society.' that is, those are exempted from the operation of clause 4 which gives retrospective effect. I may inform, Sir, that we the Muslims and Hindus agree on so many points in the matter of religion. One thing we say, Sir, is what is bad for us is much more bad for our religious or charitable institutions. What is bad for a man cannot be offered to a Mosque or to a temple. What is illegal for a

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man is much more illegal for a temple or a mosque. Therefore, if you feel that it is illegal in the case of private persons, I do not know how it can be made legal in the case of religious institutions. This is something new which we have heard on this the 18th day of October 1947. An illegal thing can be made legal provided it is for a hospital. We are not going to accept this sort of legislation. No doubt you may have a majority; you may issue the whip. (Laughter.) The Hon. Minister may, by his majority, have this legislation passed. But we, Sir, Muslim Leaguers representing the Opposition, owe a duty to more than 4½ crores of people. Our duty is not only to these people, but also to a number of Hindus of the Province, because they only look to the Opposition for the redressal of their grievances. Mr. Kallur Subba Rao said 'bravo, bravo'. Well, let me not go into the controversy. My point is while the Ministry says a certain thing is illegal in the case of a zamindar or a private person, how can it be made legal in the case of charitable institutions. Of course, he has been very good and very generous in that he has given certain exemptions in clause 4 (1) (iii). That is, exemption is given for 20 acres. It is not a question of giving exemption in all cases. Private land and forest land have been given exemptions. Communal land has not been given. But if it is 20 acres and 1 cent, there is no exemption, and there is the trouble of retrospective effect. Why is this so? How are you going to say whether it is 20 acres or more. In the case of more than 20 acres, it is said the people can approach the Collector or the District and Sessions Judge. That will lead to a good deal of litigation, and we are putting the people to a lot of trouble."

MR. SPEAKER:—"The hon. Member may continue his speech after lunch. I now adjourn the House till 2-30 p.m."

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

MR. SPEAKER:—"Mr. Raza Khan will continue his speech."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"Sir, I was referring to clause 4 of the Bill when the House rose for lunch. If any transaction is for more than 20 acres the matter has to be referred to the District Collector, and if the twenty acres are contiguous in an area they may be retained, but in other cases it cannot be properly alienated. While the Hon. Minister has tried . . ."

MR. SPEAKER:—"The hon. Member need not speak on amendment after amendment."

MUHAMMAD RAZA KHAN SAHIB BAHADUR:—"No doubt the Hon. Minister has given some relief for those who have taken land extending to 20 acres; but still the Bill will lead to a good deal of litigation. I may submit we have given relief

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for twenty acres, but for those who have secured more than twenty acres, they will have to face litigation. While the amendment of the Hon. Minister gives some relief, there is yet a lot of relief to be given.

"Now, with regard to the Bill as emerged from the Select Committee, in clause 3 we have the following:—

'(1) Notwithstanding anything contained in any other law for the time being in force, no landholder shall sell, mortgage, convert into ryoti land . . .

Now with regard to mortgage and sale, the provision made in the Bill is correct. But with regard to converting into ryoti land, why should objection be taken? As was said by a number of speakers in the introduction stage of the Bill, many a zamindar has, under the Grow More Food campaign, converted his waste land into ryoti land, and so we cannot reasonably object to that. With regard to the other clauses of the Bill, a number of other speakers have drawn the particular attention of the House to clause 7. I find in the Bill as emerged from the Select Committee the clause is retained as it was in the original Bill. Sir, this is a thing which we object to strongly. Because the clause says:

'7. No notification or order of the Provincial Government or of the District Collector under this Act shall be liable to be questioned in any court of law.'

Sir, this thing appears not only in this Bill but in every Bill. The clause says the notification or order is a thing that cannot be taken to a court of law. I want to know why all our Ministers fight shy of the court of law. Wherever there is a loophole or lacuna it is the court which has to set it right. Therefore if we take away the power of the court we are doing a serious injustice to the people. The other day the Hon. the Finance Minister was a bit reasonable when he conceded to have a tribunal to meet our point. Similarly I hope the Hon. Minister for Revenue will move an amendment with regard to clause 7. We all recognize the Minister is very sincere in his action. Nobody questions his sincerity. He is very honest and he feels that he is doing a good thing. Nobody questions his honesty. But he is not a practical man. (Opposition laughter.) And that is why he has landed himself in trouble. We want whatever emerges from this House should be a perfect Bill. I really feel that he is suffering from what doctors call 'phobia'. He is having in view some particular zamindari, and in order to deal with that he has brought in this legislation; and that is why all this trouble. Sir, I do not like to take up the time of the House any more. Sir, I oppose the Bill."

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, the Hon. the Revenue Minister complained that I was a little loud. If I was a little loud it was perhaps because of the microphone. But I

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shall be now moderate in my tone in the hope that he will also moderate sometimes his claim to judge a particular situation. I would say only this: that it is against all juristic principles. [Opposition voices: 'You are now raising your voice.' (Laughter).] Yes, I must raise it at the proper time. I say, it is against all juristic principles to enact legislation which will open up transactions far behind the period for which you are enacting."

SRI K. R. KARANTH:—"May I submit many members are speaking on the amendment yet to be moved. Would it not be better that the amendment is moved even now?"

MR. SPEAKER:—"The hon. Member is not speaking on the amendment."

SRI N. S. VARADACHARI:—"Sir, I am not speaking on the amendment. Sir, I wish the wisdom of avoiding all such legislation was recognized by us on this side of the House. It is the duty of the Minister when he undertakes such legislation to convince me and all members of my opinion or of my way of thinking to show that this retrospective effect is absolutely necessary. As a general rule I would like the Congress Ministry to avoid retrospective legislation except in extraordinary circumstances, where grave injustice had been done in the near past and which if unremedied would lead to the perpetuation of grave injustice for all time to come. This is the cardinal principle of all *ex post facto* legislation. If supposing clause 4 is wanted, it should be reasonable. It is not as if we want that the claims of any particular person should be recognized or that we fight for it for the love of fighting for the theory that retrospective legislation is bad. It has been pointed out that there are grave errors likely to follow on the procedure adopted by us. That is why the Hon. Minister himself has chosen to come forward with a number of amendments to clause 4. He is reasonable and fair; but I would like him to consider other amendments to provide for other contingencies which have not been taken into account. One such set of circumstances is that when a man has actually paid consideration (interruption) I know that has reference only to private lands in non-individual estates—I am fully aware of that whatever my friend on the other side might say, even if it was not applicable to individual estates, to do justice in the case of individual estates—I do not care who benefits—we should pass Bill which will be for the good of the country without vitally injuring other people. Every one has to make a sacrifice. I am not one of those who believe that we can continue the old order and ask for no sacrifices from anybody. From some we may have to ask for heavy sacrifices. But to adversely affect people who have invested their money and who desire to get a ratification of their transaction entered into years ago far behind the period for which we intended the emergency legislation is hardly justifiable. That is my stand here. I do not wish to say anything more at this stage

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regarding this aspect of the question. I only add one word and conclude. If the intention of the Government is to see that the ordinance does not lapse but remains effective by being passed into law there is no reason why the Revenue Minister should not accept the rule, that the ordinance is re-enacted in the Bill in the shape of the original ordinance introduced. That is practically what happens in every Dominion Legislature. (Opposition voices: Hear, hear.) There is no difficulty. Should there be a breach of ordinance after this, as the date '27th June 1947' will be there, all transactions after that date will still be null and void. I agree with that. But to say, that a date should be found and to make it relate to the date of the Congress Manifesto, which I signed, he signed and all the members of Congress Party in the Legislature have signed is not fair. The Congress Manifesto laid down particular propositions which we should aim to achieve. But we have not fulfilled all our promises under the Congress Manifesto, which sometimes laid down an ideal. For instance, it said, that the tiller of the soil should be recognized as the owner of the land. We have done nothing for that. In fact we are proceeding towards that direction. But in the process let us avoid the danger of marching so fast as would upset all social and economic obligations cast on thousands of families. I stood for zamindari abolition. I made no secret of it. I may also tell the Revenue Minister when the inamdars came to me, I told them, 'you should not ask for exclusion; you should ask for an inquiry' and I will deal with that point at the proper time. I told them, 'you should applaud a wise man; for as a wise man I predict that you may be expropriated five years hence even without a penny of compensation.' That was my vision. I am a practical man, and I like to do things in a practical way. I do not want isolated pockets of discontent left in the country so that unwarily friends sitting opposite may take advantage of the situation and try to boost themselves up in this vast medley of power politics. That is what I am anxious for, Sir.

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"Coming to this Bill I would plead once again with the Hon. Minister for Revenue that if he re-enacts the ordinance as it is which is sound, which is the intention behind the Bill as it is printed in the Statement of Objects and Reasons, he should allow section 4 of the Bill to be deleted. But if that cannot be done, if the Government desire to have the original section there, he will have to accept such suitable amendments as would provide for all reasonable cases of injustice and of grave injustice at that. That is all I wish to say, Sir. I hope I have been very modest in my claims and very moderate in my tone. I trust that the Hon. the Revenue Minister will also be modest in his reply and moderate in his claims."

SRI PILLALAMARRI VENKATESWARLU:—"Mr. Speaker, Sir, I rise with mixed feelings in a way to support the Bill as it has emerged from the Select Committee. Nobody is

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satisfied with the Bill that has emerged from the Select Committee. (Interruption.) My hon. Friend Mr. Satyanarayana Raju has to see the amendments and then ask me to support the Bill wholeheartedly. To support the Bill as I understand him is to support the amendment moved by the Hon. Minister wholeheartedly. I am sorry, Sir, I cannot do it, because those amendments will defeat the very purpose for which he has needed the Bill. And it will not satisfy the principles laid down by the Congress Party itself. I will explain how. We know, Sir, that this Bill excludes inams. The Congress Party has voted for the inclusion of the inams. I demand an explanation from the Hon. Minister for Revenue as well as from my hon. friend Mr. Satyanarayana Raju as to how he can vote for the inclusion of the inams in the Party and here vote for the exclusion of the inams even as a temporary measure.

"Coming to the charitable inams I cannot accept the arguments of the Hon. the Revenue Minister when he demands that all the charitable institutions are going to be excluded from the provision which gives retrospective effect."

THE HON. SRI KALA VENKATA RAO:—"It is wrong, Sir. What is said in this Bill is that if a zamindar has given any gift to any charitable institution, say a school or building or any educational institution, that won't be covered. It is not the property of the charitable institution that is excluded but something given to them, to a school, a hospital—if some piece of land has been given to them—it is not covered. That is all, Sir, and nothing more than that."

SRI PILLALAMARRI VENKATESWARLU:—"The stand that I am going to take is all the more strengthened by the explanation offered by the Hon. the Revenue Minister. Of course he himself has said that this amendment gives the zamindar the right over what he has already alienated by giving away to institutions such as a school or co-operative society or whatever name you may give it. Now-a-days we find a tendency on the part of some of them to putting forward in such progressive legislations the name of some charitable institution, or God or some other obstacles, for torperoeing the legislation and this is no exception to it. Perhaps every piecemeal legislation will meet the same fate as this Bill is going to meet."

"What I say is, Sir, none of us is satisfied with the report of the Select Committee. The Government itself were forced to come forward with its own amendments. And other parties are not satisfied nor is the Communist party satisfied because while supporting the Bill we thought that the defects that were in the Bill would be rectified by the Select Committee, but we did not succeed in that. On the other hand we have failed. The Select Committee has taken the Bill a step backwards and made it most ineffective and worthless. If we pass the Bill as it has emerged from the

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Select Committee I say, it is not going to protect the interests of the peasants and therefore this Bill as it has emerged from the Select Committee must be rectified.

"In this connexion I should like to answer one or two criticisms made by some of the hon. Members who spoke before me. Their objection was to the effect that since a democratic body has appointed the Select Committee you should not move any amendments. Supposing the Select Committee has made certain mistakes in connexion with the Bill, are we not justified in rectifying the mistakes? Is not this House over and above the Select Committee? Have we not to check the Select Committee if it makes a mistake, a serious one. Therefore it is the duty of the Government to rectify the mistakes and I support the Hon. Minister for Revenue in bringing forward such an amendment however unsatisfactory it may be.

"Sir, in the name of the peasants, in the name of the people these provisions of the Bill are almost opposed by those hon. Members belonging to the party to which the Hon. Minister for Revenue belongs. They say: 'If this Bill is passed, what will happen to the peasant who has purchased the lands?' Sir, in the name of the poor peasants they are helping the zamindar. I cannot accuse them that they do not understand the Bill properly. Whatever it may be, my point is, simply because they are lawyers, it does not mean that they are good legislators. I cast no aspersion on any one. Sir, it is we who legislate and the lawyers argue. We legislate and they are out to torpedo every legislation. Particularly now, we are to-day reading in the Press how these lawyers from Mylapore are issuing statements attacking each and every provision of the Bill only to make the whole of the Bill ineffective. That is they want to keep our country as it was in 1802. They do not want progress. That is why I say, however intelligent lawyers may be, what is important is that we here who are the representatives of the people should legislate, so that the people at large may be benefited.

"The hon. Member, Mr. Varadachari did not care whom the Bill is going to benefit."

SRI K. VARADACHARI:—"Which Varadachari please?"

SRI PILLALAMARRI VENKATESWARLU:—"He is not the Varadachari I am mentioning, Sir. I refer to the other Varadachari. He does not care to whom the Bill is going to be beneficial. That is where we differ. Because he does not care whom the Bill is going to benefit he is bringing forward all sorts of obstacles to the progress of the Bill. For my part I care very much as to whom the Bill is going to benefit and which class of people are going to be benefited. I say the peasants, the tenants must be benefited by the Bill and it does not matter if a few zamindars or inamdars are to suffer. In every progressive legislation it is inevitable that a certain section of the public,

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unfortunate fellows, have to suffer. On that score I do not want that the whole legislation should be torpedoed. That is why I say that whenever our friends bring in the name of the people, in particular the individuals who have purchased 20 acres, or 40 acres, and say, 'What is going to happen to them', that they are trying to benefit the zamindars. The amendment offered by the Hon. Minister will satisfy all these objections and answer all the criticisms. Simply because an individual here or a group of individuals there are going to suffer, on that score, the principles of the Bill should not be torpedoed. For that we can frame rules and according to the rules we can have safety clauses and we can bring a perfect legislation, but not in the way in which the hon. Members have opposed the Bill. I know that certain sections are opposed to the very principles of the Bill. They say that there is nothing in the Bill because there is the 1802 Act, there is the Tenants' Protection Act and the Forest Act. My point is, what has become of those Acts. Nowhere since 1802 were any of these zamindars arrested or prosecuted. I may say some have been injured. They have been carrying on in their own way. They began alienations ever since 1802, they have alienated forests, they are grabbing all the communal lands and they are turning them into private lands. Now they come forward and say that there is the 1802 Act, the Tenants' Protection Act and the Forest Act. What has become of all those things. When they themselves were in office they could not do anything. You could not do anything to protect the tenants from eviction. My point is that therefore this legislation should be accepted on principle and amendments must be moved in such a way that they will help the people.

"Sir, another objection was raised. Some hon. Members from the League side of the House said that the public must be consulted. The ordinance was passed long ago and the public have expressed their opinion. The tenants have welcomed the principle and gave their support to it. Then what is meant by public? Is it the people who are going about in the Madras City. The public is the peasantry that is actually affected. They constitute the public. Every body used word public and they talked in the name of the public. Our hon. Mr. Prakasam brought forward the Public Safety Ordinance in the name of the public. Our Hon. Minister has brought forward this ordinance in the name of the public and now he is going to water down the very provisions of the ordinance.

"Sir, from the beginning the Bill was defective on these lines. The first thing is, that the definition of 'private land' is not perfect. He can . . ."

MR. SPEAKER:—"During the first stage the hon. Member has mentioned this point. The hon. Member need not repeat it again."

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SRI PILLALAMARRI VENKATESWARLU:—"No, Sir. I do not like to repeat. The definition of 'private land' is very defective. Moreover in this Bill 'communal lands' was not at all defined. For that we have given notice of amendments. The definition which I have given was taken from the Bill presented by the hon. Member Mr. Karanth and I think it will meet all the objections of the House. Then the case must be made applicable to all lands and to all estates both partible and impartible . . ."

MR. SPEAKER:—"I wish to know from the hon. Member if he has not used these arguments when the Bill was referred to the Select Committee, about the impartible estates and all that. I wish to say that it is not necessary for the hon. Member to repeat them again."

SRI PILLALAMARRI VENKATESWARLU:—"I accept your advice, Sir. When I referred to these impartible and partible estates a suspicion was bound to have been felt by some hon. Members in the Select Committee. There are not many acres in these partible estates, that have been alienated. That is why this Bill has not been made applicable to partible estates. But then there are the inamdars and all. Therefore I mean that the provisions of the Bill should be made applicable to all impartible and partible estates. Simply we cannot give facts, simply because I cannot bring to the notice of the Hon. Minister how many acres of private land are there in partible estates it does not follow that we should exclude them. As a matter of fact the Government cannot give facts as to how many zamindars have made alienations. This Bill is made applicable only to three estates out of 130 estates that are in existence and it must be made applicable without any reference to Government notification.

3 p.m. "Sir, I would like to say a few words with regard to giving retrospective effect to the provisions regarding communal lands and forests. The Bill and even the amendment fix 31st October 1939 as the date. But these alienations began not since that date but since the Government got the idea of bringing in legislation to protect the interest of the zamindari tenants. There is the Munagala estate in Kistna district. The Raja of Munagala just about the year 1802 gave a patta for 3,000 to 4,000 acres of land to a child of three months. I do not know how he expected the child of three months to cultivate the land. There have been alienations even before all of us were born. There is no use of limiting the provision here to 1939. The Zamindar of Munagala gave a patta in the name of his sister and another in the name of a peon who never existed there. In the Challapalli estate it was all the more reprehensible. The Raja has now got 17,000 acres of private land. Let the Hon. Minister find out how much he had in 1802. All these private lands have been accumulated by taking over burial grounds, tank beds and communal lands. To-day he is the richest landholder in Andhra. Even if this Bill is passed

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you cannot deprive the Raja of Challapalli of anything of his 17,000 acres unless you make the provisions stricter. Our Rajahs sitting before and behind me ask if I am going to ask for all these lands to be given to the Communists. What I say is that all these lands including the film studios should be managed by the Government. I am not greedy and I am not demanding even an inch of land for the Communists or the Communist party. I only want that they should be given to the peasants."

MR. SPEAKER:—"The hon. Member should confine himself to the scope of the Bill."

SRI PILLALAMARRI VENKATESWARLU:—"I would like to know whether private lands do not come within the scope of the Bill."

THE RAJA OF VENKATAGIRI:—"May I ask, Sir, if film studios have anything to do with private lands?"

SRI PILLALAMARRI VENKATESWARLU:—"I can elaborate that point if I am given time. But I will just say that the management of the film studios may not be perfect and that our zamindars may not be getting any profits but suffering losses. Why should not my hon. Friends hand over the studios to the Government and free themselves?"

MR. SPEAKER:—"The hon. Member has already taken much time. It is better he closes now."

SRI PILLALAMARRI VENKATESWARLU:—"As regards private lands, Sir, I take very strong objection to the provision in the Bill. It must be made more strict and more stringent so that no zamindar can escape. It is said that this problem of private lands is not an acute problem in Tamil Nad. But I may say that these private lands have played havoc and they have been responsible for many of the Communists being sent to jail. It is for this purpose that the Public Safety Ordinance was passed and applied against the Communists. As a matter of fact and as a matter of justice these friends have no private lands at all. They have violated the principle of private property.

"Only one more point Sir. Let me show how many acres of private lands these zamindars have. The Raja of Challappalli has 17,000 acres, the Raja of Vizianagram has 1,454 acres, the Raja of Bobbili has 1,000 acres and the Raja of Vuyyur, the gentleman sitting by me has got 3,000 acres. If he has earned more, he can correct me.

"Sir, I have been carefully following the debate. It was said yesterday that the zamindars in Tamil Nad are very honest because they have adhered to the principle of the 1802 settlement. There I want some enlightenment and clarification. There is the varam system there. The Raja of Ramnad who is now in the Congress Party is claiming about half the produce as his varam." (An hon. Member: 'Now reduced to one-third') (Interruption.)

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MR. SPEAKER:—"Order, order."

SRI PILLALAMARRI VENKATESWARLU:—"My point is that many of these zamindars whether they are in Tamil Nad or Andhra. . ."

MR. SPEAKER:—"The hon. Member should face the Chair and speak."

SRI PILLALAMARRI VENKATESWARLU:—"Then I will bring the mike here, Sir, and proceed."

SRI K. BHASHYAM:—"The hon. Member is not talking on this Bill but on some other Bill."

SRI PILLALAMARRI VENKATESWARLU:—"I am talking about the private property of the zamindars."

MR. SPEAKER:—"I think the hon. Member wants to conclude his speech."

SRI PILLALAMARRI VENKATESWARLU:—"Yes, Sir, I want to conclude my speech. (Laughter.) There have been too many interruptions. Of course I invite interruptions. Every word of mine is being interrupted by the hon. Member R. V. Swaminathan here as though he is the Speaker. I do not mind interruptions. But my time should not be curtailed. If this is agreed to, I will be answering interruptions and going on talking."

"Sir, as regards communal lands, retrospective effect should be given from 1908. I remember pretty well when the present Hon. Revenue Minister spoke on the Prakasam Committee report he said that there had been alienations since 1802, but now when he has become the Revenue Minister, I am surprised how he has forgotten so many facts that he himself enunciated."

"Sir, the last point I want to mention is about prosecutions. This is referred to in clause 6. The District Magistrate has to sanction the prosecutions. If it is a case of launching prosecutions against the Communist Party, the District Magistrate can launch prosecutions even without the knowledge of the Government and without any legislation. But when it comes to a question of launching prosecutions against zamindars the position is changed. We have passed many legislations giving the District Magistrate power to launch prosecution. But the District Magistrate has not launched any prosecution. There is no use of leaving it to the District Magistrate. Whenever private property is encroached upon, the person aggrieved has got a right to file a complaint. Suppose I encroach on the film studio of the Raja of Mirzapuram, he will phone to the Police and get me arrested. So also the peasant must have the right of prosecution against the zamindars. With these words, Sir, I give my support to the Bill with reservations."

MR. SPEAKER:—"There is too much of repetition. I therefore fix 10 minutes each for future speakers."

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SRI K. BHASHYAM:—"Mr. Speaker, Sir, I do not want to enter into the details of the various amendments proposed to the Bill. I only wish to make a few prefatory remarks on this occasion. The whole trouble has started because the Select Committee did not agree with the Government's view that there should be retrospective operation for that part of the Bill which invalidated certain transactions from 1939 or 1940. Because of this, the trouble has started. Much greater trouble has been caused by the amendment now proposed. There was a straight vote on the question whether retrospective effect should be given to that part of the Bill or not. Now the question has arisen: if retrospective effect is to be given, how far previous transactions have to be exempted or saved from the operation of the Act. If this is to be done, it is a very very difficult task. The Revenue Minister has not taken into account the multifarious transactions and also the varied nature of the transactions that have taken place and has not provided for all of them in the amendment which he has now moved. It will be necessary, if I may say so, for the purpose of ascertaining and putting forward a proper amendment to save the previous transactions to have an idea of such transactions, of the nature of such transactions and the extent of such transactions. Without a clear idea of the transactions no one dare deal with them in the manner the Hon. Revenue Minister has taken upon himself to deal with in the present Bill. He says: "So far as exemptions go, I will save all transactions in favour of religious institutions." I should like to point out to him one simple case just to find out whether it will be covered by his provision. A person after 1939 makes a trust for all his properties. The property consists of more than 20 acres of land obtained from a zamindar. In that trust he not only makes a provision for a charitable purpose and for a religious purpose, but he also combines with it a certain annuity for certain members of his family. How is the Bill to deal with it? It is not a transaction for a charitable institution alone, or for a religious institution alone. The trustees have to support the charitable institution and the religious institution and also support the members of the family. Are you going to protect all these or not. Are they not cases fit for protection. Even in cases where there is indirectly a benefit for a charitable institution, you ought to protect them. Therefore, in respect of these exemptions which you want to make, you must have a general survey of all the transactions that have taken place and then propose a proper amendment."

"Sir, even the idea of 20 acres baffles me. If a man has entered into a transaction covering 30 acres and if there are three members of a family each with 10 acres, how are you going to work it out? Who is the alienee who will be affected? These are the various difficulties. I want to help the Revenue Minister by pointing out the difficulties in putting this amendment before the House. I would rather that he sticks to the position that there should be no retrospective effect to the provision."

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"I would also like to point out that there is no particular urgency in respect of this matter. The ordinance will expire on the 26th October. It is not like the Public Safety Ordinance where on its expiry all persons arrested under it would have to be set free. If the ordinance expires, your Bill will be there for the purpose of invalidating transactions ten years prior to the date of the Bill. Heavens are not going to fall if the ordinance expires. This is a matter which has to be thoroughly gone into and discussed on the floor of the House. This amendment raises various issues affecting not only charitable institutions, municipal councils and co-operative societies but also persons who have taken forest lands for the purpose of cultivation. All these persons will be affected. Where is the hurry to proceed with this matter without knowing the views of the persons affected? I should like to say that this amendment should go before the public for the purpose of general information, so that the people may give their views in this matter. Let the Hon. Minister be satisfied with the Bill as it has been passed by the Select Committee. But if he thinks he must go the whole hog, he should not hurry through this Bill. There is nothing wrong in allowing this ordinance to lapse. The Hon. Minister can bring another Bill again to-morrow to nullify not only the transactions affected by this Bill but also to cover the transactions during the interval between this Bill and the next Bill. I want that this matter should be thoroughly investigated. Within the limited time at our disposal, it has not been possible to study the amendments. In fact, I myself do not know the implications of the several amendments which have been put before us, though I tried to understand them for nearly one hour this morning applying the little knowledge that I have gained from forty years of experience in the Bar. Who are the persons hit and who are going to be benefited? I do not want to traverse the ground covered by Mr. Vaidyanada Avvar who put the case very effectively. Are you going to give the lands to the zamindar who is the culprit? If you want to punish, punish him by all means and make him pay for it. But has he done anything wrong? At a time when this Bill was not there, he was entitled to deal with the forest and other lands at his disposal as he liked. *Ex post facto* are you going to constitute an offence, which was not really an offence when he entered into those transactions? It has been said by my Communist friends that some zamindars in Northern Circars gave away plenty of private lands to their brothers, sisters, daughters, etc. If the zamindar can have the land, I do not understand why his brother should not have it, his sister should not have it and his daughter should not have it. I can understand my Communist friends saying: 'Abolish all property, as in Russia. Then there will be no property at all.'

"Some reference was made to lawyers. Even in Russia there are very big lawyers. I may tell you that there is no State at all where there are no lawyers. Here it is left to be a private contract between persons, whereas in Russia it is not so. That is the only

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difference. How can people get on without lawyers? So long as people are quarrelsome, aggressive, and want to fight people who take away their property, there will have to be courts and lawyers to plead in courts. There is no meaning in inveighing against lawyers. They are the persons who are most competent to put things properly. I am speaking merely as a representative of all the people of this province. I want to do something for the people as a whole and not for the lawyers alone. If I plead to-day, it is not for the zamindari class but for the tenants who are supposed to be going to be really benefited by this Bill.

"I have received a petition from the ryots of the Chal'apalle estate. They say that they purchased the lands not yesterday, not to-day, but in 1940 for Rs. 3,000 to 4,000 per acre. As a matter of fact, certain transactions in recent years have been in favour of the relatives of zamindars. By all means bring those transactions to the notice of the House and say that transactions A, B, C and D shall be void. Otherwise even honest people will be hard hit. If my Communist friends praise the Hon. Mr. Kala Venkata Rao, I feel that there is something wrong with him. He must have turned a Communist himself. His Bill smacks a little of socialism and a little of communism that he is not able to say where he is in respect of this matter. 'Twenty acres' is the exemption limit. In the olden days, we used to say: 'Five acres and a cow.' Only the amendment does not add a cow.

"The amendment is a hotchpotch of many things. It does not carry out what is necessary for benefiting the ryots whose welfare, I am sure, the Hon. Revenue Minister has at heart. The amendment is so complicated and confused that it is really difficult to understand its implications. Let it be published and the people allowed to suggest improvements. It was not considered by anybody, not even by several members of the party to which we belong. They had no time to consider what it means and what it does not mean. As a member of the party who is anxious that the amendment should be thoroughly gone into and in the interests of even the party members themselves, I request the Hon. Revenue Minister to allow sufficient time. The Hon. Minister can then accept or reject our suggestions."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, I submit that the Bill before the House to-day is in the first place unnecessary and in some respects a retrograde measure. It deals with three classes of lands in zamindari areas, namely, communal, forest and private lands. With regard to communal lands, there is already a provision in the Madras Estates Land Act, 1908. 'Communal lands' is defined in clauses (a) and (b) of sub-section 16 of section 3 of that Act. Those provisions are embodied in this Bill for defining communal lands. Again, section 21 of the Estates Land Act clearly says that, if any person trespasses upon a communal land or uses it for a purpose other than for which it is set apart, within thirty years of such encroachment, the District

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Collector can summarily eject him under the Land Encroachment Act. This provision will hold good till it is repealed, and it is proposed to be repealed by the Zamindari Bill. If really this measure is meant to safeguard the rights of the village community with regard to puntas, cart-tracks, burial grounds, tank-bunds and other communal lands, the already existing provisions of the Estates Land Act are much more effective than the provisions made in the Bill. This is a very important thing to note. Let us see what this measure says. According to this measure, any encroachment on communal lands prior to 1939 by implication is good. I wish my friend the Hon. Revenue Minister would give his thought to this aspect, and see whether by passing this legislation he is not doing more harm than good to the village community whose interests he wants to serve.

"Therefore, this Bill is not only unnecessary but also harmful to the village community. It is absolutely unnecessary and I do not know whether he has consulted the persons who are competent to give advice in the matter. As the provisions of the Estates Land Act of 1908 will hold good till it is repealed by the main Bill which the Hon. Minister is going to bring forward, this Bill so far as it relates to communal lands is unnecessary, nay harmful.

"With regard to forest lands, as has been pointed out by many hon. Members, there is already an Act which prohibits the alienation of such lands. I am referring to the Act for the Preservation of Private Forests passed in 1946. It will be in force till legislation for the abolition of zamindaris is passed. My friend says that he has brought forward this measure to cover alienations from 1939. But from the Preamble and the Statement of Objects and Reasons, it is clear that it is a temporary measure for the prevention of alienation of forest lands till such time as he brings in legislation doing away with the Permanent Settlement and the zamindaris. This is a waste of time and public money which is absolutely unnecessary.

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"Now, Sir, with regard to the classes of cases relating to private lands, may I bring to the notice of the Hon. the Revenue Minister that the proposed new Bill contains a clear section, viz., section 5 (1) dealing with them. If the charge of the Hon. Revenue Minister is that certain properties which are not really private properties have been alienated by the zamindar, then a tribunal will be constituted under section 5 (1) to go into the matter and determine whether those properties are private properties or not. Sir, we must respect people's right to property. There is no point in telling, as my hon. Friend Mr. Bhashvam has put it, 'Do away with the rights to property.' Under the general law as well as under the Estates Land Act and other previous enactments going as far back as 1802, these private lands have been strictly defined. The burden of proof as to private lands has been put on the zamindar and the zamindar has the right to sell away those lands. But if the Hon. Minister for Revenue says that it is not only private lands that were sold away, but certain other lands also have been

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sold away, that will be covered under section 5 (1) of the proposed new Bill which he is going to introduce shortly wherein he has proposed to set up a tribunal to go into the matter. I do not, therefore, see any reason why those classes of cases should be dealt with in this Bill.

"Sir, my general remarks with regard to this Bill are these. In the first place this Bill is unnecessary and in the second place it is injurious in certain respects. I am not going to say anything with regard to the amendment that the Hon. the Revenue Minister has proposed to move to this Bill. At the proper time I shall have occasion to show that that amendment is detrimental not only to the interests of the zamindars but also to the interests of the ryots, whose cause he wants to serve. It is in the first place opposed to all canons of law and justice. And in the second place it will create complications and a crop of litigation will arise. We do not know where the Government, the zamindar and the ryots will land themselves ultimately.

"Therefore, Sir, having considered all these aspects, and having considered the *pros* and *cons* of the whole question, the Select Committee which consisted of a majority of the members of the party in power, have decided that clause 4 must go. It is but fair that the Hon. Revenue Minister should have taken the decision of the Select Committee in a sporting way and should have been fair to everybody in this House and to the members of the Select Committee by not moving his amendment at all. I do not know, whether in moving his amendment, my hon. Friend the Revenue Minister has got the consensus of opinion of his party as a whole. It is rather very risky for him to move and it is also risky for his party and for this House to allow this amendment to be passed by this House. As I said just now, I shall have my say on the amendment at the proper time, but however at this stage, I am inclined to oppose this Bill as a whole as unnecessary and injurious in certain respects."

THE HON. SRI KALA VENKATA RAO:—"Sir, in the beginning of the discussions on this Bill I stated that I want this Bill to go through to-day, but I see that so many friends are taking part in the discussions and they want to continue the discussions and seem to require time for the consideration of the Bill in detail. Sir, I am not at all perturbed. They are only giving me a handle to persevere in my amendment regarding the retrospective provision. The Ordinance lapses on the 26th, but if the retrospective clause contained in my amendment is passed, then the purpose of the Ordinance and the Bill will be served. Therefore, I am not at all worried over the matter. Let all friends discuss the Bill as much as they like and give their suggestions in the matter and I shall also give ample time for my friend Mr. Raza Khan to speak as much as he likes."

(At this stage the Deputy Speaker occupied the Chair.)

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SRI K. T. KOSALRAM:—“கனம் அக்ராசனாதிபதி அவர்களே, கனம் ரிவினியூ மந்திரி அவர்கள் கொண்டுவந்துள்ள இந்த திருத்தப் பிரேரணையை நான் முழு மனதுடன் ஆதரித்து ஒரு சில வார்த்தைகள் சொல்லவந்திருக்கிறேன். இப்பொழுது இந்த அவசர சட்டம் கொண்டு வந்தபின் இந்த மசோதா நம் முன்பாக வந்திருக்கிறது. இந்த அவசரச் சட்டம் போடவேண்டியது அவசியம்தான், **Retrospective effect** கொடுக்கவேண்டியது அவசியம்தான் என்பதைப்பற்றி பிரமாதமாக பேசினார்கள். கனம் காளா வெங்கட்ட ராவ் இது எவ்வளவு அவசியமானதும் இந்த சட்டத்தைக் கொண்டு வந்திருக்காவிட்டால் இந் நாட்டிலுள்ள சொத்துக்கள் ஒரு சில ஜமீன்தார்களால் ஆண்டுகொண்டிருக்கப்பட்ட காரணம், பல பண்ணை நிலங்கள் இவைகளை அவர்கள் தாறுமாறாக நினைத்தபடி விற்பனையும், சாதாரணமாக எடுத்துக்கொண்டால் பல ஜமீன்தார்கள் தங்களுடைய பல சொந்த பட்டாக்களையும் தூற்றுக்கணக்கான, ஆரிரக்கணக்கான, நிலங்களையும் அவர்கள் முன்தேதி போட்டு பிறருக்கு பட்டாபெய்து கொடுத்திருக்கிறார்கள். ஏனென்றால் இந்த மந்திரி சபை இந்த சட்டத்தைக் கொண்டுவந்து கட்டாயம் அதை நிறைவேற்றியே தீரும் என்று அவர்களுக்குத் தெரியும். ஆகையால் அவர்கள் ஒவ்வொருவரும் அவர்களுக்குள்ள காரணம் அழிப்பதற்கு தாராளமாக வசதி செய்து வந்தார்கள். சாதாரணமாக திருநெல்வேலி ஜில்லாவில் ஊத்துக் காட்டில் ஒரு ஜமீன்தாருக்கு சுமார் 20 லட்சம் ரூபாய் பொறுமானமுள்ள காடு இருந்தது. அந்தக் காட்டில் பல விவசாயிகள் தங்களுக்கு வேண்டிய உரம் சேகரித்துக்கொள்வதற்கும் மாடுகளை மேய்த்துக்கொள்வதற்கும் வசதியாக இருந்தது. இப்பொழுது அந்த காடு அழிந்துபோய்விட்டது. எவ்வளவோ பெரிய காடு அது. அந்தக் காட்டை இப்பொழுது 3 லட்ச ரூபாய்க்கு விற்ப்பைபட்டார்கள். உண்மையில் சுமார் 20 லட்ச ரூபாய் பொறு மதிப்புள்ள காடு அது. (இச் சமயத்தில் உபதலைவி அக்கிராசனம் வகித்தார்.) நிச்சயமாக அந்தக்காடு ஜமீன்தாருக்குப் போய் விற்பனை என்று தெரியும். அவர் கிடைத்தது மிச்சம் என்பதற்காக அதை விற்பனை செய்து, இப்பொழுது சர்க்கார் அவசரச் சட்டம் கொண்டு வந்தபின்னால்தான், இந்த ஜமீன்தார்கள் சில அதிகாரிகளுடைய ஒத்தழைப்பால் அதிலுள்ள மரங்களை வெட்டிக்கொண்டே போகிறார்கள். இதைப் பற்றி அந்தத் தொகுதியிலுள்ள மெம்பர் ஸ்ரீ துரை ராஜ் பாண்டியன் அவர்கள் கூட மனுக்கொடுத்து உத்தரவு வாங்கி இருக்கிறார்கள். அந்த உத்தரவை இப்பொழுது கலெக்டர் ஆபீசில் எடுத்துப் பார்க்கமாட்டேன் என்கிறார்கள். அவசரச் சட்டம் இருந்தும் ஆக்ரமணங்கள் இருந்து கொண்டே இருக்கின்றன. இவ்விதம் இருக்கும்போது **Retrospective effect** அவசியம் இல்லை என்று வாதாடுவதைப் பார்த்தால் நான் என்ன சொல்வேன். கனம் எ. வைத்தியனாதய்யர் இராமனாதபுரம் ஜில்லாவில் ஏதோ ஒரு இடத்தில் வீடுகள் பல ஏக்கர் நிலங்களில் கட்டி இருக்கிறார்கள் என்றும் அந்த வீடுகள் சர்க்கார் வசம் வந்துவிட நேரிடும் என்றும் சொன்னார்கள். ஆனால் 20 ஏக்கர் நிலங்களுக்குமேல் உள்ளவையகளுக்குத்தான் அவ்விதம் எடுத்துக்கொள்ளப்போகிறோம் என்பதை ஸ்ரீ காளா வெங்கட்ட ராவ் சொன்னார். அப்படி இருக்கக்கூடியவர்கள் பணக்காரர்களாகத்தான் இருப்பார்கள். அந்த மாதிரி பணக்காரர்களிடமிருந்து ஆக்கிரமித்துக்கொள்வதால் ஒன்றும் நஷ்டமில்லை என்று நான் தெரிவித்துக்கொள்கிறேன். இதைப்பற்றிதான் கனம் எ. வைத்தியனாதய்யர் சொன்னார்கள். இந்த நிலைமையைத் தவிர இந்த மசோதாவில் இன்னொன்று இருக்கிறது. இதை ரிவினியூ மந்திரி அவர்கள் மிகவும் கவனமாக கவனிக்கவேண்டும். ஒரு ஜமீன் தன்னுடைய நிலங்களை உண்மையில் விற்பனை செய்வதில் கிரயம் கொடுத்து வாங்கி இருந்தால் அந்த நிலங்களை ஆக்ரமித்துக்கொண்டு அதற்கு உள்ள **Compensation** ஜமீனுக்குக் கொடுக்கும்படியான முறையில் இருக்கிறது. இந்த விதமான **Compensation** யாருக்கு நியாயமாக கொடுக்கவேண்டுமென்றால் நிலம் யாரிடம் இருக்கிறதோ அவர்களுக்குத்தான் அந்த **Compensation** கொடுக்கவேண்டும். அதற்கு மாறாக ஜமீன்தாருக்கு பணத்தை கொடுத்து

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விட்டு நிலங்களை சர்க்கார் வாங்கிக்கொண்டால் ஒரு தரம் கிரயம் செய்த ஜமீன்தாருக்கு மற்றொரு முறை சர்க்கார் **Compensation** கொடுப்பதாக இருக்கிறது. அது சரியல்ல. நிலம் யாரிடம் இருக்கிறதோ அவர்களுக்குத்தான் **Compensation** கொடுக்கவேண்டும். ஜமீன்தார்கள் சர்க்காருடைய குத்தகைக்காரர்களாக இருந்து மத்தியிலிருந்துகொண்டு, ஒரு ஏக்கரிலாவது இருந்துகொண்டு சர்க்காருக்கு பணம் வசூல் செய்து கொடுத்துவந்தார்களே ஒழிய வேறு ஒன்றுமில்லை. அவர்கள் அந்த வேலை பார்த்ததற்காக அவர்களுக்கு ஒரு **Pension** கொடுக்கலாம். ஒருவர் வேலை பார்த்துவிட்டு வேலையை விட்டு வீட்டுக்குப்போகும்போது நாம் பென்ஷன் கொடுத்து வருகிறோம். அதைப்போலவே இவர்களுக்கும் ஏதாவது பென்ஷன் கொடுத்துவிடலாம். நிலம் யாருக்குச் சொந்தமானது அவருக்குத்தான் **Compensation** கொடுக்க வேண்டும். தவிர ஜமீன்தாருக்கு **Compensation** கொடுக்கப்பட்டிருக்கிறது. இந்த நிலைமையில் **Retrospective effect** மிக உபகாரமாக இருக்குமே தவிர எந்த விதமான பாதகமும் ஏற்படுவதற்கு ஏதுமில்லை.

“ஆகையால் எனது நண்பர் காளா வெங்கட்ட ராவ் கொண்டுவந்த மசோதாவில் நான் இந்த ஒரு சில வார்த்தைகளைத் தெரிவித்துக்கொண்டு என்னுடைய பேச்சை நிறுத்துக்கொள்ளுகிறேன்.”

SRI K. ANANDAN NAMBIYAR:—“Madam, Deputy Speaker, just as my hon. Friend Sri Pillalamarri Venkateswarlu supported. I also wish to support this Bill, but I am sorry to see that the Bill in its present amended form is already torpedoed because the Ordinance lapses on the 26th and this Bill has taken a new form and we do not know what is going to happen to the proposed new Bill when the Congress leaders go to Delhi and come back after consultations with the High Command. I am afraid, Madam, that the whole matter might perhaps finally be dropped out altogether. I am at a loss to know what is going to happen to it.”

THE HON. SRI KALA VENKATA RAO:—“Do not worry about it.”

SRI K. ANANDAN NAMBIYAR:—“I am very glad, Madam, that the Hon. Minister for Revenue wants me not to worry myself about that Bill. We are very much afraid, because the forces at work from the various sides are such that by the time that that Bill comes before the House, many of its effective provisions will have been nullified or whittled down and so the laymen in this House and outside are kept in suspense as to what is going to be the fate of this Bill, especially when we want legislation of this sort as quickly as possible. Our main objection to the delay in passing any such legislation is this. Even before 1908 and after the Estates Land Act had been passed, alienations had taken place and are taking place and the zamindars have already sold much of their private lands fearing that something was going to happen to them some day and that the sooner they alienated the better. Though the Estates Land Act in a way wanted to stop such alienations, it has not had the desired effect on the zamindars.

“Now, Madam, what about the alienations? There are two kinds of alienations. There are *bona fide* alienations which have taken place for real and genuine purposes and for valuable consideration, but they completely blackout alienations which are

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mala fide, which have been made purposely with a view to circumvent any impending legislation. My hon. Friend Mr. Bhashyam urged very strongly that all *bona fide* transactions made in good faith and for valuable considerations should be upheld and that necessary provision should be made in this Bill to that effect. I agree. But in how many cases *bona fide* alienations have taken place? I do not think it will be more than 5 per cent. I am sure that 95 cases out of 100 are *mala fide* alienations and we have to see that such alienations are made null and void. We have to see that these *mala fide* alienations are given retrospective effect, to this extent, that the zamindar, his wife or son or sisters or any relative whatsoever to whom the alienation has taken place should not be benefited. In many cases they have done like that. But we do not want to lay our hands upon the tenants who have had these alienations. I fully agree with the observations made by Mr. A. Vaidyanatha Ayyar that in certain cases this might adversely affect the *bona fide* alienees. The reason why we want this Bill to be passed through before the Zamindari Bill is that we want to see that the rights of the tenants are kept intact. We must see that this legislation is passed in time. Some friends said that the ordinance was not necessary; some others said that there was no necessity either for the ordinance or this Bill and that the Estates Land Act itself contains necessary provisions. I say it is not so. In spite of the Estates Land Act, these alienations have continued these years and nobody can deny that fact.

"Coming to the present legislation, I may say that the spirit of this legislation has been undone by the report of the Select Committee. There is a lot of difference between the Bill as emerged from the Select Committee and the original Bill. The Select Committee by a very narrow majority, has undone the original Bill and has brought in a new provision which gives no retrospective effect at all. It is most disgraceful for us to say that no retrospective effect can be given. If there is to be no retrospective effect, there is no purpose served. When the last Congress Ministry came into office in 1937 the zamindars thought that the Ministry would abolish the zamindaris; they thought, therefore that their lands could be handed over to their henchmen and so they made alienations of their lands from the year 1937 onwards. So, if no retrospective effect is to be given now, the effect will be nil. Even according to the original Bill, the retrospective effect was only from 1936; but I would request the Hon. Revenue Minister to go back to 1937 and to see that the alienations made immediately after the Congress Ministry came into existence are null and void. The Select Committee however has removed that provision completely and said that there should be no retrospective effect at all. The Hon. Revenue Minister has now brought forward a new amendment, and that amendment is a very cunning amendment. He wanted to satisfy the dissentients in the Select Committee and wanted also to satisfy people of my type; it gives retrospective effect and at the same time makes it null and void. I am sorry to

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say it is a very cunning amendment. I have every respect for him and I am the first man to congratulate him on this effort he has made against the wishes of so many rebels in his group and among his own colleagues. But if because of the pressure brought on him even by his colleagues in the Select Committee—and one of his colleagues voted against him in the Select Committee—if he is going to give up this Bill completely and not press it to-day before 5 o'clock, what will happen is that the ordinance will lapse. This will certainly cause much resentment among the tenants and the zamindars will think that this legislation will be dropped. When the Public Safety Ordinance was there, Mr. Bhashyam said that he wanted the Public Safety Bill because he did not want the Communists to be let out of the jail. In this case, there is no such question; and that is why perhaps they want to go slow in this matter. When they wanted to suppress the Communist movement, and the trade union movement, they brought in legislation when the Communists were in jail all in a hurry; but now they are not so serious and they want to see that this legislation is wrecked and nothing comes out of it. But one warning I would give to the landholders and the zamindars. Whether this legislation is or is not going to be passed, the peasants of this Province are not going to yield; they are going to revolt against this sort of tyranny at the hands of the zamindars and their supporters. My friend Mr. Venkateswarlu said that vakils were interfering in this matter; when he said so, he did not mean that we were against vakils as such. The hon. Mr. Bhashyam said there were vakils even in Russia. Why should Russia's name be dragged in here? We are not in Russia, we are in India, in the Tamil Nad. We are not taking instructions from Russia; you may take instructions from Delhi, but we are not taking instructions from anybody."

THE DEPUTY SPEAKER:—"Will the hon. Member please confine himself to the subject?"

SRI K. ANANDAN NAMBIYAR:—"Madam, I am only replying to certain observations made by members of the House. They have unnecessarily dragged the name of Russia and talked of lawyers in Russia."

"I wanted to find out the salient features of this Bill which affects the peasants. I am not against zamindars as such; the zamindars may be thinking that I am their enemy; I am not, nor is the Communist Party; only the Communist Party does not want to go in shares with the zamindars. We want fairplay to the tenants and the poor millions of this country. I would simply ask that the Congress manifesto should be fully implemented. My friend Mr. N. S. Varadachari said that the Congress manifesto was there; then I say implement the manifesto by passing this Bill. Why do you want to delay it by saving this need not be discussed under the Government of India Act or giving some other excuse? Why do you bring into play dilatory tactics? I want

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some legislation on this matter here and now which will benefit our peasants. I appreciate the stand taken by my friend Mr. Kosalar; he supported the Revenue Minister and said that compensation should not be given to the zamindars. The question of compensation does not arise at all. Mr. Venkateswarlu has given notice of an amendment and at the time of discussing the amendments, I shall argue on that and press for that amendment being accepted, because it will safeguard the interests of *bona fide* alienees. We only want to see that *mala fide* alienees should not be benefited under this Bill. With these observations, I once again request the Hon. Revenue Minister to consider our objections. Though we may be only two here, we count much with the peasants and we feel our objections must be taken into consideration. We extend our full co-operation not only in this House but outside, in every town and village. The Hon. Mr. Kala Venkata Rao will be upheld in the future as one who has had the courage to pilot this Bill, he will be honoured and respected. Let anybody say that Mr. Kala Venkata Rao has joined hands with the Communists and something is wrong with him. It is always the policy of the rightwing people of the Congress to say things like that. If anybody among them begins to talk sense, immediately he is branded as a Communist. So, they may say Mr. Kala Venkata Rao has joined hands with the Communists, and that there has been something uncommon. I do not know they may even go to the extent of expelling him from the Congress Party. But I am going to tell him, even at the cost of expulsion and risking everything, he must uphold the righteous cause of the poor peasants of our country."

SRI A. KALESWARA RAO:—"Madam, Deputy Speaker, controversy in regard to this Bill is raging round clause 4 which gives retrospective effect to the prohibition of alienations of communal, forest and private lands beyond a particular date. First, with regard to the communal lands, there is a provision in the Bill introduced by the predecessor of the present Revenue Minister, Mr. Karanth to the effect that any assignment, alienation or disposal otherwise of communal lands made by the landholder after 30th June 1908 shall be void and of no effect whatever. Of course there is a saving clause that if the Collector by an order had converted communal land for any other purpose, it will be an exception. For my part, I would like to have retrospective effect from that date; but I am thankful for small mercies; there is retrospective effect given in the present Bill up to 1939. I cannot sympathise with those who do not want retrospective effect for communal or forest lands. In the Select Committee the majority, narrow majority as it was, decided to give up all retrospective effect. I cannot agree with them; I support the Government's amendment to the effect that retrospective effect should be given to prohibition of alienation of communal or forest lands after 31st October 1939. I do not see why retrospective effect should not be given in these cases. They really belong to the community. For my part, I

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believe there is no limitation for setting aside the alienations as they are public property. Zamindars being very powerful, did not care for the rights or the common weal of the village. They encroached upon communal or common lands and made everything their property and alienated them. Therefore, it is but right that those lands should be restored back to the village community who alone have the right to enjoy them for common purposes. Even forest lands are like that. Forests are intended to be used by the villagers for, they get from them their fuel, brush-wood, some timber, green manure and also grazing facilities for their cattle. These things are there but all these things belong to the village community. The zamindars usurped these rights of the village community from the year 1802, being very powerful. The ryots being poor were unable to join issue with these powerful people. Therefore, I do not think anybody would sympathise with the alienations made at any time. Communal lands come technically within the terms of this Bill. Forest lands are really communal lands. These communal lands are intended to be used by the villagers for carrying on their cultivation operations. If all these benefits are taken away, the ryots cannot exist in the village. Therefore, I feel that everybody without the least hesitation would sympathise with the clause giving retrospective effect prohibiting alienations at least from the time of Mr. Prakasam Committee Report during the last Congress Government. Government have now put in some amendments because the question of *bona fide* alienees has come. That is one thing which is troubling many of us. Of course the amendment does not apply to communal land, and I am glad of it. With regard to forest land, there are two amendments on the Government side, namely, that forest lands alienated in favour of public institutions like temples or for building purposes shall be deemed to be invalidated. The other amendment is that the clause shall be deemed to invalidate any transaction in respect of any forest or private land not exceeding twenty acres. Even twenty acres is too much but because the Government has put in that amendment I accept it. Therefore, the amendment satisfies the conscience of those who are feeling for the *bona fide* alienees."

SRI B. S. MURTHI:—"On a point of order. May I know whether any hon. Member is entitled to speak on amendments not moved formally in the Assembly?"

THE DEPUTY SPEAKER:—"The hon. Member is not speaking on any amendment. He is speaking generally on the Bill."

SRI A. KALESWARA RAO:—"So many hon. Members before have generally spoken on the amendments and so let me give my opinion."

"Then, with regard to private lands, the zamindars seem to have alienated many of these private lands in large extents to many of their servants, to their gumastas, to their relatives and

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to their friends and so on. They are all binami transactions and they should not be encouraged. So, the proposed amendment of the Government is to exempt alienations of less than twenty acres alienated in favour of a ryot or a servant or a relative because it does not matter much. But if it is a large transaction involving large extents of land, then it is a binami transaction and it ought not to be encouraged. Some of them may be *bona fide* transactions made after receiving some *nazarana* or for some consideration or it may be a gift. If alienations are made to the extent of twenty acres, we can sympathise with such alienations and let us not disturb those poor people who got those lands. Also we need not disturb the lands alienated in favour of public institutions. There was some representation in the Press that municipal bodies also should be included and classed along with public institutions, temples, chatrams, etc. In many such cases, the zamindars in generosity might have given lands to those public institutions and in those cases we should have no objection. Therefore, Madam, Deputy Speaker, I support the restoration of the retrospective clause but with some such amendments restricting alienations of forest lands or private lands to twenty acres or less to *bona fide* ryots, the poor people and public institutions. With these words, Madam, I support the Government motion."

SRI SARVAGNA SRI KUMARAKRISHNA YACHENDRA BAHADUR VARU OF VENKATAGIRI:—"Deputy Speaker, Madam, when this Bill was referred to the Select Committee and when an assurance or perhaps an observation was made by the Hon. Sri Kala Venkata Rao, I felt that the Bill when it would emerge from the Select Committee would contain the necessary modifications. Well, Madam, even now, let me expect that the necessary modifications which certain amendments seek to effect would be introduced. Several aspects of the zamindari problem, were discussed and dealt with mostly out of ignorance or out of over-enthusiasm of certain friends, and in their brimming enthusiasm to be progressive to secure Utopian conditions for the masses and as the champions of their cause, some hon. Members have dealt with and criticized the zamindari system. I do not propose, in the limited time at the disposal of this House, to deal with it at any great length. Suffice it to say, that we zamindars are also human beings. We have got certain traditions and we have got certain duties; but we do not claim any infallibility. We may have failed to discharge certain duties which we should have discharged. Perhaps some misguided zamindars might have gone astray in doing certain things which they should not have done. I have, Madam, even on the previous occasion observed that no words are strong enough to condemn any person who contravenes the law and that it is a great disservice to society if one contravenes the law. No words are too strong to condemn such an act. Madam, I was very much pained to note that evidently out of ignorance of the actual law, as it stands to-day, and out of general misconceptions as regards zamindars, several allegations absolutely unfounded have

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been made. Madam, suffice it to say that I, as the President of the Madras Landholders' Association, which has espoused the cause and the rights of the zamindars for the last about seventy years, and as one who has got the proud privilege of representing the zamindars here, can say that we have tried our best to discharge the duties which we owe to this country.

"Madam, as regards the Bill in particular, as I pointed out on the last occasion, this Bill deals with three classes of land: (1) the communal land, (2) lands into which tenants have been let into occupation—by that I do not mean that occupancy rights were conferred—and (3) forest land. I would first, Madam, deal with communal land. Clauses 20, 21 and 22 of the Bill deal effectively and sufficiently with communal lands. Wherever such communal lands have been alienated these lands can be acquired under the orders of the Collector under section 20 and the zamindar can be made to pay for the acquisition of this land. I would ask this House, Madam, whether that provision is not sufficient for the purpose which this Bill seeks to serve.

"Then, as regards the second class of land, namely, lands into which tenants have been let into possession, I have already submitted to the House that section 17 of the Act of 1946 is sufficient inasmuch as it provides a safeguard to the tenant from eviction.

(At this stage, the Speaker occupied the Chair.)

"I therefore contend that the tenants occupying such lands are sufficiently protected. As regards lands which are under the direct cultivation of the zamindars themselves, I cannot understand why any safeguard is necessary or any restrictions should be placed on the zamindars from selling away or alienating those lands for the simple reason that no subsisting interest is there, nor their being alienated need in any way be encroached upon. Madam (laughter from every quarter of the House). Sir, since I did not observe that there was a change in the distinguished occupant of the Chair, I addressed you like that.

"Sir, as safeguards are there and as the object of this measure is to prevent any misuse of these lands, I submit, that this Bill as a whole is unnecessary. Sir, there are those who think that any Bill, simply because it professes to safeguard certain classes against the alleged or imaginary tyranny by other classes, is a welcome measure, but I cannot satisfy people who welcome a measure simply because it merely professes to do certain things. It is for that purpose, Sir, that I am indenting on the valuable time of this House by enumerating the various classes of land and with the limited legal knowledge that is available to me and subject to correction by the legal pandits here who adorn this House, I contend that this Bill, though its purpose or the object is a laudable one, is unnecessary.

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"Then, Sir, as regards forest land, the Forest Preservation Act is already there, and I may perhaps avail myself of this opportunity to describe it as the Forest Destruction Act, because since the passing of that Act, I am afraid, several forests are being denuded. And, for the simple reason that no legal action can be taken in time and several restrictions have been placed upon the proprietors of these forests, as I said, Sir, the Forest Preservation Act is there and it seeks to prevent any alienation or assignment, and no land in the forest can be alienated.

"Sir, just now several sections of this House appeared to be engaged in considering a formula which would satisfy them to hold certain objections. Anyhow, Sir, at least to have my views placed on record, I would venture to encroach on the time of this House. Since these three categories of land have already been safeguarded against being misdealt with by the zamindars, I think this Bill is unnecessary.

"I have gone through the various amendments given notice of. Certain amendments seek to limit the areas to which the clause relating to retrospective effect need not apply. I would suggest that a proper authority may be given the power to decide whether any alienation by a zamindar is *bona fide* or not. I would also submit that it need not be qualified by a clause to the effect that it should be coupled not only with good faith but also coupled with valuable consideration for the simple reason that several areas were forced to be alienated by the authorities for the purposes of the Grow More Food Campaign and other forest lands were alienated even without valuable consideration. Suffice it to say, if any restriction is imposed, it should be in good faith and that it should be decided by a competent authority because it would in my humble opinion serve the purpose, namely, that *mala fide* transactions which have been entered into in order to circumvent the law should be prevented and *bona fide* transactions alone should be recognized. As was rightly pointed out by my hon. Friend, Mr. Bhashyam, the zamindars thought they were under the law, entitled to dispose of the land, forest or private land, to whomsoever they liked and as such they disposed of perhaps in several cases, in good faith, lands either for valuable consideration or as gifts to their friends and relations. I cannot understand why any valuable consideration received by them should be paid for and several of the landholders who have received premium may not be landholders to-day and they might have also parted with their lands. I venture to ask, Sir, what would be the position of the landholder in such cases. Has he to pay what the purchaser in those times has received; perhaps he might have spent away the amount he has received. I can understand penalty being attached to the disposal of lands like communal lands. Perhaps even my Communist Friends, like

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Sri P. Venkateswarlu and others may be justified in asking us to be deported from Hindusthan. (Sri K. Anandan Nambiyar: 'No, no, he will never say such a thing.') Even that I can understand, but I cannot understand—and if my friend waits for a few moments he would understand my line of argument—why the zamindars should be penalized for exercising certain rights, which according to various decisions of courts and according to the law they believed they were entitled to. This is beyond my comprehension and I would like to be enlightened by my friends here, as to the reason and the justification for such a penalty being imposed upon landholders for what they have done and for having exercised the rights which they possessed.

"Again, Sir, in regard to private lands and forest lands, courts have decided on several occasions and I need not therefore weary the House by enumerating the numbers and the case law on this question. It has been held in several cases that we were the owners and believing that we were the owners we have disposed of certain areas and now to ask for a refund of that would cause a great hardship. I can even understand if forest areas have been alienated or areas which are unfit for forests being classed as forests and reverted to the previous position, but, Sir, according to the proposed Bill any land where even a twig grows can be described as a forest and as was rightly pointed out by some eminent friend, even the compounds or a film studio which happens to be located in my friend Mirzapuram's house—of course not the occupants—can be described as forest land.

"Now, Sir, I do not propose to stand in the way of the Ministry passing this Bill into law by taking an unduly long time. I would only like to deal with the amendment, which according to my hon. Friend, Raja Sahib of Mirzapuram, seeks to exempt the collection of forest produce and letting it for purposes of pasture. These provisions are already there in the Forest Preservation Act and I for one cannot understand why there should be an exception in this case. After all that amendment does not seek to alienate the land but only allows the zamindar to collect forest produce and surely these rights were in existence even prior to the Permanent Settlement and they are not encroachments upon those rights. Paragraphs 14 and 27 of the Instrument of Instructions to Collectors amply and indisputably support my contention. For these reasons, Sir, I would request the House and the Hon. the Revenue Minister to accord support to this amendment.

"As regards the other clauses relating to retrospective effect, even there, *bona fide* transactions not coupled with valuable consideration, should be sufficiently safeguarded.

"With these words, Sir, I again appeal to the House to accord its support to the amendment."

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p.m. SRI R. V. SWAMINATHAN:—“ Mr. Speaker, Sir, I sense that some dilatory tactics are being adopted by certain members of this House and also from the Treasury Benches to torpedo the whole Bill. I therefore move for the closure of the Bill.”

Sri K. Anandan Nambiyar seconded this request.

MR. SPEAKER:—“ Rule 62 (1) says:

‘At any time after a motion has been made, a member may move “that the question be now put,” and unless it shall appear to the Speaker that such motion is an abuse of the rules of the House or an infringement of the rights of reasonable debate, the question “that the question be now put” shall be put forthwith and decided without amendment or debate.’

I am informed that the Leader of the House and the Leader of the Opposition came to a conclusion that we shall sit till 6 o'clock and finish this Bill. In view of that I am not going to put the closure now. There will be one or two more speakers and then I will put the Bill to the vote of the House.”

SRI K. R. KARANTH:—“ Sir, I wish to take only very little of the time of the House. It is being represented that some of those here are against all retrospective effect being given but that is not correct. In fact the view which I submitted to the House on the last occasion was that the purpose of this Bill was to pass into an Act what was included in the Ordinance. The whole trouble has arisen because a substantive legislation in the form of clause 4 of the Bill is being attempted to be introduced into this and so much trouble has arisen naturally on account of that. Let it not be supposed that any of us here want that all transactions in the past should be considered good. I would only remind hon. Members of the Bill that the last Ministry published, viz., the Madras Estates Land Revenue Bill, 1947. There, Sir, in clauses 13 and 15 we had taken powers to go into the past transactions from 1937 in the case of waste lands and from 1908 in the case of communal lands and have provided that all bona fide transactions should be protected. We are aware that there will be cases particularly after the last Estates Land Act Committee report of Mr. Prakasam of fraudulent transactions. That is not the same thing as saying that *ipso facto* retrospective effect should be given to all the transactions and buildings and properties should be confiscated. It is because clause 4 was in a wide form that we objected to it and it was my repeated request to the Hon. the Revenue Minister as will be seen also from the proceedings of the Select Committee, to bring this substantive measure as part of the measure or Bill which he is going to bring when it can be properly decided as to what we should do with the zamindari lands which have been so alienated. Therefore, it is not correct to say that only certain people are for setting aside of such alienations and others are for simply ignoring them. That idea is not correct at all. When we had a discussion in the party on the Land Revenue Bill of the last Ministry the present Revenue Minister then took no exception to clauses 13 and 15 giving protections for bona fide transactions. Now, Sir, if the amendment

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which Mr. A. Vaidyanatha Ayyar has brought at the end of the day had only been accepted by the Revenue Minister there would not have been so much discussion and so much time spent upon this Bill. Nobody can however defend the clause as it stood at the time it was deleted by the Select Committee or much less in the shape of several amendments which the Hon. Minister has given notice of to-day. You cannot say that all transactions for the last eight years which several thousands of people have entered into bona fide should be declared invalid and I may also say, Sir, that there are certain clauses which are framed in a most illogical fashion. It has become rather a fashion in this House and outside that the moment religious and charitable things are mentioned, they should be excluded and if you placate persons who are inclined to that view anything can be done, and one can ride a chariot over the properties of other people. That is why it has not been possible for us to accept this sort of amendment.

“ There is also not much logic behind the suggestion that more than 20 acres of land should be penalized. You are aware, Sir, that with regard to forest lands and waste lands in zamindari estates as the law stands there may be bona fide transactions as well as mala fide transactions. It may be a person might have taken 100 acres of land in a zamindari or other land and he may have spent much money upon it. Here are the amendments which are given notice of by the Government which make no provision for compensation or protection to such bona fide cases. Therefore, the amendments as tabled by the Hon. Minister do not stand to logic and do not protect persons who have entered into such transactions I find, Sir, that an amendment has been given to protect bona fide transactions by Mr. A. Vaidyanatha Ayyar and if I am correctly informed, the Government are willing to accept it in which case much discussion could have been avoided and much time saved.”

KUMARARAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—“ Now that we have been given to understand that the Leader of the House and the Leader of the Opposition have come to an agreement to finish the Bill to-day itself, I think, Sir, we can finish our deliberations before 6 o'clock with your co-operation.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ Mr. Speaker, Sir, I want to say one or two words only. Now, Sir, the confusion and the trouble we have been witnessing on this Bill, I think, is due to a certain fact and that is the Government have not decided its policy regarding the ownership of private property. First of all they must make up their minds as to what is their policy with regard to the right of man to own or not to own property. If that is decided then it can be decided whether there should be any modifying conditions to that principle, any limit to that. Now there are certain principles holding the field. How far they have to be allowed or how far they have to be abrogated or whether they are to be abolished altogether, the Government

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must make up their minds instead of letting themselves in this drift as they are letting themselves now. In that case, Sir, all this confusion would not have arisen. They would not have then confused themselves or the public, as they are doing now.

"Then again, Sir, the Government said that suggestions will be considered and alterations would be effected in the Select Committee. Now what do we find? The Government have been trying to go back upon the decisions of the Select Committee which is again due to their not knowing what their policy is with regard to private property. That is the basic principle upon which they will have to come to a decision, whether they like it or not. The decision must be taken sooner or later and I think the sooner the better.

"With these words, I agree to the motion placed before the House with reference to the consideration of the Bill as amended by the Select Committee."

Mr. SPEAKER:—"The closure motion moved has not been accepted by me simply because the leaders came to the conclusion that this Bill should be passed to-day before 6 o'clock. If I accepted the closure and put it to the vote of the House and if the House accepts it that means the House will not have the opportunity to hear the Hon. Minister. Now I am not going to allow anybody to speak but will call upon the Revenue Minister to make his reply."

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, some time earlier I mentioned that I am prepared to wait even till the next day of the sitting if the members wanted time to discuss the Bill but subsequently, Sir, it has been brought to our notice that if the Ordinance lapses on the 26th and meanwhile amendments are introduced to the Bill it would create many difficulties. That was the consensus of opinion amongst lawyer friends of this House as well as the Legal Department. Therefore, it was agreed that the Bill should be pushed through to-day itself. That is the reason why this new turn in the matter has taken place and now, Sir, in view of what has already been said I need not take more time of the House and reply to all the points that have been raised in this debate, but about one or two points, Sir, I must say a few sentences.

"The main objections can be divided into three categories, one is the definition of the word 'forest', the second is about the retrospective effect, clause 4, and the third is clauses 7, 9, etc., which were referred to as omnibus clauses by certain members. The rest are ordinary points.

"Speaking about the word 'forest', as was pointed out earlier this is the definition which was adopted last year by the Legislative Assembly. If it is wide, it was made wide particularly to cover the circumstances that have arisen with reference to the estates. It is not that people do not know what forest is so that a place with some shrubs would come under the definition of

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this word. No such difficulty has arisen so far during the whole of this year. The District Collectors were careful and the Government were careful to see that real forests were only made to come under this definition and not everything else. Therefore, I do not feel that it is abnoxious. In order to cover certain *mala fide* transactions we had to keep the definition wide. Mr. Karanth agreed to it at that time. He himself felt about the need for such a wide definition in the circumstances that prevailed then and even prevail to-day. We will amend the definition of 'forest' now, we accept the amendment but you will not be amending the Madras Preservation of Forests Act, 1946, which will still be on the statute. As I told you in the beginning, this Bill is only a consolidating Act bringing into effect the provisions of the Madras Estates Land Act, the provisions of the previous special legislation carried out by the Congress Government last year and added with the present needs and framed in the present form the present legislation. I do not think that any particular purpose will be served by widening or restricting the definition of 'forests' as contemplated in this Bill. This is a temporary legislation. it is not going to stay on for ever and will lapse the day on which the zamindari legislation comes into effect. Therefore, I do not think that we need concentrate on this question of the definition of the word 'forests', especially because of the fact that the Madras Preservation of Forests Act will have effect for one year more and for more years if the Government will be prepared to extend it.

"Many hard things have been said with reference to clause 4. The charge has been made that that is an attempt at gaining cheap popularity and that I am guilty of bungling. According to my own humble estimate of myself, if I have got any good feature that is that I never bungle. I am clear in my mind about one thing. I have come to this Assembly with a particular mandate given by the great political organization to which I have the honour to belong and that is the thing to which I have been devoting my energies. There may be some clause in the Bill which may be good and there may be some others which may create hardship to particular persons but the idea is certainly not to bungle. The idea is quite clear and the idea is to help the ryot in order to make him the owner of the soil of this country and that is the important ideal and it is only to stand by them, to help them and to put them on a sound economic position we are bringing the various Bills. If in any particular case it is pointed out or it is found that their rights are impinged upon or their interests as set forth above are affected, I will be the first man to accept any suggestion. On that ground nobody need accuse me. I am sure I am on firm ground so far as my ideal is concerned. A particular case was stated. The case of a poor man who had purchased a hundred acres! A man who is able to purchase a hundred acres of land is a poor man! I do not know how an editor of a big newspaper like my hon. Friend Mr. Raza Khan can say that such a person is a poor man and I am sorry I

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cannot accept that definition. My hon. Friend Mr. Bhashyam is legally interpreting everything legally. The law is created by the 215 of us and is not the work of a single mind. (An hon. Member: 212.) Yes 212, I stand corrected. So far as the Opposition is concerned, I may tell them that they need not be so much concerned about the differences in the Cabinet and about our troubles; I may tell them we are not divided in the Cabinet nor in the party and the whole party is committed to the amelioration of the condition of the peasants; that is what they have to remember and the party will stand by it and so there is no reason why the Ministry should quit or the charge be made that the Government is not a responsible Government or that the members of the Congress party have no responsibility. Even if there are slight shades of differences about certain things, it does not mean that we are divided over our main ideal at all."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is it a fact, Sir, that one Minister voted against another in the Select Committee stage?"

THE HON. SRI KALA VENKATA RAO:—"There is no party whip in the Select Committee; if there was, I would have got eleven votes against four. We discussed it from various points of view and gave our opinion in a free manner. If you think that a party whip is to be issued, surely would I have selected such friends who would have voted against me? That would never be so. The Select Committee has thrashed out the various issues. I may also say that simply because the Select Committee comes to a particular conclusion, it should be binding upon the Government or upon the party or upon this House. It has performed only a closer examination of the thing; but it cannot abrogate the responsibility of the Government to the people in the light of the mandate that it received. If the Select Committee were to have the final say, then there will be no need for a discussion in the Cabinet or even in the House. The Select Committee is there only for scrutiny, to give its advice; we will consider them; if it is alright, we will accept it. So many amendments have been accepted but so far as the clauses regarding retrospective effect is concerned, the Government think that the original one must stand and that is the reason why we are standing so firm. When it is pointed out that houses in Karaikudi to the value of one crore of rupees built on alienated sites would go back to the zamindar because there is a lacuna, do you think I would keep quiet? Or can I keep quiet if all the lands sold by Mr. Foulkes in Salem would be lost to the present owners? We do know that in certain cases real difficulty has arisen. The main scheme of the Bill is to set at nought all *mala fide* transactions."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"How are you going to define it?"

THE HON. SRI KALA VENKATA RAO:—"Unfortunately I was not the class-mate of Mr. Mahboob Ali Baig in college and I

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was drawn out in earlier youth into the non-co-operation movement and have been serving the country since then. If he wants it particularly, I will get a law lexicon and read it over to him. (An hon. Member: 'What about Mr. Kaleswara Rao?') Mr. Kaleswara Rao is senior to Mr. Mahboob Ali Baig and I will not mind if they cross swords. The only condition is that *mala fide* transactions which were perpetrated with a view to circumvent the provisions of the Act and the Madras Preservation of Forests Act, should be set at nought and that is the reason for the Ordinance and this Bill. Subject to this and with an eye to the hardships that have been mentioned, amendments are being officially moved which will be an improvement over the Bill as it emerged from the Select Committee. As I told the House earlier, this is only a temporary measure and will have to go when the Zamindari Abolition Bill will come into effect. I am thankful to you, Sir, for your having given me a chance for explaining at some length the idea and the scheme underlying this Bill.

"Lastly let me refer to the remarks of the Opposition, particularly the League Members regarding clause 9 of the Bill. I suggest to them that we should hold a discussion on this subject in general and come to some conclusion about it. This point was raised with reference to several Bills and the Government have on each occasion assured them that whatever action is taken it will not go against the spirit of the Bill. Repeating them every time, will do no good and will be of no use. The best way is to have it discussed. The Speaker is there and the Leader of the House and the Leader of the Opposition may meet and come to some conclusion about it. There is no use discussing the same point in big and small measures. That is the only way out and that is the only way of getting through the difficulty and it will go a long way to relieve unnecessary tension in the House. I have taken much time and I hope the House will agree to take into consideration the Bill as reported upon by the Select Committee."

MOHAMED RAFAEUDIN AHMAD ANSARI SAHIB BAHADUR:—"On a point of information, under clause 3."

MR. SPEAKER:—"The hon. Member is referring to a particular clause; he might raise the point when the House discusses that clause."

The motion that the Madras Estates Communal Forest and Private Lands (Prohibition of Alienation) Bill, 1947 (L.A. Bill No. 26 of 1947) as reported by the Select Committee be taken into consideration, was put and carried.

Clause 2.

THE ZAMINDAR OF MIRZAPURAM:—"Sir, I move in clause 2 (b) in the definition of forest land, the words 'pasture land' in line 2 shall be omitted."

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LANDS (PROHIBITION OF ALIENATION) BILL, 1947
(L.A. BILL NO. 26 OF 1947)

[18th October 1947]

SRI SARVAGNA SRI KUMARAKRISHNA YACHENDRA
BAHADUR VARU OF VENKATAGIRI:—"I second the amendment
without any speech as I have already dealt with it in my speech
on the motion for consideration of the Bill as amended by the
Select Committee."

THE HON. SRI KALA VENKATA RAO:—"I am advised not
to accept the amendment."

The amendment was put and lost.

5 p.m. SRI PILLALAMARRI VENKATESWARLU:—"Sir, I
move—

*'After sub-clause (b) of clause 2, the following shall be
added as a new sub-clause:—*

*"Communal lands" means lands which are set apart for,
or are actually serving, the needs of the village com-
munity and include—*

*(a) the beds and bunds of rivers, streams and nullahs;
supply, drainage, surplus irrigation and other
channels; canals and other water-courses; and the beds
and bunds of lakes, tanks and ponds,*

*(b) threshing floors, cattle stands, village sites, public
roads, streets, lanes and paths and burning and burial
grounds.'*

Sir, I think this amendment will be easily accepted by the
Government for the simple reason that communal lands have not
been defined in the Bill. The definition of communal lands is
essential, because most of these communal lands may be included as
private lands. The zamindars have expropriated all these lands
and converted them as their private lands. Unless this definition
is there, the very purpose of the Bill will be defeated. I thought
it was the oversight of the Legal Department, and therefore
Government would accept this amendment. Sir, this definition
is not my own. This definition has been taken *in toto* (excepting
the last clause) from the definition given by Mr. Karanth in his
previous Bill. I simply got this definition copied from there,
so that it will be easy for the Congress party to accept it. This
is their own definition. It is quite essential to define communal
lands, and I demand an explanation from the Hon. Revenue
Minister why the definition of communal lands has been excluded.
I would request him to accept this amendment and include it, or
at least frame his own definition of the communal land and include
it in the Bill, and see that he satisfies the needs of the tenant
and the peasant."

SRI K. ANANDAN NAMBIYAR:—"In seconding the amend-
ment, I wish to point out that the Collectors or the Special Officers
will have more powers under this new Bill. If the definition of
communal lands is not there, these officers will not act on behalf
of or in favour of the peasant. Therefore, we would very much
urge that a clear definition of communal lands is given in the Bill

THE MADRAS ESTATES COMMUNAL, FOREST AND PRIVATE 1131
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by the Members of this Legislature, so that tenants or peasants
need not be dependent on the Collector or the officers. We know
from their past history that these people are not reliable persons.
They will always side with the zamindars. Unless the Hon.
Revenue Minister and the Congress party accept this amendment,
this legislation will not serve the purpose for which it is brought
forward. I appeal to each and every one of them to accept this
amendment. I hope the Hon. Minister will accept this definition.
I appeal to Mr. Karanth also to use his good influence on his
party and the Revenue Minister to accept this definition, and
thus save a very serious situation."

SRI K. BHASHYAM:—"I only want to point out to my
hon. Friends that communal lands are lands which are fairly well-
known by everybody in the village. The Revenue authorities
know it. But trying to define it will be restricting the scope of
the very lands which we really want to bring in as communal
lands. In fact to leave it alone for the decision of the Collector
and other persons, who are familiar with the revenue terms, will
really keep the position clear instead of defining it by such a
definition, which is defective in language and ambiguous in
nature. I oppose the amendment, Sir."

THE HON. SRI KALA VENKATA RAO:—"I have been
advised that the present clauses of the Madras Estates Land Act
and the clauses in the Board's Standing Orders on these communal
lands contain all the implications which my hon. Friend wants
to define. He himself knows that we have followed that definition.
We are advised that no further definition is needed in the present
circumstances. No particular definition is needed in these circum-
stances. I am unable to accept the amendment, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"Have I
not the right of reply, Sir?" (Laughter.)

The amendment was then put and declared lost.

Clause 2 was then put and carried.

Clause 3.

SRI PILLALAMARRI VENKATESWARLU:—"On a pre-
vious occasion, Sir, while I was moving my amendments, I was
forced to search for a seconder, but this time, thanks to the Hon.
Dr. P. Subbarayan, I have my seconder by my side. I move that
for the existing clause 3 (1) (b), the following shall be substi-
tuted—

*'any private land in any estate whether partible or impartible;
provided that private land in such estate may be leased
for a period of two years.'*

Sir, in moving this amendment, I am taking my stand on the
resolution passed by the Congress party in their meeting, with the
full faith and firm hope that I am representing the opinions and
wishes of most of the Members of the Congress party. As a matter

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of fact, if this amendment is not accepted, the wishes of the Congress party itself will be nullified. The Congress party had voted that inams also should be included. Now, I do not know for what valid reasons the inams are excluded. Neither in the opening speech of the Hon. Minister for Revenue nor in his reply, has he made it clear why inams were not included in this Bill. I know, Sir, that in West Godavari there are big inam areas in Kalipatnam. Even though, there may not be sufficient amount of private land, there are inams which contain sufficient acreage of private land. The purpose of the bill is to deal with all the private lands. The Hon. the Minister for Revenue is also for including inams, and I am surprised to find why they have been excluded from the Bill now. Moreover, from the beginning, I find that this Bill is made applicable only to notified areas. Up till now, the Minister has made it applicable only to three estates. I do not think it goes to his credit at all. It creates suspicion and gives scope for attack. That is why this provision should not be there. It has been proved and it has been agreed in the statement of objects and reasons that there are certain alienations going on. Whether he is a good zamindar or a bad zamindar, which is a disputable point, this Bill must be made applicable to each and every estate. This is a very serious drawback in the Bill. To leave that loophole, namely, making a provision that the Government will have to notify an area to make this Act applicable, is a serious drawback. That is why I say this clause should be deleted and that it should be made applicable to all inams. There is one other thing. There are so many partible estates in which alienations are going on. To prevent those alienations, it is essential to bring partible estates also within the scope of this Bill. The Revenue Minister either in his opening speech, or in his interviews to the public in office or in his residence, did not explain why the partible estates have been excluded. In Kistna district, there are so many partible estates. This Bill is not at all going to affect them. If these estates are left out, they will all be alienated, and the Government will be forced to give more compensation to the zamindars, and the peasants, who are the sons of the soil, will be greatly affected. Just now, we heard the Hon. Minister say that his whole aim is to see that the interests of the ryots are protected. Here, in the case of these partible estates, how is he going to protect their interests? Is it only to satisfy the Members of this House, or is it only mere talk?

"Mr. Speaker, Sir, the Hon. Revenue Minister is not following my speech. (Laughter.)

"I can understand the Hon. Minister for Revenue anticipated all my arguments, and may be successful in that. All the same, it is my justifiable claim to expect him to hear my arguments and clear my doubts—clear the doubts of not only myself, but the doubts in the minds of the people throughout the country. I again bring it to his notice that clause 3 (1) (b) is very defectively framed for the simple reason, I have already explained.

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My whole point is that all the tenants should be treated alike. There should be no partiality. After all, Cheliapalli Estate must be treated in the same way as the Mirzapuram Estate. Every zamindar to-day tries to alienate his lands. There is no doubt about that. They know that the Bill is going to come up, and that it is going to be delayed by the Congress party itself. In the meanwhile, the zamindar wants to take this golden opportunity to cash his lands and become richer and richer making his toiling millions poorer and poorer."

SRI K. ANANDAN NAMBIYAR:—"Sir, I am here to second the amendment. All the Members here may be feeling that this is a ceremony; he moves and I second it; but the whole thing is steam-rolled. (Laughter.) But one thing that I want to bring to the notice of the Legislature and the Congress party is that there are thousands of ears outside waiting to hear what we talk here, what amendments we bring forward, and what amendments the Congress party are throwing out. Let this be kept in mind by the Congress party, because I have to draw their attention to the fact . . . (Interruption). Yes; the next election is a sword hanging on you. I know that. With regard to partible and impartible estates, there should not be any difference between the two. Our main submission is that these partible estates should be brought within the scope of this Bill. In the partible estates also, the tenants are suffering and alienations are going on. There is no reason why they should be excluded. Why bring in 'provided that private land in an impartible estate so notified may be leased for a period not exceeding two years.' The period of two years may be made clear. There is no meaning in the Revenue Minister's replying and steam-rolling what all we bring forward. I appeal to each and every Member of the Congress party—if I have the time I will even name the Members one by one—and request them to accept this amendment, not in the interests of these two Communist Members but in the interests of the dumb millions who have been suppressed and oppressed all these years, who want to know whether their interests will be safeguarded by the Congress party. I appeal to them once again to accept this amendment."

MOHAMED RAFEEUDIN AHMAD ANSARI SAHIB 5-15
BAHADUR:—"Sir, before the Hon. Revenue Minister replies I p.m.
would like him to clear off some doubts. I would like him to give some information with regard to the meaning of clause 3. In clause 3, it is stated particularly with reference to forest land that no landholder can lease the forest land in his estate without the previous sanction of the District Collector. I would like to know from the Revenue Minister whether such alienation with the sanction of the Collector is contemplated under this Bill, and if that is so, may I know what the circumstances are under which the District Collector is allowed to permit licensing of forest land?"

THE HON. SRI KALA VENKATA RAO:—"In answer to the first part of the query, I may say the definition is copied from the previous Act and this is intended to cover a temporary period so that

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the produce of the forest will not be allowed to be lost. Because certain produce of the land, like flowers, leaves and the like are sold. And there is also fuel famine in the Province. So as to allow the leasing of forests for utilizing such produce, the Collector is issuing permits. This has been working well, as Government have not received not more than three or four complaints so far.

"As regards Mr. Venkateswarlu's amendment, I may tell him if any such amendment were needed in the interests of the people the Congress party will not lag behind to bring it up. We have not heard such abuses existing in the partible estates, and so we have not included them in the Bill. I may also inform him that 'private land' as defined in the Estates Land Act of 1908 and 1933 is very narrow in its extent. In view of that and after examining the legal implications of the term, we have brought forward this clause. Should there be any abuse of law, Government will not shirk to bring further measures. Even should the Legislature be not in session, Government, by extraordinary law, would rush in to prevent abuse of law. So I would request the mover to withdraw his amendment."

The amendment was by leave of the House withdrawn.

Clause 3 was put and carried:

Clause 4.

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I beg to move the following amendment:—

'For clause 4 of the Bill, the following shall be substituted:—

4. (1) Any transaction of the nature prohibited by section 3 which took place, in the case of any communal or forest land, on or after the 31st day of October 1939, and in the case of any private land in a notified estate, on or after the 1st day of November 1945, shall be void and inoperative and shall not confer or take away, or be deemed to have conferred or taken away, any right whatever on or from any party to the transaction:

Provided that nothing contained in this sub-section shall be deemed to invalidate—

(i) any such transaction in respect of any forest land entered into before the 27th day of June 1947, in favour of any religious, charitable or educational institution, or of any hospital, or of any local board, municipal council, or co-operative society registered or deemed to be registered under the Madras Co-operative Societies Act, 1932, or of any other public body or institution;

(ii) any such transaction in respect of any private land entered into before the date on which the impartible estate in which the land is situated is notified as

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specified in section 3 (1) (b), in favour of any religious, charitable or educational institution, or of any hospital, or of any local board, municipal council or co-operative society registered or deemed to be registered under the Madras Co-operative Societies Act, 1932, or of any other public body or institution;

(iii) any such transaction in respect of any forest or private land not exceeding twenty acres in extent entered into in the case of forest land, before the 27th day of June 1947, and in the case of private land, before the date on which the impartible estate in which the land is situated is notified as aforesaid,

(iv) any such transaction in respect of any forest or private land exceeding twenty acres in extent, entered into before the respective dates specified in clause (iii), up to a limit of twenty acres chosen by the assignee or alienee, the choice being limited as far as possible to contiguous land.

(2) Any choice made under clause (iv) of the proviso to sub-section (1) shall be communicated to the Collector of the district or such officer as may be authorized by him, in the case of forest land within three months from the date on which this Act comes into force and in the case of private land, within three months from that date or from the date on which the impartible estate is notified as aforesaid, whichever is later.

(3) If any dispute arises as to the validity of the claim of any person to any land under clauses (i) to (iv) of the proviso to sub-section (1), it shall be open to such person or to any other person interested in the transaction or to the Provincial Government, to apply to the District Judge of the district in which the land is situated, for a decision as to the validity of such claim.

(4) The District Judge to whom an application is made under sub-section (3) shall, after giving notice to all the other persons concerned in the transaction or interested in the land and also, where the application is not made by the Provincial Government, to the Provincial Government, decide whether the claim to the land is valid or not; and his decision shall be final.

(5) The Provincial Government may, by notification in the Fort St. George Gazette, make rules for the purpose of carrying the provisions of this section into effect, and in particular as to the fees to be paid in respect of the applications referred to in sub-section (3), and the procedure of the District Judge."

(Sri A. Vaidyanatha Ayyar rose in his seat to move his amendment.)

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MR. SPEAKER:—"The hon. Member should not move his amendment before the original motion is put before the House."

SRI PILLALAMARRI VENKATESWARLU:—"Sir, on a point of information. There are other amendments to this clause. There is an amendment of mine to clause 4 in the Bill as it emerged from the select committee. If the amendment of the Revenue Minister now moved is accepted, does it mean my amendment lapses?"

"There is another point also. The amendment of the Revenue Minister just now moved is a big amendment. Are you putting it item by item or as a whole. My suggestion is every item of it may be put to vote separately, because they are of different nature."

MR. SPEAKER:—"All the items refer to one amendment. The amendment as a whole will be put to vote, and not item by item. There are a number of amendments to this clause, and it is rather confusing. There is a Government amendment; and there are amendments given notice of by certain Congress members."

SRI K. VARADACHARI:—"I am not moving my amendment."

SRI K. BHASHYAM:—"I am not moving my amendment."

SRI A. VAIDYANATHA AYYAR:—"Mine is an amendment to the Government amendment now moved."

SRI R. V. SWAMINATHAN:—"All the amendments, that of Mr. Venkateswarlu, Mr. Vaidyanatha Ayyar and others, relate to clause 4. So may I request you to ask them all to move their amendments, and then allow discussion on all of them and put to vote one by one."

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—"On a point of order, Sir, if any amendment is to be moved the original amendment should be formally moved."

MR. SPEAKER:—"The Government amendment is before the House now."

SRI PILLALAMARRI VENKATESWARLU:—"My amendment is to clause 4 as it has emerged from the select committee."

MR. SPEAKER:—"The best thing is to move all the amendments and take a vote on each one of them. Mr. Venkateswarlu will now move his amendment."

SRI PILLALAMARRI VENKATESWARLU:—"Sir, I beg to move—

that in clause 4, for the words occurring after "prohibited by section 3", the following shall be substituted:—

"which took place in the case of communal or forest land on or after 30th day of June 1908 and in the case of

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private lands on or after the 1st day of November 1945 shall be void and inoperative save as otherwise provided in the following sub-sections:—

(1) *the money realized by the landholder through such alienations shall be deducted from the amount of compensation payable to him; and*

(2) *in the case of bona fide purchasers of land before the 1st day of November 1945, peasants who own 10 acres of wet or garden lands or 20 acres of dry lands inclusive of purchased lands the purchaser or his legal successor shall be given patta to such land by the Government."*

Sir, in the morning we heard speeches from the Congress bloc and we were led to utter confusion and chaos. The reason is very simple, and while I am giving my reasons I request the Revenue Minister once again to just hear what I say. (The Hon. Revenue Minister and the Hon. Leader of the House were observed to be conversing.) Sir, the Leader of the House is disturbing me. The leader has got a privilege to disturb others. Sir, this morning while I was moving my amendment, ever so many friends raised doubts as to what is going to happen to the lands purchased. Even Mr. Vaidyanatha Ayyar expressed the same doubt. I thought on that occasion he had not gone through my amendment. If he had done so, he would have bullied the Government . . ."

SRI A. VAIDYANATHA AYYAR:—"Is 'bullying' allowed; is it Parliamentary to use that term?"

MR. SPEAKER:—"The hon. Member should withdraw the word."

SRI PILLALAMARRI VENKATESWARLU:—"I withdraw it. But I only explain . . ."

MR. SPEAKER:—"The hon. Member need not explain why he used the term."

SRI PILLALAMARRI VENKATESWARLU:—"I expected Mr. Vaidyanatha Ayyar to express, whether my amendment would be accepted by the Congress Party. But he did not do it. What does it say?"

"In the case of bona fide purchasers of land before the first 5-30
day of November 1945, peasants who own 10 acres of wet or garden p.m.
lands or 20 acres of dry lands inclusive of purchased lands the
purchaser or his legal successor shall be given patta and so on.
That is because the poor peasants can purchase only 5 or 10 acres
of land and this is not for those who have money to purchase 50 or
more acres. I know that the Congress Party is not going to accept
my amendment. The point here is my amendment really protects
the poor purchasers for whom so many hon. Members really showed
their sympathies. The Hon. the Revenue Minister was telling us
that no poor man can purchase 100 acres or pay thousands of

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rupees as rent. That is impossible, it is true. If you really want to protect the interests of the poor purchasers it can be done only if my amendment is accepted. Moreover this will also give protection to the ryots who are bona fide purchasers. The Government do not lose anything. If my amendment is accepted, the purpose of Mr. Vaidyanatha Ayyar's amendment would also be served. Mr. Vaidyanatha Ayyar's amendment reads as follows:—

'any such transaction in respect of any forest or private land entered into before the respective dates specified in clause (iii), in favour of an assignee or alienee in good faith and for valuable consideration.'

All these things can be easily met if my amendment is accepted.

"Then I come to a very serious matter, namely, the question of private lands and the date of retrospective effect. Sir, the principle of giving retrospective effect is accepted by the Congress Party as a whole. Even those who were opposed to it have been silenced by the decision of the Congress Party. This question is a very serious one."

MR. SPEAKER:—"The hon. Member should know that it is the desire of the House to rise at 6 of the clock. He should confine himself to the point."

SRI PILLALAMARRI VENKATESWARLU:—"I am also anxious, Sir, that the Bill should be finished first so that I might go back to my town."

"But all the same this is a very important and vital thing. Sir, I feel that the amendment moved by the Hon. the Minister for Revenue are taking away the life out of the Bill. I am very serious about my amendment. Moreover my objections to the amendment moved or that are going to be moved by the Hon. the Revenue Minister are very serious. To determine the date of retrospective effect is the most vital thing. The principle has been accepted. It remains to be determined since when are we to give retrospective effect. October 1939 has been fixed in the Bill because that was the date when the Prakasam's Committee's Report was presented to the House. The Congress Party might have decided to put forth that view. All the same that is entirely a different view. My point is that the Hon. the Revenue Minister should have fixed a date much earlier than 1939. This is a view which has been accepted by the then Minister for Revenue, Mr. Karanth."

"Here is the Bill moved by Mr. Karanth in which it is said from when the retrospective effect should be given. That is the most vital point. For that, I am not giving my own opinion but the opinion of the most learned gentleman of the House itself. I am stressing that point. Unfortunately, that gentleman did not press this amendment. It is given to my lot to take up that question."

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"In clause 15 (3) of the Madras Estates Land Revenue Bill, 1947, it is said—

'any assignment, alienation or disposal otherwise of communal lands made by the landholder after 30th June 1908 shall, save as otherwise provided in the following subsections, be void and of no effect whatsoever.'

So the principle has been accepted by the then Congress Government. I do not know the attitude of the present Congress Government even though I am quite aware that the present Revenue Minister has also subscribed to this. I want an explanation from the Hon. the Revenue Minister why to-day he has come forward with some other date. That is the most vital thing. I entirely sympathize with the Hon. the Revenue Minister. Probably there are extraneous influences at work.

"I should like to mention one more argument, Sir. Unless the principle of giving retrospective effect from 1908 is accepted so many actions which the Bill wants to prevent, will have no effect on the zamindars. I believe the hon. the Revenue Minister . . ."

MR. SPEAKER:—"The hon. Member should conclude now."

SRI PILLALAMARRI VENKATESWARLU:—"Two more minutes, Sir. Unless it is accepted . . ."

MR. SPEAKER:—"The hon. Member should resume his seat. I am not going to allow him any more time."

SRI K. ANANDAN NAMBIYAR:—"While seconding the amendment I want to do it with more seriousness, because this amendment is a very serious one. The major controversy was on this section. During the past two or three days there were so many changes coming in. I do not know whether the Hon. the Revenue Minister is going to finish up with his amendment only or whether he is going to incorporate something which Mr. A. Vaidyanatha Ayyar has given notice of. I am very much worried. Therefore in seconding the amendment, I want to draw the attention of the Congress Legislative Party to the fact, as I have already pointed out, that land alienations have already started in 1908 and especially after 1908. That is the reason why in the previous Bill brought forward by the last Revenue Minister this retrospective effect was from 1908. Therefore what we want is that retrospective effect should be given from 1908 and that it should be incorporated in this legislation. Now regarding the question of giving retrospective effect from 1939 there is much controversy. Mr. Vaidyanatha Ayyar's amendment is going to nullify the whole thing."

MR. SPEAKER:—"When we come to that amendment, the hon. Member can speak on that amendment."

SRI K. ANANDAN NAMBIYAR:—"What we suggest is that retrospective effect should be given from 1908. We are not at all satisfied with 1939. Not only that the millions of people outside are not satisfied. That is what I want to drive home."

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MR. SPEAKER:—"The hon. Member should know that there is a third reading."

SRI K. ANANDAN NAMBIYAR:—"I submit to the Hon. the Revenue Minister, whether we oppose this here or not, let him consider whether this will satisfy the people, the peasants. I say 'No'. There is a definite answer as 'No' and we say when the Congress is pledged to giving retrospective effect, it must be from 1908. I stress that point."

"The money realized by such action should be deducted from the amount payable to him. This is a very vital point. When the question of compensation comes the money that should legally be paid to the zamindar should be deducted from them and paid to the alienee if need be. That is a point that the Congress Member, the Hon. Mr. Kosala Ram pointed out this morning. Because we are Communists whatever we say is not being accepted. Will you say because it is Communist water you won't drink it? There is already Muslim water and Hindu water. Let us not create a Communist water."

"Then as regards the last clause the Hon. Minister has agreed to 20 acres. Twenty acres we also agreed to. But what we say is that the patta may be handed over to the alienee. These 20 acres we have divided into wet and ordinary land. When the patta is handed over there is no question of fear. He can say: I have given money and I purchased it. It was alienated to me and what is the meaning of my right being taken away by the zamindar. Therefore I believe the Hon. the Revenue Minister will accept our very justifiable amendment."

"The amendment of Sri Pillalamarri Venkateswarlu was put and lost."

SRI A. VAIDYANATHA AYYAR:—"In so far as my amendment is concerned, Sir, I believe there is cent per cent support in the House."

HON. MEMBER:—"No, Sir."

MR. SPEAKER:—"Let the hon. Member read the amendment, first."

SRI A. VAIDYANATHA AYYAR:—"My amendment is as follows, Sir:—

"The following shall be added to the proviso to clause 4 (1)—

"(v) any such transaction in respect of any forest or private land entered into before the respective dates specified in clause (iii), in favour of an assignee or alienee in good faith and for valuable consideration."

And then there is a corresponding verbal amendment, Sir. In the previous amendment in clause 4, sub-clause (3) there is a passage which refers to clauses (i) to (iv) and the proviso to sub-section (1) on account of this clause having to be entered as sub-clause (v) the

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consequential amendment would be sub-clause (v). The point of my amendment is only this. I want to know, first, whether the Government is prepared to accept my amendment."

MR. SPEAKER:—"First let it be seconded. Order, order. Two hon. Members should not stand simultaneously."

SRI A. VAIDYANATHA AYYAR:—"My point is, the Select Committee which was appointed gave a report not to give retrospective operation. The Government presented a further amendment going back to the original retrospective operation from 1939. But it was found necessary for the Government to make several exceptions to save the rights of honest and *bona fide* people. One such is where a person has purchased and got a transfer *bona fide* and for valuable consideration. 'Valuable consideration' is there. The object of this legislation, as explained by the Hon. the Revenue Minister, is to prohibit *mala fide* alienations of communal, forest and private lands by the Zamindars. At the same time, *bona fide* alienations particularly supported by consideration should be saved. On that point, I think even my Friend Mr. Anandan Nambiyar was insistent, but the fact that the suggestion now comes from me does not command his acceptance. That is a matter which necessarily must be accepted by the Government, because in striking at those who sin you should not strike at those who have honestly and in a *bona fide* manner purchased the lands and advanced good consideration therefor."

5-45
P.m.

(Sri M. S. Pattabhiramiah seconded the amendment.)

SRI T. S. PATTABHIRAMAN:—"I stand here to oppose the amendment moved by my respected and honourable colleague Mr. Vaidyanatha Ayyar. I feel I am satisfying my conscience and the conscience of the people who have elected me to this legislature. Sir, I must congratulate Mr. Vaidyanatha Ayyar on his having been able to find one stick by which to shatter the Bill. By inserting this one clause he has been able to sabotage the entire spirit and contents of the whole Bill. I will prove to hilt that that would be the result if this amendment is going to be accepted. I appeal to the Hon. the Revenue Minister to withdraw the Bill entirely or openly admit that he does not believe in the spirit of the Bill and that he is prepared to accept a skeleton of the Bill. I say, Sir, that by this amendment you have watered down the entire spirit and enthusiasm of the masses. This is not a thing for which we have been fighting. Sir, obstructive tactics we have known, but fifth column tactics came as a surprise to me. I will prove to the hilt that if this amendment is passed, it will be a beautiful tool in the hands of the lawyers, those ingenious variety of human beings to which I have the honour to belong (laughter). Our duty is to find loopholes and give pin-pricks to the administration of law. We never allow an accused to be found guilty and we always find some law to get him acquitted. The present

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amendment would be acting as a wedge in the concrete structure of Mr. Kala Venkata Rao's Bill. I will read the amendment, Sir. It says:—

“(v) any such transaction in respect of any forest or private land entered into before the respective dates specified in clause (iii), in favour of an assignee or alienee in good faith and for valuable consideration.”

God alone knows what is good faith and what is valuable consideration. They are as elusive as the yonder horizon and the famous golden deer of the Ramayana. Mr. Vaidyanatha Ayyar says that the Hon. the Revenue Minister has given four provisos and that he was himself adding only one more and that his amendment was not a new one. What are the provisos which the Hon. the Revenue Minister has inserted? They are specific and concrete which everybody can understand. But what is Mr. Vaidyanatha Ayyar's amendment? He says: ‘anything done in good faith and anything done for valuable consideration’ should be exempted. At that rate, Sir, anything done by a human being can be exempted. There are lawyers and I warn the entire House that every bit of land will be covered by this exemption. Eminent lawyers like Venkatarama Sastri, Munshi and Mr. Alladi Krishnaswami Ayyar will be able to find many loopholes. I warn the House.”

MAHBOOB ALI BAIG SAHIB BAHADUR:—“On a point of order, Mr. Speaker, is it permissible for a member of this House to attack persons who do not belong to this House and accuse them?”

MR. SPEAKER:—“The hon. Member is not accusing them; he is speaking highly of them.”

SRI T. S. PATTABHIRAMAN:—“My intention is to pay the greatest tribute to the gentry. I do not mean to insult my fellow workers. I would only be degrading myself then. In this case what does Mr. Vaidyanatha Ayyar want? He wants to take away entirely the power of this House to decide what is and what is not a valid assignment and leave it to be decided by a court of law, by the Sub-Judges and the District Judges. The subordinates of the executive have to decide these matters. I request the hon. the Revenue Minister to tell me who will decide what is good faith and what is valuable consideration. Is it to be decided by the Sub-Judges and the District Judges? I put a pertinent question to this House: Is this House going to surrender its power and leave this matter to the Sub-Judges and District Judges? Certainly not. We shall decide what assignments should be valid and what not. Let us not surrender our powers to the District Judges and the Sub-Judges and District Munsifs. In opposing this amendment, I have behind me though not certain members of the legislature, the popular wish and popular backing and the strength of the agitation that has been carried on for centuries in this matter. If you allow the amendment to be accepted you will

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be killing the Bill. I appeal to the House to reject the amendment entirely. Its acceptance would amount to committing suicide and surrendering our powers to the judiciary for which we have not made safeguards. I appeal to you all once again in the name of the oppressed zamindari peasants to come to their rescue and help them and not betray them at this critical juncture.”

(Mr. Vaidyanatha Ayyar rose to speak.)

MR. SPEAKER:—“The hon. Member cannot speak a second time.”

SRI K. T. KOSALRAM:—“Mr. Speaker, Sir, என்ன நண்பர் ஸ்ரீ பட்டாபிராமன் அவர்கள் ஒரு வழக்காளி, அறிவாளி. கனம் எ. வைத்தியநாதய்யர் கொண்டுவந்திருக்கும் திருத்த பிரேரேபணையால் என்ன செய்யமுடியும். ஒரு வகையில் அதை வைத்துக்கொண்டு வழக்காடலாம் என்பதைப்பற்றியும் இந்தமாதிரி திருத்தம் அவசியம் இல்லை என்பதைப்பற்றியும் தெளிவாக தெளிவாக இருக்கிறதென்றும் நான் சொல்லவே திருத்தம் அவ்வளவாக தெளிவாக இருக்கிறதென்றும் நான் சொல்லவே இல்லை. இந்த பிரச்சனை எல்லாம் இந்த ஜமீன்தார் மசோதா ஏற்பட்டவுடன் இந்த சபையிலிருந்து நான் ராஜினாமா செய்கிறேன். இந்த இனம்தாரியை அதில் சேர்க்கக்கூடாது என்றும் ஒரு சாரர் எதிர்த்தும் அதற்காக electionக்கு வந்து போட்டுக்கு வந்தாலும் நாங்கள் ஜெயிப்போம் என்றும் challenge செய்து வருகிறார்கள். அதற்காகவும் கனம் ஸ்ரீ ஆர். வி. சுவாமிநாதனும் அந்த challengeக்கு தாம் வருவதாகவும் தெரிவித்திருக்கிறார். இப்பொழுது இருக்கிற நிலைமை எப்படி இருக்கிறது என்றால் இந்த Retrospective effect கொடுப்பதை குழியைத் தோண்டி புதைப்பதாகிலிருந்து. ‘Private land entering.....satisfied in clause 3’ என்றிருக்கிறது. அதனால் இது 1947-ம் வருஷத்திற்குப் பின்னால்தான் செல்லும் என்றிருக்கிறது. இன்னும் 1939-ம் வருஷம் இது அமுலுக்கு வரும் என்னும் வார்த்தைகள் அடியோடு பாதிக்கப்பட்டுவிட்டது. Valuable consideration என்பதைப்பற்றி நண்பர் ஸ்ரீ பட்டாபிராமன் எடுத்துச் சொன்னார். நான் சொன்னேன் ஏற்கனவே திருநெல்வேலி ஜில்லாவில் ஒரு ஜமீன்தார் 20 லட்சம் ரூபாய் பெறுமானமுள்ள ஒரு காட்டை 3 லட்ச ரூபாய்க்கு விற்ப்பைக்கு வந்து. மந்திரி அவர்களுக்கு அதைத் தடுத்து உத்தரவு போட்டிருக்கிறார்கள். இந்த உத்தரவுகள் ரிவின்யூ போர்டில் முழுதெரிவிக்கிறது. ஆபீஸ்களில் இந்த ஜமீன்தார்கள் இந்த மாதிரி வேலை செய்கிறார்கள். அந்தந்த அதிகாரிகளைக் கையில் போட்டுக் கொள்ளுகிறார்கள். அவர்கள் கையிலுள்ள பணம் வேலைசெய்கிறது என்பதை கவனிக்கவேண்டும். இன்னும் கோர்ட்டுக்குப்போனால் ஜமீன்தார்களிடத்தில் பணம் இருக்கிறது. செல்வாக்கு இருக்கிறது. படித்தவர்கள் அவர்களிடம் இருக்கிறார்கள். வழக்கு அறிஞர்கள் இருக்கிறார்கள் ஆகையால் ஏழைகள் பாடு என்னவாகும். அரசாங்கம் நிலைமை என்னவாகும் என்பதை கேட்டுக்கொள்ளுகிறேன். இவ்விதமான amendment கொண்டுவந்தால் நாளுக்கு நாள் தேசம் முற்போக்கில் போகிறது என்பதை மறந்துவிட்டு பிற்போக்கில் தானிருக்கிறது என்பதைக் காட்டுகிறது. தேசம் இப்பொழுது முற்போக்கில் போகவேண்டுமென்றிருந்தால் இப்பேர்ப்பட்ட பிற்போக்கான திருத்தங்களை நிறைவேற்றமுமலிருக்க வேண்டுமென்று சொல்லிக் கொண்டு என்னுடைய சிறுநரையை முடித்துக்கொள்ளுகிறேன்.”

SRI M. KANNIAPPAN:—“கனம் தலைவரவர்களே, இன்றைய தினம் கனம் காளா வெங்கட்டராவ் அவர்கள் கொண்டுவந்திருக்கும் முக்கியமான பில்லைக் கொலை செய்யக்கூடிய முறையில் நம்முடைய கனம் எ. வைத்தியநாதய்யர் அவர்கள் ஒரு திருத்தத்தை பிரேரேபணைக்கு கொண்டுவந்தது எனக்கு ஒரு விதமான குழச்சியாகவே தோன்றுகிறது.

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MOHAMED ABDUL SALAM SAHIB BAHADUR:--“ On a point of information, Mr. Speaker. It was agreed that we sit only till 6 p.m. As it is now 6 p.m., let us adjourn.”

Sri ALLURI SATYANARAYANA RAJU :—“ గౌరవనీయులగు వ్యక్తులు, ఇంతవరకు మన రెవిన్యూ శాఖామాత్యులు గౌరవనీయులు 4 కళా వెంకటాచార్యులు తెచ్చినటువంటి బిల్లును అందరము హృదయపూర్వకముగా అభినందించి వరచియున్నారు. వారు ప్రతిపాదించవలచినటువంటి బిల్లు లిప్పిటిని మనమేకాక బృహ్మణుగా మనల నందరను ఎన్నుకొని ఈ శాసనసభకు పంపినటువంటి రైతాంగ తరము—జమీందారీ, ఇనాందారీ రైతాంగ మంతయుకూడా హృదయపూర్వకముగా అభినందించి బలపరచియున్నారు. ఈ బిల్లులు త్వరలో చట్టములుగునని వారు లా ఉత్సాహముతో వ్రన్నారు ఇట్టి పక్షానుష్ఠానా ల విప్లవాత్మకములైన సురక్షములను మంత్రిగారు ప్రతిపాదించవలసినదా జమీందారులు, ఈనాందారులు, వారి బంధువులు, లాయర్లు న్యాయశాస్త్రోపాధ్యక్షులు (legal pundits) ఇతర ప్రతికూల శక్తులు వివిధంగా విర్వడి వారిని ముందడుగువేయకుండాను, ఇంచేకాకుండా తిరోగమింపజేయుటకు చేయవలసిన బ్రహ్మప్రయత్నములు మనకందరకు తెలిసియున్నవిషయమే. సందర్భములో మంత్రిగారు ప్రజలకు ఇంకాకా ఇచ్చినటువంటి శాసనముల జ్ఞప్తియందుకొని ఈ బిల్లును వ్యాగు చేయించవలసినదిగా వారిని కోరుచున్నాను.

“శ్రీ వైద్యనాథయ్యగారు ప్రతిపాదించిన సవరణ, వారి ఉపన్యాసములు తియ్య తియ్యని మాటలతో కూడుకొనివున్నవయినను, వాస్తవముగా ఈ బిల్లుయొక్క ముఖ్య దృశ్యములే (Sibotagore) ధ్యోనము చేయుచున్నవని మనవిచేస్తున్నాను. కాబట్టి ఈ సవరణను మంత్రిగారు ఎట్టి పరిస్థితులలోనూ ఆమోదించవద్దని హెచ్చరించుచున్నాను. ఇదేవిధముగా మనల సందరను తమ క్రొత్తపురుషులగా ఎన్నుకొని ఈ శాసనసభకు కంపిస లక్షలాది రైతాంగము కోరుచున్నది. ఇట్టి సవరణను ఆమోదించినచో ఈ బిల్లు ద్వారా జమీన్ రైతులకు, ఈనాం రైతులకు ఇనవరలో మంత్రిగారు చేయదలచిన సౌకర్యము లన్నియు ఒక్కసారిగా తుడిచివేయబడును. ఇట్టి సవరణను ఆమోదించుటకు ఈ బిల్లుసంతయు త్రోసివేయబడును మంచిది. ప్రతిపక్షకర్తల వలలో చిక్కుకొని వారి తియ్య తియ్యని మాటలకు మోసపోయి పెడదారి త్రొక్కునదని మంత్రిగారిని హృదయ పూర్వకముగా కోరుచున్నాను. ఇట్టి సవరణను ఆమోదించరని, గౌరవనీయులు శ్రీ కళా వెంకట్రావుగారు రైతు శ్రేణులను ఆకాంక్షించువారను కీర్తికి భంగము కలిగించుకొనకుండురుగాక యని ఆసించుచున్నాను. వారు ప్రతిపాదించదలచిన బిల్లులు అనేక ప్రజానీకముయొక్క యోగక్షేమముల ఆసించునవైయున్నవి. కిటి నేనిధ ముగనెనను ధ్యోనముచేయుటకు జమీందారులు, ఈనాందారులు, వారి ఏజెంట్లు, (legal pundits) చాలా తీవ్రప్రయత్నము చేయుచున్న విషయము ప్రపంచమున కంతయు తెలిసినవిషయమే. ఇట్టి పరిస్థితులలో ధైర్యమువహించి అభివృద్ధి గోరధకుల మాటలకు లొంగిపోక విప్లవాత్మకమైన ఈ సంస్కరణను ముందుకు తీసుకొని పోవలసి నదిగా వారిని కోరుచున్నాను.

“ఇదివరలో జీసస్ క్రైస్తును crucify చేసినారని, పుస్తకములలో వదులుగా న్నాము. కాని ఈనాడు మనయొడుగు ప్రత్యక్షముగా తర్రుకండితులు, పెద్దపెద్ద న్యాయ శాస్త్ర విశారదులు, పెద్దపెద్ద లాయర్లు, జమీందారులు, ఈసాందారులు వారి విదెంట్లు ఇతర అధివృద్ధినిరోధకశక్తులు ఈ విశ్లవాత్మకమైన సంస్కరణను crucify చేస్తున్నారు. మంత్రిగారు వివిధముగను లాంగ్విపోనవనరములేదు. వారికి మా అండిరియొక్క రాష్ట్రములలో లక్షలాది రైతాంగముయొక్క సహాయమున్నది. వారు వివిధముగను ధైర్యమును వీడక ఈ ప్రతిభూల శక్తులను ఎదుర్కొనవలసినదిగా మరల మరల వారిని ప్రార్థించుచున్నాను. పరతరములుగా ఈ పెద్దపెద్ద జమీందారులయొక్క, ఈసాందారులయొక్క, భూస్వాములయొక్క ఇనుప సంకీర్ణలో నలిగిపోతున్న ఈ వీడ రైతాంగాన్ని రక్షించవలసినదిగా మనవి చేస్తున్నాను.

“నా సోదరులు శ్రీ భాష్యంగారు గౌరవనీయులు కళా వెంకట్రావుగారి బిల్లును communist లు బలపరచుచున్నారని, అందువలన కళా వెంకట్రావుగారికిని కమ్యూనిస్టులకును ఏదైనా సంబంధమున్నదా అనుకున్నా ఆన్నారు. అదేవిధముగా శ్రీ భాష్యంగారి భావములకును, జమీందార్ల భావములకును పోలికలున్నవి, గాన వారిలో ఏదో సంబంధ మున్నదనవచ్చునా? ఇట్టి విరుద్ధ వాదనలకు మంత్రిగారు లొంగరాదు. ఓక విప్లవాత్మకమైన వర్తమును చేయవలసిగా దానిని communist లు బలపరచుచున్నారా, లేక కార్మిగేనీవారు బలపరచుచున్నారా, లేక మరోవార్షివారు బలపరచుచున్నారా అని చూడక దానివలన ప్రజాభావములకును ఎంత ఊకారము జరుగునను విషయమునుమాత్రమే మనస్సునందుంచుకొనవలయును అని మనవిచేస్తున్నాను. కాబట్టి ఈ తర్కశాస్త్రజ్ఞుల, న్యాయశాస్త్రజ్ఞుల విమల తియ్యతియ్యని చూటలకు మోసపోక మొదట, పరిపాదించిన విధముగానే బిల్లును ఆమోదించి శ్రీ వైద్యనాథయ్యగారు

[Sri Alluri Satyanarayana Raju] [18th October 1947]

గారి సవరణను త్రోసివేయవలసివదిగా మంత్రిగారిని కోరుచున్నాను. ఆవిధముగా ఈ విషయాత్మకమైన బిల్లును ఆమోదించలేని కాంగ్రెస్ సభ్యులు దేశములోని అన్ని సంస్థలకన్న అధ్యురయసంస్థ అని, కాంగ్రెస్ రైతు ఊహాన్ని అకాంక్షించు సంస్థ అని నిరూపిచి కాంగ్రెస్ యొక్క, ఈ రాష్ట్ర కాంగ్రెస్ వాళ్ళియొక్క కీర్తిని నిలబెట్టుతానని, అభివృద్ధినిోదకకత్తులను ఖరీదుకుతో విడిచివలసివదని, కోట్లాది ప్రజలు మంత్రిగారి అంజనముకొరని చెప్పుచు శ్రీ మైత్రునాథయ్యగారి సవరణను ఖండించుచున్నాను. ”

SRI N. ANNAMALAI PILLAI :—“ கனம் அகராதிரிபதி அவர்களே, இன்றையதினம் கனம் எ. வைத்தியனாதய்யர் கொண்டுவந்திருக்கிற திருத்தத்தை ஆதரித்து சில வார்த்தைகள் சொல்ல விரும்புகிறேன். சபையிலுள்ளவர்கள் நிதானமாக ஒருவர் ஒருவர் புறமுதுகில் குத்தி சுட்டிக்காட்டிப் பேசுவது முறையல்ல. இப்பொழுது உள்ள நிலைமை எனக்கு ரொம்பவும் துக்ககரமாக இருக்கிறது. வருத்தத்தைத் தருகிறது. இந்த சபைக்கு ஜனங்களுடைய வேட்டுப்பெற்று வருத்தோம். எவ்வளவு என்றும், பணக்காரர் என்றும் எழும்மை அடிமை என்றுமில்லாமல் எல்லோரும் ஒன்று என்று சொன்னமாதிரி எதைக்குக்கும் பணக்காரர்களுக்கும் பிரதிநிதியாக இந்த சபைக்கு நாம் வருந்திருக்கிறோம். பிழங்குமாக எதைப்பற்றியும் பேசுவதற்கு எல்லோருக்கும் உரிமை உண்டு. அதனால் கனம் வைத்தியனாதய்யர் கொண்டுவந்திருக்கும் தீர்மானத்தைப் பற்றி ஆதரித்துப் பேசுகிறேன். 1939-ம் வருஷத்திலிருந்தே இப்பொழுது கொண்டுவந்திருக்கும் சட்டத்தை அமுலுக்குக் கொண்டுவரவேண்டுமென்று கனம் காளா வெங்கிட்டரால் இந்த தீர்மானத்தைத் திருத்திக்கொண்டு வருத்திக்கின்றார். நியாயமும் உண்மையானதும் எதுவோ அதை ஒப்புக் கொண்டுவருவோமென்றே அவர் கொண்டுவந்திருக்கிறார். இதற்குமுன் இருந்த சர்க்கார் பல சட்டத்தை ஏற்படுத்தி வந்தார்கள். அப்படிப்பட்ட சட்டத்தைக் கேட்டுக்கொண்டு இதுவரையில் நாம் சும்மா இருந்தோமா? சில சமயங்களில் சர்க்கார் Policyகளை எதிர்த்துப் போராடி சட்டத்தை முறியடித்து அதற்காக தண்டனைபடைந்திருக்கிறோம் என்பதை மறக்கக் கூடாது. இன்றையதினம் சட்டத்தை இப்பற்றிவிட்டு இதற்கு முண்டியே effect கொடுத்து விடலாம் என்று சொன்னால் அது எவ்வளவு பொறுத்தமானது என்று யோசிக்கவேண்டும். சட்டமென்பது சர்க்காருக்கும் ஜனங்களுக்கும் இருந்து வருகிறது. சர்க்காரின் பல சட்டத்திற்கு ஒத்துழைப்பதாய் ஒப்புக்கொண்டு வருந்திருக்கின்றோம். அதன்படி நடப்பதற்கு நமக்கு உரிமையும், திருத்தியமைப்பதற்கு உரிமை இருக்கிறது. Promissory என்று சட்டம் இருக்கிறது. அதை அனுசரித்து முன்னால் நிலங்களை இருக்கிறார்கள். அப்படி நியாயமாக வாங்கி இருந்தால் அதை பரிசீலனை செய்யவேண்டும். நாம் இப்பொழுது சட்டத்தை ஏற்படுத்தி இதற்கு முன்னால்தான் சரியான முறையில் நிலங்களை வாங்கிவைக்கிறோம் நாம் ஒப்புக் கொண்டோமென்றால் நாம் ஒரு கொள்ளைக்கூட்டத்தைச் சேர்ந்தவர்கள் என்றே ஜனங்கள் கருதுவார்கள். சட்டம் என்று பெயரால் நாம் ஒரு தேசத்தின் முன்னேற்றத்திற்காகவும் அபிவிருத்திக்காகவும் முன்னணியில் நின்று பல காரியங்களைச் செய்து வருகிறோம். நாம் நிதானமாய் நடந்து கொண்டாவேண்டும். அவசரப்பட்டு ஒரு சட்டத்தையும் நிறைவேற்றக் கூடாது. அதிலுள்ள சாதக பாதகங்களை எல்லாம் நன்றாக கேட்டுதான் நடக்க வேண்டும். கனம் எ. வைத்தியனாதய்யர் ஒரு அறிவாளி, அவர் ஒரு வழக்கு அறிஞர். அவர் சொல்வதெல்லாம் இந்த சட்டம் வந்தால் அதேகம் பொது ஸ்தாபனங்கள் அபிவிருத்திக்குமென்கிறார் தாம் ஸ்தாபனம்

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கனின் சொத்துக்கள்மீது சட்டம் கொண்டுவருவது ஆட்சேபிக்கக்கூடியது தான். அவர் கொண்டுவந்த ஆட்சேபனை நிறைவேற்றும் போனதால் அவர் ராஜினாமா செய்தார். அதனால் நாட்டில் இப்பொழுது என்ன ஏற்பட்டிருக்கிறது என்பதை உணராமல் நான் பேசுதயாராக இல்லை. நாம் இப்பொழுது இருக்கும் நிலைமையை மறந்து தாறுமாறாகப் போகக் கூடாது. 1939-ம் வருஷம் முதற்கொண்டு என்று சட்டத்தை ஏற்படுத்தி விட்டால் முந்தி ஏற்பட்ட சட்டத்தை நம்பி இருக்கிறவர்களுக்கு நாம் பாதகம் செய்வதாகும். நாம் இந்த மாதிரி முன்னால் இருந்த சட்டத்தை பின்னால் வரும் சட்டத்தால் பாதகம் ஏற்படும்படி செய்தால் அது நமக்கு பெரிய அபக்யாதியாகும். நாம் நிதானத்துடன் நடக்கவேண்டும் என்று கேட்டுக் கொள்ளுகிறேன். நாம் செய்யும் சட்டத்தை பின்னால் ஆளவிரும்புவர்கள் ரத்து செய்ய இடம் ஏற்படும் என்று தெரிவித்துக்கொள்ளுகிறேன். இந்த சட்டத்திற்கு 1939-ம் வருஷத்திலிருந்து effect கொடுத்தால் அது நியாயமாகாது என்று தெரிவிக்கிறேன்.”

SRI K. T. KOSALRAM :—"Point of order. கொள்ளைக் கூட்டத்தார் என்று சொன்னார்கள். கொள்ளைக்கூட்டத்தார் என்று இந்த சட்ட சபை அங்கத்தினர்களை சொல்லலாமா, அது **Parliamentary**யா?"

MR. SPEAKER:—“அவர் சொன்னதை நீங்கள் கேட்கவில்லை. பணம் சரியாக கொடுத்து வாங்கியவர்களுக்கு பாதகம் செய்தால் அவர்கள் நம்மை கொள்ளைக்கூட்டத்தார்கள் என்றுதான் சொல்வார்களென்று அவர் சொன்னார். அவர் சட்ட சபை அங்கத்தினர்களை குறிப்பிட்டுச் சொல்ல வில்லை.”

SRI K. BHASHYAM:—“ I would like to say only a few words. I should like to ask my hon. Friends here as to what they are speaking and whether they understand the implications of the amendment that has been moved. In trying to hit a few zamindars, are you not hitting a large number of ryots and poor people who have taken lands on lease from the zamindars for the purpose of cultivation or for building houses thereon? That is the point which I want every member to understand. Lawyer or no lawyer is not the question. My young lawyer-friend is not yet experienced; he is a fifth columnist so far as lawyers are concerned. I want you to realize whom you are really saying and whom you are really hitting. In trying to hit a few zamindars, you are hitting really a large body of persons who, at a time when the assignments were perfectly valid, have paid consideration and taken land for cultivation and other purposes. Are these people to go away without any title? Are they to be sent out of cultivation which they have been carrying on for a long time, having spent Rs. 2,000 to Rs. 4,000 per acre? Are my friends, who are shedding tears for the poor ryots, really thinking of the ryots' welfare or are they having a vague idea that they must hit the zamindars who are tyrannizing the ryots? I want that to be perfectly understood. Let us take a census of the number of persons who are going to be affected by this legislation. It is only a few zamindars or is it a large number of tenants who have been cultivating the lands taken from zamindars under various terms and conditions? In recent years, under the Grow More Food Campaign, a number of people have taken forest and other lands for the purpose of cultivation. Even poor people have taken though only a few acres. I want my friends, who are really

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anxious and very enthusiastic about the welfare of the poor people, to realize what they are doing. It is no use quarrelling with each other and calling names. If a lawyer follows the profession of law, the other gentleman is an empty politician. I say these few words so that my young friends may realise what they are voting for in respect of this matter."

MR. SPEAKER:—"Mr. Mahboob Ali Baig has given notice of an amendment to delete the words 'and for valuable consideration' occurring in Sri A. Vaidyanatha Ayyar's amendment. As Mr. Vaidyanatha Ayyar's amendment has been circulated only at 5 o'clock, I have waived notice and allowed Mr. Mahboob Ali Baig to move his amendment. After discussion, I will first put that amendment to the vote of the House and then the original amendment."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, I move that the last four words, namely 'and for valuable consideration' in the amendment given notice of by Mr. A. Vaidyanatha Ayyar be omitted."

"Most of the cases I am contemplating under my amendment are really very extreme cases and such cases occur only very rarely. If we recognize that a person who is the owner of certain properties has got the right to alienate such properties, either to sell them for valuable consideration or otherwise dispose of them as he likes, then naturally if he wants, he can make a gift of the same, also in good faith. Suppose a person wants to make a gift of his property to someone out of love and not with a view to screen it away from the operation of the Act or from his creditors, then in those circumstances such transactions must be deemed *bona fide* transactions, that is, transactions made in good faith. My reason for moving my amendment is this. I want people to realise, and particularly members of this House, which is a Legislative Assembly, to realize that the whole basis and foundation of our society rests upon respect for law and property and the people constituting that society must recognize each others right. Suppose under certain circumstances a certain citizen who has got a right to dispose of his property in the manner that the law allows him, wants to sell away his property or to make a gift if it, not with a view to defraud the creditors or to circumvent any provision of the law, then it should be recognized that such a transaction is a transaction made in good faith, and it need not necessarily be for valuable consideration, because he is making the gift to a person whom he wants out of free will and out of pure love."

"Sir, as I said before, if the hon. Revenue Minister's charge against the zamindars is that they have alienated certain properties in which they have no right to alienate, then he has made a provision in the proposed new Bill for a tribunal to decide whether that property is his private property or not and whether the zamindar has a right to dispose it of in any manner he likes. Sir, it is the inherent right of a citizen or a person who owns property to dispose

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it of as he pleases and as the law allows him. It may be for consideration or it may be a gratuitous transaction. It may be a transfer by gift or a transfer for consideration of a mortgage or any other thing. Therefore the test is this. So long as our society is based on law and a respect for law, so long must we recognize the right of a person to his property arising out of the law and therefore it necessarily follows that if a person has got a right to dispose of his property in any manner that the law allows him, any transaction, whether it is a gift or a gratuitous transfer, must be treated as *bona fide* transaction within the meaning of the law, so long as it is made in good faith."

"Now, Sir, the words 'in good faith' are there. This will invalidate any transactions which are not made in good faith, as for instance transactions which apparently look like gifts, but which are not really gifts and are not meant to be such, but fraudulent transactions in the name of gifts. Such transactions are obviously *mala fide* and are not made in good faith and they should be declared null and void. That is the correct position of law and it is upon such law, as I said, that our society rests. So when the words 'in good faith' are there, and when the property has been transacted by a person who has a right to dispose it of in any manner that the law allows him, there is no reason why we must declare such a transaction made in good faith null and void, although without consideration. That is the purpose of my amendment, Sir. I therefore submit, Sir, that all persons who fear for the solidarity of the society and who have any respect for law and property and who recognize the right of a person to conduct himself in the way that the law allows him, such persons must support this amendment."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"I second the amendment, Sir."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Sir, in a House where confusion is getting worse confounded, I shall not say many words in support of my hon. Friend Mr. Mahboob Ali Baig's amendment which is an amendment to Mr. Vaidyanatha Ayyar's amendment, which in turn, Sir, is an amendment to the amendment of the Hon. the Revenue Minister." (Laughter.)

SRI R. V. SWAMINATHAN:—"Mr. Speaker, Sir, before I say a few words on this amendment, I want to know from the Hon. the Revenue Minister what is the view of the Government regarding Mr. Vaidyanatha Ayyar's amendment."

THE HON. SRI KALA VENKATA RAO:—"I fear, Sir, that a mere statement will not be helpful at this stage of the debate. After the House discusses the amendments and when I reply at the end, I shall be able to explain my reasons in full."

MR. SPEAKER:—"What the hon. Mr. R. V. Swaminathan wants to know is whether the Government are going to accept

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Mr. Vaidyanatha Ayyar's amendment or not. If the Hon. Minister says that he is accepting his amendment, then many hon. Members need not speak and the time of the House will be saved."

THE HON. SRI KALA VENKATA RAO:—"I wish to state, Sir, that the Government are prepared to accept the amendment of Mr. Vaidyanatha Ayyar and I shall presently give my reasons for the same. My reasons for accepting the amendment are . . ."

MR. SPEAKER:—"That is enough. He need not explain his reasons now. Let the Hon. the Minister for Revenue give his reasons at the end, when he replies."

SRI R. V. SWAMINATHAN:—"Sir, I want to point out very important thing in regard to these amendments. There is one amendment from the Government; there is another amendment by the hon. Mr. Vaidyanatha Ayyar to the Government's amendment. There is also another amendment by my hon. Friend Mr. Mahboob Ali Baig to the amendment of Mr. Vaidyanatha Ayyar. And above all, there are also certain amendments to the Bill by my friend Mr. Venkateswarlu. If there are such lots of amendments, it is very confusing and makes very difficult to understand, Sir."

MR. SPEAKER:—"If there is a number of amendments, there is bound to be confusion."

SRI K. VARADACHARI:—"Is it not an insult to our intelligence, Sir, to say that we are confused?"

SRI R. V. SWAMINATHAN:—"Sir, when this Bill was discussed in the Select Committee, of which I was also a member, and when this clause came up for consideration and the amendment was put to vote, although I gave my support to the original clause . . ."

MR. SPEAKER:—"The hon. Member should know that the rule is that what has taken place in the Select Committee should not be revealed to the House."

SRI R. V. SWAMINATHAN:—"Sir, although I gave my support to the original clause 4, it was defeated. The Hon. Revenue Minister has perhaps taken it to heart and that is why he has brought forward this amendment before the House."

M. S. ABDUL MAJID SAHIB BAHADUR:—"Sir, can an hon. Member of the Select Committee reveal on the floor of the House what has taken place in the Select Committee?"

MR. SPEAKER:—"Certainly not; that is why I am asking the hon. Member not to do so."

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SRI R. V. SWAMINATHAN:—"Sir, now the Hon. Revenue Minister says that he is going to accept the amendment of Mr. Vaidyanatha Ayyar. Being a member of the Government's party, I cannot but support his amendment, because it has been accepted by the Government. But anyhow, Sir, I want to know what is the need for the Hon. the Minister for Revenue to accept Mr. Vaidyanatha Ayyar's amendment. He can as well give up his amendment and bring in the Bill which has been passed by the Select Committee, as the acceptance of Mr. Vaidyanatha Ayyar's amendment would torpedo the whole purpose of his amendment. I would however suggest, Sir, that it is better not to accept Mr. Vaidyanatha Ayyar's amendment. Otherwise it is better not to move his own amendment but retain it as passed at the Select Committee, but bring in the original Bill."

SRI PILLALAMARRI VENKATESWARLU:—"Mr. Speaker, Sir, I rise to oppose the amendment of Mr. A. Vaidyanatha Ayyar as well as the amendment of Mr. Mahboob Ali Baig. My reason for doing so is this. If these amendments are accepted, the effect of the whole Bill will be nullified. These amendments are meant to torpedo the Bill altogether. Sir, I am sorry to hear from the Hon. the Revenue Minister that he is going to accept the amendment of Mr. Vaidyanatha Ayyar for his so-called valuable reasons. His valuable reasons may be interpreted in so many ways. Anything may be valuable for one party, but it is the other party that is going to lose everything and the whole effect of the Bill is going to be torpedoed by the acceptance of the amendment of Mr. Vaidyanatha Ayyar, as my hon. Friend Mr. Swaminathan has put it."

SRI R. RAGHAVA MENON:—"On a point of order, Mr. Speaker, just now the Hon. Minister for Revenue said that he is going to accept the amendment of Mr. Vaidyanatha Ayyar. Then there is no point in hon. Members of the House opposing that amendment."

MR. SPEAKER:—"Every hon. Member has liberty to oppose any amendment."

SRI PILLALAMARRI VENKATESWARLU:—"I am sorry, Sir, such points of order are being raised only to interrupt my speech. In spite of the fact that the Hon. the Minister for Revenue is prepared to accept Mr. Vaidyanatha Ayyar's amendment for his valuable reasons, I find no valid reason for doing so and his valuable reasons are only going against the interests of the tenants."

"Sir, I want to stress only one other point. My hon. Friend, Mr. Bhashyam, who is a learned advocate, has given us his very sound advice to look into the amendment carefully. I am only sorry that he has got such a low opinion of the members of this House. Let me assure him that in spite of the fact that we are

[Sri Pillalamarri Venkateswarlu] [18th October 1947]

not lawyers and in spite of the fact that we have no legal experience or legal knowledge, we can understand the intricacies of these things better and we are not going to be fooled by lawyers any more. Those days, when lawyers were befooling the people are gone.

"With these words, Sir, and realizing the full implications of these amendments we are opposing them. What is the use of passing this Bill with all these amendments? The whole effect of the Bill will be torpedoed by these amendments. It is better to drop the Bill altogether than accept these amendments."

(The Hon. Sri Kala Venkata rose to reply.)

MR. SPEAKER:—"I hope the Hon. Minister will reply not only for his amendment, but also for the other amendments moved by hon. Members."

6-30 p.m. THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I am very much moved by the heat that has been generated during the present discussion in the House. The hon. Members have gone to extreme length not only in pressing their points of view but also in criticizing. I would like to state at once that this is not a positive Bill; it is a negative Bill. First, we should realize that; further, it is temporary Bill. It does not create anything positively; it only seeks to prevent certain things and therefore the heat that has been brought forth by certain of my hon. Friends was really unnecessary. If it were the main Bill, if it were doing anything positive, such as the reduction of rent or the abolition of the zamindari, I can understand the feelings exhibited by my hon. Friends. Secondly, I would like to tell this Honourable House that I am not a man either to yield to pressure or to surrender the cause for which I have stood so steadily not only during the last six months I have been a Minister, but for a much longer time, nearly 26 or 27 years. I can say this much; if my mind or heart had told me that by accepting Mr. Vaidyanathier's amendment. I am going to surrender the cause even to a small extent, I would have been the last man to accept this amendment. I am perfectly certain that by accepting this amendment, no more harm has been done to this clause than has been done by the amendment I have had the honour to move to-day. I have told you from the beginning the retrospective effect that I wanted is only negative in aspect that is preventing something *mala fide*. I would request my friends to read the amendment of Mr. Vaidyanatha Ayyar carefully. Of course, all the amendments that have been moved, including that of Mr. Vaidyanatha Ayyar, are limiting the scope of the section as it stood; but from the very beginning I have been saying that a certain limitation will certainly be placed before the Bill became law. I would also invite the attention of hon. Members to a simple expression in his amendment, viz., 'in good faith and for valuable consideration'. It is not 'or' but 'and'. Of course my Friend, Mr. Baig, wants to water it down by removing the words 'and

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for valuable consideration' and he wants to bring in the question of gift, gratuitous assignment and the rest. The whole difficulty is this: under cover of all these things, something good or bad was done and if we now accept the amendment of Mr. Baig, I am afraid the Bill is completely sabotaged and torpedoed. If that were the position, I would not have accepted the amendment of Mr. Vaidyanatha Ayyar. Now take all the clauses of which I have given notice and read them with Mr. Vaidyanatha Ayyar's amendment. I accept it is a limitation of section 4 as it was originally published; but certainly it is a terrible improvement upon the amendment made by the Select Committee. It is only in their over-enthusiasm that my friends have been advising me either to accept the Select Committee proposal and drop away all the amendments altogether or stand by the original clause 4. But what is sought to be done by all the amendments is to strike a golden mean between both, i.e., of not dropping out the clause and of not accepting the amendments which will go against the spirit with which I wanted this Bill to be got through. My whole purpose here is to prevent something *mala fide* being done, but if there is still something *mala fide* I may give a tip to my hon. Friends; the proper time for removing it will be when we take up the Bill for the abolition of zamindaris. There are certain clauses where, if the zamindar has done anything wrong, he can be caught and penalized, both in respect of arriving at compensation and with reference to the *mala fide* acts. That is the time when much thought will have to be exercised to detect such cases. Till then, this being only a negative Bill and not a positive Bill, nothing is lost by our acceptance of the amendment or the clauses, though they may limit the scope of section 4. This explanation I wanted to give to my friends, and I hope they will be satisfied. One assurance also I will give, at the cost of my ministership—it is nothing to me—I am prepared to go out this moment, provided what I do or what I am made to do either by the Cabinet or by this House goes against my conscience or more than that, against the interests of a single tenant in the zamindaris. I am sure my friends do know and appreciate the way in which things have to run; you have to administer a province; you have to bring in reform of a nature that will help a man out of his present depressed economic condition and yet it should be a reform which will not upset the order of society. My Friend, Mr. Nambiyar, is prepared to upset the order of society, if necessary and bring in the reform. But my great teacher has taught me that I may even bring in a revolutionary reform; I am prepared to do that, but not a reform which will upset the order of society in this country. The people and the electorate have not returned me to this House on that ticket. Therefore I am prepared for a peaceful revolution, a revolution that will really help the poor people in the country and not a revolution that will upset the social order in the country. I am still confident—and I give this assurance to my hon. Friends—that by the acceptance of this

[Sri Kala Venkata Rao] [18th October 1947]

amendment, nothing more is whittled down than by my own amendment itself, if at all it can be called whittling down. It is only a negative act and it does not affect our progressive reform with regard to the abolition of the zamindaris for which I seek your support and for which I am here to-day. Let us therefore adopt this amendment unanimously and see that all *mala fide* transactions by zamindars made with a view to circumvent the coming legislation, viz., the abolition of zamindaris, are set aside. I am certain that with the help of this Bill we will be able to achieve that object and therefore I once again appeal to this House to accept the amendment."

MR. SPEAKER:—"The following procedure I am going to adopt for putting the amendments before the House: first I will put the amendment of Mr. Baig; then the amendment of Mr. Vaidyanatha Ayyar, and then I shall put the amendment of the Hon. Revenue Minister to the vote."

"I want to know from Mr. Baig whether he is withdrawing his amendment or pressing it."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I have also got a conscience, Sir."

MR. SPEAKER:—"Then I shall put the amendment of Mr. Baig to the vote, viz., that the words 'and for valuable consideration' at the end of Mr. Vaidyanatha Ayyar's amendment be deleted."

The amendment was put and lost.

MR. SPEAKER:—"I shall now put the amendment of Mr. Vaidyanatha Ayyar to the vote."

The amendment was put and carried.

SRI K. ANANDAN NAMBIYAR:—"I want a poll, because it takes away the whole spirit of the Bill."

SRI K. BHASHYAM:—"Sir, the vote is so clear that I do not think there can be any doubt left in the mind of the Hon. Speaker. It will be an abuse of power if any member demands a poll."

MR. SPEAKER:—"Hon. Members should understand that there is no point in demanding a poll; from the voices raised, it is clear to me that the 'ayes' have won. The amendment is therefore carried."

"I shall now put the amendment of the Hon. Kala Venkata Rao to the vote, as amended by the amendment of Mr. Vaidyanatha Ayyar."

The amendment of the Hon. Sri Kala Venkata Rao as amended by that of Mr. Vaidyanatha Ayyar was put and carried.

Clause 4 as amended was then put and passed.

Clause 5.

Clause 5 was put and carried.

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Clause 6.

Clause 6 was put and carried.

Clause 7.

Clause 7 was put and carried.

Clause 8.

Clause 8 was put and carried.

Clause 9.

Clause 9 was put and carried.

Clause 1.

Clause 1 was put and carried.

Preamble.

The Preamble was put and carried.

THE HON. SRI KALA VENKATA RAO:—"I move, Sir, that—

'the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947 (L.A. Bill No. 26 of 1947) be passed into law'.

In doing so, I wish to thank the Members of the House for having facilitated the passing of this Bill; I would particularly thank the Hon. Speaker for having facilitated its being passed to-day. Really, I thought it would not have been possible for me to finish this Bill to-day; but the circumstances were explained to the Hon. Leader of the Opposition and the Leader of the Independent Group and other friends, they have all co-operated in seeing that the Bill is passed to-day. I now realise, Sir, how difficult it is to proceed with progressive legislation (laughter). I thought ideas in this country have so far progressed as to facilitate progressive legislation running like a hare; but I find there are some restrictions to the speed with which such kind of legislation has to run in the future; and I take this lesson in piloting my two other Bills. I shall take care to see that the Bills will be sufficiently discussed. I also thank the members for having responded to my appeal on this occasion. I once more thank all the Members for having facilitated the passage of this Bill."

MR. SPEAKER:—"The motion before the House is that 'The Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947 (L.A. Bill No. 26 of 1947) be passed into law.'"

The motion was put and carried.

The House then adjourned to meet again at 11 a.m. on the 29th October 1947.

[18th October 1947]

APPENDIX I.

[Vide answer to starred question No. 294 asked by Sri K. Veeranna Padal at the meeting of the Legislative Assembly held on the 18th October 1947, page 32 infra.]

1 Paderu Anti-malaria Unit (Vizagapatam Agency):—

Coolies	..	..	..	39
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2 Araku Valley Scheme (Vizagapatam Agency):—

Maistri	..	..	..	1
Coolies	..	..	..	69

3 Krishnadevipeta and Chintapalle Anti-malaria Schemes (Vizagapatam Agency):—

Health Inspector	..	..	..	1
Laboratory Assistant	..	..	..	1
Maistris	..	..	..	5
Coolies	..	..	..	60
Watchman	..	..	..	1

4 Ramapadasagar Irrigation Scheme:—

Peons	..	..	..	2
Coolies..	..	..	..	4

5 Nugur Anti-malaria Unit (East Godavari Agency):—

Clerk	..	..	..	1
Maistri	..	..	..	1
Peons	..	..	..	4

Machkand Hydro-Electric Scheme (Vizagapatam Agency):—

Peons	..	..	..	2
Coolies	..	..	..	12
Scavenger	..	..	..	1

15

—

18th October 1947]

APPENDIX II.

[Vide item III at page 1084 supra.]

(Note.—The changes made by the Select Committee are shown in clarendon type and the portions omitted are shown by dots.)

ANNEXURE.

L.A. BILL No. 26 OF 1947.

A Bill to prohibit the alienation of communal, forest and private lands in estates in the Province of Madras.

WHEREAS it is necessary to prevent the indiscriminate alienation of communal, forest and private lands in estates in the Province of Madras pending the enactment of legislation for acquiring the interests of landholders in such estates and introducing the ryotwari settlement therein; It is hereby enacted as follows:—

1. (1) This Act may be called the Madras Estates Short title, extent and commencement.
Communal, Forest and Private Lands (Prohibition of Alienation) Act, 1947.

(2) It extends to all estates in the Province of Madras governed by the Madras Estates Land Act, 1908.

(3) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the Definitions, subject or context—

(a) "estate", "landholder", "private land" and "ryoti land" shall have the same respective meanings as in the Madras Estates Land Act, 1908, and "communal land" means any land of the description mentioned in section 3, clause (16), sub-clause (a) or sub-clause (b), of that Act;

(b) "forest land" includes any waste land containing trees and shrubs, pasture land, and any other class of land declared by the Provincial Government to be forest land by notification in the *Fort St. George Gazette*;

(c) "impartible estate" means any estate included in the Schedule to the Madras Impartible Estates Act, 1904, or subsequently declared to be an impartible estate within the meaning of that Act, by an Act of the Legislature.

3. (1) Notwithstanding anything contained in any other law for the time being in force, no landholder shall sell, mortgage, convert into ryoti land, lease, or otherwise assign or alienate—

(a) any communal or forest land in his estate without the previous sanction of the District Collector, on or after the date on which the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Ordinance, 1947, came into force, namely, the 27th day of June 1947, or

(b) any private land in an impartible estate notified by the Provincial Government in the *Fort St. George Gazette*, in pursuance of this clause or the corresponding clause in the

Madras Act
I of 1908.Madras Act
I of 1908.Madras Act
II of 1904.Madras
Ordinance
II of 1947.Prohibition
of the
alienation of
communal,
forest and
private lands
in estates.

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Ordinance aforesaid, on or after the date on which the estate was so notified :

Provided that private land in an impartible estate so notified may be leased for a period not exceeding two years.

(2) Any landholder who has contravened or contravenes the provisions of sub-section (1) and any agent of the landholder who has abetted or abets such contravention shall be punishable with imprisonment which may extend to two years, or with fine which may extend to five thousand rupees, or with both.

Transactions of the nature specified in section 3 to be void. 4. Any transaction of the nature prohibited by section 3 shall be void and inoperative and shall not confer or take away, or be deemed to have conferred or taken away, any right whatever on or from any party to the transaction.

Power to enhance jurisdiction of First-class Magistrates to impose fines. 5. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any magistrate of the first class specially empowered by the Provincial Government in this behalf to impose a sentence of fine exceeding one thousand rupees for any offence under section 3

District Collector to sanction prosecutions. 6. No prosecution shall be instituted under this Act against any person without the previous sanction of the District Collector.

Bar of jurisdiction. 7. No notification or order of the Provincial Government or of the District Collector under this Act shall be liable to be questioned in any Court of Law.

Repeal and savings. 8. The Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Ordinance, 1947, is hereby repealed : Madras Ordinance II of 1947.

Provided that all notifications and orders issued under the said Ordinance and in force immediately before the commencement of this Act shall continue to be in force and be deemed to have been issued, and shall have effect as if they had been issued, under this Act :

Provided further that the repeal of the said Ordinance shall not affect any penalty or punishment incurred in respect of any offence committed against it or any investigation, legal proceeding or remedy in respect of any such penalty or punishment ; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty or punishment may be imposed as if the said Ordinance had not been repealed.

Power to remove difficulties. 9. If any difficulty arises in giving effect to the provisions of this Act, the Provincial Government may, as occasion may arise, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

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