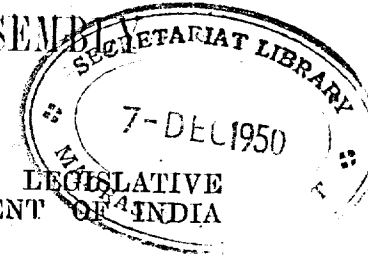


2025

MADRAS LEGISLATIVE ASSEMBLY DEBATES



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

10th, 11th, 13th to 18th and 20th to 23rd September 1948.

Volume XV (Nos. 1 to 12).

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THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 10th September 1948.

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

Non-gazetted officers' strike.

* 236 Q.—SRI R. V. SWAMINATHAN: Will the Hon. the Premier be pleased to state—

(a) the total number of Government servants who have been punished by the Government for having participated in the recent non-gazetted officers' strike in the Province; and

(b) the period during which they struck work and the nature of the punishment given to them?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—“(a) & (b) The total number of non-gazetted officers who have been punished or against whom punishment is being contemplated is 74. Most of the persons struck work for the entire period of the strike, viz., 15th to 21st December 1947. A few joined duty before the strike was called off. The nature of punishment awarded is described in Press Note No. 1 issued by the Government on 3rd January 1948 of which copies were laid on the table of the House on 18th February 1948 in answer to Legislative Assembly Question No. 1. This Press Note should be read with Press Note No. 83a, dated 31st March 1948 of which copies are now placed on the table of the House.”

SRI R. V. SWAMINATHAN:—“May I know whether this number of 74 includes acting hands also who are working in the Department?”

THE HON. SRI B. GOPALA REDDI:—“Yes.”

SRI R. V. SWAMINATHAN:—“Sir, may I know from the Hon. Minister whether it is a fact that some of the acting hands were discharged irrespective of their past service rendered to the Government who had served in the war and some were also I.N.A. men?”

THE HON. SRI B. GOPALA REDDI:—“I do not think there were any I.N.A. men who were involved in the strike. A number of ex-servicemen were involved but I do not know the number. The position is made quite clear in the answer.”

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SRI R. V. SWAMINATHAN:—"May I know whether the Government are aware of the fact that some of the Police Sub-Inspectors while undergoing training in Vellore Police School were discharged before completing their training for participating in the strike?"

THE HON. SRI B. GOPALA REDDI:—"They were temporary hands. The instruction is that they should be suitably dealt with."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is it not a point to be considered, Sir, that only 74 could have been chosen for punishment when thousands and thousands have taken part in the strike?"

THE HON. SRI B. GOPALA REDDI:—"The strikers were classified into four categories:—

- (1) The general mass of the non-gazetted officers who chose to join the strike;
- (2) the Tahsildars, deputy tahsildars and sub-magistrates among the non-gazetted officers who deserted their important posts and struck work;
- (3) Those who are proved to be guilty of acts of intimidation against those who did not join the strike; and
- (4) those who defied and incited defiance of orders, issued under section 144, Criminal Procedure Code."

SRI S. NAGAPPA:—"May I know, Sir, whether the services of the temporary hands who were loyal to the Government were dispensed with after the period of the strike?"

THE HON. SRI B. GOPALA REDDI:—"I do not think, Sir."

SRI R. V. SWAMINATHAN:—"May I know, Sir, whether some of the discharged people have been later recruited as Sub-Inspectors and are now undergoing training?"

THE HON. SRI B. GOPALA REDDI:—"The matter was enquired into and nothing incriminating against them was found and so they have been entertained."

SRI V. RAGHAVAYYA:—"What is the fault for which the Government are still trying and contemplating punishment against some of the people particularly when the strike took place long long ago? Is it not something like dogs barking long after the thief has left?"

THE HON. SRI B. GOPALA REDDI:—"Some of them actually defied section 144 and some of them intimidated. Those cases cannot be leniently dealt with."

SRI S. NAGAPPA:—"If the cases of some of the people who were ousted are specifically brought to the notice of the Government will they be considered favourably?"

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THE HON. SRI B. GOPALA REDDI:—"If such cases are brought to our notice we will certainly consider them."

SRI K. LINGA RAJU:—"May I know whether any of the grievances of the non-gazetted officers have been redressed and, if so, what they are?"

THE HON. SRI B. GOPALA REDDI:—"House-rent allowance and some other allowance have been granted."

SRI K. BOKKAI GOWDER:—"May I know, Sir, whether any action has been taken against Gazetted Officers who might have induced the non-gazetted officers to strike work?"

THE HON. SRI B. GOPALA REDDI:—"There is no such case."

SRI T. VISWANATHAM:—"May I know the number of persons the Government think should be punished because they have intimidated as against the total number who were punished by them?"

THE HON. SRI B. GOPALA REDDI:—"Those under category (1) were 26,207, (2) 60, (3) 9 and (4) 5."

SRI P. KANDASWAMI PILLAI:—"May I know whether there was any Gazetted Officer involved in the strike by way of offering inducement to non-gazetted officers to strike work?"

THE HON. SRI B. GOPALA REDDI:—"I would like to have separate notice to this question because as far as I can see there is nobody."

SRI R. V. SWAMINATHAN:—"May I know, Sir, if the Government have recruited the discharged non-gazetted officers as Police Sub-Inspectors they would consider the desirability of considering the question of taking back the Sub-Inspectors who were discharged while undergoing training?"

THE HON. SRI B. GOPALA REDDI:—"I do not know how many of them are involved. The hon. Member might be aware of that number."

SRI R. V. SWAMINATHAN:—"Only two if I am correct?"

THE HON. SRI B. GOPALA REDDI:—"We shall consider their case if they send up their applications to the Government."

DR. S. SUBRAHMANYA AYYAR:—"In view of the fact that the Association as such has given an undertaking of loyalty to the Government and most of them have been loyal will the Government think of remitting the punishment given to the 74 people?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir."

SRI R. V. SWAMINATHAN:—"What happened to the Press Communiqué issued that the Government would give one year's increment to the loyal non-gazetted officers?"

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THE HON. SRI B. GOPALA REDDI:—"The financial implications are being considered by the Finance Department just now."

DR. S. SUBRAMANIA AYYAR:—"If the Government have themselves considered some of the requests made by the non-Gazetted Officers' Association legitimate do not the Government think that there was some little cause for the strike and as such will the Government view the whole thing with sympathy?"

THE HON. SRI B. GOPALA REDDI:—"We have remitted the punishment of 26,000 people."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Do the Government know that the Government servants of our Province have not impaired the best traditions for loyalty and efficiency nowhere known in our country?"

THE HON. SRI B. GOPALA REDDI:—"We are thankful to those who have rendered efficient service from out of the non-gazetted services."

SRI V. I. MUNISWAMI PILLAY:—"Are the Government aware that some of the temporary hands that joined work and worked loyally for the Government had to go away from their service due to the harassment of the permanent staff after the strike?"

THE HON. SRI B. GOPALA REDDI:—"If any such harassment was there it could have been brought to the notice of the superior officers who would have looked into the matter."

SRI V. I. MUNISWAMI PILLAY:—"If it is brought to the notice of the Government, will the Government consider their case?"

THE HON. SRI B. GOPALA REDDI:—"Certainly those people who came to the rescue of the Government will be considered."

The Ramapadasagar Project.

* 237 Q.—SRI K. LINGA RAJU (on behalf of Sri A. Kaleswara Rao): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Hon. the Prime Minister of India during his recent visit to Madras discussed with the Madras Ministry about the construction of the Ramapadasagar Project;

(b) whether there are two canals, the right branch canal and the left branch canal, in that project;

(c) the districts which will be served and the number of acres which will be irrigated in each district by those two canals respectively;

(d) the extent of progress made in the work of each canal so far;

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(e) whether some persons in East Godavari district offered to start a cement factory with a view to supply cement to this project; and

(f) whether the Government have given the necessary permission?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) & (b) Yes.

" (c) Districtwar figures have not been computed but it is expected that the figures for each district may be as given below:—

Left Main Canal—

	ACRES.
(1) Vizagapatam	2,32,000
(2) East Godavari	5,44,000

Right Main Canal—

(3) West Godavari	4,15,600
(4) Krishna	84,400
(5) Guntur	4,20,000

The right main canal will also irrigate 7 lakhs of acres of new second crop in the existing delta in Krishna and Guntur districts.

An extension of about 3½ lakhs of acres of second crop in the existing Godavari delta in the East and West Godavari districts is also contemplated.

" (d) Investigation of the Left Main Canal has been completed and that of Right Main Canal has yet to be taken up.

" (e) No.

" (f) The question does not arise."

SRI S. NAGAPPA:—"May I know, Sir, whether the Madras Ministry discussed with the Prime Minister of India about any other project in addition to the Ramapadasagar project, if so, what is it?"

MR. SPEAKER:—"The hon. Member had better put a separate question."

SRI K. LINGA RAJU:—"May I know, Sir, whether administrative sanction has been given to the project and whether technical investigations have all been completed?"

THE HON. SRI M. BHAKTAVATSALAM:—"I cannot say the technical investigation have all been completed. Sanction has not been given."

SRI D. V. RAMASWAMI:—"May I know, Sir, whether the southern part of the Vizagapatam district alone will be benefited by the project or the whole district will be benefited?"

THE HON. SRI M. BHAKTAVATSALAM:—"I would suggest the hon. Member to put a separate question."

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SRI D. V. RAMASWAMI:—"Is it not a fact, Sir, that the Hon. Minister for Public Works sent a message of hope to the Ramapadasagar Conference recently convened in Rajahmundry for the early completion of the project?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir."

SRI V. RAGHAVAYYA:—"May I know what extent of Government waste land is to be cultivated by this project? And if it is an appreciable extent how the Government propose to do it?"

THE HON. SRI M. BHAKTAVATSALAM:—"At this stage I am unable to give the information to the hon. Member."

11-15 a.m. MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know whether it is a fact that the Central Government is willing to finance the entire scheme provided the Provincial Government approach them for a loan?"

THE HON. SRI M. BHAKTAVATSALAM:—"There is no question of 'provided'. We have already asked the Central Government to help us with a loan and the Members of the Government of India have orally agreed to this but they have not yet formally communicated their decision to us."

MUHAMMAD RAZA KHAN SAHIB:—"May I know whether the Hon. Minister's attention has been drawn to the speech made by Sir S. V. Ramamurthi, the ex-Chief Secretary of the Madras Government, that he is prepared to work in an unofficial capacity to help the Government to implement this big scheme and whether the Government are prepared to utilize his services?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir. I have read a report of that speech. We shall certainly be willing to avail ourselves of the services of Sir S. V. Ramamurthi whenever they are required."

MUHAMMAD RAZA KHAN SAHIB:—"Arising out of the Hon. Minister's reply to the question put by Mr. Salam, are the Provincial Government aware that the Government of India are financing similar schemes in North India and if such is the case, will the Government ask the Government of India for financial contributions apart from loans?"

THE HON. SRI M. BHAKTAVATSALAM:—"I do not know, Sir, whether the Government of India have offered any subsidy for the other projects. From what I have understood, they are only offering help by way of loans and that help we are seeking from the Government of India at present."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know when the Government expect the foundation of this project to be laid?"

THE HON. SRI M. BHAKTAVATSALAM:—"We are still in correspondence with the Government of India. It is not possible for me to fix any date for the laying of the foundation stone at this stage."

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SRI N. VENKATASUBBAYYA:—"May I know, Sir, whether the Government have drawn up any definite scheme for the irrigational development of the entire Province and if so, what is the position occupied by this particular project?"

THE HON. SRI M. BHAKTAVATSALAM:—"We have a programme of major irrigation schemes, Sir. Regarding this big scheme, the investigation of which is almost complete, it does have a top place in the list."

SRI N. VENKATASUBBAYYA:—"Is the Hon. Minister aware, Sir, that this project benefits an area already benefited by irrigation, that there are other areas not having irrigation where projects require a higher priority?"

THE HON. SRI M. BHAKTAVATSALAM:—"It cannot be said that an area already benefited can be benefited by this project. The hon. Member probably refers to districts and there are areas in these districts which are yet to be benefited by irrigation facilities. It is only such areas that we hope to serve by the Ramapadasagar project. The Government are of course aware that there are other places which have to be catered to."

SRI N. VENKATASUBBAYYA:—"Is it not a fact, Sir, that this project benefits mostly an area by adding second crop—and that is what I meant by my last question—and may I know if there are not areas which do not have even first-crop irrigation and whether they also should not have higher priority?"

THE HON. SRI M. BHAKTAVATSALAM:—"The figures which I have given in my answer would show how much of it is first crop and how much is second crop. The area under second crop is not larger than the area under first crop contemplated under the scheme. As I have already stated, the Government are contemplating also the taking up of other schemes which would benefit areas which deserve attention."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is it not the imperative duty of the Minister for Public Works to go to Delhi and press the Central Government and get their oral promise in writing rather than sit here and wait for their orders?"

THE HON. SRI M. BHAKTAVATSALAM:—"I need not learn my duty from the hon. Member."

M. S. ABDUL MAJID SAHIB BAHADUR:—"In view of the world importance of this scheme which is supposed to increase the food production of the world, will the Provincial Government approach the Finance Committee of the United Nations for help?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Government are fully aware of the importance of this scheme, but I am not prepared to accept the suggestion of the hon. Member."

SRI N. VENKATASUBBAYYA:—"Can I have an assurance from the Hon. Minister, Sir, that the claims of areas which are not irrigationally developed, like Rayalaseema, will not be put

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aside because the finances of the Province will not permit of undertaking them along with this project? Can I have an assurance like that, Sir?"

THE HON. SRI M. BHAKTAVATSALAM:—"I would certainly like to give that assurance to the hon. Member. As he is aware, we have already had the preliminary investigation of the Krishna-Pennar project."

SRI V. RAGHAVAYYA:—"Have the Government any idea of the exact number of villages that are going to be submerged, particularly in the East Godavari district?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Government may have an idea, but I do not have the information just now."

SRI ALLURI SATYANARAYANA RAJU:—"May I know what is the total estimated cost for this project, Sir?"

THE HON. SRI M. BHAKTAVATSALAM:—"I think it is about Rs. 129 crores."

SRI S. NAGAPPA:—"When such a huge amount is involved for this project alone, may I know whether it is possible for the Government to take up other projects like the Krishna-Pennar project?"

THE HON. SRI M. BHAKTAVATSALAM:—"I think it should be possible."

SRI D. V. RAMASWAMI:—"In view of the vast potentialities of the Ramapadasagar project, will the Government be pleased to consider the desirability of requesting the Hon. the Prime Minister of India to lay the foundation stone as early as possible, even this year if possible?"

THE HON. SRI M. BHAKTAVATSALAM:—"Invitation to the Hon. Prime Minister to lay the foundation stone cannot be discussed in this House."

BEGUM SULTAN MIR AMIRUDDIN:—"In view of the impending danger of a world-war, will the Hon. Minister take suitable steps to see that the services of foreign engineers and experts are availed of soon, for once the war breaks out, it will be difficult to secure the services of foreign Engineers of renown?"

MR. SPEAKER:—"It is a hypothetical question."

Proscribing of "Ravana Kaviam."

* 238 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state—

(a) whether the Government have proscribed a book called "Ravana Kaviam" recently; and

(b) if so, what the reasons are?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) The answer is in the affirmative.

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" (b) The book is a perversion of the Ramayana and is intended to insult the religious feelings of large masses of population in the country. It contains matter falling under sections 153-A and 295-A of the Indian Penal Code."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Are the Government aware that it is only a literary work and not a political one?"

THE HON. SRI B. GOPALA REDDI:—"It does not matter whether it is literary or religious or cultural it is a perversion of the Ramayana."

The Tekkil Irrigation Scheme.

* 239 Q.—MAHIN SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received any proposal for Tekkil Irrigation Scheme in Kasaragod taluk, South Kanara district;

(b) whether this scheme is under the consideration of the Government; and

(c) at what stage it is now?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) to (c) The Tekkil Irrigation Scheme has not yet been taken up for investigation as the investigation staff has been engaged on the detailed investigation of some other schemes in South Kanara. The investigation will be taken up as soon as the monsoon is over and the area is cleared of water."

MAHIN SCHAMNAD SAHIB BAHADUR:—"Are the Government aware, Sir, that the Tekkil scheme will make the Kasaragod taluk a surplus taluk and thereby make South Kanara which is now a deficit district into a surplus district?"

THE HON. SRI M. BHAKTAVATSALAM:—"I cannot exactly confirm what the hon. Member has said about the possibilities of the scheme, because I do not have exact ideas about it, as it has not been investigated yet. But I can tell the hon. Member that we have appointed a special investigation staff which has taken up two schemes in each of the taluks of Kasaragod—hon. Member's own taluk—Coondapoor and Mangalore. They are now investigating six schemes. After it is over this will be taken up. But now, during the monsoon, it is not possible to do any investigation."

Nationalization of match industry.

* 240 Q.—SRI P. KANDASWAMI PILLAI (on behalf of Sri S. Nagaraja Manigar): Will the Hon. the Minister for Industries be pleased to state whether the Government have decided to nationalize the match industry in our Province?

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THE HON. SRI H. SITARAMA REDDI:—"No, Sir."

SRI P. KANDASWAMI PHILLAI:—"Are the Government aware that the match industry is one of the cheapest industries which can be started with a small capital and, if so, what is the difficulty for the Government to take it up?"

THE HON. SRI H. SITARAMA REDDI:—"Since the industry is of the type described by the hon. Member, it is not necessary to nationalize it."

MUHAMMAD RAZA KHAN SAHIB:—"Is the Hon. Minister aware that the match industry in South India, especially in Tirunelveli, is a village industry and has been very largely affected by the non-availability of transport and also the stoppage of exports with the result that thousands of persons are unemployed?"

MR. SPEAKER:—"The hon. Member may put a separate question. This does not arise out of the question."

Persons selected for giving evidence before the Linguistic Commission.

* 241 Q.—SRI D. V. RAMASWAMI (on behalf of Sri B. S. Murthi): Will the Hon. the Premier be pleased to state—

(a) whether any persons have been invited by the Government to give evidence before the Linguistic Commission; and

(b) if so, who the persons so invited are and on what basis the invitations were issued?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) & (b) The Linguistic Provinces Commission wanted this Government to forward a list of persons representative of all shades of opinion to give evidence before it. The list is forwarded to the Commission is laid on the table of the House. The intention was to include persons representative of all shades of opinion in the list."

SRI V. RAGHAVAYYA:—"May I know who selected this list or on whose advice it was selected?"

THE HON. SRI B. GOPALA REDDI:—"The Government of Madras selected the list."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know why not even one lady has been included in the list?"

THE HON. SRI B. GOPALA REDDI:—"It is a regrettable omission, Sir."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—"Even though Malabar has a population of 15 lakhs of Muslims who are represented by many legislators here, why has not even a single gentleman been thought fit to be included in this list, while the Government have selected about seven gentlemen from Malabar one of whom represents nobody but himself?"

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THE HON. SRI B. GOPALA REDDI:—"It is not a question of Hindus and Muslims. It is a Linguistic Provinces Commission and we need not take into consideration the religion of the witnesses invited. The Moplahs in particular have no particular opinions to express before the Linguistic Provinces Commission and therefore perhaps they were not included."

SRI N. M. R. SUBBARAMAN:—"May I know whether any evidence is given on behalf of the Government?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know why the office-bearers of the Andhra Mahasabha—the President, the Secretary and the Joint Secretary—have not been invited?"

THE HON. SRI B. GOPALA REDDI:—"Representative Andhras are invited."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"As an organization?"

THE HON. SRI B. GOPALA REDDI:—"Perhaps they are not included."

MUHAMMAD RAZA KHAN SAHIB:—"While in no way concerned with the persons selected by the Madras Government to place their case before the Linguistic Provinces Commission, may I know whom Sir Muhammad Usman represents? Does he represent any interests in this Province?"

THE HON. SRI B. GOPALA REDDI:—"He is a distinguished citizen of Madras. He was an ex-Mayor of the City, an ex-Hon. Member of the Government, an ex-Governor and an ex-Vice-Chancellor of the University."

SRI T. VISWANATHAM:—"May I know why the Government were not able to include more than ten or eleven names from the Telugu area while the total number in the list is 59?"

THE HON. SRI B. GOPALA REDDI:—"Most of them belong to Madras City. More number could not have been included from the Telugu districts than those from the Tamil districts, so that all shades of opinion may be represented."

SRI K. BOKKAI GOWDER:—"May I know what prevented the Government from including the representative of the Nilgiris district which seems to be the bone of contention of the various Linguistic Provinces?"

THE HON. SRI B. GOPALA REDDI:—"The list is not exhaustive. If the Commission want they may invite others also. Also if anyone wants to appear before the Commission, he may seek an interview."

SRI K. LINGA RAJU:—"May I know how the President of the Andhra Provincial Congress Committee, Mr. N. G. Ranga, escaped the attention of the Government?"

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THE HON. SRI B. GOPALA REDDI:—"When the list was drawn up he was somewhere abroad."

SRI T. VISWANATHAM:—"Is it suggested that the Government were consulting the persons concerned before they included them in the list?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir."

SRI T. VISWANATHAM:—"Then how does this question of Mr. Ranga being elsewhere arise?"

THE HON. SRI B. GOPALA REDDI:—"We did not nominate him, because we thought he would not be here by the time the Commission arrived."

SRI D. V. RAMASWAMI:—"May I know whether the number of invitees from the four linguistic areas is proportionate to the respective population?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir."

SRI ROKKAM RAMAMURTHI:—"May I know why the Government have not selected even one witness to represent the border area of Orissa?"

THE HON. SRI B. GOPALA REDDI:—"I think there are some invitees representing the border area of Orissa. The hon. Member may go through the list carefully."

SRI K. LINGA RAJU:—"May I know why the Government have not invited even one editor of a Telugu newspaper in the City of Madras while five editors of Tamil papers are represented?"

THE HON. SRI B. GOPALA REDDI:—"I cannot answer that question."

11-30 a.m. SRI K. BOKKAI GOWDER:—"Sir, may I know whether the Government consider it is not desirable to include representatives of border districts especially?"

THE HON. SRI B. GOPALA REDDI:—"Even now it is not too late. If the hon. Member wants to go before the Commission he can certainly apply and I will make the recommendation to the Commission."

SRI T. VISWANATHAM:—"May I know, Sir, whether the Government are going to add to the list now?"

THE HON. SRI B. GOPALA REDDI:—"Certainly, the Commission is inviting people other than those already included in the list."

SRI T. VISWANATHAM:—"I am asking, Sir, whether the Government have any intention of adding to the list?"

THE HON. SRI B. GOPALA REDDI:—"The Government have no intention but if it is desired, it can be done."

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N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Sir, I am glad the Government have admitted that the list is not exhaustive, but will they now make good their regrettable error and invite some lady members to present their case before the Commission?"

THE HON. SRI B. GOPALA REDDI:—"If any lady member is anxious to give evidence before the Commission, certainly we can forward her name also, provided the Commission have the time also."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—"Sir, the Hon. Minister said that the persons were selected to represent certain shades of opinion. If that is so, I want to know why the views of a particular individual from Malabar was taken in spite of the fact that there were about half-a-dozen other Hindu members from Malabar?"

THE HON. SRI B. GOPALA REDDI:—"Because, Sir, he was a respectable citizen of Malabar his name was included."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Are the Government aware, Sir, that even though about sixty persons were selected to give evidence before the Commission, the Commission selected only thirty and why the other thirty were left over?"

THE HON. SRI B. GOPALA REDDI:—"It is quite likely, Sir. We cannot force the Commission to interview all the persons we have suggested."

SRI B. S. MURTHI:—"May I know, Sir, whether the Government will give a fresh list of names, that is, those not already included in the list, and request the Commission to interview them also?"

THE HON. SRI B. GOPALA REDDI:—"Just now, my hon. Friend has stated that even the persons included in the Government list have not been invited by the Commission, perhaps for want of time and I therefore see no purpose will be served by adding to list."

SRI V. RAGHAVAYYA:—"Sir, in view of the divergent views openly expressed by various Ministers of this Government on this question, may I know why the Government thought it fit to give a list of names, particularly when the Government want to be non-committal?"

THE HON. SRI B. GOPALA REDDI:—"Sir, my answer was definite. The Commission requested the Government to give them a list of names, so that they might make a selection later on from the list submitted by the Government."

SRI T. VISWANATHAM:—"May I know, Sir, in view of the answer of the Hon. Leader of the House about the anxiety he expressed that if any lady member wanted to give evidence he would recommend her name to the Commission, may I know whether any male members expressed their anxiety before he included them in the list?"

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THE HON. SRI B. GOPALA REDDI:—"Some of them have expressed, Sir."

SRI K. LINGA RAJU:—"Sir, from the list now selected, are we to understand that those who are opposed to the formation of linguistic Provinces, particularly the Andhra Province, have been given preference?"

THE HON. SRI B. GOPALA REDDI:—"I do not like the insinuation, Sir."

SRI ROKKAM RAMAMURTHY:—"My question is not, Sir, that members of the boundary area are not included in the list. My question was, why not this Government give a chance to the Members of this House representing the border?"

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know, Sir, whether the Government have given their evidence before this Commission, and if so, may I know the views of this Government?"

THE HON. SRI B. GOPALA REDDI:—"I have already answered that question. We are not appearing before the Commission."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Sir, in view of the serious misgivings and doubts in regard to the Government's reply, will the Government publish their answers sent to the Commission with reference to the questionnaire issued by the Commission, and place it before this House?"

THE HON. SRI B. GOPALA REDDI:—"It is an official document, Sir, and I am not prepared to lay it before the House."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—"May I know, Sir, whether the Government consulted the Collector of Malabar in the matter of selection of these names and if not, why not?"

THE HON. SRI B. GOPALA REDDI:—"No Collector was consulted in the matter."

SRI N. VENKATASUBBAYYA:—"May I know, Sir, whether the Commission called for any statistical information concerning the revenues, expenditure, etc., of several linguistic areas and have this Government supplied that information and if so, will a copy of that be placed on the Table of this House?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir. They asked for certain statistical information, specially regarding the financial position of the various districts. We have asked the Accountant-General to prepare a statement and it is not yet ready and as soon as it is ready it will be made available."

SRI B. S. MURTHI:—"May I know, Sir, whether officers belonging to the Government of Madras have been interviewed by the Commission and whether those officers have been permitted to do so?"

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THE HON. SRI B. GOPALA REDDI:—"No, Sir. As far as I know, no officer of the Government interviewed the Commission."

SRI T. VISWANATHAM:—"May I know from the Hon. Leader of the House, Sir, why while he selected the Editor of *Asha*, Berhampore, he has not selected the Editor of *Visala Andhra Vani*, who is also a resident of Berhampore, to represent the views of the Andhras in that area?"

THE HON. SRI B. GOPALA REDDI:—"I cannot answer why a certain person was invited and why certain others were not invited. It is a list which the Government thought they could very well give the Commission out of which they could make a selection for their own use."

SRI M. S. PATTABHIRAMIAH:—"May I know, Sir, whether there is any reason to presume that this Linguistic Provinces Commission will be guided exclusively by the evidence of the witnesses selected by the Madras Government?"

THE HON. SRI B. GOPALA REDDI:—"That question should be put to the Commission and they will be able to answer it."

SRI T. VISWANATHAM:—"Sir, my question was not why a particular person was not selected. In view of the fact that as the Government are aware, the Andhras are claiming that a certain portion of the present Orissa Province should be added to the new Province, do not the Government think it right to give the name of the editor of an important Andhra paper which is now run at Berhampore when at the same time they have given the name of the editor of an Oriya paper from Berhampore?"

THE HON. SRI B. GOPALA REDDI:—"Evidently the Government thought that the hon. Member representing the Vizagapatam Urban Constituency will press the claims of North Vizagapatam people for the inclusion of certain parts of Orissa into the Andhra Province."

SRI B. MURTHI:—"Sir, arising out of the answer of the Hon. Leader of the House, may I know whether any of the editors of Andhra journals have been invited and whether they have not accepted the Government's invitation?"

THE HON. SRI B. GOPALA REDDI:—"The list is already on the table of the House and the hon. Member may peruse it and see whether any Andhra editor is included or not."

SRI B. S. MURTHI:—"There is not even one editor either of Dailies or Weeklies from Andhra and therefore I am asking whether Government made any efforts to get any of them and whether their efforts were not successful?"

THE HON. SRI B. GOPALA REDDI:—"The Government did not make any attempts and so the question of their success or otherwise does not arise."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Sir, is the Hon. the Minister be in a position to deny the statement that the Government have made in their reply to the Linguistic Provinces Commission that there are no textile mills in Andhra-desa?"

THE HON. SRI B. GOPALA REDDI:—"I have not read the contents of the communication."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Sir, will the Government enable the Commission to appear before this House and receive the evidence of the cross-section of this House under your Speakership?" (Laughter.)

MR. SPEAKER:—"There are yet 11 more questions and I would like to finish them in 20 minutes."

Implementation of the Report of the Industrial Planning Committee.

* 242 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state what steps the Government have taken to implement the recommendations contained in the final report of the Industrial Planning Committee?

THE HON. SRI H. SITARAMA REDDI:—"The recommendations are under examination in the Secretariat."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Sir, if the Government are taking so much time to examine the recommendations of Committees, what is the fun of spending so much money in the constitution and working of these committees?"

THE HON. SRI H. SITARAMA REDDI:—"I stoutly deny that there can be any fun in this, Sir. I strongly object to the hon. Member making fun of it. It is a very valuable document and about 190 recommendations have been made by the Planning Committee and each one of them have to be examined by the departments concerned carefully from the financial point of view and it is not such a fun as the questioner thinks."

SRI S. NAGAPPA:—"Sir, in view of the fact that Rayalaseema has to be industrially developed and also in view of its backwardness, will the Government consider the desirability of extending their industrial development in Rayalaseema also when the Government think of implementing the recommendations of the Committee?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, the idea of appointing the Planning Committee was to develop this Province industrially and get the advice of proper men. The question of Rayalaseema will certainly form part of the development of this Province and if there are sufficient facilities for it we can also take advantage of them to develop the area."

[10th September 1948]

SRI C. M. KOTHARI:—"May I know, Sir, when the recommendations of the Committee were submitted to the Government?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, the hon. Member must have known it because he has got a copy of that report with him."

Construction of a dam across Maharajasamudram.

* 243 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any representation has been received on behalf of Rajamadam and adjoining villages in Pattukottai taluk, requesting the construction of a dam across the jungle stream Maharajasamudram; and

(b) what action has been taken on the same?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Yes.

" (b) A reference was made to the Chief Engineer (Irrigation) and he has asked the Superintending Engineer to submit detailed plans and estimates. These are awaited."

SRI A. VEDARATNAM PILLAI:—"May I know when the estimate will be available, Sir?"

THE HON. SRI M. BHAKTAVATSALAM:—"We do expect to take up the construction of the dam very soon, Sir."

Reorganization of Panchayats.

* 244 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state whether he said recently in Ranipet that he is not proceeding with the reorganization of panchayats, because he is waiting for an All-India policy in the matter, which will be decided later at Delhi?

THE HON. SRI K. CHANDRAMOULI:—"I would refer the hon. Member to my speech at Ranipet, an extract of which appeared in the "Indian Express", dated 13th July 1948."

SRI B. S. MURTHI:—"On a point of order, Sir. Several times when hon. Members of this House brought to the notice of Hon. Ministers whether they saw certain passages which appeared in the press, they said, they did not see or had no time to see them. Now, when a question is put, the Hon. Minister refers to certain speech he made and which appeared in a certain paper which may or may not be available to us at certain hours?"

MUHAMMAD RAZA KHAN SAHIB:—"Let the Hon. Leader of the House reply to it, Sir."

MR. SPEAKER:—"It is not for the hon. Member to suggest that and if I want to ask the Hon. Leader of the House for his views shall call him."

[19th September 1948]

THE HON. SRI K. CHANDRAMOULI:—"I would like to say this, Sir. When I referred the hon. Member to that paper, I meant that the statement which I made there was correct and I thought it would have dispelled his disillusion. That was all my intention and if the Speaker wants me to read extracts from the paper, I have no objection to do so."

MR. SPEAKER:—"Referring to what appeared in newspapers is not the proper method of answering questions in the House. Most of the hon. Members might not have seen the reports appearing in the papers. If it is a Government Communiqué I would have no objection to the Hon. Minister referring to it but to refer to a speech which he made somewhere and reported in the press is not the proper way of answering a question."

THE HON. SRI K. CHANDRAMOULI:—"Sir, if the Speaker has no objection I shall read the relevant extract of the speech."

MR. SPEAKER:—"Is it a very big one? We have got only 15 more minutes to finish the questions."

THE HON. SRI K. CHANDRAMOULI:—"Not a big one, Sir, but only very small. This is the extract of the speech to which reference has been made. 'A uniform policy throughout India in respect of Panchayat reform is likely to be decided upon at a conference of Ministers of Provinces and the Central Government scheduled to take place in New Delhi next month'."

Reservation of posts for backward Non-Brahmans.

* 245 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Premier be pleased to state—

(a) whether it is a fact that most of the jobs in Government services, allotted to Non-Brahmans, are being given away to Reddys and Naidus and Chowdaries in Andhra and Naickers, Mudaliars and Nadars in Tamilnad; and

(b) if so, what steps the Government propose to take to reserve posts for less influential backward Non-Brahmans?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) The answer is in the negative.

" (b) Does not arise."

(Sri V. Raghavayya rose to put a supplementary question.)

11-45 a.m. MR. SPEAKER:—"There are only fifteen minutes more and within that time we have to finish eight more questions. So I pass on to the next question."

[10th September 1948]

Death of a Communist prisoner in Cannanore Jail.

* 246 Q.—P. K. MOIDEEN KUTTY SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state the circumstances under which one Sri Moyarath Sankaran, a Communist prisoner, died in Cannanore Central Jail, the day immediately after his arrest?

THE HON. SRI K. MADHAVA MENON:—"The attention of the hon. Member is invited to a Press Note, dated 27th July 1948, on the subject issued by the Government."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—"Will the Hon. Minister be pleased to cause an enquiry to be made in view of the suspicious and mysterious circumstances under which the death occurred?"

THE HON. SRI K. MADHAVA MENON:—"The suspicion has been cleared in the Press Note."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—"May I know whether the Government will be pleased to conduct an impartial, non-official enquiry, in view of the fact that 'Mathrubhumi' has written a leading article urging the Government to institute such an enquiry?"

THE HON. SRI K. MADHAVA MENON:—"I have not seen the leading article in 'Mathrubhumi'. My impression is that the paper has not written a leader on the subject. Anyhow, as the Government have already made an enquiry, no further enquiry is necessary."

Re-opening of rural dispensaries in the Madura district.

* 247 Q.—M. S. ATAULLAH SAHIB BAHADUR (on behalf of Sri A. Y. S. Parisutha Nadar): Will the Hon. the Minister for Public Health be pleased to state whether the Government propose to re-open the rural dispensaries in the Madura district that were closed for want of qualified medical men, and if so, when?

THE HON. SRI A. B. SHETTY:—"The Special Officers of District Boards including Madura have been asked to take early steps to re-open the rural dispensaries that remain closed, and to submit a report to Government by the end of September on the action taken by them so far."

SRI R. V. SWAMINATHAN:—"May I know how many rural dispensaries remain closed?"

THE HON. SRI A. B. SHETTY:—"The number of rural dispensaries remaining closed are: modern medicine 132 and Indian medicine 122."

DR. S. SUBRAHMANYA AYYAR:—"In view of the fact that rural dispensaries have not been working properly in the last few years, will the Government evolve an alternative policy to administer medical relief to the villages?"

[10th September 1948]

THE HON. SRI A. B. SHETTY:—"The matter is under consideration."

Lease of lands given under Grow More Food Campaign.

* 248 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the lease of lands given under "Grow More Food Campaign" was cancelled by the end of last June;

(b) if so, whether the lands have been leased out again for the current season to the landless labourers;

(c) if not, the reason for not leasing them out; and

(d) whether the Government propose to lease out the lands before the cultivation season is over, in view of the present food shortage?

THE HON. SRI KALA VENKATA RAO:—" (a) to (d) The lease of lands granted under the Grow More Food Campaign generally expired on 30th June 1948. The Government have not sanctioned the continuance of the lease of lands as some of the lands may have been applied for by political sufferers for assignment to them. It has however been ordered that where the present occupiers of such lands are very poor, they should not be dispossessed. It has also been ordered that the lands which are not required for grant to political sufferers may continue to be leased out to the deserving poor. The lands already under lease prior to 30th June 1948 will therefore be either assigned to political sufferers or will continue to be under the occupation of the old lessees if they are very poor or be leased to other applicants."

SRI B. S. MURTHI:—"May I know whether the local authorities have cancelled leases of certain lands leased out to Harijans for five years ending in 1952 and taken forcible possession of the lands for giving them to political sufferers and others?"

THE HON. SRI KALA VENKATA RAO:—"To my knowledge, there is no such case."

SRI V. I. MUNISWAMI PILLAY:—"In renewing the leases, will the Government see that no steep lands are given, to avoid erosion?"

THE HON. SRI KALA VENKATA RAO:—"That depends upon the applicant's capacity to improve the land."

SRI S. NAGAPPA:—"May I know the maximum possession within which a man can be called a landless poor?"

THE HON. SRI KALA VENKATA RAO:—"There is no separate definition, but we can very easily judge whether a man is poor or not."

SRI A. VEDARATNAM PILLAI:—"Is it a fact that the Government have leased out hundreds of acres of land to those who are already owning hundreds of acres?"

[10th September 1948]

THE HON. SRI KALA VENKATA RAO:—"That is true. We are trying to rectify that situation created in the Advisers' regime."

SRI V. I. MUNISWAMI PILLAY:—"As the Government have granted steep lands and much erosion has been caused and the Government have appointed a Soil Conservation Board, will they consider the desirability of stopping cultivation on steep lands?"

THE HON. SRI KALA VENKATA RAO:—"If any particular places are brought to the notice of the Government, we will consider."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Are the Government aware that some lessees under the Grow More Food Campaign have spent a considerable amount on improving the lands and that it will be a great hardship if they are deprived of them now?"

THE HON. SRI KALA VENKATA RAO:—"If they had invested a considerable sum, they did it with the full knowledge that their lease would terminate after five years. Nobody can help them."

SRI K. BOKKAI GOWDER:—"May I know whether the Government will consider the desirability of raising wattle plantations on the steep lands which have been leased out for cultivation under the Grow More Food Campaign?"

THE HON. SRI KALA VENKATA RAO:—"If particular instances are brought to the notice of the Government, they will be considered."

SRI S. NAGAPPA:—"As there are cases of people who have been excluded simply because they own fifty cents or one acre, will the Government consider the desirability of fixing a limit of five acres of wet land or ten acres of dry land within which one can be called a landless poor?"

THE HON. SRI KALA VENKATA RAO:—"We cannot guarantee any land. If land is available and if a man applies for it, we will give. If there is no more land available, the applicant will have to satisfy himself with the small extent given to him."

Management of Forest Panchayats area.

* 249 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state whether there is any proposal before the Government to take under their direct management Forest Panchayats area?

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir."

[10th September 1948]

Building works of medical institutions.

* 250 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have made any investigation as regards the delay in the execution of building works of medical institutions by the Public Works Department after plans and estimates have been sanctioned; and

(b) whether the Surgeon-General calls for monthly returns of progress made in the execution of such building works?

THE HON. SRI A. B. SHETTY:—“(a) The Government have investigated the matter and to eliminate the delays necessary Public Works Department staff have been sanctioned.

“(b) The Surgeon-General calls for periodical progress reports on major building schemes.”

BEGUM SULTAN MIR AMIRUDDIN:—“The Hon. Minister replied that the Surgeon-General calls for periodical progress reports. May I know whether he calls for monthly reports?”

THE HON. SRI A. B. SHETTY:—“With regard to the Stanley Hospital building and the Vizagapatam Hospital building, he calls for monthly reports.”

BEGUM SULTAN MIR AMIRUDDIN:—“Will the Hon. Minister be pleased to see that the Surgeon-General calls for monthly reports with regard to other works as well, because there are other works also which are being delayed?”

THE HON. SRI A. B. SHETTY:—“There are about 190 schemes all over the Province, and the Surgeon-General calls for periodical reports about the major building works which are under execution.”

BEGUM SULTAN MIR AMIRUDDIN:—“In view of the fact that the delay is caused by the Public Works Department in the execution of other works also will the Hon. Minister see that monthly progress reports are called for with reference to the other works as well, so that they may be expedited?”

THE HON. SRI A. B. SHETTY:—“I shall consider the suggestion.”

DR. S. SUBRAHMANYA AYYAR:—“Do the Government realize that the usefulness of medical institutions depends upon proper equipment and well-trained personnel and not upon huge and costly buildings copied from the West?”

THE HON. SRI A. B. SHETTY:—“That is a separate matter which does not relate to this question.”

SRI D. V. RAMASWAMI:—“May I know whether every subsequent monthly report about the Vizagapatam Hospital shows any progress over the former or whether the same report is repeated every month?”

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THE HON. SRI A. B. SHETTY:—“Every attempt is being made to see that the work proceeds according to programme.”

SRI A. KALESWARA RAO:—“May I know whether the Government are taking any steps to reduce the cost of buildings?”

THE HON. SRI A. B. SHETTY:—“To the extent the engineering staff can do it, it is being done.”

New well-subsidy scheme.

* 251 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the new well-subsidy scheme provides for giving well subsidies for more than one well to the same ryot;

(b) how many wells have been sanctioned so far;

(c) whether it is a fact that rules do not provide for recovering interest from defaulters; and

(d) what the reasons are for enhancing the subsidies from Rs. 500 to 750 and from Rs. 300 to 500?

THE HON. SRI KALA VENKATA RAO:—“(a) Yes. The question of fixing a maximum limit to the number is being examined.

“(b) The total number of wells for which subsidy was paid up to the end of March 1948 under the new well-subsidy scheme, 1947-48, is 46,506. Under the new well-subsidy scheme for 1948-49, report has been received only for April 1948. According to this report subsidy was sanctioned for 69 cases.

“(c) The subsidies are treated as loans in the first instance and are liable to be recovered summarily with interest and costs as arrears of land revenue for violation of the conditions under which the subsidy loans are granted.

“(d) It was represented that the amounts of Rs. 300 and Rs. 500 granted as subsidy under the new well-subsidy scheme for 1947-48 were not adequate. Also new conditions were imposed under the scheme for 1948-49 regarding the dimensions and the water-level. The amounts of subsidy were enhanced as the sinking of such wells will involve more expenditure.”

SRI V. RAGHAVAYYA:—“Are the Government aware of the prevalent impression that these concessions are widely abused and, if so, may I know the steps that the Government have taken for checking the abuse and for seeing that the subsidies are properly spent?”

THE HON. SRI KALA VENKATA RAO:—“I do not accept that the concessions are widely abused. There was nonetheless some abuse. To prevent this and to supervise the execution of the whole scheme, the Government have appointed this year a Collector and a Deputy Collector with requisite staff.”

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SRI V. L. MUNISWAMI PILLAI:—“ Will the Government be pleased to furnish a brief report every month so that we can know how many wells are dug? ”

THE HON. SRI KALA VENKATA RAO:—“ The hon. Member must know that wells are dug only in a particular season of the year and as such there is no use in calling for monthly reports.”

SRI ROKKAM RAMAMURTHY:—“ As some of the ryots were not able to dig wells out of the subsidy granted last year due to seasonal difficulties, will the Government be pleased to extend the time-limit? ”

THE HON. SRI KALA VENKATA RAO:—“ Extension of time is not possible, because the Government of India are giving half the amount and we cannot get it from them unless the wells are dug within time. If the ryots are intent on digging wells, they must do so within the stipulated time.”

SRI S. NAGAPPA:—“ Are the Government aware that in spite of repeated applications, certain cases of poor people and Harijans were not favourably considered and, if such instances are brought to notice, will the Government take action against the officers concerned? ”

THE HON. SRI KALA VENKATA RAO:—“ The applicant must own some property. If he produces a certificate that he owns the property, I don't think there will be any occasion for rejecting his application. If there is any abuse of power, I will certainly make enquiries.”

Indian Medical Practitioners.

[* 252 Q.—MR. SPEAKER:—“ The hon. Member is not in his place. The answer will be printed in the proceedings.”]

SRI A. KAMESWARA RAO: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the Government allotted only 12 seats in the Central Board of Indian Medicine for a total strength of 12,000 (twelve thousand) ‘ B ’ class Registered Indian Medical Practitioners;

(b) whether it is a fact that eight seats are allotted for ‘ A ’ class practitioners; and

(c) what is the total strength of ‘ A ’ class practitioners?

THE HON. SRI A. B. SHETTY:—“ (a) The total number of ‘ B ’ class practitioners of Indian Medicine in this Province is 12,261. Twelve seats have not been allotted to ‘ B ’ class practitioners. There are twelve general seats which are formed by dividing the Province into twelve territorial constituencies and each constituency will return a practitioner to the Board.

“ (b) The answer is in the affirmative.

“ (c) There are 1,119 ‘ A ’ class practitioners in this Province.”

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Cancellation of licences given for rice mills.

* 253 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Firka Development be pleased to state—

(a) whether the licences of all the rice mills within the selected firkas in the Province have been cancelled by the Government; and

(b) whether any notice has been given to the mill owners before licences were cancelled?

THE HON. DR. S. GURUBATHAM:—“ (a) No.

“ (b) Does not arise.”

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

II.—CITY MUNICIPAL ELECTIONS.

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ Sir, elections to the Corporation have been ordered when the Linguistic Commission is sitting here. Feelings are running high between the Tamils and Andhras. Will the Government consider the desirability of postponing the elections? ”

THE HON. SRI K. CHANDRAMOULI:—“ There is no proposal for postponing the elections.”

III.—LEASE OF LANDS GIVEN UNDER GROW MORE FOOD CAMPAIGN.

SRI S. NAGAPPA:—“ As regards question No. 248, full information was not given. Satisfactory reply was not given about lands being taken away from poor people. I request the Hon. Speaker to allow an half-hour debate for it.”

MR. SPEAKER:—“ All right, I shall allow.”

THE HON. SRI KALA VENKATA RAO:—“ Sir, it will be difficult for the Government to be discussing this matter in half-hour debate off and on. I have already promised the House that I will shortly publish the Government Order with regard to the policy in assigning lands. That will be a more appropriate occasion for discussion; and if the Hon. Speaker allows an half-hour debate then, it will be more useful.”

MR. SPEAKER:—“ In view of the assurance given by the Hon. Minister that he will allow a full dress debate, I withhold the permission which I have already given.”

NON-OFFICIAL BUSINESS.

IV.—THE MADRAS HINDU BIGAMOUS MARRIAGES PROHIBITION AND DIVORCE BILL, 1947—cont.

SRI K. KOTI REDDI:—“ Mr. Speaker, Sir, the other day, speaking on this Bill, I said that I was not a great enthusiast of the divorce law. But, Sir, at the same time when I saw before noon me a number of unhappy marriages in this country, the amount of ill-treatment and harassment shown by certain husbands

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towards their wives, and occasionally the converse also, namely, wives showing similar treatment to their husbands, I am forced to consider the necessity for a law like this. And when I compare other countries, where marriage is supposed to be the result of love between the couple and where there is greater freedom and ease for getting divorce, it appears to me that there are more happy marriages in this country than in those countries. The Hindu ideal of marriage, namely, marry and love rather than love and marry, certainly contributes much more to the happiness of the marriage and the continuance of happy relations between the husband and the wife. That is not so in other countries, because there they love first and then marry. No doubt the ideal is certainly the indissolubility of the marriage tie. Marriage is a sacrament and a spiritual bond between the husband and his wife, rather than a mere relationship entered into for the sake of convenience or for physical pleasure. But when once you get this idea that you can get a marriage dissolved by means of a court, then all chances of a compromise or adjustment between the husband and his wife, where there has been some difference, are very much reduced. But I am impressed on the whole not to oppose this Bill of my hon. Friend Mr. Kaleswara Rao, because I see before me a number of marriages which are really not ideal, and a number of cases where the husbands are really treating their wives very badly and conversely in a few cases also. Whatever may be the Hindu tradition with regard to divorce, our ancient law-givers, in spite of the high spiritual value they had attached to the marriage, have allowed dissolution of marriages also in certain cases and as a matter of fact, they had done much more in advance, than what my hon. Friend Mr. Kaleswara Rao seeks to do under this Bill which is going to be passed just now. I find that according to the ancient law, if a husband is outcast, the wife could get a divorce. Many hon. Members who are not very enthusiastic about divorce have not gone to the extent to which probably they ought to go, if they really believe in the divorce law. Of all factors which contribute to the unhappiness and misery of the married couple, unchastity or adultery on the part of the husband or the wife contributes the largest share, but I find that in this Bill adultery is not made one of the grounds for divorce. That only shows that we do not wish to contemplate a situation which might confront us on some future occasion. In every civilized country in the world to-day, where divorce law is in force, adultery forms one of the chief grounds for divorce. It is no doubt true that in England and in other western countries, where divorce law is in force, mere adultery on the part of the husband was not deemed a sufficient ground for divorce. It must be coupled with cruelty also. But now that stage has passed. Women had struggled hard and got their franchise; they are now claiming equal rights with men and are prepared to join the fighting forces as well. So, that law has been changed and in most countries to-day, adultery on the part of the husband or the wife would be sufficient for getting a divorce. I

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believe that it would be better that in this country also, so long as we allow divorce, adultery ought really to be made one of the grounds for divorce.

"Sir, though I am not very enthusiastic about the provision for divorce contained in this Bill, yet I am very enthusiastic about the other aspect of the Bill, which I warmly welcome, namely, that which prohibits polygamy. We have survived the age when men were at liberty to marry any number of wives as they liked, and women were prohibited from taking as many husbands as they liked. We know that in the prehistoric ages, promiscuity had been rampant and that monogamy was only a latter development in the marriage law. Probably owing to the man's domination over the woman, and probably on account of the subjugation of women by men physically, and probably also because of the fact that men were taking active part in the affairs of the country in those days, women were not allowed legally to marry as many husbands as they liked, although we have had the most singular historic example of Draupathi in our Mahabharatha, who married more than one husband. But that perhaps was an exception. Although men had been allowed even from the very early times to marry as many wives as they liked, our ancient Hindu Law-givers had been really very careful in this matter and had never given a free licence, as it were, to men to take any number of wives, because they had laid down definite conditions and circumstances under which a man could take a second wife or more than one wife. Such circumstances were very strict and very limited and were only very exceptional. Unfortunately when the English judges came to administer the Hindu Law in this country, they knew nothing about our ancient laws and customs and they had no knowledge of our Dharma Sastras and so they upheld the legality of polygamy among men. Sir, I believe we have outlived those times and it is time that we do away with this legal right of a man to marry more than one wife, so long as his first wife is alive. Particularly in this country where the women population is much below that of men, even from a sociological point of view such a thing ought not to be allowed. This double standard of life and conduct, laying down one standard for yourself and a lower standard for the woman, aggrandising all for yourself and denying everything for the woman, ought to be done away with as early as possible, if the Hindu society is to progress on right lines. It is only then that the marital relations between the husband and the wife in the Hindu society will be placed on a sound and strong foundation and on a mutual spiritual basis, which will conduce to our domestic happiness and peace. I certainly congratulate my hon. Friend Mr. Kaleswara Rao for having brought forward this Bill and particularly for the attempt he has made to put an end to polygamy. Seeing a number of cases where even educated men have given up their wives and taken to new wives, for no fault of the former, I have no hesitation in supporting this Bill which seeks to put an end to such a practice.

"But, Sir, so far as the divorce provision in this Bill is concerned, I would like to oppose it and place the same restrictions

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on both men and women. I would even go to the extent of saying that I would not allow a widower to remarry so long as I do not allow a widow to marry again. There should be some sort of mutual adjustment and mutual respect between the husband and the wife throughout the world, and in that respect, I think our country is much better than perhaps many other western countries where civilization has progressed much further. I believe that it is because of the man's domination over woman, that we have built up a sort of moral and social system in our country, where the man does not give the woman the same rights which he possesses. If to-day, the women come forward and claim equal rights as men, and also claim the right of divorce for themselves too, it is due to the great injustice that men have done to our womenhood. Otherwise, I do not think that there would have been so much agitation for divorce to-day, if men had not treated their wives cruelly.

"I hope, Sir, that this divorce law which we are passing to-day would not be abused. But it is a furlorn hope. Experience in foreign countries where the divorce law is in force, shows that the conditions which are necessary for obtaining a divorce have been considerably relaxed, so that to-day, in certain countries, divorce can be got for the mere asking. It has become so very easy and cheap and the number of divorces also has become so great, that I wonder whether some people in those countries could really remember how many wives they had married and how many they had divorced. The converse might also be true. What I am therefore afraid of, is that when once you have allowed divorce, it is quite likely that the conditions attached to it will be relaxed by and by, if not to-day, at least in some future years, and such high traditions and such high ideals which we have cherished from our ancestors and from the Hindu Dharma, and such great virtues as chastity, purity and love, for which particularly our Hindu womenhood have been famous from ancient times and which they have held dear until now, will be gradually relaxed and relegated to the background. I feel, Sir, that the happiest people in the world to-day are probably those who live in countries where there is no divorce law altogether and where women are asked to revere their husbands and where chastity is held in honour and esteem. If only we had followed our ancient laws and customs and the examples of Rama or Shivaji, who refused the offer of a Muhammadan princess in marriage and even refused to look at her face so long as he was alive,—if only we had followed those men and the ideals set by them, our position to-day would have been vastly different. Our women themselves would have fought against this divorce provision. Not having done our duty towards our womenhood, are we in a position to pass any adverse criticism on this Bill? But, however, Sir, I particularly feel the absolute necessity for prohibiting polygamy and I therefore support this Bill."

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SRIMATHI C. AMMANNA RAJA:—"Mr. Speaker, Sir, I do not know why people are getting some doubt about my supporting

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the Bill or opposing it. I certainly support it. I do not wish that anybody should get that doubt at all. (Hear, hear.) I have been rather angry with the Government for the step-motherly feeling that they showed towards this Bill. It is more than 10 months since it has been introduced and they have been unfairly taking away the non-official day but for which this Bill would have become an Act by now.

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"I am generally not used to paying compliments to people, Sir, but I will be failing in my duty if I do not congratulate Mr. Kaleswara Rao for having been good enough to introduce this Bill which is very necessary. He has taken it upon himself to champion the cause of women. I feel Sir, guilty, that we women had not done our duty properly. Especially on this side of the House—I am sure my colleagues will agree with me—we have been very silent, and he has been championing our cause especially with regard to the Indian Administrative Service and things like that. Mr. Kaleswara Rao has been very gallantly fighting for the cause of women, and I have been an admirer of him for a long time. He has been doing a lot of social work for a very long time. He is a man who has championed the cause of the Harijans. He has worked a lot with regard to the question of re-marriage of child-widows. If the Speaker would allow me to do so, I would present a portrait of Mr. Kaleswara Rao to the Assembly.

"I do not know whether the people who opposed this motion are really serious about it. We have been seeing in our practical experience how many girls have been suffering, because their husbands have not treated them properly and because they take a fancy for somebody else, they just go and marry without thinking even the least as to what would happen to their first wives."

SRI T. VISWANATHAM:—"May I interrupt, Mr. Speaker? May I draw the attention of the hon. the Deputy Speaker to the number of husbands who are suffering at the hands of their wives?" (Laughter.)

SRIMATHI C. AMMANNA RAJA:—"This is how they get off with a remark like that. Actually we all know how many girls and women have been suffering because they have been deserted by their husbands for no fault of theirs, but just because the men took a fancy for somebody else. (An hon. Member: 'Yes, that is a fact.'). I know because of the delay in passing this legislation, how many marriages were celebrated during the past 10 months. Parents of girls have been coming to me and saying: 'Will you please see that this Bill is passed soon, because my girl is thinking of marrying somebody who has already a wife and children?' Dr. Muthulakshmi Reddi has been asking me: 'Why don't you see that this Bill is passed soon? Why this unnecessary delay, because some people have come to me and asked me to suggest some girls to them, because their wives are uneducated and they want educated wives, and they want to marry before the Bill is

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passed into law.' If only people will sympathize with the lot of women this will not be delayed. I am not referring to anything that happened in the party meeting, Sir, but from the beginning this has been my experience. Men have been treating this in a very light-hearted manner. (Hon. Members: 'No, no.') Yes, they have been. From the way in which the non-official days have been taken away we can see that they have not been taking to this question seriously. (Mohamed Abdul Salam Sahib Bahadur: 'The Hon. Mr. Gopala Reddi is personally responsible for it!')

"Many people have expressed the fear, Sir, that if this divorce system is introduced, people will rush to the courts. Many hon. Members have already spoken on this and said that it is not probable if a provision exists like this, that everybody should take the opportunity and do something. If we find the doors of a house open, do we go in and steal things from the house? We will not. Therefore it is not like that at all. But when there is a real necessity you must give the people an opportunity to get justice done.

"We have seen, Sir, many men who have been marrying a second time. I do not understand why the men should oppose this Bill, thinking that some woman may marry a second time. I say, they won't like the idea. When this right had existed for men all these days I do not understand why men should oppose giving the same right to women. (N. Muhammad Anwar Sahib Bahadur: 'Because we are parties to the issue.')

"I must really thank Mr. Kaleswara Rao for having been good enough to have brought this legislation. In fact, one of us should have brought up this Bill in the House. He has been very good, Sir, and he has done yeoman service for the womanhood of this country. Though officially it cannot be known as Mr. Kaleswara Rao's Bill, I wish that it should be recognized generally as Mr. Kaleswara Rao's Bill just as we do in the case of the Sarda Act."

* N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Mr. Speaker, Sir, from the accumulated treasures of his mature experience, the hon. Member Mr. Kaleswara Rao, has at last come to understand the poetic truth that 'the course of true love never runs smooth.' It is exactly because of that poetic truth he has now brought a provision for divorce. After all he must know as well as we do that the entire course of love, which has now come in for legislation, is a process of pleasure and pain and I am certain, Mr. Speaker, that women as well as men enjoy the course of love so much because of its pains and no less because of its pleasure. It is entirely a Hedonistic calculus and from contact, conflict arises, when it becomes a case of square peg in a round hole. Even the other day editorially *The Hindu* brought out the mathematical truth that with all the wisdom of this world it is a mathematical riddle that a circle cannot be squared. When such is the conflict, when a square peg,

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however much you wish, cannot be fitted into the round hole, divorce is the only way out of the situation. And I am glad the hon. Member Mr. Kaleswara Rao has thought a way out of this muddle.

"But, Mr. Speaker, we must at the same time say, that our prayers must be according to the grain of our tradition. In the words of the scripture, when a man and woman have been in wedlock proposed as husband and wife, they should remain so until death do them part. But that always does not happen and familiarity in itself breeds contempt. No wonder the hon. the Deputy Speaker has from the experience which she has gathered from so many ladies has understood well that when a man and woman are not equally brought together in mind, they sometimes choose to part their ways. What should we do? Should we admit, should we tolerate and should we concede adultery? Never. I do not think that it is feasible. I must say here on this occasion that we must offer our highest mead of praise to the greatest man of our drama, of our romance, King Edward VIII. When all the Church, when all the Ecclesiastics of England proposed to him a course of conduct which revolted against his character, he preferred rather to abdicate the throne than give up his lady love. It is very few that have that temperament of sacrifice of this kind. I will be failing in my duty if I do not bring before your eyes this object lesson, this living example of classical glory of the Duke of Windsor, who forfeited his right to the Crown and tried to live a life of bliss. (An hon. Member: 'Kingdom for a girl.') It was Shakespeare who said with reference to one of the predecessors of Edward VIII: 'A horse, a horse, my kingdom for a horse.' But what is that madness for a horse which cannot be sublimated into love for his sweetheart. Surely, 'Mrs. Simpson, my kingdom for Mrs. Simpson' has been the attitude of King Edward VIII. To-day nobody is happier than he. I only wish that every couple in our country, nourished in the traditions of our glory, follow the example of King Edward VIII and try to see that they should rather be wedded to their sweethearts and be wedded to them all their lives until death do them part. Now, Mr. Speaker, for that provision of divorce I should naturally give my congratulations to that venerable Member in our House, to that elder Member who has got much womanly grace (laughter) and such chivalry for women and who has rightly chosen for his theme this social reform which has been long overdue. I am sure that in the interests of matrimonial happiness we should bless his Bill with our utmost goodwill." (Hear, hear.)

THE HON. SRI B. GOPALA REDDI:—"Sir, I have said in the very beginning when the Bill was taken up that the Congress Party Members were free to vote as they liked on this Bill and it is the expectation of some of us that the Congress Party Members would behave well on this issue while exercising their utmost individual judgment and they will be doing the correct thing in supporting the Bill. Without any whip from anybody, either from the High Command or from the Party, the Congress Members have

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given the fullest support to the Bill and to-day we are on the happy occasion of seeing it pass through this Assembly even in the third reading stage. I am sure that in the House of the Elders also it will be entrusted to some Member of the Council and he will pilot it through and make it law ere long.

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"The House of elders, I am sure, will, in spite of their reactionary attitude on various matters, support this social reform measure and see that Madras follows the example of Bombay in putting a stop to bigamy or polygamy. I should really congratulate the Members of this House to whatever section they belong—whether to the Opposition or to the Government—for having given their general support to this Bill. The divorce and the prohibition of polygamous marriages were before the public for a very long time. Perhaps for decades social reformers have been clamouring for such a legislation. Somehow or other in spite of great many changes that were taking place in India, the Provincial Governments and the Central Government could not take up this matter earlier, and it was left to hon. friends like Mr. Kaleswara Rao; out of genuine interest to do service to womankind to remove some of the hardships to which women were put all these years by bringing forward this Bill. The country is now in a position to give its whole support to this Bill without much opposition. Really it is a matter for gratification to find that the country is moving along releasing herself from the shackles of old traditions. Perhaps, the Hindu society of 30 or 40 years ago would not have countenanced a measure like this. Great leaders like Raja Ram Mohan Roy and Veeresalingam Pantulu in their own time had to undergo a great many difficulties in bringing forward some social reforms. To-day, I am glad that along with the political and cultural renaissance, the Hindu society has awakened to its sense of responsibility and its sense of justice to womankind, to the labouring classes, and to the backward communities. Oppressed communities are getting fairer treatment from the hands of the Hindu community. That is really a matter for gratification. There are other matters also in which reform is needed. I am sure the Hindu community will go into those defects ere long and give everybody his or her rightful place to enjoy the fruits of freedom of a juster order. Sir, it is not true that Government wantonly delayed this matter. It is not our intention to do so. If we had taken some non-official days for official business, we did so with great regret in view of the urgency of the official business. I am sure that Mr. Kaleswara Rao himself could not say that Government stood in the way of getting the Bill passed into law by this House. Yesterday (even though it was a non-official day) was taken up for official work, and therefore we readily allotted this forenoon for Mr. Kaleswara Rao's Bill. I am sure the Bill will pass through its third-reading stage before we rise for lunch.

"One particular matter which struck me in the discussion was Mr. Rajamannar Chetti's attitude and his general condemnation of the Bill. He said that while economic matters were pressing, and when relief to the poor and unemployed was of paramount

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importance, Government were wasting their time on these Bills. I do not exactly repeat his words, but this is the *summum bonum* of his speech, i.e., Government are wasting their time on matters like this which affect the interests of very many people, and that first things are not being attended to first. My only reply is that while we were busy agitating for political swaraj all these years, we could not attend to some of these reforms which were urgently needed. Because of our politics and the need to give relief to the poor, we had to delay this reform. Now the time has come when social reforms have to march together with other reforms. We cannot ask social reformers to stay their hands till something is done for the people. Can we say to the social reformers that they should not bring in social legislation till every able-bodied young man in the State is employed or till every young man is given two square meals and a house to live in? If you put the time-table in that manner, we will be delaying matters for all time, and no good will be done to our society. When we are convinced that a certain thing is bad, we should stand up against it. Even though it is sanctioned by our scriptures or even though it is sanctioned by a large number of orthodox people, we must stand up against it and see that injustice is removed. I am looking forward to the day when India will have a common marriage law. Just now it is only for Hindu men and women. Christians have a separate law of their own with regard to marriage and divorce. Muslims also are having their own Islamic law. In spite of what is said in Quoran and in spite of what Prophet Mohamed said about marriage—because there are various versions of it—Begum Sahiba says one thing and Mr. Sinna Kaziar says another—after all, the text must be the same, while interpretation may be different—I do want that Muslims should have some of their social shackles as I would call them—it may be purdah or it may be polygamous marriages. It might have been sanctioned in Quoran, but I do want Muslims also to rise up and say 'we do not want it; we shall march along with the times and follow the marriage law of all civilized countries in the world.' We know that in Christian countries they have monogamous marriage law. The Hindu community also, in spite of its past tradition, is taking up this question. I want all the Islamic countries also to prohibit it by law in spite of what is said in Quoran. Quoran came in the sixth century and we are now in the twentieth century. Muslims must move with the times. Otherwise they will be left behind. (Muhammad Raza Khan Sahib: 'That is your view.') I am looking forward to the day when a common marriage and divorce law will be applicable to all the citizens of the Indian Union. That will be a glorious day indeed!

"One little matter which has escaped the attention of the House is that while of course it is very good for women not to be subject to be the co-wives of the same husband, while domestic happiness is assured to women by their supremacy in the household without any divided responsibility, married boys cannot be

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forced hereafter to marry girls because of their indiscretion. When a married boy misbehaves with a girl, he is compelled by the parents of that girl to marry her. Hereafter, after this Bill becomes law, perhaps he can escape the trouble of getting married to that girl, because he is already married. I do not know how my friend Mr. Kaleswara Rao is going to prevent the vagaries of married men. (Voices: Please elucidate the matter.) I need not elaborate that point. This Bill gives freedom to those people who are mischievously inclined. I am glad also that married men will hereafter be safe, because they cannot be compelled to marry somebody whom they do not like to marry. I want Mr. Kaleswara Rao to undertake other social reforms which are urgently needed. There is the property reform which is hanging fire for a long time. The Government of India promised a decision on this, but somehow they seem to be delaying matters. Whatever other difficulties women are suffering from to-day, they must be removed so that we may take our rightful place among the civilized nations. I wish Mr. Kaleswara Rao once again all success in his attempt, and I am glad that his attempt at this Bill has become successful. As I said in the beginning it will have an easy passage in the House of Elders also. I hope other matters also will be taken up by him are long. I fully support this Bill."

* SRI A. KALESWARA RAO:—Mr. Speaker, Sir, I thank you and the Leader of the House Mr. Gopala Reddi, who is a man of culture and character for having (interruption). I must tell you now that he has been supporting this Bill from the beginning. Even when votes were taken whether it should be dropped altogether or whether it should be introduced in the party, he was one of those who strongly supported me. I must also say that every member of the Government has supported me. I am thankful to the lady Members of this House for having made it possible for me to introduce this Bill because in the party meeting it was they who brought round every one who was a sceptic and who was doubtful of the utility of this Bill. I am not angry with any friends who have opposed this Bill. Of course they are afraid that this might disturb society. They are only anxious about the stability, solidarity and good traditions prevailing in society. Except that they are not actuated by any other motive. Always the orthodox and conservative spirit tries to preserve what is good in the country. The reform party wants to introduce changes which are beneficial to society by removing superstitions and bad things in society. Therefore both the spirits, the orthodox and the conservative on the one hand and the reform spirit on the other, are necessary for the proper advancement of society. I am very glad to read from the U.N. Council proceedings, dated August 20, that—

'The Economic and Social Council to-day adopted the first three items of seven-point charter on women's rights proclaiming the equality of men and women in all spheres of economic, cultural, social and political life.'

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"That is the way in which the civilized world is proceeding and by giving a status of equality, a status of dignity to the women of India, India will rise high and will be respected in the country of civilized nations.

"Therefore, Sir, women's uplift, the redress of the grievances of women and bringing them on to a status of equality with men are as important as the uplift of Harijans and other oppressed communities in this country. The uplift of women is also as necessary as Prohibition by which we want to remove the curse of drink. As a student, I had the good fortune of being under the great reformers of South India. There were three reformers of that age, Sri Veeresalingam Pantulu, Sri R. Venkataratnam Naidu and Sri Ranga Rao, father of Mrs. Radhabai Subbarayan. These three were great reformers of reputation during my student life. Really it was a dream to us in those days. Every man knows the influence of Sri Veeresalingam Pantulu. It was he who was responsible for some of the reforms of those days. Sir, we are agreed that we should bring reforms for the uplift of women, for the removal of untouchability and even for abolishing caste system in due course. Mr. Speaker it was really a proud day when I entered the Tirupathi temple along with you to open that temple for the Harijans. We all took—whether we were Brahmans or Harijans—we all took the 'Thirtham' and the 'Prasadam' at the gate of the Swami equally. That was a proud day when the Temple Entry Bill was passed and we had the privilege of participating in that reform. Now, the reform of women's uplift is as necessary and as important. We admire Mahatma Gandhi not merely for his political activity, not merely for his leadership of the Congress Party and not merely because he was the leader of our freedom struggle but also because of the sympathetic view that he has taken, from the very very beginning in religious and social reforms. He was a great religious reformer and he dreamt of establishing unity among Hindus, Muslims and Christians because he believed in the oneness of humanity and in the oneness of religion; whatever may be the superficial differences, there is a fundamental unity in all the religions. He undertook that great epic fast for the removal of disabilities of crores of people who are living in this land under thralldom, under suffering and under suppression and social segregation. Sir, the great idea of a comprehensive social reform for the Hindu society which Rajaram Mohan Roy began was fulfilled by Gandhiji. These were the two greatest of men in modern times. Gandhiji was a combination of all that is best and noblest not only in India but also in the whole world. He pleaded for the unity of the Hindus, Muslims and Christians. He also pleaded for the equality of men and women. He had given a very great chance for women to march forward along with men in the freedom struggle with all their self-respect and dignity. He made them feel that they are equal to men in all respects. Of course, in Turkey, Mustapha Kemal Pasha was the greatest modern reformer of Western Asia. He said, "I want homes, not harems." If anybody has more

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than one wife, it is a harem and if there is only one wife, it is a home and a happy home. Therefore, Sir, this reform has been long overdue. There are strong women's movements in India as in any other modern progressive country like Egypt and Turkey. Women's movements in this country have all applauded this great reform. It has been given to a humble man like myself—a very humble man—to bring forward this social reform legislation. Sir, whenever such a social reform is undertaken, a cry is raised in the country among the orthodox circles that religion is in danger, that society is in danger and so on. When we wanted to remove untouchability, that same cry that 'society is in danger' or that 'religion is in danger' was raised. That same cry was raised even when the Widow Remarriage Law was first broached by that great Reformer, Ishwar Chandra Vidyasagar. But, now, Sir, society has risen step by step and gained strength after strength until we have come to this day when we have got public opinion ripe. We know the great agitation that was in the country when the Child Marriage Restraint Act, that is, the Sarada Act, was passed. Some people said that girls would go astray if they were not married before they attained their puberty. Then, with regard to widow remarriage, some people said that women would murder their husbands and then become widows so that they might marry somebody. All these are mere fantastic things said by people who did not know what is progress. They only knew that the existing state of things should be continued and that no reform should be attempted. As the Hon. Sri Gopala Reddi has said, public opinion is now ripe for social reform and therefore, it is but right that we take up such things. It was Mahatma Gandhi who ripened that public opinion and enabled the Legislatures to pass such reforms for the women's uplift and the Harijans' uplift.

"Sir, of course with regard to this Bill, it was not piloted as a Party bill. I am not sorry for it. I am glad because I expected not only the Congress Party but also every other Party in this House in this year of 1948 to support a Bill of this kind in a great majority. Therefore, the Party whip and the High Command's help were not necessary with regard to this measure because this is a social measure. In matters of economic and political reform where the interests of persons will be affected, some party discipline will be necessary. For a Bill like this, it is not at all necessary.

"Sir, I do not want to take more time of the House. I must thank the Select Committee for their having unanimously passed this Bill. They have also suggested a few things that they considered necessary and I tried my best to adjust here and there. I am grateful for all the suggestions they have given. I am also grateful to this House for valiantly and unanimously supporting the decision of the Select Committee at every stage. I am also thankful to you, Sir, for the smooth passage of the Bill.

"Sir, this Bill concerns with two things, prohibition of bigamy and introduction of divorce. Nobody is more unhappy

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than myself for introducing the principle of divorce but it is necessary because unless there is provision for divorce, monogamy cannot be enforced. The Select Committee also made the provisions as rigorous as possible. I hope there will be no occasion—understanding as we do the genius of Indian women, whether Hindus, Muslims or Christians—I hope there will be no occasion I repeat, to resort to a court of law for effecting divorce. As the Hon. Mr. Madhava Menon has said with regard to the penal provisions of the Bill I hope, there will be no occasion to use them. The Police cannot interfere on their own accord. A case can be launched only by somebody who is aggrieved. Sir, the present Leader of the House was most helpful to me at every stage. I do not agree with the hon. Member who said that these reforms could wait and only economic and political reforms should be taken up at this stage. With these words, Mr. Speaker, I thank you once again and I request the House to pass this Bill into law."

SRI R. V. SWAMINATHAN:—"May I know from Sri Kaleswara Rao whether he has got anything to say about the point raised by the Leader of the House that there should be a uniform marriage law for all the communities?"

SRI A. KALESWARA RAO:—"I agree with the Hon. Leader of the House and I am looking forward to the day when a uniform and comprehensive marriage bill will be introduced for all the communities."

MR. SPEAKER:—"The motion before the House is that the Madras Hindu Bigamous Marriages (Prohibition) and Divorce Bill be passed into law."

The motion was put and carried.

The House then adjourned to meet again at 3 p.m. after lunch.

(After lunch—3 p.m.)

GOVERNMENT BILL.

V.—THE MADRAS ESTATES (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947 (L.A. BILL NO. 37 OF 1947)—cont.

* SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, though I said that the zamindars are not the owners of any portion of land except what are called private lands under the Madras Estates Land Act, I did not say that at this stage they can only be pensioned off. This is just to clear some misreport which had been put in. At this stage, they have to get compensation not on the basis of ownership, but because of the fact that their services are being terminated, services that were perpetual and hereditary. Therefore, I object to mines, fisheries, forests, and waste lands being taken into consideration, while, assessing compensation. Let us have some general principle; because their services are being terminated, let them be given compensation, in order that,

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there may be no difficulty of the case coming within section 299 of the Government of India Act. Amend the first portions by merely saying that you are abolishing the landholder system, zamindaris and other estates. I think that will be the safer and correct position.

"Then I mentioned, that in the Southern district zamindaris the rates are lower in many cases than the ryotwari rates which the Government contemplate to introduce. I want that wherever these rates are lower, they should not be enhanced, and wherever they are higher, they should be reduced to the level of the ryotwari rates. That is my second point.

"My third point is this. Remove the grain-rents from all calculations. Under the Rent Reduction Act, grain-rents are put in. They should be removed, because they are difficult things. Even under the existing Act, there is what is called commutation of grain-rents into money rates. Somehow, there was a confusion in the Select Committee, that they should pay to the Zamindars till the rates are settled by settlement under this Bill at rates to which they were entitled before the passing of the Bill. Instead of that, they should pay, to the landholders at the rates to which they were reduced by the Rent Reduction Act."

THE HON. SRI KALA VENKATA RAO:—"I accept it."

SRI A. KALESWARA RAO:—"I also want to say that it should apply to decrees and pending suits also. If decrees and pending suits go one way, and the other things go in a different way, certainly things look unfair. So, I hope Government will accept it even in respect of decrees and pending suits.

"Then, Sir, there is another important thing. A new clause has been introduced in the Select Committee with reference to what are called service inam villages. That is a new thing that has been specifically introduced. So far as I can see, section 316 (c) only applies to lands in estates, and therefore the provision that service inam villages also would be given special consideration should not be accepted. It was only where the services are terminated, that the lands will be given over on pattas to the minor inamdars and ryotwari rates may be assessed. But if it is said that service inam villages also should be taken into consideration, then I say it is quite a wrong view. Where there are ryots already, under other inams, section 3 (2) (d) of the Estates Land Act applies; and section 3 (2) (c) applies to under-tenure holders. Like all other under-tenure-holders, the ryots alone must be given pattas, in respect of the lands which are in possession of the ryots. That is an important thing. The Select Committee in spite of my opposition has done injustice to the ryots. Besides, communal lands have been encroached upon by the zamindars from 1802 recklessly. They have been alienated; all these lands must be brought again immediately by the Government for public use. They are the life of the village. The people

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must have amenities such as paths, burial grounds, tank-beds, etc. I want that with regard to the existing customary rights, with regard to grazing rights, cutting of wood from forests, and bringing of materials for house building purpose from forests, in respect of all these, the ryots must be re-assured of their existing rights. And it is not right that the zamindari ryots should be deprived of their existing rights with the hope that some new rights will be accorded to them later by the Government. The Select Committee has not dealt fairly with the ryots. But with regard to the zamindars, I must say the Select Committee has given them much more, particularly to the big zamindars than the original Bill itself contemplated. That is my complaint. The point is that pattas are to be given only for private lands. Of course, there is no provision of any occupancy rights even there for the ryots who are cultivating the private lands. Something like the rights of the protected tenants on the model of the Bombay Tenancy Act, ought to be introduced. So private lands alone must belong to a zamindar, and he must be given ryotwari pattas. But when we come to the Select Committee, what is the point? We wanted that in the case of one who owns one village, a zamindar, or an inamdar, or whoever it is, or a man who owns only a share in a village, is like ryots cultivating some lands. Though strictly speaking, they are not entitled yet as, a matter of concession you may help such people and give them pattas, if they cultivate the waste lands, without being subjected to the claims of any ryot. But to say that all zamindars, however big they may be, whatever the extent of land that they may possess as private lands, should be given patta also for ryoti land is wrong. Mr. Speaker, Sir, I do not have much time to quote sections. But I submit that it is against the spirit of the Estates Land Act. The Hon. the Revenue Minister may say that the total extent that comes under the special clause is only 50,000 acres in the whole presidency. That does not help us, because some zamindars have 8,000 acres, and some others own only about 50 acres. Therefore, it is on a question of principles, that I object to the extension of the definition of the private land. The extension of private lands proposed now is even greater than what was contained in the original Bill itself. I understand that in certain zamindaris, some thousands of acres of land are private land, and in such a case, the zamindar will get about Rs. 50 lakhs to Rs. 60 lakhs or even a crore if he sells them. It would only mean that the Socialistic Congress Government will create new big capitalists. That is why I wanted to move my amendment. I do not bother whether it is private land or not. What I would suggest is, put a limit—say, 300 acres of wet lands—to the extent of land to which he will be entitled for patta. Let the calculation be made on the basis of $2\frac{1}{2}$ acres of dry for each acre of wet land. That is my amendment."

MR. SPEAKER:—"The hon. Member can speak in detail about his amendment when the Bill is taken clause by clause."

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SRI A. KALESWARA RAO:—"So, I shall only touch briefly upon all the important points. With regard to the amount of compensation, I want that a maximum limit should be put to the compensation that could be paid to any zamindar.

"My last point practically is with regard to the distribution of compensation, in regard to impartible estates. The original Bill contained a provision that it should be distributed among all the members of the joint Hindu family. That is correct, equitable and just.

"Why should 131 people be treated in a different way from the 2,800 zamindars? With regard to compensation, and also with regard to distribution of private land for which they would be given pattas, they should be treated like other zamindars, i.e., 'partible' zamindars numbering about 2,700 or so, and then the compensation should be distributed as among the members of a Hindu joint family. No question of maintenance comes in. Only when the impartible Estates Land Act is there, others are treated as maintenance-holders. When that act goes, why should there be a separate treatment for impartible land-holders?

"There are many other points to be considered. With regard to lanka lands a new provision has been made. Lankas should not be treated as private land and to pay higher compensation in their case is not correct. Most of the lankas are ryoti land. Ryots were in possession of these lands and they must get pattas. The lanka lands should not be treated differently from ryoti land under the Estates Land Act. The new provisions are helpful to the big zamindars.

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"Of course, I approve of the provision in the Bill regarding religious and charitable institutions. These institutions must be maintained by the Government. They should not be left to private individuals. The Government must be responsible for their maintenance. Mr. Speaker, Sir, as desired by you, I shall deal with the clauses in detail at a later stage."

MUHAMMAD RAZA KHAN SAHIB:—"Mr. Speaker, Sir, we have heard the speech of the Hon. Minister on the second reading of the Bill. He has really made out a very good case based on ancient history. He has informed hon. Members of the House how things happened for some centuries in the past and how things have followed. My hon. Friend, Mr. Alluri Satyanarayana Raju taking advantage of the absence of some of the Members on this side, remarked yesterday that we were not interested in the abolition of the zamindaris. Almost all Members of my party have stated that they are really interested in the abolition of the zamindaris. On this matter, more than the promises of Congress Members, we are for the abolition of the zamindaris and their conversion for reasons well known to the Hon. Revenue Minister and the Government. The zamindars also are for the abolition of their estates. Because, their experience is

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like that of persons who have been ordered to be executed but whose execution is to take place on some indefinite date. They feel in their own interest that it is better that the Government should abolish the zamindaris and that they should know what amount of compensation they would receive.

"I am sorry to point out that the Select Committee's report does not envisage any important or major changes. The changes made are of minor or secondary importance, I can say. Objections have been raised that the basis of compensation—one-third of the ryotwari rate—is very illogical and illiberal. The matter requires certain amount of explanation. I am sorry to say that we have not been much convinced by the arguments of what happened in 1802 and subsequently. The whole argument has been that the zamindars have been only collectors of revenue. The zamindars cannot expect more than one-third of the ryotwari rate, because they are considered to have been only rent-collectors. You take away the zamindaris as you no longer want them to be collection agents for the Government. (At this stage Sri Alluri Satyanarayana Raju occupied the Chair.) Mr. Chairman, Sir, may I speak in Urdu?"

MR. CHAIRMAN (Sri Alluri Satyanarayana Raju):—"The hon. Member can continue to speak in English."

MUHAMMAD RAZA KHAN SAHIB:—"You are abolishing the zamindaris and the Government themselves are taking responsibility for the collection of rent. In that case I see no reason why the Government should pay any compensation at all to the zamindar. The zamindars have got rights over property and they deserve compensation at some reasonable and equitable rate. You propound the theory that the zamindar is only a rent-collector and you think that he should get compensation only on the basis of one-third.

"In this connexion what I feel is this. The Hon. Revenue Minister has not said anything about the legal aspect of the matter. As a Minister responsible to this House I thought he would say something about the legal aspect of the matter. Members of the Legislature have their own theories on many matters. On the basis of such theories Bills are brought forward in this House. What really matters is the legal aspect. I wish to know whether the Minister for Revenue found out what is the legal opinion in the matter and whether this Government have been given definite assurance by their legal advisers that zamindars are only rent-collectors. In fairness to the House, the Hon. Revenue Minister should have sent for the Advocate-General and asked him to address the House so that we could have the benefit of his legal advice. The Congress is in power. Congress Members are very anxious about the matter. They have developed a sense of prejudice against the zamindars. We hold no brief for zamindars. If they get less compensation, it does not matter very much to us. But the question is one of principle, one of justice. When you are

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taking somebody's property, you have to pay adequate compensation; you have to pay equitable compensation. You cannot simply say: 'You will get only this much; take it and be off.'

"Many Members of the Congress Party referred to Section 291 of the Government of India Act, if I remember right; I am speaking subject to correction, and I do not know correctly. (Voices: 'Section 299'.) Only 8 more sections, it does not matter. There is a definite section in the Act of 1935 that you should pay equitable compensation. There is a provision to that effect in the Draft Constitution also. Why should we not insist on that provision being given effect to? To-day it is the fate of the zamindars. To-morrow the turn of other interests will come. The Members of the Congress Party ask why not the match industry, cottage industries, etc., be nationalized. Naturally there is fear complex among men engaged in industries. They think why should we spend our money. At any time the Government will take away our property and pay any sum according to their standard, however unreasonable it may be. I do not agree with the basis of compensation taking one-third of the ryotwari rate and deducting therefrom a certain percentage for establishment, etc. It would have been much better if the Government had some rough and ready calculation of the total income of the estate and pay compensation at 10, 15 or 20 times that amount. After all, the House has got power. The Minister has power to do so. I think it is nothing but subterfuge or a roundabout way of doing things. Even if you treat the zamindars as your opponents you have to treat them fairly. Zamindars are not at all our opponents. They might have some vested interests. They are people of this country. You should not have prejudice against them because they were at one time with the Government. They should be paid fair compensation when you are acquiring their properties. Therefore the Government should not stop with saying that they will pay one-third of the ryotwari rate.

"Section 36 of the Bill deals with the scale of compensation. Where the basic annual sum does not exceed Rs. 1,000, 30 times such sum and where the basic annual sum exceeds Rs. 1,600 but does not exceed Rs. 3,000, 25 times such sum or Rs. 30,000 whichever is greater, etc. Suppose the income of a zamindar is rupees 2,999 after bringing it to the one-third level and after deducting the percentage for establishment charges, etc., he will be entitled to compensation 25 times. It will come to Rs. 75,000. But he will get only Rs. 30,000. (The Hon. Sri Kala Venkata Rao: 'He will get Rs. 75,000 because it is stated whichever sum is greater.') I am sorry I am wrong. I took it to mean whichever sum is lesser. I think what is really given to the zamindar will not be more than three or four times the annual income. I can understand the anxiety of the Hon. Minister to see that more compensation is paid to zamindars of the lower grade than to those of the higher grade.

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"Another point I wish to deal with is this. (There have been a number of zamindars in this Province who have been hereditary zamindars enjoying the benefits of the Permanent Settlement. But in recent times there have been a number of cases in which people have acquired zamindari rights and rights in inam villages. At a particular time this was allowed. There was nothing wrong in people purchasing zamindari or inam lands. They had money. They thought there was nothing wrong in purchasing them. A zamindari or inam might have been purchased for about Rs. 1 lakh fifteen or twenty years ago. According to the Bill they will get only about Rs. 30,000 or 40,000. I think it is quite unfair on the part of the Government to put these people to so much of loss. The Government should have drawn some distinction between zamindars who have been enjoying benefits for 100 years and those who acquired zamindari villages recently, because law allowed such a liberty at that time. You should not penalize such people. I do not see any reason why zamindars who have been there for a number of years and those who purchased zamindari villages recently, should be treated on a par. Well, I can understand such a course being adopted by the Government to help poor agricultural labourers, pattadars and others. When the Government are themselves acquiring the lands, I do not see any reason why they should not pay at the market value.

"In so many zamindaris there may be mines of different categories, some really paying very substantial income. The Government are going to take over these mines. People having some experience of working mines, know what lot of money has to be spent on mines for their development and proper production. It is quite possible that zamindars might have spent lakhs during the last ten or fifteen years on mines and fisheries also. I do not see any reason why the Government should treat lands, mines, fisheries, etc., on the same footing. I am sure the Hon. Minister in the course of his reply will state why he has treated all these items on the same basis. There are many other points to be considered and I think no purpose will be served by dealing with them now.

"Sir, this is what the Government are going to acquire for themselves and not to acquire them and give to other people. In the case of mines the zamindar might have spent a lakh of rupees and improved them. The Government will get the benefit of it. If the Government say that they have a right to acquire it and the power to acquire it, then nobody can object to it, but as they say that they are going to do justice and that there will be no expropriation, I do not see any reason why these things should be calculated on the same basis.

"The other important question is the manner and method of paying compensation. In the first place you reduce the rents to the ryotwari level, then reduce it to one-third and then make some other deductions from it and take it as the basic sum for determining the compensation. But once you decide on the compensation, the zamindars may wish to be freed of all further trouble.

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But the Government are not going to pay them the compensation immediately. Under clause 38, the Government will decide the annual sum payable to the members of the families depending on the income of the zamindaris and who may not have ostensible means of livelihood. But with regard to the total compensation, the Government has got the power to regulate the manner of payment under clause 39 which says:—

‘ 39. (1) *The compensation payable to any person under this Act and the sums payable to any religious, educational or charitable institution under section 37, sub-sections (1) and (2) may be paid in such form and manner, and at such times, as may be prescribed by rules made by the Government.*

(2) *Such rules shall be subject to the approval of the Provincial Legislative Assembly.*

The Assembly, of course, will have the right to discuss the matter, but the people concerned will be more anxious to have the whole thing settled within a year or two years instead of hanging on the officers of Government. It is quite fair and reasonable that the zamindars should get their quantum of compensation quickly. Already there is a feeling that the payment of compensation depends on various factors. The Government should raise the necessary funds either by means of a loan from the Reserve Bank of India or floating their own loan. This may take ten or twelve years. Sir, abolition of zamindaris is not a purely provincial question. It is an all-India question. It is a part of the Congress manifesto. In Bihar, United Provinces and West Bengal and here in Madras the Legislatures are busy with the question. Last year we asked the Hon. Minister whether he could apprise this House on what basis the payment of compensation is decided in the other provinces. I concede that conditions differ from province to province, but as this is a sort of all-India policy it would have been better if the Hon. Minister had appraised this House of the methods of calculating compensation in the different provinces.

“ Sir, last time we asked the Hon. Minister how it was that he made no difference between zamindaris purchased recently and those which were in existence for a long time, and why people who purchased zamindaris recently should be made to suffer on account of this enactment. The Hon. Minister replied that the zamindars who had purchased zamindaris in recent months and inamdars who had purchased inam lands in recent months were like those who purchased shares in the stock market, the value of which would be high one day and go down considerably after some time. It is not a fair analogy, Sir, to compare zamindaris and inam lands with shares in the stock market. I thought the Hon. Minister would give a reasonable reply, but the reply he gave then is there.

“ Sir, with regard to the compensation, it would have been good if the Hon. Minister, by a rough and ready calculation

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apprised this House how much it will amount to and in what manner it will be paid. But everything has been left vague. There is a tendency for some Hon. Minister to give some estimates of the total involved in their speeches outside the Assembly. If I remember aright, the Hon. Minister for Revenue once said that the total compensation would amount to Rs. 8 crores and now he has amended the original statement and said that it would amount to Rs. 12 crores. Sir, the Hon. Minister should give us an idea of how much will be involved, how long it will take for them to pay and what is the method and manner of payment. Otherwise, the Bill will be incomplete by itself. When the Government are enacting a legislation, the House is entitled to know all its implications. Suppose for argument's sake, by our calculations, we say that it will be 8 or 12 crores. Suppose it comes to 30 or 40 crores. Members have got a right to know how the Government are going to raise this sum. We know that in the present financial position of the Province, the Government are not in a position to pay all this. Therefore, the House and the public are entitled to know the details.

“ I now come to another aspect of the question. When once you notify in the Gazette that a particular estate is taken over by the Government, the zamindar ceases to have any right in the estate. What happens to the collection of rent? Whatever may be the anxiety of the Hon. Minister to have things done in a speedy manner, it will take years and years if not decades. We know the fate of the Rent Reduction Bill. The Hon. Minister was very anxious to have the Bill passed in the course of two or three days. It was passed. But still proper progress has not been made in the matter, because they do not have proper machinery. The machinery had to be created and such of the men who were put in charge had not the necessary experience. Surveys had to be made. All told, Sir, it will take a long time. In spite of the fact that this Act is passed, it will take 10 or 15 years to implement it. All the time, what will happen to the persons whose property has been taken over by the Government? I speak subject to correction, but I think that the Government will be collecting the rent and the income from mines and fisheries. How much will the zamindar be entitled to? According to another clause they will be entitled to 25 per cent of the net income. This is quite unfair. The other day Mr. T. R. Venkatarama Sastri in a statement to the press has drawn the attention of the Government to this matter. When the Government have not settled the final compensation and when they are collecting the rent in full, there is no reason why they should pay only 25 per cent to the zamindar. There should be some justification for what the Government do. I cannot understand how the Hon. Minister can come to the conclusion that the zamindar should get only 25 per cent. After deducting a reasonable percentage for the expenses of collection—say 10 or 15 per cent—the zamindar is entitled to the

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balance. As no less a person than Mr. T. R. Venkatarama Sastri has drawn the attention of the Government to this, I am sure the Hon. Minister will consider this aspect of the question.

“With regard to matters of finance, I do not want to take up much of the time of the House except to say this. This is not the proper time for the Government to pass this enactment. No doubt the whole House has supported the measure, but I am sure it will be found that in the process of working it will be a very difficult task. The Government would have done well to postpone this for a period of two or three years, because the Government is not in a position to finance this enactment. The Hon. Minister said: ‘After the Act is passed we shall see what method has to be adopted.’ The second reason is the question of the linguistic division of the Province for as far as inams are concerned, it is a matter for Tamil Nad since most of the inams are in Tamil Nad and as far as zamindaris are concerned, it is a matter for Andhra Province, since most of the zamindaris are in Andhra area. Therefore it would have been much better for the Hon. Minister to have delayed this measure. What you can do to-day, you can as well do a year after provided you have got the confidence that you will remain in power in this Assembly or be returned to power after the next elections with the support of the people behind you. There is no meaning in rushing this enactment. (The Hon. Sri Kala Venkata Rao: ‘You call even this “rushing”?’) There is too much rushing, Sir. The way in which things have to be worked out is very cumbersome and I do not think the parties affected have been dealt with properly. I am not much enamoured of the amendments—a number of amendments have been given notice of but I am afraid they are not going to be of much use. The report of the Select Committee seems to be the settled policy of the Government except for some changes with regard to inams. I do not see any reason that justice will be done to the parties affected. However, I am sure, if the Hon. Minister feels that some changes are necessary, he himself will effect those changes.”

* SRI P. KANDASWAMI PILLAI:—“Sir, the Hon. the Revenue Minister deserves to be congratulated by each and every zamin ryot because he has liberated them from the clutches and the tyranny of the zamindars. The zamindari system was introduced by the British Government for their own advantage, because the English rulers did not know the language of the land, and as they wanted to collect rent and have close contact with the people, they wanted some agents who will help them. The ancestors of the present zamindars were handy and they were ready to help them. The zamindars were originally responsible for strengthening British rule in India. As a reward the British Government appointed them as their agents. They were to collect the rents, pay a portion in the Government treasury and keep the balance, for their own purposes. That was how the zamindari system was introduced by the East India Company. Later on,

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in 1908 the Estates Land Act was passed and the system was codified for the convenience of the rulers and their helpers irrespective of the convenience of the people. The zamindari system is not intended for the benefit of the people. Therefore the Congress High Command has thought it fit to abolish this system as early as possible and introduce direct contact between the people and the Government. The Congress Governments in the Provinces have introduced zamindari abolition Bills to abolish the zamindaris and introduce the ryotwari system there and give facilities to the zamin ryots. But now I am very sorry to see that very many clauses in the Bill as it has emerged from the Select Committee go against the interest of the zamin ryots. In clause 15 of the Bill dealing with ryoti lands in municipal areas it is stated that half of it should go to the zamindar or its value must be paid to the zamindar when the ryots want to put up a building in their agricultural land.

“Now, Sir, I would request the House to consider whether it is reasonable, especially when the ryot has acquired all the rights from the zamindar and has been enjoying the whole right from time immemorial, either in the matter of selling the land, cultivating it or presenting it to anybody he likes, that such right should be taken away from him now. This was not also contemplated in the original Bill, but all of a sudden unfortunately the Select Committee, where the zamindari interest was perhaps prevailing, introduced this clause 15. Sub-section (i) of this clause says: ‘lands other than those which, immediately before the notified date, were properly included or ought to have been properly included in the holding of any ryot shall, subject to the provisions hereinafter contained in this section, vest in the landholder.’ Then again, section (ii) says ‘one-half of the lands which, immediately before the notified date, were properly included or ought to have been properly included in the holding of a ryot shall, subject to the provisions hereinafter contained in this section, vest in the ryot and the other half in the landholder.’ I do not know how in their wisdom the Select Committee have included this clause in the Bill here”

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SRI R. SUBBIER:—“On a point of order, Sir. Is the hon. Member in order in placing his foot on the bench while addressing the House? May I have your ruling on it, Sir?”

MR. CHAIRMAN:—“The hon. Member is not in order in doing so. The hon. Member, Mr. Kandaswami Pillai, may continue his speech.”

* SRI P. KANDASWAMI PILLAI:—“Sir, it seems some members take into their mind to note unnecessary things as they have introduced unnecessary clauses in the Bill.”

MUHAMMAD RAZA KHAN SAHIB:—“It is a reflection on the Chair.”

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will be no zamin ryots but everyone will be considered as a ryotwari ryot. Therefore, when the ryotwari ryots enjoy certain privileges why should the inam ryots be denied those privileges? If you really want to carry out the spirit of the Act into action you must see that the provisions of the Rent Reduction Act are applied in the case of all inam ryots even including the 1936 inam ryots and under no circumstances should they be exempted from the Rent Reduction Act.

“ My humble suggestion, Madam, is that if this is going to be useful in the case of all zamin ryots, section 15 which affects the ryoti lands in municipal areas should be omitted. I am sure the Hon. Minister will yield to the request of the lakhs of ryots who will be put to untold miseries if this provision is given effect to. Therefore, this section 15 with all its sub-sections should be completely deleted from the Bill and I hope the Hon. Minister will make an announcement to that effect in his reply to the suggestions made by hon. Members.

“ Again, Madam, regarding the constitution of the Tribunal, it was originally proposed that it would be presided over by a Deputy Collector and I am glad that they have now proposed to appoint a Sub-Judge or a District Judge as the Chairman of the Tribunal and Revenue Divisional Officers as members. This is one of the very important changes made by the Select Committee, Madam, this Tribunal is going to deal with very important matters regarding properties worth several crores. It is, therefore, very essential that the members of the Tribunal should be very impartial, quite efficient and very very honest; otherwise there will be tremendous temptations and as a matter of fact, on the one side there are multi-millionaires, namely, the zamindars and on the other side the poor ryots. I am afraid, though the Hon. Mr. Kala Venkata Rao has come forward with this Bill against the teeth of many-sided opposition, he cannot protect the ryots. Therefore, Madam, the constitution of the Tribunal should be such that the members should be strong-willed people who will not be shaken by any kind of temptation. I am glad that the Select Committee thought it fit to put in officials of higher rank as members of the Tribunal.

4 p.m. “ Madam, some of the other clauses of the Bill which are not at all advantageous to the ryots should be properly and suitably amended. Several hon. Members have given amendments to various clauses of the Bill and I myself have given notice of certain amendments and when we come to the discussion of the clauses in detail we will be in a position to consider the various aspects. I shall now conclude my speech in the full hope that the Hon. Minister for Land Revenue will agree to drop section 15 from the Bill and save the miseries of the ryots who own lands in municipal areas and in the estates of this Province.”

* SRI K. BHASHYAM:—“ Madam, the Bill as presented by the Select Committee is certainly very different from the Bill

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which was before the House at the time of introduction. Very important changes have been made by the Select Committee in the various clauses of the Bill. The question as to whether they should be considered by the Assembly in all their aspects is a matter for the Hon. Speaker to decide. But I do ask the Speaker to look at the question from this point of view that the Bill now before the House is a practically new Bill. Therefore, I submit that more latitude must be given for discussing the various clauses. (Abdul Hameed Khan Sahib Bahadur: ‘Hear, hear’.) My hon. Friend, Mr. Hameed Khan says, ‘Hear, hear’ because he thinks that my argument is in support of his motion that the Bill be recommitted to the same Joint Select Committee that originally reported on the Bill. As I explained yesterday, there is no advantage to be gained by referring the Bill once again to the Select Committee, because whatever we have got to say might as well be said on the floor of the House and get the propositions accepted or defeated. I thought it was unnecessary waste of time to recommit the Bill and therefore I opposed the motion.

“ One point, which was not there before the Bill was introduced, has been there since then and it is this. The Governor of the Reserve Bank of India has spoken about the financial aspects of the various measures undertaken by the Governments of the country and he has made a special reference to the abolition and acquisition of zamindaris. He expressed publicly that it would be very difficult for the various Provinces to meet the expenditure involved in the acquisition of zamindaris. I do not know if he had in mind particularly Madras, but I presume he must have had in mind all the Provinces. So far as Madras is concerned, the amount will be about 10 or 12 crores whereas in other Provinces it will run into hundreds of crores. Whether he had Madras in mind or not, I should like to point out this. We have got the report of the Retrenchment and Reorganization Committee over which Sri T. A. Ramalingam Chettiyar presided and he has given us an idea of the financial position of this Province. He has said that what was once 16 crores of revenue has now become 40 crores and an expenditure of 14 crores has now expanded to 49 crores. Taking these calculations, the increase has been mostly due to the fact that the Government of India have been giving back a large amount of income tax they received from this Province or from all the Provinces. Now we know that the finances of the Central Government are in a parlous state, and with the added burden of the Kashmir campaign, their deficit must be larger. They have got their own expenditure to meet and they have got to provide for a huge war expenditure. I don't think we can at all expect the Central Government to give us any substantial help this year or the next year. Therefore, it is that I should like the Finance Minister and also the Revenue Minister to think seriously whether in the present state of affairs they can really meet the expenditure involved in the acquisition

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of zamindaris. I am glad to see however that evidently the Hon. Revenue Minister had had this in mind because he does not propose to acquire all the zamindaris at once. He has provided for notification and it is only after the notification that there will be acquisition. By the power he has taken under this Bill, if he will postpone the acquisition by a few years, I think he will do very well. I hope the Finance Minister will see whether the Province can bear this 12 crores or whatever the amount may be. I say this as a helpful criticism, because I want the Government to consider this aspect very seriously before undertaking such a costly measure as the acquisition of zamindaris.

"I have given a number of amendments, some technical and some merely to improve drafting. But there are certain matters involving principles and on them I should like to say a few words. The compensation that was prescribed in the original Bill has been modified considerably by the Select Committee. I am not going into this because I believe that it is a matter for settlement between the Government and the zamindar concerned. I should like to point out to the Members who represent the tenant classes that they have nothing to do with this Bill except in respect of the payment of arrears. The whole question is between the Government and the zamindar—how much the Government are going to pay for the acquisition of zamindaris and how much the zamindars are asking for. Therefore let not Members here who represent the tenant classes mistake some of the people who criticize the measure or at least let them refrain from speaking disparagingly about some of the provisions of the Bill, because it is not intended that the tenant classes should in any way be adversely affected by this Bill. They have had their benefit under the Rent Reduction Act. This Act deals with zamindaris and the Government have to pay for their acquisition. In purchasing zamindaris, I should like to know whether the Government cannot deal with certain cases more generously than with the other cases. It has already been pointed out in the course of the debate to-day that it will be an act of grace on the part of the Government and it is but just to recognize that the persons who have purchased zamindaris for hard cash as a sort of investment for their money should be given a special treatment and treated differently from the zamindars who have been renters, rack-renters or whatever that may be. Whether that distinction can be made or not is a matter for the Government to decide. This argument may be advanced by the Government that if a person invests in stocks and shares and if their value goes down, he will have to thank himself for putting his money in a bad investment. That analogy cannot hold good here for, land is supposed to be the best investment. But you can apply the analogy to this extent. For the last 10 or 15 years the Congress has been committed to the abolition of zamindari at no distant date and any person, who has purchased a zamindari knowing this, must be treated on a par with the zamindar, as

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distinct from those who purchased prior to that period. Therefore, Madam, if it is possible for the Government to make a distinction between those who purchased within the last 15 or 20 years and those who purchased earlier, I think it will be well, because it will also infuse confidence in persons who have got money to invest on lands.

"I should like to make one other observation. By acquiring these zamindaris, are you putting more money into the industry of agriculture than now? That is a point on which I would like the Government to be assured about. So far, the zamindars, who are capitalists, invested money and improved the lands and thus helped in the Grow More Food Campaign. It will be very difficult for the small tenants to whom you are giving the lands to find the necessary capital for improving them and thereby help in the production of more food. This also is a matter for consideration by the Government in respect of this measure.

"The other point which I would like to touch upon and it has been touched upon by several other Members also is this. Just as I wanted you to be generous to purchasers, I want you to be generous to the small landholders also. To persons who own a few acres of land, the compensation may be higher than what you propose to give to big landlords. We fought for it in the Select Committee and we have been fighting for it all through. If you don't do that, you will be really transferring poverty from one person to the other instead of making them rich. That is the position to which it comes to. Among those hit by this measure, there will be persons who own only 25 or 30 acres. They are as poor as tenants with occupancy rights or ryotwari ryots. Whether you should not make a concession in their favour is a matter for the Government to consider carefully. Otherwise, there will be general dissatisfaction against the Congress and the Congress organization as such.

"The provision relating to the distribution of compensation is left in a hopeless confusion. It is not possible to say on what principle or basis the compensation that will be deposited in the courts will be divided among the various claimants to that money. First there are creditors of the estate. Some of them may be mortgagee-creditors, and some not so secured. Some of them may be entitled to maintenance only and the maintenance-holders might have either through courts or by agreement with the zamindar obtained a charge on their maintenance rights. From whom are these mortgagees of maintenance rights to receive their money? All these persons have to look to the compensation deposited in the court. It will be very difficult for the tribunal to decide upon the competing claims of the various persons unless certain principles are laid down in the Bill itself or enunciated by the Minister concerned. I will give an instance. Suppose a zamindari was worth, according to the present value and not according to the valuation given in the Bill, about 10 lakhs of

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rupees. A person might have advanced five lakhs of rupees on mortgage thinking that it was worthwhile. As the zamindari was worth 10 lakhs and it was mortgaged only for 5 lakhs, another person might have advanced 2 lakhs on second mortgage. A zamindari worth 10 lakhs is under two mortgages, one for 5 lakhs and the other for 2 lakhs. If the compensation that is going to be paid to the zamindar comes to 4 lakhs, what is to happen? Is the first mortgagee to walk away with the entire compensation of 4 lakhs and is the *bona fide* second mortgagee to go away without anything? Is it just that this should happen? Therefore I should like the Government to consider seriously how to decide the various claims.

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“Now take the case of maintenance holders who are junior members of the zamindari. Suppose the compensation paid by the Government is swallowed up by the debts incurred by the zamindar, what will happen? In such a case, unless some provision is made, or at least a charge is made against the compensation for the maintenance holders, very many of the maintenance holders would be left practically in the streets. Persons who have been expecting some money for themselves for a decent living, will be thrown on the streets without any means of subsistence, if no provision is made for them in this Bill. I do not know whether the Government have seriously considered this matter. I should like to make a suggestion in respect of this. Persons who have not had any charge may be treated as ordinary creditors. If it is not done this way, then among the competing claims, persons who really have the good fortune of having the first mortgage in their favour, would swallow the whole amount of compensation and would leave the junior members of the zamindaris in the lurch altogether. Therefore any amendment in respect of this matter must really be welcomed and accepted by the Government, if they want to treat the junior zamindars, with justice and equity, and if for any reason, they do not wish to bring forward such an amendment themselves.

“Then, there is another question. Among the creditors themselves, what is the position? What is the priority to be shown to each of them? As I said, Sir, the first charge-holders may be given the priority. What about other charge-holders and persons who have no charges? Are they to be left in the lurch or are you going to give them some sort of compensation for the money which they had lent to the zamindar, as at the time when they lent the money, the zamindar was in good circumstances? That is why I ask, whether the Government have considered all these points. It is said that compensation shall be made by the court and that the various claims will be decided by the Tribunal. I think this thing should be gone into carefully by the Government and definitely provided for in the Act itself and should not be left vague as it is, as otherwise a lot of complications would arise in course of trial before the Tribunal.

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“Then the question of intermediate tenants and under-tenure tenants are left somewhat in a nebulous state. There are certain under-tenures prior to 1802 and some after 1802. I do not know whether the Government are going to treat these two things differently. It may be argued that a grant by a ruling power must be given greater consideration than a grant by a zamindar after the permanent settlement, because various under-tenures were created by the zamindar after the Permanent Settlement. After all, in both these cases the grant was made for certain services rendered to the estate or for some other purposes. In many cases, it may be only a personal service to the zamindar, but there are many other cases also where persons have been granted inams by the zamindar himself on special occasions and for any special services rendered to the temples or other services of value to the public. What I would suggest is that no distinction should be made between the pre-1802 under-tenure and the post-1802 under-tenure. If all these suggestions are carried out in the Bill by means of suitable amendments, then I think, many of the objectionable features would disappear. But if the Government insist and persist that in respect of the various compensations, there should not be any ratable distribution, then I think the Government will not be doing the right thing.”

* M. S. ABDUL MAJID SAHIB BAHADUR:—“Madam Deputy Speaker, at the outset let me congratulate the Hon. Minister for Revenue for his determination and for his tenacity of purpose which were responsible for this Bill to come before this House for its second reading. Powerful forces were set in motion; great personalities moved in order that the Bill may be delayed and thereby put off; there were so much of currents and under-currents that at one stage, I felt that the Bill was going to be guillotined and that the life ambition of the Hon. Revenue Minister would not be realized. But, due, as I said, to the determination of the Hon. Minister for Revenue he was able to succeed in rescuing the Bill before it could be modified and mutilated so much that it might lose its very shape and form, from what it was when it was originally presented to the House.

“Madam Deputy Speaker, the Bill as it has emerged from the Select Committee, presents some new features. But whatever may be the form of the Bill, I find from the several statements made by the Hon. Revenue Minister that he himself is not satisfied with certain provisions of this Bill and he has already said in the speech which he delivered the other day, that he is going to bring in another Bill which would be a perfect Bill and which would bring all the lands that are now under the zamindars and inamdars under State control. But, whatever that may be, Madam, I feel that the Bill, if it were presented in its original form or even in the form in which, it is presented to-day, is a piece of injustice and iniquity. Several hon. Members who spoke on the Bill said

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that the zamindars were mere rent-collectors, and therefore they are not the owners of the land and that the land must pass into the hands of the State. Whatever, we may say, or whatever arguments might have been advanced by the Prakasam Committee, one has to realize the fact that the Permanent Settlement of 1802 was not a unilateral settlement. It was a bilateral settlement. It was a solemn settlement between the people who were asked to manage certain estates and the Government of those times. Therefore, Madam, what I say is, call them as mere rent-collectors or call their holdings by whatever name you like, these zamindaris have remained as a sort of well-established institution in this Province for quite a long number of years, and therefore when you want to take away these zamindaris and bring them under State control, you must do it in a manner which would be both just and equitable. The Government have said that they were mere rent-collectors, but when once you have conceded the principle of compensation, you have yielded to the fact that they were not mere rent-collectors. They were something more than rent-collectors, or rather, they were to a large extent owners of these properties.

"Then we come to the other question and that is the question of equity and justice of that compensation. It has already been pointed out by several hon. Members who spoke on this Bill, not only to-day but even previously that the compensation proposed by the Government is not adequate and equitable. And in proposing the compensation under this Bill, I find that a sort of mathematical jugglery is being played. If you want to say, that you are going to pay only one rupee for every thousand rupees as value of the property, then you could put it like that in plain and simple words. I really do not quite understand why you make a reduction and then a multiplication and then a further reduction and then a further multiplication and arrive at a figure which is inadequate and unjust. You could plainly say that and not make hon. Members of this House rack their brains in actually calculating the compensation to be paid. Whatever the calculation may be I say, Madam, that the compensation that is proposed to be given to the zamindar is not adequate, is not just. I therefore plead that the Government should reconsider this question and revise this compensation, now that they have decided to abolish all the zamindaris and make the zamindars go out of existence.

"Again, Madam, it is the hope of the Hon. Minister for Revenue and perhaps it is also the hope of several hon. Members of this House that by the abolition of the zamindaris, they are going to create a new state of affairs in this Province. Seeing the condition of the existing ryotwari ryots to-day, I say that by the abolition of the zamindaris, you are not going to make an entirely new set of conditions, in this Province. You find that there is so much of dissatisfaction and so much of discontent even among

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the ryotwari ryots. I therefore feel that while the abolition of the zamindaris might solve certain outstanding problems, it will at the same time create a new set of problems. I am afraid, Madam, that by this abolition, the Government are opening the flood-gates of agrarian revolution and agrarian discontent in this Province. See, what is now happening in the various parts of this Province. What has happened in Tanjore and districts like that? The kisan troubles are still there. Even one of our hon. Friends of this House, Sirdar Vedaratnam Pillai, was actually man-handled by these kisans."

SRI K. RAJARAM NAYUDU:—"He was attacked, not by kisans, but by the Communists."

M. S. ABDUL MAJID SAHIB BAHADUR:—"You may call them Communists, you may call them kisans. But the fact remains that it all happened out of discontent. Now when you are going to abolish zamindaris, are you going to provide overnight all the wants and requirements of those poor agricultural labourers residing in those areas? Several of the big agricultural projects are still pending execution in this Province. The Tungabhadra Project, the Ramapadasagar Project and so many other projects are still pending and we are not able to execute them quickly due to want of finance. But when we are not sure that by those projects we are going to save the ryotwari ryots and bring happiness and contentment to them, to say that the abolition of the zamindaris by means of this Bill is going to bring about the happiness and contentment of the vast masses of our people is something very peculiar indeed. Therefore, Madam, it is my feeling that this Bill is not going to achieve the object of our Hon. Minister for Revenue.

"Another important point to which I would like to refer is about the lands which have been purchased by private men during recent years, i.e., lands belonging to the inams of this Province. They were purchased with hard-earned money. They have invested, say, Rs. 50,000 or Rs. 1 lakh or several lakhs. Suppose those lands are brought under the operation of this Bill; what would happen to the amounts of the men who have invested their money? Therefore I would only request the Hon. the Revenue Minister to consider the question very earnestly and very deeply and see that justice is done to these men who have invested their money without knowing what would happen tomorrow. They have done an act which they thought was quite legal and therefore they invested their money. If to-day you are going to tell them: You may have invested lakhs and lakhs but we are going to pay you only what we think just, then it is something which would be very unjust. Therefore I say that such of those lands which were purchased in recent years by private men, lands belonging to inams, must be exempted from the operation of this Bill. These are the few remarks Madam, which I would like to make on this Bill.

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“Before I close, I should once again congratulate the Hon. the Minister for Revenue for bringing in such a historic measure.”

DR. D. S. RAMACHANDRA RAO:—“Madam Deputy Speaker, it is with considerable reluctance that I rise to speak upon this question of zamindari abolition. I am glad that an Andhra Minister has the honour of dealing a death blow to the Andhra zamindaris. Madam, the more I think of this question, the more it seems to be bristling with difficulties. At every turn and corner there is the spirit of arbitrariness. Madam, legal quibbles and political jugglery might produce results that may appear to be quite safe and inevitable, but to my commonsense the Bill seems to be altogether unnecessary and not wanted at the present juncture.

“No doubt the abolition of zamindaris was on the Congress ticket. As it were it was a kind of slogan when the Congress was preparing for a great fight for freedom. The slogan has had its effect, but before we realized what was happening the great fight for freedom was brought to an end by the granting of freedom to the country. And therefore the slogans might be changed and problems that suit the needs of the country might receive greater attention than they did before. The wisdom of the abolition of zamindaris is not complete or conclusive. I feel, Madam, there is one thing to be said in its favour. The people who are affected by it are submitting to it with a very good grace. They have no doubt been able to discern the writing on the wall and they thought that this was an opportunity that they cannot and dare not lose. Therefore since they themselves are willing to lose their zamindaris I do not hold any brief for them. The only point that needs to be considered is compensation. Whether the State has the right to give a compensation or whether they could appropriate their property without any compensation, are all points for the Government to decide. But to me, Madam, to appropriate a thing without adequate compensation is a rude shock, not only to my commonsense, but also to my good sense. Of course adequate compensation is a relative term. What is adequate to one is not adequate to another. (Hear, hear.) We all stand before a mirror as it were and judge others by judging ourselves.

“No doubt the zamindari system was by no means perfect. At one time there was almost a barbaric display of silver, gold and pearls. But that time has been changing rapidly. The zamindars also have awakened to the realities of the present day. They are not behind others in shouldering the responsibilities which the freedom of this country has devolved on them. I would not hesitate for a moment to say, if I had half the opportunities and half the brain power of my hon. Friend, the Hon. Revenue Minister, I would have treated this problem not merely from the economic point of view but from the human and the humane point of view, because we are dealing here not with lands only but with human beings who have been saddled with the responsibility for

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a number of years. What would be the ultimate end? You have known in countries more than one—if you read European history and in particular British history you will find—how the landed gentry, the nobility, the large landholders when once they were deprived of their property have been the nuclei to start agrarian rebellion. What the future is going to bring with it I am not able to predict. But, Madam, it would have been a matter of prudence and also of goodwill if we could have brought a certain amount of conciliation, good sense, courtesy and goodwill into the solution of this problem. The zamindars have their faults and we too, I believe, have our faults. But they have often risen to the call of the country and many a time when our literature was about to languish, when our music and fine arts were about to fail, it was to the zamindars that we looked up for patronage and it was not denied to us. (Hear, hear.) There is the good side and the bad side of every problem. We should not seek for a name to give the dog when we have once decided to hang it. Before we decide to do a thing we ought to look at it on all its bearings, impartially, rightly and justly.

“Therefore, Madam, if one charge could be levelled against this Zamindari Bill it is its arbitrariness. It was thrust upon the people. It was not left to their freewill. Because we have power in our hands we have deliberately, without hesitation, brought to bear upon them, what we thought was right for them and good for the country. Madam, could it not have been better, considering the whole thing from a human angle, to call for a round table conference, where all the cards of both the sides could be laid and the zamindars could have been told: ‘This is the greatest extent to which the country’s resources could go. What is your explanation? How much are you going to give up?’ Without that lubrication the wheels of nationalism could not and would not run smooth. Therefore instead of doing a thing with that arbitrary will of the Government, they could have disarmed opposition, they could have turned this discontent of people into one of co-operation by appealing to the zamindars and asking them to face facts and bear the responsibilities of the country. In that way we could have brought them over to co-operation. I am sure if an appeal had been made by the Government, the zamindars also would have risen to the occasion and helped and co-operated with them to solve the problem.

“But, Madam, has the abolition of the zamindaris really contributed anything to the good of the country? No doubt, it may be the first stage in which we dare not and cannot stop them. We are pledging ourselves to carry on the economic problem with many ramifications, whose ultimate possibilities we dare not predict at this stage. Has it helped us to grow more food than before? We are asked for food and our Government are busy abolishing zamindaris. We want many problems to be tackled. What about the agricultural labourers? How are the Government

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going to solve their problem? What about the petty zamindars? Look at the whole problem of the partible estates which have come to 10, 15 or 20 acres. A great many people have invested their money by purchasing lands at fabulous prices because land was the safest investment in the country. Now you take them back after 10 or 20 years and want to compensate them on some basis. That really stings me to the quick and I believe every man outside the Government would feel that great injustice is being done to those who have invested their all in the supposedly safe investments. I believe, Madam, the problem does not end if you are going to tackle only the economic problem. What about the problem of the agricultural labourer, the agricultural investments and the agricultural rates of profits and taxes? And what about the problem of black-marketing and what about those men and women who have made fortunes during the last war and those great industries which have made millions and millions of rupees.

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p.m.

"I should advise the Government to tax those industrialists who have become possessed of millions and millions of rupees in the same way. What is the capital with which they started their business? Everything else must go to the Government. Madam, we must be consistent in doing things. We should remember that this is not merely an economic problem. It is a psychological problem and a human problem. If we cannot approach this question on a psychological basis, we will be floundering ourselves and our administration in a whirlpool of difficulties and absurdities. Therefore, however much it is necessary to start at this stage, there is still an opportunity for the Government to treat the zamindars on a human basis and appeal to them not to be arbitrary but be reasonable and ask them to co-operate with the Government. The burden that it imposes on us may be their one contribution to the national cause."

SRI ALLURI SATYANARAYANA RAJU:—

ఉపాధ్యక్షులారా! అమ్మా, మృదాను రాష్ట్రంలోని అమాయకులగు ఆక్రమంగా హింసించబడిన ఆనేకవేల ఆనేక లక్షల జమీందారీ రైతాంగానికి ఇది గండుగ కాలముగా నేను తలచుచున్నాను. గత 150 సంవత్సరములనుంచి తమ రక్తమాంసములను వీల్చి దేశములో బ్రతికేవారు స్థిరముగా పరిపాలించుటకు సర్వ విధములూ ప్రయత్నము చేసి, దేశస్వాతంత్ర్యమునకు తక్కిలేనన్ని ఆటంకములను కల్పించి, దేశద్రోహమునిమైనను జంకిక పడ రైతులను తమ ఇనుప విడికిలలో నలికివేసిన జమీందారులవారి జమీందారీ విధానము ఈ బిల్లువల్ల రద్దు కాబడుతుందనే తలంపుతో జమీందారీ రైతాం గమువారి పూరి గుడిశెలలో మూదానందంగా వండుగలు చేసుకుంటున్నారని, వారి కష్టాలు నేటితో కష్టకృత్యాయని సంతోషిస్తున్నారని మనవిచేయక తప్పదు. దీనికి అభివృద్ధిపడవలసినవారు మన రైతన్ను శాపమాత్యులయిన శ్రీ కళా వెంకటాచార్య పంతులుగారు. ఆ ఆమాయకపు జమీందారీ రైతాంగము తరఫున ఈ రోజున నా కృతజ్ఞతను భవ్య లాభాలను శ్రీ కళా వెంకటాచార్యగారికి తమ ద్వారా తెలియజేసుకొంటున్నాను. ఈ జమీందారీ రైతాంగములకు శ్రీ కళా వెంకటాచార్యగారికి ఎల్లప్పుడు కృతజ్ఞులై ఉంటారని అనటానికి ఎంతమాత్రము సందేహములేదు. ఈ నాడు ఉదయం

10th September 1948] [Sri Alluri Satyanarayana Raju]

బహుభార్య నిషేధ చట్టాన్ని చర్చించుచున్న సమయంలో తమరు ఆ చట్టాన్ని శ్రీ కాశ్యపరా రావుగారి చట్టమని పేరుపెట్టిన చాలా బాగా ఉంటుందని వి విధంగా ఆధి ప్రాయపడినారో ఆదేశంగా ఈ చట్టాని శ్రీ కళావారి జమీందారీ రద్దు చట్టమని అంటే చాలా బాగుంటుందని నేను ఆనుకొంటున్నాను.

"ఈ రోజున మనమందరము ఒక్క విషయాన్ని ముఖ్యంగా జ్ఞప్తియందుకు కోవాలి. ఈ జమీందారీ విధానము వెంటనే రద్దు కావాలని ఈ పని ఎంత త్వరగా జరిగితే దేశానికి, సంఘానికి అంత మెరుగని అనేకమంది నాయకులు, గౌరవ సభ్యులు, ప్రజలు కొందరు జమీందారులకూడా చెప్పినారు. ఈ జమీందారులు బ్రతికేవారి పరి పాలనా, పాలభవ్యముకోసము విర్వరుప బడినారని జమీందారులు rent collector మాత్ర మేనని ఈ విధానము ఈ నాటి దేశపరిస్థితులకు అనుకూలంగా లేదని కాబట్టి దీనిని వెంటనే రద్దు చేయాలని శ్రీ ప్రకాశం కమిటీ రిపోర్టు రుజువుచేసింది. ఈ విషయా లను ఏమరూ కాదని అనలేదు. ఒక్క విషయము జ్ఞాపకమొచ్చుచున్నదింటే ఈ జమీందారులు దేశానికి, ప్రజలకు, సంఘానికి ఎంతో సహాయపడి ఉండేవారు. రైతాం గాన్ని ఎక్కువ అభివృద్ధిపరచి ఉండేవారు. కాని ఈ జమీందారులు, వారి కర్తవ్యాన్ని మరచి రైతాంగంయొక్క, దేశంయొక్క చాగోగులు గుర్తించక దేశాన్ని పరిపాలనలో ఇంతకాలము ఉండడానికి ఆనేక విధాల సహాయపడుతూ బ్రతికేవారికి స్వాతంత్ర్యోద్యమాన్ని అణచే సందర్భంలో కేదోడు వాదోడుగా ఉండి పనిచేసినారు. ఒక విధంగా అలాచిస్తే ఈ జమీందారులు దేశానికి ఉపకారంకన్న అపకారమే అనేకవేల రెట్లు హెచ్చు చేసినారు. ఇటువంటి పరిస్థితులలో కాంగ్రెస్ టెటోమీద ఈ శాసన సభకు ఎన్నుకొనబడినటువంటి శ్రీ రామచంద్ర రావుగారు కాంగ్రెస్ మహా సంస్థ ఎన్నిక ప్రణాళికలో ఈ జమీందారీ రద్దు విధానమునకు ఎక్కువ ప్రాధాన్య మిచ్చినప్పటికి ఈ నాడు జమీందారులు మన మనకొనినంత చెడ్డవారు కారని వారు దేశానికి ఆనేక విధాల విద్య విషయంలోను, సాంఘికాభివృద్ధి విషయంలోను సహాయపడినారని ఈనాడు దేశాన్ని ఎదుర్కొంటున్న క్లిష్ట పరిస్థితులలో ఈ జమీందారీ రద్దు అనవసరమేమో నని ఆన్నారు. ఇది చాలా విచారించవలసిన సమస్య విషయము. కాంగ్రెస్ సభ్యులైనటువంటి శ్రీ రామచంద్ర రావుగారే ఈ విధంగా తమ ఆధిప్రాయాన్ని వెల్లెబ్బ వేసినామనిచారంటే చాలా ఆశ్చర్యకరమైనటువంటి సంగతి. ఈ జమీందారులు విద్యో విద్యాభివృద్ధికి తోడ్పడినారని ఇప్పుడు జమీందారీ విధానాన్ని రద్దుపరుస్తుంటే శ్రీ రామచంద్రరావుగారు కన్నీరు కారుస్తున్నారు. కాని వారు మరొక విషయం జ్ఞాపక ముంచుకొనవలసినదిగా వారిని కోరుతున్నాను. ఈ 150 సంవత్సరములనుంచి జమీం దారులువారి ఆధికారములో ఉంటున్నటువంటి ధాములలోని చెరువులను ఇతర జలా శ్రయాలున వి విధముగాను మరమ్మత్తు చేయక పంట పండించే రైతుకు ఎన్ని విధముల అవరోధాలను, అటంకాలను కల్పించారో వీరు విధించిన హెచ్చు శిస్తులను ఇచ్చుకొన లేక ఎంతమంది వేడరైతులు పుస్తలనకూడా ఆత్మకొనవలసి వచ్చిందో ఈ నాటి ఆహార కొరతకు ఈ జమీందారులే కారణమని మొదలగు విషయాలను గమనించి నట్లయితే శ్రీ రామచంద్ర రావుగారు ఆ విధంగా అని ఉండరు. ఇటువంటి వివరత అభిప్రాయాలను వెల్లెబ్బవేసేటటువంటి శ్రీ రామచంద్ర రావుగారికి ప్రజలే తన సమాధాన మివ్వగలరని మనవిచేస్తున్నాను.

"ఈ బిల్లులోనుంచి 1936 వ సం॥పు ఈనాములనుకూడా మిగిలేయించడం నాకేమీ వచ్చలేదు. మొదట ఈనాముల నన్నింటిని బిల్లులో చేర్చినారు. దానివల్ల

[Sri Alluri Satyanarayana Raju] [10th September 1948]

శ్రీ కళా వెంకటాచార్యగారు ఈనాందారీ రైతులలోకూడా కొంచెము ఆశాభావము కలిగించినారు. కాని ఏ కారణముచేతనో ఈనాడు ఆ ఈనాడులను బిల్లులోనుంచి రిపహాయించినారు. ఈ బిల్లు మొదటిలో రెవిన్యూ శాఖామంత్యులు ప్రవేశపెట్టినటువంటిది చాలా సక్రమంగాను, రైతాంగానికి అనేక విధాల తోడ్పడేదిగాను ఉన్నది. కాని select committee లో బిల్లు యొక్క స్వరూపం చాలా విధాలగా మారిపోయింది. ఈ నాందారీ రైతులు జమీందారీ రైతులకన్న కూడా ఆధ్వాన్న పరిస్థితులలో వున్నారనే టుటువంటి విషయము రెవిన్యూ శాఖామంత్యులకు తెలిసినదే. ఈ నాడు పండిన పంటపంలా ఈనాందారులకిచ్చి దుష్టర దాడిప్రయోగం ఈ ఈనాందారీ రైతులు ఉన్నారు. ఆకాబట్టిగా ఈనాడులను ఈ బిల్లులోనుంచి మినహాయించినదందుకు ఈనాందారీ రైతుల కళ్లనీళ్లు విడుస్తున్నారు. ఈ ఈనాందారీ రైతుల పరిస్థితులు జమీందారీ రైతుల పరిస్థితులు ఒకే విధమైనవి కాని ఏ విధంగాను వ్యత్యాసం కావు. కాని ఆ రెవిన్యూ శాఖామంత్యులు ఈ ఈనాడుల విషయములో వనక కరికీలన చేయించి మరొక బిల్లును తీసుకొని వచ్చేదాని చెప్పటవల్ల కొంత ఆశ కలుగుతోంది. మౌలికంగా ఈ విధంగా చెబితే కొంతమంది సభ్యులు ఈ విధమైనటువంటి threat అన అనవసరము, ఈనాడులను ఈ బిల్లులో చేర్చరాదని అంటున్నారు. వీరియొక్క అప్రసాదాలు ఏ విధంగానూచినా సమర్థనీయములుకావు. ఈనాందారీ రైతుల పరిస్థితులు చాలా ఆధ్వాన్నముగా వున్నాయి. ఎవరెన్ని మాటలు చెప్పినప్పటికీ ఎన్ని అభ్యంతరములు కన్పించినప్పటికీ ఈనాం రైతులను రక్షణ యొక్కం రెవిన్యూ శాఖామంత్యుల కర్తవ్యమని, ఆ బాధ్యత వారివైన ఉన్నదని నానవి చేస్తున్నాను.

“నేను ఇవివరలో చెప్పినట్లు ఈ బిల్లును select committee state లో పూర్తిగా మార్చివేసినారు. ఇందులో అనేక వివాదగ్రస్తమైన విషయాలను చేర్చినారు. వీటిలో కొన్నిటిని సూచి మనవి చేస్తాను.

“జమీందారీలలో ఇప్పుడు స్వంత కమలాలదేరివి అనేక వేల ఎకరముల భూమి జమీందారుల చేతులలో ఉన్నది. ఈ స్వంత కమలాలు ఈ జమీందారులకు వివిధంగా వచ్చినామో చెప్పడం కష్టం. అనేకమంది బంధువుల వేర్ల, ఇతరుల వేర్ల వేలాది ఎకరములు వాసినాయి. ఇవన్నీ స్వంత కమలాల క్రిందే ఉన్నాయి. ఇంతింత భూములు స్వంత కమలాల క్రింద వదిలివేయడంవలన రైతులకు చాలా నష్టం జరుగుతోంది. రైతులు ఈ భూములను చాలాకాలమునుంచి వ్యవసాయం చేస్తున్నారు. న్యాయ మాలాదిస్తే ఈ భూములన్నీ వారిని సాగుచేసేటటువంటి రైతుకు వదలివేయాలి. ఇటువంటి పారపాదే లంక భూముల విషయంలోకూడా జరిగింది. ఏది జమీందారు భూమి, ఏది రైతుకు చెందిన భూమి రుజువుచేసుకొనవలసిన బాధ్యత రైతుమీద ఉంది నారు. ఇటువంటి పక్షతీవలన రైతుకు చాలా నష్టం కలుగుతుంది. రైతులవద్ద సరి అయిన record లు లేవు. వారివద్ద పెట్టు లేదు. అదాయవలన, దేదవైన రైతులపై ఈ రుజువు భారము ఉంచడం విచిత్రము మంచిదికాదు. ఒక్క విషయాన్ని గమనించండి. ఈ బిల్లులోనుంచి ఈనాడులను తొలగించే విషయంలో, జమీందారులకు నష్టపరిహారమిచ్చే విషయంలో అనేకమంది ఈనాందారులు, జమీందారులు వారి తాళేదాల్లు పక్షంలో పెట్టు భిన్ను చేసి ఢిల్లీ వరకు విమానాలలో వెళ్లి వారి అభిప్రాయ మును వైచారికి తెలుపుకొని రెవిన్యూ శాఖామంత్యులకు అనేక చిక్కలు, అటంకాలు, ఒత్తిడి తీసుకొని వచ్చారు. ఈ విధంగా ఏ ఈనాందారీ రైతుగాని, జమీందారీ రైతుగాని వైచారివద్దకువెళ్లి వారి అభిప్రాయములను తెలుపుకొనలేకపోయినారు. రైతాం

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గము ఇంత ఓడవారు. ఇటువంటివారిమీద విభూమి రైతులదో, ఏది జమీందారుదో రుజువు చేసుకొనవలసిన భారము పెట్టవట్లయితే చాలా అన్యాయములు జరుగుతవి. ఈ విషయములను రెవిన్యూ శాఖామంత్యులు గమనించ గోరైనా.

“ముఖ్యంగా నా నియోజకవర్గం (సరసాపురి-తణుకు) లో కాకేపట్నం ఆనే ఈనాందారీ గ్రామమున్నది. ఆక్కడ ఈనాందారుకు రైతులకు జరిగిన పోరాటం విషయం రమణు జ్ఞప్తికి చేడచినాను. 1937 వ సంవత్సరంలో కాంగ్రెస్ ప్రభుత్వములు ఏర్పడిన రోజులలో కాకేపట్నం రైతులకన్న, ఈనాందారీకున్న పోరాటం జరిగింది. ఆ గ్రామములోని భూములను రైతులు తరతరాలుగా నేవ్యము చేసుకొని అనుభవిస్తున్నారు. ఇటువంటి పరిస్థితులలో ఈనాందారు భూములను ఆక్రమంగా ఇతరులకు అప్పివేసినాడు. ఈ విధంగా భూమిని అన్యాయకాంతం చేసే సంవత్సరం కాకేపట్నంలో గొప్ప సత్యాగ్రహ సమరం జరిగింది. దానిలో 70, 80 సంవత్సరముల వయోవృద్ధులు శ్రీలుకూడా పాల్గొన్నారు. లాటి వార్డీలలో అనేకమంది దెబ్బలు తిన్నారు. మేర 1942 వ సంవత్సరంలోకూడా రైతులు సత్యాగ్రహ సమరం కొనసాగించారు. ఈ గ్రామస్థులవారు కాకేపట్నం విషయంలో ఒక విచారణ సంఘాన్ని వేశారు. విచారణ సంఘంవారు తమ రిపోర్టును ప్రభుత్వంవారికి పంపించారు. కాని ప్రభుత్వంవారు ఆ రిపోర్టుపై ఏ విధమైన చర్య తీసుకొనినట్లు కనబడదు. ఈ విధంగా ప్రభుత్వంవారు బాధ్యులైనట్లు కారణంలేదే రైతులు చాలా బాధలుపడుతున్నారని, ఈనాందారు భూమిని అన్యాయకాంతం చేసే ప్రయత్నంలో ఉన్నాడని కాబట్టి రెవిన్యూ శాఖామంత్యులు ఈ విషయంలో తగిన శ్రద్ధ తీసుకొని ఈ తగాదాను పరిష్కారము చేయించవలసినదిగా తమద్వారా వారికి మనవి చేసుకుంటున్నాను.”

(At this stage, the Speaker resumed the Chair.)

“నష్టపరిహారమివ్వడం విషయం కొంచెము మనవి చేస్తాను. న్యాయము ఆలోచించి చూచినట్లయితే నష్టపరిహారం పొందవలసినవాడు రైతుకాని జమీందారు కాదు. నష్టపడినవాడు రైతు. కాని వైచారివారేత మనము ఇంకను 1935 వ ఇండియా నష్టపడినవాడు రైతు. కాని వైచారివారేత మనము ఇంకను 1935 వ ఇండియా చట్టాన్ని ఆధారము చేసుకొనే పరిపాలించబడుతున్నాము. కనుక లాయర్ల ఆభ్యంతర పెడతాననే కారణంలేత ఈ జమీందారులకు ఏదో కొంత నష్టపరిహారమివ్వవలసి ఉంటుందని మౌలికంగా మొదట చెప్పివారు. కాని మొదట రెవిన్యూ శాఖామంత్యులు ఇవ్వనన్న నష్టపరిహారముకన్నా, ఈ కొత్త బిల్లు ప్రకారము హెచ్చు డబ్బు ఇవ్వవలసి వస్తోంది. ఇది నాకు నచ్చలేదు. ఇంత హెచ్చు డబ్బు నష్టపరిహారమివ్వడంవల్ల ప్రభుత్వానికి చాలా నష్టం కలుగుతుంది. ఇంత ఖర్చు ప్రజలు భరించలేరు. ఈ విషయాన్ని తిరిగి పరిశీలన చేయించవలసినదిగా రెవిన్యూ శాఖామంత్యులను కోరుతున్నాను.

“ఇంకొక విషయము. రైల్వారీ విధానములో అనేక మార్పులు తీసుకొని వస్తామని మన రెవిన్యూ శాఖా మౌలికంగా మద్రాసు రాష్ట్రములోని రైతాంగానికి వాగ్దానము చేసినారు. ఇప్పుడు అమలులో ఉన్నటువంటి రైల్వారీ విధానము చాలా లోపము చేసినారు. నష్టపరిహారమును విషయం అందరినీ తెలిసినదే. రైల్వారీ ప్రదేశములలో భూయధ్యమయినటువంటిదనే విషయం అందరినీ తెలిసినదే. ఇటువంటి భూస్వామి విధానాన్ని కూడా మార్చకపోతే మనము రైతాంగానికి సరిఅయినటువంటి ఉపకారము కల్పించలేము. మౌలికంగా అనేకసార్లు తమ ఉపన్యాసములలోను, ఇతరత్రా రైల్వారీ ప్రదేశములలోని భూస్వాముల పట్టుకు తీసివేసి ఇతరులకు ఇచ్చే ఆలోచన ప్రభుత్వానికి లేదని తెలియ

[Sri Alluri Satyanarayana Raju] [10th September 1948]

జేకారు. ఇది కాంక్రెట్ పాలిసీ కాదని వారు అన్నారు. ఈ సందర్భంలో వారికి నేనొక విషయం తెలియజేస్తాను. మన కాంక్రెట్ ఎన్నికల ప్రణాళికలో ప్రభుత్వానికి, నేతృత్వానికి నడుమను ఉండేటటువంటి మధ్యవర్తులను తొలగిస్తామని స్పష్టముగా తెలియజేయబడినది. ఈ సూక్ష్మమును ఆధారము చేసుకొని మనము రాష్ట్రములోనుండి absentee landlord విధానమును తొలగించవచ్చును. కష్ట సమస్యలో భూమిని ఫలింపనేనేవాడు రైతు. దున్నేవాడు రైతు. ప్రపంచానికి లిండి పెట్టేవాడు రైతు. అటువంటి రైతుకు న్యాయము చేయబలసిన వాస్తవ ప్రభుత్వముపై ఉన్నది. ఈ కారణముచేత రైల్వే, ఈనాచారి, జమీందారి అనే వ్యత్యాసము లేకుండా పెద్ద పెద్ద భూస్వాములుండెడి విధానమును రద్దుచేయడం మన కర్తవ్యము.”

Mr. SPEAKER:—“The hon. Member can continue his speech to-morrow. I now adjourn the House till to-morrow 11 o'clock.”

The House then adjourned to meet again at 11 a.m. on the 11th September 1948.

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

* Notification appended to G.O. Ms. No. 1548, L.A., dated 12th August 1948, regarding inclusion of thirty-seven villages transferred from the Polavaram taluk in the West Godavari District Board.

* Laid on the table on 9th September 1948.

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APPENDIX I.

[Vide answer to starred question No. 236 asked by Sri R. V. Swaminathan at the meeting of the Legislative Assembly held on the 10th September 1948, at page 1 supra.]

GOVERNMENT OF MADRAS.

PUBLIC (INFORMATION AND PUBLICITY) DEPARTMENT.

Dated Fort St. George, 31st March 1948.

PRESS NOTE No. 83.

The Government have reviewed the position arising out of the steps taken by them towards the Non-gazetted Government Officers who struck work during December 1947 and note with satisfaction that a large number of them have atoned for their lapses by attending office on holidays and clearing off the arrears, which accumulated during the period of strike. The Government also note with satisfaction that most of the N.G.G.Os. have realised the impropriety of resorting to strike and the virtues in aligning themselves with the loyal citizens of the Province.

2. In their Press Note, dated 3rd January 1948 those who participated in the strike were divided into four categories and category (1) comprised the general masses of the non-gazetted officers who chose to join the strike. In the case of these general masses of N.G.G.Os., the Government have decided to restore the pay withheld from them and to cancel the orders of postponement of increment for one week passed on them. This order is subject to the condition that the persons concerned attend or have attended office and discharge or have discharged their duties on the number of public holidays equal to the number of days for which they struck work.

APPENDIX II.

[Vide answer to starred question No. 241 asked by Sri D. V. Ramaswami (on behalf of Sri B. S. Murthi) at the meeting of the Legislative Assembly held on the 10th September 1948 at page 10 supra.]

List of persons for giving evidence before the Linguistic Provinces Commission.

- 1 Sri S. Muthiah Mudaliar, Mylapore, Madras.
- 2 Kumararaja Muthiah Chettiyar of Chettinad, Adyar, Madras.
- 3 Sir Mohamed Usman, Teynampet, Madras.

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- 4 Sri C. N. Muthuranga Mudaliar, M.L.C., Madras.
- 5 „ K. Kamaraja Nadar, President, Tamil Nad Congress Committee, Narasingapuram street, Madras.
- 6 Sri T. Prakasam, M.L.A., Madras.
- 7 „ A. Kaleswara Rao, M.L.A., Madras.
- 8 „ T. Viswanatham, M.L.A., Madras.
- 9 „ T. R. Venkatrama Sastri, Mylapore, Madras.
- 10 „ Alladi Krishnaswamy Iyer, Mylapore, Madras.
- 11 „ Kelappan, President, Kerala Provincial Congress Committee, Calicut, Malabar.
- 12 Sri R. Raghava Menon, M.L.A., Calicut, Malabar.
- 13 Dr. V. K. John, M.L.C., Madras.
- 14 Mr. Muhammad Ismail, M.L.A., Madras.
- 15 Sri V. I. Muniswami Pillay, M.L.A., Madras.
- 16 „ Manjaya Hegde, M.L.C., Madras.
- 17 „ D. Govinda Doss, M.L.A., Madras.
- 18 „ K. R. Karanth, M.L.A., Madras.
- 19 Dr. D. S. Ramachandra Rao, M.L.A., Madras.
- 20 Sri R. Suryanarayana Rao, M.L.C., Madras.
- 21 „ N. Mrityanjaya Sastri, Advocate, Bellary.
- 22 „ B. Ramachandra Reddy, Buchiredipalem, Nellore district.
23. Sri N. Sanjeeva Reddy, Pamidi, Anantapur district.
- 24 „ D. S. Hanumantha Rao, Advocate, Bellary.
- 25 „ Dewan Bahadur T. Bhujanga Rao, Retired District Judge, Cuddapah.
- 26 Sri C. K. Govindan Nair, M.L.A., Malabar.
- 27 „ C. R. Srinivasan, Editor, "Swadesamitran", Madras.
- 28 „ T. S. Chockalingam, Editor, "Dinasaari", Madras.
- 29 „ R. Krishnamurthy, Editor, "Kalki", Madras.
- 30 „ P. T. Rajan, BAR.-AT-LAW, Madura.
- 31 „ C. S. Ratnasabapaty Mudaliar, Coimbatore.
- 32 „ M. Sivaraman, Editor, "Dinamani", Madras.
- 33 „ V. Nadimuthu Pillai, Tanjore.
- 34 „ T. K. T. N. R. Tatachari, M.L.A., Chittoor.
- 35 „ V. S. Balasundaram, B.A., L.T., President, Madras Mahajana Sabha, Mount Road, Madras.
- 36 Mr. Roche Victoria, M.L.C., Tuticorin.
- 37 Sri S. Ramaswami Naidu, Ex-Sheriff, T'Nagar, Madras.
- 38 „ T. S. Ramaswami Iyer, Ex-President, Corporation of Madras, Mylapore, Madras.
- 39 Sri Shanmukha Mudaliar, Ex-Sheriff and Mercant, Madras.

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- 40 Dr. Alagappa Chettiar, Madras.
- 41 Sri T. T. Krishnamachariar, M.C.A., Madras.
- 42 „ W. P. S. Soundarapandyan, Pattiveeranpatti via Kodaikanal.
- 43 Sri K. Srinivasachariar, Ex-Municipal Chairman, Tirupati.
- 44 „ K. Balasubramanya Iyer, Advocate, Mylapore, Madras.
- 45 „ G. A. Natesan, Mylapore, Madras.
- 46 „ Rao Bahadur B. P. Sesha Reddy, Bettamacherla, Kurnool district.
- 47 Sri K. P. Kesava Menon, BAR.-AT-LAW, Editor, "Mathrubhumi", Calicut, Malabar.
- 48 Sri C. K. Raghavan Nambiar, B.A., Nileswar, South Kanara.
- 49 „ M. M. Kunhirama Menon, B.A., B.L., President, District Co-operative Bank, Calicut.
- 50 Sri K. V. Gopala Menon, B.A., B.L., Advocate, Chalapuram, Malabar.
- 51 Mr. E. Moidu Moulvi, Atmur Lodge, Calicut, Malabar.
- 52 Dr. C. R. Krishna Pillai, Royapettah, Madras.
- 53 Sri G. Sankaran Nayar, B.A., B.L., Ottapalam.
- 54 „ Jinaraja Hegde, South Kanara, Mangalore.
- 55 Dr. R. M. Patro, President, Madras Oriya Sabha, Ichapur.
- 56 Sri P. S. Prakasarao Patnaik, President, A.I.S.K.A., Parvatipuram.
- 57 The Rajaha Saheb of Seerangi, Ichapuram.
- 58 Sri Hari Hara Patnaik, Secretary, Oriya Samaj, Ichapuram.
- 59 „ S. Ch. Maha Patro, Editor, "Asha", Berhampore.

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, the 11th September 1948.

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.

Action against the "East India Distilleries and Sugar Factory, Limited", Ranipet.

* 254 Q.—ABDUL HAMEED KHAN SAHIB BAHADUR (on behalf of Mohamed Abdul Salam Sahib Bahadur): Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government have passed orders to prosecute the management of "East India Distilleries and Sugar Factory, Limited", Ranipet, in March 1948; and

(b) if so, at what stage the matter now is?

THE HON. SRI H. SITARAMA REDDI:—“(a) Yes, Sir.

“(b) As the management has since reinstated the six discharged clerks and promised to pay wages to the dismissed workers from the date of dismissal till the result of adjudication is known, the District Magistrate has been asked not to proceed with the prosecution until further instructions.”

Retrenchment of permanent peons in the Revenue Department.

* 255 Q.—SRI V. I. MUNISWAMI PILLAY (on behalf of Sri O. Chengam Pillai): Will the Hon. the Minister for Land Revenue be pleased to state whether it is a fact that the Government have ordered that the confirmed peons in the Revenue Department who have put in a service of six years are to be retrenched?

THE HON. SRI KALA VENKATA RAO:—“No. The Government issued no such order. It is true that as a result of the retrenchment of peons recently ordered on the advice of the Reorganization and Retrenchment Committee, some permanent peons may have had to be temporarily retrenched, in addition to the temporary peons disbanded. Such permanent peons have been allowed three months' notice under the rules. But it is hoped that all permanent peons will shortly be found employment in other vacancies, and in such cases their break in service will be condoned for purposes of leave and pension.”

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Beedi workers in Malabar.

* 256 Q.—MUHAMMAD RAZA KHAN SAHIB (on behalf of P. K. Moideen Kutty Sahib Bahadur): Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that a large number of beedi workers in Malabar have gone out of work owing to non-availability of beedi leaves; and

(b) if so, whether the Government have taken any action in the matter?

THE HON. SRI H. SITARAMA REDDI:—“(a) The Collector of Malabar has reported that about 600 workers in the district have been thrown out of employment for want of transport facilities for beedi leaves.

“(b) The Board of Revenue (Civil Supplies) has been asked to arrange for the regular supply of wagons and the booking of beedi leaves. At present there is no provision in the priority schedule to assist the movement of beedi leaves. This Government have addressed the Government of India to make necessary provision in the priority schedule so as to assist the movement of beedi leaves.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I know, Sir, whether the Hon. Minister is not aware that there is a Provincial Advisory Committee for each regional area in each railway who can advise the Adviser concerned to change the priorities in order that the beedi leaves can be raised to higher priority?”

THE HON. SRI H. SITARAMA REDDI:—“I am not aware of it. But it functions under the Government of India.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I know, Sir, whether that committee cannot be asked to change the priorities?”

THE HON. SRI H. SITARAMA REDDI:—“As I have already said the Government have already taken it up in the proper quarters.”

SRI V. I. MUNISWAMI PILLAY:—“Are the Government aware that there is no Member of this Assembly in the Advisory Committee set up by the Government of India for considering priorities?”

THE HON. SRI H. SITARAMA REDDI:—“I have no information in the matter.”

MUHAMMAD RAZA KHAN SAHIB:—“Is the Hon. Minister aware that there is a general shortage of beedi leaves consequent upon the stoppage due to conditions in Hyderabad and, if so, what steps have been taken by the Government to get the leaves from other parts of India so that the labour may have their quota of work?”

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THE HON. SRI H. SITARAMA REDDI:—“So far as I am aware I was told that the Central Provinces was one of the main sources of supply and there has been some difficulty for the movement of beedi leaves from the Central Provinces to Madras Presidency. An alternative method was suggested by one of the Members who saw me in this connexion that Mysore can be tapped and the Government have taken up the matter with the Mysore Government in order to help the industry with the necessary leaves.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“Does the Hon. Minister know that an acute situation resulting in terrible unemployment has been caused consequent on the stoppage of leaves from Hyderabad even in the district of North Arcot?”

THE HON. SRI H. SITARAMA REDDI:—“I have got a general complaint from all over the manufacturing areas that there is acute difficulty felt because there has been no adequate supply.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“As beedi leaves are an essential raw material for the important cottage industry of beedi manufacture can Government grow those leaves in this Province?”

THE HON. SRI H. SITARAMA REDDI:—“Even if we grow it will take another ten years and the problem is an immediate problem.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“In view of the fact that there is acute unemployment owing to the non-availability of beedi leaves what steps the Government have taken to give relief to those who are unemployed for a long time?”

THE HON. SRI H. SITARAMA REDDI:—“These are difficulties which have accrued owing to circumstances over which the Government of Madras have no control. So far as this Government are concerned they are trying to assist in increasing wagon facilities by addressing the Government of India for doing their best to help the industry.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I know, Sir, whether the Government will come forward with a legislation to make the employer come to the rescue of the unemployed beedi worker in cases like this?”

THE HON. SRI H. SITARAMA REDDI:—“I do not see how I can certainly force any employer and say that he has failed to give work to the employees when it is due to reasons beyond his control. The Government are trying to help the employer for securing leaves as early as possible.”

SRI V. I. MUNISWAMI PILLAY:—“Arising out of the answer of the Hon. Minister may I request the Government to ask the Public Works Minister to keep in touch with the Regional Transport Priority Officer to co-opt a member in the M. and S.M. Railway Advisory Committee so that they might have a representative of the Assembly in that body?”

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THE HON. SRI H. SITARAMA REDDI:—"I would suggest to the hon. Member that he may write to the Minister concerned as he seems to have more information than myself."

SRI A. VEDARATNAM PILLAI:—"Will the Government consider the desirability of not encouraging the manufacture of beedi leaves as one of the ways designed to stop juvenile smoking?"

THE HON. SRI H. SITARAMA REDDI:—"No, Sir."

SRI P. NATESAN:—"May I know, Sir, if it is the policy of the Government to encourage smoking?"

THE HON. SRI H. SITARAMA REDDI:—"It is not the policy either to encourage or discourage. This is an industry which has been in existence and there are people accustomed to smoke beedis."

SRI S. NAGAPPA:—"Will the Government take steps to see that the available leaves in our Province are made use of by the trades?"

THE HON. SRI H. SITARAMA REDDI:—"It is for the industry to do so."

MUHAMMAD RAZA KHAN SAHIB:—"Sir, while admitting that the Minister is anxious to help the trade and industry, may I ask him to take all possible steps to get to move the beedi leaves quickly by railway wagons?"

THE HON. SRI H. SITARAMA REDDI:—"I would welcome constructive suggestions from the hon. Gentleman as to the best methods of getting the leaves expeditiously."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Not only does the non-availability of beedi leaves make unemployment acute but there are other causes. May I know if the Minister will come forward with a comprehensive scheme to give security of employment to the workers in the beedi industry?"

THE HON. SRI H. SITARAMA REDDI:—"The hon. Member must be aware that this House has passed legislation about non-power factories. I believe it gives some necessary protection to the industry."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Apart from the need for the upward revision of priority may I ask the Government to take up the matter with the Railway Board to see that closed wagons as against open wagons are supplied for the transport of beedi leaves as several damages occur in the course of the journeys?"

THE HON. SRI H. SITARAMA REDDI:—"This is a matter in which I cannot give any assurance. This is a matter left entirely to the Railway Board. I am sure the suggestion would be taken up by the Railway Board but I cannot give the assurance."

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M. S. ABDUL MAJID SAHIB BAHADUR:—"As the Government could not force the employer may I know what are the other relief measures Government have got in view to see that relief is given to the workers?"

THE HON. SRI H. SITARAMA REDDI:—"Existing legislation is the only protection they have got."

SRI M. S. PATTABHIRAMIAH:—"May I know, Sir, whether the Government contemplate introducing a Bill for the prohibition of juvenile smoking in this Province and, if so, will the Government restrict the beedi industry from to-day?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, the question may appropriately be addressed to the Minister concerned."

Committee for distributing lands to political sufferers.

* 257 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have prescribed any special qualifications for membership of non-official Advisory District Committees constituted for the purpose of distributing land to political sufferers; and

(b) if so, whether all the members appointed so far to such Committees fulfil the prescribed qualifications?

THE HON. SRI KALA VENKATA RAO:—" (a) No.

" (b) Does not arise."

SRI R. V. SWAMINATHAN:—"May I know, Sir, from the Minister at what stage this Committee has reached in awarding lands and whether lands have been allotted and if allotted whether they have been taken possession of by the political sufferers?"

THE HON. SRI KALA VENKATA RAO:—"This question was answered two days ago as the hon. Member may be aware. I told the House the other day that the allotments had been rather slow. It is being accelerated and more attention will be paid after the passage of the zamindari Bill."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In the matter of the distribution of lands, Sir, what are the respective powers of the Collectors?"

THE HON. SRI KALA VENKATA RAO:—"The Committee is only an Advisory Committee and the Collector assigns under the Board's Standing Order."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Sir, in view of the answer of the Hon. the Minister that after the zamindari legislation the allotment will be made, may I know if the lands taken over from the zamindars will be given to these people?"

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THE HON. SRI KALA VENKATA RAO:—"Yes, Sir. If there are available lands from the zamindars and if there are political sufferers, assignments will be made to the political sufferers."

SRI P. NATESAN:—"May I know, Sir, how many political sufferers have so far got lands and to what extent?"

THE HON. SRI KALA VENKATA RAO:—"A separate question might be put, Sir, but nonetheless I can tell the hon. Member that 10 to 15 per cent have been allotted lands, and the total number of applicants is 13,000 and add."

SRI A. VEDARATNAM PILLAI:—"Will the Government consider the desirability of appointing the newly elected District Congress Committee Presidents and Secretaries in place of the old committee members wherever they are chosen in the capacity of the District Congress Committee President and Secretary?"

THE HON. SRI KALA VENKATA RAO:—"The matter will be considered."

SRI T. VISWANATHAM:—"May I ask the Hon. Minister whether it will be possible for him to lay on the table of the House a list of the persons to whom lands have been granted so far?"

THE HON. SRI KALA VENKATA RAO:—"I have already stated that I will gather the statistics a little later, and if hon. Members are interested, I will place it on the table of the House."

SRI K. P. KAMATCHI CHETTIYAR:—"May I know, Sir, whether the Government will consider the grant of travelling allowance to those non-official members?"

THE HON. SRI KALA VENKATA RAO:—"No, Sir."

SRI T. VISWANATHAM:—"May I know whether political sufferers will be given lands taking notice of the fact that they were political sufferers, or is an application therefor absolutely necessary?"

THE HON. SRI KALA VENKATA RAO:—"An application is necessary, because we do not know the total number of political sufferers. Even to-day I received a letter that 150 names were left out in South Kanara district, and they have sent in their applications. Even though the applications are very late, I am forwarding them to the Collector for action."

SRI S. NAGAPPA:—"Sir, may I know whether people owning two acres of wet land and 5 acres of dry land will be considered as landless poor people?"

MR. SPEAKER:—"Yesterday also the hon. Member put the same question."

SRI T. VISWANATHAM:—"May I know, if the Hon. Minister knows that a particular person is a political sufferer, he is willing to grant lands without an application?"

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THE HON. SRI KALA VENKATA RAO:—"My personal knowledge by itself is not enough. The allotment has to be made not in the City of Madras but elsewhere, and therefore there must be some contact between the Committee and the gentleman."

SRI P. NATESAN:—"May I know, Sir, if land is allotted to political sufferers, it will be in proportion to the term of imprisonment they suffered?"

THE HON. SRI KALA VENKATA RAO:—"It is not one of the criteria. Every one who has gone to jail will get it equally."

SRI T. VISWANATHAM:—"May I know, Sir, in view of the fact that orders go direct—wherever it is found necessary in the interests of justice—from Fort St. George to districts, whether the Hon. Minister will be pleased to grant lands to political sufferers when he knows that they are political sufferers?"

THE HON. SRI KALA VENKATA RAO:—"I wish, Sir, they will at least tell me."

SRI R. V. SWAMINATHAN:—"Arising out of the answer given to Mr. Vedaratnam Pillai, may I ask, Sir, in view of the fact that the committee has scrutinised most of the applications, whether it will not affect the work of the committee if the personnel of the committee is changed now?"

THE HON. SRI KALA VENKATA RAO:—"I think that difficulty arose in the case of two or three districts in the whole Presidency. If the Government feel that there is need, the new gentlemen may also be put as an addition to the three already appointed."

H. S. HUSSAIN SAHIB BAHADUR:—"Are any conditions attached to the grant of lands to political sufferers just in the same way as conditions are attached to the grant of lands on *darkhast*?"

THE HON. SRI KALA VENKATA RAO:—"Some conditions are attached, namely, they cannot alienate these lands for nearly 10 years, etc."

SRI N. M. R. SUBBARAMAN:—"May I know, Sir, whether it is a fact that no progress has been made in Madura district as lands are not available for assignment?"

THE HON. SRI KALA VENKATA RAO:—"There are many lands available in Madura district. There are some references from the Collector which are being answered by the Government."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, whether Government have at least to-day got an idea of the extent of land that will be required to distribute lands satisfactorily to all the applicants?"

THE HON. SRI KALA VENKATA RAO:—"I think we have got sufficient lands, but all the lands will not be at the same

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place where so many want them. The extent of the land will be 13,000 × 5 (or 10) acres at the most. If it is wet land, it will be 5 acres and if it is dry land, it will be 10 acres. Therefore at the most it will be 130,000 acres. Some wet land is available, but it will be certainly less than a lakh.

SRI P. NATESAN:—“ May I know, Sir, who is to define a political sufferer? Is it the man who went to jail or is it the man who received blows and who had not an opportunity to go to jail? ”

THE HON. SRI KALA VENKATA RAO:—“ The Government Order defines the categories of men. The main category is of those gentlemen who have taken part in the freedom struggle inaugurated by the Indian National Congress and who have been convicted. Of course, as a special case, some of those who have received very heavy lathi charges and who did not go to jail, will also be considered.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“ Sir, as in most of the cases lands allotted under the grow more food scheme have been working satisfactorily and there is a serious mis-giving now amongst the cultivators that their lands will be re-allotted under this arrangement, may I ask the Hon. Minister to issue definite directives and give an assurance on the floor of this House that those arrangements will not be interfered with under the present allotment? ”

THE HON. SRI KALA VENKATA RAO:—“ I have already stated on the floor of this House that I cannot give such an assurance. The grow more food scheme leases have been given on the definite understanding that they will lapse at the end of five years. But as a matter of grace they were extended by another year. Therefore, such of those lands, as are available, are subject to re-allotment not only among political sufferers but among the landless poor, particularly Harijans, who have the highest priority. Then, Sir, there is also the condition attached, that is, if there are a few Harijans occupying lands under the grow more food schemes, they will not be ousted.”

SRI N. M. R. SUBBARAMAN:—“ If lands are available in Madura district, may I know, Sir, why assignments are not made in any appreciable measure? ”

THE HON. SRI KALA VENKATA RAO:—“ There seems to be a difference of opinion with reference to the assignment of certain tank-bed lands which are not now in use for any irrigation purpose. That matter is under correspondence with the Government. After that question is settled, there will be greater acceleration in the assignment of lands in Madura district.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ Since a considerable amount of money will be required for improving and cultivating the land, will the Government consider the advisability of giving some advance to the political sufferers to bring the lands under cultivation? ”

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THE HON. SRI KALA VENKATA RAO:—“ If they want any advances, there are many agencies available to advance them loans. The co-operative society is there.”

MUHAMMAD RAZA KHAN SAHIB:—“ Is the Hon. Minister sure, Sir, that these political sufferers to whom lands will be allotted, will really cultivate the land or keep it uncultivated? Does he not think that an assurance is necessary that they will really use the land for cultivation purposes? ”

THE HON. SRI KALA VENKATA RAO:—“ The enthusiasm shown by the political sufferers indicates that they are very much desirous of cultivating these lands.”

SRI T. VISWANATHAM:—“ May I know, Sir, whether any orders have been issued by the Revenue Department of the Government ousting certain persons, who are known as Harijan Christians, from the Ramperu drain area? ”

THE HON. SRI KALA VENKATA RAO:—“ This is an intricate question. The Government are spending about seventy lakhs of rupees on the improvement of what is known as the Ramperu drain area in Guntur district. The original order of the Government was that about eighteen to twenty thousand acres of land should be made available for fresh cultivation. Those lands, according to the original estimate, will be sold to the people so that part of the heavy commitment will be made good. Subsequently, it was found that certain Harijan Christians, ex-servicemen and others forcibly occupied these lands without the permission of the Government. They are liable to be evicted and the whole land will be allotted under the general scheme of the Government.”

SRI G. KUMARASWAMI:—“ Will the Government consider the desirability of issuing a notification that all those who gave up their jobs in the year 1922 and later but did not participate in the civil disobedience movement being busy in carrying on the constructive programme of the Congress, will also be considered as political sufferers? ”

THE HON. SRI KALA VENKATA RAO:—“ Their case was considered and rejected, Sir.”

SRI P. KANDASWAMI PILLAI:—“ Are the Government aware that the Standing Orders of the Board of Revenue and other orders of the Government stand in the way of the Collector assigning lands to political sufferers, and if so, will the Government care to alter the Board's Standing Orders and issue fresh orders? ”

THE HON. SRI KALA VENKATA RAO:—“ There is no necessity to alter the Board's Standing Orders, because Collectors have special instructions to deal with these cases.”

SRI MATHI ANJALAI AMMAL:—“ தலைவர் அவர்களே, கவர்ன்மெண்டில் இப்பொழுது நிலம் கொடுக்கிறது என்று இருக்கிறது. எவ்வளவு பேருக்குக் கொடுத்திருக்கிறார்கள். இன்னும் தென் ஆற்காடு ஜில்லாவில் ஒருவருக்கும் கொடுக்கவில்லை. எல்லா ஹரிஜனங்களுக்கும் பட்டாளத்திற்குப் போனவர்களுக்கும் கொடுத்திருக்கிறார்கள். தியாகிகளுக்கு ஒருவருக்கும் இன்னும் கொடுத்ததாகத் தெரியவில்லை . . . ”

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MR. SPEAKER:—“இதை நீங்கள் கேள்வியாகக் கேட்கவேண்டும்.”

SRIMATHI ANJALAI AMMAL:—“அந்த நிலங்களை இப்பொழுது எந்த மாதிரி கொடுத்து வரப்படுகிறது. முக்யமாக ஒருவருக்கும் கொடுத்ததாகத் தெரியவில்லை”

MR. SPEAKER:—“என்ன மாதிரி கேள்வி கேட்கவேண்டுமோ அப்படித்தான் கேட்கவேண்டும்.”

SRIMATHI ANJALAI AMMAL:—“பாதிப்பெருக்கு இன்னும் பட்டா கொடுத்ததாகத் தெரியவில்லை. இப்பொழுது இருக்கும் நிலங்களையெல்லாம் சரியாகக் கொடுக்கவேண்டும்”

MR. SPEAKER:—“நீங்கள் உட்கார்ந்துகொள்ளுங்கள். கனம் மந்திரி அவர்கள் பதில் சொல்வார்கள்.”

THE HON. SRI KALA VENKATA RAO:—“தென் ஆற்காடு ஜில்லாவில் நிறைய நிலம் இருக்கிறது. அதைக் கொடுக்கவேண்டியவர்களுக்குக் கொடுக்கப்படும்.”

SRI M. KANNIYAPPAN:—“தலைவர் அவர்களே, வீர தியாகிகளுக்கு நிலம் கொடுக்கும் விஷயமாக ஒரு கமிட்டியினரைப் போடப்பட்டிருக்கிறது. அந்த கமிட்டியினரோடு கலெக்டர்களும் ஆபீசர்களும் ஒத்துழைக்கிறார்களா என்று கேட்கிறேன்.”

THE HON. SRI KALA VENKATA RAO:—“I think both are co-operating according to the reports that I have received.”

Non-Power Factories Act.

* 258 Q.—**MOHAMED ABDUL SALAM SAHIB BAHADUR:** Will the Hon. the Minister for Industries be pleased to state whether the Non-Power Factories Act applies to tobacco-curing firms?

THE HON. SRI H. SITARAMA REDDI:—“Yes, Sir, if ten or more workers are employed.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“May I know whether steps have been taken to implement this Act in Guntur district also?”

THE HON. SRI H. SITARAMA REDDI:—“Steps are being taken to implement the Act by appointing the necessary staff. I expect the appointment of the staff to take place in the course of the next month, most probably.”

Absorption of zamindari employees in Government service.

* 259 Q.—**MOHAMED ABDUL SALAM SAHIB BAHADUR:** Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received a memorandum on behalf of the Andhra Provincial Zamindari Employees' Union;

(b) if so, what their demands are;

(c) whether the Government propose to absorb all the zamindari employees in Government service; and

(d) whether the Government have received any deputation on behalf of the above organization?

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THE HON. SRI KALA VENKATA RAO:—“(a) No.

“(b) Does not arise.

“(c) The intention of the Government is not to absorb in Government service all the employees in estates. Such of them as are found to be suitable will be so absorbed and they will be governed by a separate set of rules to be framed under the Estates Abolition Act after it becomes law. The services of any person may also be terminated by the Government after giving him one calendar month's notice or paying him one month's pay in lieu of such notice.

“(d) Yes. A deputation waited on the Hon. the Minister for Land Revenue a few months ago.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“It is a great hardship not to think of appointing these people. Will the Government consider the advisability of publishing the rules governing the recruitment of these persons?”

THE HON. SRI KALA VENKATA RAO:—“The present idea is to take them all in the first instance. Later on, after proper scrutiny we will be able to weed out some of those undesirable people who have contributed to the mismanagement of the estates.”

H. S. HUSSAIN SAHIB BAHADUR:—“What is the approximate number of employees that will be thrown out of employment as a result of the abolition of the zamindaris?”

THE HON. SRI KALA VENKATA RAO:—“I cannot say it at present. After we take charge of these estates, we will make a calculation, and if the hon. Member reminds me then, I will answer.”

SRI S. NAGAPPA:—“May I know, Sir, whether the Government will instruct the zamindars, whenever any employee is thrown out of employment, to pay him some compensation or gratuity?”

THE HON. SRI KALA VENKATA RAO:—“It is too late to give that suggestion to them.”

SRI D. V. RAMASWAMI:—“May I know, Sir, whether the Government have received a representation in the shape of a memorandum from the employees of the Vizianagaram estate?”

THE HON. SRI KALA VENKATA RAO:—“A memorandum was sent to me when I went to Vizaganatam last.”

SRI ROKKAM RAMAMURTHY:—“If the conception of the Government is that all these zamindars are rent-collectors, who should not the Government pay their servants who are the real rent-collectors, the compensation that is to be given to the zamindars?” (Laughter.)

THE HON. SRI KALA VENKATA RAO:—“Those servants were employed by the zamindars and are governed by rules

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that were framed by zamindars themselves. The Government cannot interfere with them now under the guise of law."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Arising from the previous answer of the Hon. Minister that they will have the services of only persons whose character and conduct under the zamindars have been satisfactory, may I know whether he will weed out persons who have been loyal to the zamindars in carrying out their orders?"

THE HON. SRI KALA VENKATA RAO:—"There is no loyalty involved in this. It is not His Majesty's service. Under the sanctity of local orders, they cannot be barred from re-employment."

SRI S. NAGAPPA:—"Arising out of the answer of the Hon. Minister, that they do not think it is proper to interfere in the case of employees who are under the zamindars till now, do not the Government think that the employees should be paid some compensation or other when they are sent out of their jobs?"

THE HON. SRI KALA VENKATA RAO:—"The Government have no power to do so."

Operation of the Weekly Holidays Act on stalls in railway premises.

* 260 Q.—SRI M. D. THYAGARAJA PILLAI: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that the Government have exempted all stalls run by licensees in railway premises in the Province from the operations of the Weekly Holidays Act; and

(b) why and under what circumstances?

THE HON. SRI H. SITARAMA REDDI:—" (a) With the enactment of the Madras Shops and Establishments Act, 1947, the provisions of the Weekly Holidays Act have ceased to apply to these establishments. Under section 4 (2) (d) of the Madras Shops and Establishments Act, sections 7 and 13 of the Act regulating the opening and closing hours will not apply to stalls and refreshment rooms at railway stations.

" (b) This provision was made in the Act to avoid inconvenience to the travelling public."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know, Sir, whether there is any consideration by the Government with regard to declaring Friday as a public holiday in lieu of Sunday?"

THE HON. SRI H. SITARAMA REDDI:—"No such thing is under contemplation now."

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Remission for bad crops in the South Arcot district.

* 261 Q.—SRI V. I. MUNISWAMI PILLAY (on behalf of Sri S. Paramananda Rayar): Will the Hon. the Minister for Land Revenue be pleased to state when the order for grant of remission of assessment for bad crops was communicated to the Collector of South Arcot and whether the order was given effect to and substantial relief afforded to the people?

THE HON. SRI KALA VENKATA RAO:—"It is presumed that the hon. Member refers to the orders of the Government issued on 25th May 1948 granting wet and dry remissions for fasli 1357 to certain districts affected by the failure of the North-East Monsoon, of which South Arcot is one. The orders were communicated by the Board of Revenue to the Collectors by the 1st of June 1948. The Government expect the concerned Collectors including the Collector of South Arcot to have given effect to the orders of the Government by now."

SRI K. T. KOSALRAM:—"A point of information, Mr. Speaker, Sir. இன்று மந்திரிகளில் பல மந்திரிகள், குறிப்பாக தமிழ் நாட்டு மந்திரிகள், ஒருவரும் இல்லை. பிரதமரைப் பார்க்கவேண்டுமென்றால் பார்ப்பதற்கு முடிவதில்லை."

MR. SPEAKER:—"The hon. Member may rise on a point of information afterwards. The question time is not yet over."

SRI V. I. MUNISWAMI PILLAY:—"Arising out of the answer of the Hon. the Revenue Minister, may I request him to find out whether the orders of the Government have been given effect to by the Collectors now?"

THE HON. SRI KALA VENKATA RAO:—"Yes, Sir. Quarterly reports will be received and we will be able to know whether remissions involving eighty to ninety lakhs of rupees throughout the whole presidency have been given effect to by the Collectors now."

MR. SPEAKER:—"Questions are over."

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

II.—ABSENCE OF MINISTERS ON THE TREASURY BENCH.

SRI K. T. KOSALRAM:—"Mr. Speaker, Sir, இன்று பல மந்திரிகள் வராததால் கேள்விகள் வெகு சுருக்கமாக வந்திருக்கிறது. பிரதமர் அவர்களைப் பார்ப்பது அங்கத்தினர்களுக்கு சுலபமான காரியம் இல்லை. அவர்கள் சொல்லவேண்டிய கேள்விகளுக்கு பதிலெல்லாம் கனம் கோபால் ரெட்டி மூலமாக சபை தெரிந்துகொள்வது வழக்கம். பல மந்திரிகள் பிரயாணம் போயிருப்பதால் பல கேள்விகளை வேண்டுமென்றே நிறுத்தப்பட்டிருக்கிறது. ஆகையினால் சபையின் உரிமைகள் பாதிக்கப்படாமல் மந்திரிகள் route programme-ஐ இப்பொழுது இருப்பது போல் இல்லாமல், சபையின் நன்மையைக் கருதி அவர்கள் இங்கே இருந்து கேள்விகளுக்கு பதில் சொல்லிவரும்படி தலைவர் அவர்கள் சபையின் உரிமைகளுக்குப் பாதுகாப்பு அளிப்பார்களா என்று கேட்கிறேன்."

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MR. SPEAKER:—"That question will be considered afterwards."

BEGUM SULTAN MIR AMIRUDDIN:—"On a point of information, may I know why is it, Sir, that we have a short question paper to-day? Is it due to the fact that most of the Hon. Ministers are away on tour?"

MR. SPEAKER:—"It is a fact."

BEGUM SULTAN MIR AMIRUDDIN:—"Is it not desirable that when the Assembly is in Session, most of the Hon. Ministers should be in the City unless of course they have very urgent business?"

MR. SPEAKER:—"The hon. Member, Sri K. T. Kosalam, put the same question in Tamil. Owing to the absence of Hon. Ministers on tour, I have placed only a few questions on the agenda to-day."

MUHAMMAD RAZA KHAN SAHIB:—"May I know, Sir, who is the Leader of the House to-day?"

THE HON. SRI KALA VENKATA RAO:—"The hon. Member may see who is the Leader." (Laughter.)

MR. SPEAKER:—"Sri Alluri Satyanarayana Raju will now continue his speech."

III.—THE MADRAS ESTATES (REPEAL OF PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL AS AMENDED BY THE SELECT COMMITTEE.

* SRI ALLURI SATYANARAYANA RAJU:—"అధ్యక్షా, మహాదయా, నిన్నటి రోజును నేను భూస్వామి విధానానికూడా రద్దుచేయటానికి రెవిన్యూ శాఖామంత్రులు ఏ విధంగాను వెనుకాడవలసిన అవసరంలేదని మనవి చేశాను. రాబడినిబట్టి లేక ఎకరముల ఆధిష్టాన్నిబట్టి కన్నును విధించడము, భూస్వామికి రైతుకు, కూలికి మధ్యన ఉండేటటువంటి సంబంధం చాలా దాస్యమును (కంట్రీలో విభాగము, కౌలు కాలము) నిర్ణయించడంకంటే చేస్తామనాని అంతన్న ఏ విధముగాకూడా భూమిపైన ఉన్న హక్కును తొలగించి ఇంకొకరికి ఆ హక్కును ఇచ్చే ఉద్దేశము ఈ ప్రభుత్వమునకు లేదని రెవిన్యూ శాఖామంత్రులు అనేకసార్లు ఈ శాసనసభా సమావేశములోను, బయటకూడా చెబుతూ వచ్చారు. నేను ఎట్టి పరిస్థితులలోను వారు ఈ విధంగా వెనుకాడవలసిన అవసరములేదని మనవి చేస్తున్నాను. కాంగ్రెస్ ఎన్నికల ప్రణాళిక దీనికి అడ్డము రావనికూడా మనవి చేస్తున్నాను. గాంధీజీ ఆభిప్రాయములు గాని సిద్ధాంతములుగాని ఇందుకు అడ్డురావు. గాంధీజీ అనేకసార్లు తన ఉపన్యాసాలలోను హరిజనాలని వ్యాసాలలోను దున్నేవానికే పొలముని స్వప్రకారం, నిస్సందేహంగా అందరకు తెలియజేశాడు: ఆయన 'ज़मीन पर उसी का हक होगा जो ज़मीन को जोतता व धान पैदा करता है। అని వ్రాశారు. భూమిని దున్నేవానికిమాత్రమే భూమి ఉండాలని, ఇదే నా మతము, నా సిద్ధాంతము అని చెప్పారు. " (Interruption) భూమిని దున్నేవి ఎవరు. కనుక భూమిపై హక్కు ఎద్దులకు ఇవ్వాలనా లేమి అభిప్రాయము.

[11th September 1948] [Sri Alluri Satyanarayana Raju]

"మనవ్యూహం ఎట్లను ఒకేవిధంగా నేను సరిపోల్చలేను. ఎప్పుడు బాగుంటుంటే ఆ విషయము రైతుయొక్క బాగుండుమీద ఆధారపడి ఉంటుంది. భూమిని దున్నేటటువంటి రైతు సంస్కృతుడైన రోజునే అతడు తన పనుల సంపదను చక్కగా చూచుకొనగలడు. ఇదే విషయాన్ని గాంధీజీ ఆధారము చేసుకొని "దున్నేవానికే భూమిపై హక్కు ఉండాలని" అన్నారు. గాంధీజీ సక్రమమైన సర్వేక్షణ పద్ధతులను ఆధారము చేసుకొని రైతులు, శాశు హక్కులను కాపాడుకొనవలసిన చెప్పారు. ఈ అదేశమును అనుసరించే కాళివట్టుంట్లో రైతులు సర్వేక్షణపాటాద్య మాన్ని జయప్రదంగా కొనసాగించగలిగారు.

"మన రాష్ట్రంలో ఈనాడు అమలలోఉన్న భూస్వామి విధానము గాంధీజీ ఉద్దేశాలను పూర్తిగా వ్యతిరేక పంథాలో ఉన్నది. అందుచేతనే గాంధీజీ ఉద్దేశాలను కార్యరూపంలో పెట్టదలచిన కాంగ్రెస్ ప్రభుత్వమువారు రైతుకు న్యాయమును చెయ్యడము వారి విద్యుక్త ధర్మము. కాంగ్రెస్ ఎన్నికల ప్రణాళికలో కూడా మనము ప్రభుత్వానికి రైతుకు మధ్యన ఉండే దళారులను తొలగిస్తామని ప్రజలకు మనము వాగ్దానము చేసినాము. ప్రభుత్వానికి రైతుకు మధ్య దళారీ అన్నపుడు జమీందారు ఒక్కడే కాదు. ఈ హంశముకింద మనము ఈనాడూరులను, ఇతర పెద్ద పెద్ద భూస్వాములను కూడా చేర్చవచ్చును. ఇప్పుడు మన రాష్ట్రంలో జమీందారీలను రద్దుచేసిన తరువాత కూడా 5 వేల, 6 వేల ఎకరాల భూములు కలిగియున్నవంటి పెద్ద పెద్ద భూస్వాములు ఉంటారు. వీరు ఇంత హెచ్చు మొత్తపు భూములను ఎన్నడు స్వంతముగా నేడ్యము చేయలేరని అందరకు తెలుసును. ఆ కారణంచేత నిజంగా ఈ హెచ్చు భూములను రైతులకు ఇప్పించాలి. అనాడే మన రాష్ట్రంలో పంట ఆభివృద్ధి చెందుతుంది. కరువు కాటకాలు మనను ఎదుర్కొనలేవు. ఒకవేళ మన కాంగ్రెస్ ప్రభుత్వమువారు ఈ భూస్వామ్య విధానాన్ని పూర్తిగా రద్దుచేయలేకపోయినట్లయితే కనీసము కుటుంబానికి 50 ఎకరాల కన్నా హెచ్చు భూమి ఉండకూడదని మిగతా భూమి ప్రభుత్వ వశము కావాలని శాసనము చేయడం ధర్మము. స్వతంత్ర పోరాటకాలంలో ఈ పెద్ద పెద్ద భూస్వాములు మనకు ఎన్నో అటంకాలు కల్పించారు. మనము ఇంత కాలము బ్రిటిష్ వారి పాలనకింద ఉండటానికి వీరుకూడా కొంతవరకు బాధ్యులు కాబట్టి ఇటువంటి అక్రమ విధానాన్ని తొలగించడం చాలా అవసరము.

"ఈ జమీందారీ బిల్లును ఈ స్థితికి తీసుకొనివచ్చుటకు రెవిన్యూ శాఖామంత్రులు పడ్డపాట్లు, అపస్తలు, ఎదుర్కొనవలసినవచ్చిన వత్తిడి నాకు తెలుసు. ఇటువంటి అగ్ని వృద్ధి నిరోధకుల పలుకుబడికూడా నాకు తెలుసు. ఈ అటంకాలను ఎంతో ధైర్య సాహసాలతో ఎదుర్కొని ఈనాటికి ఈ బిల్లును ఈ స్థితికి తీసుకొనివచ్చినందుకు రెవిన్యూ మంత్రిగారు అభినందనీయులు. వారికి నా అభినందనలను తెలిపినానుకూడా. వారు ఇంతలో ఆగకుండా ఈనాం బిల్లునుకూడా త్వరలో ఈ శాసన సభలో ప్రవేశ పెట్టి, భూస్వాములకు రైతులకు కూలీలకు మధ్యన ఉండవలసిన సంబంధ బాంధవ్యాలను నిర్ణయించి, భూమి పన్ను విధానాన్ని సక్రమంగా సంస్కరించినాడు వారి నామము, వారు ఏ సంస్థకు చెందినారో ఆ సంస్థయొక్క నామము సువర్ణాక్షరాలతో చర్చిత్రంలో లిఖించబడుతాయని తమద్వారా వారికి మనవి చేస్తున్నాను.

"ఇంకొక విషయమేమిటంటే, ఈ రోజున వ్యవసాయ కూలీల పుస్థితులు మరి భరింపరానివిగా ఉన్నాయి. వ్యవసాయ కూలీలమీద రుణాధారము సంపూర్ణము.

[Sri Alluri Satyanarayana Raju] [11th September 1948]

తొలగించినాడే దేశానికి డ్యూమం. అలాడే కూలీలు చక్కగా దేశముయొక్క సంతకము అభివృద్ధి చేయటానికి తోడ్పడగలరు. వినాడో ఓ ఓ బస్తా భావ్యము భూస్వామి వద్ద ఆప్పు తీసుకొంటే ఆ కూలీ భూస్వామికి తాత్పర్యంగా రుణపడి ఉండవలసి వస్తోంది. ఈ వ్యవసాయ కూలీల పరిస్థితులు హరిజనుల పరిస్థితులకన్న కూడా అభ్యాస్తముగా ఉన్నాయి. కాబట్టి వారిని భూస్వాముల చేతులలోనుండి విముక్తి చేయవలసిన అవసరము ఎంతో ఉన్నదని మనవి చేస్తున్నాను.

“ఇంకొక విషయము. ఇప్పుడు రైల్వారీ గ్రామాలలో మామూలు పల్లపు ఈనామాలని ఒక రకము భూములు ఉన్నాయి. ఈ భూములమీద పన్ను చాలా తక్కువగా (ఎకరానికి రూ. 0-4-0, 0-8-0, 1-0-0, 1-4-0) ఉన్నది. వీటి పక్కన ఉండేటటువంటి, ఒక కాలవలో సాగయ్యే టటువంటి, అన్ని విధాల సమాన అర్హతలు కలిగినటువంటి జిరాయిలీ భూములకు ఎకరానికి రూ. 10, 15 ల వరకు కూడా పన్నులు ఉన్నాయి. ఒకే రకమునకు చెందిన భూములకు ఇంత తేడా చూపించడంవలన రైతులలో చాలా అసంతృప్తి జరుగుచున్నది. ఇంతకాకుండా ప్రభుత్వమువారు ఆనేకములైన అభివృద్ధి కార్యక్రమాలను కొనసాగించడానికి డబ్బు లేదని అంటున్నారు. ఈ మామూలు పల్లం ఈనాం భూములపైనకూడా జిరాయిలీ భూముల మీదవలెనే ఒక విధమైన పన్నును విధించిన ప్రభుత్వ బోర్డు సానికి హెచ్చు ఆదాయము వస్తుంది. దీనిని ఒక సూచనగా మార్చమే నేను మనవి చేయుచున్నాను.

“ఈ బిల్లు ప్రకారం జమీందారీ రైతులు జమీందారులకు ఇస్తు బకాయీలలో కొంతభాగము ఇవ్వవలసియున్నది. ఇది చాలా అన్యాయము. జమీందారులు విధించినటువంటి హెచ్చు పన్నులను ఇవ్వకొనలేక చివరంవలననే రైతులు బకాయపడవలసివచ్చినది. అంతేకాకుండా ఈ జమీందారులు ఆనేక సంవత్సరముల తరబడి రైతుల వద్దనుంచి హెచ్చు ఇస్తులను వసూలు చేస్తున్నారు. జమీందారులను రద్దు చేయదలచిన ఈ రోజులలోకూడా వీరి పేరున అనేకవేల ఎకరముల స్థలం కమిటీలు విచ్చాటు చేయబడుచున్నవి. దీనిలో సరెట్టుక అనేక కోట్ల రూపాయలకు వీళ్లకు నష్టపరిహారంగా ఇవ్వబడగలినారు. ఇన్ని విధాలా జమీందారులకు తోడ్పడుతూ ఇంకా రైతుల వద్దనుంచి ఎవరినైతే ఈ జమీందారులు ఇంతవరకు వీల్చి పిల్చి చేశారో, అటువంటి వేర అమాయక రైతాంగము వద్దనుంచి పాత బకాయీలను వసూలు చేస్తూ మనదంలో నాకు ఏ విధమగు న్యాయము కనబడుటలేదు. కాబట్టి ఈ పాత బకాయీలను పూర్తిగా రద్దుచేయవలసినదిగా రెవిన్యూ మంత్రిగారిని కోరుచున్నాను.

“Joint Select Committee వారు ఇచ్చిన ఈ బిల్లులోని 15 వ. clauso ప్రకారము మునిసిపాలిటీలలోని జమీందారీ భూములలో సగముగాని, ఆ భూముల విలువలలోని సగ భాగముగాని జమీందారులకు ఇవ్వవలసిన ఉన్నది. ఈ భూములు ఇప్పుడు చాలా విలువగలవిగా ఉన్నవి. వీటిని రైతులు తరతరమునంచి ఆనభవించుచున్నారు. ఇప్పుడు నిక్కసారిగా ఈ భూములలో సగభాగము జమీందారులకు ఇప్పించదలచుట చాలా అక్రమము. లేవు రాష్ట్రములు విధించబడిన తరువాత ప్రభుత్వ కార్యాలయాలకు ఇతర భవన నిర్మాణానికి ఈ పట్టణములలో చాలా స్థలములు కావలసియుంది. అందుచేత ఈ స్థలములను వ్యక్తుల చేతులలో వదలి వేయకుండా ప్రభుత్వమువారి స్వాధీనము చేసికొనవలసినదని నా అభిప్రాయము.”

11th September 1948]

THE HON. SRI KALA VENKATA RAO:—“ఈ భూములు ఇప్పుడు ప్రభుత్వంవారి చేతులలో లేవు. ఈ భూములపైన హక్కులున్నటువంటి హనుష్యులున్నారు.”

SRI ALLURI SATYANARAYANA RAJU:—“ఈ జమీందారీ భూములన్నియు ప్రభుత్వమునకు సంక్రమించినవే. జమీందారు కేవలం rent collector మాత్రమే. కనుక ఈ భూములను ప్రభుత్వమువారు స్వాధీనము చేసుకోవడంలో ఏ మాత్రము అడ్డపణ లేదని మంత్రిగారికి మనవి చేస్తున్నాను.

“ఈ జమీందారీ రద్దు సందర్భంలో కొంతమంది గౌరవ సభ్యులు రాజకీయ వాధితులను గురించి కూడా సంభాషించారు. రాజకీయ వాధితుల గురించి కొంతమంది మనవి చేస్తూను. ఈనాడు కాంగ్రెసువారు ప్రభుత్వములను (కేంద్ర, రాష్ట్ర) ప్రభుత్వములను) స్వాధీనము చేసుకొన్నారంటే, మనమందరము ఈ శాసన సభలలోనికి రాగలినామంటే, వీటికి ఈ రాజకీయ వాధితుల త్యాగమే ముఖ్యకారణమని మనవి చేస్తున్నాను. ఈ రాజకీయ వాధితులు వారి సర్వస్వాన్ని కోల్పోయినా తక్కు చేయకుండా బ్రతికి ప్రభుత్వమువారిని ఎదుర్కొనిన మహోర్వాగులు. ఈ నాడు వీరు తనటానికి తిండి లేక, కట్టటానికి గుడ్డలేక, ఉండటానికి గృహవసతి లేక చాలా వాధలు పడుతున్నారు. ఇటువంటివారిని ప్రభుత్వమువారు మరచిపోగూడదు. వీరిని మరచిపోలేదని ప్రభుత్వమువారు వీరికి తగిన సహాయము చేస్తారని రెవిన్యూశాఖా మాత్యులు ఆనేక పర్యాయములు ఉపన్యాసముల ద్వారాను, పత్రికలద్వారాను తెలియ జేశారు. ఈ రాజకీయ వాధితులయందు శ్రద్ధ తీసుకొనుచున్నందుకు ప్రభుత్వమువారు ఆధీనం దనీయులు. రాజకీయ వాధితులకు భూములను మంజూరుచేసే విషయంలో ప్రభుత్వము వారికి కొన్ని సలహాల నివ్వదలచుచున్నాను. ముఖ్యంగా రాజకీయ వాధితులకు ఇచ్చే టటువంటి భూములు, ఎందుకూ పనికి రానటువంటి బంజరు భూములు, పొరంబోకు భూములుగా కూడా ఉండాలి. ఈ భూములను సాగుచేయడానికి అవసరమైన నీటి సదుపాయాలు, అవకాశాలు ఉన్నటువంటి ప్రాంతాలలోనే ఈ భూములను మంజూరు సేచేస్తేనే నిజముగా ప్రభుత్వమువారు ఈ రైతులకు తగిన సహాయము చేయగలిగిన వారవుతారు.

“కొంతమంది హరిజనులు ఈ రాజకీయ వాధితులకు భూములను మంజూరు చేయడంవలన తమకు అన్యాయం జరుగుతోందని అంటున్నారు. ఈ సందర్భంలో హరిజనులు ఒక్కవిషయము గుర్తించుకోవాలి. ఈనాడు హరిజనులకు కొంతవరకు ప్రభుత్వమువారు ఇంట్ల స్థలములు ఇవ్వడానికి, హరిజనాభివృద్ధికి ఒకకోటి రూపాయలు ప్రత్యేకించడానికి ఈ రాజకీయ వాధితుల త్యాగమే కారణమని ఆ కారణంచేత ఎవ్వరూ ఈ సందర్భంలో ప్రతిఘటించరని అనుకొంటున్నాను. రాజకీయ వాధితులకు మంచి భూములను ఇవ్వడంలో కొన్ని ఆటంకాలున్నాయని రెవిన్యూ మంత్రిగారు అంటున్నారు. ఏదైనా G.O. లు అటంకంగా ఉంటే వాటిని రద్దుచేసి రాజకీయ వాధితులకు మంచి భూములను ఇచ్చేటట్లుగా విచ్చాటులు చేయించవలసినదని ప్రభుత్వమువారిని కోరుచున్నాను.

“జమీందారీ విధానమును రద్దుచేయటానికి అభివృద్ధి నిరోధకులను వైర్య సాహసాలతో ఎదుర్కొనినటువంటి రెవిన్యూ శాఖామాత్యులను హృదయపూర్వకంగా అభినందించుచున్నాను. ఈ సందర్భంలో మన రాష్ట్రంలో జమీందారీ విధానాన్ని రద్దు

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చేయటానికి సత్కారము సమరంబు పాల్పడి, ఈ పోరాట సందర్భములలో వారి ఆశువులను కోల్పోయిన గుండెల శ్యామసుందరి రావు, కొత్తారెడ్డి సత్యనారాయణ మొదలగు వీరులకు జోహార్లు సర్పిస్తు నా ఉపన్యాసమును ముగిస్తున్నాను.”

SRI V. I. MUNISWAMI PILLAY:—“ Mr. Speaker, Sir, I rise to support the report of the Joint Select Committee which has very carefully gone into this important Bill and have made some recommendations to this House for approval. This measure is one of the most important ones that envisages to uplift the poor classes in our land. On the other day, when the Hon. the Prime Minister of India, Pandit Jawaharlal Nehru, introduced a resolution as to the method in which the Constitution of India has to be made, clearly said that the land tenure must be taken into account (at this stage, the Deputy Speaker took the Chair) so that the underdogs, the men who have been the real cultivators, the real tillers of the soil must be given a chance to own the lands, in order to improve the economic status of the country. Madam, I find that there is no definition as to who is a ryot, either in the report that has been signed by the Chairman of the Joint Select Committee, or in the provisions of the Bill. I find the definition of ‘landlord,’ ‘inam villages’ and ‘impartible estates,’ etc. But in the body of the Bill, I find greater references have been made to the ryots, without a definition of the word ‘ryot.’ When there is this important lacuna in this Bill, I feel greatly disappointed, as also the people who are the actual tillers of the soil—over this absence of the definition of the ryot. Some of the hon. Members who preceded me, while discussing the Select Committee Report, have said that unless there is some assurance from the Government that the interests of the tillers of the soil will not in any way be neglected, the whole country, especially the tillers of the soil will be greatly disappointed. I do not see why the definition of the word ‘ryot’ has been left out in this very important Bill. I am sure, Madam, that when the Government make rules for carrying out the various provisions of the Bill, they will make it clear as to who a ryot is. In clause 3 (d) (i) of the Bill, it is clearly stated, that the Government shall not dispossess any person of any land in the estate if that person is a ryot, pending the decision of the Settlement Officer as to whether he is actually entitled to such patta. In the grant of ryotwari pattas, there may be many who are the actual tillers of the soil. Unless they are certified or accepted as such by the Settlement Officer, they cannot get a patta. And this I feel, Madam, is a great disappointment to the cultivating tenants. Again, in clause 3 (f), which says, ‘ryots in the estate and persons holding under them shall, as against the Government, be entitled only to such rights and privileges . . .’ Here also, I feel it necessary that a ryot must be clearly defined so that the Tribunal or the Settlement Officer that is to decide who is to get the ryotwari patta, or any officer that may be deputed by the Government for the granting of these pattas, may not be misled, and also disappoint these

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people who have been for ages thinking over this matter, that, when the Swaraj Government comes, it will bring them all the solace, so that the whole country may prosper. In this view, my hon. Friend Mr. Raghavayya has made an elaborate appeal to the Hon. the Revenue Minister, that whatever might happen to this Bill, and whatever provisions that the Government may finally adopt as a result of further discussion in this House, it must be made clear that the tiller of the land, the cultivating tenant should not be deprived of the possession of the land. Even in the zamindari areas which are going to be taken over by Government and converted to ryotwari system, there are thousands and thousands of Harijans who have been tilling the land, and protecting the forests and other things, and I wish that they should not be deprived of their share when these lands are transferred to the ryotwari system. I earnestly appeal to the Government that when they make the rules for carrying out the various provisions of this Bill, they will bear in mind the fact that the ryot means the tiller of the soil. I find some amendments have been given by a few of my friends, and when they come, I am sure, the Hon. the Revenue Minister will accept them. If that is done, I think our people, the people who have been really cultivating the land and who are the actual tillers of the soil, will have some solace.

“Secondly, I find under clause 37, payment to religious, educational and charitable institutions. In respect of the inams that have been created for the religious institutions with the special purpose of carrying out certain kattalais, i.e., religious duties in the temples, the Joint Select Committee have envisaged the way in which they have to be paid the basic annual sum. What I would plead with the Hon. Revenue Minister is, whatever they may do; they should not curtail the amount that is due to these charitable institutions.”

THE HON. SRI KALA VENKATA RAO:—“ They have made a provision for the purpose in the Committee, Madam.”

SRI V. I. MUNISWAMI PILLAY:—“ But I do not want the amount to be lessened in any way.

“ Now, coming to the compensation that is envisaged in this Bill, I would submit, Madam, that the compensation amount suggested here is a large one. But it will be good if the amount is reduced to a minimum in the course of the discussion, and in the rule-making, so that the coffers of the State may not be affected. With these few observations, I support the motion on the floor of this House.”

* SRI T. VISWANATHAM:—“ Madam, Deputy Speaker, I join the friends of mine who expressed the sentiment that it is the good fortune of Mr. Kala Venkata Rao that he is able to

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introduce the Bill like the one which is now before us. But they have not gone into another aspect of the matter, namely, that it was easy for my Hon. Friend, Mr. Kala Venkata Rao, to do this because of certain things that happened during the previous Congress Ministry in 1937-39 and later too. It is not as a matter of pride or as a matter of bargain that I say this. Some note should be taken of all these things in placing on record in this House our praise to the present Revenue Minister. Whatever it is, it will be the good fortune for anybody to have the privilege of introducing a Bill like this.

"I am one of those people who think that the zamindari system should go. But I would not use any harsh words not necessary for the purpose. I also believe that it is not necessary to go into and harp on the misdeeds of a class of persons whose services we have agreed upon to dispense with in public interest. It does not do good either to those who use strong expression or to those against whom they are used.

"I would just like to bring to the notice of the House the circumstances under which Permanent Settlement was introduced. My purpose is to show that to-day when we want to get rid of the zamindari system, we should confine ourselves only to those estates which are covered by the Permanent Settlement Regulation and not others, which, owing to adventitious circumstances later on became incorporated or began to be dealt with for certain administrative purposes as 'Estates' under the Estates Land Act. In about 1784, what happened was this. As we are thinking now, the rulers of the country then thought that zamindars were not the proper kind of persons to collect land revenue. Hastings also had a similar opinion. Therefore, he went on dispensing with their services or ignoring the rights of zamindars, poligars and others; and appointed in their places certain rent collectors 'whenever it was found necessary to do so.' But what happened? The displaced persons being very many and being ousted, some of them seem to have complained about their position to the House of Commons then; just as people now are running to Delhi, then they ran up to London. The British Government then passed the Statute 24 George III, Chapter 25, Section 39. It was stated that there were diverse rights, and the Government wanted to institute an enquiry into the circumstances that prevailed then, with regard to 'the rights of the zamindars and other landlords within the British territory.' Therefore, the East India Company was commanded to institute an enquiry into the complaints that had prevailed—that diverse rajas, zamindars and other landholders within the British territories in India had been unjustly deprived of or compelled to relinquish and abandon their respective lands and to give orders for settling and promulgating upon principles of moderation and justice according to the laws and constitution of India permanent rules by which the tributes, rents, and services of the rajas, zamindars, poligars, talukdars

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and other native holders should be in future rendered and paid to the United Company. It was in pursuance of this that the Board of Directors wrote a letter in 1786 saying they did not very much like the attempts that were being made to raise the revenue. They did not like these things and they expressed the opinion that it would be most in accordance with the spirit of the Act to introduce Permanent Settlement of the Revenue. They further directed that a settlement should be made with the zamindar and 'in case of his established incapacity for the trust, a preference should be given to a relation or agent over a farmer of revenue.' They, moreover, remarked that the object of the Legislature was 'to declare a general principle of conduct and not to introduce any novel system or to destroy those rules and maxims of policy which prevailed in regulated periods of native Government.' They therefore directed that a Settlement should be made with zamindars for a period of ten years in the first instance and declared their intention to make it permanent provided it merited their approbation on experience. It was in circumstances like that that this experiment was first tried in Bengal and later on at the instance of Lord Cornwallis it was introduced into this Presidency.

"I need not go into the elaborate enquiries that were made and instituted in those years. They were much more elaborate than the enquiries which the Hon. Revenue Minister has been able to make or has thought fit to make before the introduction of the Bill. They were very elaborate with regard to the rights of the landholders, the rights of undertenure holders, inamdars, and about the wealth of the land. The enquiry committee recorded not merely the social and political conditions of the times but also the economic position of not merely the country as a whole but also of the various zamindaris, villages and individual farmers. A complete record was made before they came to a particular decision. All that is a matter of history into which I do not wish to go at present. After making all these enquiries, the Permanent Settlement Regulation was passed. In pursuance of that, sanads were issued. There was one notable thing which I would like to read. The preamble says that 'it is known to the zamindars, mirasdars, ryots and cultivators of land in the territories subject to the Government of Fort St. George that from the earliest until the present period of time, the public assessment of the land revenue has never been fixed. According to the practice of Asiatic Governments, the assessment of the land revenue has fluctuated without any fixed principles for the determination of the amount.' This does not appear to be very accurate judged by other records available in Fort St. George. 'At that time, there was no security to the zamindars or other persons for the continuance of a moderate land-tax.' This is a correct statement of the position. It is stated in the Regulation: 'On the contrary, frequent enquiries have been instituted by the ruling Power, whether Hindu or Muhammadan, for the

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purpose of augmenting the assessment of the land revenue; it has been customary to regulate such augmentations by the enquiries and opinions of the local officers appointed by the ruling Power for the time being; and in the attainment of an increased revenue on such foundations, it has been usual for the Government to deprive the zamindars and to appoint persons on its own behalf to the management of the zamindaris, thereby reserving to the ruling power the implied right and the actual exercise of the proprietary possession of all lands whatever.' To this extent it represents the position as it existed then. 'The Muhammadan rulers wanted to reserve to themselves the implied right and the actual exercise of the proprietary possession of all lands.' The matter was pursued further and it is stated in the regulation that 'it is obvious to the zamindars that such a mode of administration must be injurious to the permanent prosperity of the country, by obstructing the progress of agriculture, population and wealth and destructive of the comfort of individual persons by diminishing the security of personal freedom and of private property.' The fact that the assessment was not regular and that it was not fixed, was acting to the detriment of the country and its prosperity. That was the conclusion to which the Government of the day came to and they wanted therefore to do away with such uncertainty. 'The British Government, impressed with a deep sense of the injuries arising to the State and to its subjects from the operation of such principles, has resolved to remove from its administration so fruitful a source of uncertainty and disquietitude and to grant to zamindars, their heirs and successors a permanent property in their land and to fix for ever a moderate assessment of public revenue on such lands the amount of which shall never be liable to be increased under any circumstances.' The Preamble says first that there was no permanent property for the zamindars in the land. Then it says that on account of the fact that the zamindar had no permanent property, there was uncertainty with the result that the prosperity of the country was affected; they wanted therefore to introduce an efficient system, a system of permanency, both as regards tenure as well as assessment.

"In this connexion, I do not want that either the Hon. the Revenue Minister or Members of the House should misunderstand the actual position. By zamindar, it was not always meant zamindars of the magnitude of Vizianagram or Bobbili or Venkatagiri of to-day. Cornwallis referred to zamindars some of whom were actually large but many of whom were a vast majority of persons whom we call to-day pattadars. They were called zamindars in Bengal. Any word used like that related only to small landlords who had no certainty about their tenures or about the revenue which they had to pay. They had no security of tenure and certainty of assessment. It was in those circumstances that the Permanent Settlement Regulation was passed. The sanads which were given to the various zamindars embody these facts. It is worth while knowing these few facts because

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every now and then the question is mooted here whether these people have proprietary right or not in the estates. The Permanent Settlement Regulation never wanted to give any rights to the zamindars any more than what they had prior to the passing of the Permanent Settlement Regulation. It was true that some persons took advantage of the controversy with regard to the proprietary right. The cultivating tenant was made certain of his rights by the Regulation of 1822, where it was stated that doubts having arisen as to the rights of the various cultivators in the permanently settled estates, the Government declared that the Permanent Settlement Regulation was never intended either to enlarge the rights of or to infringe upon the rights of anybody who were affected by the Permanent Settlement Regulation.

"I am not referring to the broad facts about the position of the zamindar and his proprietary right in the soil with the object of criticizing the present measure. Whatever may be his right, it is necessary that the zamindari system should go, for we know from experience that the zamindari system has stood in the way of progress of agriculture. It has stood in the way of several important irrigation projects. It has led to several kinds of litigation between the zamindar, the inamdar and the Government. Reports of the High Court and the Privy Council show that a good deal of the time and energy of these bodies have been taken up in hearing the respective rights of the zamindars and the Government. Madam, I know from experience that it was not possible to execute several irrigation projects because, if two zamindars agreed, a third would not agree. I remember, in North Vizagapatam, three zamindars were involved in respect of one project and for 25 years it was not possible for them to come to any conclusion. About two years ago, the Public Works Minister of this Government went there, brought together all these zamindars or their diwans and urged them to come to a settlement. He told them that as the zamindaris were anyhow going to be abolished, it was better that they had some grace and came to a settlement among them, that if they could not execute the work themselves, the Government would undertake it and recover the cost from them. He advised the zamindars to agree for goodness' sake. They seemed to agree, but when the Minister came away, there was no agreement, the waters were flowing to waste and the zamindars were setting their faces against one another. In several cases, the zamindari system has stood in the way of the progress of irrigation in this country. I need not go into the details. We are not now in the stage of justifying the abolition of zamindaris. So far I agree with the Hon. the Revenue Minister. But there is a way of doing things and it is with regard to the way of doing things that I want to make a few observations.

"First of all, Madam, with regard to this Bill, I have not looked into the various amendments circulated, but from the

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speech of the Hon. Minister which I heard (or read) from a distance, I do not exactly know the wording of the various proposals which he is going to incorporate in the Bill. But certain broad facts are clear. The first broad fact is that inams which were first included in this Bill are now excluded. In layman's language, the 1936 inams are excluded. If I am a friend of the inamdars, I really would *not* like to go into the details; I should not like to put the Minister in the right in that case; but I want things to be rightly done. To simply say that the 1936 inams are excluded would lead us nowhere. There is no such distinction as 1936 inams and pre-1936 inams. It is just like the other expression pre-settlement inams and post-settlement inams. It is a matter of chronology, of dates and does not affect the nature of the inams. When we want to look into the nature of inams, these distinctions of dates are of no value. When you agree that inams should be excluded from the purview of the Bill, there is no meaning in saying that certain inams which were intended to be covered by the legislation of 1936 would be excluded and other inams covered by the Estates Land Act of 1908 would still come under the operation of the Act. If you leave out some and include some others, you will not be doing anything which is consistent. I do not say that the Hon. Minister has not thought over the matter. It has been said that great pressure has been brought to bear upon the Revenue Minister and that very good provisions have had to be dropped because of this pressure; it has also been vehemently said that the people of the country are observing who it is that is bringing this pressure and taking note of them. But, as far as I know, the only pressure that has acted upon the Revenue Minister is the pressure of commonsense and nothing else. At first, he thought he should take a 'bold forward step' and jumbled up zamindaris and inams in a moment of emotion, enthusiasm and 'noble-mindedness,' without knowing exactly what he was doing. But as things were explained to him, he came to know the various intricacies and he found that inams and zamindaris are not the same. The first thing is the zamindar is an intermediary—call him a rent collector, a descendant of the ruling princes or a bird whose wings have been clipped. But he is absolutely different from the inamdar. The inamdar is no more than jirayati pattadar or the ryotwari pattadar about whose sufferings people have been talking in terms of great excitement. The inamdar is a pattadar and he has to pay a particular assessment either to the Government or the zamindar. This assessment was made a gift to him or a favourable assessment was made. The word 'inam' means gift and great books of Hindu Law have stated that 'a word, a woman and a gift once given cannot be taken back.' (Laughter.) (Interruption.) My friend asks me whether it is a gift of melvaram or kudivaram. It is a matter which has to be gone into in every case. The authors of the 1908 Act were a little more cautious and understood the matter when they said that the Act included such villages where the melvaram was

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granted to a person not owning the kudivaram thereof. The position was understood then. That is why I am obliged to say, without meaning any offence to my Hon. Friend, Mr. Kala Venkata Rao, that he has not understood it. The inamdar does not affect the rights of the occupancy tenant at all. But there may be certain inams in which there was no tenant at all or at the time the gift was made. We must go into the merits of each question. If you find an inam in which there were no occupancy tenants at the time of the grant and both the varams vested in the inamdar, do not touch it. By no means will it come under the operation of the Estates Land Act. That Act was passed to regulate the relations between the tenant and the zamindars. If the tenants had occupancy rights in certain inams it is but proper and right that that legislation should also cover that category of tenants who had occupancy rights. (The Hon. Minister showed some papers to the hon. Member.) If there is an amendment to the effect that this enquiry will be made, it is a step in the right direction. I would not pursue the matter further, except to say that we should be very clear in this Bill that it will affect only those estates which are covered by the Permanent Settlement Regulation. Inams are not zamindaris and they were not known as zamindaris, but for certain purposes of regulating the relation between the tenants and the landlords, in the interests of economy instead of passing two Acts, it was stated that the Act which regulated the relation between the zamindar and the tenant may also apply to the relations between the inamdar and the tenant, because the substance of occupancy right where it existed is the same. Therefore, when we say that we exclude inams, let us see that in the language of the amendment we give proper effect to it.

"Madam, it may be asked: why should you be so careful; when you have been courageous enough to abolish zamindaris, why not do away with the inams also? But it will be opposed to the very principle which you are enunciating, the principle on which you are abolishing zamindaris, namely, that there are people with occupancy rights and that the zamindar is only an intermediary between those ryots and the Government. This principle of course will apply in the case of inams where there were occupancy rights when the grant was made. But there are inams of the kind which the hon. Member, Mr. Koti Reddi, brought to the notice of the House the other day. It was a gift of 1757. In it, it was clearly stated that the inamdar was given a piece of land, that he had to clear the jungle and the waste, make it fit for cultivation and bring it under the plough and then enjoy it, himself and his children for generations. In the case of such pre-settlement inams, I do not say that simply because they are pre-settlement inams they should not come under this Act, but because there were no occupancy tenants and no tillers of soil. It is only in order to make this clear that I have been dealing with this.

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“Then, Madam, I come to the question of compensation. I have been always of the opinion that in the interests of justice and speedy abolition of the zamindaris it is absolutely necessary that this House and the Government should have nothing to do with the details of arriving at the compensation, because it is not our Province. It is a matter of dispute between the person who has to give the compensation and the person who has to receive it. As in other matters of acquisition it must be left to the civil courts. If only the Hon. Minister even in the first stage had drafted a simple piece of legislation by which the zamindaris got vested in the Government subject to payment of compensation that could be decided by a judicial tribunal to be appointed, we could by this time have had all the zamindaris in the possession of the Government. But things were complicated; enthusiasm got the better of reason and the result is this Bill has been long delayed. Even now it is full of difficulties. Madam, every little clause which a tribunal has to go into, every little phrase which a judicial court has to interpret—all these little details have to be gone into in the discussions of the amendments. They are not matters of policy. The only policy is that we are abolishing the zamindaris and as its corollary we pay compensation—such reasonable compensation as may be determined by a tribunal appointed by the Government. Instead of that, these things have been included in the Bill. To-day, of course though it is possible, it looks as if it is too late to delete these provisions of the Bill altogether. But, if you do not do that, the whole lot of zamindars, the tenants and possibly the Government also who are in such a state of uncertainty for such a long time, will all feel that you have not done something which is worthwhile doing at all. I submit, the first thing is, the inclusion of the details of the basis of calculating compensation need not have been and should not have been included in this for, the parties affected cannot fight their rights in civil courts. Do not think that when once we take away his properties, the zamindar has gone out of the picture. He is a person and a subject of this Government who has acquired a particular right to get a certain amount as compensation for the property which the Government is taking. His opportunities to fight out his rights for equitable compensation are totally denied, not only his, but there are other members of his family; there are creditors of such persons and all these are not given an opportunity to legally pursue their rights. It might perhaps be said that we have made certain provisions here, but what I am saying is that all those provisions cannot be fought out on the floor of this Legislature, the functions of which are totally different, the scope of its discussion being altogether different from the necessities of the case. Therefore, Madam, after submitting that it should not have been included here, I would like to urge another point in this connexion. The principles of compensation adumbrated in this Bill are also very faulty, in my humble opinion. Generally, compensation should be given on the

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present value, whatever may be the value of the property taken, but here you are trying to reduce the value of the property by means of legislation and even that reduction is not a certain reduction because the figure that can be arrived at can be known only after five, six or seven years and it is only upon that contingent reduced income, a contingent compensation has to be given and during all these years of contingency and uncertainty, the zamindar, his creditors and the other members of his family who have got rights to maintenance and have a charge over this property, have all to be hanging in the corridors of Fort St. George. That is not the proper way of doing things. In fact, some of them are very useful citizens and to put a particular section of our people in such a position is not at all good, because the fundamental principle of legislation is that there must be certainty and this legislation as it is conceived, lacks that certainty to the extent of the requirements of the case. I submit therefore that it is faulty in both ways. I do not know whether it is now too late and whether the Hon. Revenue Minister would accept the principle that compensation should be settled on the present income. Perhaps he may be giving three or four times, but whatever is reasonable, he should say it now. Let it be an ascertained sum on an ascertained income. We know that the income of the zamindars has been ascertained and in fact their accounts are in the Collectors' offices, the cesses paid are known and in fact all the zamindars placed their completed records and accounts before the Prakasam Enquiry Committee and even to-day by a mere executive order you can get all the present records from the various zamindaris and then arrive at the net income. My suggestion, therefore, is let us arrive at the amount of compensation—number of times on the present income being decided now. If you simply say that you will give a direction to the Tribunal that it should be decided on the basis of present income and the Government are prepared to pay such compensation as the Tribunal may decide, then the whole thing will be probably clear and there should be no quarrel over these things and legislation will not be delayed in this manner on a matter in which so many are agreed as on no other piece of legislation and while we are agreed to such an extent upon this piece of legislation, yet it is taking months and months because we have got certain bees in our bonnet and we want to do certain things which we know should not be done but yet we are treading upon untrodden paths just for the sake of capturing some popular fancy. But, Madam, as administrators and legislators we have got a responsibility and we ought not to adumbrate policies which we know are not practicable at all and especially when the proof of impracticability is demonstrated by the delay here; and they though on principle we are agreed, we are obliged to make so much delay in the passing of this legislation. Even in the matter of divorce on which all of us were not agreed so well, the Act was passed much easier. In the case of this Bill, we are no doubt agreed, and but

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for certain uncertainties and avoidable things that have been put in in this piece of legislation, it would have been a simple piece of legislation.

“Again, whenever we talk of compensation to the zamindar, only the big zamindars loom large in our eyes. For instance, the Maharaja of Pithapuram, Raja of Bobbili, Raja of Vijayanagram and Ramnad are the only gentlemen of whom all of us think. When we come out and talk about the sufferings of the tenants we think only of these gentlemen; when we think of some good things which these people are inclined to do we think only of these zamindars and when we come to deal with the sorrows, and atrocities committed against people, our eyes again turn only to these five or six gentlemen, probably on account of the prejudice that has grown in our minds or possibly rightly on account of their conduct. (A voice: ‘No.’) On account of prejudices which have grown in our minds, we are thinking and we have devised certain clauses in the manner in which we did. But, Madam, let it not be forgotten that out of the list of zamindaris which the Government have published numbering about 1,600 or 1,700 according to information contained in the Permanent Settlement records, only about 25 or 30 of them get an annual income of more than a lakh of rupees. Therefore, whenever we want to enact a piece of legislation we should see how it affects the ordinary man and the poor man. I will not become a very rich man by simply being called a zamindar. Suppose I own a small estate in Salem which fetches only about a hundred rupees as income and yet it is covered by the Permanent Settlement. What is the use of calling such a man a zamindar and then say this gentleman is harassing all the tenants? (Interruption.) I am sorry. I do not know Tamil, but I will speak slowly. Therefore, what I am submitting, Madam, is, when we are making legislation, we should make a law which will be just to all parties concerned. Now, to take by way of an analogy taxation, for example, why should we say it should be a slab rate system and that higher incomes must be taxed at a higher rate? Because it is the only way of securing social justice. According to this system one man is paying income-tax at the rate of 12 annas in the rupee while another man is paying at the rate of four annas in the rupee. Similarly, when we talk of the zamindar and the compensation to be paid to him, you should make a difference between the small zamindar and the big zamindar. That is a point, Madam, which I want to impress upon the Hon. Revenue Minister. It may perhaps be said that he has made certain favourable provisions in the case of these small people, but my submission is that it is not enough. In the case of estates whose incomes are Rs. 5,000 or below Rs. 10,000 this contingent basis of compensation must be altogether done away with. Although you may think of this in the case of big estates, in the case of small estates whose net income is Rs. 5,000 or below 10 or even Rs. 20,000 the principles upon

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which the basic annual income is to be calculated must be made totally different. That is my submission; otherwise you would not be doing any social justice at all. As I submitted already, as in the case of the income-tax, here also the small man as the big man is sought to be crushed out of existence; but since he is still a big citizen of the State he should not be crushed out. In this case, I am afraid, it is the small zamindar that will be crushed out as a good number of small zamindars and inamdars will come under the operation of this Bill. Let me here remind the Hon. Minister that these are the persons who fought shoulder to shoulder with him in the cause of the freedom of this country. When in 1930, 1931 and 1932 the Congress volunteers and the Congress workers and Satyagrahis were not able to get a morsel of food or even a tumbler of water because of the police restrictions, it was these small zamindars and inamdars that joined with you in the fight and dared all risks, even of forfeiture of property and fought shoulder to shoulder with him and now they have every reason to expect from him—not by way of bargain and I will never put it like that—better consideration. They are entitled to it, because it is for the cause of the small man that we have all along been crying hoarse on the Floor of this House.

“Now, I would like to pass on to those who on the faith of existing legislation have purchased inams or estates. Under section 28 of the Madras Estates Land Act you will find a provision to the effect that the existing rent in 1908 were fair and equitable. That is a reasonable provision. Now, the Estates Land Act was the first Act to define well and in a comprehensive manner the relations between the zamindar and the tenants in this Province. There the income which the zamindar was getting and was to get on the land was stated and it was on the faith of it and of the existing legislation that other persons subsequently purchased those estates when they came up for sale and it was on the faith of it even the Courts accepted the security of property when cases arose basing the value upon the income of those estates. I very well remember a case which came up before the Principal Subordinate Judge of Vizagapatam, where he took into consideration the value of the estate on income as protected by the 1908 Act, and it was on that basis he took it as security. When the property ultimately went into the hands of the court and a loan had to be raised on the property—I know from my personal experience that it was raised on the basis of the existing income—he asked me whether a certain amount would be advanced. Now what is the income of the estate? Is it or is it not that income which is protected by the Madras Estates Land Act? It was on the basis of that that certain transactions were made. It was also on the basis of the income that several other transactions, for instance, sales, gifts, settlements, etc., have taken place. Therefore, Madam, one of the principles of law or natural justice is—either in this country or elsewhere—that *bona fide* persons who enter into *bona fide* transactions and part with money on the

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faith of existing legislation should not be adversely affected. It is not simply a case of affecting a few purchasers here in the case of these zamindaris, but it is a general principle of law. As I speak, I am reminded of a few sentences spoken on the floor of this House by His Excellency Sri C. Rajagopalachari, Governor-General of India, in which he exhorted that you should make laws not only according to constitution but also according to Dharma, according to justice. I submit that one fundamental principle of Dharma is—let everyone clearly understand this and there is no use of misunderstanding just because we are a little over-enthusiastic—that if your legislation transgresses the fundamentals of justice, there is no safety for the State, there is no safety for this Legislature and there is no guarantee that we will make any harmonious, decent and smooth progress. Thank God that even one year after the attainment of independence, we have survived and that we have not lapsed into the condition in which Burma and Malaya find themselves or China is obliged to lapse into. Let us be very careful that, in the attainment of our goal, namely, the complete prosperity of the people of this country, we shall not do anything which will adversely affect ordered progress. Therefore I submit that in passing laws, we must not look to the mere immediate surroundings; we must rise above these things. We must measure the correctness of our law not by any transient or fleeting things but by the standard of justice or Dharma as we call it in our language. Do not affect the *bona fide* purchasers for value; if we do, it is not a small wrong which we do. It has become a fashion to say on the floor or this House that this is a lawyer's argument, that that is a lawyer's argument, and that therefore it should be discarded. On some occasions and in some atmosphere, it is easy to say so. It is not as if such a thing has not happened in the past. It has happened. Shakespeare dramatised Cade's rebellion, as you know. Some ruffians brought a man before Cade. Cade asked them, 'Who is he'. They replied: 'He is a [Law] Clerk.' Cade again asked: 'Law Clerk! Does he know writing?'. The ruffians replied: 'Yet, not only that, he reads also.' Then said Cade: 'Oh! he has confessed; hang him at once.' That was the treatment which Cade wanted to give to a man of law. Shakespeare put this on the stage in those days. But the Englishmen did not appreciate it except as a joke and did not succumb to that condemnation of the lawyer by Cade. With all their faults, I find that Englishmen have built up a jurisprudence for which they deserve praise. One fundamental principle which we likewise have been following from the days of Manu and Jaimini is that the persons who act on the faith of existing legislation should not be adversely affected. But such a thing may happen on account of circumstances which no one can help avoiding, but that is only an exception. Let us not make a rule of exceptions. In the making of laws, we must meticulously see that we do not traduce upon the fundamental notions of justice. We must not pass a law adversely affecting persons who purchased a zamindari with *bona fide* intention on the faith of

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existing legislation. In the present case, to those who purchased the estates after 1908, I submit, the principles that I have been trying to explain in my own limited way should be made applicable. Persons who had put in their hard earned money thinking that it was an investment ought not to be thrown in the street. It was said that land was *Sthirasti* and that was why people purchased it. Not only those persons but even those who are attacking them had purchased land each in his own way. Some have invested lakhs and the others a few thousands. Every man believes in the law of private property. Every man had invested money in this or that investment, of land or something else. It was not money got in Derby races or unearned income. It did not come shooting up in a Bihar earthquake from underground. It was all hard earned money. Every one toiled in some profession or other and laid by some money. Acting upon the faith of existing legislation and upon what had been happening for centuries in this country where land was considered as *Sthirasti*, people had put in their money on this or that piece of land. Therefore they ought not to be adversely affected. I submit that that is not a right method of proceeding with legislation. By all means acquire private property, when it is necessary in the public interests. Then, it does not matter. But give the owner some reasonable compensation; don't throw him away into the streets. He is not an outlaw. He may be a zamindar whom we do not like, he may be an inamdar whom we do not like. Even outlaws are treated better nowadays. Therefore to the purchasers of estates, show some better consideration. The compensation should be equivalent or at least approximate to the amount which they have paid. According to the basis of calculation provided in this legislation, a person who has paid five lakhs of rupees will get a lakh, not even a lakh but only about 70,000. The Hon. Revenue Minister says that he is providing compensation which cannot be called nominal. I do not know whether he has worked out the figures relating to some of the purchased estates. A person has paid Rs. 35,000—I am referring to the case of a very big gentleman, who is a Member of the Constituent Assembly—and he will not get even 10,000 under this Act. He will get only about 8,000 rupees. He earned the money. He has been a hardworking lawyer and he did not take unconscionable fees. He was himself a Non-co-operator, wearing the coarsest Khadi and going into the jails along with us. When he has paid Rs. 35,000, if he gets under your law which you call just, only Rs. 8,000, you can by no means call it just. Don't say that you are giving compensation which cannot be considered nominal. I have myself worked out some cases. I would request the Hon. Revenue Minister to get his department to call for some of the sale deeds, work out the compensation according to the provisions which he has incorporated in this Bill, and see for himself the serious financial effect upon the purchasers. I am dwelling on this point at some length because if we make a beginning like this, we do not know where we will end. Let us not

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do a thing by which we will be gradually shifted from our position and obliged to give place to some whom we do not like and whom, under the Public Safety Act, we are now detaining in jails. The property which we are going to get by the abolition of zamindaris is certainly very valuable. On several occasions, the Hon. Revenue Minister was good enough to say in order to appease some opposition: 'Why do you say that I am not giving good compensation? I am giving at the rate of Rs. 7 or Rs. 5 per acre.' The Hon. Revenue Minister says that this is just compensation! He has been advised by his legal advisers that this is just compensation. He comes from the central delta of the East Godavari district and he knows the value of land. With a gusto of pride he says 'I am giving Rs. 7 per acre' and this he calls just compensation.

"I have nothing personally to say against my Hon. Friend, the Revenue Minister. Even at this stage after the Bill has passed through the Select Committee, it is not too late. I would ask him and those who are with him to rise above these transient considerations. Let us not do anything by which we traduce upon the fundamental notions of justice and law. We are changing a land tenure system which has been in existence for 150 years. Let us not be miserly or parsimonious in our outlook; let us not be vindictive. Let us take a long range and large-hearted view. Let us be broadminded. Let us see that those whom we are sending out in public interests become useful citizens. Let us not leave them in frustration, for frustration will lead people into undesirable channels of activity. I am not saying an imaginary thing. If only our Congress leaders and Congress Governments in 1937-38 had dealt with the political forces of those days with a broader outlook, Communism would never have arisen in this province. We were not large-hearted; we were not broad-minded. And that is why we have brought this Communism upon ourselves. I believe that is the case not only in our province, but in the other provinces also. After all, when we are trying to develop the resources of the country, we should look to the interests of not only those who are benefited but also of those who are adversely affected by this legislation. Both sets of persons are our own persons. A legislation which benefits a large number of persons might incidentally affect adversely a few persons. I readily subscribe to that. But in doing that, let us be careful that we do not hurt ourselves and lead the country to consequences which we cannot foresee and over which we will lose control soon, if we follow the methods which are sought to be followed in this Bill."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Madam, Deputy Speaker, on former occasions when I dealt with this subject, I always prefaced my speech with very unstinted praise for the Hon. Minister for Revenue. To-day also I have got the same praise for him. But it is greatly modified. If hitherto I differed

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from him on the question of compensation, to-day I regretfully have to differ from him on the question of exclusion of inams. I know he fought against odds both inside the Select Committee and outside this House very heroically, but I am sorry to find that he has at last succumbed to that superior power outside this Legislature. I know he must be feeling awfully, because he has to bow his head to that outside power, which has dictated, as it were, a policy, which is not his own. And yet I praise him for he has been able to get this Bill through the Select Committee and bring it before this House for consideration. He has made a promise also that in regard to inams that are excluded, he would bring in a legislation very shortly. When an hon. Friend of mine the other day interjected the Hon. Revenue Minister in the course of his speech and said that it was a retreat, he at once protested and retorted that it was neither a retreat, nor a strategic retreat. But I am convinced, Madam, that it is a retreat in so far as he has not been able to press forward the inclusion of inams in this Bill. Whether it is going to be a strategic retreat or not, time alone can witness.

"Now, Madam, as my hon. Friend, Mr. T. Viswanatham, has pointed out in the speech of the Hon. Minister for Revenue, he has used a term which is not very legal, and that is, 'that the 1936 inams will be excluded.' It is wrong to say that certain inams are 1936 inams and certain others, pre-1936 inams. The real fact is, that an inam in which a person who owns it has only the melvaram right, whether prior to 1936 or prior to 1908, is an estate. That means that the ryots who are in possession of that land have the occupancy rights and such ryots cannot be ejected. That is an estate and therefore there is no meaning in saying that the 1936 inams are going to be excluded. But when this was brought to the notice of the Hon. Revenue Minister by my hon. Friend, Mr. T. Viswanatham, he referred to the notice of an amendment given by him, that is, Amendment No. 96 on page 11 of the consolidated amendments. What does this amendment seek to do? It exactly seeks to do what the 1936 legislation sought to do, by making a provision in that Amending Act for a tribunal which went into the question whether the inamdar had got both the warams or only one waram. If the inamdar was able to prove that he had got both the warams, then a provision was made that the tenant was entitled to purchase that waram and get the occupancy rights. My hon. Friend now seeks to do the same thing which was done at that time. Now why should such a provision be made here? Here, in this case, the Settlement Officer will be appointed who will give notice to all persons interested in the inam asking them to produce documentary evidence and then he will decide one way or the other. He decides whether it is an estate or not, that is to say, whether the tenant has the occupancy right or not and against his decision, an appeal is also provided to a Tribunal and the

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decision of the Tribunal will be final. But I see that at the end of this amendment (Amendment No. 96) there is a sub-clause (7) to the new clause S-A, which states as follows:—

“(7) In the absence of evidence to the contrary, the Settlement Officer and the Tribunal shall presume that an inam village is an inam estate.”

“I do not see why this amendment should come at all. In the 1936 enactment, an opportunity was given to the inamdars, who claimed that they were the owners of the land and that they were the owners of both the warams to prove their claims before a Tribunal. If really they had both the warams, they would have gone before that Tribunal and obtained a decision. As a matter of fact, Madam, the Tribunal which was appointed at that time actually dealt with hundreds and thousands of cases and the result of its finding showed that only in 2 per cent of the cases did the inamdar possess both the warams. Therefore it is crystal clear that what the Government are now seeking to do, is not an act of their own seeking, because they are already convinced of the case of the inamdars, but is the result of some pressure, either from their own party or from outside, which wants them to introduce a provision of this kind.

“Now, Madam, this will open up again the entire question which was settled by the 1936 enactment and which was finally settled by the Tribunal. Can we not imagine to what an amount of litigation this will lead to? There is no reason at all, Madam, why these inams should be excluded.

“Now referring to the arguments of my hon. Friend, Mr. T. Viswanatham, who said that the inam tenure stands on a different footing from the zamindari tenure, what I wish to say is this. No doubt the term ‘inam’ which is an Arabic word, means ‘a gift.’ Therefore it is true, that the inam is a gift. According to our law books, an inam land is one which is free from tax, or on which only a nominal tax is payable. Whereas the ryotwari tenant has to pay his full quota of tax, the inamdar need not pay the full tax. But the question is whether the inamdar has had the gift of the land or the gift of the tax only which was payable by him to the Government, that is to say, whether the inamdar has got the melwaram only or both the warams. My hon. Friend, Mr. T. Viswanatham, knows very well that after decades of litigation over this question, it was held that if the ryot wants to say that he has got occupancy rights, he must prove in a Court of law, as far as the inam is concerned, that his inamdar has got only the melwaram right and not the kudiwaram right. But who should go to the court to establish his right—whether the inamdar or the tenant—is a different matter, which I shall come to later. But now what has to be established by the tenant is that the inamdar has only the melwaram right. In those circumstances, the occupancy rights will be declared in favour of the tenant and not otherwise.

“As regards the question as to who should go to the Court, generally it is the tenant that went to the court, because he was

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a weak man and the inamdar has always been able to assert himself and oust his tenant. In a series of decisions given by the courts, which were sometimes conflicting, the burden of proof was thrown sometimes on one and sometimes on the other. Then when the matter finally went up to the Privy Council, the Privy Council held that it is a question of burden of proof, that is to say, that the party who goes to the court should discharge the burden, that is, that the tenant should prove that the inamdar had only one waram and not both the warams. As I said just now, the inamdar is a strong man. He has got with him all the documents, but the tenant has nothing in his possession. This injustice and inability on the part of the tenant was brought to the notice of the court later which again considered and said that it was no more necessary to throw the burden of proof on the tenant. If a certain village was in entirety granted at the time as a gift, then it must be presumed that melwaram was only granted, and consequently, the tenants got the occupancy rights.”

SRI K. VARADACHARI:—“May I ask the hon. Member which is the section of the 1936 Act which lays down this position?”

MAHABOOB ALI BAIG SAHIB BAHADUR:—“The very fact that clause 1 (3) of the present Bill is sought to be amended so as to exempt inam villages which were not estates within the meaning of sub-clause (d) of section 3, clause (2) of the Madras Estates Land Act, 1908, before the commencement of the 1936 Amending Act, but became estates by virtue of that Act, shows that this was the position according to the 1936 Act.” (Interruption.)

SRI K. VARADACHARI:—“I know what the section is, but I wanted to know from the hon. Member what section he meant.”

DEPUTY SPEAKER:—“If the hon. Member had known it already, he need not have asked the question.”

MAHABOOB ALI BAIG SAHIB BAHADUR:—“So in order to set at rest this unequal dispute between the inamdar and the tenant, the 1936 Act laid down that in the case of whole inam villages, the tenant living in an inam has got occupancy rights. When this interpretation was protested against by the inamdars, a provision was made in the 1936 Act, which said that whichever inamdar claimed that he had got both the warams, should prove it before a Tribunal. As I said just now, subsequently many cases went before the Tribunal and it was found that in 2 per cent of the cases only were the inamdars able to prove that they had both the warams. Afterwards it was decided that the kudiwaram can be purchased by the tenant living on the land at that time by paying a certain compensation, i.e., one year's rent. Therefore, what I submit is that at that time a uniformity of tenure was sought to be made. It is a very little step I know.

“When I am on the question of compensation, I must say that as far as the question of rent and compensation were concerned the 1936 legislation was more just than the present Bill. Madam, I

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do not understand why we should call them the 1936 inams at all. It is a misnomer to call them like that. If the Government mean thereby that what has been decided in the past, prior to 1936 as an estate or what has been agreed to between the parties as an estate, was an inam, I beg to differ from them. Why do you want now to unsettle the law after twelve years? Why do you want a special officer to go into the matter over and over again? You are contributing not only to more confusion but to a lot of litigation resulting in heartburning and discontent throughout the thousands and lakhs of inams. The ryots in those inams have settled down and they have been enjoying their rights all these twelve years. Is this the kind of legislation which you as a popular Government should bring before us, the popular representatives of the people? Therefore I strongly oppose the exclusion of these inams. I have some sympathy for the Hon. the Revenue Minister. I know he was opposed to the exclusion of these inams from the purview of this legislation till the end. Now I cannot vouchsafe for what he is going to do in the future. Left to himself he would bring an amendment and cancel the present amendment. While in the past I praised the Hon. the Revenue Minister and gave him my unstinted support and praise as far as this question of doing away with the intermediaries was concerned, to-day I have to modify my praise. Let me read to you, Madam, what is the object of this legislation as published in the Statement of Objects and Reasons officially appended to this Bill as presented to us. Without reading the entire thing I should like to say this: 'The Working Committee pointed out that such a reform involved the removal of all intermediaries between the peasant—the word peasant is very significant, it is not the tenant—and the State and that the rights of such intermediaries should be acquired on payment of equitable compensation.' The words tenant, rent, etc., are misnomers and incorrect expressions. Later on, the Government accordingly proposed to abolish the zamindari system by acquiring all interests governed by the Madras Estates Land Act of 1908 including the whole inam villages and converting them into ryotwari by paying equitable compensation to the several persons having an interest in the estate. I entirely agree with the reasons given. This legislation as stated officially aims at the establishment of a uniform tenure by doing away with the intermediaries who came into existence on account of some enactments in the past, such as the Permanent Settlement and connected legislation. My friend, Mr. T. Viswanatham, was referring to the Inams Act of 1865 and other enactments and stated that the inam having been a gift—a gift may be of a land or of both the warams—there was no enactment in which it was stated that there was occupancy rights for the tenants. While I appreciate the point of view that he has in mind, may I remind him, Madam, that even in 1868 and 1869 the Inams Act said that it was for regulating the relationship between the inamdar and the Government. The Inams Act of 1868 or 1869 did not interfere with the rights of the tenants at all, just as in the case of the Permanent

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Settlement and the Regulation of 1822 where the rights which the ryots had cannot be said to have been taken away by the Permanent Settlement. Therefore it can be clearly seen that if the tenants had permanent occupancy rights in those inams, those Inams Acts did not at all take away such rights. The only test is this, whether in the case of an inamdar the grant is of melwaram only, whether the transfer that was made by the Government to these gentlemen was the right to collect the tax only and whether the peasants who were cultivating the lands had their rights to possession already and whether they cannot be interfered with. That is the test. There is no use saying that there is nowhere any legislation with regard to occupancy rights in the inams.

"There is of course a misconception as to what ought to be done with reference to compensation to the inams. That is a different question altogether. The inam estate stood on the same footing as the zamindari estate in relation to the Government at the time of the transfer in their favour the right to collect rent or tax. Because there was so much litigation with regard to the question, whether both the warams were given, or whether the melwaram alone was given, extending to over several decades the Government thought that these things should be set at rest, especially in the case of the inams and there should be an end to the unequal contest between the inam ryots and the inamdars and there must be a uniform tenure. It may be true, Madam, that there may be cases where the inamdars might have both the warams. But we cannot help it. We are legislating for the generality of persons. If in this process a few persons who have got just rights are to suffer it cannot be helped. I know there may be cases where entire villages may not be occupied. The important reason why the legislation of 1936 laid down that in all whole inam villages the tenant has got the occupancy right is because there were villages uninhabited but there were tenants and peasants cultivating the land. The Hon. the Revenue Minister has admitted that the Government has no proprietary right in those lands of the tenants who were cultivating their lands and they had only the right to collect the tax. In these circumstances the conclusion is inevitable that what was passed on to the inamdars and the zamindars by the Government was only the right to collect the tax and nothing higher than that. Therefore it is not an argument to say that there was no occupancy right mentioned in the Inams Acts. I appreciate the point that there may be villages where there are no tenants at all. There may be. But they are very rare. There may be one or two in a thousand or one in a ten thousand. Please excuse me for reiterating my point, Madam, As has been proved before the Tribunal there were only 2 per cent of people who have been able to prove that they had both the warams. Therefore it is not only unjust but inexpedient that you should be unsettling the law which has been settled and which was settled after due and careful consideration. Great consideration was shown to the inamdars who were enjoying higher and

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competitive rights. It was said that the rent prevailing on the 1st November 1933 should be considered fair and equitable. Now you may take the Hon. Minister to task for giving a lesser concession to the inamdars. I am one with you. I am one with you there because the rights of the ryot is not affected there. The ryot will have the right of paying what is called the ryotwari rent. He is not to pay more tax or assessment of revenue than the others. It is the Government that may have to pay. That is a different matter. When the Government thinks that people are going to be affected and the ryots are going to be benefited the inamdars should be dealt with in an equitable manner and their rights should be fully compensated. The Government ought not to shrink from their duty of paying a higher compensation. It does not affect the tenants at all. (Interruption.) It is a different matter. It is not for me to say. Therefore, Madam, my view is that this is a great wrong done to the inam ryots. Not only that, but it is unwise. I know the Hon. Minister is making a heroic effort with regard to the inams. In answer to a question the Hon. Minister stated that he would bring a fresh legislation in future. He also stated that these inams would be notified under the Rent Reduction Act. Already in the papers there are adverse criticisms and I take it that these criticisms will not deter the Hon. the Revenue Minister from doing his part well, even if it is not possible for him now to do it."

DEPUTY SPEAKER:—"Now the House will rise for lunch and meet again at half past two."

(After lunch—2-30 p.m.)

(Deputy Speaker was in the Chair.)

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Madam, Deputy Speaker, the other point that I would like to submit to this House through you is the question of acquisition of the interests of the persons concerned and the payment of compensation to them. I would like to refer again to the Statement of Objects and Reasons wherein it is clearly stated that the aim of the Congress Party is that the interests of the intermediaries should go and their interests should be compensated for. Equitable compensation should be paid to the several persons having an interest in the estates. This is what is stated in the Statement of Objects and Reasons. Therefore, it is necessary for us to know what are the interests that the Government are going to acquire. I am very glad to hear from one of the prominent members of the Congress, namely, Mr. N. S. Varadachari, that the aim of the Congress is that there should be no confiscation without compensation. Rather I would put it the other way, i.e., there would be no acquisition of rights without paying compensation. That is admitted on all hands except by some persons of Communistic views or of ultra-socialistic views. The Congress does not claim to be either Communistic or Socialistic. So, I am very glad that

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it has not been forced to take up the attitude of these two political bodies in spite of great pressure on account of the present circumstances prevailing in the country to-day. I am also glad to refer, Madam, to one or two sentences of the Revenue Minister's speech that private property is not going to be abolished. He has also said that in India, Indians have got the remembrance of their properties more than the remembrance of their dead fathers. That is a very sound thing, and that only leads to the stability and safety of the country. The Congress attitude is that. For that reason, in the preamble itself it is stated that the interests of several persons in estates are going to be acquired. It is necessary for us to scrutinize what those interests are in the first instance. Secondly, in order that adequate compensation may be given, we must arrive at some formula by which compensation can be said to have been given adequately. I entirely agree with the view-point expressed by my hon. Friend, Mr. T. Viswanatham, on this matter, i.e., the acquisition of the rights of the estate-holders and payment of compensation therefor. This legislation could have been made a three or four sections Bill. In the first instance, having declared that it is the intention of the Government to acquire the interests of the estate-holders who are intermediaries between the peasant and the Government, Government can declare that these rights shall vest in the Government. As regards payment of compensation, as my hon. Friend, Mr. T. Viswanatham, put it, it should have been entrusted to courts which have been till now administering the law with regard to acquisition of the rights of subjects, citizens of the Government. That would have been a very simple process. The courts would determine what are the interests which the several persons have in the property, and they would also determine what is the proper compensation that should be paid. By this simple two or three sections enactment, the entire thing could have been done, and acquisition also could have taken place forthwith. Even under the present Acquisition Act, it is possible to acquire property immediately whenever there is an emergency. Even possession can be had of the properties forthwith, before compensation for the property is determined. This viewpoint is based upon the admitted attitude of the Congress. The Congress says that the interests shall be acquired by the Government and they shall be compensated. In the legislation, you are trying to nullify—at least modify—the effect of your own admission. You stand self-condemned by your own manifestoes, by your own admissions, and by your own attitude. As regards the intermediaries, I am afraid that the present provisions with regard to compensation cannot stand the test of law courts. My hon. Friend, the Revenue Minister, has said—I clearly remember what he has said—'we have been advised that we can only acquire the rights, we have been advised that compensation must be paid for'. In the next sentence, 12½ crores of rupees by way of compensation to the interests of zamindars is considered to be not illusory, but proper compensation. He has got in the back of his mind the fear that

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the compensation that is sought to be paid may be considered to be illusory. Therefore, he has made that statement. My submission to this House is that this matter should be considered in an impartial manner. Let me put it like this, as my hon. Friend, Mr. Viswanatham, put it. What is the value of a certain property on the date of your acquisition? On the date of the acquisition, if the property is worth, say, a lakh of rupees, unless you pay that one lakh of rupees as compensation, I am sure any less compensation that you pay will be considered to be inadequate."

DEPUTY SPEAKER:—"We have to finish the general discussion of this Bill on Monday morning. There are sixteen more speakers. Therefore, I am going to allow only 15 minutes for each speaker hereafter. The hon. Member will finish his speech within five more minutes."

MUHAMMAD RAZA KHAN SAHIB:—"Madam, up to now twenty to twenty-five members on the Congress Benches have spoken. (Voices: 'No, no. Only nine have spoken.'). Most of them have spoken for more than an hour also. Only two members from our party have spoken so far. Mr. Ali Baig is speaking on behalf of our party. He may be given more time."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Had I known the time-limit, I would have compressed all my points."

DEPUTY SPEAKER:—"You have already taken more than forty-five minutes."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"When I asked whether there was any time-limit, you said 'no'. Now, I would request you to give me at least ten minutes more."

DEPUTY SPEAKER:—"You have already been given sufficient time."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"If you want to give proper compensation, it must be legal and adequate compensation. In arriving at the compensation, the Government have taken the view that the basic amount, as far as the zamindars are concerned, must be a reduction of the present income to the ryotwari level, and again that amount must be reduced to one-third. Then again, some more deductions are to be made. My point is that when Government are acquiring the present rights, they have no right to reduce the income to the ryotwari level. Even if you are entitled to reduce the income to ryotwari level, you are not entitled to reduce it still further to one-third. As regards the deduction of two-thirds from the income, there is a very great fallacy in the argument of the Revenue Minister, that at the time of the Permanent Settlement, one-third of the income was given to the zamindars, and the balance of two-thirds was fixed as peshkash payable to the Government. On that basis, the present income, which is reduced to the ryotwari level, is sought to be reduced to one-third for calculating compensation. May I submit

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according to the engagement between the zamindars and the Government at the time of the Permanent Settlement Regulations, one-third the income that was assessed is given to the zamindars and two-thirds is collected as peshkash. But in the sanad, there is a clear engagement which says that the Government will not share any part of that income. Therefore, my submission is that the Government are not entitled to reduce it to one-third. As I said, the proper procedure would be to take the present income into consideration after deducting the collection charges, the peshkash and such other things. So many times the balance amount should be computed as the compensation and the interest should be paid on it according to the present rate of interest on gilt-edged securities. That is the proper method.

"Now, Madam, Deputy Speaker, all the interests have not been provided for."

DEPUTY SPEAKER:—"The hon. Member's time is over. Sri Rokkam Ramamurthi will speak now."

* SRI ROKKAM RAMAMURTHI:—"ఉపాధ్యక్షులారా అమ్మా, ఈ జమీందారీ రద్దు బిల్లును ఈ స్థితికి తీసుకొనివచ్చుటకు మన రెవెన్యూ మంత్రిగారు చూపిన సాహసానికి, ధైర్యానికి రాష్ట్రములోని జమీందారీ రైతాంగమంతయు ఆభినందించుచున్నది. నేనుకూడా వారిని కొనియాడడములో ఎంతమాత్రము వెనుకాడడంలేదు. గౌరవ సభ్యులు నాకుముందు మాట్లాడినవారు ఈ జమీందారీల చరిత్రగురించి చాలా విధముగా మాట్లాడినారు. వారిన్ను నేను ఈ విషయంలో చెప్పవలసిన మాటలు లేవు అయినను నేనుకూడా కొన్ని విషయములను చెప్పదలచుకొన్నాను. జమీందారులు మొదటిలో రైతులవద్దనుంచి ఇస్తులు వసూలుచేసి ప్రభుత్వమువారికి కొంతభాగమును చెల్లించే rent collector లుగా నెలకొల్పబడినారని చాలామంది విశ్వాసము. అది నిజము. అనాటి దేశములోని పరిస్థితులలో ఇటువంటి విధానము సకమంగా ఉండి ఉండవచ్చును. అనాడు బ్రిటిష్ ప్రభుత్వమువారికి రైతులనుంచి వస్తులు సకమంగా చెందటానికిగాను ఈ మధ్యవర్తులను వారు నియమించారు. Permanent Settlement ప్రకారము ఈ జమీందారులు రైతులవద్దనుంచి సుమారు 80 శాతం రూపాయలను వసూలుచేసి ప్రభుత్వమువారికి 50 శాతం రూపాయలను కేటకం కట్టవలసియైనది. 1802 వ సంవత్సరపు చట్టము ప్రకారము ఈ జమీందారులు రైతులపైన విధించిన ఇస్తులను హెచ్చుచేయరాదు. కాని జమీందారులు రైతులపైన ఇస్తులు ఎక్కువచేసి ఈనాడు సుమారు 2 కోట్ల రూపాయలవరకు వసూలుచేస్తున్నారు. ఇ దువలన రైతులకు చాలా నష్టము కలిగినది. ఈ జమీందారులు జలాశయములను బాగుచేయించకపోవడంవలన రైతులు సవ్యంగా సాగుచేయడం కష్టము అవుతోంది. దీనివలన ఆరోత్పత్తి సరిగా జరిగటంలేదు. ఈ కారణాలచేత మన ప్రభుత్వమువారు ఈ జమీందారీవిధానాన్ని రద్దుచేయదలచుకున్నారు. ఇది ఆభినందించవలసిన విషయము. కాని ఈ జమీందారీలను రద్దుచేసెదపుడు పెద్దపెద్ద జమీందారులను, చిన్న చిన్న ఎస్టేటుదారులను ఒకేవిధంగా చూచినట్లుయితే చిన్నవారికి చాలా అన్యాయము జరుగుతుంది.

"మన రాష్ట్రంలో జమీందారీలు రెండు విధాలుగా ఉన్నాయి అవి (1) పెద్ద పెద్ద జమీందారీలు, అనగా విజయనగరం, బొబ్బిలి మొదలైనటువంటివి. ఈ పెద్ద జమీందారీలను ఎవరు పంచుకొనకూడదు. వీటిని విభాగించుకొనుటకుగాని, అమ్ముకొను

[Sri Rokkam Ramamurthi] [11th September 1948]

టక్కుగాని జమీందారులకు ఆవకాశాలు లేవు. జమీందారులు రైతులవద్దనుంచి ఇస్తు
వసూలు చేసి, అందు ప్రభుత్వ భాగము ప్రభుత్వమువారికి ఇవ్వటానికిమాత్రమే జమీం
దారులకు హక్కు ఉన్నది. అంటే ఇటువంటి జమీందారుల కేవలం rent collectors
మాత్రమే నని మనవిచేస్తున్నాను.

“ఇక రెండవ తరగతికి చెందిన జమీందారులు చాలా చిన్నవి. ఈ జమీందారి
లను జమీందారులు, వారి సంతతివారు తమ మధ్య విభాగించుకొనకవచ్చును, అప్పుకొన
వచ్చును. ఈ జమీందారులకు ఈ estate లలో దాన విక్రయాధికారాలు ఉన్నాయి.
అందుచేత వారు ఈ భూములను వారియొక్క స్వ తభూములుగా చూచుకొంటున్నారు.
ఇదే అభిప్రాయముతో వారు ఈ భూములను తరతరాలుగా అనుభవిస్తున్నారు.
ఇప్పుడు ఒక్క సారిగా ఈ చిన్న చిన్న ప్రాప్రయుటర్ల నందరను తొలగించి వారికి
కూడా పెద్ద జమీందారుల కిచ్చినట్లుగానే ఏ కొద్దో నష్టపరిహార మిస్తామని అంటే
వారికి జరిగే నష్టము అపారము. ఈ జమీందారుల కందరినీ నష్టపరిహారము క్రింద 12
కోట్ల, 15 కోట్ల రూపాయలు ఇస్తున్నామనికూడా అని అంటున్నారు. ఈ 12
కోట్ల, 15 కోట్ల డబ్బులనుంచి హెచ్చు డబ్బు పెద్ద పెద్ద జమీందారులకు
పోతుంది. ఈ చిన్న చిన్న ప్రాప్రయుటరులకు వచ్చే డబ్బు చాలా తక్కువ. ఇప్పుడు
వారికి వచ్చుచున్న ఆదాయములో చాలా తక్కువభాగమే వారికి నష్టపరిహారముక్రింద
వస్తుంది. ఒక్కసారిగా ఈ చిన్న జమీందారులను పేదవారుగా చేసేవెయ్యడము
మాత్రము ఏమీ కాదుగాలేదని నేను మనవిచేస్తున్నాను. ఈ చిన్న చిన్న ప్రాప్రయు
టర్లకు ఈనాడు 10, 20, 50, 100, 200 ఎకరాలు మాత్రమే ఉన్నది. ఈ
విల్లుగా సూచించిన ప్రకారము వీరికి ఎకరానికి ఏ రూ 4, 5 ల నష్టపరిహారమిస్తే
వీరి గతి ఏమి కాను. ఈనాడు ఈ చిన్న ప్రాప్రయుటర్లకు ఎకరానికి 5 ఫుట్ల, 6
ఫుట్ల ఇస్తు వస్తోంది. అంటే సుమారు ఎకరానికి రూ 50 ల ఆదాయము వస్తోంది.
ఈ ఆదాయమును చూచుకొనే అనేకమంది ఆదాయకులు ఈ భూములను ఎకరానికి
రూ 400, 500 లు ఇచ్చి కొనుక్కున్నారు. అటువంటివానికి కూడా ఈనాడు ఎకరా
నికి ఏ రూ 30 లో, రూ. 40 లో నష్ట పరిహార మిస్తామని అంటే అదియెంత భర్తంగా
ఉంటుందో మీరే అలోచించండి. అంటే కాకుండా ఈ భూములు కలిగివటువంటి
శ్రీల maintenance ఫుచ్చుకొనేటటువంటి వారికి భవిష్యత్తు ఆలోచించుకొంటే
చాలా అక్కర్లేవరంగా ఉన్నది. ఇటువంటివారికి జీవితభృతిని కల్పించే బాధ్యత
కూడా ప్రభుత్వమువారిమీద ఉన్నది. ఈ చిన్న జమీందారులను ప్రత్యేకంగా చూడాలని
ప్రభుత్వమువారిని కోరుచున్నాను. నాకుకూడా ఇటువంటి చిన్న జమీందారి ఒకటి
ఉన్నది. నాకు ఈ జమీందారీవలన సాలుకు రూ 5,000 ల వరకు ఆదాయము
వస్తుంది. అటువంటి జమీందారి ఈ విల్లు ప్రకారము రద్దచేసినట్లయితే నాకు ఒక
సంవత్సరము ఆదాయముకన్న తక్కువగానే నష్ట పరిహారము వస్తుంది. నాకు ఈ
జమీందారి ఉన్న కారణంచేత నేను ఇల్లాగ అంటున్నానని మాత్రము అనుకొనవద్దు.
ఈ విధంగా చిన్న చిన్న ప్రాప్రయుటరులకు ఉపకారము చేయవలచినప్పుడు ఆ సదు
పాయమును నాకు సంబంధించినవరకు మిగిలించినను నేను ఒప్పుకుంటాను.”

SRI K. LINGA RAJU :—“రొక్కం రామమూర్తిగారు మిగిలగా అని నవ
రణ చేయమంటారా ?”

* SRI ROKKAM RAMAMURTHI :—“ప్రభుత్వంవారు ఏ విధంగా చేసినా
నాకు ఇష్టమే నాకు లాభము జరిగి జరగక పోయినా నాలోతే చిన్న చిన్న ప్రాప్రయు
టరులను ఒక్కసారిగా పాపట్లుక్రింద చేయవద్దని నామనవి.”

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DEPUTY SPEAKER :—“ అండరకు సంబంధించేటట్లుగానే సవరణ
చేయమని చెప్పడం మంచిది.”

SRI ROKKAM RAMAMURTHI :—“నేను ముఖ్యంగా చెప్పేది ఏమంటే
నేను జమీందారి abolition కు ఏ విధంగాను వ్యతిరేకికాను. జమీందారిలలోని
రైతులకు ప్రభుత్వమువారు ఉపకారము చేయవలెనని కోరేటటువంటి వారిలో నేనొక
డను. అయినప్పటికీ పెద్ద పెద్ద జమీందారులకు, చిన్న చిన్న జమీందారులకు ఒకే
విధంగా compensation ఇచ్చే సందర్భములో చూడవద్దని మనవిచేస్తున్నాను.
ఈ చిన్న జమీందారులకు ఒక ప్రత్యేక విధానమును ఏర్పాటు చేసి వారు ఒక్కసారిగా
పేదవారు కాకుండా చూడవలసినదని ప్రభుత్వమువారిని మరల కోరుచున్నాను.”

SRI R. V. SWAMINATHAN :—“Madam, Deputy Speaker, 3 p.m.
I want to know whether there is any time-limit. I wish to submit
that some of us are coming from the zamin areas and we want to
put our points of view clearly before the House as we were not
given places in the Select Committee and we were not able to give
our views there. Therefore, if we are not given sufficient time
to explain our point of view now, it will be very difficult for us.
I gave my name three days before and I got a chance now. There
will be no use by my speaking only for fifteen minutes.”

DEPUTY SPEAKER :—“The Leaders of Parties met the Hon.
Speaker and they all came to a decision that the general
discussion on this Bill should be finished by Monday morning.
We just wanted to allow some hon. Members who wanted to take
a longer time than other hon. Members to speak longer and so no
time-limit was fixed till this morning. Now, we realized that
there are still a number of speakers left and, unless we fixed a time-
limit, all the hon. Members who desire to speak will not get a
chance. Therefore, I have fixed fifteen minutes as the time-limit
for each speaker hereafter.”

SRI M. KANNIYAPPAN :—“கனம் தலைவி அவர்களே, தமிழ்
தெரியும் என்று எண்ணுகிறேன். இதற்கு முன்னதாக கனம் விஸ்வ
நாதம் அவர்கள் ஒரு மணி நேரம் பேசினார்கள். அப்பொழுது உப
தலைவி அவர்கள் சுமமா இருந்தார்கள். இப்பொழுது பேசும் அங்
கத்தினர்களுக்கும் அதே மாதிரி அதிக நேரம் கொடுக்கவேண்டுமென்று
கேட்டுக்கொள்ளுகிறேன்.”

DEPUTY SPEAKER :—“கொடுக்க முடியாது. 15 நிமிஷங்கள் தான்
கொடுக்கமுடியும். அந்த 15 நிமிஷத்திற்குள்ளாகவே பேசி முடித்து
விடவேண்டும்.”

SRI R. V. SWAMINATHAN :—“My submission is this. I
was not given a place in the Select Committee. As I come from a
zamindari area, I have got certain points to put forth before the
House . . .”

DEPUTY SPEAKER :—“Let the hon. Member begin his
speech and let us see whether he can finish it in fifteen minutes or
not. I know the hon. Member's capacity to speak.”

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SRI R. V. SWAMINATHAN:—"If I am not mistaken, I may say that there is a conspiracy between the Ministry, the Speaker and the Deputy Speaker on this question."

THE HON. SRI KALA VENKATA RAO:—"The Ministers have nothing to do with the time-limit for each speaker. It is for the Hon. Speaker to fix the time-limit. So far as I am concerned, I shall be glad to hear one-hour speeches or even six-hour speeches, as we heard formerly."

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

SRI R. V. SWAMINATHAN:—"I must have some more time."

DEPUTY SPEAKER:—"Let the hon. Member speak, and let us see whether he wants more than fifteen minutes. He has already wasted three minutes."

3-30 p.m. * SRI R. V. SWAMINATHAN:—"உபதலைவி அவர்களே, நமக்கு முன்னால் இப்பொழுது பிரேரேபிக்கப்பட்டுள்ள இந்த ஜமீன் ஒழிப்பு மசோதா வெகு நாட்களுக்கு பிறகு காலம் கடந்து தாமதத்துடன் நமக்கு முன்னால் வந்திருக்கிறது. இந்த மசோதாவை வரவிடாமல் தடை செய்யவேண்டும், அதை வர விடாமல் தடுத்து ஒழித்துவிடவேண்டும் என்று பிற்போக்கு சக்தி வாய்ந்தவர்கள் இந்தச் சட்ட சபையிலும் சட்ட சபைக்கு வெளியிலும் செய்த முயற்சியையும், பிரசாரத்தையும் எல்லோரும் அறிவார்கள். நேற்று தினம்கூட நமது நண்பர் எதிர் கட்சியைச் சேர்ந்த Mr. Hameed Khan அவர்கள் ஒரு adjournment motion கொடுத்த சந்தர்ப்பத்தில் கூட நான் என் அபிப்பிராயத்தை தெரிவித்தேன். இது மறுபடியும் தாமதப்படுத்துவதற்கும் இந்த மசோதாவை Sabotage பண்ணுவதற்கும் செய்யப்படும் ஒரு சூழ்ச்சி என்று சொல்லி பேசினேன். அவ்விதம் தாமதம் செய்யப்படி Mr. Hameed Khan அவர்கள் செய்த முயற்சியை தாக்கீப் பேசியதை சகிக்காமல் Mr. Hameed Khan அவர்களுக்காக இங்கே யுள்ள கனம் வரதாச்சாரி அவர்கள் பரிந்து பேசினார்கள். அவர் பேசினதிலிருந்து அவரையும் சந்தேகிக்கக்கூடிய அளவுக்கு இருக்கிறது. எதிர்க்கட்சியைச் சேர்ந்தவர்களோடல்லாமல் எங்கள் காங்கிரஸ் கட்சியைச் சேர்ந்தவர்கள் கூட இதைத் தடுக்கவேண்டுமென்று மறைமுகமாகவும் நேர்முகமாகவும் சூழ்ச்சிசெய்துவந்ததை நான் அறிவேன். இத்தகைய சூழ்ச்சிக்கு மத்தியில் இந்த மசோதா இப்பொழுது இந்த சட்ட சபையில் பிரேரேபிக்கப்பட்டு அது சட்டமாகி அதுவும் அமுலுக்கு வரக்கூடிய நிலைமைக்கு வந்திருக்கிறது என்பதைக் கண்டு இந்த சந்தர்ப்பத்தில் சந்தோஷப்படுகிறேன். ஆனால் முற்றிலும் நான் சந்தோஷப்படுவதாக இல்லை. இந்த மசோதாவானது Select Committee-க்கு போனபிறகு மறுபடியும் மிகவும் மோசமான முறையிலும், அர்த்தமற்ற முறையிலும் அதை ஏற்கமுடியாத நிலைமையிலும் இப்பொழுது வெளியாகி வந்திருக்கிறது. இதில் ஜமீந்தார்கள் களுக்கு எவ்வளவு தூரம் பாதுகாப்பு அளிக்க முடியுமோ அவ்வளவு தூரம் பாதுகாப்பு அளித்து செலெக்ட் கமிட்டி இம்மசோதாவை திருத்தி அனுப்பி இருக்கிறது. அதற்குமேலாக இனம்தார்களுக்காக மிகுந்தபாதுகாப்பு அளிக்கப்பட்டிருக்கிறது. மேலும் பார்க்கப்போனால் இந்த இனம்தார்களை Select Committee-யார் தங்களுடைய செல்லப் பிள்ளைகளாகக்கூட பாவித்திருப்பதாகத் தெரிகிறது. என்னப்போலுள்ளவர்கள் இந்த Select Committee-ல் இருந்தி ரந்தால் இவ்விதம் திருத்தும்படி அனுமதித் திருக்கவேமாட்டோம் இந்த செலெக்ட் கமிட்டி அமைக்கப்பட்ட அழகில் இதைக்காட்டிலும் வேறு எந்த விதமாகத்தான் எதிர்பார்க்கமுடியும்? குறிப்பாகப் பார்க்கும்போது இந்த Select Committee-ல் தமிழ் நாட்டைச்

11th September 1948] [Sri R. V. Swaminathan]

சேர்ந்த ஜமீன், இனம் ரயத்துகள் பிரதிநிதி ஒருவரும் இல்லவே இல்லை. அதுமட்டுமல்ல, தமிழ் நாட்டு ஜமீந்தார்கள், இனம்தார்கள் அல்லது இனம்தார்களுக்காக பரிந்து பேசுவார்கள் இந்த செலெக்ட் கமிட்டியில் அதிகமாக சேர்த்துக்கொள்ளப்பட்டார்கள். ஆனால், ரயத்துக்களுக்காக பிரதிநிதித்துவம் வகிக்கும் ஒரு அங்கத்தினரையாவது சேர்த்துக்கொள்ள வேண்டுமென்ற எண்ணமே தோன்றாமல்போனது ஆச்சரியமாக இருக்கிறது. இந்த பிற்போக்கான கமிட்டியை அமைத்ததற்கு ரெவின்யூ மந்திரி அவர்கள் தான் பொருப்பாளியாக இருக்கமுடியுமென்று அவர் பேரில் முதலில் சந்தேகப்பட்டேன். பின்னர் நன்கு விசாரித்ததில் அவருக்கு இதில் சம்பந்தம் இல்லை என்று தெரியவந்தது. பின்னர் இத்தகைய கமிட்டியை அமைத்ததற்கு நம் பிரதம மந்திரிதான் பொறுப்பு என்று அறிந்தேன். கூடிய வரையில் முற்போக்கு கொள்கை இல்லாதவர்களாகவும் மிதவாதிகளாகவும் reactionary களாகவும் பார்த்து நியமித்திருக்கிறார்கள். ஜமீந்தார்களையும் இனம்தார்களையும் ஒழிப்பதற்காக வந்த மசோதாவை பரிசீலனை செய்ய அமைத்த Select Committee-ல் எவ்வளவுதூரம் தடங்கல் செய்ய முடியுமோ அவ்வளவுதூரம் தடங்கல் செய்கிறவர்களும், ஜமீந்தார்களையும், இனம்தார்களையும் எவ்வளவுதூரம் காப்பாற்றமுடியுமோ அவ்வளவுதூரம் காப்பாற்றக்கூடியவர்களும் அடங்கிய ஒரு Select Committee-ஐ அமைத்துக் கொண்டார் நமது பிரதம மந்திரி என்று சொல்லவேண்டியதாக இருக்கிறது. இந்த Select Committee-ல் பிரதமர் அவர்கள் ஒரு அங்கத்தினராக இருந்திருக்கிறார். அவர் என் இந்த கமிட்டியில் அங்கம் வகிக்கவேண்டுமென்று கேட்கிறேன். அவருக்கு தமிழ் நாட்டு ஜமீன் ரயத்துகளுடைய கஷ்டம் பற்றி என்ன தெரியும்? நமது பிரதமர், ஜமீந்தார்கள், இனம்தார்கள் விரித்த வலையில் விழுந்து அவர்களுக்காக இரக்கம் காட்டவேண்டுமென்ற நிலைமைக்கு வந்துவிட்டார். அவ்விதம் செய்யட்டும், எனக்கு ஆட்சேபம் இல்லை. ஆனால், அதே இரக்கம், அனுதாபம் ரயத்துக்களிடத்திலும் என் இவர் காண்பிக்கக்கூடாது என்றுதான் கேட்கிறேன். என்னை செலெக்ட் கமிட்டியில் போடவில்லை என்பதற்காக நான் இவ்விதம் பேசவில்லை.

* DEPUTY SPEAKER:—"This not the time to speak about the members of the Select Committee. Now, we are on the Select Committee Report and the hon. Member may please speak on it."

* SRI R. V. SWAMINATHAN:—"உண்மை நிலைமையையும் ரயத்துக்களின் துயரத்தையும் அறியாதவர்கள் Select Committee-ல் இருந்தால் இந்த மசோதாவை எப்படி நல்லபடியாக திருத்தி அமைக்க முடியும். இந்த Select Committee-ல் ஜமீன், இனம், ரயத்துகளுடைய கஷ்டங்களை நன்கு அறிந்த சிலர் இருக்கத்தான் செய்தார்கள். ஆனால் அவர்களால் ஒன்றும் சாதிக்க முடியவில்லை. அதற்கு உதாரணமாக ஒன்று சொல்லுகிறேன். இதிலுள்ள 8-வது செக்ஷனை எடுத்துக் கொள்ளுங்கள். இந்த 8-வது செக்ஷன் முதலில் பிரேரிக்கப்பட்ட மசோதாவில் இந்த விதத்தையும் இப்பொழுது செலெக்ட் கமிட்டியில் திருத்தப்பட்டு வந்திருப்பதையும் பாருங்கள். Select Committee-ல் மசோதா திருத்தியமைக்கப்பட்ட பிரகாரம் ஒரு ஜட்ஜ், ஒரு Subordinate ஜட்ஜ், ஒரு Revenue Divisional Officer ஆக மூன்று பேர்கள் கொண்ட ஒரு Tribunal அமைக்கவேண்டுமென்று குறிப்பிட்டிருக்கிறது. ஆனால் Original bill-ல் என்ன சொல்லி இருக்கிறது என்றால் ஒரு Deputy Collector, ஒரு நில சுவாந்தாரருடைய பிரதிநிதி, ஒரு ரயத்துக்களுடைய பிரதிநிதி ஆக மூன்று பேர்கள் கொண்ட Tribunal அமைக்கப்பட வேண்டுமென சொல்லப்பட்டது. முதல் மசோதா பிரகாரம் பார்த்தால் டிரைபியூனலில் ரயத்துகளுடைய பிரதிநிதிகள் இருந்து அவர்களுடைய கஷ்டங்களை அறிந்து அவர்கள் உரிமைகளை பாதுகாப்பதற்கு சந்தர்ப்பம் இருந்தது. இப்பொழுது Select Committee ரயத்துகளுக்கு கொடுக்கப்பட்ட அந்த உரிமையைப் பறித்துவிட்டது. ரயத்துக்களுக்கு இப்போது பிரதிநிதிகள் ஒருவரும் இல்லவே இல்லை. இவ்விதம் டிரைபியூனலில் ஜில்லா ஜட்ஜும், Subordinate ஜட்ஜும், Revenue

[Sri R. V. Swaminathan] [11th September 1948]

Divisional Officers-ம் இருந்தால் அவர்களுடைய தீர்ப்புகள் ஜமீந்தாரர்களுக்கும் இனாம்தாரர்களுக்கும் தான் சௌகர்யமாக இருக்கும். இதுவரையில் அவர்கள் தீர்ப்பு செய்ததெல்லாம் நமக்குத் தெரிந்த விஷயம்தான். ஆகையால் ஜமீந்தாரர்களுக்கும் இனாம்தாரர்களுக்கும் சௌகர்யம் செய்யக் கூடிய Tribunal அமைத்திருக்கிறார்கள். அவர்களால் ஜமீன் இனாம ரயத்துகளுக்கு சௌகர்யம் கிடைக்குமென எதிர்பார்ப்பதற்கில்லை. ஆகையால் Tribunal-ல் ரயத்துகளை பாதுகாக்கக்கூடியவர்கள் நிச்சயமாக இருக்கவேண்டும். ரயத்துகளுக்கு சௌகர்யமாக இருக்கக்கூடிய Tribunal வரவேண்டுமென்பதொழிய வேறுவித Tribunal வரக்கூடாது. அது மட்டுமல்ல, இன்னொன்று பாருங்கள். இந்த ஜமீன்தாரர்களுக்கும், இனாம்தாரர்களுக்கும் ஒரு உரிமை கொடுத்திருக்கிறார்கள். அவர்களுக்கு Compensation அதாவது நஷ்ட ஈடு கொடுக்கும் விஷயத்தில் இந்த Tribunal தீர்ப்புக்குமேல் அவர்கள் High Court-க்கு appeal-க்கு போகலாம் என்று அறிக்கப்பட்டிருக்கிறது. There is a right of appeal if they are not satisfied with the compensation என்றிருக்கிறது.”

THE HON. SRI KALA VENKATA RAO :—“No.”

SRI R. V. SWAMINATHAN :—“I am prepared to show it. It is in page No. 3.”

THE HON. SRI KALA VENKATA RAO :—“There is no provision in the Bill which says that if sufficient compensation is not given, there is a right of appeal for the zamindars. What is provided there in the Bill is this. In the matter of compensation, if there is any dispute between them they can go to a Court of law and not otherwise. On that provision many hon. Members also made some criticism.”

SRI R. V. SWAMINATHAN :—“ஆனால் Tribunal தீர்ப்புக்குமேல் அப்பீலுக்குப் போக ரயத்துகளுக்கு ஒன்றுமே வழி இல்லை. Select Committee ரயத்துகளுக்கு appeal உரிமையையே கொடுக்க மறுத்ததுவிட்டது.”

THE HON. SRI KALA VENKATA RAO :—“Does the hon. Member know the basis of compensation in the Bihar Zamindari Bill?”

SRI R. V. SWAMINATHAN :—“It is three times more than what is provided in the Madras Bill. In the Assam Zamindari Bill also, it is much more.”

“கனம் ரிவினியு மந்திரியவர்கள் சொன்னதைப் புரிந்துகொண்டேன். ஏதாவது தவறுதலோ, குறையோ இருந்தால் appeal போடுவதற்கு உரிமை இருக்கிறது என்று சொல்லுகிறார். ஜமீந்தாரர்களுக்கும், இனாம்தாரர்களுக்கும் உரிமை இருப்பதுபோல் அப்பீல் போடுவதற்கு ரயத்துகளுக்கு உரிமை வேண்டாமா என்றுதான் கேட்கிறேன்?”

“அடுத்தபடியாக செக்ஷன் 15-ஐ பாருங்கள். செக்ஷன் 15-ப்படி முனிசிபல் area விஷயம் ரயத்துக்கள் தங்களுடைய நிலங்களில் பாதி பாகத்தைப் பிரித்து ஜமீன்தாருக்கு கொடுத்துவிடவேண்டும். முதலில் வந்த மசோதாவில் இது இல்லவே இல்லை. இது செலெக்ட் கமிட்டி உற்பத்தி செய்த ஒரு புதிய பூசம். நிலத்தை பாதி பாதியாக பிரிப்பது என்ற மனப்பான்மை இந்த Select Committee-க்கு எப்படி வந்தது என்பதை புரியவில்லை. இந்த செக்ஷன் 15-ஆல் பாதிக்கப்படுவது இராமநாதபுரம் ஜில்லா, சேலம் ஜில்லா, இவைகள்தான். இராமநாதபுரம் ஜில்லாவில் காரைக்குடி, தேவகோட்டை, அருப்புக்கோட்டை, இந்த மூன்று முனிசி

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பாலிட்டிகளும், பாதிக்கப்படும். இந்த மூன்று முனிசிபாலிட்டியின் விஷயம் இராமநாதபுரம் ஜில்லாவைச் சேர்ந்தவர்களைத் தவிர மற்றவர்களுக்கு அவைகளுடைய அனுபவம் தெரியாது. சேலம் டவுனையும் சேர்த்துக்கொண்டால், இதனால் தமிழ் நாட்டில் 4 முனிசிபாலிட்டிகள் பாதிக்கப்படுகிறது. யாராவது தமிழ் நாட்டு ரயத்துகளுடைய பிரதிநிதியோ, குறிப்பாக இராமநாதபுரம், சிவங்கை ஜமீனைச் சேர்ந்தவர்கள் இந்த Select Committee-ல் இருந்திருந்தால் இந்த செக்ஷனை வரவிட்டிருப்பார்களா என்று கேட்கிறேன். இதைப்பற்றி இந்த Select Committee கவனிக்கவே இல்லை. ரயத்துகளுடைய கஷ்டங்களைத் தெரிந்தவர்கள் Committee-யில் இல்லாததாலும் மிதவாதிகளும் reactionaryகளும் மேலிருந்து அழுக்கி, மிக நல்ல எண்ணமுடைவர்களையும் ஒன்றும் செய்ய இயலாமல் தடுத்தாலும் இவ்வளவு மோசமான அம்சங்களையுடைய மசோதா வந்திருக்கிறது என்பதைச் சொல்ல வேண்டியதாக இருக்கிறது. பாவம் ஒரு ஸ்ரீ ராஜாராம் அவர்களாலோ அல்லது ஒரு ஸ்ரீ காரா வெங்கடராவ் அவர்களாலோ என்ன செய்ய முடியும். இந்த பிற்போக்குவாதிகள் அதிகம் மலிந்த செலக்ட் கமிட்டியில், நிலத்தை பாதியாக பிரித்து கொடுப்பது என்ற கொள்கை எப்படி வந்தது என்று என்னால் புரிந்துகொள்ள முடியவில்லை. ஏற்கனவே கனம் ரிவினியு மந்திரி சொல்லிவந்தது என்னவென்றால் இந்த நிலங்கள் எல்லாம் ஜமீந்தாரர்களுக்குச் சொந்தம் இல்லை, ரயத்துகளுக்குத்தான் சொந்தம் என்றும் சொல்லிவந்தார். இன்னும் அதற்குமேல் பிரகாசம் கமிட்டியின் ரிப்போர்ட்டைப் பார்த்தாலும் நிலத்திற்கும் ஜமீந்தாருக்கும் சம்பந்தம் இல்லை என்றும் அவர்கள் வெறும் Rent Collectors என்றும் குறிப்பிட்டிருப்பதைக் காணலாம். இப்பொழுது கவர்னர்-ஜெனரலாக இருக்கும் இராஜாஜி அவர்களும் 1939-ம் வருஷம் ஜனவரி மாதம் 24-ம் தேதி இந்த சட்ட சபையில்—ஆனால் அந்தக் கட்டிடத்தில்—பேசும்போதுகூட இந்த ஜமீந்தாரர்கள் பிரிட்டிஷ் கவர்ன்மென்டின் எஜென்டுகள் என்றும் அவர்கள் Rent Collect பண்ணும் எஜென்டுகள் என்றும், அவர்களுக்கு எஜென்டு என்ற பாத்தியம்தான் உண்டு என்றும் நிலத்தில் பாத்தியத்தை ஒன்றும் இல்லை என்றும் ஆணித்தரமாக சொன்னார். இந்த ஜமீந்தார்கள் மட்டும் அல்ல, இனாம்தாரர்களூட அவ்விதத்தான் என்றும் சொன்னார். அப்படிப்பட்டவர்களுக்கு இப்பொழுது இந்த Select Committee பரத்தியம் உண்டாக்கி இருப்பதை நான் முழு பலத்துடன் எதிர்க்கிறேன். இவ்விதம் நிலத்தைப் பாதியாகப் பிரித்துக்கொடுக்கவேண்டுமென்ற செக்ஷன் நிறைவேறுமானால் நாட்டில் பெரிய கிளர்ச்சிதான் ஏற்படும் என்பதை எச்சரிக்கை செய்ய விரும்புகிறேன்.

“அடுத்தபடியாக Compensation அதாவது நஷ்ட ஈடு கொடுப்பது, சம்பந்தமாக சில வார்த்தைகளைச் சொல்ல விரும்புகிறேன். நஷ்ட ஈடு கொடுக்கும் விகிதம் முதல் மசோதாவைக் காட்டிலும் அதிகமாக கொடுக்க வேண்டுமென செலெக்ட் கமிட்டி தீர்மானித்திருக்கிறது. சும்மா பணத்தைத் தண்ணீர்போல் அள்ளிக் கொடுக்கவேண்டுமென்று சொல்கிறார்கள். அவ்வித எண்ணம் எப்படி வந்தது என்பது தெரியவில்லை. இது எப்படி இருக்கிறது என்றால் கடைத் தேங்காயை எடுத்து வழிப்பிள்ளையாருக்கு உடைப்பதுபோல் இருக்கிறது. அரசாங்கத்தின் பணம்தானே என்று அதை அள்ளி ஜமீந்தாரர்களுக்கும் இனாம்தாரர்களுக்கும் கொடுக்கிறதா என்று கேட்கிறேன். இதை Select Committee சரியானபடி யோசனை செய்யாமல் ஜமீந்தார்கள், இனாம்தார்கள் நன்மை ஒன்றையே மனதில் வைத்து முடிவு செய்திருக்கிறது. Compensation ஜாஸ்தியாக கொடுப்பதை நான் பலமாக ஆட்சேபிக்கின்றேன். முதலில் பிரேரேபித்த மசோதாவில் சாதாரணமாக ஒரு ஆயிரம் ரூபாய் வருமானம் வந்தால் 25 மடங்கு கொடுக்கவேண்டுமென சொல்லப்பட்டது. இப்பொழுது Select Committee அதை 30 மடங்காக்கிவிட்டது. இந்த முடிவு எப்படி வந்தது என்பது தெரியவில்லை. அப்படி வருவதற்கு காரணம் என்ன என்பதும் தெரியவில்லை. பீகாரில் ஜமீன் மசோதா நிறைவேற்றினபோது வருமானத்தின் கணக்கை எடுத்து மூன்று மடங்கு கொடுப்பது என்று தீர்மானித்தார்கள். அஸ்ஸாம் ஜமீன் ஒழிப்பு மசோதாவுமே மூன்று மடங்குதான் கொடுப்பதென முடிவு செய்தது. இங்கு மட்டும்

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ஒரு லட்சமும் அதற்கு மேலும் உள்ள வருஷ வருமானத்திற்கு பன்னிரண்டரை மடங்கும் ஆயிரம் ரூபாய் வருமானத்திற்கு முப்பது மடங்கும் கொடுக்கவேண்டுமென்பது எதற்காக என்று எனக்குப் புரியவில்லை. இங்கு மட்டும் 12½ மடங்கு கொடுக்கவேண்டுமென்பது நியாயமா, அப்படி எதற்காக கொடுக்கிறார்கள் என்று கேட்கிறேன். அப்படிக் கொடுப்பது தப்பு. இதற்கு முன் நாங்கள் compensation கொடுக்கக் கூடாது என்று சொல்லி வந்தோம். அப்படியிருக்க இப்பொழுது ஜமீந்தார்களுக்கு அதிக நஷ்ட ஈடு கொடுக்க வேண்டுமென்றும் அதைவிட இனம்தார்களுக்கு இன்னும் அதிகமாகக் கொடுக்க வேண்டுமென்று கணம் காளா வெங்கட்ட ராவ் கொண்டு வந்திருக்கும் மசோதாவை நான் எப்படி ஆதரிக்க முடியும்.

“இன்னும் பழைய பாக்கி விஷயமாக ஒன்று சொல்லுகிறேன். நான் சொல்வது என்னவென்றால் கணக்கில் பெருக்கி வைக்கப்பட்டிருக்கும் பழைய வரி பாக்கி முழுவதையும் அப்படியே ரத்து செய்யவேண்டும். பழைய பாக்கி என்பது எந்த நிலைமையில் ஏற்பட்டது என்பதை கொஞ்சம் தெரிந்து கொள்ளவேண்டும். 1930-ம் ஆண்டு, 1932-ம் ஆண்டு, 1940-ம் ஆண்டு, 1942-ம் வருஷங்களில் தேசிய போராட்டங்கள் நடைபெற்ற காலங்களில் ஜமீந்தார்களும் இனம்தார்களும் நிலைமையை தங்களுக்குச் சாதகமாக உபயோகப்படுத்திக் கொண்டு பிரிட்டிஷ் ஏகாதிபத்தியத்திடம் உண்மையைத் திரித்துக் கூறி ரிசர்வ் போலீஸ் உதவி பெற்று வரி வசூலித்து ரயத்துக்களை துன்புறுத்தியதை நாம் இன்னும் மறந்துவிடவில்லை. அதனால் ரயத்துக்கள் கஷ்டப்பட்டு நசுக்கப்பட்டு ஏழை விவசாயிகள் தங்களுடைய பண்டங்கள், பித்தளை பாத்திரங்கள் உள்பட விற்று வரிகளைக் கொடுத்து வந்தார்கள். அதன் பிறகு வரி கொடுக்க வசதியில்லாமல் கஷ்டத்திற்கும் அக்கிரமங்களுக்கும் ஆளாகி இருக்கும் ரயத்துக்களிடமிருந்து பழைய வரிப் பாக்கியை வசூல் செய்யவேண்டுமென்று சொல்வது நியாயமல்ல, தர்மமுமல்ல. 150 வருஷமாக ரயத்துகள் கஷ்டப்படுகிறார்கள். ஆகையால் பழைய பாக்கியை தள்ளுபடி செய்யவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்”

DEPUTY SPEAKER :—“Your time is up.”

SRI R. V. SWAMINATHAN :—“தயவு செய்து இன்னும் 15 நிமிஷம் கொடுக்கவேண்டுமென்று பணிவுடன் கேட்டுக்கொள்ளுகிறேன். கணம் ரிவீனியூ மந்திரியவர்களையும் கேட்கிறேன். தயவு செய்து கொடுக்கவேண்டும்.”

DEPUTY SPEAKER :—“இன்னும் இரண்டு நிமிஷங்களில் முடித்து விடுங்கள், அதற்குள்ளாகவே முடிக்க பாருங்கள்.”

SRI R. V. SWAMINATHAN :—“இன்னும் இந்த மசோதாவில் ஒரு Penal clause சேர்க்கவேண்டும். ஜமீந்தார்களுக்கும் இனம்தார்களும் ஏதாவது தவறுதல் செய்தால் அவர்களை தண்டிக்க இந்த மசோதாவில் விதிகள் ஒன்றுமே இல்லை. ஆனால் பீகார் மசோதாவிலும் அல்லலாம் மசோதாவிலும் அந்த விதமாக ஒரு Penal clause இருக்கிறது. சாதாரணமாக ஜமீந்தார்களும் இனம்தார்களும் ரயத்துகளிடம் ஏதாவது அக்கிரமமாக நடந்து கொண்டாலும் அல்லது இந்த சட்டத்தை மீறி ஏதாவது நடந்து கொண்டாலும் அதற்கு அவர்களுக்கு தண்டனை விதிக்க ஒரு Penal clause இருக்கவேண்டும். Settlement ஆபீசர்களோ அல்லது Tribunal ஒரு தீர்ப்பு சொன்னால் அதன்படி நடக்காவிட்டால் அவர்களை தண்டிக்க ஒரு விதி இருப்பது அவசியம். அந்த விதமாக இப்பொழுது ஒன்றுமில்லை. Select Committee மசோதாவில் அந்த மாதிரி ஒரு Penal clause ஏன் சேர்க்கவில்லை என்பதை என்னால் புரிந்து கொள்ள முடியவில்லை. Forest Act செய்தார்கள். அதில் Penal clause போட்டார்கள். பீகார், அல்லலாம் மசோதாக்களில் 2 வருஷ தண்டனையும் அபராதமும் போடுவதாக Penal clause இருக்கிறது. அதைப்போலவே இதிலும் சேர்க்கவேண்டும். ஜமீன் management-யும், இனம் management-யும் அவர்களே நடத்தி வருவதால் அவர்கள் இஷ்டம்போல் ரிக்கார்டு

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களையும் ரிஜிஸ்தர்களையும் திருத்திக் கொள்ள முயலலாம். இவைகளைத் தடுப்பதற்கு ஒரு Penal clause இருக்க வேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்.

“இன்னும் notification-ஐப்பற்றி சில வார்த்தைகள் சொல்ல விரும்புகிறேன். இந்த மசோதா எப்பொழுது அமுலுக்கு வரும் என்று சொல்லவே இல்லை: ஒரு விஷயம் மட்டில் சொல்லப்பட்டிருக்கிறது. செக்ஷன்கள் 4, 58, 64 இந்த மூன்று செக்ஷன்கள் மட்டும் உடனே அமுலுக்கும் வரும் என்று சொல்லப்பட்டிருக்கிறது. இதர செக்ஷன்களை எப்பொழுது அரசாங்கம் notify செய்கிறார்களோ அப்பொழுது அமுலுக்கு வரும் என்று சொல்லப்பட்டிருக்கிறது. அது எப்பொழுது வரும் என்பது தான் தெரியவில்லை. பீகார் மசோதாவில் தானாக வலுவில் ஒப்புக் கொடுக்கும் எஸ்டேட்டுகள் உடனே அமுலுக்கு வரும் என்றும் மற்ற எஸ்டேட்டுகள் ஆறு மாதம் முடிந்தவுடனே அமுலுக்கு வரும் என்றும் அதுவும் automatic-ஆக forceக்கு வரும் என்றும் அந்த மசோதாவில் சொல்லப்பட்டிருக்கிறது. இங்கு எப்பொழுது அமுலுக்கு வரும் என்று சொல்லப்பட்டிருக்கிறதா? இல்லவே இல்லை. அதை specific-ஆக சொல்லவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். ஏதாவது மூன்று மாதம் அல்லது ஆறு மாதம் அல்லது ஒன்பது மாதம் முடிந்த பிரகாவது என்று notification இருக்கவேண்டும்.

“இன்னொரு முக்கியமான விஷயம். 1936-ம் வருஷத்திய இனம்களை இந்த மசோதாவிலிருந்து விலக்கி விடப் போவதாக நமது ரிவீனியூ மந்திரி அவர்கள் பேசினார்கள். அதற்காக திருத்தங்கள் கொண்டுவரப் போவதாகவும் சொன்னார். Congress election manifesto-வில் Intermediaries முழுமையும் ஒழித்துவிட வேண்டுமென்று சொல்லியிருப்பதை நமது முக்கிய திட்டமாக ஏற்றுக்கொண்டு இந்த லட்சியத்தை நிறைவேற்றுவோம் என்று சொல்லி இங்கே காங்கிரஸ் அங்கத்தினர்களாக வீற்றிருக்கிறோம். அப்படி இருக்கும்போது இப்பொழுது இனம்களை விலக்கவேண்டுமென்பது என்ன வென்று தெரியவில்லை. எங்களைப் பாற்ற ரயத்துகளைப் பொறுத்த மட்டில் ஜமீன்கள் வேறு என்பதும் இனம்கள் வேறு என்பதும் இல்லை. ரயத்துகள் இனம்தார்களிடம் எவ்வளவு கஷ்டங்கள் அடைந்து வருகிறார்கள் என்பது எனக்குத் தெரியும். இரண்டுபேரும் ஒன்றுதான். ஒருவர் பெரிய ஜமீந்தார் மற்றொருவர் சின்ன ஜமீந்தார். இரண்டு பேரும் ரயத்துகளுடைய ரத்தத்தை உறுஞ்சுகிறார்கள். கணம் வரதாச்சாரியாரைப் போன்றவர்கள் அந்த இனம்தார்கள் இருக்கவேண்டுமென்று சொல்லுகிறார்கள். அவ்விதம் சொல்லுகிறவர்கள் மிகவும் பிற்போக்கான மிதவாதிகளாக இருக்கிறார்கள். வரதாச்சாரிகள் டெல்லிக்குப் பறக்கிறார்கள். மேலிடத்தில் பொய் சொல்லி நிலைமையை திரித்துக் கூறி ஏதாவது புதிதாக திட்டங்களைக் கொண்டு வருகிறார். இந்த இனம் பிரச்சினையை இது வரையாரும் அலசிப்பார்க்கவே இல்லை. இதைத் தனியாக பரிசீலனை செய்ய வேண்டுமென்றும் சொல்லுகிறார்கள், இவ்விதம் கூறுவது தவறு, பிரகாசம் கமிட்டி ரிபார்ட்டை பாருங்கள். அது இனம்களை ஆராய்ந்து பார்த்திருக்கிறது. பிரகாசம் கமிட்டியார் சுற்றுப் பிரயாணம் செய்த காலத்தில் ஜமீன் ரயத்துகள் மட்டிலுமல்லாமல் இனம் ரயத்துகளுடைய தங்கள் கஷ்டம் குறித்து சாட்சியம் கொடுத்திருக்கிறார்கள். இனம் பிரச்சினையும் பிரகாசம் கமிட்டி பரிசீலனை செய்து பார்த்திருக்கிறது.”

SRI LINGARAJU :—“On a point of order, Madam, can an hon. Member use the word ‘பொய்.’”

DEPUTY SPEAKER :—“தமிழ் வார்த்தைகளில் வித்யாசம் ஒன்றும் பார்க்கவே முடியாது. வித்யாசம் கண்டு பிடிக்கமுடியாது.”

SRI R. V. SWAMINATHAN :—“இன்னமொன்று சொல்லுகிறேன். 1936-ம் வருஷத்தில் இந்த இனம்களை பரிசீலனை செய்து தான் 1936-ம் வருஷ இனம் திருத்தத்தை பொப்பிலி மந்திரி சபை நிறைவேற்றி

[Sri R. V. Swaminathan] [11th September 1948]

அமுலுக்கு கொண்டு வந்தது. எனவே இனம் பிரச்சனை பரிசீலனை செய்யப்படவில்லை என்பது சுத்தத் தவறு. 1936-ம் வருஷ இனம்களை வரிக் குறைப்புச் சட்டத்திலிருந்தும் விலக்கிவிட கிளர்ச்சியும், சூழ்ச்சியும் நடைபெற்று வருகிறது. கனம் வரதாச்சாரியார் 1936-ம் வருஷ இனம்களை விலக்குவதோடு Rent Reduction Act லிருந்தும் விலக்க வேண்டுமென்று சொல்லுகிறார். அது கூடவே கூடாது. இன்றைய தினம் கூட கனம் வரதாச்சாரியார்”

(At this stage bell was rung.)

SRI M. KANNIYAPPAN :—“கனம் உப தலைவி அவர்களே, இன்றைய தினம் ஜமிந்தார் விஷயமாகவும், இனம்தார் விஷயமாகவும் பேசவேண்டிய நிலைமையில் இருக்கிறோம். இந்நிலைமையில் என்னைப்போலுள்ளவன் நினைக்கும்போது இந்த சட்ட சபைக்கு நம்மை மக்கள் தேர்ந்தெடுத்தனுப்பினார்கள். இங்குள்ளவர்களும் ஸ்தாபனங்களிலுள்ளவர்களும் பொதுவாக நியாயமாக நடந்துகொள்ளவேண்டும். இந்த இடத்தில் இப்பொழுது எப்படி நடந்து வருகிறது என்னைப்போலுள்ளது எதோ பணக்காரர்களுக்கு ஒரு விதமாகவும், படித்தவர்களுக்கு ஒரு விதமாகவும், என்னைப்போலுள்ள பாட்டாளிகளுக்கு ஒரு விதமாக நடப்பதாகவும், அதற்காக என்னைப்போலுள்ளவனுக்கு பேசுவதற்கு 5, 10 நிமிஷங்கள்தான் கொடுப்பது என்றும் இப்பொழுது நடைபெற்று வருகிறது. முதலில்”

DEPUTY SPEAKER :—“நீங்கள் ‘பில்லே’ப்பற்றி தான் பேசவேண்டும். வேறுவிதமாகப் பேசக்கூடாது.”

*SRI M. KANNIYAPPAN :—“சாதாரணமாக மற்றவர்களுக்கு நிறைய நேரம் கொடுக்கப்படுகிறது. ஆனால் கனம் விஸ்வநாதத் திற்கும் அல்லாறி அவர்களுக்கும், காளேஸ்வர ராவ் அவர்களுக்கும் நிறைய நேரம் கொடுத்து விட்டு எங்களுக்கு நேரம் இல்லாமல் போய் விடுகிறது. நாங்கள் பேசும்போது மட்டில் நேரத்தை ‘லிமிட்’ பண்ணுவதாக இருக்கிறது.”

DEPUTY SPEAKER :—“நீங்கள் பொதுவாக ‘பில்லே’ப்பற்றி பேசுங்கள். மற்றவைகளைப்பற்றி பேசக்கூடாது.”

*SRI M. KANNIYAPPAN :—“பில்லே’ப்பற்றி பேசுவதற்கு முன் என்னுடைய அபிப்பிராயத்தைச் சொல்லக்கூடாமல்பட்டிருக்கிறேன். இனியாவது சரியாக நல்ல முறையில் நடக்கவேண்டுமென்பதற்காக இப்பொழுது சொல்லுகிறேன். உங்களைப்பற்றி ஒன்றும் சொல்லவில்லை. இதற்கு முன் நடந்ததைப்பற்றி தான் சொல்லுகிறேன்.”

DEPUTY SPEAKER :—“அதைப்பற்றி சொல்லவேண்டவே வேண்டாம். பில்லே’ப்பற்றியே பேசுங்கள்.”

*SRI M. KANNIYAPPAN :—“தலைவி அவர்களே, இன்று வந்திருக்கும் ஜமிந்தார் ‘பில்’ இரண்டு வருஷங்களாகக் கொண்டுவர வேண்டுமென்று கிளர்ச்சி செய்து இப்பொழுது ஒருவாறு கொண்டுவந்திருக்கிறார்கள். கொண்டுவந்திருக்கும் இந்த மசோதாவை கூடுமானவரைக்கும் நியாயமான முறையில் உடனடியாகச் செய்யவேண்டியது நம்முடைய கடமை. அந்தக் கடமையைச் செய்கிறபோது சரியான முறையில் சீக்கிரம் செய்யவேண்டியதும் நம்முடைய கடமையாக இருக்கிறது. இந்த மசோதாவை நம்முடைய மந்திரியாகிய கனம் காளா வெங்கிட் ராவ் அவர்கள் ரொம்பவும் கஷ்டப்பட்டு கொண்டு வந்திருக்கிறார். அப்படி கஷ்டப்பட்டு சண்டையிட்டு கொண்டுவந்த இந்த மசோதாவைக்கூடிய சீக்கிரம் நிறைவேற்றி பொதுவாக ஜமீன் area-வில்லுள்ள நிலத்தில் பாடுபடும் பாட்டாளி மக்களுக்கு நன்மையைச் செய்யவேண்டியதுதான் நம்முடைய கடமை. காங்கிரஸ்காரர்களாகிய நாம் இந்த மசோதாவைக் கொண்டு வருவோம்

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என்று சொல்லி இப்பொழுது கொண்டு வந்திருக்கிறோம். இந்த மசோதாவைக்கொண்டு வருவதாகச் சொன்னவுடன் ஜமீன் area-வில் ஜமிந்தார்கள் மக்களுக்கு எவ்வளவு கொடுமை செய்திருக்கிறார்கள் என்பதைக் கொஞ்சம் சிந்தித்துப் பார்க்கவேண்டும். அங்கே இருக்கக்கூடிய நிலங்களை அவர்களுடைய சொந்தக்காரர்களுக்கு பட்டா செய்யப்பட்டிருக்கிறது. அங்கே இருக்கக்கூடிய மரங்களெல்லாம் வெட்டப்பட்டு அவர்கள் எடுத்துக் கொண்டு போயிருக்கிறார்கள். அங்கே இருக்கக்கூடிய ஜனங்களைக் கஷ்டப்படுத்திக்கொண்டும் ஏழைகளை அதிகமாக ஹிம்சை செய்துகொண்டுமிருக்கிறார்கள் என்பது நம்முடைய மந்திரியவர்களுக்கு நன்றாகத் தெரியும். இங்கே இருக்கும் மிதவாதிகளுக்கிடையே இனிமேலாவது தாமதிக்காமல் உடனடியாக இந்த மசோதாவைக்கொண்டு வந்து நிறைவேற்றும் சக்தி அவர்களுக்கு இருந்ததைக் குறித்து நான் பாராட்டுகிறேன். ஏனென்றால் இனம் விலக்கக்கூடாது என்று சொல்லக்கூடிய ஒரு மசோதா வேண்டாம் என்று சொல்லி நிறுத்தி விட்டார்கள். அதை ஏன் நிறுத்தி விட்டார்கள் என்றால் ஏதோ இங்கே இருக்கும் சில இனம்தார்களுடைய தலைவர்கள் ஏரோப்ளேனில் பறந்து சென்று மேலிடத்திற்குப் போய் அங்கு சொல்லி இவர்களை அடக்கி விடலாம், அங்கே சொன்னால் இவர்கள் கேட்பார்கள், அதன்படி இந்த சட்ட சபை அங்கத்தினர்கள் சட்டம் போடுவார்கள் என்று இந்த இனம்தார்களுடைய தலைவர்கள் பறந்தார்கள். நமது மந்திரி காளா வெங்கிட் ராவ் அவர்களிடமும் பிரதம மந்திரி அவர்களிடமும் ஏதோ சொன்னார்கள். அதற்காக ஏதோ ஒருவாறு அதிகப் பணம் கொடுக்கவேண்டுமென்று தெரிவித்தார்கள். இந்த ஜமிந்தார்களுக்கும் இனம்தார்களுக்கும் நாங்கள் கொடுக்க முடியாது என்று தெரிவித்தோம். கடைசியாக இனம்தார்களை விட்டு விடலாம். அதை எடுத்துக் கொண்டால் இன்னும் 2, 3 மாதங்கள் தள்ளிப்போடவேண்டிய நிலைமை ஏற்படும். அதனால் அதை நீக்கிவிட்டு உடனடியாக இதை எடுத்துக்கொள்ள வேண்டுமென்று தீர்மானித்து இந்த மசோதாவைக்கொண்டு வந்திருக்கிறார்கள். இன்னொன்றைச் செய்ய நான் பணிவுடன் கேட்டுக் கொள்ளுகிறேன். இனம்தார் மசோதா விஷயமாகக் கூட அவர்கள் வாக்குறுதி கொடுத்ததை சீக்கிரமாகக் கொண்டு வந்து நிறைவேற்றவேண்டும். அது அவருடைய கடமை. அதையே பொது மக்கள் வற்புறுத்துகிறார்கள். அதை கனம் காளா வெங்கிட் ராவ் கொண்டு வந்து பொது மக்கள் வார்த்தைகளைக் கேட்டு அதை நிறைவேற்றுவார் என்று பொது மக்கள் பார்த்துக்கொண்டிருக்கிறார்கள். அப்படி இருந்தும் இங்கே ஏதோ 4, 5 பேர்களாகிய சயநல் ஹுத்யர்கள் இந்த மசோதாவை கொலையெடுத்து விட்டார்கள் என்பதற்கு வருத்தப்படுகிறேன். அதற்காக கனம் மந்திரியவர்கள் இந்த விஷயத்தில் முக்கியமாக கண்ணோட்டமாக இருந்து சீக்கிரம் இனம் மசோதாவையும் கொண்டு வரவேண்டும்.

“இன்னும் முனிசிபல் area இருக்கிறது. அந்த முனிசிபல் area-க்களில் பல இடங்களில் வீடுகளெல்லாம் கட்டப்பட்டுக்கிறது. அவைகளில் சில ஜமிந்தார்களுக்கு சொந்தமாக இருக்கிறது. குறிப்பாக் சேலம் ஜில்லா விலிருந்து பலபேர் வந்திருந்தார்கள். அவர்கள் இந்தப் ‘பில்’-லில் அவைகளை என் சேர்க்கவில்லை என்றார்கள். அதனால் அதிகப்பணம் கொடுக்கும்படியான நிலைமை ஏற்படும். இதற்கு முன் இருந்த மசோதாவில் அந்த Section-இடையாது. இப்பொழுது அதைச் சேர்க்கப்பட்டிருக்கிறது. அது நியாயம் இல்லை. உடனே அதை நீக்கவேண்டுமென்று கேட்டிருக்கிறார்கள். அதைப்பற்றி கனம் மந்திரி அவர்களையும் பார்த்திருக்கிறார்கள். அது மாத்திரமல்ல நாம் காங்கிரஸ்காரர்கள். மாகாண காங்கிரஸ் கமிட்டியில் தீர்மானம் செய்திருக்கிறார்கள் அந்த Section-ஐ சட்டத்திலிருந்து நீக்கவேண்டுமென்று. ஆகையால் முனிசிபல் எரியாக்களில் ஜமிந்தார்களுக்கு நிலங்கள் இருக்குமானால் அவைகளை குடி மக்களுக்கு நியாயமாக சரியான முறையில் சேர்த்துக்கொள்ள வேண்டும். ஏன் இதைச் சொல்லுகிறேன் என்றால் Select Committee-யார் இதை விட்டுவிட்டார்கள் என்று எனக்கு முன்பு பேசிய நம் நண்பர் ஆர். வி. சுவாமிநாதன் அவர்கள் சொன்னார். அதைக் குறிப்பாக எடுத்துவிடவேண்டும்.

[Sri M. Kanniyappan] [11th September 1948]

“கடைசியாக நான் இந்த மசோதாவை ஆதரிக்கிறேன். ஆனாலும் இது சரியான முறையில் இல்லாமல் அதிக பணம் கொடுக்கவேண்டியதாக இருக்கிறது. இது விஷயமாக ஒன்றைச் சொல்ல விரும்புகிறேன். அதிகப்பணம் கொடுக்கும் விஷயத்தில் பணத்திற்காக கவர்ன்மென்ட் லோன் சீட்டு எழுதித் கொடுத்துவிடலாம். பணத்தை கொஞ்சம் கொஞ்சமாக கொடுக்கிறோம் என்று சொல்லிச் சொல்லி ஒரு லோன் சீட்டு எழுதிக்கொடுத்து விடலாம். இப்போதைக்கு கொஞ்சம் பணத்தைக் கொடுத்துவிட்டு பாக்கிக்கு சீட்டு எழுதி விடலாம். அப்படி நாம் கொடுத்து விட்டால் வரப்போகும் சட்ட சபை அந்தப் பணத்தைக் கொடுக்காமலிருந்து விடலாம், அவர்களுக்கு பணம் கொடுக்க முடியாது என்று சொல்லும் நிலைமை ஏற்படலாம் ஆகையால் இப்பொழுது பூராவும் பணமாக கொடுக்காமல் கொஞ்சம் கொஞ்சமாக வாங்கிக்கொள் ளுங்கள் என்று வெறும் காதித்தில் எழுதி ஜமிந்தார்களுக்குக் கொடுத்து விட்டால் மிகவும் நன்றாக இருக்கும். அந்தமுறையில் அதிக பணம் கொடுக் காமல் எது நியாயமோ எது தர்மமோ அதை உத்தேசித்துக் கொடுக்கவேண் டும். எது? கஷ்டப்பட்டு வந்த சொத்தா, அல்லது பணம் கொடுத்து வாங்கின சொத்தா. பரம்பரையாக உள்ள சொத்தா? இவைகளையெல்லாம் நினைத்து அவர்களுக்குப் பணம் கொடுப்பதாக இருந்தால் யோசித்துக்கொடுக்க வேண் டும். எல்லா ஜமிந்தார்களுடைய சரித்திரத்தைப்பற்றி பேசினார்கள். அந்த ஜமிந்தார்கள் எல்லாம் எதோ பிரிட்டிஷ் ஏகாதிபத்திய அரசாங்கம் நம் முடைய நாட்டிற்கு வந்த காலத்தில் அந்தந்த இடங்களிலுள்ள போக்கிரி களைக்கொண்டு ஜனங்களை அடக்குவதற்கு இதை ஏற்படுத்தி வரி வசூல் செய்வதற்காக நியமித்தார்கள். அதற்காக இந்த பிரிட்டிஷ் அரசாங்கம் அவர்களுக்கு ஜமின் பட்டத்தை வழங்கினார்கள். ஆகையால் இவைகளில் கொஞ்சம் கூட ஜமின்களுடைய சொத்து அல்ல. அப்படிப்பட்ட போக்கிரி களுக்கு அதிகப்பணத்தைக் கொடுத்தால் என்னைப்போன்றவர்கள் ஒத்துக் கொள்ளமாட்டார்கள். இது பொது மக்கள் பணம். ஏழைகளுடைய பணம். வரி வசூலித்து கேட்டித்து வைத்த பணம். அதிலிருந்து அதிகப் பணம் கொடுக்கவே கூடாது என்பதை அநேகம் பேர்கள் அடிக்கடி சொல்லிக்கொண்டு வருகிறார்கள். அதைப்போலவே மந்திரியவர்களை குறைந்த அளவில் நியாயமான முறையில் பணத்தைக் கொடுக்கவேண்டு மென்று கேட்டுக்கொள்ளுகிறேன்.”

“நான் அதிக நேரம் பேசப்போவது இல்லை. இன்னும் மற்றவர்கள் பேசவேண்டியதாக இருக்கிறது. முதலில் நேரத்தைக் குறித்து பேசின போது பேசக்கூடாது என்று சொன்னார்கள். அப்பொழுது நான் வருத்தத் தோடு சொன்னேன். ஒவ்வொரு சமயத்திலும் இம்மாதிரிதானாகிறது என்பதைத்தான் சொன்னேன்.”

*DEPUTY SPEAKER :—“நீங்கள் முடித்து விடுங்கள்.”

*SRI M. KANNIYAPPAN :—“நான் முடித்துக்கொள்ளுகிறேன். நீங்கள் தப்பாக எடுத்துக் கொள்ளக்கூடாது என்பதை தெரிவித்துக் கொள்ளுகிறேன். மனமுடைந்ததால்தான் அப்படி சொன்னேன். யாரும் தட்பாக எடுத்துக்கொள்ளக்கூடாது. இங்கேயுள்ள எல்லோரும் ஒன்று. ஒரே மக்கள், மக்கள் எல்லோருக்கும் உரிமையுண்டு என்பதாகத்தான் இனிமேல் நடக்கவேண்டுமென்று சொல்லிக்கொண்டு என்னுடைய வார்த தையை முடித்துக்கொள்ளுகிறேன்.”

*SRI K. LINGA RAJU :—“சுபாஷ்மூலம் அப்பா, 1937-வ் సంవత్సర ములో ఈ టెక్స్ట్ ఈ జమీందారీ యజ్ఞము ఇప్పటికైనా ముగించే పరిస్థితులు ఏర్పడినందుకు సంఘీభావనానికి నోకడను. చిరకాలముంచి ఆశించిన ఈ బిల్లు నా మిత్రుడు కళా వెంకటాచల మంత్రిగారి హయాములో చట్టము కాబోవడము చాలా సంఘీభావనానికి విషయము.

“అయితే నిన్న మొన్న జరిగిన చక్కనబట్టి చూచినట్లయితే కొంతమంది మిత్రులు ఈ బిల్లు యంతకాలము ఆశ్చర్య మగుటకు కారణములేమి, ఎవరు ఇందుకు కార

11th September 1948] [Sri K. Linga Raju]

కులు ఆసేటటువంటి విషయాలు ఏవేనో ఆపోహను వెలిబుచ్చినారు. మరి కొంత మంది మిత్రులు ఈ ఆశ్చర్యానికి కారణభూతులు లాయర్లని వారిని నిందించటానికి ప్రయత్నం చేశారు. ఈ విధానమువంటి ఆపోహను కలిగించడము చాలా హిరహటు. భూమిని మన్నేటటువంటి వానికే ఆ భూమిమీది ఫలితములనుభవించే హక్కు ఉండవలసేటటువంటివానికి ఎవ్వరూ అడ్డు చెప్పరు. కాని ఈ సూత్రాన్ని ఏ విధంగా మనము అనుసరిస్తే జనసామాన్యానికి నష్టము కలుగకుండా ఉంటుందో బాగ్తగా పరిశీలించి చట్ట నిర్మాణము చేయదలచినప్పుడే ఆ చట్టము ధర్మంగాను న్యాయంగాను ఉంటుంది. కాని ఏదో విష వాత్తకముని మరదో అని అనాలోచితంగా ‘కాకులను కొట్టి గడ్డలకు వేయడం’ లాగ చట్టనిర్మాణముచేయ ప్రయత్నంచేస్తే ఈవిధంగా కాలయాపన జరగడం సహజము. కొంతమంది గౌరవ సభ్యులు ప్రభుత్వం విధానము లన్నియు, విప్లవాత్మకములుగా ఉండాలని ఘట్టిగా చెబుతున్నారు. బారి ఈ ‘విప్లవాత్మకము’ అనేటటువంటి నివాదానికి అర్థమేమో నాకు బోధపడుటలేదు. ఆ మిత్రులు మనము చట్ట సభలో ఉన్నామని, చట్టము చేయటానికి కొన్ని నిబంధనలు అవసరమని ఏది న్యాయమో ఏది అన్యాయమో మనకు పరిశీలన చేయవలసిన వాధ్యత మనపై ఉన్నదని గుర్తించాలి. అంతేకాని ఎవరో ఈ బిల్లును చట్టము చేయటానికి అభ్యంతరాలు పెటుతున్నారని అడం న్యాయంకాదు. ఈ బిల్లులో మన రెవిన్యూ మంత్రిగారు సక్రమంగా విచారణ చేయకుండా కొన్ని అంశములను చేర్చట వల్లనే ఈ ఆశ్చర్యము జరిగినదని, అందుచేతనే ఈ బిల్లు ‘అన్యాయాని చేయబోతే కోరి ఆయనట్లు,’ న్నదని మనవిచేస్తున్నారు. అంతేకాకుండా కొంతమంది మిత్రులు ఈ బిల్లు ఇన్ని మార్పులు చెందటానికి pleader లు కారణమని pleader లను నిందుస్తున్నారు. ఇది సవ్యమైన పథితికాదు. చట్ట శాస్త్రసభ అని ఒకటున్నప్పుడు, అది చట్టములను చేయమన్నప్పుడు ఆ చట్టములను సక్రమంగా నిర్వచన చేసేవారు pleader లు. ఎంతమంది ఎన్ని ఆపోహలు పడినా, ఎంతగా pleader లను నిందించినా చట్టసభ ఉన్నంతవరకు, చట్టములు చేయబడుచున్నంతవరకు ప్రజలు చట్టములను గౌరవించవలసిన మనము అనుసరింపక కాలము pleader లు ఉండక తప్పదని మనము గుర్తించాలి.

“జమీందారీలను రద్దు చేయడం అనేదానికి అందరూ ఆంగీకరించారు. ఈ విషయంలో ఎవ్వరికీ వ్యతిరేకాభిప్రాయాలు లేవు. కాని రెవిన్యూ మంత్రిగారు ఆధికారము లానికి వచ్చిన తరువాత ఈ జమీందారీలతో వాటు. ఈ నాందారీలను కూడా రద్దు చేయదలచెట్టినారు. యజ్ఞయాగాలను ఆరంభించేముందు పాపపాపంగా రిహరణంచేసే ఆచారం మన దేశంలో అనాదిగా ఉన్నది. దానిని అనుసరించే కాబోలు మన రెవిన్యూ మంత్రిగారు ఈ జమీందారీ యజ్ఞ సంధర్భంలో రిహరణంగా ఈ నాందారీలను కూడా బిల్లులో పుడట చేర్చినారు. బహుశః జమీందారు, ఈ నాందారు ఆసేటటువంటి రెండు మాటలూ ‘దారు’ అనే అక్షరాలు ఉండుటచేత ఈ రెండు తరగతుల వారిని ఒకే బిల్లులో వారు చేర్చి ఉండవచ్చును. ఈ విధంగా వారు చేయదలచితే డబ్బ దార్లను, సర్దార్లను ఇంకా ఆనేక ‘తార్ల’ను కూడా ఈ బిల్లులో చేర్చవచ్చును. మొన్న ఈ శాస్త్రసభలో ప్రశ్నల సందర్భంలో తాను abolition minister ను అని రెవిన్యూ మంత్రిగారు చెప్పినారు. అట్లా అయితే వారు ఈ డబ్బదార్లను, సర్దార్లను కూడా రద్దుచేస్తారేమో చెప్పవలసినదిగా కోరాను. ఆ పరిస్థితులలో నా గౌరవనీయు మిత్రులు సర్దార్ లచ్చన, వేదరత్నం పిల్లెగార్లు కూడా ప్రమాదంలో పడుతారేమో అనిచించుకోవాలి.

[Sri K. Linga Raju] [11th September 1948]

“ఈ బిల్లులో పెద్దల మాటలను పెడచెవిబెట్టి అనేక అంశములను చేర్చినారు కాబట్టి ఇంత ఆలోచనయైనదని, select committee చేత ఆమోదింపబడిన ఈ బిల్లు పంచుకో కపోయింగా తయారయినదని నా అభిప్రాయము. అదిలానే ఈ బిల్లులో జమీందారీను మాత్రమే చేర్చి శాసనముచేయ ప్రయత్నించినచో ఇంత ఆలోచన కాదని వినాడో జమీందారీ రద్దు శాసనము అయియుండేదని తెలియజేస్తున్నాను నేను ఈనాందాన్ని కాదు, జమీందారుని కాదు. ఎవరు పోయినా నాకేమీ వ్యక్తి గతంగా నష్టము కాదు. కాని చిన్న చిన్న సంసారులను పూర్తిగా దరిద్రులను చేయ డము నేను అంగీకరించను. వాళ్ళుకూడా ఈ రాష్ట్రంలోని citizens అని వాళ్ళను కూడా పోషించవలసిన బాధ్యత ప్రభుత్వముపై ఉన్నదనిమాత్రము ప్రభుత్వమువారికిని తెలియజేస్తున్నాను.

“ఈ బిల్లులో మొదట అన్ని section లు కలిపి ఏ 20 లేక 23 ఉన్నాయను కొంటున్నాను. కాని ఈ బిల్లు select committee లోనికి వెళ్లిన తరువాత అనేక మార్పులు చేయబడి. ఇప్పుడు దీనిలో 64 section లు ఉన్నాయి. దీని విషయం చూస్తే ‘చదివిన పూర్వగాయ ఘనము’ అన్నట్లుగా ఉన్నది. ఇదంతా ఒక పంచుకో కపోయింగా ఉన్నది. ఇకముందు బిల్లులను తీసుకొని వచ్చేటప్పుడు నా మిత్రులు ఈ విధమైనటు పాఠపాటలను చేయకుండురగాకయని ఒక హెచ్చరి స్తున్నాను. ఏ విషయాన్ని పూర్తిగా పరిశీలన చేయకుండా కొందరవడి, ఏదో విస్తృతమున అనుకొని, సంకల్పబాధ్యంగా అన్ని విషయాలను బిల్లులలో చేర్చవద్దు. జమీందారు, ఈనాందార్లు, పట్టాదార్లు, సర్దార్లు, అందరు ఒకటేనని అందరిని చేర్చి ఒకే బిల్లును తయారుచేస్తామని అనడం నాకేమీ నచ్చలేదు. ఈ విధానంవలన ‘కాకు లను కొట్టి గద్దలకు చేయడమే’ అలెరుంది కాని, న్యాయాన్వయాన్ని గురించి ప్రభుత్వము వట్ట నిర్మాణము చేస్తున్నారని ఎవ్వరూ అనుకొనరు.

“శ్రీ స్వామినాథకొంగారు నేను రైతుని చెప్పి గుండెలు కొట్టుకుంటున్నారు. వారి bush coat, వారి రెండు జేబుల పట్టుకుంటూనే వారు రైతుని ఎవ్వరూ అను కొరు. ఆయన, నేను, రాజమండ్రి, రామనాథపురం, చెన్నకట్ట చాల మధ్య తిరిగే వాళ్ళమేకాని రైతులను ఎన్నటికీ కాము. మాకు రైతుయొక్క కష్టసుఖాలు తెలి యవు. మేము దొరికే ఉపన్యాసాలను ఇవ్వగలమేగాని నిజంగా వ్యవసాయము చేయ లేము.

“రెవిన్యూ మంత్రిగారికి నేనొక్క విషయాన్ని మనవి చేస్తాను. ఏ శాసనము చేయదలచినా, ముందుగా నేన 6 చూసాలి కాబట్టిస్తాను, 3 నెలల కొట్టేస్తాను, 2 నెలల కొట్టేస్తాను, జమీందార్లను కొట్టేస్తాను, ఈనాందార్లను కొట్టేస్తాను, పట్టాదార్లను కొట్టేస్తాను అని అనడం కావ్యంకాదు.

“నేను కూర్చోనని నా అభిప్రాయము.

“ఏ శాసనము చేసినా ప్రభుత్వమువారిని ఎవ్వరూ అభ్యంతర పెట్టలేరు. కాని వారు వట్ట నిర్మాణానికి ముందు దాని నుంచి చెట్లలు జాగ్రత్తగా పరిశీలించాలి. ఇదే విషయాన్ని భారతంలో చెప్పినారు. ఈనాడు దేశ లోని ప్రజలలో ఏ పనిచేయటా నికి ఉత్సాహము కనిపించడంలేదు. ప్రతివారిలో ఆశాభంగం కనిపిస్తోంది. Insecurity అనే భావము వారిని కలవరపెడుతోంది, కాబట్టి ఇటువంటి మాటలు చెప్పి ప్రజలలో భయోత్సాహాలు కలిగించవద్దు.

11th September 1948] [Sri K. Linga Raju]

“లంకల విషయాన్ని గురించి కొంత మనవిచేస్తాను. నేను చెప్పేదానిలో విషయాన్ని తప్పుబట్టే వారికూ సవరిస్తారు. నా అనుభవంలో జమీందారులు లంక భూములను రైతులకు విక్రసాల కొలుకుగాని, తప్పితే 2 సంవత్సరముల కొలుకుగాని మాత్రమే ఇస్తారు. ఇట్ట విధానాన్ని సవరించవలసివచ్చి పనిచేస్తున్నాను.

“ఇంత compensation ను గురించి ఒక విషయము మాత్రము చెప్పదలచుకొ న్నాను. Compensation కుగాను ప్రభుత్వమువారికి ఏ 10 కోట్ల 12 కోట్ల ఖర్చు అవుతుందని మంత్రిగారు చెప్పారు. ఇదంతా చూస్తే నాకు రెఖ్యల భాగితం గా కనిపిస్తోంది. $6 \times 2 = 12$ అన్న $3 \times 4 = 12$ అన్న ఒకటే టటు వంట సందర్భాలలో తర్క విత్కాల్కు చోటు ఇవ్వరాదు. జమీందారులకు నష్ట పరిహారం ఇవ్వడంకొనం సామాన్య ప్రజల rate payers పై ఇంత ఖర్చు భారాన్ని రుద్దడం నేను లంకరించలేను. ఈ ఖర్చులో కొంతవరకైనను స్థామిత గణితవిషయం రైతుల వద్దనుంచి వసూలు చేయవలసివచ్చిన ప్రభుత్వానికి సలహా ఇస్తున్నాను. ఏది ఎట్లున్నాను అనేక కస్టీషన్లు పట్టి థర్వంగా ఉన్నాటికీ ఈ బిల్లును ఈ స్థితికి తీసు కని వచ్చినందుకు రెవిన్యూ మంత్రిగారిని అభినందిస్తున్నాను.”

[Sri K. T. KOSALRAM:—“Madam, Deputy Speaker, இந்த மசோதா சுமார் ஒரு வருஷத்திற்குப் பின்னாலாவது இந்த ரூபத்தில் இங்கு வந்ததற்கு ஓரளவு வரவேற்கவேண்டியதாக இருக்கிறது. இந்த மசோதாவை ஆரம் பிக்கும்போது நமது நண்பர் காளா வெங்கிட்ட ராவ் அவர்கள் என் னென்னவெல்லாமோ மேடைகளிலும், எதை எதை எல்லாமோ சட்ட சபையிலும் பேசினார்கள் என்பதை அவர்கள் மறந்து இந்த மசோதாவை இப்பொழுது வேறு ரூபத்தில் select committee-ல் மாற்றி யமைத்து இப்பொழுது கொண்டுவந்திருப்பது வியப்பாக இருக்கிறது. நமது நண்பர் களம் காளா வெங்கிட்ட ராவ் அவர்கள் ஜமீந்தார்களுக்கு நிலம் எந்த விதத்திலும் பாத்யம் கிடையாது, அவர்கள் வெறும் தீர்வை வசூலிக்கும் ஏஜெண்டுகள் என்பதை திருப்பித் திருப்பிப் பல மேடைகளில் சொன்னார். அப்படிப்பட்ட ஜமீந்தார்களுக்கு ஜமீன் பூமியில் பாத்யதை இருக்கிறது என்பதை இப்பொழுது மசோதாவில் காட்டி இருக்கிறார். இப்பொழுது வந்த மசோதாவின் 15-வது செக்ஷன் பிரகாரம் முனிசிபாலிட்டி வீடுகளில் அவர்களுக்கு பங்கு உண்டு என்பதை அவர்கள் ஒத்துக்கொண்டிருக்கிறார் கள். அதையும் இங்குள்ள சில நண்பர்கள் சொன்னதிலிருந்து அந்த செக்ஷனை எடுத்துவிடுவதாக சம்மதித்திருப்பதாகவும் சொன்னார். அப்படி அவர் இந்த செக்ஷனை எடுக்காவிட்டால் அவர் முன்னுக்குப் பின் முரணாகப் பேசக்கூடியவர் என்றுதான் புரிந்துகொள்ளமுடியும். அது மட்டுமல்ல இந்த மசோதாவை முதலில் கொண்டுவரும்போது 26 செக்ஷன்களைக் கொண்ட மசோதாவாக ஆரம்பிக்கப்பட்டது. ஆனால் நமது நண்பர் களம் சுவாமிநாதன் சொன்னமாதிரி பெரிய reactionaries-ம் மிதவாதிக ளும் அதிகமாக select committee-ல் இருந்து கொண்டதால் இந்த களம் மசோதா 64 செக்ஷன்களோடு வெளிவந்திருக்கிறது. இந்த மசோதா ஆதியில் இருந்த ரூபம் மாறுபட்டு இப்பொழுது வேறு ரூபத்தில் வந் திருக்கிறது. அது ரயத்துக்களுக்கு நன்மை செய்யக்கூடியதாக வர விவின. Select Committee-ல் மிதவாதக் கும்பல் இருந்து பல விஷயங்களை மிதமாக்கிவிட்டது. களம் சுவாமிநாதன் அவர்கள் இந்த மசோதா என் இவ்விதம் மாறிப்போய்விட்டது என்பதை சலித்தாரமாகச் சொன்னார். ஆனால் களம் நண்பர் காளா வெங்கிட்ட ராவ் ஜமீந்தார்கள் விஷயத்தில் இந்த நிலைமைக்குப் போய் இருக்க வேண்டியதவசியமில்லை என்பதை அவருக்கு எச்சரிக்கை செய்யப் பிரியப் படுகிறேன். Select Committee-ல் மிதவாதிகளும் மேல் இடத்த வர்களும் இருந்துகொண்டு இந்த மாதிரி உறுப்படாத முறையில் ஒரு

[Sri K. T. Kosalam]

[11th September 1948]

reactionary மசோதாவாக கொண்டுவருவதற்கு அவர்கள் பக்கத்திலிருக்கிறார்கள் என்பதை கனம் மந்திரி அவர்கள் அறிந்துகொள்ள வேண்டும்.

“இந்த ஜமீந்தார்களுக்கு compensation கொடுக்கவே கூடாது என்று சட்ட சபையில் அங்கத்தினர்கள் பேசினார்கள் என்பதை கனம் காளா வெங்கிட்ட ராவ் மறந்துவிடக்கூடாது. இதைப்பற்றி எவ்வளவோ அங்கத்தினர்கள் சட்டசபையிலும் பேசினார்கள். வெளியிலும் பேசினார்கள். ஆனால் இப்பொழுது வந்திருக்கும் மசோதாவில் எப்படி இருக்கிறது என்றால் கழுதை தேய்ந்து கட்டெரும்பான கதை மாதிரி இம்மசோதா இப்பொழுது ஆகிவிட்டது. அவர்களுக்கு பெயரளவில்தான் நஷ்ட ஈடு கொடுக்கவேண்டும் என்றும் வற்புறுத்திச் சொன்னோம்.

“இன்னும் பார்த்தால் 1936-ம் வருஷத்திய இனம்தார்களை நீக்கப் பட்டிருக்கிறது. 1908-ம் வருஷத்திய இனம்தார்களுக்கு எல்லாம் சேர்த்து சுமார் 10 கோடி ரூபாய் கொடுக்கவேண்டுமென்று பேசினார்கள். இப்பொழுது 1936-ம் வருஷத்திய இனம்தார்களைக் கூட விலக்கப்பட்டிருக்கிறது. இப்பொழுது பார்த்தால் 12 கோடி ரூபாய் கொடுக்கப்போவதாகச் சொல்லுகிறார்கள். என்ன பரிதாபம். கனம் சுவாமிநாதன் சொன்ன மாதிரி கடைத் தேங்காயை எடுத்து வழிப்பிள்ளையாருக்கு உடைப்பது போலிருக்கிறது. சர்க்காருடைய பணத்தை வாரி இரைப்பதா என்று கேட்கிறேன். ஜனங்களால் கொடுக்கப்பட்ட பணத்தை அள்ளிக் கொடுக்கும் போது ஜனங்களுக்கு பதில் சொல்லியாகவேண்டும். இப்பொழுது இனம் தார்களை எடுத்துக்கொண்டால் கையினால் விரலிட்டு எண்ணிவிடலாம். நாம் பொதுஜனங்களின் வோட்டுகளை பெற்றுவந்தோம். நமக்கு எதற்காக வோட்டுப் போட்டார்கள் என்பதை கவனிக்கவேண்டும். நம்மை எதற்காக பிரதிநிதியாக அனுப்பி இருக்கிறார்கள் என்பதை மறந்து விடக்கூடாது. இந்த நாட்டிலிருந்த வெள்ளைக்காரர்களை வெளியே போ என்று நாம் கூக்குறலிட்டு அவர்களும் வெளியே போய்விட்டார்கள். அதேமாதிரி ஜமீந்தார்களும் இனம்தார்களும் போகமாட்டோம் இருந்து கொண்டோம் இருப்போம் என்று வம்பு செய்வார்கள். அப்படி அவர்கள் வம்பு செய்துகொண்டிருக்கும்படி நாம் இருந்தால் ஏன் நாம் வெள்ளைக்காரர்களை வெளியேபோகச் சொன்னோம். காந்திஜி அவர்கள் வெள்ளைக்காரனை வெளியே போ என்று சொன்னதை நாம் பின்பற்றி அவர்களை வெளியே அனுப்பவில்லையா? அவர்களை வெளியே அனுப்பிவிட்டுத் தீர்தல் விஞ்ஞப் பணத்தில் சொல்லியதற்கு விரோதமாக இவர்களை வைத்துக்கொண்டிருப்பானேன். இந்த சட்டசபையில் 7, 8 பேர்கள் இருந்துகொண்டு மேலிடத்திற்கு சென்று சட்டத்தை மாற்றியமைக்கும் நிலைமையிலிருந்தால் அதை ஒப்புக்கொள்ளமுடியாது. அந்த நிலைமை ஏற்பட்டால் கனம் காளா வெங்கிட்ட ராவ் அவர்கள் இராஜினாமா கூட செய்வேன் என்று சொன்னார்கள். அப்படி அவர் சொன்னதால் அவருக்கு இந்த மசோதாவை நிறைவேற்றுவதற்கு அவ்வளவு ஆசை இருந்ததாகத் தோன்றிற்று. ஆனால் கனம் சுவாமிநாதன் சொன்ன மாதிரி Select Committee ஏற்பட்டதற்கு அவர் தான் ஜவாப்தாரி என்றிருந்தோம். ஆனால் அதற்கு அவர் ஜவாப்தாரி இல்லை என்பதையும் தெரிந்துகொண்டோம். Select Committee-க்கு பிறகு இந்த மசோதா இவ்வளவு மோசமாகவும் மிதமாகவும் போனதற்கு மேலிடத்தைத் தவிர வேறு ஒருவரும் இருக்கமுடியாது என்பதை நான் கனம் சுவாமிநாதனோடு ஒத்துக்கொள்ளுகிறேன். ஆகையால் நஷ்ட ஈடு கொடுப்பதற்கு கொஞ்சம் யோசனை செய்து கொடுக்கவேண்டும். 1936-ம் வருஷ இனம்தார்களும் ஒழிக்க கனம் மந்திரி உடனடியாக ஏற்பாடு செய்யவேண்டும்.

“இதைத் தவிர இந்த ஜமீந்தாரி ஒழிப்பு மசோதா Select Committee-யிலிருந்து வந்த பிறகு ஒரு புதிய கூட்டத்தை உண்டாக்கி இருக்கிறது. அதாவது absentee landlordism என்பது. இதை கனம் மந்திரி அவர்கள் ஒப்புக்கொள்ளாமலிருக்கமுடியாது. யாராவது ஒருவன் பட்டா வைத்துக்கொண்டு சென்னையிலிருந்தால் அவனுக்கும் பட்டா கொடுப்பதாக இருக்கிறது. ஆனால் விவசாயிகள் அங்கே விவசாயம் செய்கிறார்கள். அவர்

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களையே இந்த absentee-land lords நம்பி இருக்கிறார்கள். இந்த மாதிரியுள்ளவர்களுக்கு அரசாங்கம் ஏன் பட்டா கொடுக்கவேண்டும். காந்திஜி சொன்னதுபோல்—tiller of the soil must be the owner of the land—கனம் காளா வெங்கிட்ட ராவ் காந்திஜி சொன்னதை நடைமுறையில் செய்ய வேண்டும். உண்மையாக எவன் உழுது பயிர் செய்கிறானோ அவனுக்குத்தான் பட்டா செய்து கொடுக்கவேண்டும். எனக்கு சொந்தமாக இராணுவர் சரோத்திரிய கிராமத்தில் 20, 25 ஏக்கர் நிலம் இருக்கிறது. உழுகிறவனுக்கு சொந்தம் என்று சொல்லி என்னைக் கேட்டால் நான் கொடுத்துவிடதயாராக இருக்கிறேன். இம்மசோதா மூலமாக ஒரு ஜமீந்தாரை ஒழித்துவிட்டு மற்றும் பல குட்டி ஜமீந்தாரை உண்டாக்குவதாக இருக்கிறது. உண்மையில் எவன் உழுகிறானோ அவனுக்குத்தான் நிலம் சொந்தம் என்று செய்வதற்கு இந்த சட்டத்தில் சில மாறுதல் களை கனம் காளா வெங்கிட்ட ராவ் செய்வார்கள் என்று நம்புகிறேன். இனம்தார்களை சேர்க்கவேண்டாம் என்று சொல்லி மேல் இடத்திற்கு காவடி எடுத்தும் பறந்துசென்றும் இப்பொழுது 1936-ம் வருஷ இனம்தார்களை நீக்கிவிட்டார்கள். அதற்காக மிதவாதிகள் சட்ட சபையில் உட்கார்ந்து கொண்டு கத்துகிறார்கள். ஆகையால் கனம் காளா வெங்கிட்ட ராவ் அவர்களும், கனம் பிரதம மந்திரி அவர்களும் இந்த 1936-ம் வருஷத்திய இனம்தார்களை நீக்காமலிருக்க திருத்தங்கள் கொண்டுவரவேண்டும். அதையும் வெகு துரிதமாகச் செய்து இன்னும் 2, 3 மாதத்தில் ஒழித்துவிட ஏற்பாடுகள் எடுத்துக்கொள்ளவேண்டும். இன்று Secretariat-ல் பார்த்தால் கூட அதற்கு வேண்டிய புள்ளி விவரங்கள் இருக்கின்றன. நம்மாக்கணத்தில் எவ்வளவு இனம்தார்கள் இருக்கின்றன. என்ற புள்ளி விவரங்கள் Secretariat-ல் ஏற்கனவே எடுத்து வைத்திருக்கிறார்கள். எடுத்துவிடுகிறோம் என்று மேடைகளில் மட்டும் பேசி வந்தால் போதாது. அப்படி பேசிவந்தால் மட்டும் ஜனங்களுடைய கஷ்டம் நீங்கி விடாது. கனம் வைத்யானாதய்யர், அவர்களும், கனம் வரதாச்சாரியா அவர்களும் இந்த இனம்தார்களை Rent Reduction Act-லிருந்தும் நீக்கி விடவேண்டுமென்றும் திருத்தங்கள் கொடுத்திருக்கிறார்கள். என்ன பரிதாபம் இந்த மாதிரி திருத்தங்களைப்பார்த்து மகிழ்ச்சிதான் அடையவேண்டியதாக இருக்கிறது! குடிசைக்கு ஒரு நன்மையும் காணோம். இதற்கு கைதுக்கிவிடவேண்டாம். இவர்களுடைய சூழ்ச்சி வெற்றிபெறாமல் கனம் ரெவின்யூ மந்திரியும், பிரதம மந்திரியும் பார்த்துக்கொள்ள வேண்டும். ஏதோ 4, 5 பேர்கள் காங்கிரஸ் மேலிடத்திற்கு சென்று கூறுவதாக பயமுறுத்துவதற்கு பயப்படவேண்டாம். இல்லையெல் இராஜினாமா செய்துவிடுங்கள். நாங்கள் இருக்கிறோம். அவர்களுக்கு பயப்பட வேண்டாம். அவர்கள் அங்கேபோய் mislead பண்ணுகிறார்கள். உண்மையைச் சொல்வதில்லை. ஆனால் இல்லாததை இருப்பதாகச் சொல்லி வாதாடிவருகிறார்கள். எங்களுக்கு மேலிடத்திற்கு போவதற்கு இல்லை. மக்கள் எங்கனிடத்தில் தான் சொல்லமுடியும். ஜமீந்தார்களைப்போலவே இனம்தார்களும் அக்கிரமங்கள் செய்கிறார்கள் என்று மக்கள் எங்கனிடத்தில் சொல்லுகிறார்கள். பிரகாசம் ரிபோர்ட்டு அதற்கு சாதகமாக இருக்கிறது. இனம்தார்களையும் ஒழித்துவிடவேண்டுமென்று அவர்கள் சொல்லுகிறார்கள். ஆனால் இனம்தார்களையும் ஒழித்துவிட சீக் கிரத்தில் உடனடியாக நடவடிக்கைகள் எடுத்துக்கொள்ளவேண்டும் என்பதை வற்புறுத்துகிறேன்.

“தவிர இன்னும் இந்த மசோதாவை அதிகம் நீடித்துக்கொண்டே போனால் அது அவ்வளவு உசிதம் அல்ல. இப்பொழுது அதிகம் பேச வேண்டியதில்லை. Clause by clause எடுத்துக்கொள்ளும்போது பேசிக்கொள்ளவேண்டிய நிலைமை இருக்கிறது. அப்பொழுது பேசிக் கொள்ளலாம் என்று இத்துடன் நான் முடித்துக்கொள்ளுகிறேன்.”

* Sri G. KUMARASWAMI:—“It is a matter of supreme satisfaction, Madam Deputy Speaker, that the Estates Abolition Bill is now passing through its final stages. And I am sure the

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proud day when it will find a place in the Statute Book is fast approaching. The end of the zamindari system ages old is clearly in sight. We all know how the zamindari came into existence, what the functions the zamindars had, how they ruled the country, and the various circumstances that led to the introduction of the Patta and Karnam Regulation, the Permanent Settlement in 1802, the Rent Recovery Act of 1865, the Estates Land Acts of 1908 and 1936, and then the Estates Land Revenue Bills of 1938 and 1939, and finally this Bill in the year 1947. All these have been various landmarks, in improving the lot of the zamindari ryot. These are matters which have been sufficiently dealt with on the floor of this House, in the countryside as well as in the press several times by very many eminent leaders.

"The Select Committee under the guidance of our able Revenue Minister, Hon. Mr. Kala Venkata Rao, took much trouble in seeing that a satisfactory improvement is made on the original Bill. None the less one important thing to be noted is this. Not exactly due to the postponement of this Bill, but to the Bill not having been passed earlier along with the Rent Reduction Bill, the conditions obtaining in the countryside have become far from satisfactory. Catholic conditions are prevailing there. When we Members of the Assembly go to the countryside to tour in our constituencies, the ryots say: 'Well, the lands are not fertile; the irrigation sources are in a state of dispair, the crops have not yielded, and we are not in a position to pay anything to the landholder; be it zamindar or inamdar or the mokhasadar.' And when we approach the landholder he says: 'The ryot has not paid me anything. As such we are not able to pay our dues to the Government. The Government proceed not only on my landed property, but even on my personal movable properties'—the same reply is given by the zamindar as well. Well, leave alone the question of the big zamindars, the big proprietors or mokhasadars. He knows how to fight his battles, as he has already fought many. We need not be worried about him. Some of them have made sufficient properties to get on. But, what I would like to impress on the mind of the Hon. Revenue Minister is this. There are some petty inamdars whose plight is very miserable. In the Bill before us, of course, the inams are to be excluded. All the same, they find a place in the Rent Reduction Act. And it is therefore but desirable to see that adequate relief is given to the small inamdars, to those petty inamdars, whose extent of land is not large at all. Some adequate relief must be given to them. There are of course, some inamdars, some helpless widows, some of them with a big number of dependents, who say: 'We are not cooking in our houses; we are actually starving, because the ryot does not pay his dues.' I do not, of course, mean to say that the ryot is in good and opulent circumstances. But everybody, the inamdar, the mokhasadar, the ryot whether zamin or ryotwari, everybody has a complaint against the Government. Everybody is completely

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dissatisfied. After postponing the payment of revenue due to the Government still the people want to see that they command all conveniences from Government; they want roads to be laid, irrigation sources to be repaired and schools and hospitals to be built for them. As we, Members of the Assembly here, go into our constituencies, the ryots naturally ask the question—in fact everybody puts the question: 'Well what have you brought for us?' Everybody forgets that his Government, the popular Government for which he has toiled all these years is functioning. In those days, Madam Deputy Speaker, when much sacrifice was needed, the role of the people was one of resistance to foreign Government. Public workers were springing up. Any number of people demanded the impossible from the Government not knowing, of course, its difficulties. But now things have changed considerably. As Sir Robert Peel has rightly stated, in every village there will arise some miscreants, to establish the most grinding tyranny, by calling themselves the people. Yes, people are even against the Government styling themselves as public workers.

"The other day His Excellency Sir Archibald Nye stated that the role of Congress was one of opposition for a long time. Certainly it was so. But it does not mean that we are not administrators. (At this stage, Sri B. S. Murthy raised a point of order regarding want of quorum. But the Chair said there was quorum, and the hon. Member continued his speech.) We are, of course, administrators. We are not lacking in administrative talent. We are fit to rule not only our lands but other lands as well. Probably we will be the rulers of Hyderabad also very shortly. Now administration is one thing and agitation is a different thing. On the Independence Day, when I addressed a public meeting in my place at Chicacole, I told them 'I am myself an M.L.A., I know the difficulties of the Government, the Madras Government at Fort St. George. The Government's income is Rs. 50 crores and Rs. 62 lakhs or so. But, the Government have to spend a lot in so many ways for the welfare of the people. Where can the Government get the money for the various things that you ask for?' When we come here to attend the session, the story is different. Legislation and people's demand do not go hand in hand. For instance the other day, I paid a glowing tribute to the Hon. Dr. Rajan, for having brought from the Central Government not one and a half lakhs of tons of rice which was allotted to our Province, but 5 lakhs of tons; but when we go to the countryside, the constituents complain of the insufficient quantity and the bad quality they get. These are how things are going on. We have no sufficient quantity of food at all. Under the conditions existing the contact between the Government and the people must be more close; more harmonious relations must be established and the Government must realize the difficulties of the people at large, and they must know who the real sufferer is, and how they can help them.

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"The zamindari system has perpetuated an assessment Madam, Deputy Speaker, which bears no relation whatever to the productive capacity of the ryot. It is the duty of the Government to improve the lot of the ryots. Though the inams have been excluded from the proposed legislation, it is also desirable to see that the petty inamdars, zamindars owning 5 to 10 acres—leave alone the inamdars who own larger estates of land are given some adequate relief, whether in the shape of adequate compensation or in the shape of issuing ryotwari pattas.

"I am glad, Deputy Speaker, I am afforded an opportunity to make a few observations on this Bill and happy am I as the subject has thoroughly been dealt with both in the press and on the floor of the House."

* SRI D. V. RAMASWAMI:—"Madam, Deputy Speaker, I am glad that this very essential measure of tenancy reform has been brought forward by our Ministry, as it has been a long expected thing since 1937. I am sure that with the growing consciousness of the people, there is going to be greater agitation for the introduction of more radical reforms affecting tenancy, so that the agrarian condition of the country will be improved allround.

"My main points in raising to support the Report of the Select Committee are very few. First and foremost is the recognition by the Hon. Minister for Revenue that the injustice to the minor inamdars should be removed, and therefore the question of the inams could better be left over, and excluded from the operation of the present Act. I am sure that consistent with the position he has now taken up, the question of excluding these from the operation of the Rent Reduction Act also will follow in due course.

"The second point that I want to impress on the Hon. Minister is this, that so far as the parties affected by this legislation, the zamindars on the one hand, and the creditors of the zamindars on the other, and the tenants, are concerned, equity and common justice will be accorded to them in the matter of compensation as well as on the question of the allocation of the pattas. I would invite the attention of the House to the fact that so far as the northern districts are concerned, we owe considerably to the previous line of zamindars who have been responsible for the good progress, traditions and culture in the Northern Circars. Commencing from Ganjam we find that zamindars like those of Khallikote and Parlakimedi and Maharajas of Bobbili, Jeypore and Pitapuram, Vuyur and Venkatagiri have contributed in no small measure for the education of the general middle classes as a whole. Therefore, I would not certainly agree with the sentiments expressed by some hon. Members that no compensation at all should be given to the zamindars and that they should be thrown into the streets. It would be very ungrateful to do so. They have patronized Sanskrit patasalas, music academies and others including even physical educational institutions. Many zamindars, except a few of them,

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have done their best in their own way to help people. We cannot penalize the present zamindars for the sins of their predecessors. As my hon. Friend, Mr. Viswanathan, stated we must take the whole picture as such. We are wedded to the principles of the Congress not to injure anybody unnecessarily and to observe non-violence and truth. Taking the whole system of tenure into consideration we must do justice by seeing that equitable compensation is given to the parties concerned. In this connexion while granting compensation, we must have some consideration for people who have advanced large amounts to zamindars in the expectation that they will be repaid with the usual interest and who thought that their monies were safely secured by the lands owned by the zamindars. Those creditors must not be paid according to the Agriculturists' Debt Relief Act by scaling down their loans because zamindars are not agricultural ryots suffering under the loads of their debts. Therefore, I submit that the first charge on the compensation to be paid to zamindars, must be the amounts paid by creditors to the zamindars as the former were not unduly benefited in any way by their transactions with the latter.

"The last point I would urge for the consideration of the House is about the amendments given to the Bill. Seeing some amendments have been given notice of by the Hon. Minister, I find that he has taken note of several important points that have been represented to him privately or through the platform. I appreciate his way of coming round and finding out the proper ways and taking in many suggestions that have been put forward, instead of holding to his own views. I hope it will be possible for him to adopt some of the amendments I have given notice of, so that the Bill may have all-round acceptance from all grades of society, and not merely from tenants, as this essential reform is being promulgated for the first time by which zamindars are being dislodged from their long-enjoyed position."

* SRI A. SUBRAMANIAM:—"கனம் உப தலைவி அவர்களே, நான் ஜமீன் ஒழிப்பு மசோதாவின் Select Committee Report-ஐ ஆதரிப்பதாக இருந்தாலும் கூட அதிலிருக்கும் குறைபாடுகளைக் கண்டு வருத்தமடைகிறேன். ஜமீந்தார்களுக்கு நஷ்டாடு கொடுக்கவேண்டுமென்பது நியாயம்தான். ஆனால் எவ்வளவு, எந்த முறையில், என்பதை சற்று யோசித்து செய்யவேண்டியபோது மக்களுடைய பிரதிநிதிகளாகிய நம்முடைய கடமை என்ன என்பதை நாம் நன்றாக உணரவேண்டும். சாதாரணமாக பார்க்கிற காலத்தில் நம்முடைய தேசத்தில் ஆதியில் பல இராஜாக்கள் இந்த தேசத்தில் அரசாண்டு இருந்தபோது விளைந்ததானியத்தில் ஆறில் ஒரு பங்கை மக்கள் அரசனுக்கு செலுத்திவந்ததாக நாம் கேள்விப்பட்டிருக்கிறோம், படித்திருக்கிறோம், நன்றாக தெரிந்துகொண்டு இருக்கிறோம். சில ஜமீன்களிலுள்ள குடிகளுக்கு எவ்வளவு ஊதியம் வருகிறது. குடி மக்கள் அதில் எவ்வளவு கஷ்டப்படுகிறார்கள், அவர்களுக்கு வருஷ வருமானம் என்ன, மழைபெய்தால் என்ன வருமானம் வருகிறது, மழை இல்லாத காலத்தில் விவசாயிகளுடைய கதி என்ன, ஏற்கனவே குடியானவர்களுக்கு அதிகம் சொத்து ஏதாவது இருக்கிறதா, அல்லது வேறு எந்த விதமாகவும் வரும்படி இருக்கிறதா என்று பார்க்கும்போது குடியானவர்களுக்கு அதிகமான சலுகை காட்டவேண்டுமென்பது பொது ஜன அரசாங்கத்தின் கடமையாகும். ஜமீந்தார்கள் யார் என்பதை நாம் சற்று ஆழ்ந்து கவ"

[Sri A. Subramaniam] [11th September 1948]

னித்து பார்ப்போமானால், ஆதியில் East India Company-க்காரர்கள் இந்த தேசத்திற்கு வந்த போது அவர்களுக்கு உடைந்தையாக இருந்துகொண்டு வந்த சிலர் அவர்களுக்கு உதவி செய்து பல காரியங்களைச் செய்ததால் அதற்காக அவர்களுக்கு பெரிய பெரிய நிலங்கள் தானமாக அளிக்கப் பட்டது என்பதை சரித்திரமூலமாக நமக்கு நன்றாகத் தெரியும். ஒரு வன் ஒரு பிராந்தி பாட்டிலுக்காக ஒரு பெரிய நிலத்தையே ஒரு ஜமீன் தாருக்கு வழங்கி இருக்கிறான் என்ற விஷயம் இப்பொழுது எனக்கு ரூபகத்தில் வருகிறது. இவ்விதமாக ஏராளமான நிலங்கள் தானமாக வாங்கினவர்களுக்கு நஷ்ட ஈடு கொடுக்கவேண்டுமென்று கருதினோமானால் அதைப்பற்றி நாம் சற்று சிந்தித்துப் பார்க்க வேண்டும் என்பதை மறுமுறையும் நான் வற்புறுத்திக்கூற ஆசைப்படுகிறேன்.

“குறிப்பாக ஒன்றுமட்டும் நான் சொல்லவிரும்புகிறேன். இந்த மசோதா முதலில் கொண்டுவரப்பட்ட போது வெகு அழகாகத்தானிருந்தது. இப்பொழுது அதன் Select Committee Report-ஐப் பார்க்கும்போது நல்ல பாம்பு கடிப்பதற்கு முன்பு ஒரு மனிதனுடைய நிலைமை எவ்வளவு அழகாக இருக்குமென்பதும் அவனைக் கடித்தவுடன் அவன் எந்தத் தன்மையிலிருப்பான் என்பதும் இந்த Select Committee Report அடைந்திருக்கிறது என்பதைக் கூசாமல் இந்த சந்தர்ப்பத்தில் சொல்லிக்கொள்ள விரும்புகிறேன். இன்னொன்று அதிகமாக குறிப்பிட விரும்புகிறேன். ஒரு மனிதனுக்கு ஜீவநாடி இருப்பதுபோல் இருந்தது முதலில் இருந்த மசோதா. ஆனால், இப்பொழுது Select Committee Report-ஐப் பார்க்கும் போது ஜீவநாடி அறுந்துப்போன மனிதன் எப்படி இருப்பானோ அவ்விதம் இருக்கிறது. இன்னும் அவைப் பார்க்கும்போது அந்தத் தன்மையில் நான் இந்த Select Committee Report இருக்கிறது என்பதை நாம் தெரிந்துகொள்ளவேண்டும். ஆகையால் இப்பொழுது இருக்கும் Select Committee Report-க்கு பல திருத்தங்கள் கனம் மந்திரி அவர்கள் செய்வதாக இருந்தாலும் கூட அதை இன்னும் கொஞ்சம் சற்று கவனித்து பொதுஜன சௌகரியங்களையும், ஏழைக்குடியானவர்களுக்கு நன் முறையில் செய்யவேண்டுமென்பதையும் கனம் மந்திரி அவர்களை நான் மன்றாடிக்கொள்ளுகிறேன்.

“இன்னொரு முக்கியமான விஷயம். இப்பொழுது சேலம் ஜில்லாவில் சேலம் முனிசிபாலிட்டி இருக்கிறது. சேலம் முனிசிபாலிட்டியே ஒரு ஜமீன்தான் முனிசிபாலிட்டியை சுற்றிலும் கூட பல ஜமீன் நிலங்கள் இருக்கின்றன. அது சற்றேறக்குறைய சுற்றளவில் 25 சதுரமைல்கள் உள்ள நிலங்கள். அது Foulkes துரை அவர்களுக்கும் இன்னும் சிறில ஜமீன்தார்களுக்கும் சொந்தமானது. இப்பொழுது Select Committee Report-ல் 15-வது clause ஒன்று ஏற்படுத்தப்பட்டிருக்கிறது. அதனால் முனிசிபாலிட்டியிலுள்ளவர்கள் எவ்வளவு கஷ்டப்படுகிறார்கள் என்பதையும் அதனால் அவர்கள் எவ்வளவு பாதிக்கப்படுகிறார்கள் என்பதையும் அதில் குறிப்பிட்டுள்ள விஷயங்களை படித்து வந்தவர்களுக்கு நன்றாக புலப்படும். வெகு நாட்களாக சுமார் 1802, 1908 வருஷத்திலிருந்து பல வருஷங்களாக இந்த ஜமீன்தாரர்களிடம் குடிவாரம் வாங்கியிருந்து விடுகனோ அல்லது மனைகள் கட்டிக்கொண்டோ, அல்லது அவர்கள் தனியாக வைத்துக்கொண்டிருந்தாலும் சரி, அல்லது அது பிரயோஜனப் படாமலிருந்தாலும் சரி இப்பொழுது அதில் பாதி ஜமீன்தார்களுக்கு சொந்தமாகிறது என்றும் அதை ஜமீன்தார்களுக்கு கொடுத்துவிடவேண்டுமென்று சொல்லி இருப்பதும் அவ்வளவு பொருத்தமாக இல்லை. அந்தக் காலத்தில் எக்கர் ஒன்றுக்கு 50 ரூபாய் வீதம் 20 எக்கர் நிலங்களை ஒருவன் வாங்கியிருந்தால் அவன் சுமார் ஆயிரம் ரூபாய்க்கு வாங்கி இருப்பான். அதனுடைய விலை இப்பொழுது இருக்கும் நில மதிப்பு பிரகாரம் 10 லட்சம் ரூபாயாகிறது. அதில் பேர்பாதி யாகிய 5 லட்சம் ரூபாயை அந்த ஜமீனுக்கு இப்பொழுது வாரிக் கொட்டிக்கொடுப்பதா என்று கேட்கிறேன். இதை சற்று யோசனை செய்து பாருங்கள். அந்த விதத்தில் கொடுப்போமானால் நமது Foulkes துரைக்கு

11th September 1948] [Sri A. Subrahmaniam]

இப்பொழுது சற்றேறக்குறைய மூன்று கோடி ரூபாய் கொடுக்கவேண்டியதாக இருக்கும். மற்றும் அதற்கு சுற்றளவிலுள்ள ஹஸ்தம்பட்டி ஜமீன், குமார சாமிப்பட்டி ஜமீன், அண்ணாநான்பட்டி ஜமீன், வண்ணங்குர்ச்சி ஜமீன், பள்ளப் பட்டி முதலிய ஜமீன்களுக்கும் கொடுக்கவேண்டுமென்று வைத்துக்கொண்டால் அது ஏறக்குறைய இரண்டு கோடி ரூபாய்க்கு வரும். இப்பொழுது அரசாங்கம் அதற்கு நஷ்ட ஈடு கொடுப்பதற்கு 12 கோடி ரூபாய் திட்டம் போட்டிருக்கிறார்கள். ஆனால் இவைகளுக்கு மட்டில் 5 கோடி ரூபாய் கொடுக்க வேண்டியதாக இருக்கும் என்பதை எச்சரிக்கையுடன் எடுத்துக்காட்ட விரும்புகிறேன்.

“இன்னொன்று சொல்லுகிறேன் மாடு மேய்ப்பதற்கு என்று சிலர் 50 எக்கர் நிலங்களையும் 60 எக்கர் நிலங்களையும் வாங்கி இருந்தால் அதிலும் பேர்பாதி கொடுக்கவேண்டுமென்று சொல்லப்படுகிறது. அதனுடைய கிரயம் இப்பொழுது என்ன என்பதை யோசித்துப் பார்க்க வேண்டும். அதிலும் பேர்பாதி கொடுக்கவேண்டுமென்று கூறுவது நியாயமாகுமா. பிரயோஜனமில்லாத நிலம் அதாவது waste land மாடு மேய்ப்பதற்காக இருப்பது அதற்கு எவ்வளவு கொடுக்கவேண்டியவரும் என்பதை கனம் மந்திரி யோசித்துப் பார்க்கவேண்டும். ஒருவன் 40 எக்கர் நிலம் வைத்துக்கொண்டிருக்கிறான் என்று வைத்துக்கொள்வோம். அதில் 30 எக்கரில் வீடுகட்டிக்கொண்டு பாக்கி பத்து எக்கர் காலியாக வைத்துக்கொண்டிருந்தால் அதில் பேர்பாதி கொடுக்கவேண்டுமென்று சொல்லும்போது அந்த பத்து எக்கருடன் இன்னும் 10 எக்கர் பெருமானமுள்ள பணத்தை ஜமீன்தாருக்குக் கொடுக்கவேண்டுமென்று சட்டத்தில் சொல்லி இருக்கிறது. அதையும் ஜமீன் வசூலித்துக்கொள்வதற்கு ஒரு clause ஒதுக்கப்பட்டிருக்கிறது. அதில் ஏதாவது தகராறு ஏற்பட்டால் ஜமீன்தார்கள் கோர்ட்டுக்கு போகவேண்டுமென்று இருக்கிறது. ரயத்துகளுக்கு கோர்ட்டுக்குபோக முடியுமா? இம்மாதிரி யான சட்டங்கள் கொஞ்சம் கூட நல்லது அல்ல. அது நியாயத்திற்கு விரோதமாக இருக்கிறது. இந்த மாதிரி சட்டங்களை சர்க்கார் போட்டிருக்கிறது என்பதை நான் கனம் மந்திரி அவர்களுக்கு இந்த சந்தர்ப்பத்தில் எடுத்துக்காட்ட ஆசைப்படுகிறேன். ஆகையால் இப்பொழுது வந்திருக்கும் Select Committee Report ஆனது எப்படி இருக்கிறது என்றால் கிணறு வெட்டி பூதம் புறப்பட்டதுபோல் இருக்கிறது. குடிப்பதற்காக ஜலம் வேண்டுமென்றும் ஆடு மாடுகளுக்கும் தண்ணீர் வேண்டுமென்றும் பல ஆயிரம் மக்களுக்கு பிரயோஜனப்படவேண்டுமென்றும் ஒரு பெரிய தர்ம காரியம் செய்து கிணறு வெட்டப்போனால் அதில் ஒரு பெரிய பூதம் இருந்து வருவதுபோல் விவசாயிகளுக்கும் ஜமீன் ரயத்துகளுக்கும் நன்மை செய்வதாகச் சொல்லி Select Committee ஏற்படுத்தி அதிலிருந்து வந்த அறிக்கையை படித்துப்பார்க்கும்போது அது ஒரு பெரிய பூதமாக இருக்கிறது. இதைப் பார்த்து பொதுமக்கள் பயப்படுவதாக இருக்கிறது. இதை சில ரயத்துகள் பார்த்தவுடனேயே அவர்களுக்கு பயத்தினால் உயிர் போனாலும் போய்விடும் என்று தோன்றுகிறது. ஆகையால் கனம் மந்திரி அவர்கள் இவைகளை யெல்லாம் எடுத்துவிடவேண்டும். அப்படி எடுப்பதுதான் புத்திசாலித் தனமாகவும், நியாயமாகவும் இருக்கும். ஏற்கனவே இருந்ததைப்போல் இருப்பதற்கு திருத்தம் கொண்டுவரவேண்டும். அப்படி செய்தால்தான் நல்ல காரியங்கள் செய்வதற்கு அறிகுறியாக இருக்கும். ஆகையால் இவைகளை யெல்லாம் கனம் மந்திரியவர்கள் பரிசீலனைசெய்து ஏழை மக்களுக்கு முதலில் நன்மை செய்யவேண்டும். இதும் விஷயமாகவும் கூடிய சீக்கிரத்தில் ஒரு சட்டம் செய்யவேண்டுமென்று அவரைக் கேட்டுக்கொண்டு அதற்கு உடனடியாக ஒரு சட்டம் கொண்டுவரவேண்டுமென்று இந்த சந்தர்ப்பத்தில் கனம் மந்திரி அவர்களைக் கேட்டுக்கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்ளுகிறேன்.”

* Sri T. K. T. N. R. TATACHARI:—“Madam, Deputy Speaker, the Hon. the Minister for Revenue has to be congratulated for this measure, particularly for the patience with which

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he has been piloting it, but it does not mean that our gratitude to his predecessors is any the less for the foundations they have laid and for all the materials they have gathered. Our gratitude is due especially to Mr. K. R. Karanth, the previous Revenue Minister. But, Sir, the change now made in the Bill by the omission of what are called the 1936 inams surpasses my Lumble comprehension. I am reminded of the following incident narrated by Voltaire in his book, 'Charles XII of Sweden.' In the early days of Christianity in Russia there was a violent discussion among the priests and prelates to find out whether smoking or drinking was tabooed as a vice in the new religion. They discussed the matter for a month and ultimately they found the following lines in the scripture:—

'That which proceedeth out of the mouth of man defileth him, while that which entereth doth not.'

They took it to mean that whisky drinking was allowed—at any rate better than smoking. In the same way, these 1936 inams which are long ago dead and have ceased to be anything but estates have now been revived after three months' discussion. Rightly or wrongly these 1936 inams had been included as estates and we find them mentioned in section 185-A of the Madras Estates Land Act. The inamdars must have and must be deemed to have settled with their kudivaramdars and received the compensation of a year's rent by application within 3 years of the Act. I find it difficult to understand why they have now been revived. Probably better minds have been able to understand how these 1936 inams have suddenly ceased to be estates. For ten years we have committed ourselves to a position and the rectification of a seeming injustice done in 1936 would cause more injustice to the ryot who might have spent a lot of money in improving the land and the surroundings in the belief that he has got an occupancy right. It is however a matter of relief to find that the Hon. the Revenue Minister has promised to bring in a separate legislation in this regard. I hope he will redeem his pledge and see that all the intermediaries are removed and that there is a uniform land tenure in this province.

"The next thing that has been mooted in this connexion is the question of compensation. Mr. T. Viswanatham cited the Governor-General's observations regarding the application of Dharma and also the principles of British jurisprudence. I am no less a votary of British jurisprudence, but jurisprudence is not an immutable law. It has always grown and changed according to the necessities of the times. No progressive legislation can be passed if you apply rigid principles, as it has always been found with regard to jurisprudence that it is an empirical science. In order to achieve progress it is very necessary to make inroads into the rights of the people in the social, economic and even in the political spheres. For instance, women were treated as chattel in

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early times and if that law of dharma had continued to-day, you Madam, would not have been occupying the chair there. To-day we have got an important interest in the food production and the emancipation of the labouring classes, the actual tillers of the soil from the several though unconscious tyrannies of the land-holders. These things have to be borne in mind in dealing with these inams and in regard to the compensation which has to be paid. Perhaps the most inequitable of all legislations is the Indian Limitation Act which extinguish overnight on the last day of the limitation period most valuable rights. There have been several other taxation laws which in a sense expropriate property acquired by a person in the course of trade or the pursuit of a profession. These are generally done in the interests of the public, of the nation or a particular group of citizens who live in a particular area. It is very necessary that the State should enable itself by legislation to feel competent finally to pay compensation or not. I have already said on a previous occasion when the Bill was under general discussion that there was a case of the Chicago Corporation where a very small amount was considered to be a very equitable compensation. I have already said, that the principles underlying sections 185-A and 185-B of the Estates Land Act, according to which a year's rent is held to be quite adequate compensation, may be adopted.

"Next, with regard to the method of assessing the compensation I find from the Bill that it would be rather a difficult thing to go on assessing it at the various rates, getting the decision of the tribunals and so on. It may take time if an accurate result is to be got. To a layman, the procedure in the clause seems to be $\frac{X+X-X}{X} = X$! I think it would be easy to have the compensation assessed at a year's rental and pay it off without any further trouble of application to the tribunals and several other enquiries.

"The next point that I would like to deal with is about clause 15 which deals with ryoti lands in municipal areas. In my humble opinion it is a very clumsy clause. I do not see how sub-clause (ii) of the clause can provide that half the value of land should go to the zamindar and half to the ryot. If a building has been constructed on the land, it has already ceased to be agricultural land. It must straightway go only to the ryot and not to the zamindar, because there can be no cultivation of land which has become a building site within the municipal area or of other land except under penal assessment. With these remarks, I resume my seat."

*SRI G. LATCHANNA :—“ఉపాధ్యక్షులారా, ఈ కమిటీ రిపోర్టును 1948 వ సంవత్సరానికి నా ఈ శాసన సభలో ప్రవేశపెట్టడంపై నేను చాలా సంతోషిస్తున్నాను. కాని ఈ బిల్లును ఇంత తొందరాయిత్యముగా ఈనాడు, ఇంత అలస్యమైన తరువాతకూడా, ఈ స్పీకరుగారు ప్రవేశపెట్టడము

[Sri G. Latchanna] [11th September 1948]

చూస్తే రాష్ట్రములోని రైతాంగానికి చాలా ఆశాభంగము కలిగినదని మాత్రము చెప్పక
తప్పదు. జమీందారీ విధానాన్ని రద్దుచేస్తున్నామనే పేరుతో ఈ బిల్లును ప్రవేశపెడు
తున్నప్పటికీ నిజంగా చూస్తే ఆ ఉద్దేశము ఈ బిల్లులో స్పష్టముగా కాన్పించుట లేదని
మాత్రము నువ్విధము. గత 20 సంవత్సరములనుంచి కాంగ్రెస్ వారసుగు మనము
జమీందారీ విధానము దేశముయొక్క, రైతుయొక్క అభివృద్ధికి ఏ విధంగా ఆటంక
ములు కలుగజేస్తోందో, ఏ విధంగా ఈ విధానాన్ని రద్దుపరచినట్లయితే ఈ ఆటంకా
లను తొలగించవచ్చో అనేక సభావేదికలమీద స్పష్టపరచినాము. మన ఉపన్యాసాలను
ప్రజలు నన్ని వినాటికైనా కాంగ్రెస్ వారు ప్రభుత్వములోనికి వచ్చినట్లయితే తమకు
ఉపకారములు చేస్తారని, జమీందారీ విధానాన్ని స్పష్టముగా రద్దుచేస్తారని గంపెదాశ
తో ఉన్నారు. కాని ఈనాడు ఈ శాసన సభలో ప్రవేశపెట్టబడిన ఈ బిల్లును
కనుక చూచినట్లయితే మనము మన వాగ్దానాలను ఎంతవరకు నిలుపుకొనగలిగామని,
ఎంతవరకు జమీందారీ ఈనాందారీ రైతులకు ఉపకారము చేయగలిగామని అలోచించు
కుంటే మన కర్తవ్యాన్ని మనము సరిగా నిర్వహించుకొనలేక పోయినామని స్పష్టంగా
కనిపిస్తోంది. ఈ బిల్లు జమీందారీ రైతాంగానికి, ఈనాందారీ రైతాంగానికి చాలా
ఆశాభంగాని కలిగించినదని చెప్పక తప్పదు. ప్రతి రైతును అభివృద్ధి పరచాలని రైతు
ఆ క్రందనాలను విసలేకుండా ఉన్నామని ఉపన్యాస వేదికలమీద అనేకవేలసార్లు చెప్పి
నటువంటి కాంగ్రెస్ వారి హయాములోనే రైతుకు సంపూర్ణంగా న్యాయం జరుగుట
లేదని అంటే ఇక చెప్పకలసినదేమీకనిపించకుండా ఉన్నది. ఈ బిల్లులో జమీం
దారీ విధానాన్ని రద్దు చేస్తున్నామని చెబుతున్నారేగాని నిజంగా క్రియాయోగ్యం
మీ కన్పించడం లేదనిమాత్రము చెప్పాలి.

“గత 1938 వ సంవత్సరంలో ఈ జమీందారీలను రద్దుచేద్దామనే సదుద్దేశము
తో ప్రకాశం కమిటీవారు ఒక చక్కని రిపోర్టు తయారుచేసి ప్రజల ఎదుట పెట్టినారు.
కారణాంతరాలవలన కాంగ్రెస్ ప్రభుత్వములు రాజీనామ ఇవ్వడంలేత అప్పుడు జమీం
దారీలను రద్దు చేయడం సాధ్యపడలేదు. అప్పటినుంచి ఇప్పటివరకు అసలు పది సంవ
త్సరాలు ఈ జమీందారీ రద్దు విషయము ఆలశ్యము చేయబడింది. ఈ కారణంచేత
ప్రజలలో టిటిగేషన్ పెరిగిపోయింది. జమీందారుల మధ్య, ఈనాందారుల మధ్య
రైతులమధ్య తగాదాలు పెరిగిపోయినాయి. కాని ఏ విధమైన ఉపకారము జరుగలేదు.
ఈ నాడు ప్రభుత్వమువారు జమీందారీ రైతులకు, ఈనాందారీ రైతులకు ఏ విధమైన
రక్షణ ఇవ్వలేదు. పైగా ఆమాయకులగు రైతులమీద 144 వ సెక్షన్ అనేక గ్రామా
లలో అమలు పరచినారు. అనేకమంది రైతులపైన లాఠీచార్జీలు, కాల్పులు జరిగించా
రు. ఇటువంటి ఆరాచకములు కాంగ్రెస్ వారు ప్రభుత్వములో ఉన్నప్పుడుకూడా జరు
తున్నాయని అంటే అందులోని ధర్మమేమో, న్యాయమేమో నాకు అర్థమగుటలేదు.
ప్రకాశం పంతులుగారు ప్రధానిగా ఉన్నప్పుడు వారు Peasants Protection Act
ను pass చేసినారు. దాని ప్రకారంగా జమీందారులుగాని ఈనాందారులుగాని రైతు
లను తొలగించకూడదు. కాని జమీందారులు, ఈనాందారులు ఉద్యోగస్తులను మద్దతు
లిసుకొని అనేకమంది రైతులను తొలగించడానికి ప్రయత్నాలు చేస్తున్నారు. ఈభా
ముల నన్నింటిని తమ స్వంత భూములపై చెప్పి తరచుగాగా వాటిని దున్నుతున్న, నేతృ
ముచేస్తున్న రైతులవద్దనుంచి బలవంతాన తీసుకుంటున్నారు. ఎవరైనా ప్రతిఘటిస్తే
వారిపైన, 144 వ section, లాఠీ చార్జీలు, చుపాకి కాల్పులు ప్రయోగిస్తున్నారు.
కాంగ్రెస్ వారి ప్రభుత్వ కాలములో ఎన్ని గ్రామాలలో ఈ విధంగా 144 వ section
ను ప్రయోగింపజేసారో మనము విచారణ చేయించబలసినవిషయమని మనవిచేస్తున్నాను.

11th September 1948] [Sri G. Latchanna]

“ఈ 1948 వ సంవత్సరంలో 20 వ శతాబ్దంలో ఇంకా జమీందారులు, ఈ
నాందారులువేరని, ఈనాముల రద్దుకు వేరు బిల్లును తయారుచేయాలని మంత్రిగారి
అసడంలో న్యాయము నాకు బోధపడడం లేదు. ఇంతకాలము జమీందార్లకు, ఈనాం
దార్లకు లేదా లేదని, జమీందారీ, ఈనాందారీ రైతులు పడుతున్న కష్టాలు భరింపరాన
టువంటివిగా ఉన్నాయని, వారికి రక్షణ ఇవ్వడం ఆత్యంత అవసరమని నిన్నటివరకు
అనేక ఉపన్యాసవేదికలమీద, పత్రికలద్వారా గట్టిగా చెప్పినటువంటి రెవెన్యూమంత్రిగా
రే, జమీందారులువేరు, ఈనాందారులువేరు, జమీందారు పరిస్థితులు వేరు
ఈనాందారు పరిస్థితులు వేరు అని ఈనాములను గురించి పరిశీలన చేస్తేనేగాని వాటిని
ఈ బిల్లులో చేర్చడంలేదని రెవెన్యూ మంత్రిగారు అసడం అనేకమంది ఈనాందారీ
రైతులకు చాలా ఆశాభంగం కలిగించినదనిచెప్పక తప్పదు. గాంధీ మహాత్ముడు 120కి
పున్నంత కాలము మనమందరము ఆయన మనకు తెలియజేసిన భూమిని దున్నేవానికే
భూమిపై హక్కు ఉండాలనేటువంటి సూత్రాన్ని అక్షరాలా అచరిస్తామని మనము
ప్రజలకు చెప్పినాము మనమాటలను నన్ని ప్రజలు మనకు తమ వోట్ల నిచ్చి ప్రభు
త్వము మన హస్తగతమగునట్లు చేశారు. కాని ఈనాడు ప్రపంచముంతటా ఈ
సూత్రాన్ని ఆధారముగాచేసుకొని భూస్వామ్య విధానాన్ని సంస్కరిస్తుంటే, సంఘం
లో, అర్థిక సహనత్యము కావాలని శాసనాలు చేస్తుంటే, ఇంకా మనము ఈనాం
దారీ రైతుకు ఏ విధమైన రక్షణ ఇవ్వకపోవడం చూస్తే చాలా ఆశ్చర్యము కలుగు
తోందని చెప్పాలి. ఇటువంటి తప్పులు చేయబట్టే ఈ నాడు బర్మా మొదలైన దేశా
లలో రైతుపోరాటాలు జరుగుతున్నాయి. ఇటువంటి పోరాటాలు మనదేశంలోకూడా
జరుగకూడదని మనము గుర్తించాలి. అందుచేతనే రైతాంగానికి సరిఅయినటువంటి,
స్వకమయినటువంటి రక్షణ ఇవ్వడం మనకనీసధర్మము. లేనిచో గ్రామాలలో పోరా
టాలు బయలుదేరి టిటిగేషన్ పెరిగిపోయి రాష్ట్రంలో ఆరాచక పరిస్థితులు ఏర్పడు
తాయి.

“శ్రీ ప్రకాశం పంతులుగారు pass చేయించిన రైతురక్షణ (Tenant Protection
Act) చట్టము ఈ సంవత్సరము ఆక్టోబరు 2 వ తేదీతో lapse అవుతుంది. కాబట్టి
దానిని మరి కొంత కాలము పొడిగించకపోతే అనేకమంది రైతులను భూములలోనుంచి
తొలగించడానికి ఈనాందారులు ప్రయత్నాలు చేస్తారు. ఇటువంటి పరిస్థితులు ఏర్ప
డకుండా ఆ చట్టాన్ని extend చేయగోరాను. (At this stage the Hon. Speaker
occupied the Chair.) ఈ బిల్లు ప్రకారంగా జమీందారీ రైతులవద్దనుంచీకొంతబకాయి
వసూలుచేయవలసి వున్నది. ఇది చాలా అన్యాయము. అనేక సంవత్సరములనుం
చి హెచ్చుపన్నులు ఇవ్వకొన లేకనే రైతులు బకాయాలు పెట్టవలసి వచ్చింది. ఇప్పు
డైనా ప్రభుత్వమువారు ఆ బకాయాలను రద్దుచేయించబలసినదిగా కోరుతున్నాను.
ఇంతేకాకుండా సాధ్యమైనంత త్వరలో ఈనాంబిల్లును కూడా ఈ శాసనసభలో
ప్రవేశపెట్టి ఈనాం రైతులకు కూడా తగిన రక్షణ ఇవ్వవలసినదిగా మంత్రిగారిని ప్రార్థి
స్తున్నాను.”

SRI T. PRAKASAM:—“Mr. Speaker, Sir, I have stopped 4.45
talking on this matter for some good time and I have stopped p.m.
thinking also of this matter. As we are coming to the last stage,
I consider it my duty to say a few words to all the hon. Members
of this House and also to the Government who have been involved
in this legislation. At the earlier stage I was putting up a

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fight in the hope that some change might come upon the mind of the Government in regard to this legislation. All that proved useless and now I am trying to express my views and my advice, not in a spirit of fighting as I had done in the beginning, but sympathising with this Government which has brought the whole matter to this stage. The High Command gave instructions to this Government from time to time. We were trying to get at those instructions clearly at the earlier stage with a view to understand them and rectify the mistakes, if any, but we could not succeed; at that stage there was so much of confusion created on account of the instructions said to have been given to the Government. The High Command's intention had always been to give advice whenever it was sought for, so that these infant Provincial Legislatures might gain some wisdom and through their experience do the right thing. That was a wrong assumption on the part of the High Command, according to my view. I have been holding that view ever since we have begun to work in this Legislature under the new dispensation and even under the old dispensation. According to my view, Sir, a Provincial Government and a Provincial Legislature must be allowed to function, unfettered, commit their own errors, correct their own errors and learn by experience, but in this country of ours, the High Command was responsible for carrying on the fight for attaining freedom, establishing freedom and establishing these new Legislatures also. Therefore, they claim it. I fought with the High Command, I resisted them and I had to withstand their anger and their temper, taking my own risks. Notwithstanding that, I have not changed my view even to-day and even when we have been brought face to face on the floor of this House, in this hall, with this legislation, my own feeling, Sir, is that the less the High Command interferes, even by way of recommendation, the better it is for the people. It is the people that send their representatives to the Legislature and it is the people that wanted to have proper Ministers to carry on the administration. Now, the people have been lost sight of and the Legislature ceases to exist, the Ministry ceases to function and the High Command's instruction has come on the top of all these and I am very sorry for the way the whole thing has been mismanaged. It is cruel to the unfortunate people who returned all of us to this Legislature in the hope that they would be doing justice to them. Therefore, I say from the floor of this House once again that the High Command should at least in future make it a rule, not to give even advice. In this matter, Sir, ever since the present Congress President came to office—I mean Dr. Rajendra Prasad—he has been taking scrupulous care to lay down the rule which I have been referring to until now, but yet when this Government approached them and told them, we must be given clear advice, they yielded: poor people. Everytime the whole correspondence was read out by the Hon. Revenue Minister the Congress President was always careful to say, 'what have we got to do with you, it is for the Provincial Legislature

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and Provincial Government and the people of the Province who are to look to this', but at the same time he could not resist the temptation of yielding when he was pressed to give advice. Therefore, he yielded and gave the advice to look at the rule which he laid down, a very sound rule that he propounded before he gave the advice also. In regard to this matter, either compensation or anything else, he said you have to be guided by the circumstances and conditions of your Province and by the opinion which prevails on these matters. That is, Sir, what I have been submitting in another form. It is for the Legislature, it is for this Ministry, to do all that is necessary for the people how do they feel over this matter. Mr. Latchanna, in his maiden speech, has pointed out how the people are feeling with regard to this measure. Is there anybody who has been thinking of what the people are feeling and how people are feeling oppressed, although they have not the voice, the courage and the strength to say to the High Command, 'do not interfere' and to the Ministers who have been returned by them to the Legislature, 'you please do not go headlong in this manner, ignoring our existence and without caring the least for our existence'. I have been sitting here and even on the first day when I handed over charge to the friends there, I told them I would be sitting opposite to you with a view to know exactly what you are doing in serving the people and to correct you whenever you go wrong. These are the words I uttered then and it has been with that object that I have been sitting here. Otherwise, I have no place here; I would have gone out and worked with the common people themselves fighting out the whole thing, but I thought there would be some advantage by sitting here, by hearing, by talking and by making people, also understand exactly what is going on in this House and how they are being served. That is why I am here.

"Now, Sir, when I am addressing you on the High Command, I am not simply talking of the High Command unnecessarily .

Mr. SPEAKER:—"The hon. Member may continue his speech on Monday next."

The House then adjourned to meet again at 11 o'clock on Monday, the 13th September 1948.

THE MADRAS LEGISLATIVE ASSEMBLY.

Monday, the 13th September 1948.

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.—CONDOLENCE RESOLUTION RE DEATH OF MR. JINNAH.

THE HON. SRI O. P. RAMASWAMY REDDIAR :—“ தலைவர் அவர்களே, அடியிற்கண்ட தீர்மானத்தை நான் பிரேரேபிக்கிறேன் :—

‘This Assembly places on record its deep sense of sorrow at the passing away of His Excellency Quaid-i-Azam Mohammed Ali Jinnah, Governor-General of Pakistan, and requests the Speaker to convey to the Government, people of Pakistan and His Excellency's family their sympathy with them in their great loss at this critical period in Indian history.’

“ முகம்மது அலி ஜின்னா அவர்கள் 1876-ம் வருஷத்தில் கராச்சியில் பிறந்தார். அவர் ஒரு கோஜா வகுப்பைச் சேர்ந்தவர். அவருடைய தகப்பனார் நல்ல தேர்ச்சி பெற்று நன்றாக வியாபாரம் செய்தவர். அவர் (Mr. ஜின்னா) சிறு வயதிலேயே நன்றாக படித்து விட்டு இங்கிலாந்திற்குச் சென்று அங்கே பாரிஸ்டர் பரீட்சையில் பட்டம் பெற்றார். அப்பொழுது அங்கே இருந்த தாதாபாய் நவ்ரோஜி அவர்களுக்கு இவர் காரியதரிசியாக இருந்து அந்தச் சந்தர்ப்பத்தில் தேசிய இயக்கத்தில் ஈடுபட்டு தேசத்திற்கு தொண்டு செய்தார். பிறகு காங்கிரஸில் ஈடுபட்டு, காங்கிரசுக்கு அவர் தன்னால் முயன்ற அளவில் எவ்வளவு சேவை செய்ய வேண்டுமோ அவ்வளவு நன்றாக சேவை செய்தார். இம்மாதிரி சேவை செய்து வருமபோது ஹிந்தி முஸ்லிம்களுக்குள் துவேஷம் ஏற்பட்டு லக்னோவில் ஹிந்து முஸ்லிம்களுக்கு செய்யவேண்டிய தொண்டை நன்றாகச் செய்து சமரசத்தை ஏற்படுத்தினார். அதன் பிறகு Home Rule League-ல் சேர்ந்து சேவை செய்துகொண்டு வந்தார். அதன் பிறகு தேசத்தில் Minto-Morley Reform ஏற்பட்டபோது தனித்தொகுதி வேண்டுமென்று கிளர்ச்சி செய்ததை அவர் லேண்டாம் என்று சொல்லி அதற்காக வேலை செய்து, தனித்தொகுதி இந்த தேசத்திற்கு நன்மையை விளைவிக்காது என்று சொல்லி அதற்காக வேலை செய்து வந்தார். அப்படி வேலை செய்து கொண்டு 1929-ம் வருஷம் வரையிலும் இந் நாட்டிலிருந்தார். அதன் பிறகு முதல் வட்டமேஜை மகாநாட்டிற்கு காங்கிரஸ் மூலமாக சென்று அங்கு நடந்த விஷயங்களை பார்த்து விட்டு அதன் பிறகு அவர் தன்னுடைய கொள்கையை வேறு விதமாக மாற்றிக் கொண்டார். அதிலிருந்து முஸ்லிம்களுக்கு தனி ராஜ்யம் வேண்டுமென்று தேசத்தில் கிளர்ச்சி செய்து அந்த கிளர்ச்சியின் பயனாக அவர் எதை அடைய வேண்டுமென்று இருந்தாரோ அதை அடைந்தார். அநேக விஷயங்களை அறிந்து அவைகளை தானே கையாண்டு அவைகளை தைரியமாகவும், திறமையுடனும் சாதித்துவந்தார். அந்த முறையில் வேலை செய்து கொண்டு வந்த சந்தர்ப்பத்தில் பாக்கிஸ்தானை அடைந்தார். அதன் பிறகு இந்த தேசத்தில் நெருக்கடி ஏற்பட்டது. ரொம்பவும் பரிதாபிக்கத்தக்கது. பிறகு அவருடைய கொள்கைகளும் வேறு விதமாக இருந்தது. நான் அவருடைய மரணத்திற்கு வருத்தத்தை தெரிவித்துக்கொண்டு இந்த தீர்மானத்தை பிரேரேபிக்கிறேன்.”

B. POCKER SAHIB BAHADUR :—“ Mr. Speaker, Sir, it is my painful duty and privilege to associate myself with the condolence resolution that has been moved by the Hon. the Premier. Sir, one of the greatest men of the day has passed away. Had

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this great man been saved by Providence for some years more I do believe he would have played a very important and conspicuous part in the affairs of the whole world in such a manner as to be instrumental in securing the peace of the world as a whole. It is such men that we want very badly at this juncture. It is really a greatest calamity that has fallen, not merely to Pakistan, not merely to India, not only to the Eastern World but also to the whole world by the passing away of this great man. I do say that it is very difficult to find men of his character in this world at present. If you just trace the career of this great man you will find that he was a born patriot and a fighter for the freedom of his country. From his very young age while he was in his teens he associated himself with the movement for the freedom of his country and he carried it on to the very end of his life. To say that in his later years he had become a sectarian or a communalist or a gentleman with narrow objects will be misrepresentation of facts. In fact he was always fighting for the freedom of his country throughout his life. After coming to India from England he fought for the freedom of the country right through and even persons who violently differed from him on vital issues had admired his indomitable courage and fearlessness. One thing to be noted in him and which has to be copied by every public man in this country is this, that he is not a man who ever played to the gallery. Only when he was convinced of the cause he would carry it to success. It is his sincerity of purpose which is the main feature of his character, and his fearlessness should be a guide for the public men of this country or any place in this world. Now, Sir, as an instance of this I would just remind you of one fact. The National fight for freedom took the shape of non-co-operation movement in 1920 or thereabouts. This gentleman who was in the thick of the fight for the national freedom opposed it and kept aloof. In those days to be a non-co-operator and to be in the fore-front was to get cheap notoriety and cheap popularity. On the other hand he never cared for it."

SRI A. KAMESWARA RAO:—"I object to it."

MR. SPEAKER:—"Order, order. This is a Condolence Resolution. I request hon. Members not to make this Condolence Resolution a controversial one."

B. POCKER SAHIB BAHADUR:—"Mr. Speaker, I am not referring to any point of controversy. I am referring to this question to show that even though he was a great fighter for national freedom he kept aloof from the movement with which he did not agree. That shows the fearless manner in which he carried on his political work—whatever work he found himself in. He has also been putting up a very strong fight and doing eminent work in the legislative sphere particularly in the Central Assembly. He was a Leader of the Opposition in the Central Assembly and in that capacity also he did splendid work. One thing that we have to learn from him is his steadfastness of purpose and sincerity, and fearlessness with which he carried on his public work. It is there that we should follow him, setting him before

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us as a great example and follow his example as it is worthy of being followed. I submit, Sir, that it is only men with such resoluteness of character and determination of purpose and fearlessness of the consequences that could work their way through. While there is no doubt that the achievement of Pakistan is one of the greatest achievements of his life, I say it is not only the achievement of Pakistan but also the success of the policy he adopted and the method by which he carried on the great agitation which enabled an agreement to be brought about between the Congress and the League in order that the freedom of the country might be obtained. But for the agreement we might have remained a slave nation even now. It is by the policy that he adopted and which he thought to be the best that the agreement was brought about between the two great national organizations of this land. It is by that agreement that the freedom for the whole country has been obtained though it divided India into two. I say, Sir, that he has played his part so splendidly that what he has achieved is an unprecedented event in the history of the world. I wish that he had been saved for some years more in order that he might be instrumental to play his part in the establishment of the peace of the world. I only conclude by the prayer "May his soul rest in peace."

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, Sir. I beg to associate myself with the resolution moved by the Hon. the Premier and with the sentiments that he has expressed on behalf of the members of this House. Sir, the news of the sudden demise of Quaid-I-Azam Mohammad Ali Jinnah will be read with widespread and deep sorrow not only throughout this country but throughout the whole world. From the tributes that has been paid for his memory from the leaders in India and elsewhere it would be seen that regret and sorrow is felt by all the people inhabiting this country and the world over. Sir, he is one of the outstanding leaders of the present generation, of the one generation previous to this and his place is sure in the history of this country and the history of makers of world politics of this century. He has been held in high esteem even by persons who have differed from him violently in politics. It is because of the sterling personal qualities of Mr. Jinnah. In politics we should point out that he was an incorruptible politician and will occupy a high place in the list of incorruptible politicians of the world. In any particular cause with which he was associated nobody can question his sincerity. It is right on this occasion to mention something away from politics also. In private life he was one with very charming manners and some of us who had the privilege of his personal friendship know too well that he was a charming host, very hospitable, very kind and a good conversationalist. No doubt, the serious responsibilities that he had to bear had not allowed him to find as much time as he used to find before for his friends. Even when he differed in politics, in his personal friendship he was always keen. That is a thing which politicians should develop and I can only say this part of the country is very rich in regard to that."

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[Raja Sir Muthiah Chettiyar of Chettinad]

11.15 a.m. “ Sir, Quaid-I-Azam has passed away at a very critical period in the Indo-Pakistan relationship. Mr. Jinnah firmly believed that friendship between the two States was indispensable if the new-born freedom of the two countries was to be retained. It is to be earnestly hoped that the leaders of Pakistan will strive to push through his great ideal, namely, firm friendship between the two countries. The sympathy of all in India should go forth to our brethren in Pakistan in the irreparable loss particularly in the formative stage of the two Dominions. The loss and travail to which the two Dominions have been put to ever since the birth of freedom will make the historian busy for a long time to come. But it is to be hoped that through all this travail and tribulation both the Dominions will emerge stronger and in closer friendship and help to solve the problems facing not only the two Dominions but also the very many complex problems facing the world. Sir, I cannot but repeat on this occasion what our respected leader, the Governor-General His Excellency C. Rajagopalachari has said, namely, that it is our prayer that God should enable us to go through every trial and every misfortune in a worthy manner.”

* DR. P. SUBBARAYAN:—“ Mr. Speaker, Sir, we have yet again to mourn the loss of another person who was so intimately connected with our freedom fight. I remember Mr. Jinnah to-day not merely as the founder of Pakistan, but as a great Indian who devoted his lifetime for the freedom of this country. No doubt parting of the ways came because of the feeling he had of an injustice done to his community. What a lot of bitterness has been caused by the founder, time alone can show. But we have seen with our own eyes what has happened in the Punjab and how much we have suffered and what travail and tribulation we have gone through. Gandhiji, in spite of all that happened, kept his path straight and pleaded for friendship between the two Dominions, because he felt that that alone would bring peace and happiness to humanity. I am sorry that my friend, Mr. Pocker introduced rather a controversy. I do not want to follow him in that in this hour of tragedy, because I do feel that, whatever might have happened, Mr. Jinnah was as much for world peace as Gandhiji was. It is a great pity that these two world figures have been taken away from us at a most critical period in our history and in our march for freedom. I hope that this lesson would go home to the people both in India and Pakistan and develop among them good neighbourliness, as that alone can bring happiness and peace to this land of travail, and thus help this land to take her part in the ordering of the new world which must be based entirely on peace and goodwill among men. Let us at this time of sorrow forget what has happened but think of what Mr. Jinnah achieved.

“ I came to know Mr. Jinnah in the year 1914 when I was a student at Oxford and I found how the fire of freedom was burning in him. He repeated what he said to me in 1914 in 1921 when he was on a holiday at Ootacamund. He said: ‘ Dear

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Subbarayan, under no circumstances should we agree to separate electorates, because that will lead to fissiparous tendencies.’ How true were his words we see to-day. In this hour of sorrow, let us think of him as our national leader. Let us hope that through his death the two nations, which he propounded, and which he was responsible for bringing into reality would unite and march forward to peace and freedom.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“ Mr. Speaker, Sir, I associate myself with the motion that has been so ably and so kindly moved by our Premier. On this occasion when not only Pakistan, not only India, but the whole world is full of sorrow and gloom, it is difficult for us to speak about the great loss that the world has sustained in the passing away of Quaid-I-Azam Mohammed Ali Jinnah. We, the people of this country, are really unfortunate that soon after the attainment of independence Mahatma Gandhi, our great leader, passed away under tragic circumstances, and on the heels of that calamity comes another calamity and that is the passing of another leader who along with Mahatma Gandhi, whatever might have happened later, was responsible for the independence of our country. It is unfortunate that the two great builders or creators of that independence, the fathers of our nation, should pass away immediately after we became free. I wish God had spared them to be with us and guide us so that the people of this country and Pakistan, who had suffered on account of misunderstanding and mistakes, might have come together soon with the guidance and help of both these leaders who were essentially leaders of peace, harmony and understanding. It is unfortunate that we have suffered these two great losses. On this occasion we cannot help saying that the Hindus, Muslims and other communities of not only India but also of Pakistan cannot honour and commemorate the memory of these two great leaders of our country better than by bringing the Governments as well as the people of India and Pakistan closer together in a spirit of co-operation and understanding.”

MR. SPEAKER:—“ I desire to associate the Chair with the sentiments expressed by the Hon. the Premier and other Members of this House. By the death of Quaid-I-Azam the world has lost a stalwart figure. It should be remembered that Quaid-I-Azam, before he started the League, was one of the lieutenants of Mahatmaji. When he was a Member of the Central Assembly, he took keen interest in the affairs of India.

“ As desired by the House, I will communicate to the people of Pakistan and the members of the bereaved family our sympathy and sorrow at the death of Quaid-I-Azam.

“ I request the Members to stand for two minutes in silence.”

[The House stood in silence for two minutes.]

The motion was then passed unanimously.

MR. SPEAKER:—“ As a mark of respect, I adjourn the House for five minutes.”

The House then adjourned.

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The House re-assembled in the Assembly Chamber, Fort St. George, at 11-30 a.m., Mr. Speaker (THE HON. SRI J. SIVASHANMUKHAM PILLAI) in the Chair.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

The Vedaranyam Canal.

* 262 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Nagapattinam-Vedaranyam canal is not navigable for boat due to silt formation;

(b) if so, what steps the Government have taken to clear the silt;

(c) whether any representation is made to the Government to build shutters at L.S. cut and A.S. cut of the canal; and

(d) if so, what steps the Government have taken on the representation?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) Vedaranyam canal is maintained as a navigable canal only from mile 0/0 at Nagapattinam to 19/4 where it joins the Adappar. In this reach, there is no obstruction, due to silt formation, to the plying of boats.

“(b) Silt clearance work is done periodically in the canal to keep it navigable. Besides silt clearance here and there along the entire length of the canal done during closure, a special silt clearance was done very recently in the reach from mile 18/5 to 19/3 where some difficulty was experienced in navigating the canal during low water conditions. The canal is now free from all obstructions.

“(c) Yes.

“(d) The scheme relating to the improvements to the Vedaranyam canal, including the construction of shutters referred to in clause (c), has been taken up for introduction in 1948-49 and special staff has been sanctioned for the preparation of plans and estimates.”

SRI A. VEDARATNAM PILLAI:—“Will the Government be pleased to state what happened to the amount which was allotted in the previous budget to purchase a dredger to deepen the channel, and may I know whether the Government have dropped the proposal or have it still under consideration?”

THE HON. SRI M. BHAKTAVATSALAM:—“I would suggest the hon. Member to put a separate question, Sir.”

SRI A. VEDARATNAM PILLAI:—“May I know, Sir, if there is any proposal to connect the Buckingham canal with the Nagapattinam-Vedaranyam Canal, and if so, at what stage that proposal is?”

THE HON. SRI M. BHAKTAVATSALAM:—“I would again like to have notice, Sir.”

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SRI V. M. RAMASWAMI MUDALIYAR:—“May I ask, Sir, whether in view of the various bottlenecks in the matter of transport, what the policy of the Government is, and whether the Government have got any policy to make our canals in this Province navigable?”

MR. SPEAKER:—“The hon. Member is raising the question of the policy of the Government. It does not arise out of the main question, and it cannot be answered in this connexion.”

Shortage of beedi leaves.

* 263 Q.—N. MUHAMMAD ANWAR SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government are aware of the serious situation caused in beedi industry all over this Province consequent upon the stoppage of supplies of beedi leaves from H.E.H. the Nizam's Dominions;

(b) if so, what was the number of labourers employed in this industry before the commencement of the blockade and what is the number of labourers thrown out of employment since then; and

(c) what steps the Government of Madras have taken to ensure adequate supplies of beedi leaves from other centres and avert a serious dislocation in beedi industry and labour?

THE HON. SRI H. SITARAMA REDDI:—“(a) The Collector of Malabar has reported that the beedi factories in Palghat were getting 25 per cent of their requirements of beedi leaves from Dichapalli in Hyderabad State, and that on account of the recent troubles, beedi leaves are not received from that area. No information is available in respect of the beedi factories in other areas.

“(b) No information is available.

“(c) At present there is no provision in the priority schedule to assist the movement of beedi leaves. This Government have addressed the Government of India to make necessary provision in the priority schedule so as to assist the movement of beedi leaves.”

MR. SPEAKER:—“I want to remind the House that the other day we have taken about 15 minutes over this question.”

Construction of a reservoir across the river Vamsadhara.

* 264 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the preliminary investigation for the construction of a reservoir over the river Vamsadhara has been completed;

(b) if so, what the proposals contained in the report of the Engineering Department are; and

(c) what the Government propose to do to see that it materializes?

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THE HON. SRI M. BHAKTAVATSALAM:—“(a) Yes.

“(b) No final proposals have been formulated in the preliminary investigation report. Certain alternative sites for the formation of the reservoir have only been proposed therein. These are (1) Hiramandalam (lowest), (2) Mandanapuram and (3) Singidi. The final selection of the suitable site, the detailed investigation of the project at the site selected and the preparation of the necessary plans and estimates have yet to be done.

“(c) The preliminary investigation report has just been received by the Government and is under examination and the Government have come to no decision about it.”

SRI G. KUMARASWAMI:—“May I know from the Hon. Minister, how much acreage of land is expected to be irrigated in case this scheme materializes?”

THE HON. SRI M. BHAKTAVATSALAM:—“About 222,800 acres, including the 46,500 acres which are now under cultivation.”

SRI D. V. RAMASWAMI:—“May I know whether the Hon. Minister has received the views of the Irrigation Committee of the Vizagapatam district?”

THE HON. SRI M. BHAKTAVATSALAM:—“I am unable to give that information just now, Sir.”

SRI ROKKAM RAMAMURTHI:—“Sir, does this scheme find a place in the list of long range and short range schemes, which the Government have prepared?”

THE HON. SRI M. BHAKTAVATSALAM:—“Yes, Sir.”

Manufacture of non-standard cement.

* 265 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state whether the Government have any proposal to investigate the possibilities of the manufacture of,

- (i) non-standard cement, and
- (ii) coral or white cement?

THE HON. SRI H. SITARAMA REDDI:—“The answer is in the negative. The Industrial Planning Committee constituted by this Government have however recommended the investigation of the possibilities of the manufacture of non-standard cement and the manufacture of coral or white cement from Magnesite. These recommendations are under consideration.”

M. S. ATAULLAH SAHIB BAHADUR:—“In view of the fact that cement in the market is far below the quantity required by the people, will not the Government think it necessary to do something to supplement its manufacture in this manner?”

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THE HON. SRI H. SITARAMA REDDI:—“It is only with a view to supplement the existing production, that new units are being started, and the existing units are also being expanded, Sir.”

Education cess in Tanjore and Salem districts.

* 266 Q.—SRI P. KANDASWAMI PILLAI (on behalf of Sri S. Nagaraja Manigar): Will the Hon. the Minister for Education be pleased to state—

(a) the rate of education cess that is being levied in Tanjore district and that in Salem district; and

(b) the reason for the great disparity in the rate of education cess in the two districts?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Minister for Education):—“(a) & (b) The rates in Tanjore and Salem are 10 pies and 37 pies in the rupee of land revenue respectively. The average rate of land revenue per acre of land in Tanjore is more than in Salem. The education cess collected at the rate of 10 pies in the Tanjore district makes available a sum of Rs. 5.50 lakhs for elementary education in the district. The rate of 37 pies in the Salem district makes available a sum of Rs. 7.4 lakhs. The figures of expenditure for elementary education in Tanjore district and Salem district are Rs. 18.08 lakhs and Rs. 21.88 lakhs respectively.

The various facts mentioned above are the reasons for the higher levy of the education cess in the Salem district.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I know Sir, what exactly is the amount that the Government are paying as contribution to these areas for making compulsory elementary education successful?”

THE HON. SRI K. MADHAVA MENON:—“The Government's contribution in respect of education tax to the Tanjore District Board is Rs. 2.09 lakhs and to the District Board, Salem, is .86 lakhs. Other subsidies and receipt in respect of the Tanjore and Salem District Boards, are Rs. 2.56 and Rs. 8.95 lakhs respectively.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I know whether these sums are equal to the amount that is collected by means of an education cess?”

THE HON. SRI K. MADHAVA MENON:—“I want notice of question, Sir.”

SRI K. P. KAMAKSHI CHETTIYAR:—“Will the Government consider the desirability of increasing the education cess in all the districts of the Province so as to implement the scheme of compulsory elementary education?”

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THE HON. SRI K. MADHAVA MENON:—"That is a different question altogether from the question at issue, Sir."

Interim relief to agriculturists.

* 267 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state whether the Government have any proposal under consideration to give interim relief till the Agriculturists Relief (Amendment) Bill comes into effect?

THE HON. SRI K. MADHAVA MENON:—"The answer is in the negative."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I ask whether the Government are aware of the fact that the proposal to bring this amending legislation has been before the Government for quite a long time and that because it has not been passed, the agriculturists are not able to get any benefit, and that the courts are proceeding with their work, and passing decrees under the existing Act?"

THE HON. SRI K. MADHAVA MENON:—"It is hoped that the Amending Bill will be passed during the course of this Session, as soon as the Zamindari Bill is over, Sir."

The Ramapadasagar Project.

* 268 Q.—SRI K. LINGA RAJU: Will the Hon. the Minister for Public Works be pleased to state—

(a) the progress of work done in connexion with Ramapadasagar Project during the working seasons of 1946-47 and 1947-48; and

(b) the amount of money spent from August 1947 up to date?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) The answer is laid on the table of the House. "

" (b) Rs. 17,50,366 upto June 1948."

MR. SPEAKER:—"I wish to remind the House that last week we took about 20 minutes over the same question."

SRI K. LINGA RAJU:—"May I know, Sir, whether the Engineering experts have suggested the construction of a railway line from Nidadavole to Polavaram and what steps have the Government taken in this direction?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir. We have already drawn the attention of the Government of India to this and I have recently had a discussion with the Chief Commissioner also, in this matter."

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SRI V. M. RAMASWAMI MUDALIYAR:—"Arising out of the answer laid on the table of the House, and with reference to item (7) on page 2 wherein the progress made in 1947-48 has been detailed, namely:—

'(7) Detailed designs for the dam and power plant together with the specifications were finalized at Denver and printed. A meeting of the Board of Consulting Engineers was held early in August 1947 and the Board's final opinion on the feasibility of the project and adequacy of designs was obtained.'

May I know whether plans and designs have been finalized and approved by the Board of Consulting Engineers?"

THE HON. SRI M. BHAKTAVATSALAM:—"I am unable to give the information categorically, Sir. I am not sure whether it has been finally approved or not, Sir."

SRI A. KALESWARA RAO:—"May I know whether the Government have received a resolution passed by the citizens of Rajahmundry, requesting the Government to sanction Rs. 50 lakhs immediately for preliminary works and that the ceremony of laying the foundation stone should be done by Pundit Jawaharlal Nehru?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir, we have received a copy of the resolution; but how much money should be sanctioned, how the foundation ceremony should be performed—these are not questions over which we could take action straightway from the copy of the resolution sent to the Government."

SRI D. V. RAMASWAMI:—"May I know whether orders have been placed in the United States of America for the requisite machinery to proceed with the next stage?"

THE HON. SRI M. BHAKTAVATSALAM:—"I would suggest to the hon. Member to put a separate question, Sir."

Admissions in the Engineering Colleges.

[* 269 Q.—

MR. SPEAKER:—"The Hon. Sri V. Raghavayya who has put the question is not in his place. The answer will be printed in the proceedings."]

SRI V. RAGHAVAYYA: Will the Hon. the Minister for Education be pleased to state—

(a) how many out of the Non-Brahman Hindu students admitted to the Engineering Colleges belong to the communities of Reddis, Kammas, Balijas, Mudaliyars, Pillais—castewar; and

(b) how many of these students belong to other castes of the Non-Brahman Hindu community?

THE HON. SRI H. SITARAMA REDDI:—" (a) & (b) The classifications are not given according to each community

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but according to Brahmans, Non-Brahman (Hindus), Backward Hindu communities, Muslims and Anglo-Indians and Indian Christians and figures are not available for these individual castes."

Building materials for cinema houses.

* 270 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state whether any instructions have been received from the Central Government to the effect that no building materials such as cement, iron, steel, etc., should be granted for the construction of either cinema halls or any palatial buildings?

THE HON. SRI H. SITARAMA REDDI:—"Yes, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know whether the Government is aware that the number of cinema houses in the City is not commensurate with the population and that more cinema houses should be constructed?"

THE HON. SRI H. SITARAMA REDDI:—"There are more important constructions to be undertaken than cinema houses, and so the Government do not propose to encourage the construction of cinema houses, Sir."

SRI B. S. MURTHI:—"Is it not a fact, Sir, that cinema houses also cater to the entertainment and towards adult education of the people and if so, may I enquire whether they would not consider the desirability of encouraging the construction of cinema houses?"

11-45
a.m.

THE HON. SRI H. SITARAMA REDDI:—"As I have already said, Sir, the question is one of priority. Housing is now more urgent than entertainment."

SRI S. NAGAPPA:—"May I know, Sir, what steps the Government have taken or have been taking to see that the building materials that are granted to cinema houses are used only for that purpose?"

THE HON. SRI H. SITARAMA REDDI:—"Our idea is to discourage the grant of any material to cinema houses. Therefore, there is no question of any watching the utilization of the materials granted to cinema houses."

SRI S. NAGAPPA:—"In respect of materials so far granted, may I know, Sir, what steps the Government have taken to see that the materials are used only for that purpose?"

THE HON. SRI H. SITARAMA REDDI:—"It is a very difficult thing, Sir. I have already said several times on the floor of the House that we take it that the people taking cement for cinema houses are not likely to use it for other purposes. The cement should have been used for the purpose for which it was given. That is all we can say. We cannot go about tracing the exact use to which the materials

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that have been granted are put. In some cases, as I have already said, Government have received information that permits have been misused and are taking action against a few people who have so abused the privilege granted to them."

SRI K. BHASHYAM:—"Will the Government please take steps, in cases where the material granted is not used at all, to take back the permit and also the materials?"

THE HON. SRI H. SITARAMA REDDI:—"As I have already said, I do not concede the hon. Member's contention that any large material has been given to cinema houses. We have been exercising control over the distribution of the material to cinema houses long before the communication from the Government of India was received."

SRI K. BHASHYAM:—"I am putting a specific question, Sir. Will the Government take steps to take back the unused materials?"

THE HON. SRI H. SITARAMA REDDI:—"No, Sir."

SRI B. S. MURTHI:—"May I know, Sir, the priority the Government are willing to give to schools, houses, hostels, and cinema houses?"

THE HON. SRI H. SITARAMA REDDI:—"The Government have been giving priority to essential buildings like hostels, schools and some public buildings. Next comes dwelling houses."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Arising out of the answer that no cement is being given to cinema houses, are the Government aware that in spite of that, they are still going on constructing? If so, will the Government see that no licence is given for construction?"

THE HON. SRI H. SITARAMA REDDI:—"Yes, Sir, I shall take up that question."

Inspection of schools by Deputy Inspectors.

* 271 Q.—SRI M. MARIMUTHU: Will the Hon. the Minister for Education be pleased to state whether the Government have any proposal to change the existing Educational Rules that a Deputy Inspector of Schools should pay a visit to each school once in three months?"

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Minister for Education):—"No. According to the Madras Inspection Code, a Deputy Inspector should visit every elementary school in his jurisdiction annually. In addition, he is expected to make surprise visits for improving the school. Orders have been issued many years back by the Director of Public Instruction that such surprise visits should be at least two in the course of a year."

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SRI S. NAGAPPA:—“Are the Government aware, Sir, that due to a large number of schools and the very wide area to be covered, the Deputy Inspectors of Schools are not able to visit the schools, and, if so, will the Government consider the desirability of increasing the number of Deputy Inspectors of Schools so that they may visit the schools as many times as possible in any year?”

THE HON. SRI K. MADHAVA MENON:—“I do not accept the premises of the hon. Member.”

SRI M. MARIMUTHU:—“Sir, டிபுட்டி இன்ஸ்பெக்டர் அவர்கள் ஸ்கூல்களை மூன்று மாதத்திற்கு ஒரு முறை Educational Rule படி visit செய்வதைப்பற்றி இஷ்டமான முறையில் திடீரென்று பேராய் ஸ்கூல்களை visit செய்தால் ஸ்கூல்கள் முன்னேற்றமடைவதற்கு மேற்படி ஜூலை மாற்றியமைக்க யோசனை உண்டா என்பதை தயவு செய்து கனம் கல்வி மந்திரியவர்கள் சொல்வாரா?”

THE HON. SRI K. MADHAVA MENON:—“மூன்று மாதத்திற்கு ஒரு தடவை சோதனை பண்ண வேண்டுமென்று ஜூல் இல்லை. Surprise-ஆக பரிசோதனை பண்ணவேண்டுமென்று சொல்லி இருக்கிறது. அதுவும் வருஷத்திற்கு இரண்டு தடவை.”

(The hon. Member Mr. Marimuthu was found reading his question from a paper in his hand.)

MR. SPEAKER:—“For putting supplementary questions, hon. Members should not read from papers. The question must be oral.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I ask, Sir, whether the Hon. Minister for Education is satisfied that the objects of control, direction and instruction are achieved by inspections of these large number of schools by the Deputy Inspectors in their respective areas?”

THE HON. SRI K. MADHAVA MENON:—“To a very great extent, the objects are achieved.”

SRI B. S. MURTHI:—“In view of the fact that many more girls' schools have come into existence, may I ask, Sir, whether the number of women Deputy Inspectors will be increased?”

THE HON. SRI K. MADHAVA MENON:—“That question does not arise out of the present question.”

SRI A. KALESWARA RAO:—“May I know, Sir, in view of the fact that these Deputy Inspectors cannot frequently inspect the schools whether any other agency, say, non-official committees, will be appointed, or is proposed to be appointed, by Government to supplement or help them in their work?”

THE HON. SRI K. MADHAVA MENON:—“Notice, Sir.”

Cultivation of lands adjacent to railway lines.

* 272 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the Government have taken lands adjacent to railway lines and belonging to railways for cultivation;

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(b) if so, what the extent of land so taken is;

(c) how many acres of the land have been leased out and for what period; and

(d) when the remaining portion will be leased out?

THE HON. SRI KALA VENKATA RAO:—“(a) Railway porambores in this Province not required for railway purposes are being leased out for cultivation of foodcrops.

“(b) to (d) Information is not available with Government. It has been called for.”

SRI A. VEDARATNAM PILLAI:—“Are the Government aware that a vast area of cultivable land adjoining the railway line and near railway stations remain waste? If so, what steps the Government have taken to bring all such lands under cultivation?”

THE HON. SRI KALA VENKATA RAO:—“In the first instance, that land does not belong to the Provincial Government. It is being leased with the permission of the Central Government, and as their agent. Further, unless the particular railways are prepared to lease particular plots of land, the whole land along the railway line is not available for cultivation.”

Fixation of minimum price for tobacco.

* 273 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any representations have been made requesting the Government to fix minimum prices for all kinds of tobacco in this Province; and

(b) what action has been taken on them?

THE HON. SRI K. MADHAVA MENON:—“(a) & (b) Representations were received in February 1947, that the prices fetched for tobacco in Guntur were inordinately low and that there was a combination of big merchants who were trying to keep down the prices. The Government carefully examined the question of ensuring certain minimum prices for the tobacco growers, and constituted an Advisory Committee with the following personnel for negotiating agreements as to the minimum as well as fair prices for tobacco:—

- (1) The Director of Agriculture.
- (2) The Collector of Guntur.
- (3) A representative of the Guntur Tobacco Market Committee.
- (4) Three representatives of growers.
- (5) Three representatives of traders.

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The Advisory Board has so far met twice but no agreement could be reached. The Collector of Guntur has been asked to submit a further report on the working of the Advisory Committee."

Cholera in Arantangi taluk, Tanjore district.

* 274 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether cholera is prevalent in Arantangi taluk, Tanjore district;

(b) whether the Government have taken any preventive measures to check the spread of the disease;

(c) how many people in the affected places were inoculated; and what further steps the Government have taken to prevent the spread of the disease in future; and

(d) the number of deaths which occurred due to this?

THE HON. SRI A. B. SHETTY:—“(a) Yes.

“(b) Yes.

“(c) 28,240 persons were inoculated against cholera in the taluk, till the end of July 1948. Chlorination of water supplies, disinfection, cleansing up of infected localities, educational propaganda, etc., are the other control measures.

“(d) 167 deaths from cholera were recorded in the taluk from 16th April 1948 to 31st July 1948.”

SRI A. VEDARATNAM PILLAI:—“May I ask, Sir, whether the Government have investigated the causes by which cholera spread out in that taluk, and if so, what is the result of the investigation? Have the Government taken any steps to prevent cholera from spreading to other areas?”

THE HON. SRI A. B. SHETTY:—“Cholera usually spreads through contamination of water-supply and also through human agency. All the necessary measures to prevent the spread of cholera are being taken.”

SRI B. S. MURTHI:—“In the answer to clause (d) of the question, the Hon. Minister was pleased to give the number of deaths. May I know, Sir, the number of attacks?”

THE HON. SRI A. B. SHETTY:—“Two hundred and eighty-four, Sir.”

Grant of cultivation expenses to political sufferers.

* 275 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Land Revenue be pleased to state whether representations have been made to the Government that cultivation expenses may be granted to political sufferers along with free grant of lands?

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THE HON. SRI KALA VENKATA RAO:—“A request was received for the grant of a cash bonus in addition to the assignment of land in order that agricultural implements, etc., may be acquired.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“May I know, Sir, what the Government have decided in this matter?”

THE HON. SRI KALA VENKATA RAO:—“Government have not yet passed orders.”

SRI K. T. KOSALRAM:—“Will the Government consider the desirability of granting money pensions to political sufferers in view of the shortage of lands and also the difficulty in getting them?”

THE HON. SRI KALA VENKATA RAO:—“That proposal was examined and dropped, Sir. We will only give land, and land is available in plenty.”

SRI B. S. MURTHI:—“In view of the fact that most of the political sufferers are very poor, and the land that is given to them is often land which has to be brought under cultivation with utmost difficulty and investment, will the Government consider the desirability of not only giving land, but also coming to their rescue by giving money grants?”

THE HON. SRI KALA VENKATA RAO:—“I have already answered that question to-day itself, Sir.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“What about the political sufferers who died? Will the Government consider applications from their widows and children, Sir?”

THE HON. SRI KALA VENKATA RAO:—“Yes, Sir. Political prisoners who died in jail have received cash grants already; as to their families, lands will be given to them.”

SRI M. KANNIYAPPAN:—“தலைவர் அவர்களே, அரசியல் கைதிகளுக்கு நிலம் கொடுக்கப்பட்டிருக்கிறது. அவைகள் ரொம்பவும் போசமாக இருக்கிறது. அதைக்குறித்து அரசாங்கம்தாவது உதவி செய்ய முடியுமா என்று கேட்கிறேன்.”

MR. SPEAKER:—“அதைத்தான் இங்கிலேஷில் கேட்டு அதற்கு பதிலும் கொடுத்திருக்கிறது.”

SRI M. KANNIYAPPAN:—“ஆனால் இப்பொழுது பணம் கொடுப்பதாக கனம் ரிவினியூ மந்திரி சொல்லி இருக்கிறார்கள். அதையாவது சர்க்கரம் கொடுக்க முடியுமா என்று கேட்கிறேன்.”

THE HON. SRI KALA VENKATA RAO:—“அது யோசனையில் இருக்கிறது.”

SRI N. S. VARADACHARI:—“Will the Government take care to see that in the matter of the assignment of these lands all rules relating to assignments ordinarily are strictly observed so that the good name of the Congress may be preserved?”

THE HON. SRI KALA VENKATA RAO:—“I am one with Mr. Varadachari to keep up the prestige and good name of the Congress. He need not be anxious about it.”

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SRI K. P. KAMATCHI CHETTIYAR:—"Sir, are not those people who were in remand entitled to assignment of lands?"

THE HON. SRI KALA VENKATA RAO:—"Yes Sir; if the remand period is not less than three months."

SRI A. KALESWARA RAO:—"May I know, Sir, how much is required or how much is demanded by each political sufferer for cultivating the land that is granted by Government, in a proper way?"

THE HON. SRI KALA VENKATA RAO:—"Mr. Kaleswara Rao has not specified the subject to which I am to give an answer. Is it money that is required?"

SRI K. T. KOSALRAM:—"Have any Ministers applied for lands, Sir?"

THE HON. SRI KALA VENKATA RAO:—"All the applications are with the Collector. After the scrutiny of the applications is over, I will be able to give the information."

SRI N. VEERARAGHAVIAH:—"ఒక సారి కమిటీ వ్యాసు చేసిన పద వాత కలెక్టరు నాకి డై (stay) అర్జీలు ఇస్తారా?"

THE HON. SRI KALA VENKATA RAO:—"అధ్యంతరములు తెలుపుతే కలెక్టర్లు అపి ఆలోచించి తిరిగి ఇస్తారు."

Translation of Unani Medical books into Tamil.

* 276 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to state what steps are being taken to translate Unani medical books into Tamil?

THE HON. SRI A. B. SHETTY:—"The question of translating Unani books into Tamil will be considered by the Literary Section of the Research Department of Indian Medicine when it is opened."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, when this research department will be opened?"

THE HON. SRI A. B. SHETTY:—"The Services Commission has been asked to select the men required for the staff."

SRI D. V. RAMASWAMI:—"Will the Hon. Minister be pleased to consider the desirability of getting the books translated into Telugu, Kanarese and Malayalam also?"

THE HON. SRI A. B. SHETTY:—"Only Urdu-knowing students are admitted to the Unani section. There are only 12 Unani students in the whole school and college out of a total of about 500. I do not think it is necessary to translate Urdu books. There is no demand for the translation of these Urdu books into Tamil."

SRI S. NAGAPPA:—"May I know in what language these books are at present, Sir?"

THE HON. SRI A. B. SHETTY:—"They are in Urdu, Sir."

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SRI D. V. RAMASWAMI:—"May I take it that the Hon. Minister gives us an assurance that when the demand is proper, a translation into other languages also will be made?"

THE HON. SRI A. B. SHETTY:—"Yes, Sir. When the demand is there, it will be considered."

SRI N. S. VARADACHARI:—"Would the Government consider the point that translations of such books are exceedingly difficult, and that more harm will be done by mistranslations, and that students should ordinarily get themselves instructed in the original rather than through the medium of translations?"

THE HON. SRI A. B. SHETTY:—"I take the suggestion of the hon. Member."

MR. SPEAKER:—"Questions are over."

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

III.—SCOPE OF A SUPPLEMENTARY QUESTION.

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I wanted to make a submission in regard to what fell from the Hon. Speaker's lips on the supplementary question of Sri V. M. Ramaswami Mudaliyar. The hon. Member was asking what was the policy of the Government with regard to a particular matter. I thought, Sir, that question time was a very useful time and that occasion could be availed of by the Members in pursuing a particular question and asking the Government to define their policy. It is true in some old books it is written that questions are intended to be asked for getting information and information only. But, that rule has been relaxed a number of times not only here but also in the House of Commons, about whose procedure, the Hon. Speaker knows much more thoroughly than anyone here. If we are not allowed to put definite questions about the policy of the Government with regard to their proposals, then a valuable opportunity is denied to the Members, and it is very difficult for hon. Members to know the policies of the Government on particular matters. The Hon. Speaker's answer to this possibly and obviously will be that Budget occasion would be the proper time. I may submit that it means that the Members have to wait for too long a period—nearly twelve months. Very often, the policies of the Government are made and unmade, modified and altered during the course of the year. Therefore, Sir, I request you, Mr. Speaker, to see whether it would be possible to relax the rule with regard to asking of supplementary questions and to allow hon. Members to ask the Government to define their policy from time to time whenever occasion arises. I do not want to raise any matter of controversy. I only submit that the hon. Members of this House should be shown greater indulgence by the Hon. Speaker and that he should allow the Members to ask the Government to define their policy from time to time on particular matters. That is the only way in which democracy can function."

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Mr. SPEAKER:—"Regarding the policy of the Government, what I said was this. The hon. Member, Sri V. M. Ramaswami Mudaliyar, asked a supplementary question on a certain policy of the Government and I told the House that it did not arise out of that particular question. Secondly regarding the policy of a Government on a particular matter, the policy cannot be defined in one or two sentences. That is why the definition of policies naturally comes during the Budget session. If hon. Members are prepared to put separate questions and if the Hon. Minister is prepared to answer them, I have no objection to admit those questions. That is the practice in all the Legislatures. As policies cannot be defined in one or two minutes, or in one or two sentences, they will come in only during the Budget session."

IV.—THE ABSENCE OF MINISTERS IN THE HOUSE DURING QUESTION TIME.

SRI K. T. KOSALRAM:—"Mr. Speaker, Sir, சென்ற சனிக் கிழமை தங்கலிடம் ஒரு Point of information கேட்டதற்கு நான் அடுத்த கூட்டத்தில் பதில் சொல்லுகிறேன் என்று சொன்னார்கள். பல மந்திரிகள் சபைக்கு வராததால் சபையின் உரிமை பாதிக்கப்படுகிறது என்றும், அதனால் பல கேள்விதாள்கள் வர முடியாமலிருக்கிறது என்றும் அதனால் சபையின் உரிமை பாதிக்கப்படுகிறது என்றும், அதற்காக இனிமேலாவது மந்திரிகள் வருவார்களா என்று கேட்டதற்கு இன்று பதில் அளிப்பதாக சொன்னார்கள். அந்த பதிலை இப்பொழுது எதிர்பார்க்கிறேன்."

Mr. SPEAKER:—"The other day, the hon. Member rose on a point of information. He said—and I think he said the same thing now—that there were only a few Ministers present in the House. At that time, I did not like to give something like an ex parte judgment when many Hon. Ministers were not present here. In this connection, I must inform the House as well as the Treasury Benches that if a number of Ministers are absent, it means that they are insulting the House. It amounts to that. In future, I hope they will avoid such a situation arising and that they will be present in the House to answer questions. I do not say that they should not go on tour. For instance, if there is some important thing to attend to in the border area or any other such matter, they can be absent. But most of them should not be absent simultaneously. That is my opinion and I am giving it for the information of the House."

V.—MARCH OF INDIAN TROOPS INTO HYDERABAD STATE.

SRI N. VENKATA SUBBAYYA:—"May I request the Government to tell us whether Indian troops have marched into the Hyderabad State this morning and whether the Government can make a statement on the situation now or in the course of the day?"

Mr. SPEAKER:—"Let the hon. Member put a short-notice question. We now pass on to the next item on the agenda. Sri T. Prakasam will continue his speech on the Zamindari Abolition Bill."

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VI.—THE MADRAS ESTATES (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947, AS AMENDED BY THE JOINT SELECT COMMITTEE—cont.

SRI T. PRAKASAM:—"Sir, the previous day, I pointed out that the High Command should not have given advice to this Government in regard to this Bill. The reason for stating so is this. The High Command gave instructions before in writing and it was also published in the Press. They issued a communiqué giving directions to this Government how it should regulate its procedure and conduct in piloting this Bill. In that communiqué, they also stated that the High Command is entitled to lay down from time to time not only the policy but also give directions as to how that policy should be executed. They also defined what should be the motive or object of this legislation. In spite of such definite instructions, this Government went to the High Command and sought for instructions, and the High Command is said to have given something contrary to what they had laid down and what they had previously announced. A very serious situation naturally arises and it has arisen in this particular connection. A circular was issued by Sri Sankara Rao Deo, the General Secretary of the Congress, on or about the 21st October 1947, and it ran as follows:—

'The question of abolition of the zamindari system is now under active consideration in various Provinces in pursuance of the provisions of the Congress Election Manifesto. The Parliamentary Sub-Committee has concluded its discussion on the Madras Estates Bill with the Premier and with the Revenue Inspector.' (One hon. Member: 'Revenue Minister'.) I mean Revenue Minister. We are in a worse position to-day than the Revenue Inspector as I would show you presently. Then, Sir, that circular says:

'The Parliamentary Sub-Committee has concluded its discussions on the Madras Estates Bill with the Premier and the Revenue Minister on the one hand and the Zamindars and Inamdars on the other. As a result of those discussions, the Committee wishes to impress upon you the necessity of a thorough examination of any scheme under consideration in your Province and to ensure that such scheme is not confined to mere abolition of the zamindaris but to see that it affords a clear picture of the financial and administrative measures contemplated for improving production and agricultural efficacy as well as the ryot's lot.'

Sir, that was the direction given to us by the High Command in express terms in their communiqué."

Mr. SPEAKER:—"I have got very great respect for what the hon. Member Sri Prakasam says but what has the High Command to do with our Assembly? If they have given any instructions, it is for the party they have given those instructions and not to this Assembly. Possibly the High Command have issued a communiqué but it is a private communiqué to a party. I do not think the hon. Member can bring in anything about the High Command here. They would have given many instructions to the party

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but that should not be a subject-matter of discussion here. I wish to know from hon. Mr. Prakasam what exactly this House has to do with the High Command and other things."

SRI T. PRAKASAM:—"This House, Sir, has everything to do with the directions given by the High Command."

MR. SPEAKER:—"They have given instructions to the Party and not to the House."

SRI T. PRAKASAM:—"I am trying to point out to you, Sir, that instructions are given to the Congress Party, which is the majority party and whose decision is going to prevail in the country and not that of a section of this House. Therefore, it is absolutely necessary that I have to refer to it. It is a very important matter, Sir, because the Party takes a decision or is supposed to take a decision on the instructions given by the High Command and it is the opinion of that Party that is presented here through the Ministers and this House is called upon to give its verdict on that opinion. Therefore, Sir, I cannot understand why one should say that there is no connection between the Congress High Command's opinions or the instructions which they have given and the Party here on this measure which is before this Assembly. Therefore, I am submitting that if you look into the speech of the Revenue Minister who introduced this Bill, you will find that the whole thing is based on the opinions of the Congress High Command. But the House must come to a conclusion on all issues, independent of these things. I have been pointing out to you and to the hon. Members of this House also that this House has not been functioning as an independent body. It is not the view of those outside that should prevail here. That is why I have to repeat it, not only for the benefit of the hon. Members of this House but also for the benefit of the High Command which is now ruling over these matters. And most material points have arisen in this particular connexion, in the previous few months here and elsewhere. Therefore it is, I state that the measure was not conceived on the lines suggested by the Congress High Command, and was not worked out on the lines which were suggested by the Congress High Command. There they laid down a wholesome rule for the guidance of every one of us, for the guidance of the people also. It was not merely the abolition of the zamindaris that was contemplated by the Congress or by the country or by anybody. The abolition of the zamindaris must be preceded by a certain reform that should be carried out, so that the lot of the agriculturists shall not be prejudiced in any sense. They laid down many rules. None of them has been observed. They have not observed these rules, and they go to the High Command and return saying: 'I have got this opinion from the High Command, and this House is bound by it, or the Party is bound by it,' and it would have to be considered in the light of what the High Command said and what have this Government done. The

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lot of the ryot has been completely ignored in this connexion. Take for instance, the two most important matter that are governing this legislation, the compensation that should be given to the zamindars, and the rates of rent that should be paid by these tenants, and the basis of the calculation of the compensation, and the basis of calculation of the rent itself. In all these matters, this Government are going at a tangent in its own way, without caring for any precedent, without caring for any recognized principles upon which any legislation should be based, and if this Government should say 'We are doing that because it pleases us', it is a matter which everyone of the Members here has got a right to protest and prevent as far as possible if it lies in his power. Therefore, I say in this connexion . . ."

THE HON. SRI KALA VENKATA RAO:—"Sir, . . ."

MR. SPEAKER:—"Order, order. The hon. Member is not yielding."

SRI T. PRAKASAM:—"Sir, there is a communique, dated the 17th September 1947, and we are now coming to the end of nearly one year. In this connexion, the direction given to this Government is this. I do not wish to read the whole of it, because you are feeling about your time and every member also would be feeling about it. The essential part of it, I am reading—

'The Committee decided that in view of the fact that the circumstances prevailing in different Provinces differ materially, there could not be any uniformity in the schemes of compensation; and the scheme of each Province have to be examined on its merits, and in the light of local opinion.'

That is the rule laid down, a very wholesome rule. I do not quarrel with the High Command for having given an instruction like that, to a Legislature which is not able to form its own opinions. Now when they say that it should be examined on its merits and in the light of local opinion, what is it that has been done by this Government with regard to this legislation? What is the local opinion? The local opinion consisting of the opinions of various associations, or bodies or organizations, and the Members of this House in these matters is in one direction, and what is done by the Government is in the opposite direction. They ignore the opinion of the ryots' associations, ignore the opinions of all other bodies, that are competent to speak on the matter, opinions of bodies as against those of the High Command. Ignoring these this Government again went to the High Command to ask for their opinion about compensation. The Congress High Command have said in this communique, "it depends upon the circumstances of each Province; particularly in your own Province, you do consider your own circumstances, and also take the local opinion into account." I quoted just a little while ago, the opinions of the various ryots. They are already on record. They all stated in clear terms their own opinion. But yet ignoring their opinions,

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this Government go to the High Command, and insist on them to give them advice. Then the High Command say: '10 crores'. In fact, it is so stated. I do not say they said that. And again after some time, they go for a second time. And we do not know what happened at this stage. They said: 'It should be 12 crores.' That is how this measure—this important part of this measure—was conceived drafted and placed before this House. I am making my last effort to place the correct position before the hon. Members of this House and before you, Sir, in the hope that this Government might correct its position even at this last stage. The Government are forced to give amendments of such importance that the whole Bill has to be gone through and revised; there are amendments given by the Government and there are amendments given by some of us, the Members of this House. Therefore I say this is a wrong procedure; not merely the procedure, but even the fundamental basis of the whole thing is wrong. As to compensation, this House is entitled to state exactly what is its opinion. It is said that the Congress High Command has given their opinion as '10 crores', during the discussion between the Members of this Government, the Premier and the Revenue Minister, and some of the members of the High Command. Is it fair that the High Command should give any opinion upon representations made by the Premier or the Revenue Minister, or even the whole of this Government, when they have already laid down the rule, viz., 'My dear friends, don't come to us. The wholesome rule is that you must look to yourselves.' "

THE HON. SRI KALA VENKATA RAO:—"When they asked us to meet them we went there. Then why all this criticism?"

SRI T. PRAKASAM:—"That sort of question does not in the least enhance their reputation or clear the position. 'When they asked us to meet them we went there. Then why all this criticism?' is the question put. Is that the question that a Revenue Minister should put to me? Surely if you feel you are bound to go, you must go. Go there, but do not do anything more than what you ought to do. Do not say anything about matters on which they have given their final advice, saying: 'It is the opinion in the country, it is the circumstances of your Province that should regulate your scheme'. When they stated that, they have laid down the rule.

"Sir, the unfairness on the part of this Government when they approached the High Command on an invitation which they got from them consisted mainly in this. They did not put the question about the lot of the ryot, about which they were so much concerned in the opinions they had already given. Not one word about it. And we have been here seeing what has been going on during the last few months over the question of the inamdars, and the inamdars' rights. Nowhere was that question raised and presented to the High Command in the sense that the lot of the

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ryot has been damned completely with regard to this Bill. (Interruption.) I do not want to ask Mr. Karanth on whose note on a file, this Government depended with regard to the basis that they should adopt for calculation of compensation. You may say that I should ask Mr. Karanth that question. You have quoted Mr. Karanth. You have committed really a serious wrong to the ryots of the whole Province, by depending on what Mr. Karanth had written on the file, as his own opinion—it was not the opinion of the Government, it was not the considered opinion of anybody. When it is so, it is called a scientific method of legislating.

SRI K. R. KARANTH:—"Would it not be fair that as a note of mine as a Minister is being referred to, it be placed on the table of the House, so that this House may give a fair judgment upon it? Otherwise, my hon. Friend's referring to it is not doing me justice."

SRI T. PRAKASAM:—"My hon. Friend, Mr. Karanth, has become somewhat indignant. I referred to him because it is stated that he fixed the basis of ryotwari rates for the calculation of compensation or the liability of the ryot to pay. I know the circumstances. I referred to the letter of my hon. Friend, Mr. Karanth who was good enough to give it to me and which I distributed among hon. Members of the House and the Ministers. The circumstances explained by him when he made that note, were peculiar. I do not mean any offence to him at this stage when both of us are sitting on this bench. After the historic event I could mean no offence to my hon. Friend. He should not consider that I intend anything wrong. It will be his turn to say the circumstances under which he made that note.

"I say that that note should not be depended upon and should not be acted upon. That is not the basis on which we wanted to have the Bill. My hon. Friend, Mr. Karanth was in charge of the Bill. The Bill was there. Everything was there. We would have passed that legislation, but for the untoward events that happened. I referred to the point incidentally. I did not mean any offence to my hon. Friend. If there was anything violent against him, I apologise to him and he may accept it publicly. I never meant anything wrong. I was not building up any argument on his note. I want hon. Members to understand the circumstances in which that note was made. I incidentally referred to that point, because the Hon. Minister referred to it.

"One important principle laid down by Mr. Rajendra Prasad at the opening of the discussion was that the rights of the intermediaries should be acquired by paying equitable compensation, taking care that the State's acquisition is followed by a programme of agrarian reforms which would be reasonably uniform in the Province. Agrarian reforms are aimed at improving the lot of the tenants through various measures including the fixation of the size of the holdings and the administration of land on a very big scale, introduction of co-operative farming as well as increasing

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the efficiency of the yield of agriculture. The latter aspect he said was very important in view of shortage of food in the country. Any scheme which failed to fulfil these conditions is condemned. That is what Mr. Rajendra Prasad said. The whole procedure adopted by the Government now is subversive of the plan suggested by the Congress President and the Congress High Command to whom it is looking forward for instructions from time to time. I am saying now and the Hon. Minister in charge may note it—that this measure is self-condemned, even though the Bill may be passed by the House in the manner in which the Government are proceeding. The Bill will stand self-condemned because the most important thing which the Congress aimed at, namely, improving the lot of the ryots and tenants is not attended to. Even though it has been pointed out to the Hon. Minister, he has given no consideration to improve the lot of the ryots. The best way of approaching the question and of improving the lot of the tenant is to cry halt to the present Bill and bring forward a Bill based on the report of the Estates Land Act Committee. The Committee adopted its report after two years of investigation after touring the whole Province, after examining a number of witnesses and after it examined a number of documents. You do not want to consider the report of this Committee. The report should be considered and legislation based on that report should be brought forward. Whatever is not approved may be rejected; whatever is agreeable may be accepted. That procedure has been abandoned.

“ The next point is the rate that should be adopted for the purpose of paying reasonable compensation. What the Government have stated now is that the ryotwari rate is equitable compensation. I showed the records also to prove that it is not correct to fix that rate. From the time when we thought and started this reform we wanted to take the whole of the land into account, both the ryotwari and zamindari lands. If anything has to be done with regard to the ryotwari lands and zamindari lands, it has to be done. With zamindaris alone this legislation has been thought of. Have you thought of doing anything with regard to Government jirayati lands? I gave an answer on the floor of this House pointing out that I was engaged in preparing a Bill for the reduction of rent on the basis of the ryotwari rate.

“ Even before we came in, before I got up on the floor of the House as a Member of the Government and made my first speech, something was done during the much-condemned Justice Party regime and during the Advisers' regime. Some attempts had been made in this direction even before the coming in of the first Congress Ministry. Marjoribanks Committee was appointed for the purpose of finding out whether the rates that were being paid by the ryotwari tenants to the Government on the ryotwari land were oppressive. The Committee went into the whole question. The present Government have not taken any action on that Committee's report. In paragraph 7 of that Committee's report, it is

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stated thus:—‘ *The Committee invited suggestions from those who had studied the Indian Land Revenue system. The Committee received a number of communications from associations representing ryotwari interests and from individuals also. The general demand was for the reduction of the present assessment from 13½ to 50 per cent. Many matters unconnected with that Committee's enquiry were communicated to the Committee. It was decided that such matters should be considered at a later stage.*’ That Committee called for the opinions of various organizations, ryots and others. Basing on these opinions they came to the conclusion—paragraph 6 ‘ *that the system of periodical settlement has to be abandoned, and the present rates of assessment are to be reduced by Rs. 75 lakhs. The reduced rates should remain unaltered unless national requirements or further fall in agricultural prices and other economic causes should compel alteration which would require the approval of the Legislature.*’ The most important point is this. Marjoribanks Committee enquired into the whole matter, and called for opinions of various organizations. Relying on the recommendations of these organizations, the Committee came to the conclusion that the existing ryotwari assessment should be reduced by Rs. 75 lakhs and that such reduction should remain permanently unaltered. In the name of the Congress and independence, we have come into office here to carry on this legislation. You say ‘ we do not care for Marjoribanks Committee's report and what is contained in the Estate Land Act Committee's report. We will do as we please.’ It was in this connexion that I referred to the ryotwari rates and mentioned the name of my hon. Friend, Mr. Karanth. I had to refer to his name because a friend of mine in the front bench, a staunch supporter of the Government referred to him and said that the whole matter rested upon Mr. Karanth's note.

“ Yesterday I was hearing all the speeches made here. It was stated that we are following a scientific method. The Government have rejected previous reports, and the opinions given by well-considered authorities, competent to give opinions with regard to the existing ryotwari rates. Will there be any justification in rejecting these reports? I am trying to do my bit of service. In doing this service I am trying to show to the present Government how unreasonable they have been, and how hard-hearted they have been to the ryots. I am asking the Government how they can justify their action. Hon. Members may be voting as they have been doing so far for various reasons. But I am endeavouring to convert some of my hon. Friends who have been pledged to the Government to vote in a particular way. It is my duty to change the opinions of my friends, because finally they have to render account not only to this Legislature but also to those who sent them here as their representatives to represent their case.

“ Now, I have read out that portion of the Marjoribanks Committee Report to you and to the hon. Members of this House. It says that the 75 lakhs must remain the same until extraordinary

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conditions compel the Government to make an alteration of that figure and then such alteration must go before the Legislature. When that is the real position, the Hon. Minister says here, I do not care for all that. That was the figure adopted by my Government when I was in office. It was given effect to. The Hon. Minister, who was a non-Minister at that time, raised the point and spoke on the floor of this House that the balance might be distributed. Sir, when it was so done and everything was given effect to and it was acted upon by the Government and when I raised the question, what was the answer given by this Government? The answer given by the Government was why did you not refer to it? If I had failed to do so, perhaps on account of my foolishness or inability, should this Government say that, what was fixed by the Marjoribanks Committee, what was given effect to by the Government, the benefits of which was enjoyed by the ryots, Mr. Prakasam did not follow up. I was not in fact referring to many other things and I have been guilty of many omissions and commissions and for my omissions and commissions should the unfortunate ryot population suffer? Is that the way in which the answer should be given? Therefore, in regard to this matter, I am pointing out that the whole thing has gone wrong. The basis of fixing the rate of rent which the tenant has to pay, after acquiring the land, will be on the existing money rate, without caring for the reduction given in favour of the tenant or taking into account the benefits which he has enjoyed for some years. I have pointed out with reference to the Report from which I read out, that this is not the way in which it should be dealt with.

“ Now, Sir, one other matter that has propped in connexion with this recently is the inams. The Government thought that the inams should be included in this legislation and various friends pointed out that they should not be included. That was not accepted and I was particularly taken to task because they have been excluded from my report. I may point out that a lot of questions were examined, some witnesses also were examined in connexion with these inams and after going to a certain extent we found that the question involved a lot of investigation—not exactly corresponding to the investigation of the zamindaris—and therefore we said we shall exclude them and we shall have a separate piece of legislation with regard to these inams. Now, Sir, that was taken as an opportunity by the Government, particularly by the Hon. Minister in charge of this Bill, to say, I am a man who is here to include the inams which my Friend, Mr. Prakasam, excluded and I will carry out this whole legislation in this very attempt. How was it started? The Andhradesa and also other areas raised this question of inams being included in this legislation and in fact four of the Communist leaders came to me in my cottage and I had an opportunity of talking to them. The Government have proposed to include inams also and what do you think of it? I said, I had taken some view in the past and now I will take all the conditions and circumstances into account and decide and you may go.

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After that, Sir, about 1,000 Communist delegates from Andhra area came and held a conference in the Gokhale Hall here and in that conference they passed certain resolutions. They invited the Hon. Revenue Minister to open that conference (The Hon. Kala Venkata Rao: ‘ The hon. Member has discussed that previously also.’ Yes, I have discussed it previously and I wish again to remind the hon. Speaker and the House also how we are progressing and where we are driven to. As I said, Sir, at this conference, a communist gentleman, who is now underground was the Chairman of the Reception Committee, moved certain resolutions and after passing those resolutions, all the thousand delegates in a body came to my cottage and asked me what was my attitude in regard to the matter. I told them—because I was used to the Communists—as to other friends in the country—you please go, I will decide for myself. So, Sir, with regard to the question of inams I had to leave at a particular stage, because there was nothing I could advance by way of attempting to persuade this Government or particularly the Hon. Revenue Minister who is in charge of the Bill. Therefore, I stopped there and have been attending the so-called party meetings to know the arguments of various members or the opinion which the Government get from the High Command and what a wisdom they would give us. With regard to inams, an agitation was started by those who were interested on the floor of the House and by others also. So far as that agitation was concerned, I may point out that the inam question was taken *en-bloc* by particular friends here and by the people outside also it was pursued. Then the matter was taken up to the High Command. Once or twice they did not care for it but later on when it was impressed upon them quite forcibly they wanted to interest themselves in it. Because I was threatened by the great Communists who were backed up by the Hon. Revenue Minister I had to adjust my position. As I pointed out before, the inams question had to be treated as a special thing and a lot of enquiry had to be carried on, because it is a very important thing, before deciding the question. It is not a thing which anybody can decide and the general opinion was that the matter should not be decided without having a full investigation. That was the position that I took up. Then there was a great amount of agitation, saying that Prakasam was against the inam ryots or for having their rights established. Even though I tabled amendments or resolutions as to how the inam question should be gone into, I knew it would take a long time to go through each time. That was how I wanted to escape from the hands of the Communists of whom I was afraid. Now what has happened on this question of inams. I say this Government have done a great disservice to themselves and to the High Command who were inclined perhaps to agree but were perhaps not able to understand these people. That is the attitude of the High Command with regard to the inam question and it is also unfortunate that the High Command have not been able to get at facts or investigate or examine those things.

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One illustration of that is the amendment for the removal of the inams. That is the position. What has happened, Sir? The Hon. Revenue Minister goes to the High Command and says something with regard to the inams question and on the question of compensation. When they asked the Hon. Revenue Minister what would be the amount of compensation involved in the matter, the Hon. Revenue Minister told them that according to his estimate it would be four to five crores of rupees. That is how he estimated it and these gentlemen—I do not know which of these gentlemen because the High Command consists of many persons—agreed to it. I hope the Hon. Minister will explain what happened there. Somebody in the High Command stated, if it is only four to five crores you could easily pay and what is the difficulty. That is why somebody or all put together disposed of that question. Let us take it that that was the direction given by the High Command to this question. In all innocence this Minister or the Government stated so when asked what would be the amount of compensation. Innocence means what? Ignorance. Ignorance means what? Not caring to hear others and not attempting to know what is the real position. When he said so to the High Command, they said you can pay this figure easily. He came back and when he examined it again the figure went up to over 20 crores. (Interruption by the Hon. Revenue Minister.) I am talking on the bare statement that has been admitted by the Revenue Minister; I am not imagining anything and I am not adding anything or saying anything but what he has stated. He has stated innocently and they believed so innocently, but when the whole thing was calculated by the officials of the Secretariat it was found that the figure went up to 20 to 23 crores. At once the whole party realized how they have gone into a mess and how the whole thing has been mismanaged from one point and the other. Now, Sir, they wanted to get out of the trouble, but they could not get out of it. The party members said, oh, we cannot accept the suggestion of the High Command because the amount works up to 20 crores. They could have said: 'We cannot afford to pay this amount; we reject the advice and we shall proceed to consider the question on its merits.' But what did this wonderful committee do? I am continuing to be a member of that committee. A suggestion came from an oracle: Let us again go to the High Command and point out to them how we are making a mess of the thing and how we cannot afford to pay this amount of Rs. 20 to Rs. 22 crores; we cannot reject the advice of the High Command, but we must go and fall at their feet and ask them to waive their directions. That was the position to which this House, this Committee, the Congress and everyone of us has been reduced. They went there and asked the High Command for the waiver of their advice on this important question. The High Command gave directions and according to those directions this Bill is being prepared. Instead of waiving their right, they gave an alternative decision and it is on the basis of the alternative decisions that this question is coming up here now. There again, there was an impasse. The Congress Party

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again reduced itself to a Committee of eleven Members and discussed whether the advice of the High Command should be accepted or not. These eleven Members met and decided this question. (Sri N. S. Varadachari: 'Only some of the Members met. I was not there.') My friend corrects me. The Committee of eleven Members decided to accept the recommendations of the High Command. But if you go into the details of the proposal and how it will work when it is passed, you will find great difficulty. I sympathize with the Hon. Minister and the Government to which he belongs. That is why I said I have not come here to fight but just to point out the difficulties even at this last stage. Many of us, Sir, are innocent and I cannot quarrel with my hon. Friends if they do not see eye to eye with me and do not grasp what I have been urging. This is a very unfortunate position, Sir, unfortunate for the Province, for the legislators and for all of us. Once we were equal to the task, but to-day we are unequal to the task—my hon. Friend and others who are associated with him will get angry with me if this is pointed out to them, but I cannot help pointing it out to them. This is not the way in which legislation should be carried out. At this last stage when we have got into a mess, what are we to do? We could get out of office and resign. If we cannot get out of office and resign our places, let us at least do the right thing even at this last stage. To-day, it is not impossible. Sir, if this Bill is withdrawn and the thing is put in the hands of two or three proper men, they will give you another Bill in less than fortnight, a complete Bill to which nobody will object. Sir, how many times have these zamindars run from here to Delhi? Whenever it was said that the High Command would be moved or that some representation would be made to them, they also went there lest their case should go by default. I am not an enemy of the zamindars. If I say that so much compensation should not be given to them it is because they have claimed much more than what is really due to them.

"Now Sir, we have come to the last stage of the Bill. The Select Committee was given the dignified name of Joint Select Committee. Who are the Members of the Select Committee? I thank the Hon. Minister for having asked me to become a Member of the Joint Select Committee. But I realized his position and my position and I thought that I should not become more embarrassing to him and more embarrassing to myself and so excused myself. Who are the Members of the Select Committee? They are all my friends. I cannot charge them with any dishonest intention or motive. But see to what extent they have been enabled to understand all these things, how the Select Committee has made recommendations, how this Bill has been prepared on the basis of their recommendations and placed before this House. The Select Committee has gone one way, the Bill has gone another way, everything else has gone in a different way and we are facing each other here and trying to know where we are. That is why I say, however difficult may be the situation created, consciously or unconsciously, I must sympathize with the hon. Members and with the Government on an occasion

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like this and do my bit of service by advising them to desist from proceeding further with this legislation and with further speeches and stop for a while and take stock of the whole thing, and make an honest effort even now to have a Bill that will satisfy the people. Can anybody say that the zamindars have been satisfied with all the things in this measure? No. I am not pleading for the zamindars, because they have always put me down as their enemy. We took the extreme view that the zamindars were only the rent-collectors. The Government could not now get out of the hole in which they have placed themselves. They dare not say that the zamindars are not rent-collectors but they are the real owners of the soil and that the tenants came into existence under them. I should have expected this Government and the Hon. Minister to take that view and challenge the rest of the world, but their nerves were not strong enough. It requires a lot of strength to say, 'Never mind the volumes of reports you have quoted, we shall say in clear terms that the zamindar has been the owner of the soil and that as owner of the soil he is entitled to claim compensation of 10 or 12 crores of rupees or 20 to 30 crores as demanded in their memorandum.' But while holding that they are only rent-collectors an attempt has been made to favour them in the matter of compensation.

"Sir, I am giving a bit of advice at this last stage not to proceed further with this legislation, not to make ourselves ridiculous before the world. Look at the way in which we started how we reached the Select Committee stage and where we find ourselves now. Personalities must be laid aside and we must consider what is the best thing to do now.

"Sir, we passed what was called the Rent Reduction Act. It was then proposed that the main Bill should be taken up first and after it was passed, the Rent Reduction Bill should be taken up. But they said, 'No, because they had the authority to say that. When the Rent Reduction Bill was passed, what happened actually? It was stated not once or twice, but several times, that those estates in which the rents were fixed at the 1802 rates and the peishkush of the zamindari also was fixed on that basis, these rates should not be enhanced, because the Bill was called a Rent Reduction Bill. It was stated that such rents would not be enhanced. Then a provision was introduced to reassure all the innocent friends of this House who did not know the implications of this measure. It was then underlined that under no circumstances the 1802 rates would be enhanced, so that the zamindars should be satisfied and the tenants also should be satisfied. Having stated that and having passed that Bill, this main Bill was taken up. What is the position of the tenants under the Rent Reduction Bill? I was also an ignorant man then. I did not know it however many books I may have read and however much I may profess to know everything. I was an ignorant man, worse than the common ryot who is actually in charge of the land and producing food. I did not

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catch the implications of the whole thing. Then came the ryots from Venkatagiri estate and told me: 'You are all there, Sir, and you have passed this provision that the rent should be paid in grain or kind instead of cash. Look at the huge amount that we have to pay for the villages in our charge.' I told them that I was an ignorant man. Then they pointed out the whole thing and it was worked out and found that for the 10 or 14 villages, instead of the 20 to 24 thousand rupees they had been paying, according to the conversion into grain rent, the total amount came to Rs. 1,25,000. I could not contain myself. (Interruption by Hon. Sri Kala Venkata Rao.) I told my hon. Friend the result of my investigation and if it is wrong, well and good. I know my hon. Friend went over there to see things for himself. Whenever the Hon. Minister corrects me, I am thankful to him, because I am struggling even at this last minute to prevent further oppression. The Hon. Minister has always held out the hope that heavens are coming, that he is going to bring in a legislation with regard to the general land reform and that when that comes everything will be settled. But Sir, people must live till that time. I simply referred to an illustration and my hon. Friend corrected me. I am thankful to him. But there will be other cases. In his own mind he estimated that the amount for the acquisition of zamindaris would be four to five crores, but it has turned out to be 20 to 22 crores. On what basis has it come? It has come on the basis of conversion of money rents into varam rents. (Interruption by the Hon. Sri Kala Venkata Rao.) When the Hon. Minister explains the whole position, we will understand. This is what was written to the High Command: *'The Madras Congress Legislature Party endorses in general the provisions of the Estates Abolition Bill, as it emerged from the joint select committee, which is based in general on the suggestions of the Congress Parliamentary Board. With reference to the latest suggestion of the Congress Parliamentary Board, regarding the basis of compensation for 38 million inamdars that as he is getting grain rent on the average price of such grain rent, this Party resolves to represent to the Congress President that the estimated financial burden of over 20 crores involved in this suggestion is beyond the capacity of the Province and so acts discriminately in favour of a small section of inamdars, and therefore requests . . .'*

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p.m.

THE HON. SRI KALA VENKATA RAO:—"Read it also in full."

SRI T. PRAKASAM:—"If necessary, you read it. I do not want to read it.

"Now, that is the pitiable position to which we have been reduced. To-day we are in your hands and in the hands of the Legislature. So far as the tenants are concerned I have said enough. He is to pay at the rate the ryotwari ryot is paying

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to-day. That rate is enhanced at each settlement and re-settlement. That rate was cut off by the Starjoribanks Committee. It was given effect to. But that benefit to the ryot has since been cut off without caring for the consequences.

"The southern zamindars have been observing rents fixed in 1802. That was maintained under the Rent Recovery Act also. But to-day when this Bill is passed into law, the provisions of the Rent Recovery Act, the earlier lower rent—all this rule goes out. The tenants of the south would be on the same level as those of the north; and this means they will have to pay increased rent. I hope this will be borne in mind by the legislators. We do not know what is going to happen. With these words I resume my seat."

* Dr. P. SUBBARAYAN:—"Mr. Speaker, Sir, the Hon. Minister for Revenue when he introduced the Bill paid a handsome compliment to the Select Committee and to its chairman and I am thankful to him for it. A lot of work had to be done before the Bill emerged out of the Select Committee in its present form. I agree with what my predecessor said that the child cannot be recognized from the parent. There has been a lot of discussion about the power of the High Command. I am not here to go into the merits of that question; but I would only say this. If the Congress organization is to work in the manner in which it has worked for several years and if the unity of this country is to be preserved, then, I think it is only right and proper that we should pay attention to our elder statesmen who have struggled hard for achieving what has been achieved on the 15th August of last year. I leave it at that.

"Here I would like publicly to acknowledge the work of the permanent officials of the Government with regard to this measure. Their work is done in private and very few people come to know the hard work they put in on occasions. During the select committee stage the Secretary of the Revenue Department, Mr. G. Venkateswaran took a great deal of trouble over this legislation and he was always at the table to give any information that members of the Select Committee wanted, and he placed his special experience on the revenue side at the hands of the committee so that they could come to ready conclusions. Their silent work is not often appreciated by the public, because they are never in the limelight as we who serve in the Legislature. At the same time it is up to us who are members of the Legislature to acknowledge what has been done to make our work easy and to make our road less difficult than what it is. In this connection I would like to refer to the new Legal Secretary, Mr. P. V. Balakrishna Ayyar. He was at the committee table hour after hour and he put into shape amendments and advice which were coming bit by bit, and I am sure everyone must realize the great knowledge he has brought

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to bear on this question from his experience as a judicial officer of this Government. The drafting was done by the Joint Secretary of whom I should also mention, Mr. K. V. Rajagopala Ayyangar. He has had good experience in drafting, and if there is anything wrong in the Bill it is due to the fact that we were not able to set the principle that he might be able to follow in drafting. But at the same time one cannot get away from the fact of the hard work that he had to do. If the committee wanted the Bill on the lines stated in a fortnight he got it ready within that time, even though he was in the hospital for half of that time. Finally I would like to mention Mr. L. S. Rangasayee, the Under Secretary, Revenue Department and his hard work and devotion to duty in his having to be at the beck and call of the Minister at all times even during long hours. He has brought to his work the knowledge he was gained in the Secretariat. I am sure hon. Members will acknowledge that men like Sri Rangasayee who have worked in the Secretariat and risen from the lower ranks do understand the administrative position of any legislation we undertake and we make them responsible for giving true facts of the case. Finally, Sir, I would like to include in this, the Legislature Secretary, Mr. D. K. V. Raghava Varma. He was present at all times of the day and he took the trouble to make it easy for members of the Select Committee to continue to do their work, which was long and arduous.

"That apart, I would like to mention that there has not been much said in favour of zamindars. You can count on one's finger the representatives the zamindars possess in this House. May I not ask the Hon. Revenue Minister that he might realize as Sardar Vallabhai Patel realized, namely, the patriotism of these people in making a new order in this country work. They are out for improving the lot of the common man, which is the policy of the Congress. All that I say is that they should come out with their economic conditions not spoiled; because when a man is accustomed to a particular standard of life it is impossible for him to adjust such conditions when new positions are given, and that is all they ask. The High Command was brought in with regard to this. What the zamindars wanted was only this: that economic conditions as they have had it for centuries should not be upset, and their family budget should not go awry without giving them an opportunity to readjust themselves to new conditions. I ask, Sir, whether this is not a right thing which any community which suffers by any legislation can claim. That was what the zamindars asked the High Command. We have heard so much said of the rent-collector. I am sorry that term has been referred to because I do not regard myself as a rent-collector. I think we came in possession of the estates as persons who supplied men to the armed ranks of the rulers of the day. We had certain responsibility to discharge and we did that

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and when the British took over the country they recognized our rights. It is said also that the pishkash was fixed on certain conditions. That is true. But at the same time people do not realize that as far as uncultivable land in an estate was concerned, the landholder or the zamindar was free to deal with it as he could. I admit, Sir, because of mistakes made by landholders, the legislation of 1908 was undertaken by Sir George Forbes, who was then member of the Executive Council in charge of this particular subject of Land Revenue. I repeat what I said on the inam legislation of 1936. I am sure there are representatives of ryotwari landholders here. I said then 'you are trying to take away the proprietary right of particular individuals; and are you sure that your turn will not come next?' (Hear, hear.) I hope those of the zamindars who were present then realized that they themselves laid the foundation for this legislation to-day. But I venture to suggest to the ryotwari landholders, who are present in this House that their turn is not far off. (Hear, hear and laughter.) They cannot hold acres and acres of land and get away with it because after all the common man has to come into his own and realize his rights and responsibilities, but unfortunately not his duties (Laughter). Because rights and responsibilities bring duties along with them. I hope all of us who are legislating do realize that there is such a thing as duty that we owe to the community at large. If only we can look at both angles there may not be all this bitterness, all this wrangling and all this talk of a particular community being exploited. All this comes, because every one of us, big or small, thinks in terms of rights and never in terms of duties.

"Now, Sir, any day a social legislation of this type was bound to come, and I am sure my hon. Friends belonging to the small and much maligned community to which I belong will realize that abolition does not mean our service to the State is over because we have our service to render, and after all we can make ourselves useful citizens of this free land in future. It is after all a man's work that counts and not the riches he possesses, and if we in our behaviour so behave that we are able to contribute to the sum total of the community's welfare, we shall be received with open arms. After all, it was the British aristocracy which was responsible . . ."

MR. SPEAKER:—"The hon. Member can continue his speech after lunch."

DR. P. SUBBARAYAN:—"It will take another fifteen to twenty minutes to finish my speech."

MR. SPEAKER:—"The House will now adjourn for lunch and reassemble at 2-30."

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(After lunch—2-30 p.m.)

VII.—SWEARING IN OF A NEW MEMBER.

The following new Member was sworn in:—

Sri L. N. Gopalaswami was sworn in.

VIII.—THE MADRAS ESTATES (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947, AS AMENDED BY THE JOINT SELECT COMMITTEE—cont.

DR. P. SUBBARAYAN:—"Mr. Speaker, Sir, to continue where I left off, I was saying that after all it was the British aristocracy who made possible the present system of parliamentary Government as it exists in England. I feel that the small and influential community to which I belong can play their part if only they could prepare themselves for the positions that they can occupy in the body politic. The members of the British aristocracy were really the guardians of the frontiers at one time and if I compare this small community from which I come to them, I don't think I need be afraid of being contradicted, because, as I said, we did supply men to the armed forces of the rulers of the day. It is the misfortune of losing our own independence that has brought us to this stage. Times have changed and the world progresses, and therefore we cannot hope to occupy the same positions. But at the same time we could attune ourselves to changing conditions as the princes in India have done in agreeing to the formation of various viable unions within the federation of India. In the same way, we could so devote ourselves to the public cause that we can be leaders among men. It was this spirit which made the British aristocracy what it is to-day and it is in that spirit I wish my friends to go to work, so that to-morrow it need not be said that we are leeches and parasites of society. It has been said that we have been living on the fat of the land and that that is the reason why we should be abolished. Many people have lived on the fat of the land in this country and perhaps others have lived in a worse fashion than we have done. We at least had the tradition of land-owning behind us and knew exactly where the shoe pinched in the case of the tenant. As Mr. Prakasam himself acknowledged, as far as the southern zamindars were concerned, they behaved in such a manner as to make it light and easy for the tenant to pay his rent. To-day I know that in estates like Ettayapuram, there is a cry: 'How are we to pay the enhanced rents?'. The position here is that the rent will be enhanced if it is brought to the level of the ryotwari revenue. People do not realize that there are always two sides to a question. There is the question of those tenants who have been affected by high rents getting the benefit of this legislation by such rents being lowered. But there is also the other side, namely, the tenants who have been paying rents lower than the land revenue, having to pay higher rents. Of course this cannot be helped because if you

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want to bring a system of land tenure into a uniform state, some people have got to suffer. Just as the zamindar would suffer by losing the property which he has owned for a century and a half, so also the tenants will have to suffer for getting rid of these intermediaries. Mr. Prakasam—unfortunately he is not here—touched on this point and asked: 'What is the benefit you are giving to the ryot when his rent is enhanced?'. The answer is, as I said, you have to take the good or bad as it comes along in any necessary piece of social legislation.

"With regard to the taking over of the estates, if the Government mean business, I feel they ought to pay at least 80 per cent of the value of the compensation which, they say, they are going to pay. You cannot leave these people on the streets to adjust their economy to changing conditions unless you give them the wherewithal to adjust themselves. That is the reason why, I believe, the High Command did consider this question and did say that a fair amount should be paid to these landholders before their estates are taken over. I know the financial plea will come in and the Hon. Revenue Minister will reply: 'Whatever the basic figure is, one-fourth of it you will get as income as long as your compensation remains unpaid.' Very true. But I would like to put the other side of the question. If you pay the compensation to-day, I might as a wise man be able to invest in such securities as would bring me an income commensurate with my wants. On the other hand if I am made to wait longer and paid after several years, it may not be possible to so adjust my investments as to get the same income which I might derive if I invest to-day. The market conditions are not as satisfactory as they should be, but things may become worse still because an economic blizzard may perhaps overtake us in a short while. In the present circumstances, we may be in a position to make our investments in a more satisfactory manner than three or four years hence. That is the reason why I am pleading that as far as possible the Government must try to pay a certain proportion of the compensation, which they have settled, to the landholders before taking over their estates.

"There is also the burning question of the home-farm lands. It must be said to the credit of the Revenue Minister that he tried as far as possible to adjust himself to the viewpoints that have been put forward during discussions in the Select Committee stage. He has gone quite far to meet the objections that were put forward by representatives of landholders. But still there are some points which require consideration and which, I think, will be discussed at a later stage when we take up the Bill clause by clause.

"A lot has been said about inams. From the beginning I am one of those who felt that it would be better to take up the permanently settled estates first and deal with the inams, whether they come under the 1936 Act or not, in a separate Bill. I am

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afraid what has been done to-day is not going to satisfy the inam-dars of the 1936 Act. The Rent Reduction Act has become law and the rents will therefore stand reduced. What was safeguarded to them by the 1936 Act is not safeguarded to-day. The 1936 rent was the basis on which the inamdar was to get his income. If you reduce the rent as you have done by the Rent Reduction Act and leave him excluded from the operation of this Bill, you are placing him in a worse position than what it would have been if he had obtained compensation. I am sure the inamdar will cry: 'Save me from my friends. My position to-day is worse than it was before.' That is really what has happened by the decision we have taken. Of course, they have so many champions in this House and I don't think I need labour this point. I want to represent the poor and insignificant minority in this House who, as I said number as many as the fingers in one of my hands."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information. May I know whether the hon. Member is speaking as the Chairman of the Select Committee or as a zamindar or as a Member of this House?"

DR. P. SUBBARAYAN:—"Evidently the hon. Member is ignorant of Parliamentary procedure. I have got a right to speak in this House as a Member of this House representing a particular constituency. The Chairmanship of the Select Committee was only by the way.

"To continue, in spite of the interruption of the very learned Gentleman (laughter), I represent a very small minority. It might have been a very influential minority at one time but to-day we seem to be in the position of the sheep ready to be slaughtered at the hands of the butcher. Even the sheep bleats before the butcher, and it is that last performance of bleating that I am now doing.

"There are conditions and circumstances which must be taken into account in the assessment of compensation. The Bill has improved quite considerably, thanks to the interest the Hon. Premier took in the matter. Unfortunately he is not present in the House. During one of the discussions, he did realize that, when property was being taken away, one ought to be just and he did influence his colleagues to make the burden lighter than what it would have been if he had not intervened.

"The deductions that were to be made was 80 per cent previously, and now it is 75 per cent and therefore it is only right that I should pay my meed of praise where it is rightly due and in this case I know it was the interest that the Hon. Gentleman the Premier took which made this reduction possible. He has always felt, because he stands on an opposite pole to me, that though I may be a landlord, I am a rebel at heart. The hon. Gentleman, on the other hand, happens to be a real old Tory

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Democrat and therefore he feels for the people who are being affected by any particular piece of legislation and rightly too he felt here that perhaps something must be done in order to make the burden lighter than it is, and he has, be it said to his credit, succeeded to a very great extent.

"But to consider that you are doing justice to this small class is not really correct. The Hon. Minister for Revenue puts himself on his back as being the protector of the rights of the tenants. True, Sir, the vast majority of the common people should be helped and should be supported, but does he realize that in spite of getting rid of the intermediaries, he is setting up a new class of intermediaries with vast lands, owning, in some cases, as many as 400 acres? I have tenants like that myself. (An hon. Member: There are people owning thousands of acres.) (Inter-ruption.) Well, I can only give instances within my knowledge. If other hon. Members have other things to say, they will have the right of speaking if they choose.

"But, to continue, Sir, you will be creating a new class of landholders who have not got the same amount of landholding technique if I may so put it, and who have not got the same traditions of landholding, which the present landholders possess. In spite of our being called the oppressors, I can tell the Hon. Gentleman the Revenue Minister that he could travel with me through my estates, and he will find what sort of affection I could get from my tenants at large."

THE HON. SRI KALA VENKATA RAO:—"I take your word, Sir."

* DR. P. SUBBARAYAN:—"I do not want that anybody should take me at my word and that is why I made him the offer to travel with me. He will find what tradition there is and what affection there is between the landholder and the tenant which has persisted through many centuries and which has made landholding possible. With the present ferment in society, it would not have been possible for landholders to continue a minute longer than we have done, if it were not for this tradition and for this affection which we have had from our tenants. We are as zealous of the rights of the tenants as any one in this House can be and it is in that spirit I am speaking to-day, when I say that you are putting into possession a new type of landholder who is not going to get on in the same way as we did with our tenantry at large. As Mr. Prakasam has pointed out, this landholding problem has got to be tackled as a whole. Piecemeal tinkering with it here and there is not going to take you anywhere. But, at the same time, I realize the importance and the necessity for a measure of this kind. The tenants have borne the burden for a very long time and as Mr. Prakasam has explained, rents have been enhanced from time to time till they have reached a stage when the tenants have begun to agitate and this agitation has been

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going on gaining momentum day by day. The Hon. Minister for Revenue himself has contributed his own mite to this agitation even after the introduction of this measure. If zamindars to-day are not able to pay the peishkush or collect their rents—myself being an honourable exception—it is due to the fact that the hon. Gentleman has been rather free in his remarks. I warned him at that time and I warn him again before this Bill is placed on the statute book that he should take care of his utterances, because he is making it difficult for any land-owning at all. Abolish zamindaris by all means. He has called himself a champion of abolition and I agree he is perhaps the greatest abolisher that has ever been. But at the same time he must realize his duties. As I said, Sir, there are rights as well as duties, and those of us who claim rights should also realize what our duties to the body politic are. If you go about the country and talk at random, perhaps you stir up trouble, but then now-a-days you hide behind your back and say that the speech was made extempore, that there was no official record and therefore that is not exactly what you have said. The press unfortunately suffers from it. I have great sympathy with the reporters and after all they are human beings and they take down what is said and put it down on paper and afterwards you claim to have talked extempore and say what is reported is not exactly what you said. Then what exactly did you say? It is much better to make a note in a diary and then you may be able to say what exactly you said. I have to say this, Sir, because my hon. Friend the Revenue Minister has often proclaimed that he did not exactly say what the press has said. What did he exactly say is the question."

THE HON. SRI KALA VENKATA RAO:—"I never contradicted."

* DR. P. SUBBARAYAN:—"The Hon. Revenue Minister may not have contradicted. That is the defence he has put forward. But I maintain it, Sir, from what he has told me."

THE HON. SRI KALA VENKATA RAO:—"It was with reference to only one report of my speech at Samalkot."

* DR. P. SUBBARAYAN:—"I am glad that he was referring at least to one report."

"To continue, Sir, I do feel that statements which are made ought to be made with a certain amount of care, because you are taking away the right of property, and perhaps rightly in your view. As I have said, I have no quarrel with you over that. But till that property remains with me, I do feel it is your duty to see that nothing is done to affect the rights which I possess to-day till you have actually taken it away from me. That is all I claim. Make it easy for the transition stage to pass off as smoothly as possible. Do not make the situation difficult by hasty

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statements that you make. As Mr. Asquith once said, it is much better to wait and see than rush and regret. I am afraid, we often do rush and regret. Perhaps a policy of wait and see might have been more in consonance with the present conditions than making haphazard and random remarks.

Let me congratulate the Hon. Minister for Revenue for the amount of work he has put in, in piloting this measure. I know he has worked hard. When he took up office, he had theoretical ideas, I admit, but did not know the practical considerations that apply. But fortunately for him, his predecessor—I mean the hon. Member who represents Puthur and Kasargod—had left copious notes and had dealt with the problem in the best possible manner. He also did put a considerable amount of work on this measure and let us not forget in the heat of our debate that he had made as big a contribution to the solution of this problem as the present occupant of the Treasury Bench. In the Select Committee, I found that the knowledge that the hon. Gentleman possessed was of immense help in coming to a decision.

Sir, I will end as I began, that I wonder whether the parent will recognize the child when he sees it."

THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, Sir, my hon. Friend, Dr. Subbarayan, has exhaustively dealt with the question of the abolition of the zamindaris and I should like to say only a few words about it. First of all, Sir, the question whether the zamindar is the proprietor of the soil is the main thing, and it is a very important question for deciding the compensation. We have said from the very beginning that we are not mere rent collectors, but that we are the proprietors of the soil and we have also produced so many decisions in which several courts have held that the landholder is the proprietor of the soil. I can also refer to my minute of dissent appended to the Prakasam Report, Part I, page 367, from which, if the Hon. Minister for Revenue goes through it, he will be able to understand who is the proprietor of the soil. So far no Government and no individual has contradicted this minute of dissent."

THE HON. SRI KALA VENKATA RAO:—"The earlier part contradicts the latter."

THE ZAMINDAR OF MIRZAPURAM:—"No, Sir, nobody has contradicted it, and even the decisions of the highest judicial courts in the land have held that the zamindar is the proprietor of the soil and is not a mere rent collector. That is my point about the proprietorship of the soil.

Now I come to the question of the payment of compensation. The Bill provides that the compensation will be paid only after the estates were taken over and survey and settlement operations were made. In my opinion, Sir, that might take several years

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before any compensation could be paid to the landholder. God knows what is going to happen after this long period, and I do not know on what the Government expects the zamindars to live upon till the compensation is paid. The Hon. Minister for Revenue might say, 'Well, we are paying you one-fourth of the gross income'. Sir, I submit that that income will not suffice even to meet the ordinary needs of the landholder. He has to maintain a big family, his status and his position. You cannot expect a landholder, or whoever he may be, who was living in a high style to come down immediately and go about the streets for his livelihood. The compensation that the Government propose to pay is a very small amount. It is considered by the landholders to be not enough. Our request to Government is to see that compensation is paid to landholders before the estates are taken over, as Dr. Subbarayan put it, so that the landholder can invest that compensation money on some shares or business and try to live in a comfortable manner, instead of paying the compensation after a very long period, thus making it difficult for the landholder to make any proper arrangements for his maintenance, etc.

"About granting of ryotwari pattas to zamindars, several people have stated on the floor of this House that the zamindars will be getting thousands of acres on pattas. Sir, that statement is made without any authority. According to the Bill which is before us just now, the zamindars will get only a very limited area as their home farm lands. I may point out that several ryots under the present landholders are owning hundreds of acres of land. They are cultivating and they are also leasing out those lands to tenants getting thereby a large quantity of grain per acre. When there are so many big tenants, I do not see why the Government or the party which is in power should say that the zamindar should not be given any land for his cultivation. Why not allow him also to cultivate his lands, and make him one of your ryots as in the case of ryotwari areas?

"As regards office buildings, Sir, I would like to say a few words. I find that the Bill provides no compensation for office buildings. I maintain that the zamindars must have spent a lot of money for the construction of such buildings. I would request the Hon. Revenue Minister to take a sympathetic view of the matter and provide sufficient compensation for the office buildings also.

"As regards the records of the estates, Sir, Government want to take away all the records of the estates. If the records are taken away, the landholders will not be in a position to prove their case when the question goes before tribunals regarding lands and compensation therefor. I would request the Minister to take a sympathetic view of the matter and see that at least copies of such of those records as will be necessary for the zamindars to set forth their claims, are given to them free before the records are taken away.

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"Sir, Government have already passed the Rent Reduction Act. Now they want to acquire the zamindaris. That only shows that they want to reduce the rents at the beginning, and then pay practically no compensation. I do not know to what extent, and how far, it will be legal for the Government or the Legislature to reduce rents first and then try to give compensation on the reduced basis. Sir, this is compulsory acquisition. They have to pay the landholders sufficient compensation before the estates are taken over. Otherwise, in my opinion, and in the opinion of several other eminent people, the measure may become invalid when the matter is referred to civil courts.

"Now, I come to the question of grazing fields. Even ryots in Government areas have got large areas of grazing fields for their cattle. Without grazing grounds, nobody can cultivate his lands. It is only proper and just, therefore, that the landholder is allowed to possess some reasonable grazing area for his cattle.

"I now come to under-tenure holders who are considered to be zamindars under the provisions of this Bill. Government have excluded all the inamdars who are brought under the Act of 1936. In the discussion at the select committee, the Revenue Minister, if I am right, agreed to treat the under-tenure holders also just like the inamdars. Now, I find that only the inamdars under the 1936 Act have been excluded from the operations of this Bill and the under-tenure holders, who are already treated as zamindars, are not excluded. This is an injustice done to them. I would request the Revenue Minister to exclude the under-tenure holders also and treat them like inamdars so that whatever benefit the inamdars get, the under-tenure holders will also get. There are hundreds of under-tenure holders having small extents of land—say, 2 acres and 3 acres. If they are not excluded and treated like inamdars, they stand to lose to a considerable extent.

"Sir, the Revenue Minister proposes to give to the landholders 12 crores of rupees as compensation. He has given the figures calculated from 12½ to 30 times. Even if 12½ to 30 times are calculated, we find that the amount cannot exceed eight crores of rupees. But the Revenue Minister thinks that it will be Rs. 12 crores. I am sure that it will not exceed Rs. 8 crores, and I do not know how the Revenue Minister is going to change a number of times before the Bill becomes law. We say that even this Rs. 12 crores is a very meagre amount.

"Regarding mines and minerals, the Bill does not provide any relief to the landholder. The various amendments moved in the select committee were all thrown out. We wanted that the mines which were being worked by the landholders themselves should be given a preference for getting a permit or a licence from the Government. That, I think, is a very fair proposition which the Government should accept.

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"I should like to thank the Revenue Minister for the facilities and all the little benefits that the zamindars will get under the provisions of this Bill. It is all due to the kind and sympathetic views of the Revenue Minister, but still the Bill requires a few amendments to be put in here and there. Then only all the difficulties which will occur when the Act is put into force, can be removed.

"I have nothing more to say. My only request to Government is that the Revenue Minister should take a more sympathetic view of the zamindar and try to see that at least eighty per cent of the compensation is paid to him before his estate is taken over. Otherwise, the zamindars will be put to great difficulties and they will be thrown into the streets for their maintenance. I would appeal to the Government to see that the zamindars are paid compensation before their estates are taken over."

* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, this Bill has come back to us after a chequered career and after several visits of the Hon. Revenue Minister to Delhi. But it is a matter of gratification that it has undergone some suitable alterations. I am referring to the exclusion of the inams of 1936 from the scope of this measure. When no investigation had been made, and when there was no data available with reference to inams, there was no justification for the Government to club those estates along with zamindaris. If the Hon. Revenue Minister was anxious to introduce comprehensive legislation, he could have deferred the zamindari abolition until necessary information was obtained with reference to all inams. As a matter of fact the proper course would have been to exclude all inams, that is to say, the 1908 inams as well. The Hon. Minister has held out a threat that the inams which have escaped his clutches now will be dealt with soon and that it will not be long before he brings in legislation in regard to them. In this connection, I should like to state that the Government would be well-advised not to undertake legislation in regard to these holdings until they have made due investigation and collected the necessary statistics about them and until they possess the wherewithal to compensate the holders of these inams adequately and equitably—particularly the small and petty holders—so that they may not be rendered adrift.

"So far as the principle of this bill is concerned, there can be no objection. But what is to be regretted is that the Government have brought forward this measure at an inopportune moment. At a time when the country is passing through the thorns of inflation, to put into the hands of zamindars large sums of money—two hon. Members who are zamindars, namely, Dr. Subbarayan, and the Zamindar of Mirzapuram, have already pleaded that 80 per cent of the compensation should be paid to them immediately—would only tend to add to the inflationary trend, which it is very urgent to curb. Therefore, it would have been

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well, Sir, if the Government had deferred this measure for a few years until the economic crisis had been tided over. This was the advice tendered by eminent economists and also by the Governor of the Reserve Bank of India. But, the Hon. the Revenue Minister seems to be adamant and is bent on pushing through this legislation at all costs. I am sorry to find that the economic problems of the country have no effect on him, that slogans, theories and shibboleths hold sway over him and that the economic factor and the human factor are subjected to the background. Unless this attitude is changed and unless the Government act with vision and foresight, a bright future cannot be visualized for the country.

3-15 P.m. " Besides the inflationary nature of the measure, another point that calls for consideration is whether the Government have the means to undertake the financial burdens involved in the Bill. How do they propose to pay the zamindars? At the present moment when the Central Government itself is facing an economic crisis, it is futile to expect any assistance in this regard from the Centre. It should also be borne in mind that the share of the income-tax collections which this Province has been receiving from the Centre in the past may not be the same in future. Therefore, I wish to know how the Government propose to pay the zamindars. The Hon. the Revenue Minister may reply that there is the Revenue Reserve Fund to dip into. But in the manner in which this Fund is being depleted, it cannot last for long. The Government have on hand already the problem of Prohibition to tackle and they are thereby contemplating a deficit of rupees eight crores in the next Budget on that account. Having regard to the meagre finances of this Province, it would not be wise to proceed in a headlong manner and deplete the resources built up through the efforts of a mighty and careful Scottish financier, whose example in certain regards would be well for a wise administration to follow.

" The Government, no doubt, have every right to liquidate the zamindars, if they have come to the conclusion and are convinced that this step is necessary in the interests of the public at large, but in implementing their decision they must bear in mind that it is their duty to see that those who are deprived of their property should be dealt with justly, equitably and fairly in regard to the compensation to be paid to them. The proper course would be to leave the compensation to be determined by a judicial Tribunal. Another point that I should like to mention is that in reckoning the quantum of compensation a distinction should be made between the *bona fide* purchasers of the estates who have paid hard-earned cash for them in recent years and the inheritors from the original zamindars. It is also necessary to show greater consideration to the small zamindars. It is wrong to imagine that all zamindars are rich. No doubt some are fabulously rich, but there are others who are not economically well off. Therefore, it would not be

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proper to club both the types together for purposes of compensation. Greater consideration should be shown to the zamindars whose economic position is not good than to those who come under the category of the rich.

" Sir, the other day, the Hon. the Revenue Minister stated that he did not intend to abolish private property. But so long as the institution of private property is respected, so long as the sanctity of private property is recognized, it should be remembered that there are certain moral norms which should not be overlooked when introducing legislation. One of these is that no property should be acquired without the payment of adequate or just compensation. This principle has been embodied in the Government of India Act of 1935; it has also been incorporated in the draft constitution of India and I believe it would be found even among the ancient laws of Manu himself. But, I am sorry to note that it is not equity, it is not justice that weighs with the members of the present Government but certain theories and slogans which were uttered by them at a time when they had no experience of running an administration. Having come into power now, they should revise their past notions and should place the principles of equity and justice above all other considerations. Unless this is done, the confidence of the public will be shattered, not merely in investments in land but in all other modes of investments. Already the air is thick with a feeling of nervousness and alarm, already the stock market is in a state of collapse on account of certain policies enunciated by the Government. It is felt that while to-day the Government are passing an expropriatory measure with reference to the zamindars, to-morrow they may pass a similar measure with reference to those who have invested their money in other forms. They may introduce such legislation as would make the savings in the banks dwindle away. They may also refuse to pay the full amount of the money which people have advanced on Government loans. I am mentioning this because there is apprehension among the public in regard to these matters. It is lack of confidence in the future economy of the land that is mainly responsible for the financial plight into which this country is plunged at present. Unless efforts are made to remove the current misgivings, I am afraid that a time will come when the Government will not be able to secure from the public the loans which they need so badly for furthering their ameliorative enterprises. Signs of this are already evident. It is on account of this lack of public confidence that there is a talk of raising the rate of interest at a time when there is over-abundance of money in the market. Hence I appeal to the Government not to act in such a manner as would land this country in a financial disaster. No doubt, Sir, it is desirable to introduce socialism but that socialism should be of the Islamic type or of the British type and not of the Communist type. It is a matter of common knowledge that Islam is a socialistic religion. As a matter of fact, even capital levy to which reference has been made by Socialists is to be

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found in Islam. The Government would do well to put into practice the Islamic type of socialism or the British type but it would not be wise on their part to follow the path of Communistic Socialism."

SRI A. KAMESWARA RAO:—"On a point of information, Sir. What about the Nizam's type of socialism?"

MR. SPEAKER:—"The hon. Member is not yielding."

BEGUM SULTAN MIR AMIRUDDIN:—"I am not concerned with that and I am not prepared to yield. There is no necessity for the hon. Member to get agitated at the very mention of Islam. To continue, Sir, I feel that if the policy of the Government is not revised, the time may not be far distant when this country may be plunged in the same plight as Burma with chaos, anarchy and confusion stalking the land. Therefore, the Government should exercise restraint and caution and not act in a headlong manner.

"Before I conclude, I wish to refer to one or two points more. I find that till the acquisition of the zamindaris is made by the payment of compensation the Government propose to take 75 per cent of the income of the zamindars and give them only 25 per cent. But is this fair? How are the Government justified in pocketing the money before acquisition and how can the zamindars be expected to maintain themselves with only one-fourth of their income? Pending final acquisition, the Government should make over to the zamindars the rent collected from the estates after making deductions in regard to the collection charges and for the portion of the compensation paid.

"Another point to which I wish to refer is that the proposed definition clause Section 2, clause (16) of the Select Committee's draft of the present Bill by which the expression 'zamindari estate' is sought to be so defined as to include all unsettled palayams and jaghirs which are covered by sub-clause (c) of clause (2) of section 3 of the Madras Estates Land Act, 1908, requires suitable modification. I wish to point out that there are different categories of estates which come under the said clause, some of which are zamindaris and others inams. Hence the definition of 'zamindari estate' should be so altered that in the matter of compensation, no injustice is done to estates which are virtually inams. To determine whether an estate is a zamindari or inam the test is whether peishkash is paid or not. In the case of zamindaris the interest to be compensated for is taken to be one-third of the revenue whereas in regard to inams the interest to be taken into account is the full extent of the rights passed under the grant. My request is that no injustice should be done to estates which are really inams but which fall under the category of zamindari estates under the above definition. Hence I hope the Government will examine the matter and do the needful. I wish to conclude with the hope that the Hon. Minister will bear in mind the points mentioned by me."

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* SRI K. R. KARANTH:—"Mr. Speaker, Sir, there are three or four points, on which with your indulgence I wish to make a few observations. We have heard on the Bill one extreme view from my hon. Friend, Mr. Prakasam, that it will be good if the Bill is withdrawn at this stage. There were also other views which said that the Bill does not go far enough, that is, the tillers of the soil do not become the owners, as was promised by the Congress manifesto and therefore it does not go far enough. These are extreme and divergent views which are bound to be stated in a House of a democratic nature like this. I beg to submit, Sir, that the Bill is quite good as far as it goes, and that it should go through without further delay. There has been a lot of agitation over this matter. The ryots and everybody else are tired of the business. The zamindars themselves, as I have heard from them in the course of private talks, and during discussions in this House, have told me that they are really anxious that they want the whole thing to be wound up, so that they may take whatever compensation that is given, than be left in the state of '*Trisangu svar-gam*' if I may say so. Therefore, at this stage, while I have great respect for my hon. Friend, Mr. Prakasam, I cannot agree with him that the Bill has to be dropped at this stage.

"Sir, unnecessarily large hopes have been created by my hon. Friend, the Revenue Minister, by bringing in as objects of the Bill, the removal of intermediaries, food production and so on. Unnecessary expectations should not be raised. The simple purpose of this Bill, and what its achievement is going to be, is only this. There has been for a century and forty-six years from 1802, a system introduced by the Patta Regulation of 1892 under which public collection of revenue was entrusted to a number of zamindars for reasons which are too well-known, which I need not reiterate, some of which were political and some of which were with a view to getting military assistance. Everybody in this House knows how the zamindari system came into being and therefore let me not repeat the same. And everyone knows also how that system has worked. The memorable report of Sri Prakasam and his Committee on the subject has exposed all its evils. Sir, if any blame or praise is to be apportioned on this measure, the greatest measure of credit goes to Sri Prakasam, because in that report, he has shaken the zamindari system to its very foundations. Anyhow, that report brought out the evils of the system and how a great deal of rack-renting went on. To some extent even during the small interval of time I held office, I have also toured in the districts and seen the amount of ruin which has been done. Of course, good zamindars like my hon. Friend Dr. Subbarayan and a few others undoubtedly there are and there have always been. But if we take the system as a whole, how has it stood? All will be agreed that under that system, the zamindars could take any amount of revenue could ask for a chilly crop at Rs. 60 to Rs. 90 per acre and so on. I have seen lands in the Ramnad district in one of the zamindaris where even when the tank was empty, the ayacut has to pay at Rs. 30 or so for acre. I have seen in the Punganur zamindari

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in Chittoor district, how a tank is allowed to grow beebul trees. Therefore making all allowances to the few good zamindars who have existed, the system as a whole has worked untold hardship on the ryot population.

" Sir, this measure was intended to put an end to that system. It was perfectly right, and just and proper. Therefore if my hon. friend had only brought in that measure, without entangling the Bill with inams, particularly of what are called 1936 inams, this measure would have become law even by the month of last March, because all this struggle and delay was on the question of inams, and particularly of the 1936 inams. The other question that has been asked is, why are the intermediaries not removed? This measure, if anybody is going to say, will remove the intermediaries and give proprietorship to the tillers of the soil, I would only say that it does not do anything of the kind, and it is only a tall claim which cannot be justified. I have heard from many persons that in many of the zamins, big ryots are holding hundreds of acres of land, and letting them out at most rack-renting rates to others who have no permanency or security of tenure. Even in this Bill we have not given them security of tenure or fixity of rent. All that we have done is this. We have put an end to this delegation of power of collecting land revenue made in 1802 to the zamindars. The State is taking back and says 'We shall collect the revenue ourselves.' Therefore, let us not make unnecessary claims for this Bill, because, if by these claims it is to be judged it shall be found wanting.

" Then, Sir, with regard to the question of the future revision of tenure—land tenure—in this country, my submission to the House is this. The solution has to be found not in this Bill but elsewhere. Land tenure, as everybody knows, is one of the most vital needs for the security of society. And it can be achieved by giving economic holdings to the actual cultivators of the soil. Sir, this can be done in two ways. It is nothing new. It has been done for the last thirty or forty years from the time of the Small Holdings Act in England in 1908 to the present day in the European countries and in America, trying to create economic holdings where the tillers of the soil can make a decent living without being bothered by all the vicissitudes and the depressions of trade markets, and so on. This can be done in two ways. One is to enable the cultivating tenant to buy up the rights of the proprietor and not by the State buying it and giving it to the tenant free. No State can afford to pay the actual owners, and invest the tenants with the proprietorship. That was a thing which was attempted in this Bill with regard to the 1938 inams, and we have seen what it has come to. The other method is more feasible, and that is that all over our province, it is necessary to fix fair rents. There must be a legislation to have a Fair Rent Board in each district so that the representatives of the cultivators, and representatives of the landlords may sit and determine what should be a fair rent in the case of each cultivating tenant. Wherever a tenant feels

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aggrieved that his rent is a rack-rent or excessive let him go to the Board and have it reduced. This should be done in all areas. That stage is absolutely necessary, and after five or six years, when these rents are stabilized, the Government should bring in a measure to enable the tenant to pay the landlord by the value of the latter's right, some multiple of the stabilized rents, so that he becomes the owner in a number of years. If he does not want to become the proprietor he may still continue as a tenant. Both these systems have been tried with success and in many western countries where the reforms have been introduced both these systems are prevailing to-day. But all this is for future legislation.

" Then, with regard to the compensation to be paid to the zamindars, all of us can see that there are three or four formulæ which could be adopted. There are people who say that nothing should be paid at all. These views do exist in this House and have been expressed. But as long as we are in this House, governed by a certain section in the Constitution Act, and also there are civil courts in the land which will judge all these measures, whether there must be compensation or not, we cannot accept this formula which says: 'Take over people's properties, but do not pay them anything.' Regarding zamindaris the agency of collecting revenue can be put an end to. We have tried in the Select Committee to put it on that aspect. We, therefore, removed the word 'proprietor' which existed in the Bill and have substituted the words 'acquisition of certain rights.' I still maintain, with great respect to my hon. Friend who argued to the contrary that the zamindars are only rent-collectors and no more but on this question we are bound to argue for days together without coming to any final conclusion. Even on this footing some compensation has to be given. The other formula which was suggested was, 'Go back to 1802.' With great respect to persons who hold the view, I do not consider that 1802 is something immutable, and that we must go back to that year. Under the British regime, in 1802, in times of political stress and vicissitudes, and with a view to bring down the ryotwari population under their control, they made certain bargains; but why should we not in these years of 1947 and 1948, after so much advancement, and with freedom in our hands, put an end to the system, rather than say that all of us should go back to 1802 and live under that system for ever. I respect them, but I cannot surrender my own judgment in the matter. Surely, the only other formula which commended itself to this House, in the course of the first reading, and in the Select Committee stage, was the formula that the zamindars should be paid one-third of the ryotwari rates, because that is the proper rate. The zamindars claim on the basis of the present rents which are somewhere about Rs. 200 lakhs per year. The total compensation now proposed to be given is estimated at about Rs. 10 to Rs. 12 crores. All these must be taken as very rough because many of the zamindaris are not surveyed. Nobody knows what exactly is the rate of assessment, the tarams, and all the scientific things which our Settlement

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Officers might impose upon them later on. It is something like trying to predict the sex of a baby before it is born. Let us be satisfied with the formula that has been suggested. Five times the actual revenue which the zamindars have been getting now, cannot be considered large. In fact, we could have said 'No compensation at all' or we could have given them a pension. We could have done many other things. But all the time our mind in the Select Committee was riveted upon the evidence given by the Advocate-General and the provisions of section 298 of the Constitution Act, which said that we cannot take properties without giving adequate compensation. Therefore we must base our policy upon some formula which can stand the test of law before the courts. If we want the ultimate measure to pass through the courts of law where it is likely to be contested, we, as responsible men, should think on that aspect also. Therefore we took the formula which can stand the test of law anywhere, whether in the courts of law or anywhere else. What we said was this: 'If you get Rs. 200 lakhs per year, it is because of a process of rack-renting. We do not recognize that, but as in our own ryotwari areas, let us find out what the rents or the rates would be. Let us acquire on that basis. On that basis, you would have been entitled only to one-third subject to certain deductions, which I shall not go into whilst the remaining two-thirds would be the peishkash. Therefore, Sir, it is on that basis that the Select Committee has approved the Bill, and I submit the formula is quite a sound one.

"Lastly, however, I have my own doubts in this matter, which I have said before, and which I shall say once again. The ryotwari rates are again not as immutable as are not the 1802 rates. I have known, in fact, I have worked up the details in my own district, long before I held office here. These ryotwari rates might have been good enough from the view point of an alien bureaucracy, but they are no good from our standpoint. All the paraphernalia of the settlement, the various rates, tarams, and so on, are all absurd to a degree which I cannot fancy. In fact, we have been working and striving that all these ryotwari rates should themselves go. These ryotwari rates are no doubt falling lightly to-day, but in normal times, I have found that the land revenue was oppressive and people could hardly pay it. In times of depression, many holdings are sold off. Therefore, I submit, Sir, that this system itself has outlived its purpose, and is therefore bound to be replaced by us by a better and more scientific system.

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p.m.

"Therefore there must be some standard and uniform system so that the ryots will not be at the mercy of the karnam every year at the time of the kists as to the amount he has to pay. He does not know whether he has to pay Rs. 25 or Rs. 30. He pays more and the karnam never returns the excess money. Such things are going on. Let us put the whole system on a better basis. It is easy to do this as the Travancore Government has done by either having a low standard rate with income-tax for higher incomes

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or by some other system. What I mean to say is that I am not enamoured of the present system. We have no other now. In a year or two I believe it will be possible for us to bring forward a satisfactory measure. The settlement of estates and the fixation of assessment will take four or five years. Survey will take five years and settlement one or two years. By that time, we all of us must have thought of a new system. That day is welcome. When that system is given effect to, we shall have to replace many of the sections of the present Bill.

"There is some understanding that we have to pay Rs. 10 or Rs. 12 crores as compensation to zamindars. When such a new measure is brought in, we shall say to the zamindar 'you better take some money and walk off; do not be bothered by what happens later.' Such a day may not be very far off.

"It has been urged by hon. Members that the zamindars should be paid something before their lands are taken. It is a most just claim to make. Till recently when I went to Delhi I never knew that there was an instruction from the High Command that the zamindars should be paid 80 per cent of the value before the estates are notified. The Advocate-General in his evidence had told us that if we wanted to take away property we must pay the zamindars something now and not make a mere promise of payment some years hence. We cannot notify that we are taking away the zamindar's land now and then say we shall pay compensation some years hence. The claim the zamindars are making that when they are deprived of their estates they should be paid 80 per cent is a very reasonable claim. I hope the Government will find some method of meeting that demand.

"Now, Sir, with regard to 1936 inams; I do not wish to take more time of the House. As I have stated that is a question that should never have been brought in in this Bill. This class of inamdars had been guaranteed their rents under the statute. There is no meaning in including them here and saying their lands will be acquired not on the basis of their rents as they exist to-day, not on the basis of the Rent Reduction Act but on the basis of the ryotwari land revenue rates which will be established hereafter. It took the Government some months to know this position. Now that they have understood it and excluded these inams, let me not labour the point further. But the reduction in rents that has been made is, I must say, not at all fair, because inams were clubbed with zamindaris. The basis of reduction was to reduce the rents to the ryotwari rates in the neighbouring zamindari or other areas. The two things are different. It was proposed to reduce the rent in the same proportion as land revenue. Now it is only fair that the reduction should not be given effect to.

"I have said more than once that I do not swear upon the sanctity of 1936 rents. There might have been rack-renting even at that time. But this is not peculiar to the inamdar alone. It is true of the ryotwari pattadar also.

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"I went through some of the pages of the Gazette to see how this reduction is being worked out. On 3rd August 1948, from page 735 of the *Port St. George Gazette*, I find the following: Garden—Rs. 15 has been reduced to Rs. 1-14-0; page 677 (27th July 1948), kind rent has been reduced from 2/5 to 1/7 of the produce. In the case of gardens Rs. 6 has been reduced to 8 annas. Rupees 10 has been reduced to Rs. 3. The reduction goes on in this way. If the rent is excessive let us reduce it. But it must be on some sensible basis. The whole basis of the Rent Reduction Act regarding 1936 inams is wrong. I think this should not have been done at all.

"Then, Sir, there is one other point regarding lands in municipal areas which have been brought under this Bill. A change was effected in the Select Committee stage and I am not quite happy over it. At the time I did not realize its full significance myself. I do hope that the House will ponder over the matter further. In places like Salem the ryot is asked to surrender one-half of the land to the landlord. I feel that this sacrifice is a little too much. I understand that in Salem town in order to convert an agricultural land into land for building purposes, the landlords were demanding Rs. 2½ per cent. or Rs. 250 per acre. But if he is to get half the land and an acre is worth say Rs. 10,000 the compensation that the zamindar will now get will be very much more than what he was demanding hitherto. The matter is one which I hope will be properly looked into.

"Without taking more time of the House, I commend to it the Bill as it has emerged from the Select Committee. Before I conclude I wish to join other hon. Members in offering my need of praise to the Hon. Minister who has done his best to pilot this measure and has taken great pains. If only he was not in too great a hurry, this Bill would have been passed much earlier, but the whole trouble arose because he wanted to bring in all the inams, creating lot of trouble both for himself and to all of us."

* SRI R. SUBBA AYYAR:—"Sir, I rise to congratulate the Hon. Minister for Revenue for the extraordinary pains he has taken in bringing forward this measure to this stage. We are now in the second reading stage. I would like to remind this House on this occasion of the background and history of this Bill. This Bill has had a chequered career from the beginning. A Bill which ought to have become an Act 10 years ago is still in the first reading stage, due to causes beyond our control. There is another point to be considered in this connexion. Everybody in this House knows that two eminent men have struggled over this problem from the year 1938 onwards. I need not mention their names. As circumstances would have it, they were not given the honour of presenting the Bill, satisfactory as it is, if not more satisfactory, for the acceptance of this House. It has been left to the present Hon. Minister to present the Bill. However defective it may be, it will go a long way to relieve the longstanding

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grievances of the zamin ryot. He deserves our congratulations all the same. Let me hope that ere long this Bill will grace the statute book.

"I wish to say a few words about the way in which zamindars have been treated by this Bill. This House knows that I am one of those who are opposed to paying any kind of compensation from the beginning. If you put it on the basis that the zamindars are rent collectors I fail to see how they are entitled to any compensation and how any proprietary rights arise at all. Nevertheless we had to bow to the inevitable. Because it seems to me that it is not entirely this House that has to decide this question. There are other forces, other circumstances and other authorities that have to deal with this problem. Therefore we have to accept the inevitable and accept the payment of some amount of compensation whatever it may be. As regards the question of compensation we know what the zamindars have from the beginning claimed, namely, 19½ crores of rupees. It is still a mystery to many of us how this figure of Rs. 10 crores was arrived at by the Hon. Revenue Minister. On the one side it is claimed on behalf of the zamindars that in whatever manner you calculate the compensation, it may not exceed Rs. 8 crores. Time and again the Hon. Revenue Minister has been saying that the compensation that the Government will have to pay to the zamindars will be about Rs. 10 crores. After the intervention of the High Command's advice from Delhi, the compensation is going to be Rs. 12½ crores. From the beginning it has been my view that it may not be merely Rs. 10 crores. It may be twice as much. I do not know what the actual amount is going to be. Neither has the Hon. Minister given us any statistics or data for calculating the amount of compensation that may have to be paid even on a rough and ready basis. At any rate we may take it that the zamindars will get not less than Rs. 12½ crores. I believe they will be getting very nearly 65 to 70 per cent of what they asked for. Nothing can be fairer than that. Moreover they are getting compensation for rights which they never claimed either now or before.

"Leaving this point at this stage, and taking the position of the zamindari ryot as a whole, how his lot has improved I am unable to see, because in the place of the patta from the zamindar, he will get a ryotwari patta. It makes no difference in his case. The ryot will be losing many of the rights of cutting wood from the forest, gathering green manure and other rights he used to enjoy in the forest. Under this system he will be losing all those rights. He will be getting only his ryotwari patta. It can be stated that the moment he gets ryotwari patta, he stands in the same position as a ryotwari ryot and that he will be entitled to all the benefits which the ryotwari ryot gets such as repair of tanks and irrigation sources, benefit of minor and major irrigation works, this concession and that concession. To that extent he might be a gainer. But in some estates, the tenant is now paying

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much less than the ryotwari rates. It will not help them if those rates are increased. Some ryots in the zamindari villages have been saying that this Bill will not help them because they have not been paying anything to the zamindars, but under this Bill they will have to pay on the ryotwari basis.

4 p.m. "Having said so much with regard to the ryot, I now come to the 1936 inams, which have been excluded from the Bill. So far so good. It is but logical that they should be excluded from the operation of the Rent Reduction Act also. This will benefit the small inamdar. Inams stand on an entirely different footing from the zamindaris and having accepted the position and excluded them from the scope of this Bill, it is but logical that they should be excluded from the Rent Reduction Act also, until a more comprehensive Bill is prepared after collecting necessary statistics. I hope the Hon. Minister will accept the position, at any rate he will be driven to accept the position, because logic and justice demand it."

MR. SPEAKER:—"I think the hon. Member may resume his seat. The Hon. Minister wants one hour for his reply and I have to call upon him now."

* SRI R. SUBBA AYYAR:—"Only one word more, Sir. There is the much debated clause 15 which seeks to divide the lands in municipal areas half and half between the zamindar and the occupancy tenant. It has been objected to by eminent men, by the Tamil Nad Congress Committee and other organizations. I submit, Sir, that the provisions in clause 15 are just and equitable. It is recognized that even in these cases the landlord has the melvaram right. It is not stated whether it is 1/3 or 40 per cent or half. This Bill seeks to divide the land half and half. The entire conception of the Bill is to purchase the melvaram right of the zamindars even with regard to the municipal lands. It is but just that the zamindars should get some amount of compensation or some portion of the land. Having regard to the difficulties in acquiring the rights and computing the compensation for lands which have now bloated in value, the Government have come forward with this proposition in the interests of all concerned and stated that it would be good to divide the land half and half between the landholder and the tenant. Otherwise you will be taking away the melvaram right of the zamindar and not give him any compensation whatever. If the division of half and half is too much, as the Privy Council has suggested in similar cases the tenant may have 3/5 and the zamindar 2/5. With these remarks, I once again congratulate the Hon. Minister for having brought the Bill to this stage."

(Sri A. Kameswara Rao rose to speak.)

MR. SPEAKER:—"I have allowed four days for this stage of the Bill. I cannot give any more time."

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SRI A. KAMESWARA RAO:—"This is an important Bill, Sir and I want to speak."

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, I am very thankful to the many hon. Members of the House for the encomiums they have paid to me for the efforts I have made to bring this Bill to this stage. During my speech on the third reading, there will be scope for me to pay my respects to my predecessors in having cleared the way for this legislation. I must thank the members again for their kind words for the efforts that I have been able to put forward on behalf of this Government and the Party to which I have the honour to belong."

"Sir, one criticism has been that the Joint Select Committee made many changes. Some called them revolutionary and some called them important. (At this stage the Deputy Speaker occupied the chair.) One blunt criticism has been that the original Bill contained 23 or 24 clauses, but the Select Committee has increased them to 64 clauses. But the increase in the number of clauses does not mean a change in the fundamentals of the original Bill. I still maintain that the fundamentals contained in the original Bill are kept intact in the Bill as it has come out of the Select Committee, except for slight changes in the matter of drafting to make the Bill as perfect as possible so that it may stand the test in courts of law. (Mahboob Ali Baig Sahib: 'What about inams?') Mr. Baig reminds me that there is a change about inams, but that change is not due to the efforts of the Select Committee but due to some other reason which I will shortly explain. But as far as the Joint Select Committee went, I must thank the hon. Members of the Committee for having improved the Bill without changing the fundamentals."

"I now come to the important question of inams about which there has been so much criticism, for and against. I explained the other day how this question was tackled from the beginning. It was said: 'The inams ought to have been left out; we advised you so in the beginning, but you were hot-headed.' That was one sort of criticism. The other sort of criticism was that I have been hugged by the communists and inspired by them and so brought in the inams in the original Bill. It is an unfair charge though it came from a very responsible gentleman. I have never hugged the communists. If I have ever hugged a personal friend of mine either inside or outside the jail, it was like the Dhritarashtra hugging the ? ? ? (An hon. Member: 'What does it mean?') The hon. Member must be in close touch with Hindu literature to know all this. Therefore, to say that I got the inspiration from the communists, or to allege any such thing is to make an entirely false suggestion. On the other hand, Madam, I must point out, that the inclusion of inams was supported by all the kisan Congress organizations in Andhra, by the Andhra Provincial Congress Committee and even the statement of the President of the

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Andhra Provincial Congress Committee which was issued yesterday supports that idea. If I have got the inspiration, it is from the Congress organizations to which I have the honour to belong.

Then it has been stated that the inam is no more than a jirayathi or a ryotwari land and that it should not have been included in this Bill for the abolition of intermediaries. I am very sorry to say that neither I and the Government nor the party is committed to such a conclusion. If my party or the Government finally decides that inams are akin to jirayathi or ryotwari lands and that they should not be included in the scope for the abolition of intermediaries, then well and good. Till now, the decision is for the temporary exclusion of inams. Therefore if there are any incongruities on account of the exclusion of inams from the scope of the Bill, they are for rectification in the legislation to come. But till something contrary is decided upon, I must stand by my original inspiration from the Andhra Provincial Congress Committee that inams are intermediaries and ought to be abolished.

Madam, it has been stated that the Rent Reduction Bill should not be applied to inams, but my difficulty is this. That Bill was an interim measure pending abolition. Because we are abolishing zamindaris that Bill will automatically lapse in respect of them; but because we are not abolishing inams, in the interim period, it will be impossible for me to seek to repeal the Rent Reduction Act in that aspect. I have promised that the whole question will be gone into afresh and that will include the question of rent reduction also. We must come to some solution with regard to this. If the solution is abolition, the rent reduction must continue; if the solution is otherwise, the needed modification will be made at the proper time, but at any rate not now.

Speaking about rent reduction, I have to refer to one or two more matters. The hon. Member Mr. Prakasam referred to the Marjoribanks Committee report of 1937 and asked me to give effect to it in the ryotwari areas. The question of revenue reduction in ryotwari areas is only remotely related to this Bill. If any further reduction is made in the quantum of the total ryotwari demand, it should be applied throughout the Presidency. But this remission of Rs. 75 lakhs was not a universal remission for all the 24 districts; it was a remission only for those districts where there were enhancements after 1914. The enhancements only were to be cancelled. It did not help the districts in which there had been settlements earlier than 1914. I need not go into the merits of the question. I have more than once explained to the House that my idea is to replace the present ryotwari land revenue system on a new basis. As pointed out by my respected predecessor, Mr. Karanth, it is big duty, incumbent both on the Government whoever may be in office and on the whole House, to

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place the ryotwari system on a scientific basis. I am not an advocate of the present ryotwari system as such. I want to reform the system in a manner which will help the common man, the tenant. The hon. Member Mr. Prakasam accused me of hard-heartedness and said that I have not done anything in that direction. I have said and repeated it on the floor of the House just a week ago that one of the earliest matters to be taken up after the passing of the Zamindars Abolition Bill will be the codification of the Land Revenue Law which will include the examination of the question of land revenue also. We are considering about many alternative systems—a basic tax plus a purchase tax, a sliding scale system, and many other systems.

The Marjoribanks Committee Report is not a published document. Even to-day it has not been published. I pressed for its publication when the hon. Member Mr. Prakasam was Minister in 1937. To-day he has read some paragraphs from it. I do not object to it, because everybody must know about what has happened. But my simple question is: 'Why did he not give effect to the report in 1937-39?' Leave that alone, because we resigned and went away. But why did he not give effect to it during the eleven months he was Premier and Finance Minister later on? The hon. Member cannot blame me for not doing a thing which he has not himself done when he had the opportunity. He cannot now say that simply because I am not doing it, I am teasing the tenants, causing them hardship and so on. It is not a reasonable argument, and I hope the House will agree with me.

I now come to the question of grain rent to which he referred. In the Rent Reduction Act, it is said that the rent will be reduced to the average of the land revenue in the ryotwari areas in similar set up as far as cash rents go and that as far as grain rents go, the reduction will be only by a percentage; that is to say; if the cash rent of Rs. 10 is reduced to Rs. 6, the grain rent of ten bags will be reduced to six bags. This has been done because we cannot arrive at commutation rates at the speed with which we wanted to work the Rent Reduction Act. Therefore, till a settlement comes, this arrangement is to hold good. As you see from the provisions of the Bill, we have provided for the commutation of grain rent into cash rent and there will be no land revenue collection on the basis of grain rent at all.

There was another remark, that the southern zamindars were very good, and that they kept their rents as low as possible. The hon. Member Dr. Subbarayan took the credit for that. It is not entirely correct to say so in all cases. They quoted Ettiyapuram, but what about Sivaganga and Ramnad where there is varam rent. If there is a produce of ten bags, the rent is five bags and at Rs. 13 a bag, the rent is Rs. 65 an acre. Simply because certain zamindars in the south kept their rents low, it does not mean that all the zamindars in the south did the same and did not rack-rent their tenants while the northern zamindars alone

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4-15 P.m. rack-rented their tenants. And then, Sir, Mr. Karanth raised another small doubt, namely, that after all the trouble taken for survey and settlement of the estates it may not be useful as there is to be a reform of the ryotwari system itself. I may tell him, that the survey of lands will be necessary for any system we may want to introduce. There must be a survey of the extent of land, the survey of the field, the extent of the tank and the extent of the village; all that should be on record. I can promise you, that practically before the settlement under the Bill will be over, the other reform would be coming in, and I shall be able to make the settlement in accord with the land reform in the ryotwari areas.

“ Mr. Prakasam said on an earlier occasion in the debate and even to-day he hinted at it, that on account of the Rent Reduction Act the ryot is not getting any benefit. I may here briefly indicate how the rents are getting reduced. I shall quote here instances from West Godavari and Chingleput districts. I think hon. Members would have read it in the gazette. In the case of wet land the reduction of rent is not much; but where there is garden land the reduction in rent is extraordinarily great; because the zamindars charged something very much in the case of garden land. In the West Godavari district in Timmireddipalli village, in the case of garden land, the rent has been reduced from Rs. 12 to Rs. 2 per acre, from Rs. 16 to Rs. 2-11-0 and from Rs. 18 to Rs. 3. In the same district in Ramannapalem village in the case of wet land the rent has been reduced from Rs. 10 to Rs. 4 and from Rs. 14 to Rs. 5-10-0. In the same district in Rajuppothapalli village in the case of wet land the rent has been reduced from Rs. 6-12-0 to Rs. 3, from Rs. 8 to Rs. 3-9-0, from Rs. 11 to Rs. 4-14-0 and from Rs. 12 to Rs. 5-5-0. And then, Sir, in Edavalli whole inam, in the case of dry land the rent has been reduced from Rs. 12 to Rs. 0-13-0. In the same district in Uppalapadu village, in the case of wet land the rent has been reduced from Rs. 8 to Rs. 2-11-0. To compare this with the rent reduction in the southern area I shall read figures from Chingleput district. In Zamin Cheyyar village in the case of garden land the rent has been reduced from Rs. 16-6-0 to Rs. 1-10-0 and from Rs. 9 to Rs. 1-4-0 and the like. In the same district in Ammanur village in the case of wet lands the rent has been reduced from Rs. 12-8-0 to Rs. 5, from Rs. 12 to Rs. 4-13-0, from Rs. 10 to Rs. 3 and from Rs. 8 to Rs. 3-3-0. In the same village, in the case of garden lands, the rent has been reduced from Rs. 17-6-0 to Rs. 1-5-0. Sir, from what I have read, I do not say that these are all the figures that are ready. I read them out only to indicate how the reduction in rent has been considerable. Therefore to say that the tenant is not benefited by the Rent Reduction Act is only to suggest something that is false.

“ Sir, with reference to lanka lands, two suggestions have been made. One is that no compensation should be paid. But we have been advised differently. We have been advised that we should

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not take even one inch of land without paying adequate compensation. Another suggestion is that the present ryots should continue wherever they are. I am agreeable to continue them on all high level lanka lands; but in the case of low level lanka lands, the land should be auctioned and not be permanently assigned.

“ As regards private lands there is a charge that the definition was made wider. Mr. Pyda Venkatanarayana suggested that we should stick to the definition in 1908 Act. After all what are the alterations made? Even Dr. Subbarayan complimented me for the definition now adopted. Every private land that the zamindar had in 1908 he gets now. We have recognized inheritance right. Then if anybody gives it as a gift to a landholder, can you deny him a patta? Then comes the question of an open purchase of ryoti land as per market value; that also you cannot say does not belong to the zamindar. There is one more thing and that is with regard to the land once banjar but improved by the landholder. Here we have adhered to the principle of ‘once a ryoti land always a ryoti land.’ That principle is adopted in clause 11. Therefore any inch of land which originally was in the hands of a ryot will not be given to the zamindar.

“ Then, Sir, I come to the criticism of Mr. Kaleswara Rao. He suggested that an upper limit to the owning of private land by the zamindar should be fixed. I very much appreciate the point. But it will be incongruous to fix such a limit in this Bill and leave out other landholders such as mirasdars and pattadars in ryotwari areas in Tanjore and East and West Godavari districts, etc. If this is agreed to by our advisers in Delhi I have no objection to do it. Perhaps in proper time we may have to do it. Some such legislation may be needed at the next stage.

“ Then there is the question of customary rights. Getting fuel on head-loads and such other privileges should be given to the ryots if they were having them till now. While I appreciate the suggestion I would like to have that privilege conferred on one and all, ryotwari ryot or zamindari ryot, but, there is no need to provide for that in the Bill. Then it was suggested that the Tenants' Protection Act, 1946, might be extended. We will examine the question and if necessary, we shall extend it for another year.

“ As regards compensation, Mr. Karanth argued very well. He said the formula should stand the test in a Court of law, apart from our feelings as to what should be the quantum. I claim this Bill will stand this test. Mr. Baig is shaking his head. It is good he warned us in the Select Committee, and here too. Still I do feel that the twelve crores which we seek to give to the zamindars as compensation can under no circumstances be said to be illusory. As long as it is not illusory, the best legal advice tells us, that what is awarded by the Sovereign Legislature will stand the test in a Court of law.”

MUHAMMAD RAZA KHAN SAHIB:—“ We shall see.”

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* THE HON. SRI KALA VENKATA RAO:—"Then, Sir, suggestions have been made about the net income being made the basis for compensation and that the present basis should be altered. I am sorry the whole scheme is based on the present basis of compensation. No further alterations are possible at this stage."

"It was argued that for 'purchased estates' market value should be given. I know of a gentleman who in 1945 purchased an estate for 7½ lakhs. You do not expect Government to pay him the 1945 market value. It is an investment made knowing well the trend of things in the country. So my original explanation regarding investing in stocks and shares holds good in the case of 'purchased estates.' It may be that in several cases, moneys were lent on mortgage. The original amount lent might have been thirty thousand rupees, and it might have grown to three lakhs, and eventually as the mortgage debt could not be repaid the land might have been purchased. Then there may be cases—which Mr. Baig knows as well as I do—where before the Sub-Registrar, say, five thousand rupees are paid in cash and then privately two thousand rupees are taken away. It is only just that there should be an uniform basis for one and all estates and so we have adopted the same basis for one and all zamin estates."

SRI T. VISWANATHAM:—"Madam, the hon. Minister has been pleased to quote an instance that took place in 1945. I entirely agree with him. Mr. Prakasam's report came out in 1938. But what about transactions between 1908 and 1938 and before that, when there was no question of acquiring zamindaris or the rent reduction legislation."

* THE HON. SRI KALA VENKATA RAO:—"Even those purchases were a matter of speculation. (Laughter.) Or it may be due to the fact that money lent on security of the estate could not be got back and so the land had to be eventually purchased."

SRI T. VISWANATHAM:—"May I know whether the Hon. Minister is simply saying this offhand, or whether he has statistics about these transactions; in how many transactions the land was purchased as the money lent could not be got back, and in how many transactions the case was altogether different."

* THE HON. SRI KALA VENKATA RAO:—"We cannot have different basis for compensation. We have been advised by legal advisers that if we do that it cannot stand the test in a Court of law. Now I come to the question . . ."

SRI T. VISWANATHAM:—"May I know whether the legal advisers advised that bona fide purchasers should be treated only in the same way as others?"

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* THE HON. SRI KALA VENKATA RAO:—"The question of bona fide purchase is only a question of intention. If bona fide I buy Reserve Bank shares at Rs. 150, and should they fall to Rs. 115, as it did yesterday, what is to be done?"

MAHBOOB ALI BAIG SAHIB BAHADUR:—"So give the present value?"

* THE HON. SRI KALA VENKATA RAO:—"I am not going to founder my Bill in a Court of law."

"Then, a suggestion was made that one year's income should be paid as compensation. It is too little; it will be illusory, and so I am not prepared to accept it. Mr. Raghavayya suggested expropriation was good to a country which has won its freedom recently and starts functioning anew, and he suggested 'do not look into books'. Sir, every day he has to look into books and he advises us not to look into books. We cannot but look into books if we want to abide by law, and so his advice of expropriation cannot be accepted."

"And then, Sir, the question of method of payment was raised. In this connexion there was an argument, 'why not 80 per cent of the dues be paid to the zamindar now.' It is a matter which will have to be worked out according to the money Government will be able to raise in the market and the Government of India will have to allow us to float a loan. Of course, on the pledge of their property Government will be able to raise money in the market. Subject to the conditions and advice of the Reserve Bank of India and the Government of India, Government are prepared to consider the proper method by which the amount should be paid. It is not intended that anybody should lose what is decided as payable to him. We want to take over the estates and pay compensation in good time according to the exigencies of the market and the economic conditions of the country."

"One suggestion was made that the quantum of compensation should be fixed by a Court of law. To that proposition the Government are not prepared to agree for the simple reason that we have defined the principles on which compensation has got to be given. What remains is only the method of calculation and it need not be left to a Court of law." 4-30 P.m

"The question of the apportionment of the compensation was raised by Mr. Bhashyam. He said that there would be a first mortgagee, a second mortgagee and so on, and asked which of them would get the amount. The ordinary law of the country will operate and the Tribunal will give the award according to that law."

"Mr. Kaleswara Rao raised the point about fixing a maximum limit to the amount of compensation. I must tell the

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House that this was not agreed to by our advisers at Delhi and we cannot have any top limit fixed to the quantum of compensation."

SRI A. KALESWARA RAO:—"I also had a talk with those advisers . . ."

* THE HON. SRI KALA VENKATA RAO:—"Mr. Kaleswara Rao might have had a talk. I do not deny. He is a good, old gentleman. But I must tell him that there is something in writing which those concerned cannot deny and I cannot deny."

"There was some talk about nervousness in investment. I am not worried about it. Where will these gentlemen keep these bundles of currency notes? They cannot keep them locked up in iron-safes for long. They will be forced to bring them into the market to-day or to-morrow, unless they allow them to be eaten away by moths. If not in 1948, at least in 1949 I am certain that they will come into the market. By talking something here we cannot create nervousness among those that wish to invest."

"There was some criticism of interim payments on a twenty-five per cent basis. Once you agree that what the zamindar is entitled to as interim payment is one-third minus some contingent charges—and it comes to twenty-five per cent—you cannot claim more than that. All that you can ask for is that the compensation should be paid early."

"I come to the question of tribunals and their composition. Originally we suggested different types. For the private-land tribunal, we suggested that a non-official and a zamindar also should be included. But later on we found that it would be more useful to have a common type of tribunal consisting of a District Judge, a Sub-Judge and a Deputy Collector. Nobody can object to this. Even though we have ruled out the ordinary Court of law, we have given in this alternative an equally good Court of law."

"Then I come to section 15 which deals with ryoti lands in municipal areas in estates. There was a lot of criticism about it in the House. Last time, I said that the Government would consider it. By the time that section is reached, the decision will be made known. I can only assure the House that this criticism, coming as it does from so many Members, and the criticism offered by the Andhra and Tamilnad Provincial Congress Committees will certainly carry due weight with the Government."

"Mr. Kaleswara Rao wanted that the wording of the Preamble should be changed. All these things were drafted on excellent legal advice and I do not see any reason why it should be altered."

"As regards arrears of rent, while some friends pleaded that the whole arrears should be paid to the zamindar, some others pleaded that they should be entirely written off. We are advised that arrears also are a species of property and that they

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cannot be completely wiped off by the Government without compensating the zamindars. While we are getting the land free of charge to the tenant, the tenant cannot demand that the Government should pay something more to the zamindar and wipe off the arrears. That is not a reasonable argument and therefore we cannot accept it. The formula finally adopted by the Select Committee is very reasonable. Payment of arrears due for ~~four~~ ^{five} years 1356 and 1357 as reduced to the ryotwari level will wipe off all arrears. That will be a very small amount. I don't think that the wiping off of the entire arrears can be justified by any argument."

"There was some criticism about the records. Some friends wanted that a penal clause should be there. We had that examined and we came to the conclusion that no penal clause was necessary. When we make entry, and if the zamindar resists, he comes under the operation of the Indian Penal Code. There will be a clear case for prosecution against him for obstructing a public servant in the discharge of his duty. But there was one request made by the Zamindar of Mirzapuram and that is that while taking away records copies should be given to them. That is a reasonable request and the Government will accept it."

"Again the question of office buildings was raised. You cannot govern an estate from under a tree. You must have some building from which to carry on the administration. Therefore we propose to take over the office buildings. But we have made one very great concession. If a part of an office building had been used for residential purposes, we are leaving the entire building with the zamindar. We propose to take only such buildings as taluk offices, tanas, etc., which were being used for administrative purposes. (An hon. Member: 'Is there compensation for them?') For office buildings, there is no compensation; but for the rest, there is."

"Then we come to the tiller of the soil. Over this point, many friends have spoken. Their point is that the pattadar, who stands to-day between the zamindar and the so-called tiller of the soil, should also be obliterated in this legislation. That is not a feasible proposition. I understand Mr. Karanth's plea that legislation to save also the under-dog, the common man the suffering man who is being very much crushed, should be brought before the House. For that there should be a common legislation both for zamindari and ryotwari areas. For that matter also, the Government have already appointed an officer. He has submitted a report and that is being examined. Compensation to the zamindars alone comes to 12 crores, and if we are to compensate the pattadars also for the 128 lakhs of acres, it will be beyond the capacity of the State. The next step in the legislation must be to adjust the relationship between the pattadars and the tenants, and that will come up before the Assembly at the next stage."

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"A request was made that the lands purchased in revenue sales might be given to the original ryots. If such a land had already been assigned to some other ryot, we cannot take it back. But if lands are available, this request will be considered along with the assignment policy of the Government.

"I have been criticized for telling many things in advance. If I do not tell, you would say that I am following Star Chamber methods. These are days of publicity and propaganda and we must reveal what is in our heart, invite public criticism, and be guided by it or take our chance. If we keep things in our heart without revealing, it will not do any good to the people. In these days to say that we should not speak about things that are to come, about ideas that have to be put into execution and about legislation that will have to be passed by this House, is unjust. We must speak freely, invite public criticism and be guided by it. That will be the best way of dealing with matters. (At this stage, the Speaker resumed the Chair.) Dr. Ramachandra Rao asked: 'Is this legislation going to do any good to the tenant?' He gave advice as though from a pulpit. If my hon. Friend, who formerly used to be the District Board President moves about in the villages, goes over to the Krishna district and moves about in the zamindari villages there, the answer will be given by the ryots. There is no use of giving advice as though from a pulpit and saying that this measure will not benefit anybody.

"I should like to touch upon one important matter. You have heard Mr. Prakasam read some statements and criticize the High Command for giving advice and me for going to the High Command to seek advice. I must state that I am not a person to discuss my national executive in public. I owe allegiance to the Party to which I have the honour to belong. It will be most unwise on my part to come before the public and discuss the relationship between me and the elders who run the machinery of the organization to which I belong."

MAHBOOB ALI BAIG SAHIB BHADUR:—"It is not democracy."

THE HON. SRI KALA VENKATA RAO:—"My Friend, Mr. Baig says: 'It is not democracy.' Is he sitting here without the advice and approval of the Indian Muslim League as it stood before Pakistan came into being? He owes allegiance to that body and he was selected by that body. That is why he is sitting here; that is why he fought against Vande Mataram song once. All these things have happened and it is democracy. If we introduce 'Janagana Mana' it is against democracy!

"We should like to establish close contact between the national executive and the local executive to see that there is uniformity and unity in this country. Big people, who are strong enough, can resist the High Command. can defy and stand

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against it, but I, a poor mortal, cannot stand against that body and cannot defy and criticize it. That is not my conception of my duties towards my elders.

"After saying this, I must state one thing categorically. I say, with my hand on my heart that I have carried out the instructions that have been given to me. At some future date when I am free and not on the floor of this House because we have got certain restrictions here, I might reveal to you how I have carried out every syllable and every word of the instructions to which I have referred.

"Then, one hon. Gentleman read Mr. Sankara Rao Deo's letter of October 1947. A copy of that letter was placed on the table of the House under your (Mr. Speaker's) direction. Always he has got a flair to read the first paragraph and leave out the second paragraph. The second paragraph clearly says that in order to consider the matter, the Revenue Ministers of the various provinces should meet in Delhi. Later on the letter says that Madras can proceed with its zamindari legislation. I have not suppressed anything. I am drawing attention to this letter because it was already placed on the table of this House. He also read Rajen Babu's opening speech at the Revenue Ministers' Conference. But he must have gone a little lower down and seen what the Revenue Ministers and Rajen Babu have decided. (Interruption.) The Speaker has already said that I can give a summary and only that I should not read one-half and leave out the other half. (Interruption.) I am perfectly right. I am satisfied that people who know me well will bear me out that I am in the right and not in the wrong.

"Then, Sir, he also said that I have no nerves and that it is on that account I am often running to the High Command. I must also tell him that except on the last occasion, it was only in response to a definite invitation from the High Command and not on my own personal choice that I had gone to Delhi. But at the same time, I must admit, Sir, that I have not enough nerves to defy and discard the High Command altogether even as the hon. Gentleman did in certain matters, but I know I have some nerves and I may say that I got them only under the guidance and the training I had received from that hon. Gentleman himself.

"Then, Sir, finally he has suggested that I should withdraw this Bill and give it over to two or three persons who would suggest better amendments to it or draft a new Bill altogether. Sir, when I requested the hon. Gentleman to sit on the Select Committee, he could not give his consent. But the two gentlemen whom he wants me to refer the Bill must include him also. Why did he not come forward to offer his help at the required stage? Sir, I am perfectly certain that the Bill in its present amended form is quite all right and I agree with my hon. Friend Mr. Karanth, that all that could be done has been done and I do

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not think there is anything more that is needed to make it better or acceptable to the House. I do not feel sorry for what has been done and my hon. Friend Mr. Prakasam's suggestion that it should be withdrawn, is neither proper nor advisable at the stage.

"Finally, Sir, I do not like to take up the time of the House much longer. Some gentlemen have criticized that the Hon. Premier was responsible for certain deletions in the Bill. They did not know the circumstances and the things that happened inside and the forces that worked behind. If there was one gentleman who stood steadfast and determined behind and gave all his encouragement and support from last year until to-day, it was the Hon. Premier and to him I should render my thanks. But for him it would not have been possible for me to bring this Bill before this House to-day and if any credit is given to me, I would transfer the whole credit to my Chief, the head of this Government.

"Then, Sir, we must always feel that besides everything else, there is always the great social question before us. There is no use of brushing it aside or treating it with indifference. Till the end of the last century, the policy of *laissez-faire* was holding the field, and each man was acting according to his motives and no one interfered with him. But that idea has completely changed after the 20th century dawned and even the best of the liberals who were subscribing to that policy, to-day feel that the State must step in and set things right. People have begun to realize that unless the State comes in and holds the balance even between the small and the big man, there can be no permanent solution to all our social and economic ills. Therefore, it is the concern of the State to-day to bring in legislation over social and economic matters and it is through the State that the harbingers of peace and happiness to the people should come. To-day we have not only won our freedom, but we are living in a new age and in an entirely new world, the post-war world. Old ideas are changing throughout the world and they should have their logical consequences in this country also. We must also realize that society itself is moving fast and is not static. If we are to play our part in this world, we must move with the times; we must march with the world.

"Now, Sir, these zamindars were entangled in traditions, interests and expedients. These were the words which were used by Lord Acton in describing the English Aristocracy of his time. As I said, we are living in a new era to-day. We have to build our society on an eternal and stable basis. The first step in our social legislation is the abolition of the zamindaris. Other measures will follow in due course. It is our aim and desire to enable the common man in this country, even the small man, the tiller of the soil and the worker in the factory to play their part and be enabled to reach the topmost rung in the ladder. And it is our hope that by this measure we have well and truly laid

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that foundation and hereafter the tiller of the soil and the common man who has been toiling throughout his life will be able to look ahead and be a free and a happy man. The policy of this Government, if I may use the same words, as was once uttered by a gentleman is this: 'Not right, not left, but forward.' Let us all therefore march forward together and let us make this country great, not only politically but also socially and economically.

"I thank you, Sir, for having given me this opportunity to speak, and I once again thank hon. Members of this House for their frank criticisms of this Bill. I would now invite them to suggest, not fundamental changes, but changes which will improve the wording and construction, etc., of the Bill and see that the Bill becomes law at an early date. As the House knows, this Bill was published on 12th September 1947 and to-day is 13th September 1948. One year is well nigh over and any further delay is not in the interests of anybody. I once more appeal to you, Sir, and to the hon. Members of this House to give me the necessary help and assistance to get this Bill through and to place it on the statute book. I thank you, Sir."

MR. SPEAKER:—"I am going to put the motion to the vote of the House. The motion is, that the Madras Estates (Repeal of the Permanent Settlement and Conversion into Ryotwari) Bill, 1947 (L.A. Bill No. 37 of 1947), as reported by the Joint Select Committee be taken into consideration."

The motion was put and carried.

MR. SPEAKER:—"I now adjourn the House to meet again at 11 o'clock to-morrow."

The House adjourned.

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APPENDIX

[Vide answer to starred question No. 268 asked by Sri K. Linga Raju at the meeting of the Legislative Assembly held on 13th September 1948, page 148 supra.]

PROGRESS OF WORK DONE IN CONNECTION WITH THE RAMAPADASAGAR PROJECT DURING THE WORKING SEASONS, 1946-47 AND 1947-48.

The following investigation works studies were carried out during the working season of 1946-47 :—

(a) Excavation of experimental trenches I and II and preliminary pumping experiments to study the behaviour of soils and know the pump capacities.

(b) A special division was formed in May 1946 to do the work connected with the design of the dam and appurtenant works, coffer dam details and preparation of detailed plans and estimates for headworks and conduct tests on some of the important materials of construction.

(c) Survey of the coal field area likely to be submerged by the Reservoir in the Hyderabad State and detailed surveys of the reservoir area for a few miles above and below the dam.

(d) Dr. Terzaghi and Mr. Savage who visited the dam site suggested various methods of testing the soils in which the coffer dam is to be constructed.

(e) A network of probings by the Penetrometer and corroborative borings by the hand-boring set and with the Calyx Drill was done in the river-bed.

(f) Soil samplings from various depths below the surface were taken with the Denison sampler, split spoon and scrapper bucket, etc., samplers, and analysed for their physical properties relevant to the design and construction of the dam and studied in the field soil mechanics laboratory.

(g) Hydraulics model studies of the coffer dam layout, spillway design, scrapper bucket, etc., and exploratory tests on concrete and mortar, etc.

(h) Excavation of the experimental pit I-B suggested by Dr. Terzaghi to determine the safe slopes of the soil.

(i) Driving sheet piles in a straight line.

(j) Loading test on the soil in the river bed.

(k) Pumping tests to determine the co-efficient of permeability. A consolidated report on the above tests was prepared and sent to the Consulting Engineers for their review.

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The following progress was made in the year 1947-48 :—

(1) Early in April 1947, the detailed designs for the dam and headworks were finalized and they were sent to Denver for check by the International Engineering Company.

(2) Professor Straub, who visited the dam site and studied the details of the design and layout of the coffer dam, had submitted a memorandum suggesting the collection of additional field data mentioned below, and they were attended to as indicated.

(3) Penetrometer soundings and corroborative borings were continued and completed.

(4) Taking soil samples and analysing them in the laboratory were continued and are still in progress.

(5) In pursuance of Dr. Straub's memorandum mentioned above taking bed-load samples, silt and sediment studies, surface and sub-surface observations taking daily soundings of the river, hydrographic survey of the river and float observations were conducted and the results sent to him.

(6) Arrangements have been made to conduct parallel experiments on hydraulic models suggested by Dr. Straub at Minnesota, United States of America.

(7) Detailed designs for the dam and power plant together with the specifications were finalized at Denver and printed. A meeting of the Board of Consulting Engineers was held early in August 1947 and the Board's final opinion on the feasibility of the project and adequacy of designs was obtained.

(8) Further exploratory works on the following items left unfinished during the previous season were done in this season and completed :—

(a) Pumping tests and permeability experiments,

(b) experimental dewatering with well-point system,

(c) loading test on the soil, and

(d) driving sheet piles in straight line and cellular cell driving for coffer dam layout.

(9) Extensive test on cement concrete cubes of various proportions on Godavari sand for mechanical analysis, on the design of mixes for the concrete, etc., and other allied items were also conducted in the concrete laboratory.

(10) Final designs for the appurtenant works and detailed plans and estimates for the whole project were also prepared.

Canals.—Detailed investigation of the left main canal, consisting of taking block levels, fixation of ayacut and delimiting the area, preparation of block maps and ayacut registers, alignment of the main canal and distributaries on ground taking L.S. and C.S. and preparing site surveys of important masonry works, etc., were

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completed during the years 1946-47 and 1947-48. Revenue investigation by the Revenue staff in the submergible area of the waterspread and in the canals areas was also done in these years. Detailed plans and estimates for the left main canal were prepared and costs of the aqueduct across the Krishna river and other major streams worked out. Estimates for the costs of the right main and Guntur canals were worked out based on the figures obtained from the detailed investigation of the left main canal. All the estimates for the canals system have also been finalized after preparing detail plans and costs worked out.

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, the 14th September 1948.

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.

Introduction of total Prohibition.

* 276-A Q.—SRI P. NATESAN: Will the Hon. the Minister for Firka Development be pleased to state whether the Government propose to introduce Prohibition in Madras and other districts as from 2nd October 1948?

THE HON. DR. S. GURUBATHAM:—"Yes."

SRI P. NATESAN:—"Will the Hon. the Minister be pleased to give permits to people over 50 years of age?"

THE HON. DR. S. GURUBATHAM:—"Indians are not given any permits."

SRI P. NATESAN:—"Why are Anglo-Indians treated as different from Indians in this regard?"

THE HON. DR. S. GURUBATHAM:—"Because they are Anglo-Indians."

SRI P. NATESAN:—"Is it not a fact that Anglo-Indians are considered as Indians for all political purposes?"

THE HON. DR. S. GURUBATHAM:—"We have been withdrawing all these concessions gradually. Anglo-Indians over 55 years and Europeans over 45 years are given permits and they will also be gradually withdrawn."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is it not a fact that on the advice of our Prime Minister, Pandit Jawaharlal Nehru, the Cabinet decided not to proceed with Prohibition for some time?"

THE HON. DR. S. GURUBATHAM:—"They did say so. But still the Party decided to proceed with Prohibition and we have accepted the Party's advice."

SRI K. T. KOSALRAM:—"Prohibition-ஐ போலீஸ் மூலமாக அமல் நடத்தப்போகிறார்களா அல்லது Excise Department மூலமாக அமல் நடத்தப் போகிறார்களா என்று கேட்கிறேன்."

THE HON. DR. S. GURUBATHAM:—"இது வரையில் போலீஸ் நடத்திக்கொண்டிருக்கிறார்கள். இப்பொழுது போலீஸ் நடத்தும் இடங்களைத்தவிர மற்ற இடங்களில் Excise Department தான் நடத்தப்போகிறது."

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SRI P. NATESAN:—“Is the Hon. Minister aware that as many as 170 people died in Alipuram jail for want of alcoholic drinks?”

THE HON. DR. S. GURUBATHAM:—“We do not know, Sir.”

MUHAMMAD RAZA KHAN SAHIB:—“Is it not a fact, Sir, that, under instructions from the Prime Minister, the Government of Madras decided to defer the introduction of Prohibition in eight districts and whether it was right on their part to change their decision simply because the Party did not see eye to eye with them?”

THE HON. DR. S. GURUBATHAM:—“The statements are not correct.”

MUHAMMAD RAZA KHAN SAHIB:—“May I know, Sir, the total amount that will be lost to this Province by the extension of Prohibition?”

THE HON. DR. S. GURUBATHAM:—“The total is seventeen and a half crores.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Is it not a fact, Sir, that the Party's decision was virtually a no-confidence motion against the Cabinet and the Premier?”

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

SRI V. M. RAMASWAMI MUDALIYAR:—“May I know, Sir, whether it is not a fact that the Prohibition Enquiry Committee presided over by Sri Nachiappa Gounder recommended that the work of enforcement should be done by the Police rather than by Excise staff and, if so, why that recommendation has not been acted upon by the Government?”

THE HON. DR. S. GURUBATHAM:—“The Committee recommended that the whole thing should be handed over to the police. The hon. Members know the present position, and it does not arise at present.”

MR. L. C. PAIS:—“What about the permits already granted to Indians? Are they also going to be cancelled?”

THE HON. DR. S. GURUBATHAM:—“Permits already granted when they cease will not be renewed.”

SRI R. SUBBA AYYAR:—“Is there any proposal before the Government to invest non-official institutions such as Congress Committee with powers for enforcing Prohibition in the new districts that are going to be dry?”

THE HON. DR. S. GURUBATHAM:—“There is no such proposal.”

SRI K. T. KOSALRAM:—“Palmyra Industries-க்கு இப் பொழுது இருக்கும் சலுகைகள் Prohibition அமல் நடத்துவதில் பாதிக்காமல் இருக்கும் என்பதை கனம் மந்திரியார் உறுதி சொல்லுவாரா?”

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THE HON. DR. S. GURUBATHAM:—“எந்த கைத்தொழிலும் கெட்டுவிடாது. Palmyra Industries-ஐப்பற்றி எனக்கு தெரியாது.”

SRI P. NATESAN:—“In view of the fact that we do not want the Minister to be responsible for the deaths as a result of refusing drink to addicts, will they be pleased to revise their policy in this regard?”

THE HON. DR. S. GURUBATHAM:—“I have not heard of any death, and there is no need to consider the question.”

SRI V. M. RAMASWAMI MUDALIYAR:—“Will the Government consider a reversion of their policy by postponing Prohibition to more normal times in order to entrust the work to the Police rather than the Excise department?”

THE HON. DR. S. GURUBATHAM:—“It will be considered when the whole situation is improved.”

SRI KALLUR SUBBA RAO:—“Have not the Government committed on the floor of this House for total Prohibition with the support of all Parties?”

THE HON. DR. S. GURUBATHAM:—“Yes, Sir.”

SRI N. VENKATASUBBAYYA:—“Do the Government propose to continue the ameliorative staff as a result of the extension of Prohibition and, if so, to what department have they decided to entrust the work with?”

THE HON. DR. S. GURUBATHAM:—“There is a proposal to reorganize the ameliorative department and the whole thing will be in the hands of the ameliorative department.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“Will the Government be pleased at least to spare the Madras City for some time?”

THE HON. DR. S. GURUBATHAM:—“What is the meaning of sparing Madras City?”

MUHAMMAD RAZA KHAN SAHIB:—“With reference to the declaration that there will be a deficit of eight crores, may I know if it will include the loss of revenue by Prohibition in the eight districts?”

THE HON. SRI B. GOPALA REDDI:—“Yes, Sir.”

SRI P. NATESAN:—“May I know if the Government will pay for all the drinks that will remain in stock in the various clubs in Madras City at the end of the month?”

THE HON. DR. S. GURUBATHAM:—“The country knows the policy of the Government, and they should have taken care that they don't keep stocks.”

SRI N. S. VARADACHARI:—“May I ask with respect to Prohibition merely enforcement for purposes of punishment is not enough but there should be a sustained effort in the way of recreation and diversional entertainments?”

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THE HON. DR. S. GURUBATHAM:—"The Government are quite conscious of that factor and that is why we are trying to do ameliorative work effectively."

SRI S. NAGAPPA:—"Arising out of the answer to Mr. Subbier's question, am I to understand that the Government do not want non-official co-operation?"

THE HON. DR. S. GURUBATHAM:—"We do not say that we will not take the co-operation of non-officials."

SRI D. V. RAMASWAMI:—"Will the Government take the local committees into confidence and consider proposals for the enlistment of proper workers for this work?"

THE HON. DR. S. GURUBATHAM:—"It will be considered."

SRI P. KANDASWAMI PILLAI:—"May I know if the Government are aware that the Excise department when it is entrusted with the supervision work they don't work well and they are quite unable to enforce Prohibition is a general opinion among the people and that the question should be considered?"

THE HON. DR. S. GURUBATHAM:—"There are conflicting opinions, Sir."

Lighting in Ongole town.

* 276-B Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the power distributing agency at Ongole broke down several months back;

(b) how is the lighting done at present in Ongole, Guntur district; and

(c) what steps the Government propose to take to restore electric power to this town?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) No. But there have been complaints regarding the unsatisfactory supply of power in Ongole.

" (b) & (c) In their letter, dated 28th July 1948, the Power Consumers' and Rate Payers' Association, Ongole, reported that the Engine-head in the Ongole Power-house broke down and that there was no current supply at all. The Ongole Electric Supply Company, Limited, have since got the broken part repaired and the supply was restored from 31st August 1948. The Power Consumers' and Rate Payers' Association have again reported in their letter, dated 9th September 1948, that supply was available only for four days from 31st August 1948 and that the machines have given way again. The Commissioner, Ongole Municipality, is being instructed to apply to the Collector of the district for a special permit to purchase kerosene for street lighting until electric supply is restored."

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Congress committees in Ponnani taluk.

[* 277 Q.—

The hon. Member is not in his place. The answers will be printed in the proceedings.]

P. K. MOIDEEN KUTTY SAHIB BAHADUR: Will the Hon. the Premier be pleased to state whether the Government are aware that local committees consisting of congressmen have been constituted by the Ponnani Taluk Congress Committee to conduct enquiries and make investigations into matters which are the functions of the Police and that these committees are interfering with Police work?

THE HON. SRI O. P. RAMASWAMY REDDIAR:—"The Government understand that the Ponnani taluk Congress Committee has formed a committee of ten persons with effect from the first week of April 1948 to enquire into and report on allegations levelled against Government servants in general and the Police in particular. The Committee has not, however, directly interfered with the Police work in the area."

Electricity Corporation of Chicacole.

* 278 Q.—SRI G. KUMARASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received any representations from the Electricity Consumers' Association of Chicacole of Vizagapatam district regarding the way in which the Electricity Corporation of Chicacole is working;

(b) if so, what their representations are; and

(c) what the Government propose to do to rectify the defects, if any, in the electric corporation?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Yes.

" (b) The Association represented in their letters, dated 30th January 1948 and 16th February 1948 (i) that the war costs surcharge of 50 per cent levied by the licensee be cancelled, (ii) that an inquiry be held into the alleged financial position of the undertaking, with a view to suggest ways and means to reduce overhead charges, in order to minimise the surcharge or to abolish it altogether, and (iii) that the Government (thermal) bulk supply may be extended from Vizagapatam to Chicacole Municipality immediately with a view to improve the supply position.

" (c) The only way to improve supply position at Chicacole seems to be by acquiring the undertaking. The Government have, however, decided that there is no necessity for the immediate acquisition of this undertaking."

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SRI G. KUMARASWAMI:—" May I ask the Hon. Minister what methods he proposes to seek to see to rectify the existing defects? "

THE HON. SRI M. BHAKTAVATSALAM:—" We are trying to get the defects rectified but we cannot enforce the execution of the works."

SRI D. V. RAMASWAMI:—" The charge per unit is as high as nine annas per unit. Will the Government consider the advisability to immediately lower the rate to at least five annas or four annas? "

THE HON. SRI M. BHAKTAVATSALAM:—" There is no difficulty about advising; but the difficulty is in carrying it out, Sir."

SRI ROKKAM RAMAMURTHY:—" May I know what time the Government will take to extend this thermal scheme from Vizagapattinam? "

THE HON. SRI M. BHAKTAVATSALAM:—" It is estimated that it will take two years for extending thermal powers from Vizagapattinam thermal station to Chicacole. But when Government take over private undertakings, we can take over Chicacole."

SRI G. KUMARASWAMI:—" Are the Government aware that there is one engine that is working and there is no substitute for it? "

THE HON. SRI M. BHAKTAVATSALAM:—" Perhaps it is so, Sir."

Steps taken to give effect to the provisions of the Minimum Wages Act.

* 279 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state—

(a) what steps the Government are taking to give effect to the provisions of the Minimum Wages Act relating to agricultural workers; and

(b) whether the Government propose to take steps to set up the permanent machinery to settle disputes and establish harmonious relations between landowners, peasants and agricultural workers?

THE HON. SRI H. SITARAMA REDDI:—" (a) Government are examining proposals for the constitution of committees and boards under the Act to hold enquiries and to advise Government in regard to fixation of minimum wages.

" (b) Yes, Sir. Legislation for this purpose is under consideration."

11-15 a.m. MOHAMED ABDUL SALAM SAHIB BAHADUR:—" As there is a provision in the Minimum Wages Act that the Government themselves can after enquiry fix the minimum wages, will the Government consider the advisability of doing so? "

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THE HON. SRI H. SITARAMA REDDI:—" Under the sections 5, 7 and 8 of the Minimum Wages Act, certain boards and committees are contemplated to advise the Government in fixing the minimum wages. The Commissioner of Labour has sent certain tentative proposals and they are being examined. This question has to be examined not only by the Labour department but by several other departments and so there has been some delay in arriving at a final decision in the matter? "

SRI S. NAGAPPA:—" Are the Government aware that the agriculturists are taking advantage of the indebtedness of the agricultural labourers and they are paying very low wages and if they refuse to work for such low wages, immediately they demand the debts? So in order to relieve these workers from such bondage, may I know what steps the Government propose to take? "

THE HON. SRI H. SITARAMA REDDI:—" The best thing that the agricultural labourer can do is to discharge his debt."

SRI N. S. VARADACHARI:—" Will the Government take the initiative and start a few community centres for these agricultural workers and do propaganda and also welfare work among them? "

THE HON. SRI H. SITARAMA REDDI:—" No, Sir."

SRI S. NAGAPPA:—" Are the Government aware that in the present condition, the agricultural worker is not in a position to discharge his debts and, if so, will the Government come to his rescue and advance him some money? "

MR. SPEAKER:—" This is a question about the Minimum Wages Act. It is not about debt redemption."

Complaint against Mr. Hussain, Sub-Inspector of Police.

* 280 Q.—SRI P. KANDASWAMI PILLAI (on behalf of Sri A. Subrahmanyam): Will the Hon. the Premier be pleased to state—

(a) whether the Government have received any representations complaining against the conduct of Mr. Hussain, the Sub-Inspector of Police, Attayampatti; and

(b) if so, what action has been taken on the same?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) Yes.

" (b) The matter is under investigation."

SRI P. KANDASWAMI PILLAI:—" Are the Government aware that the Sub-Inspector in question, Mr. Hussain, who is in Attayampatti, is helping the trade in illicit liquor in that place? "

MR. SPEAKER:—" The Government have already answered that in the affirmative."

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Construction of a railway line between Palni and Satyamangalam.

* 281 Q.—SRI K. P. KAMAKSHI CHETTIYAR (on behalf of Sri S. C. Balakrishnan): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether this Government have recommended to the Central Government the proposal for constructing a railway line between Palni and Satyamangalam;

(b) whether it is a fact that this line was already surveyed some years ago;

(c) whether this Government have received any instructions from the Central Government as regards this line; and

(d) if so, what the intentions of the Central and Provincial Governments are regarding the construction of this line?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) No.

“(b) Yes. The line was first surveyed in 1903 and again in 1926–27 and 1935.

“(c) No.

“(d) Does not arise.”

SRI K. P. KAMAKSHI CHETTIYAR:—“In view of the fact that Palni is one of the greatest pilgrims centres in South India, will the Government recommend to Central Government to take up this line also?”

THE HON. SRI M. BHAKTAVATSALAM:—“Even if we should recommend, Sir, the Government of India are not prepared to undertake proposals like these, because they prefer such short distances to be covered by motor transport.”

Nationalization of industries.

[* 282 Q.—

MR. SPEAKER:—“The hon. Member is not in his place. The answer will be printed in the proceedings.”]

M. A. MUHAMMAD IBRAHIM SAHIB BAHADUR:—“Will the Hon. the Minister for Industries be pleased to state whether the Government propose to nationalize the industries, besides motor transport, and when?”

THE HON. SRI H. SITARAMA REDDI:—“The Government have no such proposals under their consideration. The Industrial Planning Committee appointed by the Government to report on the industrialization of the Province has submitted some recommendations on the question of State ownership of industries. They are under the consideration of the Government.”

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Number of applicants for the Basic Training Course.

* 283 Q.—SRI S. NAGAPPA (on behalf of Sri B. S. Murthi): Will the Hon. the Minister for Education be pleased to state—

(a) the total number of applications received during the current year for the Basic Training Course in the Government Training School at Pentapadu, Tadepalligudem taluk, West Godavari district;

(b) the number of applications received from Harijans and Harijan Christians; and

(c) the total number selected, and the number of Harijans and Harijan Christians selected?

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

“(a) Sixty-one.

“(b) Nineteen; Hindu Harijans 5 and Christian Harijans 14.

“(c) Total number admitted was 35, of which 2 were Hindu Harijans and 7 Christian Harijans.”

SRI S. NAGAPPA:—“Arising out of the answer to clause (c) may I know whether out of 35 applicants only 2 Harijans and 5 Harijan Christians were taken?”

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

“It must be according to their qualifications, Sir.”

SRI S. NAGAPPA:—“May I know, Sir, whether the candidates have not satisfied even the minimum qualifications required for the posts?”

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

“It is not a question of minimum qualifications, Sir. It is a matter of better educational qualifications.”

SRI S. NAGAPPA:—“Am I to take it, Sir, that almost all the candidates did not satisfy the Government so far as their educational qualifications were concerned?”

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

“I must also say, Sir, that sometimes people apply before the results of examinations are known. It does not mean that all 61 are qualified.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“May I know from the Government, Sir, whether they have revised their policy as regards the naming the Harijans who have become Christians as Harijan-Christians?”

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

“No, Sir. This is an answer to the question as it has been framed.”

SRI S. NAGAPPA:—“May I ask the Government, Sir, as to what are the minimum qualifications that they require for the Basic Training Course, Sir.”

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ Apart from a Higher Elementary School Certificate anything about III form, Sir.”

SRI D. V. RAMASWAMI:—“ May I know, out of these applications how many are from men and how many are from women? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ These training schools are for men, Sir.”

SRI S. NAGAPPA:—“ Am I to understand that these 35 men have not come up to the minimum qualifications required, Sir? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ These 35 would not have been taken if they did not satisfy the minimum qualifications.”

Financial contribution of the Central Government to the Madras Government.

* 284 Q.—MUHAMMAD RAZA KHAN SAHIB (on behalf of M. A. Muhammad Ibrahim Sahib Bahadur): Will the Hon. the Minister for Finance be pleased to state whether it is a fact that the financial contribution of the Central Government to Madras has been considerably increased in 1946-47 and 1947-48?

THE HON. SRI B. GOPALA REDDI:—“ The financial contribution by the Government of India to the Madras Government was larger in 1946-47 and 1947-48 than in previous years. It is due mainly to payment by them of grants towards the expenditure on Post-War Reconstruction Schemes and Grow More Food Schemes as will be seen from the following figures:—

	1944-5. RS. LAKHS.	1945-6. RS. LAKHS.	1946-7. RS. LAKHS.	1947-8. RS. LAKHS.
(1) Provincial share of taxes on income other than Corporation tax.	398.40	431.25	448.05	535.32(a)
(2) Compensation for suspension of Provincial measures of taxation on wholesale trade in tobacco	27.09(b)	22.09	22.00	22.00
(3) Grants towards Post-war Reconstruction Schemes	..	(c)	230.08(d)	280.04
(4) Grants towards Grow More Food Schemes.	..	..	152.82	
	425.49	453.25	852.95	837.36

(a) Represents the share for the period from 15-8-47 to 31-3-48 only. The share due for the pre-partition period, i.e., from 1-4-47 to 14-8-47 has not yet been adjusted.

(b) Includes compensation of Rs. 5.09 lakhs for loss of revenue in 1943-4.

(c) Included in (d).

(d) Represents grants sanctioned towards expenditure incurred in 1945-6 and 1946-7.”

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ As figures are involved in this question, Sir, I suggest that we may take up this question to-morrow and in the meanwhile the information may be supplied to us.”

MR. SPEAKER:—“ All right. We shall take it up to-morrow.”

Separate College in the Nilgiris district.

* 285 Q.—SRI K. BOKKAI GOWDER: Will the Hon. the Minister for Education be pleased to state why a separate College was not established in the Nilgiris district in pursuance of the policy of the Government to have one college at least for each district?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ The matter is being looked into.”

SRI K. BOKKAI GOWDER:—“ In view of the fact that there are more than a dozen high school boys in the district and nearly 150 to 200 pass the S.S.L.C. every year and they are not in a position to get admission in other colleges will the Government please see that a college is established immediately in the district? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ The matter was examined some time back, Sir, and it was then found out that the number of schools did not warrant the establishment of a college in the Nilgiris. But as my hon. Friend has been pressing the matter, the Government are examining the matter again.”

SRI K. BOKKAI GOWDER:—“ May I know how long the Government will take to come to a final decision in the matter, Sir? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ If the hon. Member wants a decision immediately, he can have it, Sir, on the old basis, but if he wants a revision of that decision it must take some time.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ Arising out of the answer of the Hon. Minister, that the matter was being looked into, may I know what he means by ‘looked into’, Sir? Is it the establishment of a college or the abolition of the district, Sir? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ The matter is this, Sir. My hon. Friends want a college to be opened in the Nilgiris. Some time back the question was examined and it was found that for the number of high schools there, a separate college was not necessary. Now that the hon. Member is pressing the question again, the Government are looking into the matter.”

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SRI K. BOKKAI GOWDER:—"May I know what is the number of high schools required, Sir, for having a college in that place?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Unless there are about 200 to 300 students forthcoming to join the Intermediate class it may not be possible for the Government to think about the establishment of a college there, Sir."

MR. SPEAKER:—"Order, order. There is too much noise here and I am not able to follow the answers to the questions at all."

Supply of water to the military camp at Palni.

* 286 Q.—SRI K. P. KAMAKSHI CHETTIYAR (on behalf of Sri S. C. Balakrishnan): Will the Hon. the Minister for Public Health be pleased to state whether it is a fact that this Government have asked the Palni Municipality to supply thirty-five thousands gallons of water per day to the military camp from the water used by the public?

THE HON. SRI A. B. SHETTY:—"Recently, the Government proposed to direct the Municipal Council, Palni, under section 19 of the Madras Public Health Act, to supply from its water-supply 30,000 gallons of water to the Special Armed Police Unit proposed to be located in the military buildings outside Palni Municipality. A deputation of the Municipal Council, Palni, which waited on Hon. Minister (Public Health) agreed to supply the minimum quantity of water required by the unit, but represented that the quantity of water to be taken by the unit might be limited with reference to the per capita consumption of water by the population of the Palni Municipality, namely, about 5 gallons per head per day. On this basis, the Municipal Council, Palni, has been asked to agree to a supply of 6,000 gallons per day to the unit. The Municipal Council's reply is awaited."

Supply of furniture for Basic Training Schools.

* 287 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government propose to continue to equip Basic Schools and Basic Training Schools with benches, desks and other articles of furniture;

(b) if not, what the Government propose to do with furniture released from these institutions; and

(c) whether the Government continue to give furniture grant to schools and colleges?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—" (a) Basic schools will be supplied with suitable furniture.

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"(b) If any furniture is released from these Basic schools, they will be used suitably for secondary schools;

"(c) Yes."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, whether the Government will consider the desirability of auctioning the furniture in the same locality in which they are now?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"I do not see any reason for auctioning, Sir."

SRI A. VEDARATNAM PILLAI:—"Is there any proposal, Sir, in the Reorganization Scheme to reduce the furniture in the schools and if not will the Government consider the desirability of reducing the furniture?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"It is not a matter of reducing, Sir. It is a matter of supplying suitable furniture."

BEGUM SULTAN MIR AMIRUDDIN:—"Are the basic schools equipped with an unnecessary amount of furniture?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"I am not aware of that, Sir."

SRI N. M. R. SUBBARAMAN:—"May I know how the released furniture is going to be used in places where there are no secondary schools in the same place?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"They can be shifted to some other place, Sir."

SRI S. NAGAPPA:—"What is the sort of furniture, Sir, that the Hon. Minister considers suitable for these schools?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Such furniture that will allow them to do the craft also. The special needs of the children are also considered."

Number of officers for Prohibition work.

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

(a) the number of Prohibition Sub-Inspectors, Petty Officers, Assistant Prohibition Officers and Deputy Prohibition Officers;

(b) how many of them were taken from the Excise department;

(c) how many of them have been newly recruited; and

(d) from what districts?

THE HON. DR. S. GURUBATHAM:—" (a) One hundred and ninety-seven Prohibition Sub-Inspectors; 211 Prohibition Petty Officers; 31 Assistant Prohibition Officers; and 15 Deputy Prohibition Officers.

"(b) & (c) There is no direct recruitment to the posts of Deputy Prohibition Officers and Assistant Prohibition Officers. All the 15 Deputy Prohibition Officers and 31 Assistant Prohibition Officers were taken from the Excise department. One

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hundred and forty-four of the 197 Sub-Inspectors were also taken from the Excise department. The remaining 53 Sub-Inspectors and all the 211 Petty Officers were recruited directly.

“(d) A statement^a containing the information is laid on the table of the House.”

SRI S. NAGAPPA:—“ May I know, Sir, why 48 petty officers have been selected from Malabar whereas only a smaller number has been selected from the other districts? ”

THE HON. DR. S. GURUBATHAM:—“ That is because, Sir, we could not recruit all the members from the other districts and they were available in that district. ”

SRI A. VEDARATNAM PILLAI:—“ May I know, Sir, whether the Government have satisfied that the officers selected for this work are not themselves addicted to drink because that is more essential for the successful working of Prohibition? ”

THE HON. DR. S. GURUBATHAM:—“ The Government are constantly bearing that in mind, Sir. ”

SRI P. NATESAN:—“ May I know what are the duties of a petty officer, Sir, and what his salary is? ”

THE HON. DR. S. GURUBATHAM:—“ The petty officer is equal to a head constable, Sir. And his pay is the same as that of a head constable. ”

11-30 a.m. SRI S. NAGAPPA:—“ Am I to understand that there were no applicants from other districts to select these forty-eight candidates from Malabar? ”

THE HON. DR. S. GURUBATHAM:—“ I do not know, Sir. ”

SRI S. NAGAPPA:—“ How do the Government propose to undo the injustice done to other districts, Sir? ”

THE HON. DR. S. GURUBATHAM:—“ There is no justice or injustice here. ”

Travelling allowance of Hon. Ministers.

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

(a) the amount of travelling allowance drawn by each of the Hon. Ministers during each of the past eight months; and

(b) the rates of travelling allowance fixed for Hon. Ministers?

THE HON. SRI B. GOPALA REDDI:—“ (a) A statement^b is laid on the Table.

“(b) The rates of travelling allowance admissible to the Hon. Ministers are as follows:—

Railway fare.—Single fare of the class by which the Minister actually travels and in addition three-fifths of the first-class fare.

^a Printed as Appendix I on page 279 infra.

^b Printed as Appendix II on page 280 infra.

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Daily allowance.—Rupees 15 per day within the Province and Rs. 25 outside the Province.

Mileage.—Annas. 8. Annas 12 per mile for journeys by canal.

Air journey.—Actual fare plus daily allowance at Rs. 25.”

BEGUM SULTAN MIR AMIRUDDIN:—“ In view of the fact that Hon. Ministers have a plane of their own now, is it not desirable to construct landing grounds in as many places as possible in the Province so as to make the best use of this plane? ”

THE HON. SRI B. GOPALA REDDI:—“ The matter is under consideration. ”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“ Is it not a waste, Sir, that a particular Minister should have left Tiruchirappalli the day before yesterday, come to Madras, and should have flown to Coimbatore from here, whereas, in the interests of economy, he could have conducted his programme of tour by motoring the distance from Tiruchirappalli to Coimbatore direct and returning to Madras by rail? I am referring to the Hon. Dr. Rajan, Sir. ”

THE HON. SRI B. GOPALA REDDI:—“ A separate question might be put, Sir. ”

SRI S. NAGAPPA:—“ Is it not a fact that the Hon. Minister for Rural Development has not got enough work at the Secretariat, and so he has been touring so much? ”

THE HON. SRI B. GOPALA REDDI:—“ I do not accept the suggestion that he has no work. ”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ Will the Government reconsider their earlier decision and allow travelling allowance to the Hon. Speaker also who is one of the highest dignitaries of the Province? ”

THE HON. SRI B. GOPALA REDDI:—“ Whenever he goes on official duty, he is certainly entitled to travelling allowance. ”

SRI S. NAGAPPA:—“ May I know whether it is a fact that Hon. Ministers visit their native places more often than necessary at the cost of Government? ”

THE HON. SRI B. GOPALA REDDI:—“ I have no information, Sir. A separate question might be put. ”

SRI T. VISWANATHAM:—“ May I know, Sir, what are the official duties of the Hon. Speaker outside the City of Madras to which the Hon. the Leader of the House has referred? ”

THE HON. SRI B. GOPALA REDDI:—“ The Speakers' and Presidents' conferences held off and on in New Delhi. ”

MR. SPEAKER:—“ It is held only once in a year. ”

THE HON. SRI B. GOPALA REDDI:—“ It may be once in a year or once in five years. ”

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, whether the same rule applies to the Deputy Speaker also?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir."

SRI S. NAGAPPA:—"May I know, Sir, whether the Government will allow travelling allowance to hon. Members of this House when they tour in their constituencies?"

THE HON. SRI B. GOPALA REDDI:—"There is no such proposal under the consideration of the Government just now."

SRI D. V. RAMASWAMI:—"May I ask, Sir, whether the consideration shown in the case of the Hon. Speaker will apply to the case of the Deputy Speaker also when she undertakes tours?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Sir, on the analogy of Ceylon, may I ask the Government whether they will consider the advisability of getting silver passes and issuing them both to the Ministers and Members of this Legislature to undertake legislative activities in this Province?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir. I do not think the Government of India will allow any such silver passes being given to Members."

M. S. ABDUL MAJID SAHIB BAHADUR:—"I find from the list that the Hon. the Premier is doing very little travelling. Does it mean, Sir, that he does not believe in too much touring?"

THE HON. SRI B. GOPALA REDDI:—"It is a question of individual taste, Sir."

SRI R. V. SWAMINATHAN:—"May I know, Sir, why the Hon. Minister for Finance does so less travelling while the Hon. Minister for Rural Development has toured so much?"

THE HON. SRI B. GOPALA REDDI:—"The Hon. Minister for Finance is perhaps a lazy man!"

Lady Principal of the Muslim Women's College.

* 290 Q.—SRI A. KALESWARA RAO: Will the Hon. the Minister for Education be pleased to state what became of the Lady Principal after the Muslim Women's College has been abolished?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"She has proceeded on leave."

MUHAMMAD RAZA KHAN SAHIB:—"Sir, the question put is 'what became of the Lady Principal after the Muslim Women's College has been abolished.' I want to know what became of the lady."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"She has proceeded on leave."

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SRI T. VISWANATHAM:—"May I know, Sir, whether she has taken leave of her own accord or whether the Government have asked her to go on leave?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Government gave her a posting, and she did not join that post. She has proceeded on leave."

SRI T. VISWANATHAM:—"May I know the posting that she was given, Sir?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"A separate question might be put, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, whether the posting was made in accordance with her seniority and the justice that was expected to be done to her, even though she did not belong to the majority community?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"I think, Sir, I must explain the matter. In order to increase the training schools, Government considered—and other countries have laid it down—that the Inspectorate and Training Colleges should be formed into a separate cadre and the other colleges should form another cadre. This lady belonged to the cadre of employees in colleges. Being in that cadre, she is not entitled to go to any training college. She represented that somebody who was junior to her was occupying the position of principalship of the Training College. In view of the principles on which the Government stood, she could not be given the posting to the Training College, and therefore she was posted to an Arts college. This lady sought to proceed on leave rather than join duty."

SRI P. NATESAN:—"What would happen to this lady when she comes back from leave?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"She will be given a posting."

SRI P. NATESAN:—"May I know, Sir, whether the Government encourage this sort of going on leave by persons when they do not like the postings?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"We must give some concession to human nature so that people will become alright after sometime."

Tellicherry firka.

[* 291 Q.—

MR. SPEAKER:—"The hon. Member is not in his place. The answer will be printed in the proceedings."]

K. M. SEETHI SAHIB BAHADUR: Will the Hon. the Minister for Firka Development be pleased to state—

(a) whether the attention of the Government has been drawn to the report published in the *Mathrubhumi*, Calicut, dated 17th

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April 1948, regarding a resolution passed at a meeting of the Kottayam Taluk Congress Committee held at Kuttuparamba on the 11th April 1948 inviting the attention of the Government to the fact that, considering the experience of the Tellicherry firka, the Firka Development Department has, by its work till now, achieved only the purpose of wasting the public funds and that it will be profitable for the Government to abolish this Department;

(b) whether the Government have examined the question raised in the resolution with reference to a careful review of the working of the Firka Development Department; and

(c) what action the Government propose to take in future regarding this Department?

THE HON. DR. S. GURUBATHAM:—“(a) Yes.

“(b) Yes.

“(c) The resolution of the Kottayam Taluk Congress Committee referred to in clause (a) of the question does not indicate correctly the progress of the work under the Rural Reconstruction Scheme in Tellicherry firka. The Government understand that the resolution is the outcome of the unpopularity of the Firka Development Officer with a majority of the Committee. This is indicated in the speech of the mover of the resolution as reported in the newspaper referred to in the question. The Government have made enquiries into the specific allegation made against the Firka Development Officer and have satisfied themselves that it is not correct.

The Firka Development Scheme is in its initial stages and comprises short-term as well as long-term measures. The organization of the preliminaries and the preparation of estimates, etc., for the various items of work naturally take considerable time and spectacular results cannot be achieved immediately. Further, the alleged failure of the scheme in a single firka, which the Government do not admit, cannot be made the basis for condemning the entire scheme, which has been drawn up after considerable study and has been supported by experienced public workers who have devoted the greater part of their time and energies to village uplift and rural reconstruction. The Government, therefore, propose to implement the scheme as vigorously as possible and fervently appeal to the public for co-operation.”

II.—THE MADRAS (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947, AS AMENDED
BY THE JOINT SELECT COMMITTEE—cont.

MR. SPEAKER:—“The next item on the agenda is the Zamindari Abolition Bill. It is a Bill of 64 clauses, and there are 444 amendments given notice of by hon. Members.”

SRI S. NAGAPPA:—“May I know, Sir, how many days have been allotted for the second reading of the Bill?”

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MR. SPEAKER:—“Four days.”

MAHBOOB ALI BAIG SAHIB BAHADUR:—“Will non-official days be also taken away?”

MR. SPEAKER:—“I cannot say that so soon.”

SRI N. S. VARADACHARI:—“May I just say a word, Sir? While the Hon. Speaker has been kind enough to say that four days will be allowed for discussion on amendments, may I respectfully point out that this may be done in three days or two days or a little more than four days. In fact in a Bill like this there is no such thing as guillotine. Every detail will have to be examined. Of course hon. Members will exercise restraint and not unduly . . . (Interruption). While I agree that all hon. Members should show restraint and also consideration for time in regard to this very urgent matter, the discussion cannot be at any stage stopped on the ground that it has exceeded a particular number of days. I hope the Hon. Speaker did not mention it with a view to giving it as a ruling on this matter, but has only suggested it for the guidance of hon. Members that four days would in his opinion, be a reasonable time to consider all the amendments.”

MR. SPEAKER:—“If it exceeds four days, I shall allow more time.”

SRI A. KAMESWARA RAO:—“No such time was given to hon. Members to express their views on the previous discussion. We want more time, Sir.”

MR. SPEAKER:—“We shall consider that later.”

SRI A. KAMESWARA RAO:—“Yesterday, it happened, Sir, . . .”

MR. SPEAKER:—“If more than four days are necessary, I shall allow more time.

“As there are four hundred and forty-four amendments, I want hon. Members to follow the proceedings closely. Otherwise, we are likely to miss one or two amendments.”

Clause 1, sub-clause (3).

THE HON. SRI KALA VENKATA RAO:—“A large number of these amendments are of a common nature, Sir. The same principle is carried out in thirty places. Sir, I move—

“For clause 1, sub-clause (3), substitute the following:—

“It applies to all estates as defined in section 3, clause (2), of the Madras Estates Land Act, 1908, except inam villages which became estates by virtue of the Madras Estates Land (Third Amendment) Act, 1936.”

[Sri Kala Venkata Rao] [14th September 1948]

This amendment is only for the purpose of excluding the 1936 inams from the purview of this Bill. The definition is changed so as to achieve this object."

MR. SPEAKER:—"The amendment has been moved. The amendment is before the House for discussion."

SRI KALLUR SUBBA RAO:—"On a point of order, Sir, I want to know whether amendments given notice of by one man can be moved by another man without written permission?"

MR. SPEAKER:—"No."

SRI R. SUBBA AYYAR:—"On a point of order, Sir. Is the hon. Member Mr. Subba Rao in order when he used the expression 'man' instead of 'hon. Member'?"

MR. SPEAKER:—"The hon. Member Mr. Kallur Subba Rao will use the words 'hon. Member' instead of 'man'."

SRI T. VISWANATHAM:—"Sir, I have given notice of some amendments to clause 1, sub-clause (3). As you have permitted the Revenue Minister to move his amendments to the same clause, I shall move my amendments also, so that all the amendments can be taken together. Because, they all relate to the same subject."

MR. SPEAKER:—"This is an amendment to an amendment."

SRI T. VISWANATHAM:—"I have given notice of amendment . . ."

MR. SPEAKER:—"The hon. Member Mr. Viswanatham's amendment is an amendment to the Revenue Minister's amendment."

SRI T. VISWANATHAM:—"I may also move my amendment, Sir. I have already given notice of a substantial amendment."

MR. SPEAKER:—"We shall take one by one."

SRI T. VISWANATHAM:—"Because the one excludes the other. If you permit me to move my amendment to the Hon. Minister's amendment . . ."

MR. SPEAKER:—"It is an amendment to an amendment."

11-45 a.m. * SRI T. VISWANATHAM:—"Sir, the Hon. the Revenue Minister has just now moved an amendment saying that it applies to all estates as defined in section 3, clause (2), of the Madras Estates Land Act, 1908, except inam villages which became estates by virtue of the Madras Estates Land (Third Amendment) Act,

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1936. I may submit that my amendment which I want to move as an amendment to the Hon. Minister's amendment is as follows:—

"*Estate*" means an estate as defined in section 3, clause (2), sub-clauses (a), (b), (c) and (e) of the Madras Estates Land Act (Madras Act I of 1908)."

or

"*Estate*" includes any inam village of which the land revenue alone has been granted in inam to a person not entitled to the kudivaram thereof, provided the grant has been made, confirmed or recognized by the Government."

The Hon. the Revenue Minister has just now moved an amendment classifying the estates to which this Act would apply. I have moved this amendment to sub-clause (3), clause 2, as an amendment to the Hon. Minister's amendment because the substance is the same."

THE HON. SRI KALA VENKATA RAO:—"Even by moving amendment No. 10 the hon. Member could achieve the same effect. He wants merely to exclude sub-clause (d) of clause (2). I want to keep all the 1908 inams and exclude the 1936 inams. The hon. Member could move his amendment No. 10 because it will have the same effect."

* SRI T. VISWANATHAM:—"The substance being the same, I shall now move my amendment No. 10 which amounts to the same thing. It says:

"After the words 'section 3, clause (2)', add the word and letters 'sub-clauses (a), (b), (c) and (e)'."

MR. SPEAKER:—"If the hon. Member wants to speak, he can speak now on his amendment. But the amendment has not been seconded."

SRI K. BHASHYAM:—"I second it, Sir."

MR. SPEAKER:—"That is not the way of seconding. The hon. Member has already moved it and he has gone to his seat and I have also waited for a minute. As this is the first time, I take it that it has been seconded duly but such a thing will not be allowed in future."

* SRI N. S. VARADACHARI:—"Sir, on the Government amendment, I would like to say a few words. Now in effect, if the Government amendment is accepted, it rules out my own amendment which is No. 1. Therefore, I would prefer to make a few observations on the Government amendment and would be brief and to the point in stating what I have got to say on this. The Hon. Minister said that the intention of the Government in moving this amendment was to exclude certain types of inams from the scope of this Bill. They are what are called the 1936

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inams. In fact I wish to point out, on a reading of the Government amendment—I want the Hon. Minister's attention here—that if the intention of the Government is to be properly carried out, it should rather be put in a positive form than in this negative form which this draft takes up, because it says: 'It applies to all estates as defined in section 3, clause (2), of the Madras Estates Land Act, 1908, except inam villages which became estates by virtue of the Madras Estates Land (Third Amendment) Act, 1936.' In fact, Sir, it is very difficult to determine what estates became inams under the Act of 1936. There is a lot of controversy raging over this matter. This will give cause for the parties themselves to go to a court and to contest this matter. It will be waste of time both for the Government and for the parties. In fact, Government is not sure about its own data on this matter. The one weakness of this legislation is in respect of inams. While it may be argued with considerable force that those estates wherein only grant of land revenue was made could be treated on a par and on the same footing as zamindari estates, to club them with all kinds of estates under this definition would lead to considerable confusion. It was an extraordinary procedure on the part of the Government to have included all sorts of inams under this Bill, without even so much as a scrutiny of the data with regard to these. Even now, Sir, I am very doubtful if the Government are aware of the total extent of land under these inams, both wet and dry, and the details of the extent of poramboke and waste lands under these inams."

MR. SPEAKER:—"Order, order. There is too much of noise; I am not able to hear the hon. Member."

SRI N. S. VARADACHARI:—"In fact, Sir, I have complained once before that all these statistics have not been produced in support of the case of Government. The Government should not improvise statistics. At one time, they said that under the 1936 inams, there were 36 lakhs of acres. I at once answered by asking whether all this was cultivated. Of course, Government went on to make a number of guesses. Guess work should not be the foundation for legislation. It is not a very responsible Government which bases its facts on guess work. It is well understood that the Hon. Minister will not be able to get all this data in a moment."

THE HON. SRI KALA VENKATA RAO:—"We are going to have a survey hereafter."

* SRI N. S. VARADACHARI:—"He will survey it hereafter to his heart's content. But before looking into the matter and before proceeding with such a legislation, there must be at least certain data on which we would be able to arrive at correct conclusions. There was only a very rough survey. In fact, from the very many title deeds which I was able to see, I could gather that all these lands could not be cultivated lands but only a small proportion of them could be regarded as cultivated. In fact the

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total proportion of cultivated land to the land including all the zamindari, ryotwari and inam villages does not exceed 1 : 2, that is to say, it is not even one-half of the total extent. Therefore, in the case of all these inams, the cultivated land must be much less. For instance, I know villages where the extent is described as 2,000 acres but a close scrutiny of the area shows that the cultivated area does not even cover one-fourth of the total area shown in the title deeds. Now, Sir, I am referring to this in order to show the extraordinary procedure adopted by Government in not perfecting their figures even though a year has elapsed since the introduction of this Bill. Sir, I ask the Government here and now to give me the following figures: 'What is the total extent of land in the inam villages? How many are the total villages in question? How much of it is cultivated land? How much of the cultivated land is wet and how much is dry? If all this is established to our satisfaction, it will be seen that there is need to differentiate between these villages and those falling under the zamindari estates. My contention from the beginning has been that these are different tenures and there should not be any confusion created by the adoption of a common rule applicable to both. I am not simply arguing from the point of view of a lawyer. I have, therefore, chosen to attack the stand taken by the Government on the ground that it does not give a just and equitable interpretation of things as they stand to-day. In many villages, we find that the total acreage of cultivated land may not have exceeded 100 acres, both dry and wet put together. It was, therefore, thought by me and some other members that these should have been treated on a different footing under a different Bill. Now that the Hon. Minister has chosen to club them all together for purposes of compensation and the like in one measure, I should insist on the Government making a statement as to whether they believe in this difference in treatment which I proposed for the zamin and the inam. Now, Sir, if the words 'of which the grant of melwaram alone has been made' were adopted in the Government definition, it would be a positive definition. Then there would be no doubt as to which estates fall within the meaning of this Act. Otherwise, it may lead to a considerable lot of litigation. There might be villages which fall on the border and they might be considered by some courts to be inam villages within the meaning of the Act of 1908. Therefore, Sir, I would plead with the Hon. Minister that if he so chose, he might adopt a positive definition as adopted for the inams under the Act of 1908 in the place of saying that all those inam villages which became estates under the subsequent Act of 1936 would be excluded.

"Now, Sir, I wish to say a word in general on these tenures. While uniform tenures are desirable, and are objectives to be aimed at, still it is not very desirable merely to apply the rule of logic and say, that this class and that class are to be treated on the same footing, and therefore relief afforded to these classes should be on the same footing. Yesterday, I think it was Dr. Subbaroyan who said that there were many champions of these

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units. It is not so, Sir. At first we were only very few, and perhaps a lone voice was raised in this House against uniform treatment being accorded to both these types of estate, and other members joined me, as the conviction drew upon them, so that finally I found yesterday a lot of sympathy flowing from all sides, on this aspect of the question. I wish, Sir, that the matter was properly understood, that the tenures are totally different, and that inams though included in this Bill would require an absolutely different type of treatment from the zamins. More especially so in the case of the pre-Settlement inams, one does not know exactly whether the grant was of the melvaram alone or of the entire melvaram and kudivaram put together. In many cases, I know in pre-Settlement inams . . .”

MR. SPEAKER:—“Order, order. I do not hear the hon. Member at all. There is too much of noise. I am saying this for the third time.”

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—“Sir, there is more noise in the lobbies round about there, than inside this Chamber.”

* SRI N. S. VARADACHARI:—“I only wish to point out, Sir, that they were in no sense to be regarded as rent-collectors. If specifically it were mentioned in any title-deed that the melvaram alone was granted to them, then I say you might with some justification attempt to club them with zamins. But if anything more than that was intended, or was expressly put in into the title deed for the purpose of specifying ownership, then I say you have no justification to regard the tenures as one and the same. There is no authority which deals with this subject at any length. The Privy Council once held that it was difficult to determine what was a whole inam village. They said that each case should be looked into on its merits, and each deserved a separate and close examination in respect of the title to land, which the title deed purported to give to the owner thereof. But to-day whatever the law may be, if Government decide to carry out the policy of abolition,—and I agree to that readily in the hope that uniform tenure will at some stage or other will lead to a solution of all the land problems in this country,—then I say, that you must proceed with care and caution and not treat all people alike. You may cut off from a tree the tall branches, you may even strip it of its bark, and yet the tree will not have lost its life. But in another case, you may lay the axe at the very root of the tree, and you may destroy its society altogether. It is only humanitarian considerations that prevail with me and not any other. I ask in the name of justice and equity that these people should be treated differently; though in the eyes of the law, they may be regarded as the same, yet in the common interest of the general public, they should be singled out for more generous treatment than the other estates. Of course, I do not pretend to suggest that the zamindars should be done any injustice. On these we

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have more precise data. We know the extent of the land. We know they have accounts. We know even the number of holdings in respect of each zamindari. If on the whole the theory is inclined towards making them rent-collectors and not full owners of property, though there may be ownership in some respects, then I say that no injustice would be done to them because they know their case, and it has even been pointed out by the highest authority to whom we owe allegiance, that they deserve such and such compensation. In the other case, there is no such limit fixed, there is no knowing now what the Minister has fixed as the limit of compensation for these estates. Now that one class of inams has been excluded, what is it that he is going to fix as the figure for compensating these inams? I shall come to that when taking up a later amendment of mine in the course of this discussion. I do not propose to take up the time of the House with these figures just now. But it suits my purpose to say that these should be treated differently and I expect the Hon. Minister to make a statement in reply to this, that though he has no precise data in respect of these villages he would still be content with including the inams where the grant of the melvaram alone was made, as it is clearly said in the Act of 1908, and then single them out for comparatively generous treatment in respect of compensation and other details.”

MAHBOOB ALI BAIG SAHIB BAHADUR:—“Mr. Speaker, Sir, I oppose the amendment that has been moved by my hon. Friend Mr. T. Viswanatham. This amendment seeks to omit clause (d) which defines what kinds of inams are estates. That means even those estates which were really inams in which only the melvaram right was granted, and which were declared by the Court of Law as estates even prior to 1936 are sought to be taken away. The present amendment amounts to saying that no class of inam estates can be brought within the purview of this Act. It is certainly going beyond what even the Government themselves are thinking of, as I take it.

“Then, Sir, with regard to the amendment moved by Government, I want a clarification on two points, in that amendment which reads: ‘but does not include an inam village which became an estate by virtue of the Madras Estates Land (Third Amendment) Act, 1936.’ Mark the words ‘Estates’, and ‘village’. The exclusion of these villages that became estates by virtue of the 1936 Amendment Act, can only be construed as those cases that come under the 1936 enactment, and were declared as estates by a tribunal. Do the Government mean the exclusion of those inams that were declared as inams with both the warams, by the tribunal constituted under the 1936 Amendment Act? Or there is another interpretation. The Government under this Amendment Act of 1936 provided a tribunal for deciding whether any inam village was an estate or not. Does this amendment exclude only those cases in which the tribunal provided for under that Act declared that the inamdar had both warams and not

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melwaram only? I would like to know the meaning of the amendment. Sir, the three phrases; 'inam village', 'which becomes an estate', 'by virtue of the 1936 Act', are significant. What I could as a lawyer think is that those cases alone are involved, in which the tribunal declared that they were estates. Or do the Government think of the decision of the tribunal contemplated under that Act? As I was saying the other day, to say that certain villages became estates after 1936 is legally wrong. It is a misnomer. There is no such thing as an inam village having become an estate, after a legislation, so far as the Madras Estates Land Act is concerned. An inam or a zamin or any piece of land of a village is or is not an estate, according as the owner thereof has or has not both the warams. If he has got only the melwaram, his village is an estate. If not, it is just like a ryotwari village. Sir, the wording is not clear to me. What is the intention of the Government? It is much less clear. I want the Hon. Revenue Minister to explain what category of cases the Government is thinking of excluding from the provisions of this Bill. As I said I stoutly oppose any kind of exclusion of any estate, the estate in which the melwaram right only was given to the inamdar or zamindar whatever the case may be and the tenants were given occupancy rights."

* SRI R. V. SWAMINATHAN :—" Sir, Mr. Viswanatham's amendment seeks to exclude all sort of inams from this Bill. I am vehemently opposed to this amendment. I believe my hon. Friend, Mr. Viswanatham, is aware of the fact that there is a large number of hon. Members who are for inclusion of all inams, not only 1936 inams but also inams which have been defined as estates and inams which have been left out from this Bill. Not only Members of this House but many people outside want to bring all the inams within the Bill. I cannot understand why Mr. Viswanatham has given notice of this amendment. Anyhow I strongly oppose this move. I want to point out one thing regarding this amendment which has been moved. The Hon. Minister's amendment states that 1936 inams should be excluded. Originally we wanted that all inams including 1936 inams should be abolished forthwith. I know that the Hon. Minister himself does not want these inams to be excluded. Because some Members created confusion, he has moved his amendment. I would warn hon. Members who are responsible for bringing forward this amendment. If 1936 inams are excluded, I wish to point out that they are not doing any service even to the inamdars. I want to tell Mr. Varadachari that he is doing greater injustice and greater wrong to his inamdar friends. I say that for this reason, that if this amendment is passed the position will be this. If you take for instance my own constituency, there are 1936 inams. There are big inam villages which have been defined as estates. If there inam villages are excluded from this Bill, what will be the feeling of the ryot? He will refuse to pay anything to the inamdar. Even now people are not able to collect rents. The country

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will be in chaos. Inamdars will be driven out of their lands. Even now the inamdar is terribly afraid to go to the village without the help of the Police. This is the position. Hon. Members are not doing any service to the inamdars themselves by excluding the inams. I want them to reconsider the position. I appeal to Mr. Varadachari to think in the interests of the inamdars. There are two views on this point. One view is that inams should be excluded from this Bill. Another view is that they should not be left out for an indefinite period. I wish to ask whether the Hon. Minister can assure this House that very soon he will be bringing forward a Bill to abolish the inams now left out. There is agitation in the Province by reactionaries to exclude the inams of 1936 from the Rent Reduction Act, and not to give the benefit of reduced rent to the ryots. The Government should not succumb to the propaganda that is carried on against the ryots. Such an agitation is being carried on by the inamdars and by the reactionaries. The Hon. Minister must assure us that he will not touch the Rent Reduction Act. Only if he gives this House those two assurances, I will reluctantly—but not wholeheartedly—allow this amendment to be passed. Let me tell you, Sir, that Swaminathan can never support this amendment. But I shall allow the amendment to be passed without putting my strong opposition to it. I hope the Hon. Minister and the Government will give this House the two assurances I want from them and that they would define their position."

* SRI A. KALLESWARA RAO :—" Mr. Speaker, Sir, I am opposed to all exclusions of inam villages whether they were made estates either by the Act of 1908 or by the Act of 1936, or 1945. Mr. Prakasam's report was consistent. They understood the principle that the zamindar was only a collector of rent, whereas in the case of inams, there was some gift of property. We want to abolish all villages either zamindari or inam and bring them under the control of the Government and relieve the ryots of the burden of landlordism. The only difference that we can make between the zamindars and the inamdars is with regard to the amount of compensation. The present Government is making inconsistent statements and creating lot of confusion. At one place—in the Gokhale Hall meeting—the Minister stated that there was absolutely no difference between inamdars and zamindars. That is wrong. On account of that, he persisted and did not put in different clauses with regard to zamindaris and with regard to inams of 1908 and those of 1936 with regard to compensation, etc., in this Bill. Otherwise everything would have gone smoothly. We came to trouble because these two things were mixed. Had the Government accepted the mode of compensation to the inamdars who came later under the Estates Land Act, as suggested by the High Command, there would have been no trouble at all. We have now exclusion of only certain kinds of inams. We are thinking of two categories of inams. There would be lot of contest and litigation between the ryots and inamdars as to whether the inam

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villages came under exclusion. Tanks and porambokes are now under the control of the landlord. The ryots do not want this system to continue. They want to be like ryots in Government villages. So, though the reduction of rent is there, the ryots will never pay it. I agree with Mr. Swaminathan on that point. The inamdars will lose much if they resort to litigation. Therefore they have to take what the ryots give. The inamdars have no satisfaction that they have been excluded from the present Bill, because the rent reduction is there. Rent would not be paid. The only way to get out of the difficulty is to provide better compensation on socialistic principles. These minor fries may be given larger amounts of compensation, and their villages should be taken possession of. Nothing of this kind was done. We do not know in what shape it would be done later, or what complications there would be. Therefore the whole matter is in a muddle. This is what the ryots feel. A large number of inam ryots who are my friends in the Krishna district feel that this Bill is not helpful to them. They do not describe this Bill as a Ryot Rakshana Bill but the opposite of it, a destructive Bill. My conscience does not agree to exclusion of any inams from the purview of this Bill."

* SRI A. KAMESWARA RAO:—"Sir, I take this opportunity of congratulating my Hon. Friend Mr. Kala Venkata Rao, for having brought forward this Bill. Of course the fate of this Bill for the last one year has been the fate of a maiden caught between two young men. Only a skeleton of the Bill remains. There is no amelioration of the lot of the ryot. I ask every Member of the Congress Benches what is the pledge that you have given to the people. What you said is this. Between the tiller of the soil and the State there shall be no intermediary . . ."

Mr. SPEAKER:—"We are now in clause (1). If the hon. Member wants to speak upon the amendment given notice of by Mr. Nagappa, he may do so later."

SRI A. KAMESWARA RAO:—"I am wholeheartedly opposing this amendment."

Mr. SPEAKER:—"The hon. Member will confine his remarks to the particular amendment before the House."

* SRI A. KAMESWARA RAO:—"Put it to your hearts how you are going to ameliorate the condition of the ryots when you are excluding some inams from the Bill. You want to retain some landlords. It is really unfortunate that this situation has arisen. I do not know how far my hon. Friend Mr. Kala Venkata Rao is responsible for this state of affairs. We are responsible to the electorate and we are committing a great sin to the poor ryots. We are breaking our pledges to them. I would like to warn zamindars and others who are going to be left out of this Bill. Now it is a case of the Congress Ministry being there. It is because we are in a transitional period, it is because there is no socialistic revolution, that a measure of this kind has been

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brought forward and the zamindars are going to get something as compensation. After five years elections are going to have different results. People who come here will be those who will really represent the masses of ryots and workers. Then what will be the fate of the people who are left out of this Bill? Then intermediaries will be driven out without any compensation whatever, because they have been blood-suckers and leeches of poor and unhappy ryots who are the actual tillers of the soil. Thanks to Mahatmaji, he has taught us to be tolerant. But what is this tolerance and at whose expense? Why this intermediary? The man that tills for 24 hours in the field . . ."

Mr. SPEAKER:—"I think the hon. Member is speaking on the amendment of Mr. Nagappa."

* SRI A. KAMESWARA RAO:—"Sir, I am opposing the amendment of the Hon. Minister, Mr. Kala Venkata Rao, that some inams should be excluded. I say that they should not be excluded and I am opposing the amendment. In opposing it, I am pointing out the actual reasons for which I am opposing the amendment. That is why I say that there is no justice for your leaving out some inams from the provisions of the Bill. When you are abolishing zamindari, why do you not include in the Bill inamdars also? You are going to amend the section of the Bill now. When are you going to bring forward the other Bill? You may include the inams also in this Bill pay them compensation and settle the matter one way or other. Close the thing now and immediately. Delay will cause greater resentment among the people and Congress will lose its influence among the masses, because the half-hearted measures will give only partial relief. At one stage we have to incur the displeasure of one section or the other. The vested interests are very powerful. It has been very difficult even for a man of the type of Mr. Kala Venkata Rao to withstand them. Every minute they were running to Delhi and taking him there. But for his nerve, he could not have fought for the ryots and brought the Bill to this stage. By this amendment, I do not want him to spoil his name. I want him to withdraw the amendment and let the position stand as before."

SRI K. T. KOSALRAM:—"Mr. Speaker, Sir, கனம் லிஸ்வ நாதம் பிரேரேபிக்கப்பட்ட amendment-ஐ நான் எதிர்த்தேன். ஏனென்றால் நன்மைகள் congress manifesto-ஐ மக்களிடம் சொல்லி அவர்களிடம் போட்டுகள் வாங்கி இங்கு அங்கத்தினர்களாக வந்தோம் என்பதை அவர்கள் மறந்துவிட்டார்கள் என்பதற்கு வருந்துகிறேன். Congress manifesto-வில் அரசாங்கத்திற்கும் குடிசைக்கும் மத்தியஸ்திரிக்கும் எல்லா வகுப்புகளையும் எடுத்துவிடவேண்டுமென்று தேர்தல் விஞ்ஞானத்தில் மக்களிடம் சொல்லி தேர்தலில் ஜெயித்து வந்து அங்கத்தினர்களாக இருக்கிறோம் என்பதை இச்சமயத்தில் சொல்லவேண்டும். இன்னும் இனம்தார்களை எடுத்துவிடவேண்டுமென்று சொல்வதற்கு ஒரு உதாரணம் சொல்லுகிறேன். அதில் இந்த இனம்தார்கள் குடிசை எவ்வளவு கஷ்டத்திற்குள்ளாக்கி இருக்கிறார்கள் என்பது தெரியும். திருநெல்வேலி ஜில்லாவில் வாகைக்குளம் என்னும் கிராமத்தில் இனம்களுடைய நிலத்திற்கும் பக்கத்திலுள்ள மற்ற நிலங்களுக்கும் தீர்வையில் எவ்வளவு வித்யாசம் இருக்கிறது என்பது தெரியும். பக்கத்திலுள்ள நிலத்தில் ஒரு எக்கருக்கு

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ரூ. 4-8-0 என்று தீர்வை வசூல் செய்து வந்தால் இந்த கிராமத்திலுள்ள இனம் நிலத்திற்கு ஒரு எக்கருக்கு ஒரு போகத்திற்கு தீர்வை ரூ. 85-ம், இரண்டு போகமாக இருந்தால் ரூ. 115 தீர்வையும் நஞ்சைக்கு வசூலித்து வருகிறார்கள். எந்த நிலைமையில் இனம் ரயத்துகள் கஷ்டப்பட்டுக்கொண்டிருக்கிறார்கள் என்பது இந்த ஒரு சிறிய உதாரணத்திலிருந்து தெரிந்து கொள்ளலாம். இந்த இனம்தார்களுக்கு சட்டம் போட்டு பாதுகாப்பது என்பது முடியாது. “பட்டினி சட்டம்” அறியாது என்று ஒரு பழமொழி இருக்கிறது. அதையே சத்யமூர்த்தி அவர்களும் “பட்டினி சட்டம் அறியாது” என்று இதே சட்ட சபையில் இதற்கு முன் சொல்லி இருக்கிறார். இவ்விதம் இனம்தார்களை பாதுகாக்க சட்டம் கொண்டுவந்தால் நாட்டில் மக்களிடையே பெரும் புரட்சிதான் ஏற்படும். இதனால் இனம்தார்களை பாதுகாக்கவேண்டுமென்று நினைத்தால் அவர்களால் பாதுகாக்க முடியாது. அப்படி செய்தால் மக்களிடையே புரட்சி ஏற்பட்டு விவசாயிகளை அவர்களை இருக்கும் இடம் தெரியாமல் ஒட்டிவிடுவார்கள் என்பதை மறந்துவிடக் கூடாது. இனம்தார்களுக்கு நன்மை செய்வதாக எண்ணி அவர்களை இந்த சட்டத்திலிருந்து எடுத்துவிட்டால் இனம்தார்களுக்கு நன்மை செய்த வர்களாகமாட்டார்கள். அவர்களுக்கு நன்மை செய்யவேண்டுமென்றால் அது அவர்களுக்கு தீமையைதான் விளைவிக்கும் என்பதை என் நண்பர்களுக்கு ஞாபகப்படுத்த விரும்புகிறேன். கனம் மந்திரி காளா வெங்கிட்டராவ் அவர்கள் 1936-ம் வருஷத்திய இனம்களை எடுத்துவிடவேண்டுமென்று ஒரு amendment கொடுத்திருக்கிறார்கள். இந்த 1936-ம் வருஷத்திய இனம்தார்களை ஒழிப்பதற்கு எப்பொழுது இந்த சட்ட சபையில் ஒரு சட்டம் கொண்டுவரப்படும் என்பதைத் தெரிவிக்கவேண்டும். நிச்சயமாக இன்னும் இவ்வளவு மாதங்களுக்குள்ளாகவோ அல்லது இவ்வளவு நாளைக்குள்ளாகவோ அதற்கு ஒரு சட்டம் கொண்டுவந்து இதே சபையில் நிறைவேற்றுவேன் என்று சொன்னால்தான் இப்பொழுது அவர் கொண்டு வந்திருக்கும் amendment-க்கு ஆதரவு இருக்கும், இல்லாவிட்டால் amendment-க்கு ஆதரவு இருக்காது என்பதை நான் தெரிவித்துக் கொள்கிறேன். நண்பர் விஸ்வநாதம் அவர்கள் பிரேரேபித்த தீர்மானம் ஒரு தற்குறி தீர்மானமாக இருக்கிறது. அது இனம்தார்களுக்கு நியாயம் செய்யக்கூடிய வகையில் இல்லை. மோசமாக இருக்கிறது. அதை ஏற்றுக்கொண்டால் சமுதாயத்தில் புரட்சி ஏற்படும். அது இனம்தார்களுடைய நன்மைக்காக இல்லை. எனக்கு தனிப்பட்ட முறையில் இனம் தார்களோடும், ஜமிந்தார்களோடும் விரோதம் கிடையாது. As a class மக்கள் கஷ்டமடைந்துகொண்டு இருக்கிறார்கள் என்பதற்காக அந்த system-ஐ தான் எதிர்க்கிறேன். ஆகையால் இந்தநிலைமையில் கனம் விஸ்வநாதம் கொண்டுவந்திருக்கும் amendment-ஐ தீவிரமாக எதிர்க்கிறேன்.”

* SRI K. BHASHYAM:—“Sir, there has been some confusion of thought in the minds of hon. Members who have spoken on this matter. As I said before and as I have repeated more than once, the question is not between the tenants of the inam villages and the landlords, because under the Rent Reduction Act, the tenants of the inam villages will have to pay only the rents which have been reduced to the ryotwari level. There is no question of their being asked to pay more than the neighbouring ryotwari rates. The fact however is that the rent will be paid not to the Government direct but to the inamdar. I do not see why there should be any objection to this payment to the inamdar instead of to the Government itself. It is to some extent advantageous to the tenants of the inamdars, because it will be possible for these tenants to pay the rent or tax or whatever you may call it late. In many of these estates the tenants have not been paying their rents regularly and they are keeping them in arrears. It

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will be an advantage to those tenants who are behind hand to pay the rent to the inamdar rather than to the Government, for the latter is an inexorable tax collector and will collect 99 per cent of the amount due. It is not true, as Mr. R. V. Swaminathan says that the tenants will rise in revolt and will not pay the inamdar and so on. As a matter of fact the tenants will prefer to pay to the inamdar because he can deal with them personally, give them time and allow them to keep the rent in arrears for one or two years to suit their convenience. If it is a case of the Government, the tenant cannot keep it in arrear for even one fasli. Therefore in the interests of the tenants, it is much better that they pay it to the inamdar rather than to the Government.

“Then so far as the inclusion of the inam villages is concerned, it has been the contention of some of us that no data has been collected at all at any time in respect of these inam villages. Even in 1936 when the other Bill was passed, the question was put by Mr. T. S. Ramaswami Ayyar to the member in charge of the Bill, as to how many inam villages there were, what was the amount of collection, what was the nature of tenure under which these inam villages were held and so on. The reply was: ‘We have no information.’ Even Mr. Prakasam’s Committee did not go into this question. In the first place according to the resolution of the Congress, the zamindaris must be tackled first and inams taken up later. Therefore Mr. Prakasam’s Committee did not deal with inams and did not collect the necessary data for the purpose of dealing with them. Without any such data and without knowing the exact nature of the tenure, it is difficult to deal with them in the present Bill dealing mainly with zamindaris. In many cases these inam villages have been fragmented into many small holdings. An inam village of 1,000 acres is held by as many as 100 inamdars and many tenants in the village may be richer and more prosperous than the inamdar himself. The inamdar, because of the small extent of land held by him, would have left it to the tenant living on the spot to look after it. Therefore one tenant will be cultivating not only a few acres of one inamdar but many acres belonging to ten inamdars, because it is easier for him to cultivate them altogether. Therefore, without the necessary data and without understanding the exact nature of the tenure, it is very difficult to deal with inams by including them in this Bill.

“Then I would like to point out one thing with regard to the 1936 inams. There is this special difficulty. (Interruption by Sri A. Kameswara Rao.) If my hon. Friend has not understood the difficulty, he does not know the nature of the land tenures; he is simply talking of tenants and masses without understanding how they can be benefited. (Interruption.) Of course, we can give arguments, but we cannot go further than that. (Interruption.) Some can be convinced, some cannot be convinced. They do not know the subject they are talking about. (Interruption.) I thank him for the information that he is better versed in these matters than anybody else.

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"What I was saying was that in regard to these 1936 inams, there is a good deal of difficulty. I want the hon. Member Mr. Baig to consider this point. When the 1936 Bill was passed, a special provision was inserted in section 185-A to the effect that the landholder has the right to go to a court of law and get its decision whether in an inam village or in any particular land the kudivaram was held by the tenant or not. The right was given to the landlord and not to the tenant. In many cases, the landholder has not gone to the Court. The matter is left in doubt. Therefore in every case, the question whether the inam comes under the 1936 Act or not, has to be decided by courts. I think lawyers like myself can put a lot of money into our pockets, which we do not want. I am only pointing out that without the necessary machinery to ascertain whether an inam comes under the 1936 Act or not, it is impossible to go on with this, because you will then be landing yourself in a lot of litigation and a number of cases will be filed against the tenants. Therefore even this amendment brought forward by the Revenue Minister might land us in difficulty. This question of inams should be dealt with on a different basis. There are different kinds of inams—inams granted prior to 1802 and inams granted after 1802, inams granted by the Government and inams granted by landholders, etc. Distinctions have to be made in these cases and they cannot all of them be dealt with together. The zamindar came in as a collector of land revenue, but these people came in under different circumstances and for different purposes. Therefore without an exhaustive examination of all the kinds of tenure and the purposes for which these inams were granted, it will be impossible to distinguish the 1936 inams. Even in the few cases in which the landholders went to court for the purpose of getting a decision whether the inam is a 1936 inam or estate, decisions have been given on either side. There are inams in which the kudivaram is not held by anybody. What are you going to do with such inams? I do not say there ought not to be legislation with regard to inams, but that it should be undertaken after going into the details and finding out all the facts and figures in respect of them. Therefore, I submit that the amendment moved by Mr. Viswanatham will remove all these difficulties and leave the field free for the Government to bring forward a Bill dealing with all the inams, not only the 1936 inams, but also inams granted prior to 1908 and even prior to 1802 for that matter. Besides we will avoid the complication that we have let ourselves into in the matter of compensation. We find that there are different bases for compensation in respect of inams granted prior to 1802 and in respect of inams granted after 1802. All this complication can be got rid of by saying that the Bill will not apply to inam villages at all and that they will be treated exhaustively in another Bill which will be brought forward by the Government at no distant date. I therefore respectfully ask the Hon. the Revenue Minister to consider this point of view and effect a simplification of these matters. Even Mr. R. V. Swaminathan will be satisfied because all the inams will be brought in. The small inamdars

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who have been crying that they are small people and their very little properties are taken away, also will be satisfied to some extent. I therefore strongly appeal to the Government to accept the position that the inams will be excluded from the scope of the Bill and that they will be dealt with in another Bill to be brought forward by the Hon. Revenue Minister later on."

H. S. HUSSAIN SAHIB BAHADUR:—"Mr. Speaker, Sir, I 12-45
feel sure that our Ministry possesses sufficient courage of conviction p.m.
but I wonder why the Ministry is not proceeding according to its own conviction in the particular case of the abolition of the zamindaris and inams in this Province. Why should an invidious distinction be made by stating that the inams of 1936 should be excluded if the aim of this important piece of legislation is to have a uniform system of land tenure throughout our Province? Sir, we all know that the zamindari system as well as the inams are an anachronism and they do not fit in with the modern trend of thought or events. Our main object is to improve the lot of the common man or the small man, as the Hon. the Revenue Minister was pleased to remark in his reply yesterday. If that is our sole aim, why should he perpetuate a system in the case of a section, though small, and try to justify it by saying that only a certain category of inams will be excluded? That will not be fair and that is not a fair way of dealing with the whole problem. It may be said that the Ministry is feeling helpless in the matter in spite of its own conviction. It may be that the High Command might have made some suggestions—and I believe it has made already three alternative suggestions—one of which is the exclusion of the 1936 inams. It may be perhaps to silence the clamour of a particular section of people or to satisfy the wish or rather, I should say, the selfish wish of a particular class of people. It ought not to be the consideration for a popular Government, for a progressive Government to exclude any category of the estates which it is the object of the Government and the majority of the people of this Province to abolish. Therefore, Sir, if we want to have a uniform system throughout the Province and that system is to be the ryotwari system, which is considered to be the most just and most equitable system from the point of view of the cultivators and ryots, I do not think there should be some islets here and there, which would be reminding us of the old system which is out of tune with modern times and I may even go further and say, which is out of tune with nature itself because natural law is that every item of creation belongs to God and God is the ultimate source of all that is created. And, if the State or the King is to be the vice-regent of God on earth—they are as they say, the shadow of God on earth—the entire thing should go to the State or the King as the representative of God on earth. If so, the State should regard itself as the protector of the entire people, more so of the common man and the poor man. Therefore, Sir, if this piece of legislation is a revolutionary one which will bring about a drastic change in the life of the people, especially to the ryot and the tiller of

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the soil and when the zamindars themselves are so well co-operating with the Government and are prepared to make such sacrifices by extinguishing themselves, I do not see why a small section of inamdars also should be pampered in this manner. I would, therefore, very strongly oppose the motion of the Government for the exclusion of the 1936 inams from the purview of the Bill."

MUHAMMAD RAZA KHAN SAHIB:—"Sir, I have got some sympathy for the Hon. Revenue Minister. I think, whatever be the controversy that has been going on in regard to the exclusion of the 1936 inams, it is all his own making. Of course, I do not like to go into the controversy which is going on among the members of the party in power to-day, because being in a majority, I think they are perfectly right in bringing forward certain measures in public interests, but I think the facts are otherwise. The purpose of the Bill which was published in September 1947, was, as stated by the Hon. Revenue Minister, to do away with the intermediaries in this Province, whether they come under the name of zamindars, or small inamdars or big inamdars or the 1936 inamdars. He laid down the principle that all these should go, but having initiated that policy, I think it is but right that he should stick to it and there is no point in the Hon. Minister coming forward and saying, 'well, I will exclude this particular class.' Most of the members on this side felt that it would have been a matter of convenience for the Government themselves to have brought forward two separate measures one for the zamindars and the other for the inamdars. I still maintain that the zamindar and the inamdar cannot be clubbed together, but our opinion was not taken into consideration by the Government because the Hon. Revenue Minister felt that the whole system of intermediaries should go once for all. Having enunciated such a principle once, it was but proper to have maintained it to the last even at the risk of resigning from the Ministry by saying, 'I must stand on a certain principle' whatever be the opposition from the members of his party or of some other interests, 'because I have laid down the principle.' Of course, I know the Revenue Minister does not mind his present position in the Ministry because he would set a better example of serving the people even from outside it. Even though he may have the support of the party in respect of this measure as I have stated already, there is no point in trying now to exclude a particular section of inams which comes under the 1936 Act.

"Whatever it may be, there cannot be any justification for the Hon. Revenue Minister to say that these 1936 inams should be excluded. Well, Sir, we have every sympathy for the inamdars and because we know these people are going to be hit hard, they deserve better treatment in our hands and they should get a better type of compensation. After all they are poor people. If, therefore, the Hon. Minister says, 'I will include these inamdars because I want to do justice to them,' nobody need have any grievance.

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"Sir, so much has been said by members of the party as well as by the Hon. Revenue Minister himself with regard to the instruction received by the High Command on this question of inams. Of course, it is wrong on the part of the Opposition and particularly people like myself, to bring in the High Command. But, as far as I can understand parliamentary procedure, the practice has been that when a particular party based on certain principles comes into power, what they are expected to do is to lay down a certain principle which they are going to follow. So far as the High Command or the party opposite is concerned, they have laid down as per the Congress Manifesto that the zamindars and all intermediaries should go. Having laid down that principle, it is entirely within the jurisdiction of this Government to implement that particular policy and there is no point in the Hon. Revenue Minister trying to take shelter under the instructions given by the High Command."

Mr. SPEAKER:—"He never said that here."

MUHAMMAD RAZA KHAN SAHIB:—"Then, what is the reason for it, Sir?"

Mr. SPEAKER:—"Whatever it may be, he never said that here."

MUHAMMAD RAZA KHAN SAHIB:—"I speak subject to correction, Sir. However, some of the members brought out that point, namely, that the exclusion of the 1936 inams was because of the High Command's instructions. Sir, the High Command is concerned with one hundred policies and their hands are full with more important things. So far as our Province is concerned, our only interest is, since we have laid down a particular policy we have to implement it. You may say that the High Command's instructions are only advisory. There have been a number of talks about people having gone to the High Command and that they might have tried to interpret or misinterpret things in their own way and according to their own conveniences and so on. Therefore, I find my hon. Friend, Mr. Bhashyam, has ably supported the Hon. Revenue Minister and he also gave a warning that non-lawyers should not discuss too much and I think in a way he said that, but I may say that even non-lawyers are capable of understanding things and putting them in their own way."

SRI K. BHASHYAM:—"I never said that non-lawyers should not discuss it. In fact we have been dealing with it every minute of our life. What I said was that hon. Members speaking about it ought to know something about it before speaking. That is my belief, Sir, and nothing more."

MUHAMMAD RAZA KHAN SAHIB:—"Sir, my one difficulty has been to understand lawyers because what they interpret now they try to interpret the other way later. I do not wish to dilate on it, but I leave it at that. Now, Sir, the Hon. Revenue

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Minister has his own difficulties. I find they have not got sufficient data, nor the exact acreage and the compensation that should be paid and if one goes deep into the matter that cannot be the sole basis. Even on his own admission, he said yesterday that we have not got sufficient data; it may take five or six years to collect it and come to certain decisions with regard to the quantum of compensation. Sir, if that argument holds good in the case of zamindaris it should also hold good in the case of the inams. Lack of sufficient data, etc., cannot be the criterion in this matter."

THE HON. SRI KALA VENKATA RAO:—"In any case that has not been my argument, Sir."

MUHAMMAD RAZA KHAN SAHIB:—"I am only saying these things so that he may consider them. The whole difficulty of the Revenue Minister is, if he is going to pay compensation also to the inamdars who are now excluded, the compensation may run to so many crores and therefore he thought it would be a difficult thing to get the approval of the Legislature for such a big sum."

"In conclusion, Sir, I would say to the Hon. Revenue Minister that being a good disciplinarian of the party and of the High Command, there is no point in his feeling that he has committed himself to certain interests and parties, especially when he had initiated a particular principle in regard to these inams before. I think it will lead to a lot of troubles for a long time to come because he has clubbed both the zamindaris and the inams—the difference between them being that between a goat and an elephant, if I may say so. I do not say that in a literal sense. The best thing would be to deal only with the zamindaris now and then with regard to inams he should bring forward a separate measure after this Bill is passed. Otherwise, it would mean more complication. Moreover, there is no point in excluding the 1936 inams. I am not saying it because there is opposition to it in the party, nor do I wish to take advantage of the little differences that may exist. But, my point is that when once you have laid down a particular policy you should stand by it to the last whatever the consequences may be. I hope the Hon. the Revenue Minister will withdraw the amendment."

1 p.m.

SRI K. KOTI REDDI:—"Mr. Speaker, Sir, in supporting the amendment moved by the Hon. the Revenue Minister, I would not have made an attempt to speak to-day but for the fact that I believe that there has been a lot of misunderstanding about the question of inams. Unfortunately I happen to be an inamdar. (Laughter.) I am an inamdar not by heredity, but I was foolish enough to purchase inam property (Laughter) in a public auction after consulting an eminent lawyer (Laughter) as I am a non-practising lawyer myself. He assured me that if I purchased this property I have every right to turn away the tenants if I liked. Of course I never did it and most of them are there to-day. I can assure my hon. Friends, I am sincere in this, that I really believe there

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is a lot of difference between a zamindar and an inamdar. Look at their origin. Whatever the zamindar might claim to-day, it is absolutely certain that at the time when the zamindars were created, the main idea was that the then Government, the East India Company, in the then state of the country, wanted persons who could wield sufficient influence to collect rent from the then agriculturists and pay it in a lump sum to the Government. But, Sir, with regard to the inamdars their origin is quite different. Their origin goes much earlier than that of the zamindari system. It is continued from the pre-British days. The Hindu Rajas and subsequently the Muhammadan rulers and later on even the British Government have granted inams, and when you go into the motive of these inams, it is clear they were not created to collect rents. They were given to make a sort of provision for a living for learned men, for men who could advise them on matters of State and for military men who rendered military service. When the Act of 1908 was passed, there was a lot of discussion whether all these inams should be treated alike or whether there is any difference between one set of inams and another. After considerable discussion it was decided that there should be a distinction made between one set of inams and another set of inams. It was thought that with regard to certain inams when the grant was made what was granted was only the melvaram and not the kudivaram, and so it was decided in 1908 that they should be brought on the same level as the zamindar, and so they were included in the 1908 Act. At the time of the Act of 1936 a lot of discussion took place about the position of the tenants in inam lands, and I believe one of the motives that led to the bringing in of the inams in that Bill was that the large number of inamdars might politically be helpful to the zamindars in their resistance against tenants which they expected in future. Personally, Sir, if that was so, I do not believe you can make much of a distinction between the ordinary inamdar and the inamdar included in 1936 Act. If a ryotwari pattadar can cultivate thousands of acres, cannot inamdars cultivate such large extent of land? I am a ryotwari pattadar, I am an inamdar, and I am also a tenant of an inamdar. I personally see no distinction between the two. I do not cultivate all the ryotwari lands myself. I get rent from ryots who have taken lease of land. The rent is fairly large, and probably much more than I derive from my shrotriem. I can sympathise with my friends, if they want to help the actual cultivator. I am one with them there. I own much more lands than some of my friends here. I know there are ryotwari pattadars cultivating thousands of acres. I know some of them own wet lands in five or six villages. Why not the poor inamdar, who stands in a similar position, be allowed to do so? It is very easy to do away with the rights of others; but before one tries to do that one ought to be fair. A time will certainly come when even the small bits of land that most of us own, we may have to part with for distribution among all equally; or it may be necessary to consolidate them into fifty or one hundred or more acres for collective farming. As it is, at present, I see absolutely no adequate

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provision made by way of compensation for income that the inamdar is entitled to get. You have not got any provision for the potential value of the land, which under the present law he can legally cultivate. All this prejudice, I believe, is due to the fact that the wording 'intermediary' introduced in the Congress Manifesto is really misunderstood. The Congress has never said so, so far as I know. They did not say 'inamdars'; they only said 'wherever there are intermediaries'

SRI K. RAJARAM NAIDU:—"The Congress have not said even 'zamindars'; they have said only 'intermediaries'."

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P.M. SRI K. KOTI REDDI:—"I have already explained the position of the zamindar. If you go to the origin, you will see that he was an agent, a person whose help was sought for the collection of rent. There was a definite provision that he should not increase the rent. Where is it said in regard to the inamdar that he should not increase the rent or that he should not change tenants? Can any one point out any regulation to that effect in regard to the inamdar? But in regard to the zamindar, the position is clear enough if you go to the origin. A small, poor inamdar owning a few acres and a zamindar owning lakhs and lakhs of acres stand on a different footing. My sympathies are with the people who actually cultivate the land. How many of us here, who are pleading so much for the tenant, are prepared to give up our lands above a certain number of acres to share them with the tenants who do not own any lands? If any are willing to do so, I heartily support them. If there is legislation, certainly I should gladly part with my lands in pursuance of it. When inams were included in 1936, I said that that was not proper way of doing things. If, for ameliorating the condition of the masses of this country, it is necessary to re-arrange the economic system, let us sit together and evolve a comprehensive scheme taking into account all properties whether in the shape of houses, lands, bank balances or cash. Instead of that, we are trying to affect one interest alone as against so many other interests which are left unaffected. If a few people were foolish enough to invest their money in lands, why should they alone suffer? I personally think that there is so much inequality of wealth that it will be practically impossible to maintain peace and unless this is rectified in this country and also in the world. If you say let no man possess, say, more than one thousand rupees worth of cash, land, buildings, etc. I can understand it. I do not attach much importance to the law relating to the sanctity of property. Where is the sanctity of property so long as we have power to tax the income up to 99 per cent? If we tax 99 per cent of the income, then that section of the law will become a dead letter. But one thing can be said in its favour that the people who have certain income, whether it is from one source or other are all treated on the same level. If you affect one interest against several others, there is so much hardship. It is only on that ground I wish that all inams are excluded and a new legislation brought in to deal with all people who own lands, whether in zamindaris, inams or ryotwari villages. That would certainly be a much more satisfactory way of doing things. I

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am sure the High Command must have felt the difference between a zamindar and inamdar, particularly inams which were included in 1908 and in 1936. Even the Bobbili Bill does not materially affect the interests of inamdars. To-day they are at liberty to charge the same rent as before they are at liberty to cultivate for themselves all the waste lands if they like. But we are restricting their liberty, and I do not think that that will be in the best interests of the country so long as other interests are left untouched. I only plead that even if you vote for this amendment, the time may not be far off when all inamdars, ryotwari landholders, etc., will come under a new Bill in which we can certainly deal with the rights of property much more equitably.

"With these words, I support the amendment."

*SRI ROKKAM RAMAMURTHY:—"అన్నా, జమీందారీ విషయంలో ఈనామాలను తప్పించడము చాలా అక్రమమైనటువంటి విషయము. ఈ సమయములో ఈనామాలను వేరని, జమీందారులను వేరని అనడం లాభము లేని విషయము (hear, hear) ఇప్పుడు ప్రధానంగా ఆలోచించవలసిన విషయము ఈనాందారులను ఈ భూమిలను ఇచ్చినదెవరు, ఈ భూములను జమీందారులు ఇచ్చినారా, పూర్వపురాజులు ఇచ్చినారా, లేక రైతులు ఇచ్చినారా అనే పట్టువంటిది రైతుకు భూమిపై ఉన్న హక్కు ఒకరు ఇచ్చినదికాదు. భూమిని కాగుచేసి, చట్టు చేసుకు వరికేసేసి, నేలను చదునుచేసి, భూమిని నేడక్కడ చేయటం అనువగను పరిశ్రమలలాంటి తినుకొని వచ్చుటచే రైతుకు ఆ భూమిమీద సర్వహక్కులు కలిగినవి. ప్రభుత్వమునకు భూమిమీద ఉన్న హక్కు పన్ను విధించే హక్కు మాత్రమే. ఇదివరలో ఉన్నటువంటి ప్రభుత్వములుగాని, ఇప్పటి ప్రభుత్వములుగాని పరిపాలన సక్రమంగా కొనసాగించడానికి కొంత డబ్బు అవసరము. అందుకొరకు ప్రభుత్వమువారికి భూమిమీదగాని, మని ఇతర వ్యాపారాల మీదగాని పన్ను విధించే హక్కు ఉన్నది. ఈ హక్కు ఇప్పుడు మన ప్రభుత్వము Sales tax, land tax విధించేటటువంటి హక్కువంటిదే, అందుచేత విప్రభుత్వమైనా భూమిని ఈనామూ ఇచ్చినట్లైతే తమ హక్కును మాత్రమే యివ్వాలియగాని ఇతరత్రా చేయలేదు. అందుచేతనే ఈనాందారులహక్కు న్యాయమైన పన్ను విసూలు చేసుకొనడమేగాని, భూమిపై హక్కురైతుదే. అందుచేతనే జమీందారులు, ఈనాందారులు ఒకే తరగతికి చెందినవారని, వీరు భియులను ఒకే విధంగా చూడవలసిన తెలియజేస్తున్నాను.

"ఈ విషయాలనే మనము అనేక పర్యాయములు ఉపన్యాస వేడుకలనుంచి, కృతకద్వారా ప్రజలకు తెలియజేసినాము. కాని ఇప్పుడు ఒక్కసారిగా ఈ ఈనామాలను వేరని, వాటిని గురించి విచారణచేయలేరని, అంతవరకు వాటిని జమీందారిలకు చూడకూడదని అనడం న్యాయంగాలేదు.

"ఒక్క విషయంలో మాత్రము మనము చిన్నచిన్న ప్రాశస్త్యములను, ఈనాందారులను జమీందారులను చూచిపట్టుచూడవలదు అదేవిడింటే ముఖ్యంగా compensation ఇచ్చే సందర్భంలో వారిందరకు ఒకే రకపు రేటును నిర్ణయించినట్లు లే ఈ చిన్న చిన్న సందేహాలకు అన్యాయము జరుగుతుంది. జమీందారులూ-ఈనాదా, తమ జమీందారులను విభాగించుకొనే, అమ్ముకొనే హక్కులు గలవారు వున్నారు. ఈ జమీందారులను partible estates అంటారు. ఈ హక్కు వారికి permanent settlement కాలమునుంచి యివ్వబడింది. ఈ కారణములచేత ఈ చిన్న చిన్న జమీందారుల అనేక సారులు విధవబడి, అమ్మడివున్నారు. ఈ భూములను కొనుక్కొనేవారు చాలా

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MR. SPEAKER :—“ அந்த வாதத்தைப்பற்றி இங்கே பேசவேண்டாம்.”

SRI K. RAJARAM NAIDU :— 1936-ம் வருஷத்திற்கு முன்னால் இந்த எஸ்டேட்டுகள் எல்லாம் சாதாரணமாக ரயத்து வாரி பிரதேசத் திலிருக்கும் மிராசதாரங்களைப் போலவே இருந்தார்கள் என்றும் அவர்களுக்கும் குடிவார பாத்தியம் இருந்ததாகவும் அவர்கள் சார்ப்பாக வாதிக்கப்பட்டது. இந்த ரகத்தில் எத்தனை எஸ்டேட்டுகள் இருக்கின்றன? அவைகளில் எத்தனை ஏக்கர் உள்ளன? உண்மையாக 1936-ம் வருஷ இடும்தார்களுக்கு இரண்டு வார பாத்தியம் இருக்கிறதா? அல்லது மேல்வார பாத்தியம் மட்டும் இருக்கிறதா என்பதைக் கண்டுபிடிக்கும் சர்க்கார் ரிகார்டுகளும் சர்க்காரிடம் இல்லை. இந் நிலைமையில் முடிவு செய்தால் அவர்களுக்கு எப்படி நியாயம் செய்வதாகும். மற்ற இடும்தார்களுக்கு கொடுப்பதுபோல செய்தால், நமக்கு சட்டம் செய்ய உரிமை இருக்கிறது, எந்த எதிர்ப்பையும் சமாளிக்க அதிக மெஜாரிட்டியை நாம் வைத் கொண்டிருக்கிறோம் என்று நினைத்து தீர ஆராயாமல் சட்டம் செய்தால் அது நியாயமாகாது. அவ்விதம் நியாயம் தவறிப்போய் லிட்கூடாது என்பதற்குத்தான் இந்த முடிவுக்கு வந்தோம். இதைப்பற்றி யோசித்து பிறகு செய்வோம், அதற்குள் ரெவினியூ இலாகா புள்ளி விவரங்களை சேகரிக்கட்டும், அதன் பிறகு ஒரு மாதம், அல்லது மூன்று மாதங்கள் தள்ளிப் போட்டால் அதற்குள் ரெவினியூ இலாகா வேண்டிய புள்ளி விவரங்களை சேகரித்துவிடும். அதன் பிறகு இந்த 1936-ம் வருஷ இடும்களையும்கூட விலக்க ஒரு மசோதாவைக் கொண்டுவரலாம் என்ற எண்ணத்தினால் இப்பொழுது ஒரு முடிவு செய்யப்பட்டது. இம் முடிவு எல்லோரும் ஒப்புக் கொள்ளக்கூடியதாக இருந்தது. சென்னைப் பத்திரிகைகளும் இந்த முடிவை பாராட்டியது. ஆனால் சில அங்கத்தினர்கள் இதை எதிர்ப்பதற்காக இங்கு முன் வந்தார்கள். அவர்கள் எதிர்ப்பதாக பேசியதெல்லாம் உள்ளூர் 1936-ம் வருஷ இடும்களை தாற்காலிகமாக விலக்க வேண்டுமென்பதுதான். இதைப்பற்றி கனம் கோசலராம், சுவாமிநாதன் ஆகியவர்களும் பேசினார்கள். கனம் ரிவினியூ மந்திரியவர்களும்”

(After lunch—2-30 p.m.)

SRI K. RAJARAM NAIDU :—“கனம் சபாநாயகர் அவர்களே, 1936-ம் வருஷத்திய இளம்கலா லிலக்கவேண்டியதின் காரணத்தைப்பற்றியும், 1908-ம் வருஷத்திய எஸ்டேட் லாண்டு ஆக்ட்டில் கண்ட பழைய இளம்கலா இந்த சட்டத்தில் ஏன் சேர்த்து விடவேண்டுமென்பதைப்பற்றியும் நான் செவ்வந்தேன். ஒரே சட்டத்தில் எஸ்டேட்டுகள் என்று ஒரே விதமாகத்தான் ஜமின்தாரிகளையும், இளம்கலையும் அங்கே சொல்லப்பட முடிகிறது. ஆனால் இந்த 1936-ம் வருஷத்தில் புதிதாக எஸ்டேட்கள் என்று சேர்க்கப்படவில்லை எஸ்டேட்களில் சில குடிவார பாதயகை கொண்டுள்ளனவையா, அவ்விதம் சேர்க்கவேண்டுமானால் அதை தீர ஆராய்ந்து பார்க்க வேண்டுமென்றும் உண்மையில் அப்படி இருக்குமானால் அவர்களுக்குத் தகுந்த நியாயம் செய்யவேண்டியது சர்க்காருடையவும் சட்டசபையினுடையவும் கடமை என்பதை உணர்ந்து கொஞ்சகாலம் ஒத்திவைப்பது நலம் என்று ஒத்திவைக்கப்பட்டது. அத்துடன், அம்மாதிரி விலக்கிவிடுவதனால் விவசாயிகளுக்கு அதிகம் நஷ்டமோ கஷ்டமோ ஏற்படுகிறதா என்று பார்க்கும் போது ஒன்றுமில்லை. என்னென்றால் இப்பொழுது விலக்கப்படபோகும் இளம் பிரதேசங்கள், விலக்கப்படாமலிருக்கும் இளம் பிரதேசங்கள் ஆகியவற்றுள்ளும் விவசாயிகளைப் பொறுத்தவரையில் ஏதாவது வித்யாசம் இருக்கிறதா என்று பார்க்கவேண்டும். எல்லா இளம்களுக்குமே ஒரே மாதிரிகளாக வரி குறைப்புச் சட்டம் அமுலுக்கு வந்து எல்லா இடங்களுக்கும் வரி குறைக்கப்பட்டிருக்கிறது. ஜமின்தாரர்கள் இளம்தாரர்களை ஒழித்தாலும்

SRI K. RAJARAM NAIDU :—“ ஆகையால் மேல் இடத்தைப் பற்றி சொல்வதை உடனே ஒப்புக் கொள்வது என்பது இல்லை. கட்சிக் கூட்டத்தில் எது நல்லது என்று ஒப்புக் கொண்டிருக்கிறார்களோ அதையேதான் ஒப்புக்கொண்டு அலசி ஆராய்ச்சி செய்து முடிவுக்குவரவேண்டும். அதன்படி கட்சியிலிருந்து 11 அங்கத்தினர்களை எடுத்து ஒரு தனி கமிட்டி அமைத்து ஆராய்ச்சி செய்யப்பட்டது. அந்தக் கமிட்டியில் கனம் நண்பர் சுவாமிநாதன் அவர்களும் ஒரு மெம்பராக இருந்தார். அந்த கமிட்டி ஏகோபித்து ஒரு முடிவுக்கு வந்ததை எல்லோரும் தெரிந்து கொண்டேவருகிறோம். 1936-ம் வருஷ இனாம்கள் விலக்கப்படவேண்டும் என முடிவு செய்யப்பட்டது. அதில் முக்கியமாக . . . ”

[Sri K. Rajaram Naidu]

[14th September 1948]

சரி, ஒழிக்காவிட்டாலும் சரி, அங்கே இருக்கும் விவசாயிகளுக்குக் கிடைத்த நன்மை என்னவென்றால் இந்த வரி குறைபட்டது. அப்படி வரி குறைந்திருக்கும் விதோசாரத்தைப்பற்றி நேற்று சட்டசபையில் ரிவினியூ மந்திரியவர்கள் போது விவாதத்திற்கு பதிலளிக்கையில் எடுத்துக் கூறினார்கள். ஆகையால் அந்த நன்மை இந்த 1936-ம் வருஷத்திய இனாம்களிலுள்ள விவசாயிகளுக்கு கிடைத்துவிடுமானால் இந்த இனாம்கள் கொஞ்ச காலம் வரை ஒழிக்கப்படாமலிருந்தால் ஒன்றும் மோசம் போய்விடாது. அதற்கு வேண்டிய புள்ளி விவரங்கள் கிடைத்தவுடன் ஒரு மசோதாவை தயாரித்து சட்டம் செய்துகொள்ளலாம் என்ற எண்ணத்துடன் இப்பொழுது இதை ஒதுக்கிவைக்கப்பட்டிருக்கிறது என்பதாக ரிவினியூ மந்திரியவர்கள் பேசினார்கள். மேலும், நண்பர் விஸ்வநாதம், தன்னுடைய திருத்தத்திற்கும் சர்க்கார் தரப்பில் கொண்டுவந்த திருத்தத்திற்கும் யாதொரு வித்யாசமும் இல்லை என்று வாழைப்புமத்தில் ஊசி ஏற்றுவதுபோல் பேசினார். அதை ஏற்றுக்கொண்டால் ஒன்றும் குறைவு இல்லை என்று பேசினார். இப்பொழுது இருக்கக்கூடிய விதியில் a, b, c, e என்ற வார்த்தைகளை நுழைத்துவிட்டால் போதும் என்று சொல்வது எப்படி இருக்கிறது என்றால், ஒரேயடியாக எல்லா இனாம்களையும் ஒதுக்கிவிடலாம் என்று சொல்வதுபோல் இருக்கிறது. அப்படி அவர் சொல்லாமல் இனாம்களையே ஒதுக்கிவிடலாம் என்று ஒரு வார்த்தையில் கூறி இருந்தால் வெகு அழகாகவும் நன்றாகவும் இருக்கும். அவருடைய திருத்தம் நமது மசோதாவின் நோக்கத்தையும் அடிப்படையையும் மாற்றியமைக்கும்படியான திருத்தமேயொழிய வேறு ஒன்றுமில்லை. ஆனால் ரிவினியூ மந்திரியவர்களுடைய திருத்தம் என்னவென்றால் 1936-ம் வருஷத்திய இனாம்களைமட்டும்தான் ஒதுக்க வேண்டுமென்பது. அதுவும் போதிய காரணத்துடன் தாற்காலிகமாக ஒதுக்கி வைக்கக்கூடிய திருத்தம் அது என்பதை நாம் மறந்துவிடக் கூடாது. ஆகையினால், கனம் விஸ்வநாதம் அவர்களுடைய திருத்தத்தை நிராகரிக்கவேண்டும் என்றும் ரிவினியூ மந்திரியவர்களுடைய திருத்தத்தை ஆதரிக்கவேண்டுமென்றும் கேட்டுக்கொள்வதுடன் ஒரே ஒரு வார்த்தை.

“இனம்தார்களைப்பற்றி அதிகமாக சிரத்தையுடன் அவர்களை மிகவும் ஆதரிக்கவேண்டுமென்றும் எழைகளாகிய அவர்களைக் கண்பார்க்கவேண்டுமென்றும் இங்கே விவாதிக்கப்பட்டது. அத்துடன் அவர்களுக்கு குடிவார பாத்யமும் உண்டு என்றும் அவர்களை ஒழிப்பது என்றால் அவர்களுக்கு சரியான நஷ்டஈடு கொடுக்கப்படவேண்டுமென்றும் கூறினார்கள். அது வாதத்திற்கே ஒவ்வாத ஒரு விஷயம். புதிய பாத்யத்தை யொன்றை உண்டாக்க முடியாது. ஏனென்றால் அவைகள் இனாம்கள் என்றும் அவர்களுக்கு தர்மமாக கொடுக்கப்பட்டது என்றும் அதைப்பற்றி பேசியவர்கள் கூறினார்கள். தர்மமாக கொடுத்தவர்களுக்கு எந்த உரிமை உண்டோ அதே உரிமை இவர்களுக்கும் இருக்குமேயொழிய அதிகமாக இருக்க முடியாது. சாதாரணமாக கோவிலின் பூஜை செய்வதற்கு நியமிக்கப்பட்ட குருக்கள் தம்முடைய கோவில் உத்யோகத்தை வேண்டுமானால் பிறருக்கு கொடுக்கலாமே யொழிய கோவிலிலுள்ள லிங்கங்களை விற்பதற்கு அவருக்கு பாத்யம் கிடையாது. அதைப்போலவே ஜமீன்தார்களுக்கு நிலத்தின் வரியை வசூலிப்பதற்குதான் உரிமை உண்டேயொழிய நிலத்தை உழுது சாகுபடி செய்யும் குடிவார பாத்யத்தை கிடையாது. அதே பாத்யத்தைதான் இந்த இனம்தார்களுக்கு உண்டேயொழிய குடிவார பாத்யத்தை கிடையாது. உண்டு என்று வாதிப்பது விவாதத்திற்கு ஒப்பாது. ஏதாவது அவர்கள் அனுபவித்துக் கொண்டிருந்தாலும் அதுவும் செல்லாது. ஆனால் இப்பொழுது இதற்கு முன் இல்லாத பாத்யத்தை ஜமீன்தார்களும் இனம்தார்களும் இப்பொழுது கொண்டாடுகிறார்கள். ஒரு ஏக்கருக்கு முக்கால் ரூபாய் ஒரு ரூபாய் வரி வசூலிப்பது என்று 1802-ம் வருஷத்தில் முடிவு செய்யப் பட்டு 1908-ம் வருஷம் அதைச் சட்டத்தின் மூலம் நிர்ணயிக்கப்பட்டிருந்தும் கூட நேற்று வாசித்த அந்த அறிக்கையிலிருந்து ஏக்கர் ஒன்றுக்கு ரூ. 60, 70 அவர்கள் வசூலிப்பதாக தெரிகிறது. இதுவும் அவர்களுடைய பாத்யத்தை என்று சொன்னால் அதற்கு எவ்வளவு மதிப்பு இருக்குமோ அவ்வளவுதான் இந்த குடிவார பாத்யத்தைக்கும் உண்டு. ஆகையால் இப்பொழுது ரிவினியூ மந்திரியவர்கள் 1936-ம் வருஷத்திய இனாம்களை தாற்காலிகமாக விசுக்குவதற்காக கொண்டுவந்திருக்கும் இந்த திருத்

14th September 1948]

[Sri K. Rajaram Naidu]

தத்தை ஆதரிக்கும்படியும், கனம் விஸ்வநாதம் கொண்டுவந்திருக்கும் திருத்தத்தை நிராகரிக்கும்படியாகவும் அங்கத்தினர்களைக் கேட்டுக்கொள்ளுகிறேன்.”

* SRI T. VISWANATHAM:—“Mr. Speaker, Sir, I want to explain myself. The effect of my amendment is this, to exclude lands known as inams from the purview of the present Bill. But the Hon. Revenue Minister's amendment is to exclude inam villages which became estates by virtue of the Madras Estates Land (Third Amendment) Act, 1936. I am one of those who always said that these inams should also be acquired by the Government, just as they are acquiring the zamindaris. Let it not be misunderstood by anybody that because I have moved this amendment now, I am for excepting the inamdars and the inam lands and the inam tenants from the beneficial legislation proposed by this Government or to be proposed by the Government. It is only in the interests of the tenants that I am proposing this particular amendment. Let it not be understood that the safety and security of the tenants are the monopoly of a few members who can afford to be very vehement. Let us be dispassionate over this matter. Let us understand what we are doing.

“As I have already submitted, Sir, these inams are different from estates. These inams were treated as different even at the time of the Permanent Settlement in 1802. When the Circuit Committee made its investigations between the years 1788 and almost up to 1798 and made a report, it very well knew that these inams were different from the zamindaris. Then subsequently an Inam Commission was set up and it also knew that these inams were different from estates which were governed by the Permanent Settlement Regulations. The fact that these two were combined together, that certain kinds of inams and the permanently settled estates governed by the Permanent Settlement Regulations were combined in a particular piece of legislation in 1908, does not make inams, zamindaris. Let us be very clear about that. If you look at the definition of an estate in the Estates Land Act of 1908, you will find the following:—

‘Estate means—

- (a) any permanently-settled estate or temporarily-settled zamindari;
- (b) any portion of such permanently-settled estate or temporarily-settled zamindari which is separately registered in the office of the Collector;
- (c) any unsettled palaiyam or jagir;
- (d) any inam village of which the grant has been made, confirmed or recognized by the British Government, notwithstanding that subsequent to the grant, the village has been partitioned among the grantees or the successors-in-title of the grantee or grantees.’

“Therefore I submit, Sir, that even the draftsman of the Estates Land Act has clearly made the distinction between the

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permanently settled estates and the inam villages. There is, therefore, no point in saying in season and out of season that there is no difference between the two. All those who had studied the Report of the Enquiry Committee who went into the matter, the draftsmen of the Permanent Settlement Regulations of 1802, and the draftsmen of the Acts of 1822, 1869 and 1908 knew this point very well. That was so when we were contemplating some legislation which was necessary for the amelioration of the conditions of the tenants in those areas in 1937 and in June 1947. I was also one of those who took the greatest pains, if I may say so, to do whatever I could to bring about the amelioration of the condition of those tenants. Let it not be understood that to-day it has become the monopoly of a few persons to say, "Inamdars must go". It is not a question whether the inamdars should go or the zamindars should go. I am looking at it solely from the point of view of the tenant. I am not looking at this question from the point of view of those who want that such persons should go, but I am looking at it from the point of view of how people would be able to get the utmost benefit by means of this legislation.

"Now let us see what is the amendment of the Hon. Minister for Revenue. His amendment says, that clause 1, sub-clause (3) may be substituted as follows:—

'It applies to all estates as defined in section 3, clause (2) of the Madras Estates Land Act, 1908, except inam villages which became estates by virtue of the Madras Estates Land (Third Amendment) Act, 1936.'

How does it read? Let him fit the language of his amendment with the existing Act. He does not seek to define in this new Act what an inam is. He does not seek to define what an estate is. This new clause simply says, that 'it applies to all estates as defined in section 3, clause 2 of the Madras Estates Land Act, except inam villages which became estates by virtue of the 1936 Act.' When the Act of 1936 was passed, the definition given to an estate under sub-clause (d) in that Act, which had reference to inam villages under the Act of 1908 was altogether displaced. It is now believed somehow by certain hon. Members of the House who have spoken during the course of the debate, that there is a distinction between these two inams,—that the Madras Estates Land Act contemplates two kinds of inams, one, the inams of 1908 and the other, the inams of 1936, and that we want now to exclude inams of 1936 alone. It is not the position. The fact is that when in 1936 the Act was passed it related the provision back to 1908. All those who know the provisions of the Estates Land Act also know that it related back. The Courts also went into the matter. The effect was that it was to be read as if this provision had existed even from 1908. The clause in the 1936 Act says: 'an inam village of which a grant has been made, confirmed or recognized by the British Government'. This is slightly different from the definition given in the Act of 1908. This was deemed to have been incorporated in the Act not of 1936 but of 1908 itself. That is why I am submitting in the interests of the

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tenants that either you should include all the inams wholesale, or leave them altogether. When you take up the inams, when you take another man's property you must be careful. Don't reduce it to theories and isms which will land you somewhere. When you take another man's property give a just compensation. You don't want to do that and want to exclude a particular category of inams of which there has been so much discussion recently and you want to abolish the zamindari covered by the Permanent Settlement Regulation of 1802. The Estates Land Act defines a particular class of lands and it is an Act which was passed to declare the comprehensive law as to the relations between the landholders of certain kinds of lands and the tenants in those lands. It covers estates, it covers jagirs, it covers certain kinds of inams also. To-day when they are referring to the zamindari system they certainly never refer in their minds to the inams but to the estates which were brought under the operation of the Permanent Settlement Regulations. That is why I am submitting now, Sir, when you want to do away with the Permanent Settlement Regulation in order to achieve some social and economic progress in the country, by all means confine yourselves to estates of the permanently settled type which were covered by and brought under the operation of the Madras Estates Land Act. If you want to bring in the inams also make proper provision for it; understand the nature of the difference between the inams and the estates. You give them also compensation. If you have studied the matter, if you have got statistics about the inams, if you have properly understood the nature of the inams as being different from the zamindaris, if you have got all the materials, by all means let us have two chapters in this Act, one relating to the zamindars and the other relating to the inams. As it is, there has been so much confusion, there has been admittedly so much misunderstanding on the nature of the inams. Some say it is a gift and the others say it is not a gift. In 37 Madras, when the matter was discussed in the High Court they discussed the nature of these inams and they came to the conclusion that the inams were in a way something like patta lands being subject to no assessment or favourable assessment. These inams were granted for very many different purposes. To-day the Hon. the Revenue Minister has been giving lands of 5 acres and 10 acres to some of the political sufferers. Now if these gifts which the Government are making for these political sufferers are considered sacred, shall we not consider sacred those gifts which were made for similar or for equally good causes in olden days? My submission is the nature of the inams is altogether different. Don't say in an off-hand manner that it is not so. People who have gone into the matter have agreed upon the point. That is why from the beginning in 1788 the Circuit Committee never mixed up the inams with the zamindaris. The Permanent Settlement Commission never mixed up the inams with the zamindaris. They always kept the two as different categories. The Estates Land Act of 1908 kept them as two different categories. For the purpose of the relations that should be between the landlord and the tenant in certain kinds of inams they

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brought those relations within the purview of that particular Act. By that it does not mean that the inam has become an estate. Here for example it is stated: Inams which became estates by virtue of the Madras Estates Land Act. It is impossible for any inam to become an estate, because only those were estates which were covered by the wording of the Permanent Settlement Regulations. While I am one with you in your demands to reform the land tenures of this Presidency to ameliorate the condition of the tenants, I want you to do things in a balanced way. Our chief objective was the elimination of the zamindari system. Now therefore let us confine ourselves to it. If you want to do it you will have to remove clause (d) from the definition. As it is if the amendment of the Hon. Mr. Kala Venkata Rao is to be passed what really happens is, you get back to 1908 and you will be putting all the tenants into litigation because in 1908 the definition did not say: 'These are inams in which the tenants have occupancy rights and these are inams in which the tenants have no occupancy right;' because it was not possible. Just as now they also had no statistics available. There was no Inams Commission set up to establish whether there was occupancy right in a particular inam or whether there was no occupancy right in another inam. That is why they stated that where there were occupancy tenants their occupancy rights must be protected and for that purpose such of the inams in which the tenants were able to prove that they had occupancy rights or such of the inams in which the inamdar was not able to prove that he had both the kudiwaram and the melwaram right were left to decide the issue in a court of law. I want the Hon. the Minister to pay some attention to what I am saying. If I have not made myself clear I shall try to explain myself better. If you remove the so-called 1936 inams it takes you back to 1908. What was the position in 1908? The position was that it was a blank. They said: It is only a question of fact to be decided in the circumstances of each case and on merits whether the tenants had occupancy rights or not. Now what happens? The amendment itself does not fit in there. The words 'estates as defined in 1936' do not fit in. If you want to save some inams and if you want to bring in other inams within the purview of the present Bill, i.e., if you want not to include within the purview of the Bill such inams as were defined originally in 1908 Act, your object will be frustrated and you will be landing everybody in difficulties. And who will suffer? It will be the tenant. That is the real difficulty. I am one of those who did not disagree with you. Mr. Rajaram Naidu spoke in Tamil something as to what happened in the party. I did not exactly understand what he said. In the Party I was one of those who wanted to include all the inams. 'Including' means including in a proper way and treating them properly and treating the tenants properly. There is no special virtue in leaving them to-day and bringing in a separate Bill tomorrow. The object of leaving them out and not including them here is to see that the matter is dealt with properly, squarely and justly to all the interests concerned. It is not a question to be treated as if

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it were an election issue, namely, whether the inamdars should be included or whether they should be excluded. The only thing that we have to see is that what we are doing is consistent and practicable. Originally the Bill was to bring within its purview all the lands of the inam villages. Subsequently certain events occurred in our Presidency as is well known. Therefore, there were three alternatives which presented themselves before the Government of Madras and the Hon. the Revenue Minister. Either include the inams fully and pay them complete compensation or leave them out altogether or in cases where there were occupancy rights divide these inams between the inamdar and the pattadar. These three alternatives presented themselves before the Hon. the Revenue Minister. It was with regard to the inams as a whole and the question of their chronology, whether they were 1908 inams or 1936 inams was not at issue. The main question was whether we should bring inams within the purview of this particular Bill and we thought under the circumstances it was necessary to exclude the inams. I may not be far wrong in saying that the Hon. the Revenue Minister understood it in that manner. Possibly in giving effect to it by means of an amendment he has put the wording so as to exclude the '1936 inams'. The last time when I spoke on the Bill I stated that there were no such inams as the 1936 inams as different from the 1908 inams and that it would land us in a mess of litigation because in 1908 it was not definitely declared by Statute in what inams people had occupancy right and in what villages they had no occupancy right. I am one of those people who have said, that not only in certain kinds of inams but everywhere the tenant who is the real cultivator of the soil should have the occupancy rights. I have always fought for them. I am one of those who say that the real cultivator of the soil must have the occupancy right. The Permanent Settlement Regulations, the Patta Regulations and other documents refer to the real cultivators of the soil and I am one of those who demand that a just measure should be passed in their favour. What is the use of mixing up issues? I am submitting with regard to these inams, their nature being different, their origin being different, that they should always be treated separately. It does not necessarily mean that we should not legislate for reforming the different inams. I have accepted the word of the Hon. Minister that he is going to bring in soon another Bill covering the various rights of the tenants, the pattadars, the cultivators of the soil, etc. I am glad he has promised that. Then why should he be in a hurry to bring in a few of these inamdars within the purview of this legislation and lead people to litigation. There is no use saying: I am passing a legislation in which I have said that there will be no appeal to the court of law and therefore you won't be able to undertake litigation. That is not the just way of looking at things. Then why come to the legislature at all? And please do not abuse lawyers. It is the lawyers who have got to interpret the law. If you do not want the lawyers, if you do not want the courts, don't also convene a session of this Assembly at all, and don't call this, Legislation. By all means you have

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got the power to pass ordinances. Consult your best legal talent and your best economic talent and other talents and pass your ordinance and people will gladly accept it. If you come here you must be patient to hear the lawyers. There is no use always mocking and joking at the expense of the lawyers. From the beginning of the world, when God said one thing and Satan said something else, a third man had to come and interpret. (Interruption.) I am not talking about the High Command. The best talent in this country has come from the profession of law. The greatest sacrifices made were from this much hated profession of lawyers. Therefore let us not in a mood of lightheartedness go on attacking lawyers. You may attack a particular lawyer to-day at Madras or at Delhi. Sir, the interpretation of law is an eternal thing. If your law is eternal the interpretation of the law is also eternal. Therefore the lawyer is eternal. He is an eternal entity. Just as you cannot escape the law you cannot also escape the lawyer. (Laughter.) I am therefore submitting, let us not try to argue the matter by casting aspersions on this profession or that profession; let us not also use language which is fast approaching the ideology of class warfare. In bringing about legislation by which we want to ameliorate the conditions of the cultivators of the soil, when we want to improve the economic conditions of our Province, when we want to improve the economic prosperity of the people of this land, let us not use language which is leading us to a sort of class distinction and class warfare which is akin to a particular political theory which we do not want. There is no use of saying 'I would make a distinction between inamdars and tenants'. There is no use of trying to use exciting language. There is no use of saying 'this particular class of people cannot

3 p.m. go; I shall see to that; I know these people cannot go to a particular village and cannot even collect rents'. That kind of language, I must submit, Sir, does no good to the dignity of the member saying it or to that of this Legislature and does not serve the purpose which we have in view. (Interruption by Sri R. V. Swaminathan.) I have not referred to my friend Mr. Swaminathan. I shall refer to him in glowing terms. He is the nicest man. See how nice he looks! Sir, I am submitting that we should not use language which is bordering on class terminology and class warfare. It is one thing from which several countries in the world are suffering to-day. You might encourage that for a certain purpose to-day in a mood of enthusiasm. But tomorrow you will have to repent. When the Hon. Revenue Minister says 'Yes, I hugged them no doubt like Dritharashtra . . .' (Interruption by the Hon. Sri Kala Venkata Rao). Let us not use such language here. If we believe in private property, if we believe that a man's property, if taken on public interests, should only be taken on payment of compensation, if we believe that law is inviolable not only for the people of this country but also for the Government of this country, we should not say and do things which will lead us to the borders of a particular political theory, which you and I do not at all want in any sense of the term. Therefore, I submit that that kind of language need not be used in order to

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oppose my amendment. Please consider my amendment on its merits. The merits are that the language employed takes us back to 1908. The 1936 amendment has been incorporated as part of the 1908 Act, and the Madras High Court has ruled that the amendment of 1936 is to be treated as if it were in existence right from the year 1908. In 1908, in the case of inams the question of occupancy rights and both the warams were not settled by statute. An opportunity was given there to the inamdar to prove that he had both the warams, and an opportunity was also given to the tenants to prove that they had *kudicaram* rights. Both were asked to go to courts of law. Are we going back to the same position now? I am pointing out the law. I am pointing out a legal contradiction. I want the Hon. Revenue Minister to appreciate my point of view. Let him not think that I am opposing the Hon. Revenue Minister because he and I disagree on certain things. I am one with him in the cause which we have at heart for the last so many years, particularly the cause of the tenantry. But when we make a law, we must do it properly. This legislation has got several other defects. It is called legislation only in name. It has not the other aspects of legislation. It does not give the right to persons affected to fight out their rights in a court of law. Therefore, it has got these defects. But to the extent you want to do a particular thing, do it well and do it correctly. After all, why should we be in a hurry? We are bringing in a new legislation. You are excluding the 1936 inams. There are other kinds of lands and tenancies. There are ryotwari pattadars who are also collecting paltry rents of 60, 70, 80 or 100 rupees from their tenants. Pattadars owning lands, on payment of Rs. 20 or Rs. 30 to the zamindar, are also collecting Rs. 70 or Rs. 100 as rent. They are in no way better than these inamdars who are so much attacked. Why should these inamdars be made scapegoats? He is the same man as you. You got it subject to payment, and the inamdar got it subject to no payment. That is all the difference. To support my contention that these inams are separate from the nature of zamins, I would like to bring to the notice of the Hon. Revenue Minister Rules XXVII and XXIX of the Inam Rules (which are still in force and under which these inams have been dealt with from time to time). Rules II to XXII deal with the disposal of these inams. Rule XXIII relates to inams in zamindaris. It says—

'Such of the inams situated in zamindaris and other existing private estates, as were excluded from the assets on which the permanent peishkash was fixed, and the reversionary claims to which are reserved to Government by section 4, Regulation XVI of 1802, will be included in the present adjudication and settlement . . .'

"The Inam Commissioner was aware of these various inams. Inams existed prior to 1802 also. Those inams were excluded from the permanent settlement regulation. Therefore, they were dealt with by the Inam Commissioner. After they were treated like

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that, inams which came into existence between the year 1802 and 1859 have been brought under the Inam Rules. Rule XXVIII of the Inam Rules says—

'Inams once converted into freeholds in accordance with the foregoing rules will be subject to no further interference on the part of the Government, except such as may be necessary for the punctual realization of the quit-rent charged thereon, and even this degree of interference may be avoided, at the discretion of the inamdar, by the purchase, once for all, of the fee-simple of the land by paying a sum equal to twenty (20) times the amount of the annual quit-rent.'

Rule XXIX says—

'Inams thus enfranchised, either by the payment of an annual quit-rent, or of a single fixed sum equal to 20 years' purchase of the quit-rent, will, like every other description of property, be subject to the jurisdiction of the ordinary Courts of justice in all questions of disputed right, succession, etc., and they may be mortgaged, sold and transferred in any manner, at the will and discretion of the inamdar, subject to the payment of quit-rent, if such is not redeemed.'

I have quoted these rules to show that these inams are so totally different from the zamindaris. That distinction has been kept in legislation right through, and, therefore, I submit that if you want to exclude inams, you had better accept my amendment and see that the definition of estate does not cover those inams. You need not be in a hurry. Let us have a comprehensive legislation with regard to inamdars, ryotwari pattadars, and the relations between the cultivating tenants and pattadars. I submit that the Hon. Revenue Minister should be able to appreciate the point of view which I have put forward. Let him not say 'I have moved an amendment: Mr. Viswanatham has moved another amendment: therefore I am not going to accept his amendment.' That should not be the attitude. I would request him not to adopt that attitude. I submit that my amendment is absolutely necessary if you want to keep this legislation a strong one. If you want to keep this legislation free from inner contradictions and if you really want to save the tenants from litigation, please accept my amendment."

* THE HON. SRI KALA VENKATA RAO:—"Sir, we have discussed this question of inams more than once on the floor of this House. More than once I explained the point of view of the Government in this matter. It will be the fourth time for me to say that now. I do not propose to go into the merits of the question once again. I shall confine myself to the amendment under discussion. As I told the House yesterday, Government decided to exclude the 1936 inams only. Any amount of argument cannot make us go back on the decision to exclude the 1936 inams and bring in the 1908 inams also. Mr. Viswanatham has ably argued his own case. But, I must tell him that the 1908 inams have been

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SRI T. VISWANATHAM:—"May I submit, Sir, that I am not an inamdar, and, therefore, there is no question of 'my own case.'"

* THE HON. SRI KALA VENKATA RAO:—"Sir, case means the case for his amendment and not the case of the inamdar. I know Mr. Viswanatham for such a long time. I know whether he is a zamindar or an inamdar or a tenant, etc., I am so intimate with him. It is only on the amendment that I am speaking now. The decision of the Government is that inams are not separate entities from the zamindaris. The arguments of Mr. Viswanatham will be correct if we say that inams are separate from zamindaris, and they are not estates in the full sense of the term. That is not the decision of the Government. We are now excluding the 1936 inams from the provisions of this Bill. Under which Act will they be governed till they are abolished? They will be governed by the Madras Estates Land Act, 1908, which we are not repealing to-day in full. Therefore, Sir, they will continue to be deemed as estates under the Madras Estates Land Act, 1908.

"On the merits of the question also, it was clear in the 1908 Act that only such of those inams where the melwaram right was conferred upon the inamdar were sought to be made as estates. Therefore that provision has not changed, nor even the position of the Government that at least the melwaramdar should be removed. Therefore, Sir, I am quite unable to accept the proposal of my hon. Friend, Mr. Viswanatham. There has been such a long discussion. I must take more time than my friends if I go on answering the points one by one. There was some discussion about lawyers. Many of my friends are lawyers. I would have myself become a lawyer if my education was not cut off on account of the non-co-operation movement. Therefore, I have no grudge against lawyers, and if I have spoken anything, it is only about the way the lawyers are trying to criticise more and more and over and over again, and not because there is anything intrinsically wrong in what they have been saying, or trying to enlighten the House. After all, lawyers are giving us advice. Who drafted this Bill except lawyers? It is only on the advice of the best lawyers in our department that the Bill was drafted. It may be that the interpretation put on it is good, bad, or indifferent. Therefore, I have nothing against lawyers. I am prepared to take their advice. If one lawyer does not feel the same with it and seeks to enlighten the Government, and if the advice is correct and acceptable, certainly I will be the first man to take his advice. That does not obsess me.

"Another opposition has come, i.e., we should not exclude inams. This came from a good many friends. I very much thank them for their consistency. I also wish that I am as consistent as they are. But, unfortunately, holding the official position as I do, I cannot be so dogmatic as they are. But, nonetheless, to take political advantage of what happened is not good. I can

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bear criticisms from Mr. Kaleswara Rao, if he sits on the other side. Then he is entitled to pick holes. But it is unfortunate that he should pick holes sitting on this side.

3-15 "A certain newspaper is criticising the Government saying 'ryot bakshana', etc. Which paper is writing this, and who is editing this paper, I know. Political vendetta is inspiring such writings. I am not afraid of those writings. I know my heart and for whom I am working. I will die working for them in spite of that gentleman and these writings.

"I must tell my other friends that this exclusion of the 1936 inams is only a temporary exclusion and the whole position will be reviewed and will be examined thoroughly. Therefore, they need not feel the least concern about this question of inams. I do not like to speak more on this subject. I would like to press my amendment and I request my hon. Friends to withdraw their amendments."

MR. SPEAKER:—"I must inform the House about the procedure that I am going to follow. Regarding the amendment, after Sri Viswanatham's amendment is voted, Sri N. S. Varadachari's amendment need not be voted, because, it is the same as the former. If Sri Varadachari wants, he can move his proviso which states 'Provided that this Act shall not apply to inam villages or charitable institutions or for such purposes or services.' He cannot move his second proviso, because it is the same as the amendment of Sri Viswanatham. Then, if Sri Prakasam wants, he can move his amendment No. 12. Then, Sri Karanth can move his amendment No. 13 (a). He cannot move 13 (b). Then amendments 14 and 15 can be moved. Afterwards, the Government amendment will be put to the vote of the House. I will now first put the amendment of Sri T. Viswanatham to the vote of the House."

The amendment was put and lost.

MR. SPEAKER:—"Sri Prakasam may now move his amendment No. 12."

SRI T. PRAKASAM:—"I am not moving my amendment, Sir. I protest against the way in which this Bill is being proceeded with in this House."

* SRI N. S. VARADACHARI:—"Sir, I have given notice of two amendments in this connexion. The other amendment is somewhat different from this. It really refers to clause 3 and it comes at a later stage. If I move this amendment, it is merely with a view to clarifying one or two things. The amendment runs as follows:

'Add the following as a proviso:—

"Provided that nothing in the Madras Estates (Rent Reduction) Act, 1947, shall apply to inam villages which became estates for the first time under the Madras Estates (Amendment) Act of 1936."

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My amendment says that though the Government have excluded inams which became estates within the definition of the Madras Estates Act of 1936, and though the Hon. Minister proposed to review the position, he would still persist in the application of the Madras Estates Rent Reduction Act of 1947 to these type of inams. In effect, this would nullify his own promise to review the position over again. Sir, this amendment raises an important question of principle. The principle involved is this. Government thought of including in the zamindaris all other estates as well. There was to be no exclusion. We were told that even if all the Members who felt like me joined together and pressed the case for the exclusion of certain types of estates, no exclusion would be allowed. It was on that basis that the Madras Estates Rent Reduction Act, 1947, was made applicable to all sorts of estates. When that Act was being passed and when similar amendments of the type which are now being moved were moved, Government refused categorically to entertain those amendments. That simply meant that they did not contemplate either now or in the near future the exclusion of these types of estates. Now, Sir, Government have felt the need to revise their views on compensation and to readjust their position so as to put it on a more equitable and just basis. Therefore, Sir, it is but fair that the Government should recognize the injustice of applying the Rent Reduction Act in the present form in which it is being applied to all estates alike. If those estates stand on the same footing as other inams, then of course, there is no need for excluding them from the abolition Bill. But, if they are not, and if a review of the position was contemplated, then, I think it would not be too much to ask whether Government would not temporarily suspend the application of the Rent Reduction Act of 1947 to such estates.

"Sir, what does this Rent Reduction Act propose to do? At the time when the Bill was introduced into this House and before it became law, I pointed out two defects in it. There were cash rents and grain rents in those villages and the grain rents should not be mistaken for tax. One Member just now speaking says—I am referring to Sri K. T. Kosalam."

SRI R. V. SWAMINATHAN:—"On a point of order, I feel Sir, that this amendment is irrelevant to this Bill because the amendment relates to some other Act, namely, the Rent Reduction Act."

MR. SPEAKER:—"The amendment is in order."

* SRI N. S. VARADACHARI:—"My hon. Friend not only poses as an expert in land revenue but seems to become an expert sometimes in procedural law. Let me assure him that there is nothing really wrong in the amendment either on the merits of the case or from the point of view of procedural law.

"Now, Sir, one hon. Friend, murmurs here that it is entirely wrong. I know my Friends are afraid to answer me in the open and so, they are muttering on this side and that. I plead for the

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right and if I feel convinced, as far as possible, I go to accommodate Government. Having done this, if I still feel that justice is lacking, I would be the last person to give up my case. I am willing to let the public pronounce their verdict. In fact, I must ask them to see whether, granting the exclusion of the inams even temporarily for the purpose of setting up new standards of compensation, the Rent Reduction Act of 1947 is really just and proper. I would not go to the extent of asking for the repeal of that Act in respect of those 1936 inams. I plead for a working compromise which I shall state when we come to clause 3. I would not be merely content with raising important issues but I would go forward and I would give the Government every opportunity to come closer and closer to my view by agreement. I do not want them to make any surrenders but I only want them to make just and equitable compromises in such cases as these."

SRI A. KAMESWARA RAO:—"The amendment has not been seconded, Sir."

MR. SPEAKER:—"The hon. Member is still moving the amendment and he has not yet finished moving it."

* SRI N. S. VARADACHARI:—"If Sri Kameswara Rao's view is that everybody should do everything in advance and everybody should get even the votes in advance, then there is no need to come to this House at all. Government may pass this Bill lock, stock and barrel and ask the Members to go to their houses. If that is the spirit in which legislation is discussed, then, I ask whether such discussions are necessary at all."

"Now, Sir, what is the position in respect of the Rent Reduction Act. You have reduced the rents, whatever be the motive. Government say that it has a right to reduce the rents. I agree that the ryots should be given relief. But on what basis? If once relief is given to the ryots, you must also give corresponding relief to the landlord or whichever terminology you may wish to apply to this class of inamdars. Now, I say that rents have been reduced most rigorously. Having reduced the rent, you turn round and say, 'We have reduced the rents of these people; we will give a little time yet for gasping and after the last breath is gone, we shall sing the prayers that are necessary to complete their funeral.' That is the attitude that Government take. If you are convinced that they deserve better treatment, they should get more compensation than other classes of landholders. Their income is reduced down to the lowest level to-day and if the Hon. Minister says that their cases will be looked into hereafter, he is only putting the cart before the horse. Therefore, I would like to urge on the Government to make a satisfactory arrangement in their behalf and if Government does so, I am prepared to withdraw this amendment and support any reasonable basis which Government may present to this House."

"Now, Sir, there is one other aspect of the question. What is confiscation of property if it does not really begin with a confiscation of the income. I say confiscation of income is but a

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variant of the confiscation of property. I repeat it ten times in order that Government may not make a mistake. I ask, is it fair to make a man live on Rs. 3 or Rs. 5 if it is cash rent and on Rs. 10 or Rs. 15 in the case of grain rents where previously he was enjoying Rs. 10 or Rs. 15 in the case of cash rents and Rs. 30 or Rs. 40 in the case of grain rents? Sir, what is the procedure adopted in the Rent Reduction Act? There is so much injustice in that procedure. You do not cut the incomes by so much. But, what you do is this. You send a Settlement Officer to go there and to survey the land. We can well imagine how long he will take to fix a fair or equitable rent in the case of these inam villages. I do not blame the Government for this state of things. You have already passed that Act. Already you have confused rent for tax. The second error is of course inevitable, that is, undue delays. The result would be that the income of these poor inamdars are assessed on a wrong basis, and they have to live meantime in distress and penury. In fact, Sir, I know many cases where these inamdars have not been receiving any grain rent or any cash rent for the last two years and nobody is there to look after them. I am not for any curtailment of the rights of the ryots. But I am only pleading for poor inamdars. Sir, there are some hon. Members in this House who say that whenever I rise, I rise for vested interests and the question of vested interests is brought with all its malicious implications. But, Sir, when I rise to speak, I wish they saw in me not the inamdar, but the set of circumstances which we have created, wherein this man is absolutely deprived of his income and is forced to resort to borrowing, or perhaps is starving in his own home with his children. You may not believe it, (Interruption) because you are neither a ryot nor a landlord. You are neither fish nor flesh nor red herring. I tell you, you have never been a cultivator in your life."

3-30
p.m.

MR. SPEAKER:—"Order, order."

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, let me tell the Members of this House through you, that though I am not a ryot, though I am not a landlord, yet I know the difficulties of people living in the villages. I am pleading for an inamdar as I plead for a political prisoner, as I plead for all people who have suffered. I am pleading for poor people in general. And I say there is no justification whatsoever for the total application of the Rent Reduction Act to this case, when you have once decided that these are to be excluded temporarily. What does Government lose thereby? They may make a working arrangement. They may make even in this Act, a provision by which a straight-cut can be made without reference to the Settlement Officers, and then the ryots, and the landholders would know each his own share of the income and would rest content thereafter. There is enough justification for this amendment. I have raised it not only here, but I have pointed it out to those, who I still hope will remain to guide us in the determination of our policies. Without adding a word more, I would say, that whatever be the argument or the attitude that Government may take up, there is absolute justice in the case,

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that there is no warrant whatsoever for the total application of the Rent Reduction Act of 1947 to these inams which have been temporarily excluded in this Bill, for the purpose of a further review."

SRI T. VISWANATHIAM:—"Sir, I second this amendment."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Although I am entirely in agreement with my hon. Friend as far as the question of giving compensation to the inamdars and other landholders is concerned, I am afraid I must oppose the amendment of Mr. Varadachari on many good grounds. My hon. Friend, Mr. Varadachari has referred to the grounds for the exclusion of these 1936 inams. But I would remind this House through you, Sir, of the circumstances in which these 1936 inams happened to be excluded, as is now proposed by the Government. It is common knowledge that the Government as well as the Revenue Minister have all along pressed for the inclusion of these inams also. As I said once before, both inside this House, and inside the Select Committee as well as outside it, they have always pressed for the inclusion of these inams. How is it that the Hon. Revenue Minister has changed his attitude now? It is common knowledge that when these matters were taken to a certain higher authority outside this House perhaps at the instance of Mr. Varadachari and persons of his way of thinking, some advice was given to this Government, and some alternative proposals were placed before them. One of the alternatives was that as far as those inams are concerned, full compensation on the basis of the income should be given. This matter was discussed at length and the Government found it impossible to agree to giving compensation on that basis. Then again the matter was taken up to the higher authority, and they seem to have made some alternative proposals. It is in these circumstances, Sir, everybody knows,—and there is no use of my hon. Friend Mr. Varadachari saying that it was on the basis that these inams are of a different nature from other kinds of inams, i.e., inams prior to 1908, or other zamindari estates—that the Government decided to exclude these inams. If that were so, and I am sure it is so, then is there any justification for my hon. Friend to come and tell us now, because they are excluding these 1936 inams, the rent on these inams should not be reduced? He now says that logically it follows and that because these inams are excluded from this Bill at least temporarily, why should not the operation of the Rent Reduction Act be suspended at least till you bring in legislation? My only answer is this. The grounds on which the Government tried to exclude these inams, are not the grounds of differences between these inams and other kinds of inams. That is the point of view of the Government. In those circumstances why should these inams be excluded from the operation of the Rent Reduction Act? You will find the position will be so anomalous. Supposing there is an inam which is excluded now under this Act, the tenant therein is bound to pay a higher rent to the inamdar. There may perhaps be on the side of it another inam to which this Rent Reduction Act has been made to apply, and the tenants may perhaps pay at one-third or one-fourth or one-fifth of

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the rates at which the tenants under these excluded inams are paying, not to speak of the tenant under the zamindari estates. You will see that in the country amongst the ryots, there will be much heart-burning, that it is inequitable, and unjust that one tenant should be treated in one way and another in another way. I have always submitted that even this exclusion is not justified, but I can understand the stress of circumstances under which the Government has been compelled to exclude these inams. Therefore my submission is that if you really believe that the inamdar, or the landlord, or the zamindar has been rack-renting, and it is on account of that fact that the ryots have been suffering, and the agriculture in the country has so much deteriorated, and the people have been suffering, whether living in these excluded inams or in the other inams, or in the zamindari estates, why should you plead for a differential treatment in the case of these excluded inams? There is no principle in it. It is only a temporary arrangement as has been said, by the Hon. Revenue Minister, and I take him by his word. He is going to bring in legislation, and we hope he will do it very soon. Therefore there is no reason why these inams should be excluded from the operation of the Rent Reduction Act."

SRI P. KANDASWAMI PILLAI:—"Mr. Speaker, Sir, I was astonished to hear the argument of my hon. friend Mr. Varadachari. We have all agreed that there should be rent reduction in all the estates, including these inams. Only on that understanding we have passed that law already in 1947. At that time, even Mr. Varadachari both in this House as well as in private conversation had agreed that there should be rent reduction uniformly in all the estates. Now, in spite of his enthusiasm and zeal for the cause for which he is pleading, he has come down on this House, and dares to say that rent should not be reduced for the inam ryots. I was really astonished to hear that. I am sorry to say that the hon. Gentleman, who has made many sacrifices, and even suspended his practice, in spite of all these, has now left in the air the cause of the ryots at this critical juncture. I hope this House will not support his amendment. And I stoutly oppose his amendment for two reasons. The first is that it is not moral. When we reduce the rent for zamin ryots, and inam ryots included in the estates in 1908, why should the poor ryots who are excluded here on the definite promise of the Hon. Minister that he will bring in another Bill very soon, and include them also in the main Bill, be made to pay higher rent? The chief object of this Zamindari Abolition Bill, is to give relief to the ryots by means of rent reduction, which along with others is one form of relief. That definite advantage is being taken away by this amendment. Therefore it is a pity when we are here to defend the cause of the poor ryots, my hon. Friend has pleaded that inamdars are starving and suffering for want of food in their homes whereas the ryots are starving and loitering in the streets. These inamdars are at least comparatively richer people. Hon. Members here will be stunned to hear that there are thousands of ryots paying rents

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worth Rs. 200 per acre in grains. There they pay in grains. And in the Tamil districts here, we pay in coins, and not in grains. Therefore, whoever pays grain rents is affected by it; and also the other people who pay in coins are also affected very much. Therefore, this rent reduction should be applied to the inam ryots also, i.e., the ryots of the 1936 inams also. Therefore I strongly oppose this amendment and I hope all my hon. friends here will oppose it."

3-45 * SRI R. V. SWAMINATHAN:—"Sir, out of 400 and
p.m. odd amendments, this amendment is mischievous and venomous . . ."

MR. SPEAKER:—"The hon. Member will withdraw the word 'mischievous'."

* SRI R. V. SWAMINATHAN:—"I never said that the hon. Member who gave notice of the amendment is mischievous."

MR. SPEAKER:—"The amendment is moved by an hon. Member. Let him withdraw the word."

* SRI R. V. SWAMINATHAN:—"I withdraw the word. The hon. Member, Mr. Varadachari, stated that under the Rent Reduction Act, the inamdars are being forced to receive only Rs. 2 or Rs. 3 per acre. It is a wrong statement. In the case of most of the inam villages, particularly inams of 1936, they are receiving rent in kind and not in cash. Ninety-nine per cent of the inams receive rent in kind. Under the Rent Reduction Act the ryots have been asked to pay 1/6th or 1/7th of the total produce. So far as the southern districts are concerned, the inamdars will be receiving 2 or 3 kalams per acre costing about Rs. 10 per kalam. Hence they will get Rs. 20 or Rs. 30 per acre. So the inamdar will be getting a larger amount. The ryot who cultivates the land does not get Rs. 20 or Rs. 30 per acre. If you exclude all his expenses his income will be nil. How can the ryot live without getting anything from the land which he cultivates and from which he produces paddy. What answer is the hon. Member going to give with regard to the position of the ryot? So far as this question is concerned, there is no use of talking in this House. I am prepared to throw a challenge to Mr. Varadachari. Let him come to the village. Let him resign the membership of this Assembly and let him stand again. I am prepared to resign and to contest the seat . . ."

SRI T. VISWANATHAM:—"On a point of order. Can a Member challenge another Member to come to the village?"

MR. SPEAKER:—"The hon. Member is not challenging for a duel."

SRI T. VISWANATHAM:—"The hon. Member has shown his forearm also."

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* SRI R. V. SWAMINATHAN:—"My hon. Friend, Mr. Varadachari said that I am not a ryot. Let me tell him, Sir, that I am a ryot and a cultivator. I cultivate my lands. The hon. Member lives in Madras. How can he understand whether I am a ryot or not. People who are living in Madras City and who are flying to Delhi at other's expenditure, cannot understand who is a ryot and who is not."

"So far as this amendment is concerned, I want to make one point very clear to this House. When we all agreed to exclude 1936 inams, it was on the clear understanding that there will be no more move to exclude these inams from the purview of the Rent Reduction Act. But now on the contrary this amendment is moved to exclude inam villages from the Rent Reduction Act. I hope the House will oppose the amendment and throw it out. That must be the fate of this amendment."

* THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, while reserving my remarks with reference to certain fundamental aspects of this legislation to the occasion when I will deal with certain other amendments, I would like to know what the position of the inamdars would be if they are excluded from the Bill till another arrangement is effected in regard to their inams. We have been told that another all-comprehensive scheme of land revenue is being prepared by the Government and we would certainly welcome such a measure as would be just to all interests concerned, and as would be based on scientific principles calculated to give effect not only to certain political policies but which will also result in the economic advancement of the various classes. But till that scheme is given effect to, the inamdar who has been receiving about Rs. 30 or Rs. 40 to-day, will receive the reduced rate of Rs. 6 or even less than that. Knowing as I do how this Act (Rent Reduction Act) is being implemented, how can the inamdar exist at all till the alternative scheme is given effect to. That is my difficulty. While I am against any discrimination between various classes of landholders, now that the Ministry for various reasons some known to us, others unknown to us, has decided to exclude the inams, I think I cannot fail to submit to this House that this would be a real hardship; because the new scheme of things that would be introduced by the Ministry is bound to take a long time and in the meantime the inamdar would be subjected to unbearable economic hardships. While I am also an inamdar—an inamdar who can make a free gift to the inam ryots without feeling the pinch of it—as a Member of this House and as one who is anxious to see that justice is done particularly when legislative measures affecting vital interests of some classes are on the anvil, I feel it would cause great hardship to the inamdars. If these inams are to be abolished, the reduced rent will be there only for a short period . . ."

MR. SPEAKER:—"We are discussing amendment No. 15."

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* THE RAJA OF VENKATAGIRI:—“ I am adverting to the amendment moved by my hon. Friend, Mr. Varadachari. With apologies to you, I do not know what its number is. The list of amendments was placed in my hands at least only just now. If the inams had been included in this Abolition Bill, the inamdar would be paid compensation and it would be based upon the rates that prevail in the neighbouring ryotwari areas. Under the Rent Reduction Act, the rates would be reduced. In cases where the rates are lower than Government rates, they would not be levelled up. If an inamdar's income is Rs. 100 now, as a result of the Rent Reduction Act it will be reduced to Rs. 20. If he has to receive Rs. 20 for a period the duration of which we cannot conceive, would it not be a great hardship to him? The inamdar perhaps would be justified in cursing his friends who got these inams excluded, because a sum of Rs. 25 multiplied by 20 or 25 times would, if invested properly, would secure to him larger income than he would otherwise receive, if his inam had not been abolished and if he had to receive only the reduced income of Rs. 20 or 25 for an indefinite period. I would therefore suggest to my hon. Friend, Mr. Kala Venkata Rao to give his attention and sympathetic consideration to this aspect of the question and conceive of suitable measures which would give relief to the inamdar, while the inam tenant is not deprived of any relief which his brothers in other inam and zamindari areas would receive. As I was listening to the speech of my hon. Friend, Mr. Varadachari, I had in my mind perhaps a hastily conceived suggestion whether it would not be just to have levelling up also to be effected in known cases of 1936 inams where the rents are lower than the Government rates. This of course would not remove all the hardships, but
4 p.m. it might to a certain extent mitigate the hardships to which he would otherwise be subjected. Sir, I appeal, while we are passing a legislation dealing with every important interests, let us not be guided by any considerations other than those of justice and progress.”

* THE HON. SRI KALA VENKATA RAO:—“ Mr. Speaker, I am sorry I cannot accept the amendment moved by Mr. Varadachari. The reason is very simple. I have explained it yesterday and in part this morning also. The decision is not to exclude the 1936 inams from the operation of the Bill. It is only to temporarily put off abolition. The matter will be gone into later. I have already informed the House that this question of rent reduction as applied to these inams will also be gone into at the proper time. The Raja Sahib has complained that we do not envisage the duration of that period. I would like to assure him and the House that we would take the least possible time to gather the materials and bring in the necessary legislation. In view of what I have said, I request my hon. Friend Mr. Varadachari to withdraw the amendment.”

* SRI N. S. VARADACHARI:—“ I am glad, Sir, that the Hon. Minister has agreed to review the position once again. I am

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certainly responding to his appeal in the spirit in which he has made it. I am withdrawing the amendment now in the hope that the Government will re-examine the position and see that justice is done to the cases I have mentioned, so that while giving substantial relief to the ryot, they will not allow the inamdar to remain in this position of uncertainty with only the chance of getting his own subsistence.”

The amendment was by leave withdrawn.

The Hon. Sri Kala Venkata Rao's amendment was put and carried.

Sub-clause (4).

* SRI A. KALESWARA RAO:—“ I move, Sir, that for the existing sub-clause (4) the following be substituted:—

(4) It shall come into force at once.”

Sir, the Act should come into force at once instead of depending on the whims and fancies and vagaries of the authorities in Fort St. George for bringing each one of the 2,700 zamindaris, the 131 impartible estates and 3,000 inam villages—even excluding the 4,000 inam villages—under the Act for making survey and settlement, etc., I want that the Government should take all practicable steps to see that the Act is put into force at once. In no other Act it is stated that a notification is necessary. In Mr. Karanth's Bill it was not stated that a notification was necessary. The notification provision should be dropped and hence my amendment.”

MR. SPEAKER:—“ (After a pause) there is no seconder and the amendment falls through for want of a seconder.”

SRI T. VISWANATHAM:—“ I second it, Sir.”

MR. SPEAKER:—“ It is too late.”

THE HON. SRI KALA VENKATA RAO:—“ Sir, I beg to move the following amendment:—

(i) For the figures “ 4, 58, 63 and 64,” substitute “ 2, 4, 5, 7, 8, 8-A, 58, 63 and 64.”

(ii) For the words “ zamindari or under-tenure estate or inam village,” substitute the words “ zamindari, under-tenure or inam estate.”

The reason why some more clauses have been added is that we want to give immediate effect to them so that we may start the survey and settlement work and see that the tribunals function. The tribunals will have to decide certain issues and there should be no delay. Therefore we have added those sections.

“ Sir, some doubt was expressed by Mr. Kaleswara Rao that the operation of this Act would be delayed in the notification of the estates. I said yesterday and I repeat now that the Government will notify the estates speedily and will not allow the creation of a vacuum causing suffering either to the tenants or the zamindars.”

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Mr. SPEAKER:—"The hon. Member Mr. R. V. Swaminathan may move the first part of his amendment No. 20 which is an amendment to the Government amendment No. 19 which has just been moved. Mr. Swaminathan cannot move the second part of his amendment as the question has been disposed of."

* SRI R. V. SWAMINATHAN:—"Sir, I move the following amendment:—

'After the word and figure "section 4" add the word and figures, "53, clauses (3) and (4)".'

Sir, I want that section 53 also should come into force at once. It relates to the collection of rent. Already a number of suits have been filed against the ryots by the zamindars and the inamdars, not only by the petty inamdars of 1936, but the bigger inamdars of 1908 and the ryots have been put to great difficulty. If section 53 is included, the Government can issue instructions to stop the proceedings which are now pending in the courts. I request the Hon. Minister to accept the amendment for the inclusion of section 53 and save the ryots from trouble."

SRI A. KAMESWARA RAO:—"I second it."

* THE HON. SRI KALA VENKATA RAO:—"Sir, there is no need to accept the amendment of Mr. Swaminathan. With regard to collection of rents we have already laid down a procedure. This clause 53 has got retrospective effect, in the sense that by the tenants paying a particular amount they will be discharged of all arrears including those covered by decrees of court. As soon as we take over an estate, we appoint a manager and he will proceed with the work. There is no agency for doing this work earlier. (Sri R. V. Swaminathan: Pending cases?) If anybody proceeds with pending cases he will lose. Why do you worry? If a man unnecessarily proceeds with a case when he knows that there is a section like this on the statute book, he will lose. There is no agency now and as soon as the agency is appointed, it will look to this work. I request the hon. Member to withdraw his amendment."

Sri Swaminathan's amendment was by leave withdrawn.

The Hon. Sri Kala Venkata Rao's amendment was put and carried.

SRI K. A. NACHIYAPPA GOUNDER:—"Sir, I move the following amendments:—

(i) *In line 4, for the words "such date" substitute the words "any date not later than 1st November 1948".*

(ii) *At the end add the following proviso:—*

"Provided that the Government shall take charge of the estate within one month from the date of receipt of a notice from the landholder of his intention to hand over the estate".

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My point in moving this amendment is that the Government should arrange to take over the estates under their care early enough. If there is delay, I fear that the zamindars will not be able to collect rent conveniently. Even now there is a lot of arrears and the Government have been obliged to postpone the collection of peishkush. I want that the Government should take over the estates as early as possible, before 1st November. I mention that date because the payment of peishkush commences from November for every fasli.

"With regard to the taking over of the estates there will not be much difficulty. The collections are made by the village officers in the ryotwari areas. If the estates are notified and taken over by the Government, they can authorize the village officers to collect the amounts due and the revenue inspectors and the tahsildars can look after the collections. It will be easy for the Government to take over the estates even now. On the other hand, if the land is in the hands of the zamindars they will find it very difficult to collect the revenue since after the Government have taken over the estates the ryots will not pay anything to the zamindars and so for the recovery of rents the zamindars will have to seek the help of the Government and in case the Government do not go to their rescue they will have to wait for some time and then take proceedings against them before the Revenue Divisional Officers and this will involve a lot of expenses. Again, if such proceedings are to be taken, the ryot will be put to great loss. Instead of paying only a few rupees by way of rent, the expenses involved in such proceedings will amount to a large figure and the ryot will not be in a position to bear it at all. Therefore, Sir, in order to avoid all these complications I am suggesting this amendment in the hope that the Hon. Minister will accept it. As I have already pointed out, because the village officers are there and the revenue officers are there, it will not be difficult to make calculations and proceed with the work.

"Then, Sir, the second part of my amendment is, if the zamindars think that they do not want to keep the estates with them but want to hand them over to the Government, they should be helped by the Government in the matter. That is why I say if the landholder thinks that the estate may be taken over by the Government the Government should step in and take over such estates because under the changed conditions the landholders themselves are not able to carry on the administration of the estates, particularly collection work. So, Sir, even if the first part of the amendment is not found convenient from the administrative point of view, I hope that at least the second part of it will be accepted because it will help the zamindars who would like to wash off their hands and leave their estates in the hands of the Government. These are the two amendments I am moving and request the two may be dealt with separately for the purpose of discussion in the House."

SRI A. KALESWARA RAO:—"I second the amendment."

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Mr. SPEAKER:—"Should the amendments be treated separately even for the purpose of putting to vote?"

SRI K. A. NACHIYAPPA GOUNDER:—"Yes, Sir."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, if I may be permitted to refer to previous proceedings on the previous amendment, the Hon. Revenue Minister said, 'all the arguments of Mr. Viswanatham would be right if the Government had not already come to the conclusion in the matter, but since the Government have come to the conclusion, his argument falls.' That is not a very nice attitude to be taken by a very great administrator who sits on the Treasury Bench of a popular democratic Legislature. I ask him to ponder over what he has said. I am not exactly on that point now, but at least on this amendment of my hon. Friend, Mr. Nachiyappa Gounder, I want him not to have a closed mind and not tell the hon. Members of this House, 'I shall not hear you.' If he wants to say so, let him say it once for all and we shall never move even a single amendment and we shall also write to the Speaker as well as to His Excellency the Governor that there is no use attending the session because the attitude of the Hon. Minister is like that. I hope that after I have explained the scope of the amendment he will adopt a more reasonable attitude. Sir, this is a very important amendment from the point of view of the administration. If the idea of the Government is to take over the estates as soon as possible, here is the case of a zamindar who wants you to take over his estates as soon as possible. The Government have passed the Rent Reduction Act. The tenants know that the estate is going sooner or later and they are not paying the rents as they should pay. In some cases the Tahsildars and Special Deputy Collectors go to certain villages and take sample clods of earth and fix the rates of rent. What is the effect of fixing the rent for an area of 800 sq. miles on an examination of a clod of earth taken in some nook and corner village? As a matter of fact, the entire rents are withheld. If the zamindar enquires of the Revenue Minister or writes letters to the Secretary to Government in the Revenue Department, and asks, what is our position, he will merely be told to consult his legal advisers. In the meanwhile the rents will become time-barred which the zamindar will not allow and so he will have to file suits for the recovery of rents. Sir, the rents have been reduced, but still the zamindar has to maintain his establishment; he has to pay all his staff because he has still to make all the entries in the various books and prepare all the information that is necessary to be supplied to the Government. What I am submitting is, it serves nobody, neither the tenants nor the zamindar and they will always be drawing daggers at each other. Sir, we should not put people against each other because both the zamindar and the tenant are the loyal citizens of the Government and it is not fair that they should always be at loggerheads, particularly when the zamindar is willing to hand over his estate. As my Friend, Mr. Nachiyappa Gounder has pointed out, now that you have come forward with this legislation, it would be easier to take hold of the estates and collect the

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rents because you have already passed the Rent Reduction Act and the zamindar is prepared to take whatever you are prepared to give under this Bill. Moreover the zamindar is only accelerating the pace and helping the Government in taking possession of the estate as quickly as possible. Therefore, I submit, that in this matter the Hon. Revenue Minister should not say, 'I have already come to a decision upon the matter'; but let him appreciate this point of view. The amendment has not come from me, but by some other friends who are very good people and who are very responsible people. These amendments are not put just for the sake of putting forward amendments or hearing our own voices. I want the Hon. Minister to understand what exactly he is doing and see whether the amendment will be helping his own procedure in regard to this matter, and not to say simply, 'it has already been decided by the Cabinet; even though all your arguments are there and they are reported by the official reporters.' I say, it is not doing the right thing if the Hon. Minister will not hear the arguments and accept them."

* SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I rise to support the very reasonable and moderate amendment put in by my hon. Friend, Mr. Nachiyappa Gounder, who will not generally trouble anybody unless he feels there is an absolute just cause. He is one of the best Members of this House and when he puts forward any suggestion, not only the whole House but the Hon. Revenue Minister particularly should pay special attention to it. Of course, the Hon. Revenue Minister is a brave man, a courageous man and he can take action against the papers he has mentioned. I hope that he will accept this amendment because it is relevant to the question under consideration and that he will not talk as if it is put in as a political vendetta. Sir, whatever it is, we know there are many zamindars (Hon. Sri Kala Venkata Rao rose to speak) I am not yielding, Sir. I know many families of zamindars are suffering, because the ryots are not paying. As a matter of fact, even according to the Rent Reduction Act, it takes such a long time to settle the rent and even though it may mean lowering of the rate of rent which the ryot may be willing to pay, yet survey and settlement have to be made which will take a long time. Therefore, Sir, in the interests of those families who have been living with a certain amount of social status all along, in the interest of the zamindars, mokhasadars, of the inamdars and of all the estate holders, I request the Hon. Minister to accept the amendment. Especially when a zamindar says, he cannot manage his estate, and requests the Government to take it over, why should the Government not take pity on him and take over the estate after one month. I think it is a reasonable time given by my hon. Friend Mr. Nachiyappa Gounder. I wholeheartedly support the amendment."

* THE RAJA OF VENKATAGIRI:—"Sir, while I appreciate the reasons advanced by my hon. Friends, Kaleswara Rao Garu and Nachiyappa Gounder I feel that I must oppose the amendment

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for the reason that I would like to place all the emphasis on and attach great value to the proposition, namely, the principle that no property should be taken over before it is paid for while I realize that there are several zamindars, whether big or small, some reputed to be enormously rich, or some reputed to be poor, who cannot make both ends meet and who cannot exist unless there is going to be a speedy solution of the matter. In regard to the other matter, namely that property should be taken over before compensation is paid for, I have to oppose it. Further, Sir, if really that principle which is going to be a very important principle and which may affect the legal principle of the Bill itself—here I would like to submit that either this House or anybody else should not think that I hold the sword of Democles hanging over their head—once it is decided upon it should be implemented and given effect to as quickly as possible.

“Sir, in the matter of taking over the estates, we have been advised by eminent lawyers that taking over of estates without compensation will affect even the legality of it and I cannot view with equanimity that legislation may become invalid in view of the dire consequences to which several of the zamindars would be subjected. Sir, I think this should not be done. Further Sir, even if the Government make a sincere effort, as they are bound to and they are going to, I believe, it is impossible, unless they are magicians, to secure the necessary funds before the specified date. Therefore, I would like to leave the question to the option of the Government so that they can take all the financial and other considerations into account and come to a decision before taking over the estates.

“For these reasons, Sir, I would like the first part of the amendment to be dropped while the second part of it may be retained. Suppose in a particular case a particular estate is notified and it happens that the zamindar has not seen it. In such a case, to send some people and take over the entire property is not, in my opinion, fair, since he would not be given any time even to make any representation to the authorities concerned. For this reason I would like that while retaining this one month's notice, I would suggest to my friend, Mr. Nachiappa Gounder to drop the other portion. At the same time I would request the Hon. Revenue Minister to quicken the process and see that the whole thing is finished as quickly as possible. If there is anybody who wants to have this effected quickly, I may tell you, Sir, it is the Hon. Sri Kala Venkata Rao, who is interested in having this credit added to his political and legislative record though I may hold quite a different view whether it is just and proper or calculated to achieve the object which he professes to have in view. For this reason I think we may leave it to the Government to decide when and how to have this done so that the legality and all the administrative convenience may be served properly and at the same time the zamindars are not put to unnecessary hardship. With these words I resume my seat.”

THE ZAMINDAR OF MIRZAPURAM:—“Mr. Speaker, Sir, I have nothing very much to say, as what I wanted to say, the

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Rajah of Venkatagiri has already represented. But I would like to add that unless compensation is paid to the landholders their property should not be taken. Mr. Nachiappa Gounder said that the estate should be taken over by not later than the 1st November. In the meanwhile it is impossible for the Government to take over even if they could arrange it, for, financially it is impossible. So I would earnestly appeal to the mover of the amendment to withdraw the first part of the amendment, retaining the second portion, so that any landholder can have the option to request the Government to take over the estate if he in his opinion is not able to manage it. So I have to oppose the amendment, and I request the mover to withdraw it.”

* THE HON. SRI KALA VENKATA RAO:—“Mr. Speaker, Sir, I am sorry I am unable to accept either of the clauses of the amendment. First, for the simple reason, that this Bill will not become law by the 1st of November next, and therefore it cannot be put into operation. I am one with the hon. Member that I should take action as early as possible. But it is physically impossible to take them over by that date. None the less I assure hon. Members that every effort will be made on behalf of the Government to take over as many estates as speedily as possible. My only difficulty is about Mr. Kaleswara Rao's amendment. I would have accepted it but for the simple reason that it will be administratively impossible to take them over in a single day. There are 2,300 zamin estates and 3,000 inam estates. It is not possible to take them over under the existing arrangements. For taking over we have to frame rules, and I would assure all friends concerned, that in the intervening period, between the passing of the Bill here and its receiving assent we would make all arrangements to speed up the business. The one way in which hon. Members can help me is to see that this Bill passes through this House as soon as possible.” (Laughter.)

SRI K. T. KOSALRAM:—“How many months do you want, Sir, for taking over?”

THE HON. SRI KALA VENKATA RAO:—“It will be days only and not months. Except for the physical difficulty Government will not shirk to take charge of the estates as soon as possible. Mr. Kaleswara Rao misrepresented me unnecessarily of my threat of action against a newspaper. That was unkind of him. Certain people are trying to carry on political vendetta against me. That does not matter. I would request Mr. Nachiappa Gounder to withdraw his amendment.”

SRI A. KALESWARA RAO:—“On a point of personal explanation. I never said of any threat of action. I said, the Hon. Revenue Minister is a strong man, brave man, a man of courage and he can take action. I would never put myself to such a pitiable position as to be called a liar and all that. I am never of that calibre or want of intelligence.”

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SRI K. A. NACHIYAPPA GOUNDER:—"I beg to withdraw my amendment."

The amendment was by leave withdrawn.

Clause 1 as amended was put and carried.

MR. SPEAKER:—"It is very dark, I am unable to see; I think we may adjourn now." (Several voices: 'Yes, Sir.')

THE HON. SRI KALA VENKATA RAO:—"We have made very little progress with the Bill."

MR. SPEAKER:—"On account of darkness I am unable to see."

THE HON. SRI KALA VENKATA RAO:—"Perhaps it will be like this for the whole month."

MR. SPEAKER:—"I adjourn the House to to-morrow till eleven of the clock."

The House adjourned accordingly.

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APPENDIX I.

[Vide answer to starred question No. 288 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 14th September 1948, page 224 supra.]

District.	Number of Sub-Inspectors recruited.	Number of Petty officers recruited.
Anantapur	9	18
Bellary	4	7
Cuddapah	5	7
Kurnool	4	12
Guntur	3	20
Nellore	4	15
Krishna	2	5
Chittoor	..	5
East Godavari	1	4
West Godavari	..	5
Vizagapatam	2	1
Malabar	5	48
Travancore State	..	3
Cochin State	..	2
South Kanara	7	7
Madras	1	17
Coimbatore	..	5
South Arcot	..	3
Nilgiris	2	2
North Arcot	..	3
Salem	2	3
Tanjore	..	4
Tiruchirappalli	..	1
Tirunelveli	1	3
Madura	..	4
Mysore State	..	2
Chingleput	1	1
Total	53	211

APPENDIX II.

[Vide answer to starred question No. 289 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly held on 14th September 1948, page 224 supra.]

Statement showing the amount of travelling allowance drawn by each of the Hon'ble Ministers during each of the past eight months ending with June 1948.

	November 1947.	December 1947.	January 1948.	February 1948.	March 1948.	April 1948.	May 1948.	June 1948.	Total.
	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
Hon'ble the Premier	459	135	161	125	90	150	376	156	1,652
Hon'ble Minister for Food	917	640	276	110	311	241	450	451	3,396
Hon'ble Minister for Finance	..	180	314	140	457	229	349	573	2,242
Hon'ble Minister for Home (Dr. Subbarayan)	..	..	777	226	..	..	..	..	1,003
Hon'ble Minister for Revenue	132	1,179	673	502	157	482	517	638	4,280
Hon'ble Minister for Public Works	754	361	674	198	113	518	289	251	3,158
Hon'ble Minister for Education	285	519	343	305	300	816	438	551	3,557
Hon'ble Minister for Industries	462	134	599	879	..	339	1,112	540	4,065
Hon'ble Minister for Local Administration. (Late Mr. Daniel Thomas).	..	622	740	170	560	863	994	415	4,384
Hon'ble Minister for Agriculture	193	374	444	379	336	233	..	..	1,959
Hon'ble Minister for Rural Development	442	816	348	776	314	762	1,138	670	5,266
Hon'ble Minister for Public Health	1,158	285	933	523	190	1,729	550	795	6,073
Hon'ble Minister for Firka Development (Dr. Gurubatham).	136	197	669	259	149	514	856	170	2,950
	..	..	..	..	..	..	..	..	..

[14th September 1948]

THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 15th September 1948.

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.—SWEARING IN OF NEW MEMBER.

Mr. P. A. Thangaswami Nadar took the oath of allegiance.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

284 Q.—[This was answered on 14th September 1948.]

(Supplementary questions and answers.)

MUHAMMAD RAZA KHAN SAHIB:—“ In view of the fact that the Central Government is getting a very huge and substantial income from the tobacco tax may I know whether any representation was made by the Finance Minister to the Government of India? ”

THE HON. SRI B. GOPALA REDDI:—“ Very many representations were made. When the Draft Constitution is taken up by the Government of India the matter will have to be again pressed. There has been no response from the Government of India.”

BEGUM SULTAN MIR AMIRUDDIN:—“ With reference to 535 lakhs of rupees for 1947-48 mentioned as the Provincial share of taxes on income other than corporation tax, may I know what proportion of the Income-tax collected from the Province this amount represents? ”

THE HON. SRI B. GOPALA REDDI:—“ Generally it is not done. It is taken into a divisible pool of all the Provinces together out of which 18½ per cent goes to this Presidency. So it has nothing to do with the proportion of tax collected.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“ May I know whether the Government of India is considering the transfer of certain items from the federal concurrent lists to the Provincial lists? ”

THE HON. SRI B. GOPALA REDDI:—“ The idea is that the *status quo* must be maintained for five years to come. The matter stands there at present.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I ask the Government whether they propose to take steps to implement the legislation on the tobacco tax, i.e., raise the tobacco tax? ”

THE HON. SRI B. GOPALA REDDI:—“ No such proposals, just at present.”

[15th September 1948]

SRI R. SUBBA AYYAR:—“ May I know, Sir, whether the grants given for Post-war Reconstruction Schemes and Grow More Food Campaign have all been spent during these three years? ”

THE HON. SRI B. GOPALA REDDI:—“ Whatever will be spent will be given by them.”

SRI GUNTUR NARASIMHA RAO:—“ According to the Government of Madras what is the total amount that the Centre has to give under the various heads? ”

THE HON. SRI B. GOPALA REDDI:—“ We are negotiating with the Government of India and there has been no response. The Provincial Income-tax matter is a constitutional matter and the Provinces are entitled only to 50 per cent. With regard to the other matter it is purely for the Government of India to decide how much they should give.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I know, Sir, with regard to tobacco tax whether the Act is a dead letter on the statute book and whether later it is proposed to give effect to it? ”

THE HON. SRI B. GOPALA REDDI:—“ We can revive it whenever we want, when we have exhausted all the resources with the Government of India.”

SRI V. I. MUNISWAMI PILLAY:—“ Are the Government aware that more than three crores of rupees are being contributed by way of tea and coffee cess and will the Government get a substantial amount to improve the lot of the Estate labourers and the Depressed Classes? ”

THE HON. SRI B. GOPALA REDDI:—“ Here again it is a matter for constitutional makers to decide what should be the Provincial portion of the export of tea and coffee. With regard to tea Bengal and Assam get more than any other Province.”

SRI P. NATESAN:—“ Has there been any increased contribution for 1947-48? ”

THE HON. SRI B. GOPALA REDDI:—“ No, Sir.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“ What is the result of the Conference convened on more than one occasion with the Finance Minister of the Government of India with regard to better and larger allotment to be given to this Province on account of the fact that we do require substantial help from the Government of India? ”

THE HON. SRI B. GOPALA REDDI:—“ The Madras Finance Minister had not officially met the Finance Minister of the Government of India. The Finance Ministers' Conference could not take place for various reasons.”

[15th September 1948].

SRI A. VEDARATNAM PILLAI:—“ May I know, Sir, whether any amount has lapsed last year and if so how much? Would the Government take such steps as are necessary to prevent lapses in future? ”

THE HON. SRI B. GOPALA REDDI:—“ No question of lapse, Sir. Unless we spend the entire amount we won't be entitled to that share of the Government of India's contribution to Grow More Food Campaign but it may be available in later years as it is a five-year programme.”

ABDUL HAMEED KHAN SAHIB BAHADUR:—“ May I know the amount under various heads particularly the Income-tax as it was stated that there will be no increase in the contribution of the Government of India in 1948-49? ”

THE HON. SRI B. GOPALA REDDI:—“ Again we expect 535 lakhs for 1947-48. For 1948-49 we do not expect so much. I do not know what the amount will be. I would like my hon. friend to put a separate question.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ Sir, in view of the fact that seventy per cent of the tax collected by the Central Government on tobacco is collected from the Guntur district will the suggestion be considered to spend the whole amount of contribution in the Guntur district? ”

THE HON. SRI B. GOPALA REDDI:—“ Earmarking Provincial revenues district-wise is a dangerous principle.”

SRI N. M. R. SUBBARAMAN:—“ What is the approximate amount expected for the pre-partition period in regard to the share on income-tax? ”

THE HON. SRI B. GOPALA REDDI:—“ That is not given by the Government of India. From the 15th August 1947 to 31st March 1948 the figure is given as 548 lakhs.”

SRI N. VENKATASUBBAYYA:—“ Is it a fact, Sir, that while the Government of India is giving contributions very generously for the Grow More Food Campaign and other schemes this Government has not been able to make use of their generosity and are not deputing staff and making other arrangements thus depriving the Province of the benefit of these schemes? ”

THE HON. SRI B. GOPALA REDDI:—“ It is not as if we are unwilling to take the generosity of the Government of India, but there are certain difficulties and we cannot overcome them easily. There is the question of materials, technical personnel and the schemes must be ready. We cannot take without all these things.”

SRI N. M. R. SUBBARAMAN:—“ The figures that I wanted, are not given. What is the approximate amount expected? ”

THE HON. SRI B. GOPALA REDDI:—“ We are unable to give anything because there are various factors that have to be settled between the Pakistan and Indian Unions and the figures are not available just now.”

[15th September 1948]

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the fact that our Province has given the lead in the matter of Prohibition will the Provincial Government request a special grant for the purpose from the Government of India?"

THE HON. SRI B. GOPALA REDDI:—"It is not desirable to go to the doorsteps of the Government of India. Prohibition is a Provincial responsibility, and we must take full responsibility financially also."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know if the Hon. Minister has implemented the decision which he himself has come to last year with regard to the various items in the lists submitted by him?"

THE HON. SRI B. GOPALA REDDI:—"In my individual capacity I have tabled an amendment. I expect they will be taken up when the Constitution Act is taken up. Nothing more could be done."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether the Government expect to receive any help from the Centre with regard to the liquidation of the zamindaris?"

THE HON. SRI B. GOPALA REDDI:—"It is not a matter of grant, Sir. A loan will be given by them."

MUHAMMAD RAZA KHAN SAHIB:—"Arising out of the answer with regard to making representations to the Government of India on the question of tobacco-tax will the Hon. Minister be pleased to say that the taxation is very high and requires reduction as it causes considerable hardship to the smokers?" (Laughter.)

SRI S. NAGAPPA:—"May I know whether the Government have received from the Central Government grants only for the irrigation schemes?"

THE HON. SRI B. GOPALA REDDI:—"Under the Grow More Food schemes we get grants. No remunerative schemes will get grants from the Government of India—no productive schemes."

SRI S. NAGARAJA MANIGAR:—"May I ask if the Government were satisfied that they are getting by way of grants reasonable amounts considered necessary for our requirements as compared with other Provinces?"

THE HON. SRI B. GOPALA REDDI:—"As far as I can see no Provincial Government is satisfied with the present allocation. But it is a political matter and also a constitutional matter. Provincial Governments cannot press too far on this question."

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Alleged arson in Vadapalinch, Madura taluk.

* 292 Q.—SRI S. C. BALAKRISHNAN (on behalf of Sri P. Kakkai): Will the Hon. the Premier be pleased to state whether it is a fact that one hundred and twenty houses were set fire to by a caste Hindu in Vadapalinch, Madura taluk?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—"Seventy houses belonging to Harijans were burnt. Two caste Hindus have been arrested and charged in that connexion."

SRI S. NAGAPPA:—"May I know whether the Government have given any aid to the owners of these houses?"

THE HON. SRI B. GOPALA REDDI:—"I don't think."

SRI S. NAGAPPA:—"As these people have lost their houses due to burning, is it not desirable that the Government should go to their rescue and give them something?"

THE HON. SRI B. GOPALA REDDI:—"If the Collector of the district makes a recommendation, we will certainly consider the matter."

SRI L. N. GOPALASWAMI:—"Are the Government aware that such occurrences have now become very common and, if so, do they propose to take any drastic steps to prevent them?"

THE HON. SRI B. GOPALA REDDI:—"We can only strengthen the Police department and we are doing that now."

SRI S. NAGAPPA:—"Will the Government consider the desirability of confiscating the property of those who set fire and distribute it to the poor people of these seventy houses?"

THE HON. SRI B. GOPALA REDDI:—"A prosecution has been launched against them and we are awaiting the verdict of the court."

SRI S. NAGARAJA MANIGAR:—"May I know whether the time taken by the Government to go to the rescue of the affected persons is reasonable?"

THE HON. SRI B. GOPALA REDDI:—"We are acting with all promptness, and we are looking into the matter."

SRI V. I. MUNISWAMI PILLAY:—"May I know from the Government the reasons which prompted the caste Hindus to set fire to these Harijan houses?"

THE HON. SRI B. GOPALA REDDI:—"Local faction."

SRI B. S. MURTHI:—"May I know whether any skirmish took place in Vadapalinch at the time of burning the Harijan houses and, if so, whether any people were admitted into the hospital?"

THE HON. SRI B. GOPALA REDDI:—"I have no information."

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SRI A. KAMESWARA RAO:—“Has not the District Collector given any interim relief to the sufferers, because funds are placed at their disposal to meet such calamities?”

THE HON. SRI B. GOPALA REDDI:—“I have no information. Perhaps, he has already done that.”

SRI A. KAMESWARA RAO:—“May I know whether there is any special Harijan Welfare Officer to deal with such cases, instead of leaving them to the Police who generally collude with the caste Hindus?”

THE HON. SRI B. GOPALA REDDI:—“I do not accept that the police are particularly interested in the caste Hindus and act to the detriment of the Harijans. The Labour Officers also will look into the matter.”

SRI A. KAMESWARA RAO:—“I want a definite answer to my previous question?”

THE HON. SRI B. GOPALA REDDI:—“A separate question may be put.”

SRI S. C. BALAKRISHNAN:—“As caste Hindus set fire to Harijan houses very often especially in Madura district, will the Government be pleased to finance the poor Harijans to rebuild their houses?”

THE HON. SRI B. GOPALA REDDI:—“The general question of housing the Harijans is under the consideration of Government and we will come to a very early decision.”

SRI D. V. RAMASWAMI:—“Is not the Collector given a discretionary grant of Rs. 4,000 or 5,000 every year from which he can spend on such emergencies?”

THE HON. SRI B. GOPALA REDDI:—“The Collectors are always given this discretionary grant.”

SRI S. NAGAPPA:—“If the Collector has not already rendered aid, will the Government consider the desirability of instructing him to do so?”

THE HON. SRI B. GOPALA REDDI:—“We shall consider the suggestion if the Collector has not already gone to their rescue.”

SRI S. NAGARAJA MANIGAR:—“May I know when this incident was brought to the notice of the Government and, if it was not brought to notice soon after the occurrence, who is at fault?”

THE HON. SRI B. GOPALA REDDI:—“It must have been brought to the notice of the Government in good time. I am informed by my hon. Friend from Madura, Sri N. M. R. Subbaraman, that the Collector has already gone to their rescue.”

SRI B. S. MURTHI:—“Arising out of the answer of the Hon. Minister that Harijan houses were burnt down by caste

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Hindus, may I know whether the Government will consider the imposition of a punitive tax and utilize that money for rebuilding the houses?”

THE HON. SRI B. GOPALA REDDI:—“The matter is before the court just now and we are awaiting what the court has got to say.”

SRI V. I. MUNISWAMI PILLAY:—“In view of the fact that the Government have been promising protection to this unfortunate community, will they make a thorough enquiry into this matter and put a stop to harassment like this in future?”

THE HON. SRI B. GOPALA REDDI:—“It is a very widespread disease. A thorough enquiry into a particular incident in a particular village will not be of much use in a general policy.”

SRI L. S. KARAYALAR:—“Who are caste Hindus?”

THE HON. SRI B. GOPALA REDDI:—“Non-Harijans and non-backward community Hindus are caste Hindus.”

SRI B. S. MURTHI:—“As the harassment of Harijans is admitted to be a widespread disease by the Government, is it not right that a disease like this must be enquired into and remedies found? Therefore, may I ask whether any attempt will be made by the Government to go into the genesis of this trouble and afford sufficient protection to the Harijans?”

THE HON. SRI B. GOPALA REDDI:—“A separate question may be put to the Minister in charge who is also in charge of Agriculture and Labour just now.”

SRI KALLUR SUBBA RAO:—“May I know whether the Hon. Minister is aware that a number of Harijan workers, who do not belong to the Harijan Welfare Association, go about in the cheries in countryside asking people to rebel against caste Hindus and thereby create trouble?”

THE HON. SRI B. GOPALA REDDI:—“Charges and counter-charges can always be levelled.”

SRI N. SANJEEVA REDDI:—“Will the Government advise the Harijans to refrain from taking sides in village factions so that they may be free from this burning of houses?”

THE HON. SRI B. GOPALA REDDI:—“Harijans or caste Hindus are not prone to advise from the Government in these matters.”

SRI A. KAMESWARA RAO:—“Has the Harijan Minister rushed to the spot to enquire into the matter and, if he has not done so, will he do so at least now?”

THE HON. SRI B. GOPALA REDDI:—“There is no necessity for the Harijan Minister to visit every place where there is faction. The Collectors are there and they will look after things.”

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SRI A. KAMESWARA RAO:—“Is not the idea of having a Harijan Minister to look after the interests of Harijans and why should he not go?”

THE HON. SRI B. GOPALA REDDI:—“The Harijan Minister is not a Police officer.”

SRI L. N. GOPALASWAMI:—“In view of the deep-rooted nature of the disease, will the Government take special steps to prevent such occurrences by strengthening the police force?”

THE HON. SRI B. GOPALA REDDI:—“I think it is mostly economic reasons that prompt the Harijans and caste Hindus to come into conflict very often. Amelioration of the economic condition is the only remedy for the disease.”

SRI P. NATESAN:—“Why should the caste Hindus come into conflict with Harijans, when the Hindus are said to be solicitous of allowing Harijans into temples?”

THE HON. SRI B. GOPALA REDDI:—“Temple entry alone will not solve the problem. There are other grievances of Harijans against caste Hindus and of caste Hindus against Harijans, and these lead to factions.”

SRI N. SANJEEVA REDDI:—“When the Harijans and caste Hindus take sides and fight, is it right that the Harijans alone should claim special privileges? Is it not better that they keep aloof from village politics and factions?”

THE HON. SRI B. GOPALA REDDI:—“It is highly desirable that the Harijans keep away. But having entered into factions, they must share all the joys and sorrows of the factionists.”

SRI S. NAGAPPA:—“In view of the fact that the police are generally lukewarm towards complaints made by Harijans, will the Government consider the desirability of recruiting more and more Harijans in the Police department?”

THE HON. SRI B. GOPALA REDDI:—“Just now we have some Harijan gazetted officers. Inspectors and Sub-Inspectors also are recruited from Harijans. So there is no special need to recruit Harijans to the Police services.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“In view of the number of questions that have been put and the unsatisfactory way in which the answers have been given, will the Hon. Speaker be pleased to allow an half-hour debate to discuss the relationship of the Harijans and caste Hindus, which is a very important matter?”

MR. SPEAKER:—“We shall have an half-hour debate at the end.”

THE HON. SRI B. GOPALA REDDI:—“Sir, my submission is this. The question is about a particular incident in a particular village. No general question can be raised on this particular issue. Besides, the matter is before the court.

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I do not know whether we can fully discuss what has happened and whether the hon. Member is right in asking for an half-hour debate on this issue.”

(Mr. Speaker stood up and Sri L. N. Gopalaswami also stood up.)

MR. SPEAKER:—“The hon. Member Sri L. N. Gopalaswami is new to the House and perhaps he may not know, when the Speaker stands, others should sit.

“In an half-hour debate the Members can indict the Government that they have not taken precautions, that they have not done propaganda for removal of untouchability and so on. (The Hon. Sri B. Gopala Reddi rose to say something.) I have already allowed the half-hour debate.”

THE HON. SRI B. GOPALA REDDI:—“I submit to the Speaker's ruling. I do not know whether it is in order for the Chair to suggest to hon. Members how they should indict the Government.”

MR. SPEAKER:—“Certainly the Chair has a right. When the Hon. Minister says that they have no points to raise, it is for the Chair to guide the Members here.”

The Krishna-Pennar Project.

* 293 Q.—SRI A. KALESWARA RAO: Will the Hon. the Minister for Public Works be pleased to state—

- (a) the districts to be served by the Krishna-Pennar Project;
- (b) the estimated acreage to be irrigated by it in each district;
- (c) the number of main canals there will be for the project; and
- (d) the place or places where the waters of the main canals will be finally discharged?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) Kurnool, Cuddapah; Nellore; Chittoor; Chingleput; and South Arcot.

“(b) It is not possible to estimate the acreage to be irrigated in each district at this preliminary stage.

“(c) Seven.

“(d) Four of the canals will discharge into Pennar, one into Manneru, one into Swarnamukhi and the remaining one into Vellar.”

SRI A. KALESWARA RAO:—“May I know where the Vellar, that is referred to in answer to clause (d), is?”

[15th September 1948]

THE HON. SRI M. BHAKTAVATSALAM:—"Vellar is perhaps in the South Arcot district."

SRI A. KALESWARA RAO:—"May I know whether the Krishna water will come into the Cauvery under this scheme?"

THE HON. SRI M. BHAKTAVATSALAM:—"No, Sir."

SRI T. VISWANATHAM:—"May I know the length of the canals which run in the Telugu districts as compared with that in the Tamil districts?"

THE HON. SRI M. BHAKTAVATSALAM:—"At this preliminary stage it is not possible to give the exact length. We have got only approximate figures. Even for giving the approximate figures, I would like to have notice."

SRI T. VISWANATHAM:—"May I know whether the proposal is finally to take the water up to the Coleroon river in the south?"

THE HON. SRI M. BHAKTAVATSALAM:—"That is exactly what I said when I answered that Vellar is in South Arcot district."

SRI N. SANJEEVA REDDI:—"Under this project, which is supposed to benefit Rayalaseema, is it not a fact that only 20 per cent of the waters goes to Rayalaseema and that the rest goes to the districts of the Finance and the Public Works Ministers?"

THE HON. SRI M. BHAKTAVATSALAM:—"It may go to the districts of the Finance Minister and the Public Works Minister, but it is not because these are the districts of those Ministers."

SRI S. NAGAPPA:—"May I know whether there is any change in the project from the original scheme?"

THE HON. SRI M. BHAKTAVATSALAM:—"I am not aware of any change."

SRI N. VENKATASUBBAYYA:—"Is the hon. Minister aware of the feeling that the preliminary investigation of this project is being carried on very slowly and, if so, will he kindly give us an idea of the progress so far made in the investigation?"

THE HON. SRI M. BHAKTAVATSALAM:—"I understand the anxiety of the hon. Member. I can say that we are doing it as expeditiously as possible. The preliminary investigations at the reservoir sites are getting almost completed and we expect it would be completed in a few months. Then we shall take up the investigation of the canals."

11-30 a.m. SRI D. V. RAMASWAMI:—"May I know the estimated cost of the project, Sir?"

THE HON. SRI M. BHAKTAVATSALAM:—"It is estimated to cost about Rs. 28 crores, Sir."

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Discovery of bombs near Kakni.

* 294 Q.—SRI A. KALESWARA RAO: Will the Hon. the Premier be pleased to state—

(a) whether a bomb was placed under the train near Kakni a few miles away from the Guntur town on the morning of 9th July or thereabouts;

(b) whether some more bombs were discovered nearby and seized;

(c) whether that bomb and the other bombs, discovered and seized, were of English make;

(d) whether any persons have been arrested in connexion with the above incidents; and

(e) whether any criminal complaints have been filed by the Government?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a), (b) & (c) Yes.

" (d) & (e) One man has been arrested and he is being charged under the Indian Explosives Rules, 1914."

SRI A. KALESWARA RAO:—"May I know the name of the person who has been charged, Sir?"

THE HON. SRI B. GOPALA REDDI:—"His name is, Bangari Anandam, Sir."

The Shops and Establishments Act, 1947.

* 295 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that no rules have been framed and finalized under the Shops and Establishments Act, 1947, even though the Act has come into effect from 1st April 1948;

(b) whether it is a fact that the Act has not been communicated to the district officials till 10th June 1948;

(c) whether the Government are aware that many firms, both Indian and European, have been increasing the hours of work in contravention of section 50 of the Act, and if so, what action the Government have taken;

(d) whether the Government have constituted an authority to hear appeals under section 41 (2) of the Shops and Establishments Act;

(e) if the answer to (d) is in the negative, what is the present authority to hear appeals;

(f) whether it is a fact that the Commissioner of Labour has not been giving his decisions under section 51 of the above Act, even though matters have been pending with him for over three months;

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(g) whether the Government's attention has been drawn to the fact that the Commissioner of Labour has been giving decisions quite contrary to the provisions of the above Act under section 51, and if so, what action the Government have taken; and

(h) whether the Government will give an assurance that effective steps will be taken to see that the provisions of the Act are properly enforced?

THE HON. SRI H. SITARAMA REDDI:—“(a) Draft rules under the Act, were published for criticism in April 1948 and the various objections and suggestions received in respect of these draft rules are now under scrutiny by the Government.

“(b) Yes, Sir. Copies were available for distribution only by about that time.

“(c) No, Sir. No firms have been allowed to increase their normal hours of work.

“(d) No, Sir. But an appellate authority is being prescribed in the rules which will be shortly finalised.

“(e) None.

“(f) No, Sir. Necessary action is being taken by the Commissioner of Labour on all references made to him.

“(g) Yes, Sir. A representation was received from the Commercial Employees' Association. It was pointed out that the rulings of the Commissioner of Labour under section 51 of the Act were final.

“(h) All necessary steps are being taken for the proper enforcement of the Act.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“May I know, Sir, whether it is a fact that even though the Act came into effect from the 1st April 1948, there is no appellate authority so far constituted?”

THE HON. SRI H. SITARAMA REDDI:—“I have already answered that question, Sir. I have no further information to give on that point.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I know, Sir, whether the necessary staff for enforcing this Act has been appointed?”

THE HON. SRI H. SITARAMA REDDI:—“The full staff has not been appointed. Proposals are under consideration for the appointment of some of the necessary staff.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“In view of the impracticability of some of the provisions of this Act, and the possible hardships that will be caused to petty shop-keepers, may I know whether the Government have any proposal to modify the provisions, Sir?”

THE HON. SRI H. SITARAMA REDDI:—“Sir, I do not accept the first part of the proposition of my hon. Friend,

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He was also a party to the passing of this legislation. So far as the second part of it is concerned, if there are any hardships which are real and are brought to the notice of the Government, and if after examination the Government are convinced that they are genuine, we will certainly take up the question of getting over those difficulties, Sir.”

SRI R. V. SWAMINATHAN:—“Is it a fact, Sir, that employers are refusing to allow holidays on festivals on the plea that the 36 days' leave provided for in section 25 of the Act, includes festival holidays also?”

THE HON. SRI H. SITARAMA REDDI:—“I would draw the hon. Member's attention to section 50 of the Act.”

SRI N. M. R. SUBBARAMAN:—“May I know, Sir, whether the Government have received any complaints that in many shops the working hours are being increased beyond the limit prescribed in section 50 of the Act?”

THE HON. SRI H. SITARAMA REDDI:—“Various complaints are being received from various places about various matters, all in effect stating that the Act is not being observed properly. It may not be about the hours of work, but about some other matters, and I cannot possibly give information to the hon. Member about any particular type of complaint. But in general, we have been receiving some complaints from some places about the non-observance of the Act properly, Sir.”

SRI K. T. KOSALRAM:—“May I know, Sir, if the Government are aware that the Commissioner of Labour has issued a communiqué for the grant of only 7 days' casual and 7 days' sick leave, against the provision made in the Act for 12 days' casual leave and 12 days' sick leave?”

THE HON. SRI H. SITARAMA REDDI:—“I should like to have notice of this question, Sir.”

SRI T. VISWANATHAM:—“May I know the various kinds of establishments that are excluded under this Act from time to time?”

THE HON. SRI H. SITARAMA REDDI:—“Notice, Sir.”

Action taken on the application of the Village Munsif of Angalur.

* 296 Q.—SRIMATHI V. SEETHA MAHALAKSHMAMMA: Will the Hon. the Premier be pleased to state whether it is a fact that the Village Munsif of Angalur has applied to the Government for permission to proceed against the Deputy Superintendent of Police, Msulipatam, for using abusive language against him on 4th August 1948; and if so, what orders have been passed on the application of the Village Munsif?

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THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—"A petition has been received and the matter is under consideration."

THE HON. SRI B. GOPALA REDDI :—"ఆ పెటిషన్ గవర్నమెంటు వారికి వచ్చినది. దానిని గురించి విచారణ జరుగుతోంది."

SRIMATHI V. SEETHA MAHALAKSHMAMMA :—"ఆ పెటిషను విచారణ చేయించడానికి ఎంతకాలము పడుతుందో చెప్పగలరా?"

THE HON. SRI B. GOPALA REDDI :—"ఆ పెటిషనును పోలీసు Inspector-General గారికి పంపించినాము. వారి జవాబు ఇంకా రాలేదు."

SRIMATHI V. SEETHA MAHALAKSHMAMMA :—"అంగలారు ముసలబుగారిని ఈ డెప్యూటీ పోలీసు సూపరెండెంటెంటుగారు 3 గంటల నేపు రిస్టంధములో వుంచినారని ప్రభుత్వమువారికి తెలుసునా?"

THE HON. SRI B. GOPALA REDDI :—"ఆ పెటిషనులో ఈ విషయము లిస్తే ఉన్నాయి."

SRIMATHI V. SEETHA MAHALAKSHMAMMA :—"ఈ పోలీసు డెప్యూటీ సూపరెండెంటెంటుగారు గ్రామా ఉద్యోగులను ఎడల ప్రజలెడల అమర్యాదగా ప్రవర్తిస్తున్నారనే రిపోర్టు ప్రభుత్వమువారికి వచ్చినాయా?"

THE HON. SRI B. GOPALA REDDI :—"ఈ పోలీసు డెప్యూటీ సూపరెండెంటెంటుగారు కొంతమందిమీద దౌర్జన్యంగా ప్రవర్తిస్తున్నట్లు ఈ పెటిషనులో ఉన్నది. దానిని విచారించుటకుగాను పోలీసు Inspector-General పంపించాము."

MR. SPEAKER :—"The question pertains to the grievance of an individual gentleman and I have allowed the hon. Lady Member's question because she wants to find out whether that individual has applied to the Government for permission to proceed against a Government servant. But she cannot go into the details of the matter, by further supplementary questions. The Hon. Leader of the House may kindly translate this to the hon. Lady Member in Telugu."

THE HON. SRI B. GOPALA REDDI :—"ఈ ప్రశ్న ఒక పెద్ద మనిషికి జరిగిన అన్యాయముల గురించి అరెటు ప్రభుత్వమువారికి complaint చేయడానికి permission కు చూరమే సంబంధించినది. నేను సీతామహాలక్ష్మీ గారిని 2, 3 ప్రశ్నలు వేయటానికి అంగీకరించాను. కాని వారు ఈ పెటిషనులోని వివరాలగురించి ప్రశ్నించుచున్నట్లున్నారు. కాబట్టి ఆ విధంగా ప్రశ్నలు వేయవద్దని నేను కోరుచున్నాను. Speaker గారు మితో చెప్పుచున్నారు."

English as the medium of instruction for Anglo-Indians.

* 297 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state whether it is a fact that the Anglo-Indians have requested the Government to treat English as the medium of instruction?

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—"No such request has been received as the European and Anglo-Indian schools have English as the medium of instructions."

Allowance sanctioned for the dependants of persons detained under the Public Safety Act, etc.

* 298 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state—

(a) the number of persons that have been so far detained (i.e., Communists) under the Public Safety Act and the Ordinance II (Amendment) of 1948;

(b) the number of persons (detenus) that have been released by the Tribunal so far;

(c) how many applications were sent to the Government by the dependants of the detenus asking for financial help; and

(d) the number of applications in which the Government have been pleased to sanction monthly allowance to the dependants of detenus?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Premier):—" (a) The hon. Member is referred to the answer to clause (a) of Starred Question No. 28, copies of which were laid on the table of the House on 11-8-1948. The total number of communists detained was 456.

" (b) There is no tribunal for trying detenus. There is an advisory Council constituted by the Government to review the cases of persons detained under the provisions of the Madras Maintenance of Public Order Act, 1947 and to make a report to the Government. So far the Government have ordered the release of 41 detenus (Communists and others) on the recommendation of the Advisory Council.

" (c) 390.

" (d) 69 have been sanctioned and 302 are under consideration."

MOHAMED ABDUL SALAM SAHIB BAHADUR :—"May I know whether it is not the duty of the Government to give maintenance to all the detenus because they have been arrested by the Government?"

THE HON. SRI K. MADHAVA MENON :—"Not at all, Sir, but only to those detenus who have a family to maintain, and whose family have been suffering because the earning members are in jail. It is only the families of such detenus that are entitled to maintenance. The detenus themselves are not entitled to any maintenance, because they are in jails."

SRI S. NAGARAJA MANIGAR :—"May I know, Sir, whether it is a fact that in the Salem district, a certain communist was let on parole, without the district authorities being consulted?"

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THE HON. SRI K. MADHAVA MENON:—"I want notice of that question, Sir. If the hon. Member gives me more particulars, I shall give him the answer, but now I want notice."

SRI N. S. VARADACHARI:—"Would the Government consider the desirability of accepting the advice of the Advisory Council, which is constituted by the Government itself, to adjudge cases under the Public Safety Act?"

THE HON. SRI K. MADHAVA MENON:—"It is very wrong to think that the Government do not consider it desirable to accept the recommendations of the Advisory Council, Sir."

SRI V. M. RAMASWAMI MUDALIAR:—"May I know, Sir, what is the criterion on which monthly allowances are given to the dependents of these detenus?"

THE HON. SRI K. MADHAVA MENON:—"The grant of the monthly allowance to the dependents of the detenus are governed by the following criteria: (1) What is the loss that the family has sustained by the detention of the person; (2) the ordinary monthly income that the person was getting; and (3) the number of members of the family that he has to maintain or those who are entirely dependent upon him."

MUHAMMAD RAZA KHAN SAHIB:—"May I know, Sir, whether one Mr. Abdul Hakim, who is an advocate of Madras and who has been detained under the Public Safety Act has been getting any allowance? The Hon. Minister evidently knows him also?"

THE HON. SRI K. MADHAVA MENON:—"My recollection is that he is getting the allowance, Sir, but I am not sure. If the hon. Member wants the information, I shall give him, after the question-hour, by referring to papers, Sir."

K. M. SEETHI SAHIB BAHADUR:—"May I know, whether there are any cases in which advice of the Advisory Council has been rejected by the Government, Sir."

THE HON. SRI K. MADHAVA MENON:—"I cannot give the answer, Sir."

SRI K. BHASHYAM:—"May I know, Sir, in how many cases has the recommendation of the Advisory Council not been accepted by the Government?"

THE HON. SRI K. MADHAVA MENON:—"The advice of the Advisory Council is generally followed by the Government, Sir, but I cannot say in how many cases it has not been followed."

SRI K. BHASHYAM:—"Is there any objection in disclosing the information, Sir?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir."

SRI K. BHASHYAM:—"May I know what the nature of the objection is?"

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THE HON. SRI K. MADHAVA MENON:—"It is not in the Public interest, Sir, to disclose it."

SRI N. S. VARADACHARI:—"Sir, would it not be desirable in the public interests to order the release of those, or at least change the orders of detention of those who have repudiated their connexion with the Communist Party?"

THE HON. SRI K. MADHAVA MENON:—"These things will be taken into consideration in due course before detention is confirmed, Sir."

Action taken against educational institutions under Act XIV of 1948.

* 299 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state the names of the educational institutions against which action has been taken by the Government under Act XIV of 1948?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"So far the Government have had no occasion to take action under the Act."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"When there was no occasion to take action in these matters, will the Government consider twice and come to this House and take powers, even though there was no occasion to consult the House?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"It is a very queer question, Sir. The Act has been passed only a few months back and my hon. Friend wants to know whether any institutions have been brought under the Act. There was no occasion to take action till now, under that Act, Sir."

Expenditure incurred for the publication of the "Madras Information".

* 300 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state what the amount is that is being spent every month for the publication of "Madras Information"?

THE HON. SRI M. BHAKTAVATSALAM:—"The monthly expenditure on account of the publication of the *Madras Information* in English, the four regional languages and Hindi comes to Rs. 12,500."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"In view of the fact that almost all the information that is published in the *Madras Information* is found in the daily papers, will the Government see that this amount is not wasted like this?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Government do not consider this a waste, Sir."

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SRI T. VISWANATHAM:—" May I know whether this journal the *Madras Information*, has got a Telugu Reporter and whether the present Telugu Reporter is not a Telugu gentleman, but a Malayalee? "

THE HON. SRI M. BHAKTAVATSALAM:—" I should like to have notice, Sir."

SRI B. S. MURTHI:—" May I know how much money is spent for the English, the Tamil, the Hindustani and the Telugu versions of the Journal? "

THE HON. SRI M. BHAKTAVATSALAM:—" Except the Hindi version, all other versions of the Journal are being printed in the Government Press, Madras, and the bulk of the expenditure is what is incurred by way of payment to the Government Press for bills for printing and that comes to more than Rs. 9,000. It is not possible to estimate the expenditure on each of the edition, Sir."

SRI K. BHASHYAM:—" Will the Government be pleased to consider whether they cannot utilize the Rs. 12,500 by reserving sufficient space in the daily newspapers and by better means of publicity, than by publishing what is contained in the *Madras Information*? "

THE HON. SRI M. BHAKTAVATSALAM:—" The object of publishing these Journals cannot be achieved by the suggestion made by the hon. Member, Sir."

SRI B. PARAMESWARAN:—" May I know, what is the income from sale of journals, Sir."

THE HON. SRI M. BHAKTAVATSALAM:—" About Rupees 2,500, Sir."

11-15 a.m. SRI N. SANJEEVA REDDI:—" In view of the fact that a big sum is spent on it are the Government satisfied that it serves a useful purpose? "

THE HON. SRI M. BHAKTAVATSALAM:—" The Government are satisfied, Sir, that it serves a useful purpose."

SRI T. VISWANATHAM:—" May I know, Sir, whether the Government have appointed a new Director of Publicity and Information? "

THE HON. SRI M. BHAKTAVATSALAM:—" No, Sir."

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—" Are the Government aware that the money spent by them for publicity is far too low when compared to any other country with a big administration like this? "

THE HON. SRI M. BHAKTAVATSALAM:—" I appreciate the question of the hon. Member, Sir."

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SRI P. NATESAN:—" May I know, Sir, how many copies of this are printed and circulated and if copies are sent to Governments of other Provinces also? "

THE HON. SRI M. BHAKTAVATSALAM:—" I think it is about 12,000 copies, Sir. And copies do go to other Provinces."

MUHAMMAD RAZA KHAN SAHIB:—" Apart from Government Press Notes, Press Communiqués and photos of hon. Ministers, may I ask, Sir, whether anything has been published in this journal which is useful to the public? "

THE HON. SRI M. BHAKTAVATSALAM:—" Yes, Sir. Regarding the publication of photos the Government do not mind publishing the photos of the hon. Members also." (Laughter.)

BENEFIT SULTAN MIR AMIRUDDIN:—" Is it not a fact, Sir, that His Excellency the Governor-General expressed the view that the Publicity and Information Journals of the Government were poor enterprise in the field of journalism? "

THE HON. SRI M. BHAKTAVATSALAM:—" I am not aware of that observation of His Excellency the Governor-General, Sir."

Loans advanced for purchase of motor cars.

301 Q.—SRI S. NAGAPPA (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Finance be pleased to state whether any loans have been advanced to the officers of the Secretariat for purchase of cars at controlled rates?

THE HON. SRI B. GOPALA REDDI:—" A copy of the answer is placed on the table of the House."

SRI N. SANJEEVA REDDI:—" Will the Government consider the desirability of giving the same facilities to Members of the Legislature also since they have to do their work in their constituencies? "

THE HON. SRI B. GOPALA REDDI:—" So far I think, no representation has been made in this regard. We will consider the suggestion, Sir."

SRI S. NAGAPPA:—" From the answer laid on the table of the House, Sir, I find only 18 names. Am I to understand, Sir, that there were only 18 applications or were some applications rejected and if so, for what reasons? "

THE HON. SRI B. GOPALA REDDI:—" This is a question about the officers working in the Secretariat, Sir. Only 18 officers in the Secretariat have been given the advance."

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—" Are the Government aware of the fact that the advance given

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SRI A. SUBRAMANIAM :—“ சமூகத்தினுள்ளவர்களை முன்னுக்குக் கொண்டுவருவது அரசாங்கத்தினுடைய முதல் கடமை அல்லவா? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ ஆமாம். அதற்காகத்தான் இந்தக் காரியங்களை இப்பொழுது செய்யப்பட்டு வருகிறது. ”

SRI A. SUBRAMANIAM :—“ அப்படியானால் ஏன் இவ்வளவு தாமதமாக காரியங்களை செய்யப்பட்டு வருகிறது? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ நமது நாப்பரைப் போன்றவர்கள் இந்த மாதிரி கேள்விகளை இப்பொழுது போட்டதால்தான் இவ்வளவு தாமதம். ”

Preservation of cattle wealth.

* 304 Q.—SRI V. I. MUNISWAMI PILLAY: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have received a copy of the report of the Expert Committee set up by the India Government to consider the question of the preservation of cattle wealth and promoting its development; and

(b) if the answer to (a) is in the affirmative, what their main recommendations are and how this Government propose to implement them?

THE HON. SRI K. MADHAVA MENON :—“ (a) No.

“ (b) Does not arise. ”

SRI V. I. MUNISWAMI PILLAY :—“ Is it not a fact that the Hon. Minister and some officers attended the All-India Conference when certain resolutions were passed about the preservation of cattle? ”

THE HON. SRI K. MADHAVA MENON :—“ There was a Conference, Sir, in February and there is to be a Conference on the 18th or 19th of this month. The question is whether we have received a copy of the report and the reply is that we have not received a copy of the report. ”

SRI V. I. MUNISWAMI PILLAY :—“ In view of the exorbitant price of chemical fertilizers will the Government consider the implementation of the resolution so that the agriculturists may get some relief? ”

THE HON. SRI K. MADHAVA MENON :—“ This question relates, Sir, to the development of cattle and not of fertilizers. ”

SRI P. NATESAN :—“ May I know, Sir, if there is any proposal to introduce the prohibition of cow slaughter in the Province? ”

THE HON. SRI K. MADHAVA MENON :—“ It is not strictly relevant to this question, Sir. I may however say that some representations have been made to the Government and they are under consideration. ”

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SRI N. SANJEEVA REDDI :—“ Will the Government be pleased to place the report on the table of the House when it is received? ”

THE HON. SRI K. MADHAVA MENON :—“ It will depend on the nature of the report, Sir. If it is going to be too voluminous it will be too costly and the Government may not place it on the table of the House. We will try our best, Sir, to see that the report is placed on the table. ”

SRI S. NAGARAJA MANIGAR :—“ May I ask, Sir, whether the scope of the Hosur farm will be increased and some more farms will be opened in the various places of the Province? ”

THE HON. SRI K. MADHAVA MENON :—“ This certainly does not arise out of this question. This question relates to a Committee appointed by the Government of India. ”

Educational reorganization.

* 305 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) the reasons why the Government have not so far published The Secondary School-Leaving Boards' recommendations on the subject of educational reorganization; and

(b) whether the Government propose to consider the question of publishing the abovementioned report soon?

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

“ (a) The Government did not consider it necessary to publish the report since this report has also recommended on the same lines as the other Educational Committees that have been appointed before in important aspects. ”

“ (b) The matter is under consideration. ”

MOHAMED ABDUL SALAM SAHIB BAHADUR :—“ May I know, Sir, the reasons, why they have not published the report? Is it because that Committee's recommendations are the same as other recommendations? ”

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

“ Yes, Sir. The answer is given in the reply that I just now made. ”

MOHAMED ABDUL SALAM SAHIB BAHADUR :—“ Is there any objection for publishing the information, Sir? ”

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

“ There is no objection, Sir. The Government thought it was not necessary. ”

SRI R. V. SWAMINATHAN :—“ What were the important points in those recommendations, Sir? ”

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

“ The important points are about the bifurcation of education, the introduction of new languages, the introduction of activities, the introduction of crafts, etc. These are the main recommendations. ”

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BEGUM SULTAN MIR AMIRUDDIN:—“In view of the fact that the recommendations of this Board are of an important nature will the Government be pleased to place on the table of this House the recommendations of this Board, as also the proceedings of the meetings of the Provincial Advisory Committees so that we may know which of these recommendations have been accepted by the Provincial Advisory Committee?”

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

“The Government have promised to place a note on the reorganization of education on the table, Sir, and I hope we will be able to do so very early. The House will then have time, if they want, to discuss the matter in detail.”

Acquisition of the lands assigned to Harijans in Doddanapudi, West Godavari district.

* 306 Q.—SRI ROKKAM RAMAMURTHI (on behalf of Sri K. Linga Raju): Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that lands originally assigned to Harijans of Doddanapudi, Kallakur and Cherukumilli in Bhimavaram taluk, West Godavari district, were acquired by a caste Hindu ryot; and

(b) whether such acquisition is contrary to the conditions of the original grant?

THE HON. SRI KALA VENKATA RAO:—“(a) The Government have reason to believe that the lands in Doddanapudi and Kallakur villages which were originally assigned to the Harijans of Doddanapudi and Kallakur are under the actual enjoyment of a caste Hindu ryot. The matter is being thoroughly inquired into by the Government.

“(b) No.”

SRI ROKKAM RAMAMURTHY:—“May I know, Sir, whether the Government have taken steps to see that such lands are not alienated like this?”

THE HON. SRI KALA VENKATA RAO:—“Yes, Sir.”

SRI S. NAGAPPA:—“May I ask, Sir, when these lands were assigned to the Harijans how they got into the hands of the caste Hindus?”

THE HON. SRI KALA VENKATA RAO:—“The Harijans who took these lands as early as 1922 did not pay the land revenue, Sir, and they defaulted continuously for three years. So the lands were brought to sale and they were purchased by a caste Hindu ryot.”

SRI M. S. PATTABHIRAMIAH:—“May I know from the Hon. Minister whether similar complaints have been received from a village in the Nilakottai taluk, Madura district?”

THE HON. SRI KALA VENKATA RAO:—“I cannot say off hand, Sir.”

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SRI S. NAGAPPA:—“When such things are brought to the notice of the Government, may I know, Sir, what action the Government are going to take in order to restore the lands to the poor Harijans?”

THE HON. SRI KALA VENKATA RAO:—“Another poor Harijan must go and take that land, Sir. If they default in paying the land revenue nobody can help them, Sir.”

SRI B. S. MURTHI:—“The question is whether the lands assigned to the Harijans have been in the enjoyment of caste Hindus and the answer given by the Hon. Minister is not specific. May I know when such a thing has taken place, what the Government propose to do so, that the land assigned will go back to those assignees?”

THE HON. SRI KALA VENKATA RAO:—“It can never go back, Sir. Paying the tax regularly was one of the conditions for assigning the lands to them. They have defaulted for three continuous years. The only way by which the Government could realize the revenue was by selling the land. I have no objection to consider the question of fresh assignment of lands to any particular Harijan. In this case the Government are helpless. Until 1941 there was no restriction on the sale to a caste Hindu of the lands which were assigned to the Harijans. Subsequent to 1941 a rule was introduced that a Harijan can sell a land assigned to him only to a Harijan. But these lands in question were assigned in 1922 and the rules then did not prohibit such alienation. Therefore the Government are helpless.”

SRI S. NAGARAJA MANIGAR:—“Is it meant, Sir, that the Harijans were so poor or the lands were useless?”

THE HON. SRI KALA VENKATA RAO:—“If they were useless lands, there would not have been this question at all.”

SRI T. VISWANATHAM:—“May I know, Sir, whether the restriction against alienation applies to Court sales as well as for default of land revenue?”

THE HON. SRI KALA VENKATA RAO:—“Yes, Sir.”

MR. SPEAKER:—“Questions are over. Next item in the agenda.”

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

III.—THE MADRAS (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947, AS AMENDED BY JOINT SELECT COMMITTEE.

12 noon

Clause 2—cont.

SRI D. V. RAMASWAMI:—“On a point of information, Sir.”

MR. SPEAKER:—“If the hon. Member wants any information, let him put it in writing and not ask for it in the middle of a discussion.

“The hon. Member Mr. Kosalram has given notice of an amendment. I wish to point out to Mr. Kosalram that Mr. Nagappa

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has given notice of a similar amendment. It will come at the end, when we finish. Therefore it is better that he moves his amendment then. I wish to know from the Hon. Minister what he wants to say about this."

THE HON. SRI KALA VENKATA RAO:—"That can be done, Sir."

SRI K. T. KOSALRAM:—"I have no objection, Sir."

MR. SPEAKER:—"When Mr. Nagappa moves his amendment, let the hon. Member Mr. Kosalram second it. This is not the proper place for his amendment."

SRI K. T. KOSALRAM:—"I am not moving my amendment, Sir."

Clause 2, sub-clause (3).

THE HON. SRI KALA VENKATA RAO:—"Sir, I beg to move that—

'For the words "under-tenure estate or an inam village" substitute "under-tenure or an inam estate".'

The amendment was put and carried.

Sub-clause (6).

SRI K. BHASHYAM:—"Sir, I move—

'Add at the end the words "on an estate which is impartible by custom".'

Sir, this sub-clause refers to impartible estates which have become impartible estates by statute. There are other estates which are impartible essentially by custom. I want these estates also to be included so that the intention of the Government may be completely carried out. I hope the Government will accept my amendment. It is only for the purpose of completing the object the Government have in view, I have moved this amendment."

SRI T. VISWANATHAM:—"I second the amendment."

THE HON. SRI KALA VENKATA RAO:—"Sir, Mr. Bhashyam discussed this point with me earlier. I have consulted the Legal Department. They think that it is not necessary to add these words. Therefore, I am unable to accept the amendment."

The amendment was put and lost.

Sub-clause (7).

THE HON. SRI KALA VENKATA RAO:—"Sir, I beg to move—

'After the words "Estates Land Act," add the following:—

"but does not include an inam village which became an estate by virtue of the Madras Estates Land (Third Amendment) Act, 1936".'

"This is only a consequential amendment."

The amendment was put and carried.

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*SRI R. V. SWAMINATHAN:—"Sir, I move—

'For the existing sub-clause, substitute the following:—

"(7) any 'inam (whole or part) other than service inams means whole or part inams granted by one grant or more than one grant to one person or more than one person on one date or on different dates, whether of named village or not and does not include inams granted for service.'"

I shall explain my amendment. We have excluded the 1936 inams. There are certain other inams defined in the Estates Land Act which come under the purview of this Bill. In some cases of bigger inam villages, the inamdar is capable of escaping from this Act saying that the particular village . . ."

MR. SPEAKER:—"Inams of 1936 have not been included in this Bill. If the hon. Member has anything else to say, he may do so."

*SRI R. V. SWAMINATHAN:—"I am aware of the fact, Sir, that the 1936 inams have been excluded from the purview of this Bill. But still inams which have been defined during the 1908 settlement and inams which existed prior to 1908 come under this Bill. Let the Hon. Minister understand me. I want to make him understand my point. My point is whether he is right or I am right. There are certain inamdars who are capable of escaping from the provisions of this Bill. They say that it is a minor inam, because the village has been given to them on more than one document even though it is a big village consisting of 2,000 acres. Take for instance a big village which has been given to them under two documents to two different persons. If that village has been maintained and enjoyed by one person now after purchase from two parties, it becomes a big whole inam village. But they say that it is not a whole inam village. Even though it is a big village, they say that it is a minor inam. We know minor inams of 5, 10 or 50 acres. But how can a big village of 2,000 acres be claimed as a minor inam, even though it has been given to them by two different documents. They will escape on this plea from the provisions of this Bill. Therefore, I want that they should be brought under the provisions of this Bill."

MR. SPEAKER:—"The amendment falls through for want of a seconder."

SRI R. V. SWAMINATHAN:—"Sir, Mr. Kameswara Rao is there to second my amendment. If the Hon. Speaker had called out the seconder . . ."

MR. SPEAKER:—"It is the duty of Mr. Kameswara Rao to second the amendment. I need not tell him about this."

The amendment fell through for want of a seconder.

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IV.—WITHDRAWAL OF HALF-HOUR DEBATE.

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Sir, just now I am informed that there is an important function this evening after 5 o'clock regarding the Linguistic Provinces Commission. So, I do not press for the half-hour debate."

MR. SPEAKER:—"If the hon. Member is not pressing, let us not have the half-hour debate to-day."

SRI T. VISWANATHAM:—"Sir, there are so many others who have supported the demand for the half-hour debate."

MR. SPEAKER:—"Regarding half-hour debates, I wish to tell hon. Members that it is entirely left to the Speaker. When the hon. Member who asked for it is not pressing, I am not going to allow the debate."

SRI K. BHASHYAM:—"On a point of order, Sir. When once the half-hour debate in respect of this matter is allowed, and the House has accepted it, I do not know if the power of review is given to the Hon. Speaker."

MR. SPEAKER:—"Whether the House has accepted it or not, it is not the concern of the Speaker. I have already read the rules that I have received from the Hon. Speaker of the House of Commons. If the hon. Member wants, I shall read them again. Half-hour debates are entirely in the hands of the Speaker. When the Member wanted it, I allowed. When the Member does not want it, I am withdrawing it. Let me tell the hon. Member Mr. Bhashyam that it is not necessary to take the permission of the House."

SRI T. VISWANATHAM:—"Sir, we are not here to curtail your rights."

V.—THE MADRAS (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947, AS AMENDED
BY JOINT SELECT COMMITTEE—cont.

Clause 2, sub-clause (8).

* SRI T. VISWANATHAM:—"Sir, I move—

'For the existing sub-clause, substitute the following:—

" 'Landholder' means and includes a joint Hindu family or a person owning an estate or part thereof and includes every person entitled to collect the rents of the whole or any portion of an estate by virtue of any transfer from the owner or his predecessor-in-title or of an order of a competent civil Court or of any revision of land ".

Sir; the necessity for this amendment is that sometimes in the course of exchange of pattas and muchilikas difficulties arise with regard to joint Hindu families of two three or four members. To make matters clear, I have moved this amendment."

SRI A. KALESWARA RAO:—"I second it, Sir."

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THE HON. SRI KALA VENKATA RAO:—"Sir, I am not prepared to accept the amendment, because of the fact that the existing clause conveys the idea which is sought to be conveyed by the amendment of Mr. T. Viswanatham."

* SRI T. VISWANATHAM:—"Sir, I knew that. Because I was of the opinion that the definition given by Government was not adequate to cover all cases of difficulties, I have enlarged the scope of the definition, and the wording which I have put is in consonance with the decisions of the High Court. Simply because the Hon. Revenue Minister has been advised that it is not necessary, and therefore he does not accept it, does not, I submit, quite satisfy the requirements of the situation."

THE HON. SRI KALA VENKATA RAO:—"In spite of the fact that the hon. Member did not discuss this with me earlier, I took pains to consult the department about this amendment. I have been advised that there is no need to include the words mentioned in the amendment in order to bring about the change which my hon. Friend wants to."

The amendment was put and lost.

Sub-clause (10).

THE HON. SRI KALA VENKATA RAO:—"I move, Sir, that—

'In sub-clause (10)—

"(i) For the figures '1, 4, 58, 63 and 64', substitute '1, 2, 4, 5, 7, 8, 8-A, 58, 63 and 64.'"

"(ii) After the words 'in the estate' at the end, add the words 'and the word "notified" shall be construed accordingly'."

"The first amendment is a consequential amendment to what we accepted yesterday."

SRI K. BHASHYAM:—"I propose that these amendments be taken up last after we have taken up clauses 58, 63 and 64 because we do not know whether those clauses would remain or would be modified or altered. Therefore, what is the purpose of moving an amendment to those clauses? When we come to those clauses we can know exactly whether they are going to be passed or modified. I, therefore, submit that these amendments be taken up after those clauses have been gone through." 12-15 p.m.

MR. SPEAKER:—"It is a consequential amendment and I think it can be moved now. Yesterday a similar amendment was moved and that is amendment No. 19. At that time Sri Bhashyam was not present here. It is only a consequential amendment and therefore, it need not be taken up at the end."

SRI K. BHASHYAM:—"I am not against the amendment. My point is that now we do not know whether that clause 58 or 63

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is going to be passed or not. Suppose those clauses are really omitted or modified, then there will be difficulty. Therefore, I submit that this may be taken up later."

MR. SPEAKER:—"Having passed amendment No. 19, as this is only a consequential amendment to that, I am going to take up this amendment. If the hon. Member wants, the Hon. Minister will explain all these things to the House."

THE HON. SRI KALA VENKATA RAO:—"If there is going to be any incongruity as my hon. Friend, Mr. Bhashyam, contemplates, it can be set right at the third reading stage. There is that chance."

SRI K. BHASHYAM:—"No amendments can be moved at that stage."

THE HON. SRI KALA VENKATA RAO:—"Verbal amendments can be moved even at the third reading stage."

The amendments were put and carried.

Sub-clause (12).

* SRI T. VISWANATHAM:—"Sir, I move for the deletion of sub-clause (12) because the scheme to be adumbrated for the liquidation of the zamindaris by paying compensation is different from the stand which I have taken. Compensation to a particular landholder and to the subsidiary landholder, all come in as part of the scheme as adumbrated here in this particular Bill. I am submitting that the various interests which have to receive the shares of the compensation have to be decided in a civil court whenever there is any conflict of interest. Therefore, there is no particular virtue in picking out a particular person or a family or particular shareholders and then driving all the rest to seek their remedies before a tribunal. They want to give preference to particular persons as against other claimants. I, therefore, suggest that reference to a particular landholder in the Act should be dropped and therefore this definition also becomes unnecessary."

SRI K. BHASHYAM:—"I second it, Sir."

* THE HON. SRI KALA VENKATA RAO:—"The difficulty with reference to this is this. The definition is necessary because there are a certain type of undertenure landholders and their relations with their principal landholder have got to be defined. I also suggest to the Hon. Member to refer to section 41 (1) of this Bill. There is the case of the estate of Sivaganga in which one hundred villages have been assigned to the Zamindar of Devakottai in perpetuity. All those cases have got to be covered and their relations have to be defined in the Bill. Therefore that definition is necessary and it must stand."

The amendment was put and lost.

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THE HON. SRI KALA VENKATA RAO:—"Sir, I move—

'For the word "owned" in the two places in which it occurs, substitute "held".'

The amendment was put and carried.

SRI A. KALESWARA RAO:—"I am not moving my amendment to this clause because it is the same as the amendment which Government just now moved."

Sub-clause (14).

SRI K. BHASHYAM:—"The definition says 'Tribunal' means a Tribunal constituted under section 8 and having jurisdiction. When we constitute a tribunal, it is understood that it has jurisdiction. Therefore I think it is bad English to say 'any tribunal having jurisdiction', because you have constituted a tribunal with jurisdiction. For the sake of clarity and for the sake of good language also, I move that the words 'and having jurisdiction' be omitted."

SRI T. VISWANATHAM:—"I second it, Sir."

THE HON. SRI KALA VENKATA RAO:—"I am told that these words are absolutely necessary to carry out the intention of the Bill. Therefore, I am unable to accept the amendment."

The amendment was put and lost.

Sub-clause (15).

* SRI T. VISWANATHAM:—"I hope, Sir, that the Hon. Minister will not come forward with such a reply as 'I am told that these words are unnecessary and therefore I cannot accept the amendment'."

THE HON. SRI KALA VENKATA RAO:—"This kind of thing is quite unjust. After all I have not come to this House simply to say, 'Yes or No.' I have taken considerable trouble in going through all the amendments and I have taken the advice. Therefore, this kind of thing is quite unjust."

* SRI T. VISWANATHAM:—"I do no injustice to the Hon. Minister, Sir. He is a very painstaking man but the trouble is this. I am not charging him that he has not done his duty. I am only objecting to such a reply as 'I am told and therefore, I am opposing the amendment.' It looks as if the Hon. Minister is discussing in the Cabinet room and not in the Legislature. I am not unjust to him in pointing this out."

"Now, Sir, coming to the amendment, I want the deletion of sub-clause (15) because this under-tenure estate also should go out of the definition. I have already submitted to the House in connection with the inams that there are various kinds of estates. If you see the definition of estates under the Estates Land Act, you

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will find there are several classes of estates. There are permanently settled estates; there are portions of permanently settled estates; there are palayams or jagirs, etc., and there are also portions consisting of one area and part of another. Therefore, I submit that the unsettled palayams or jagirs are not exactly on the same basis as the permanently settled estates. That is a distinction which I would like the Hon. Minister to note. For example, when calculating compensation this is what the Select Committee have reported in paragraph 6 of their report:

In regard to zamindaris, compensation should be related to the ryotwari demand after conversion into ryotwari and one-third of such demand should be the basis for the basic annual income. The reasons for arriving at this basis are as follows: What happened at the Permanent Settlement was that the annual value of the estate was worked out as accurately as possible with reference to the village accounts then available; two-thirds of the figure so arrived at was generally fixed as the peishkush due to the Government. The balance of one-third was left to the landholder as recompense for the trouble of collecting the land revenue.

Here distinctly the estate-holder or the gentleman who under the Permanent Regulation was given a sannad was treated as a farmer for collection work for the benefit of the Government and one-third was given to him. In the case of these unsettled palayams and jagirs, it is certainly different. If only the records are looked into, it will be understood. The Estates Land Act also keeps them as a separate class. They really pay no peishkush. They pay something by way of tribute or some small payment. If you look into the various sannads, you will find that these unsettled palayams or jagirs are entitled to the total revenue subject to a small payment by way of tribute. Therefore, the persons who enjoy these palayams or jagirs are grantees whereas the estate-holders who come under the Permanent Settlement Regulations, are not grantees but are farmers of revenue. That is a distinction which I am not trying to bring in for the first time. Even the Select Committee has accepted that distinction and that is why we have always been saying that these inamdars, palayamdars and jagirdars must be treated on a separate basis altogether. Therefore, there should be one principle of calculation of compensation for estates and another principle for the inamdars. Our complaint is that the basis of the Hon. Revenue Minister is not right; he is not proceeding on the basis of the difference that has been maintained even by the Select Committee. I submit that the Select Committee was quite right in maintaining that difference. If the Bill is so amended as to treat inams separately for purposes of compensation, it is necessary also in the case of unsettled palayams and jagirs to treat them on a separate basis. Yesterday, I expressed my view that the inams should be left out of the purview of this legislation. In the same way, I pursue the matter in the case of the palayams and jagirs also. I would

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request the Revenue Minister to call for the accounts of these unsettled palayams and jagirs. Then it will be very clear that we never treated the palayam-holders as farmers of revenues. Therefore, I submit that the palayams and jagirs must also go out of the purview of this Bill. This is the purpose of my amendment, Sir."

SRI K. BHASHYAM:—"I second it, Sir, for it is more logical. If you look into the accounts of the palayams and jagirs, you will find that they were paying only some small amount by way of tribute for acknowledging the suzerainty of the British Government and nothing more. It is not the case of a rent-collector but a kind of chieftain who has got to pay a certain amount for the purpose of retaining his chieftainship and to acknowledge the suzerain power who have acquired the country."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, my hon. Friends are not entitled to move this amendment because the Government amendment with regard to the application of this enactment to all cases except the 1936 inams has been accepted by this House. Sir, having accepted the amendment of the Hon. the Revenue Minister, regarding the scope and the extent of this Bill, which includes all these three kinds of estates, it is not open for the hon. Member now when we are discussing the definition of the terms, to come and say that these should be excluded. That is my objection. The aim of the Bill is to do away with all intermediaries, whether they are inamdars, or jagirdars, or zamindars, except of course the 1936 inams. And the basis of compensation might be different in different cases. My hon. Friend could have moved his amendment at the stage, when we shall discuss the basis of compensation." 12-30 p.m.

THE HON. SRI KALA VENKATA RAO:—"A basis also has been made out."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Yes, Sir, a basis also has been made out."

"Then, Sir, my hon. Friend's statement that only those who come under the definition of estate-holders have been rent-collectors is not correct. Some of them or at least most of them were rent-collectors, and therefore they became intermediaries, and they should go. There is no doubt about that. But there are also others who are not mere rent-collectors, and became intermediaries between the peasants and the Government. Such cases also must go. That is the aim of this Bill. Therefore, it is not open for my hon. Friend to move this amendment, while the House has accepted the scope as defined by the Hon. the Revenue Minister."

"In the second place, this is not the place where they should be treated differently. I oppose the amendment, Sir."

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* THE RAJA OF VENKATAGIRI :—“ Sir, my views in regard to this abolition of estates are well known to those who have followed the stages through which this attempt to solve this problem has gone. I am one of those who have always stood against abolition. As such I should support my hon. Friend, Mr. Viswanatham's amendment to have this clause excluded from the operation of this Bill. If I support him, it is because of my conviction that it is not necessary to abolish this system for the purpose of securing the economic advancement of the agriculturists.”

THE HON. SRI KALA VENKATA RAO :—“ But, Sir, it is going to be a different problem now. The hon. Member is now going to the question as to whether zamindaris should be abolished or not.”

* THE RAJA OF VENKATAGIRI :—“ I never thought that my hon. Friend, Sri Kala Venkata Rao—though I credit him with great powers of diplomacy—could claim for himself the power of thought-reading by anticipating the remarks which I would make. I was just explaining the position which I have taken up so far. I am not going to deal with the zamindari problem, with reference to the proprietorship and other things. I would only submit that we must be given sufficient time to explain ourselves, because this is an important measure, though I am with him that all unnecessary delay should be avoided in passing this Bill. But since this is an important measure affecting the position of a class that has been in existence from time immemorial, we should be allowed sufficient time and latitude. At least we should get that satisfaction.”

“ Sir, I was going to refer to the observations of my hon. Friend, Sri T. Viswanatham, in regard to the position of these, whether they are the owners or mere farmers of revenue. That is what has occasioned this reference to the zamindari question, and I suppose my friend Sri Kala Venkata Rao would now not misunderstand that I am unnecessarily wasting the time of this House.

“ Sri Viswanatham was pleased to observe that the Select Committee held that the zamindars were mere farmers of revenue, and others were treated differently because they were not. When the clause relating to compensation comes up, I would deal with it at length, in regard to the proprietary position and other aspects of the zamindari question, the legal as well as the economic ones. But now I just wanted to refute the statement made by my hon. Friend, Sri Viswanatham, that the Select Committee has always held the view that the zamindars were mere farmers of revenue and that the one-third that was left with them and which formed the basis of compensation was considered as a sort of recompense for the collection of revenue. I am sorry, Sir, in spite of all the considerations shown by you, I could not participate in the general discussion because of certain circumstances which were beyond

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my control. For that reason I could not clear up the position I have taken up. But now I submit that it is wrong to assume that zamindars were mere farmers of revenue, or that the Select Committee's verdict was that, because at every stage certain members of the Select Committee questioned that position, and have moved amendments.

“ But, Sir, as regards this amendment, I would certainly welcome as many sections of this land-owning class will be exempt from the operation of this Bill, consistently with the view I have always held that the land-owning class should not be abolished, for the purpose of the economic advancement of the country.”

MR. SPEAKER :—“ I wish to know from the Hon. Minister whether this amendment is now in order at this stage; the amendment means the deletion of sub-clause (15), viz., “ under-tenure estate ” means an estate within the meaning of section 3, clause (2) (c) of the Estates Land Act. The Hon. Minister should remember that yesterday we have accepted his amendment No. 19 which says: ‘ For the words “ zamindari or under-tenure estate or inam village ” substitute the words “ zamindari under-tenure or inam estate ”. ’ Having accepted this I wish to know from the Hon. Minister whether this is necessary at all.

“ The practice in England is this. There the Hon. Speaker has a special legal adviser, a K.C. to advise him in all these matters. Here Government have not given me anybody as legal adviser. It is the Government that should bring to the notice of the Speaker all these things.”

THE HON. SRI KALA VENKATA RAO :—“ Sir, the difficulty is this. Even when I speak about legal advice taken by the Government, I am criticized that I rely on others.

“ Sir, I support my hon. Friend, Mr. Mahboob Ali Baig. Having agreed to the scope of the Act, to include under-tenure estates within the purview of this Act, there is the need to define what an under-tenure estate is, and therefore I do not think, the deletion of the clause will do any good.”

* SRI T. VISWANATHAM :—“ Sir, I shall speak on all the points that have been raised, including the point of order which you, Sir, have been kind enough to point out to Government. You have also said that the Government have not given any legal advisers for the Hon. Speaker here. (Interruption.) Of course, I am not defending the Government here. My hon. Friend on the Treasury Bench will certainly do it. But I think Government feel that too many legal advisers will land us all in still greater confusion. Already some of us here have been landed in confusion. Perhaps that is the reason why they have not provided any legal adviser for the Hon. Speaker. Anyhow, I hope the Government will certainly take steps to have a separate Legal Advisers' Department for the Hon. Speaker.

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"Sir, the other point which you have raised is that it is unnecessary. It is not so, Sir. The amendment which was accepted yesterday is to the effect that under-tenure holders also come within the scope of the Bill. But what an under-tenure is, and whether an unsettled palayam or a jagir is an under-tenure or not, are quite different matters altogether. This sub-clause (15) seeks to define it. I am only saying that in the circumstances, the definition given in sub-clause (15) is not right, and therefore let it not be understood that an unsettled palayam or a jagir is to be treated as under-tenure for the purposes of this Act."

THE HON. SRI KALA VENKATA RAO:—"The hon. Member can define it in his own way."

* SRI T. VISWANATHAM:—"Yes, Sir, when I am put in the position of drafting the Bill, I will certainly do it. I would have done it even before the publication of this Bill. If only I had been called for, I would have been too glad to do it. But the Bill was first published, and therefore, questions of prestige and dignity arise. I submit, Sir, that I am quite in order. An 'under-tenure' is clearly defined in clause 3 (2) (c) of the Estates Land Act. After all, this is not any self-contained legislation by itself. We have to go back to another Act always, i.e., the Estates Land Act, whenever it becomes necessary to know what it is. Yesterday we accepted only the position that the Bill applies to certain kinds of estates; but what that estate is, this particular clause seeks to define. I submit, Sir, that in the view which I have put forward, that definition is not necessary because an unsettled palayam or a jagir does not partake of the nature of the Permanently Settled Estate, and therefore they should not be treated as Settled Estates. And therefore they should not be covered by this Act."

"Then, Sir, with regard to compensation, the Hon. Minister said that he has made some provision. It is true, Sir, that he has made some provision. With regard to inams and under-tenures he has put them on the same basis as inams. (Interruption.) Yes, Sir, the Bill speaks for him. Some provision has been made. But what I submit is that the rent is reduced first, by a statute, with regard to the inams and these unsettled palayams or jagirs, and then only compensation is calculated. And if my view is right, and if the view of the Select Committee whose report is now before us for discussion, is right, their (inams or jaghirs) nature being different and they are the grantees of the entire land revenue, whereas the inamdar is the owner of the entire revenue of the inam, the jagirdar or the holder of these unsettled palayams is the owner of the entire revenue, subject only to that little and small favourable assessment which the Government of to-day or a previous Government might have imposed upon them. The basis of the compensation should either be entirely changed, or the nature of the holding itself being different altogether, they must be taken out

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of the purview of these estates. Therefore, I submit as I argued yesterday that inams should be differentiated for certain purposes from these estates, not for removing the occupancy rights of the tenants, but only for the purpose of acquisition. I do not want to go back to trace their history. I affirm that the previous rights acquired by the tenants are not affected by the inams being removed from this Act. Similarly in the case of these unsettled 12-45
palayams or jaghirs, it is only to see that the previous rights p.a.n.
acquired by the tenants are not at all affected, that I have brought this amendment of mine before this House. If you want to bring under-tenure estates within the purview of this Bill, what I submit is, 'pay them compensation upon a basis different from the particular basis you have adumbrated for zamindari estates.' I am sorry that the hon. Member, the Rajah of Venkatagiri, has misunderstood me when I said that zamindars are farmers of revenue. I never said that every zamindar was a farmer of revenue. I know the history of the Venkatagiri, Jeypore and other estates. These zamindars were not farmers of revenue. I was dealing with estates that were brought by the East India Company under the purview of the Permanent Settlement Regulations. I did not mean to offend anybody. I was referring to what the Select Committee had stated. The Select Committee had got one brush and one tar to tar everybody and they did it. I wanted to draw the attention of the House to the fact that the jagirdars, unsettled palayams and inams are in their nature totally different from estates. In is only for that purpose that I made the quotation. Their nature being different, they ought not to be brought under the purview of this legislation. We are opposed to bringing jagirdars, unsettled palayams and inams under the purview of this legislation. If you want to acquire the property, you understand the nature of the property you want to acquire its history and give compensation for it and have a separate chapter in this piece of legislation if you do not want to wait for another legislation. But for goodness sake, understand what you are doing, understand that their nature is different and that they are grantees of entire revenue subject only to the payment of a small assessment. On the other hand an estateholder was treated by the Permanent Settlement Regulation as a collector of revenue for the purpose of the administration of this Presidency. Therefore you had the right and liberty of dividing the income of the estate into portions—two-thirds to be considered as peishkush payable to the Government and the other one-third to be retained as remuneration for services rendered by the farmers of revenue. In the case of inams, unsettled palayams and jagirdars, I submit, the holders were grantees of their entire revenue. For the question of collection of revenue, they should not be treated as farmers of revenue for the purposes of the Government. If you feel that this position is correct—I submit it is correct and the Select Committee report confirms my view—these estates should

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not be brought under the purview of this legislation unless you are prepared to pay them compensation on the basis of the acquisition of the absolute property to which they are entitled under the terms of the grant."

MR. P. A. THIANGASWAMI NADAR:—"Sir, my only object in speaking on this amendment is to draw the attention of the Hon. Minister to the particular effect which this legislation is going to have on the rights of ryots in municipal areas . . ."

MR. SPEAKER:—"We are discussing amendment No. 47. The hon. Member should confine himself to the amendment."

(The hon. Member resumed his seat.)

THE HON. SRI KALA VENKATA RAO:—"The whole difficulty arises because the Government do not accept the fundamental principles which Sri Viswanatham has enunciated. I do not concede the statement that there is no difference in the grant as between zamindaris and inam lands, after 1802. They come almost under the same category and definition. We do not make a distinction between a zamindar and an under-tenure holder who is also an intermediary. We seek to abolish all intermediaries. The difficulty about sub-clause (15) is this. Yesterday the House accepted the inclusion of under-tenure holder within the scheme of this Bill. If you do not properly define the word, it will be difficult to administer the Act. Sri Viswanatham's attempt to delete the sub-clause is not in consonance with what happened in the House yesterday. I think the amendment for the deletion of the sub-clause is not in order."

MR. SPEAKER:—"Having allowed the amendment to be discussed, I shall give the House the benefit of voting on it."

The amendment was put and lost.

SRI N. S. VARADACHARI:—"Sir, I move the following amendment:—

'Substitute the following for the existing sub-clause:—

"'Under-tenure estate' means any portion of any of the estates specified in section 3 (2), clauses (a), (b) and (c) of the Estates Land Act which is held on a permanent under-tenure'."

My amendment is a clarification of the definition of an under-tenure estate. It is defined as an estate coming under section 3 (2), clauses (a), (b) and (c) of the Estates Land Act. I am advised by my friends to move the amendment for the purpose of making the definition more explicit. I want to adopt the definition given in the Estates Land Act. I do not think that my amendment makes any substantial difference. Only it makes it more explicit. My amendment is more a drafting amendment and the Hon. Minister will consider it and put it in the Bill as it is more advantageous than that given in the Bill."

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MR. SPEAKER:—(After a pause.) "The amendment has not been seconded. Hon. Members should be alert. Nobody seconded the amendment and the hon. Minister began to reply. It is for the hon. Member who moved the amendment, to see that it is seconded by some hon. Member. It is for the hon. Member (Mr. Pattabhiramiah) to rise in his place quickly and second it."

SRI M. S. PATTABHIRAMIAH:—"Hereafter I shall give previous notice. I second the amendment. I stood up in my place to second the amendment as soon as the mover had finished his speech."

THE HON. SRI KALA VENKATA RAO:—"I wish to have the provision as it is in the Bill. The amendment does not improve the position. I do not think that the amendment is necessary and the sub-clause as it is in the Bill may continue."

SRI N. S. VARADACHARI:—"I withdraw my amendment."

The amendment was withdrawn by the leave of the House.

Sub-clause (16).

MR. SPEAKER:—"The amendment of Sri Viswanatham (No. 49) is not in order."

SRI T. VISWANATHAM:—"It is quite in order, but it is not necessary."

* SRI S. CHIDAMBARA AYYAR:—"Sir, I move my amendment:—

'For the existing sub-clause (16) (ii), substitute the following:—

"(ii) an estate within the meaning of section 3, clause 2 (b) or such of the estates covered by clause 2 (c) of the Estates Land Act as are by their origin and incidence in the nature of zamindaris after excluding therefrom every portion which is itself an estate under section 3, clause (2) (c) of that Act'."

My amendment refers to the zamindari estates only. My submission is that estates other than zamindaris should not be included in the definition as they are not in the nature of zamindaris. My task has been lightened by what has been stated by my hon. Friends, Sri Viswanatham and Sri Bhashyam at a previous discussion. They have definitely stated that there are some estates which cannot come under the definition of zamindari estates. The question is what is the exact compensation that should be paid to unsettled palayams and jagirs and what methods should be adopted for that purpose. In their cases there is no question of one-third going to the landholder for the purpose of collection of tax and the other two-thirds being paid as peishkush. No peishkush is paid in their cases. My amendment is a modest one. My amendment seeks to include in the Bill only zamindaris,

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but not other estates. Jagirs and palayams should not be crumbed with zamindaris. That is my point. In fact all palayams, jaguirs, or inams, etc., were granted absolutely by ancient rulers who ruled the country, by Hindu and Muhammadan kings. The Ami Jagirdar consisting of 192 villages was granted absolutely to the jagirdar in the 17th century. He and his successors are entitled to enjoy the property absolutely. The Jagirdar gets an income of Rs. 2½ lakhs every year. A sum of only Rs. 5,000 is paid to the Government as Nuzzar as a token of obedience to the sovereign. It is not as if two-thirds of the revenue is given to the Government as peishkush and one-third is allotted to him. I say that jaghir should be considered as an inam and compensation should be paid on that basis. That is my submission. With that object in view I have moved my amendment. If the original holder retained only one-third and paid the other two-thirds to the Government as peishkush, you can pay him compensation as you would pay a zamindar. A jaghir is not in the nature of a zamindari. The entire revenue of a jaghir is absolutely enjoyed by the holder and the compensation should be based on that understanding. You must take the entire value into consideration for assessing basic value and pay compensation accordingly. The House must therefore accept my amendment."

* Sri T. VISWANATHAM:—"Sir, in seconding this amendment, I shall not repeat what I have stated already on this point. The Hon. Minister was pleased to state in his reply that we have to treat all zamindaris alike. I wish to submit that the nature of inams and jaghirs is different from that of an estate. The Hon. Minister said no; we did not accept that position. I want to draw his attention to paragraph 6 (1) of the Select Committee Report. It is stated that the balance of one-third was left to the landholder as recompense for the trouble of collecting the land revenue. The committee say that as regards inamdars, they considered that this division of two-third and one-third should not apply to them having regard to the origin of the grant and decided to adopt as the basis of compensation the entire ryotwari assessment minus certain deductions. This is what the Select Committee say. The nature of inams is different from that of zamindari estates. I want to draw the attention of the Hon. Minister to this point. He said that he did not make any distinction between the two. The Select Committee have made the distinction. Zamindars were treated as collectors of revenue. The grant of inams had a different origin. I cannot conceive how the Hon. Minister can say that they are not different in their nature."

1 p.m. MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, I am glad to support this amendment. In sub-clause (3) we have defined what is an estate and now we are further defining what is a zamindari estate, for when you settle the basis for compensation, a distinction is to be drawn between zamindari estates

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and other estates. That is why a definition of zamindari estate has become necessary. I opposed the other thing for very good reasons because the application of this Bill was intended for all estates except the 1936 inams. That was why I opposed the amendment of Mr. Viswanatham. In this case you are defining a zamindari estate for the purpose of giving compensation. Some of the jagirdars and unsettled palayams and the under-tenures which are not estates do not pay peishkush but only jodi or kattubadi. The basis for the payment of compensation to the zamindars is two-thirds and one-third which according to me is wrong and cannot be made to apply to other cases. Therefore I am glad to be able to support this amendment which is solely for the purpose of giving different basis for zamindari estates and other kinds of estates. I support the amendment."

THE HON. SRI KALA VENKATA RAO:—"Sir, I wish to point out that this two-thirds deduction principle is not universal. We have on record a good many estates where as much as nine-tenths was taken as peishkush. In one instance—the name is on record but I am not able to verify the name just now for want of time—a sum of Rs. 100 more than the income in 1802 was fixed as the peishkush. Nonetheless, this two-thirds was taken as basis as being the nearly universal one. The simple fact that in the case of certain estates there was a differential treatment and that the peishkush was more than two-thirds or less than two-thirds does not make any difference. We must get at the greatest common quantum which is two-thirds. Because certain jagirdars pay something less, it does not mean that two-thirds cannot be taken as the basis.

"Then, there is another difficulty also. We cannot go into the history of each state and try to find out the peishkush and then fix the compensation. That will be an endless business which the Government is not prepared to undertake. We must take some universal standard; one who was paying nine-tenths will get something more and one who has been paying one-tenth will get something less. For the sake of one or two on this side and three or four on the other side, we cannot bring in separate clause like this. If not we will have to provide in the Act itself for a separate machinery to go into the history, origin, etc. Then the Rajah Sahib of Venkatagiri will put forward his feudal claims and the other palayams will put forth other claims. After 1802, the peishkush levied on all categories of estates was generally two-thirds. We take that clue. Any variation or variant in the case of particular estates cannot be considered as sufficient reason for us to go into every partition detail. I am sorry I am unable to accept the amendment of Mr. Chidambara Ayyar."

The amendment was by leave withdrawn.

Clause 2 as amended was put and carried.

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Clause 3.

THE RAJA OF VENKATAGIRI:—“ Sir, I move the amendment given notice of by the Zamindar of Mirzapuram.”

MR. SPEAKER:—“ The Raja Sahib himself has given notice of the amendment.”

THE RAJA OF VENKATAGIRI:—“ As a courtesy to my hon. Friend the Zamindar of Mirzapuram whose name also appears at the top of the amendment, I mentioned his name.

“ Sir, I anticipate the fate of my amendment. I may be wrong. Still I would like to move the amendment in the order in which it is printed. Even in this amendment, No. 52, I have given an alternative. If the first is not accepted, the alternative may be considered.

“ With your permission, Sir, I will speak on the entire amendment. If the first part is accepted, there will be no need to speak on the second part. Otherwise, the second part also may be taken as moved. The amendment runs as follows:—

“ Renumber existing clause 3 as clause 3 (2) and insert the following as clause 3 (1):—

“ (1) On the completion of the survey and settlement of all ‘ estates ’ under the provisions of this Act, and after the compensation payable in respect thereof has been duly determined and paid or deposited under section 40 of the Act, the Government shall issue a notification in the official gazette extending the provisions of the Act (except sections 4, 58, 63 and 64) to all the said ‘ estates ’.”

In the alternative.

“ Add the following as sub-clause (1) and renumber the existing clause as clause 3 (2):—

“ (1) On the passing of this Act and before any estate is notified under this Act, the landholder of the estate, shall be tentatively paid compensation, which shall tentatively be fixed by taking seventy-five per cent of the existing net demand of the estate as the landholder’s basic annual income and capitalizing the same at twenty-five times the basic annual income. After the compensation is finally determined under the provisions of this Act the amount tentatively paid shall be deducted and the balance alone shall be paid to the landholder.”

The second part is an alternative to the first part. In regard to the first part of the amendment, I should like to submit this. The Government have decided on the abolition of the zamindari system in spite of our representations that it need not be abolished, that it may be continued and some other suitable system could be substituted for this which would secure the very same objects which

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the Government have in view. After the Bill is passed, the estate-holders will be left in a very difficult position, because what is provided in the Bill by way of what are described as interim payments, are only what the estates would secure to the Government after deduction of various charges and expenditure. It may be, Sir, that the incomes in various estates would be reduced to a very large extent as a result of the application of the Rent Reduction Act. I know in many cases, in regard to certain villages, though the productive capacity of the lands and other facilities available to the tenants are similar, the wet rates have been reduced to 50 per cent of the present rates which are not much higher than the rates of the Government lands. It may be due to the anxiety of the officers to expedite the disposal of this work or to reasons not known to me. But the result remains that the reductions made according to the Rent Reduction Act are very detrimental to the interests of the zamindars. In certain estates there may be nothing left to be paid to the zamindars after deducting the peishkush and other administration charges. In some villages the gross income has been reduced by two-fifth although the rates prevailing in the neighbouring Government villages do not warrant such a reduction. Therefore in several estates there may be nothing left by way of net income after deducting the peishkush and the establishment charges.

“ Sir, even if there is to be anything left to the estate-holders. I am afraid it may not represent even one-tenth of the present net income of the zamindars. It is one thing to abolish the zamindari because of certain policies, or certain election commitments which the party in power has made, but it is another thing to devise a scheme which would prolong the agony and suffering of these zamindars for an indefinite period. It was for this reason that on numerous occasions we have submitted to the authorities concerned. Ministers and other authorities that a substantial portion of the compensation that could be estimated to be due to the zamindars, worked out on the basis of the present income, may be paid to them, while the rest may be held over for adjustment after the final survey and settlement of the accounts. Further, we were afraid that, in spite of the optimistic estimate of the period that the department may require for completing the survey and settlement, it may take a very long time and during this period the zamindars are expected to make both ends meet and live in a state of suspense without having any facilities for building up alternative sources of income and live on the very substantially reduced incomes which they would get. The position they may be reduced to may be described as mere allowance-holders. Sir, I am sure that that is not the intention of my hon. Friend, Mr. Kala Venkata Rao, and I hope it would be possible for the Government to accept the suggestions we have submitted to the Minister and the authorities concerned. However, we felt, Sir, that our suggestions did not go in vain and we had reason to believe that our proposals were

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considered as reasonable and though I cannot claim knowledge, nor can I make any reference to party matters, I have every reason to believe that the authorities concerned considered our proposals as reasonable and wanted that something should be done which would avoid these dire consequences which I have, with my limited powers of expression, endeavoured to place before the House.

“Again, Sir, I would like to point out in this connexion that even though a zamindar is getting a lakh of rupees to-day, if his income is reduced to one-tenth, it would hardly be sufficient for him to make both ends meet and if the survey and settlement takes about 10 years, as we apprehend it would, how would the zamindar be able to build up any alternative sources of income? Sir, we are going to be paid about one-tenth or even less as compensation. If as I said a zamindar who is getting a lakh of rupees as net income is to get only Rs. 10,000, there will be nothing left over for him to build up an alternative source of income from the compensation which he is going to receive after 10 years. As you know, Sir, any business cannot be built up by a magic-wand and it is inconceivable how anybody can build up even with care and diligence other sources of income overnight. Though we were quite disappointed and dissatisfied with what we have been promised in the Bill, though we felt that it was very unjust, not proper and not worthy of a Congress Ministry which stands for Dharma for all yet we thought that whatever has been provided for in the Bill at least would be given, so that with some care and diligence people may be enabled to invest and build up alternative sources of income.

“Then, Sir, so far as the economic aspect of the zamindar is concerned, here again, I think some of my Friends mistook and misunderstood me that I am threatening them with dire consequences. Far from it. Though I am opposed to the abolition of the zamindaris, yet if a Bill is ever passed, it must be a Bill that can stand any legal test in any court of law. Sir, the other day my hon. Friend, Mr. Kala Venkata Rao, assured this House that his proposals can stand any legal test. I hope the advice given to him is correct. Though I am dissatisfied and disappointed, as I said yesterday, I do not view with equanimity the dire consequences which would follow the invalidation of this Bill, as those consequences would be very detrimental to the interests of the zamindars, as much as to the detriment of the tenants, and surely it is not very complimentary to the Government that passes such a measure. It is for that reason also, I would suggest very sincerely that a very substantial portion of the compensation should be paid to them before the estates are taken over because acquisition cannot be legal without payment.

“Sir, we are living at a time when changes, political changes, are happening with the greatest rapidity and lightning speed and I hope these revolutionary changes, though they may continue to be as quick and as rapid as they are, would prove to be on

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right lines and on lines which would result in the prosperity of the country and Dharma to all interests and classes of the community.

“Sir, the Ministry of to-day may have certain schemes, certain programmes and intentions. I believe their intentions are genuine, but much depends upon the wording of the clauses and upon the provisions as they are enacted ultimately and if another Ministry steps into the shoes of the present Ministry what guarantee is there that the present programmes and intentions of the present Ministry would be given effect to? In the meantime, estates would have been taken over, and as you would see from the other amendments that have been given notice of, we have very grave misgivings and apprehensions that all the documents of the zamindaris would be taken away—we have also given notice of an amendment to prevent that being done and there are other amendments also—and we would be deprived of all facilities to know our own position and establish our rights. Then, Sir, if they are merely to be left in the position of mere allowance-holders with allowances hardly enough to enable them to make both ends meet and for such a undetermined and indefinite period which would elapse before survey and settlement could be effected, the zamindars feel very nervous about the same. (Muhammad Raza Khan Sahib: Collapsed). One of my friends here suggests that I should use the word ‘collapse.’ But, so long as there is breath in my body and so long as there is faith in the ultimate triumph of that divinity which is always there in the man, I would never lose heart, nor would I collapse. I am not saying, Sir, that I would put up a fight—whether you call it a fight or a fight of persuasion—but I hope as I have always hoped that the Ministry would see its way by some means or other to accept this amendment. It is for this reason, Sir, that I have given notice of several amendments. I have dealt first with the amendment—or rather the sub-amendment if I may call it—I refer to amendment No. 52 on the order paper. I would like to know, whether I can proceed.”

Mr. SPEAKER:—“The hon. Member may continue his speech after lunch.”

The House then adjourned to meet again after lunch at 2-30 p.m.

(After lunch—2-30 p.m.)

Mr. SPEAKER:—“The hon. Member can now continue his speech.”

THE RAJA OF VENKATAGIRI:—“Sir, I was submitting to the House the various difficulties to which the zamindars would be subjected if payments are not made before their properties are taken over. The very nature of the provisions of the Bill are such that they would not allow Government to make any interim payment of compensation. That is a point which I hope the hon. Sri Kala

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Venkata Rao Garu would bear in mind. I repeat the provisions of the Bill would not allow him to make an advance payment even if he wishes to do so. Therefore I would like this clause should be amended.

“The alternative amendment, which I have given notice of under this clause provides for payment of compensation calculated on the basis of 75 per cent of the existing net demand of the estate, as the landholders’ basic annual income and capitalizing the same at 25 times such basic annual income. Sir, this, I should say, would go a long way to satisfy the zamindars. Though it may be less than what they would be entitled to under law yet I would consider this as a fair tentative advance payment of compensation subject to final settlement. I would like 75 per cent of their income to be taken as the basis for calculating the compensation. Sir, my amendment requires Government to pay 80 per cent, if the payment of the entire amount by Government would result in certain anomalies, as it may not be possible to ascertain the net actual demand very quickly. I would submit to this House that it would be reasonable if 75 per cent of the net demand is taken to be the net demand, that is, deducting the peishkush from the gross rentals of the estate and deducting also the specified charges for administrative and other purposes. On the basis of the 75 per cent of the net demand so arrived at, it may be multiplied by 25 times, and of the amount so arrived at 80 per cent of that amount may be paid to the zamindars as advance compensation. So that after the final settlement the balance may be paid according to the ascertained and decided income of the estate. Sir, if this is done, justice would be done and the legal position would be to a great extent satisfied. Though the zamindars may feel mental anguish because of the deprivation of their property, with which they have been associated for centuries, the real economic hardship would be obviated. Sir, it may be contended that it may not be possible to secure all the finances from the proper sources. With regard to that I would submit that if certain steps are taken—and immediate steps are taken—I am sure that money would be forthcoming, in spite of certain discouraging indications which have appeared in the press recently. For these reasons, Sir, I would earnestly request the Hon. Revenue Minister to accept my amendment. If the first amendment could not be accepted the alternative amendment may be accepted, and 80 per cent of the compensation be paid to the zamindars before their estates are taken over.”

MUHAMMAD RAZA KHAN SAHIB:—“Mr. Speaker, Sir, I beg to second the amendment. Sir, before I actually speak on the amendment moved by the Rajah of Venkatagiri, I would like to make one or two observations. The purpose of this House taking four days for the second reading of this Bill—it may be four or eight days for the second reading—is only for explaining to the Hon. Minister or to the Government, for

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the matter of that, that his stand is wrong. But if he feels that what he alone says is right, then, I am sure, there is no necessity for this second reading. I am sure he has got power enough to simply bring the various amendments and get them passed in this House without any discussion. Sir, I am forced to make this observation from his reply during the second reading on clauses 1 and 2 during the last two days. His reply was that he was convinced that his stand was right and so Government felt that they could not change their view. Sir, Government may be holding a particular view; they may be advised by their legal advisers that such a thing should be done. But really it is our duty to convince the Government that their stand is wrong. I am sorry I have to cast an aspersion; because all his arguments amounted to this: ‘Whatever you may say; whatever may be your reasonableness; whatever may be your clarification of the issue to the Members of the House, and to the Government it is absolutely of no consequence, because I have decided the other way and my decision stands.’ If that stand is taken I see no reason why we should be wasting our time on these amendments. It is our duty to point out to Government what we feel and convert them to our view. Otherwise there is no purpose in committing the Bill to the Select Committee and bringing it to this House again. I am sorry the Hon. Minister has failed to convince us that his stand is right and what others have said is wrong. However, as we owe a duty to the constituencies I shall now proceed to deal with the merits of the question.

“Under clause 3 what is the exact position of the zamindars? Although you may say they have no right to zamin property, the fact remains that they are in possession of it and they will continue to do so till such time as they are paid compensation. Now what happens as soon as this Bill is passed into law? The Government may make a notification and then take the entire estate. May I submit that these estates, as has been repeatedly said, are not mere lands; they are lands of various kinds; they consist of lands used for agricultural purposes; they consist of lands used for industrial purposes, which cannot by any stretch of imagination be taken as pattadars’ lands. In several cases they are mines and the like. These are nothing but the property of the zamindars. Therefore by actually taking away the entire estate these people are entirely at the mercy of the Government or the department concerned. In this connexion I would draw attention to one fact and that is, till the question is settled as to the quantum of compensation, these landholders will be getting only 25 per cent of their present revenue. It is rather very difficult and hard for these people to lose 75 per cent of their income and get on with 25 per cent alone. If the Government were to agree to this amendment the whole phase of the Bill would be changed. So I wish to speak at some length on this clause. No doubt, Government will take only the net income after deducting the peishkush

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and the administrative charges. Now what is transferred to Government is this. The zamindar is simply transferring to Government the collection of rent; and they will be collecting it through their departmental officers. In this particular case, what are the Government going to do? They will simply take power and the estates will be under their control. For 8 years or 10 years, the process of survey and collecting information will go on and a decision on the quantum of compensation will also be deferred by the same number of years. Till then, the landholders will be at the mercy of the Hon. Revenue Minister. As I have said on a number of occasions, the zamindars might be left to their own resources to have their cases tried in a Court of law. Some of my friends particularly feel that it is something unusual in these days to put in a plea on behalf of the zamindars. Our whole conception of the zamindars is wrong and I am sorry to say that even the Hon. Minister's conception is wrong. There are zamindars whose income runs into lakhs and even if they are affected, they may not be hit hard. There are also zamindars whose income does not exceed 40 or 50 rupees. It does not matter whether they were purchased in 1945 or 1946. The Hon. Minister cannot bring in a particular instance as he did in the first reading stage. He quoted the instance of a person who purchased a zamindari at a cost of Rs. 7½ lakhs. There have been people who, instead of putting their money in some bank or investing it in some business or industry, invested it in purchasing zamindaris thinking that it is the best investment. It is not the zamindar alone that enjoys the benefit of the income derived from the zamindari. The benefit of the meagre income is shared by a number of people. What will be the result of this Act? People who are getting a small income and who have no alternative source of income to fall back upon will be hit to the maximum extent possible. I know the Government will not be able to complete the survey within two or three years as the Hon. Revenue Minister thinks that he can. My hon. Friend may be an incorrigible optimist and he thinks that with his Revenue Board and Collectors, he would complete the process in two or three years. But he may not be able to finish the whole process even within ten years. It will take a much longer time. When the Government are acquiring somebody's rights, somebody's property or somebody's interests, it is but right and reasonable that they should pay at once at least a part of the compensation. Therefore, the Raja of Venkatagiri is perfectly right in saying that before the notified date the landholders should get a substantial part of the total compensation. The account can be adjusted finally, and the Government can take their own time. The whole purpose is that the thousands and thousands of families, who are solely depending on this income, should not be thrown away into the streets. I know the temper of the House. I do not want to score any debating point over Sri Swaminathan or other friends when they say 'We stand for the poor people.' These slogans and shibboleths are not going to help anybody.

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Poor people are getting poorer to-day. Ask the poor people. In spite of all the talk of the hon. Members inside and outside this House, their poverty is increasing and there is no diminution. Therefore there is no point in saying that we are talking for vested interests. I am sure some of the Rajas will have greater affection and regard for the poor people than me or those who claim to be the champions of the poor people. (The Hon. Sri Kala Venkata Rao: 'Hear, hear'.) It is very good that even the Hon. Minister is complementing. It is no good of people talking that they stand for poor people. If the poor people are left to themselves, they will be much better off. It is not a question of a few zamindars being affected. In such a sweeping legislation, it is quite likely that a few people will be affected. But you are really hitting a large number of poor people. I say repeatedly that we are not fair in discussing this Bill for this reason. The Hon. Minister has withheld information from us as far as possible. He ought to have given us a list of zamindaris, their income and expenditure, the peishkush they pay to the Government, the compensation that the Government are going to pay under this Bill and so on. We have not got any of these facts. We are not running the Government to send for the Revenue Secretary and ask him to furnish us the information. It is but right and proper that the Hon. Revenue Minister should have given us all the information and then we would have been in a position to judge whether the Government are very generous in giving a compensation of 12 crores. We have been simply told by the Hon. Minister 'I still feel that the Government are very reasonable.'

"The anxiety of the Government was that the tenants in some of the zamindaris and inams were paying a rent which was higher than the ryotwari revenue. You have enacted the Rent Reduction Act under which the tenants, who are now paying more, will have to pay only the rent equal to the ryotwari revenue in the adjacent area. That legislation is there. You need not think that these zamindars are going to leave this country; they are going to remain here. You can take your own time. If you get this clause 3 passed and take charge of the estates, I am sure this will be quoted as a precedent in every future legislation which you may sponsor. Everybody will feel apprehensive. It will be said 'Government have done such and such a thing in this measure. It is quite likely that they will follow the same method in future also.' The Government should be fair to every section. I do not want to say more because we will have the chance of speaking on the same thing in dealing with the subsequent clauses. I feel that the Government will do well to accept the amendment moved by the Raja of Venkatagiri. I know my esteemed friend, Hon. Sri Kala Venkata Rao has his own way of arguing. He will say: 'I consulted the Revenue Secretary; he does not agree.' Such an argument will not convince the Members. Ours is a House full of intelligentsia; the Members can understand and go deep into the matters. It will be better if the Hon. Minister himself feels

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convinced that the Government should not acquire any rights unless and until the compensation is settled. If the compensation is settled, then we can tell the zamindar or proprietor: 'The market value of your estate is Rs. 5 lakhs. But the Government of Madras, with the concurrence of the Legislature, have decided to pay you Rs. 50,000. You receive that amount and be done with it.' That will be a fair method. But you take extraordinary power. Once a notification is published in the *Fort St. George Gazette*, you assume complete power over the estate. All the dependants of the zamindar will be thrown away into the streets. I say that this Government and this Government alone will be responsible for their misery and ruination."

THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, Sir, I rise to support the amendment moved by my friend the Raja of Venkatagiri. I know that any arguments we put forward will not convince the Minister. Once he has made up his mind to do a certain thing, he will do it. Still, as landholders, it is our duty to point out the difficulties and hardships that the zamindars will be put to if no compensation is paid before their estates are taken over. If the estates are taken over before the payment of compensation, I do not know whether this measure will stand in a court of law. I am sure this Bill will certainly be contested in a court of law, because 99 per cent of the zamindars will be thrown into the streets and they will have nothing to live upon.

"Mr. Speaker, Sir, there are several impartible estate-holders who are getting an income of less than Rs. 50,000 or Rs. 60,000. What is to be their fate? You will be paying them only one-fourth of the gross income as determined under the Rent Reduction Act. It may be that such persons will get a few hundred rupees. How do you expect them to live with that small amount? Perhaps the Revenue Minister is only suggesting that they should not live at all—that they should disappear altogether. If he has simply said 'Let the zamindars disappear altogether even without any compensation' I would have welcomed it. Instead of saying that, he says: 'You will have to wait till compensation is given.' To any reasonable person, this will be most unfair and unjust.

"Again, the Bill provides that the zamindars must be paid one-fourth of the gross income as interim payment till the compensation is paid. I cannot understand why that one-fourth should have been fixed. Till compensation is paid, the estate remains the property of the zamindar and I do not see why the Government should pay only 25 per cent of the gross income. Instead of that I would suggest to the Hon. Revenue Minister: 'You collect the rent, take away the peishkush, deduct 10 per cent or whatever the figure is towards collection charges, and pay the balance to the landholder.' You need not fix this 25 per cent and thereby destroy one class of people.

"Sir, I do not know why the Government should take up such a measure when they have not examined its financial implications.

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They do not know what amount of compensation they have to pay. I am sure even now the Hon. Revenue Minister is not able to furnish figures as to how many times the basic annual sum can be given to reach the target of 12 crores. Without furnishing any figures, the Government want to do away with the zamindars with one stroke of the pen so that the present Ministry may become popular. That is most unfair.

"I have to say all these things because these persons will be 3 p.m.
thrown on the streets to-morrow. I am sure that most of the zamindars, about 90 per cent of them will have to beg in the streets. Nothing less than that will happen. If you are not going to take pity on the landholders and pay them enough to live upon, I do not know what the popular Government is going to do with the other poorer people. Is it the idea of the Government to make the rich men go into the streets? I do not know how you are going to help the poor man by abolishing the zamindaris. I could understand if you say, 'I want to give relief to the ryots.' By all means do it. By abolishing the zamindaris through this Bill and paying compensation to the landholder before the estates are taken over, you are not in any way going to affect the interests of the ryots or of the country. The only thing is that you should examine and find out how your finances stand before such a measure is taken up and then you must convince the country that you are doing the proper thing. Because you have a large party behind you, you should not think that you can rush through this measure in this fashion. It will be most unfair if you do like that, because thousands of landholders and their employees will be thrown on the streets. I would therefore earnestly appeal to the Hon. Revenue Minister to take a sympathetic view and see that at least 75 per cent of the compensation is paid over to the landholders, before the estates are actually taken over. We do not know whether this Ministry or this Party will be there in office to-morrow. Any party may come and go and any Ministry may come and go. We are not sure of getting this money from a future Ministry. The next Ministry which might come into power, may not like to carry out the policy of the present Ministry, even as my hon. Friend Sri Kala Venkata Rao is not carrying out the proposals of his predecessor, Sri Prakasan. In the same manner, any Ministry might come in and do anything it likes.

"So my earnest appeal to the Minister is to see that he pays us at least 75 per cent of the compensation which he proposes to pay and thus save the landholders from going to ruin. To-day you are bringing forward this Bill and applying it to the zamindars. To-morrow you may bring forward another Bill and apply it to other people, and they will be vitally affected. Especially when a measure affects the rights to property of a person, you should be very careful to bring it forward before the Assembly and after it is passed you must use your discretion carefully in applying its provisions, and see that you do not cause undue hardship to the persons affected. I would therefore once again

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request the Government to take a very sympathetic and kind view of the situation and thus save the landholders and in doing so, they will be also saving their own Bill. Otherwise, I might tell you on the floor of this House that this Bill will not see the light of the day."

* SRI A. KAMESWARA RAO:—"Mr. Speaker, Sir, I stand here to oppose the amendment moved by my hon. Gentleman the Rajah of Venkatagiri and so ably supported by Mr. Raza Khan and by the Zamindar of Mirzapuram. The whole argument they are putting forth is that these zamindars, about one thousand of them, will be thrown on the streets and that they will have nothing to fall back upon. I know that some of them are rich enough and they can get on without anything, and to some who may not be so rich, the Hon. Minister has been good enough to provide in this clause that one-fourth of the rent collected from their lands will be paid to them. Of course, if I were there, I would not have done this too. Why, because of this very reason. Sir, the whole House has passed the Prohibition Act. As a result of the enforcement of prohibition, many rich people who were engaged in the trade have become poor, many contractors have become poor and many of the tappers have been thrown out of employment and they have to adjust themselves to the new conditions in life. When a measure like that is passed, which is intended for the general good of the public and in the interests of the people at large, it is quite possible that some people will be affected. On that score, the legislation cannot be withheld. Similarly, if by this measure, these zamindars are affected, they must have to adjust themselves and take to other occupations in life. They are left at least with something to fall back upon, whereas the poor toddy-tappers and others have nothing to fall back upon. I ask, why is this discrimination made? Can this House make this discrimination? I think, it is quite unjust to make this discrimination. When a popular legislation is passed into law in this House, some people will surely be affected and I do not see any justification in asking us to pity these zamindars, while we have not shown our pity even to the poorest man for the sake of the general good of the people, as a whole.

"Sir, my hon. Friend the Zamindar of Mirzapuram finally threatens that this Bill will not see the light of the day. But I tell you, Sir, this thing, that the Zamindari Bill will see the light of the day, and if the zamindars object to a Bill like this and do something to postpone it, I am sure, when next time the Bill comes, they are going to get nothing. This is a Government established by law. If they are giving you one-fourth of the rent collected at present, and promise that they would pay the rest of the compensation in a few years hence, and provide facilities for maintaining yourselves in the meanwhile, why not believe them? The Government are obtaining loans from the people and give bonds in return. So also you will be given bonds; and you

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will also be given something by way of cash. I cannot understand the argument that the next Government that comes will not honour the bonds, Sir. It will be most unfair. When the British Government left us, they left us with so much debts, as well as incomes also, and we are collecting the incomes and paying off the debts. Similarly any successor Government will have to honour these obligations. I, therefore, do not see any point in that kind of argument."

THE ZAMINDAR OF MIRZAPURAM:—"On a point of personal explanation Mr. Speaker. I never said that the future Government or whatever Government that might come into power will not honour the bonds or the commitments of the present Government. I only stated that if this Government does not give us compensation before the estates are taken over, the next Government, if it comes in, may not give compensation. So what I requested the Hon. Minister for Revenue was, that he should be kind enough to give us compensation to the extent of 75 per cent before the estates were taken over. That was all my request, Sir."

* SRI A. KAMESWARA RAO:—"If suppose the whole amount is given, one or two of you may enjoy, but I am sure others will squander it in six months. A person who is accustomed to all sorts of luxuries will squander away all his wealth at no time. Similarly if the zamindars who are accustomed to luxuries are given the whole amount, they would squander it even in a day. But if a reduced amount is given, they would not do so. In their own interests, they must take bit by bit, because they are accustomed to a rich life . . ." (Interruption.)

MR. SPEAKER:—"The hon. Member may please confine himself to the amendment."

* SRI A. KAMESWARA RAO:—"Sir, I do not want to take up the time of the House any longer, but I will only say this. Please do not threaten us. We are above all these threats. We have had 25 years' training under Mahatma Gandhi. We have received lathi charges and have suffered worse things under the British Imperialism. We are here to rule India with an iron hand and see that the intermediaries are removed and a society based on equality with social justice is established in this country. We will not be cowed by your threats. We know what to do."

* M. S. ABDUL MAJID SAHIB BAHADUR:—"Mr. Speaker, Sir, I rise to support the amendment moved by the Raja Sahab of Venkatagiri and in doing so, I do not think I will be adding any new arguments to the able arguments which have been advanced not only by the Raja Sahab of Venkatagiri, but also by his two other supporters. Whatever we may argue; whatever we may talk and however much we may cry, to me all these seem to

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be the cry of the goat that is taken to the slaughter house. However much the goat cries, the butcher is going to slaughter it, whether the goat likes it or not. That is how I feel, Sir, when I am adding my voice to the voices of those who have already spoken.

“Sir, it is said that by this measure, the Government are doing a great service to the cause of the poor and suffering millions and of the sons of the soil who are now mere tenants of these zamindars. Sir, it is also said that we are doing social justice by this measure. But unfortunately, the definition of the term social justice is not taken to such an extent as to cover the entire people of the Province. Here social justice is supposed to be done only to a particular class of people. I submit, Sir, whether they are zamindars or inamdars, whether they are rich people or poor people, the Government must act in such a manner as to dispense social justice to every one alike. Because the Government have got power to do a certain act, they should not use that power to the detriment of one class of people and deprive them of those rights and privileges which they have been enjoying all these years and handing them over to another class of people and saying that they are doing social justice. That is not social justice in the true sense of the term.

“Secondly, Sir, whenever the Government think of abolishing the zamindaris, they are unfortunately thinking of only big landholders like the Raja Sahib of Venkatagiri or the Zamindar of Mirzapuram or the Raja of Pithapuram. As my hon. Friend Mr. Raza Khan has pointed out, there are very many petty zamindars who are no better than many of our ryotwari landholders getting very petty amounts as income from their lands, but still they go by the name of zamindars. If this Bill is to be applied to those people, I am sure, Sir, they will be very much hit hard and will be put to considerable suffering. By calling these zamindars as mere rent-collectors, the Government have decided to take over their property. Whether they are justified in doing so or not, it is but just and fair that they should pay for those properties taken over, their full and proper value, whatever may be the rate of compensation or whatever may be the quantum of compensation. That is only bare justice. To say that you will take over those lands first, and then you will send an officer to make all the surveys and settlements and other operations connected therewith, which would take some years, and only after receiving their reports you will pay the rest of the compensation is very unjust. These people are entirely depending upon these properties and the income derived therefrom all these years and now all of a sudden from a notified date, you are going to deprive them of their lands and their income and you want them to wait till the receipt of the report of these Settlement Officers, before you would pay them the full compensation. I submit, Sir, that by doing so, you will be actually throwing them on the streets.

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“Therefore it is only just, it is only fair that these people should demand: ‘Pay us now.’ The Raja of Mirzapuram has stated, ‘Give us 75 per cent of the existing net demand of the estate as the landholder’s basic annual income and capitalize the same at twenty-five times.’ I am not insisting upon that 75 per cent and the capitalization of it by twenty-five times. Whatever it is you give them some money so that they can carry on and invest the amount in whatever business they like or they may invest it in some properties and carry on their lives. After all you cannot think of one Zamindar of Mirzapuram or the one Raja of Venkatagiri. They have behind them huge families of dependents. You are not only hitting the one individual. You are hitting families and families of people. Therefore I add my voice to the appeal that has already been made on the floor of the House, Sir, and request the Hon. the Revenue Minister to see that compensation is paid even before they decide on the survey and settlement of the estates.,

“Secondly, the Government must be above party. They may belong to the Congress Party. I do not deny that. But when once they sit in their seats of power and authority they must think that they are the Government for the whole people. My hon. Friend Mr. Kameswara Rao may say: ‘We are here. We have fought for the freedom of this country and therefore we are indulging in these things.’ It is unfortunate, Sir, that the Government are still thinking that they belong to the Congress Party. When once they become the Government, they become the Government for the whole of the people and they have got to see that the people, whether they are zamindars, whether they are inamdars, whether they are rich people or whether they are poor people, are treated alike and they must see that justice is done to all.” (‘Hear, hear.’)

* SRI T. VISWANATHAM:—“Mr. Speaker, I thought this question would be discussed some time later, when other clauses are taken up. I was not really ready. But when I came into the House I heard about this and I thought that I should also say a few words upon this subject. As my hon. Friend Mr. Majid has just now said, there are zamindars and zamindars and there are estates and estates, big zamindars and small zamindars. We have not yet come to the question of the quantum of compensation. I suppose we are discussing that at a later stage. The question of payment is now taken up for discussion. I submit that it is necessary that the persons whose property is taken should be paid compensation as early as possible and as early as it is practicable for the Government to do. I really thought from what I have seen in the Press and from what I have known has happened between the Hon. the Revenue Minister and the Congress High Command that it has been more or less settled that a very good per cent of the compensation which has to be paid, would be paid in the first instance and only a portion would be left over for payment later.

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But I really do not know the exact terms in which the advice has been given from Delhi. However I submit whatever the wording of it may be the Hon. the Revenue Minister should be pleased to make a distinction between those who are finally to get a large amount of compensation and those who would be entitled under the provisions of the Bill, as finally passed, for a smaller amount of compensation. Those who are entitled to smaller amounts, in my humble opinion, must be paid immediately. It may be a very rare case where the compensation may run to lakhs and lakhs, say ten lakhs or eight lakhs and it may be difficult for the Government to bring the money immediately and pay off the higher amounts to the big zamindars. But there are some small people—I am referring to people who are entitled to a small amount of compensation—who would be entitled to receive from 2 to 4 lakhs. If their properties are taken over and if even their buildings are to be taken over on the ground that those buildings are office buildings, and if they are not paid compensation immediately, one has got to imagine their position in the country. Let us not sit here and say: 'All right. What we are going to do is this. We will take away all the estates, let them be small or let them be big, we don't mind, but to-day we are determined. Then we will pay after survey and settlement and everything is complete. Until then we will give them some maintenance.' The conditions that will result from an attitude like that will be somewhat serious. I am not going to give an alarmist view of the picture. But look at it even from the point of view of justice. Surely no one can say that when one's properties are taken away, when small people's properties are taken away, and the amount of compensation is not paid, the Government are rendering justice and that they are doing things in a public cause. When so many people are being deprived of their properties and no compensation is paid, I shall not for a moment believe that you are doing it in public interest. No public interest will be served by denying the rights of the small man. And therefore I submit that in their cases at least a distinction must be made and those who are entitled to smaller amounts must be paid fully, whatever the amount may be,—because we have not yet come to that portion,—before the estates are taken possession of, unless of course the estate holder comes and says: 'Take away my estate now, I am not very much worried; you take it and pay me whatever compensation you like.' That position is altogether different. There are others who without this little bit of an estate, as we call it, are not in a position to carry on any useful activity as good citizens of this Province. I am therefore anxious that the Hon. the Revenue Minister might consider this. I think, Sir, it was practically agreed that about 80 per cent of the compensation may be paid in the first instance. Recently the Governor of the Reserve Bank made a speech somewhere and said: 'The Zamindari Abolition Bills are coming and it will not be possible for the Government to find money for all these. It would be very

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difficult.' Another argument was also advanced and that was that if these people were paid in big lump sums, it would be another factor for inflation. It may be so. It only shows and tells us that when we embark upon programmes we must carefully work them up to the last detail, see what repercussions they will have on the persons who are denied and not only that, but on our social economy also. That is why some of us always ventured to tell the Hon. the Revenue Minister to think out these details somewhat carefully before committing himself to a set of propositions and not to resile from those positions. I do not blame him. We were all in a hurry to abolish the estates. I am one of those who were in a dreadful hurry, a more dreadful hurry than the Hon. the Revenue Minister to abolish the Permanent Settlement in this Province. But all the same it does not mean, because I am in a hurry, I should not think out the details, I should not think of the repercussions and I should not think of the arrangements that I should make. So, Sir, I submit that in this matter of paying compensation the 80 per cent which has been agreed upon may be paid, and particularly in the case of smaller people the entire amount should be paid. Otherwise the Government will not be doing the right thing."

MAHBOOB ALI BAIG SAHIB BANADUR:—"Mr. Speaker, Sir, I take it that both the alternative amendments have been moved. I submit that I am not in favour of the second alternative because it lays down the procedure for arriving at the compensation and this is not the proper place for us to discuss that even tentatively. But I support the first alternative. I appeal to the House through you, Sir, to look at this matter dispassionately. What is it that we are doing? We are abolishing these estates, as my hon. Friend, the Revenue Minister, has been saying, for the sake of social justice. It is found that these zamindaris have served their purpose in the past but they are now an impediment in the working of society. Therefore we are abolishing them. At the same time the Congress Party and the Congress Government have been careful enough to say that we are acquiring the rights of these estate holders. That is a sort of transaction in the nature of a sale, a compulsory sale. What is meant by acquisition is that you are acquiring the rights, i.e., taking a sale of the property compulsorily. Compulsory sale is what is called acquisition. Therefore when such a transaction is contemplated by this legislation, naturally two factors crop up. The first thing is, what is going to be the sale price. What is the compensation that you are giving the persons whose rights are being acquired, i.e., what is the sale price as it were? The second thing is, when is that sale price or the compensation going to be given. These are the two matters that occur when a sale takes place, and in this case it is a compulsory sale or acquisition. This clause lays down that from such and such a moment, from the notified date, all properties or the interests of the seller, in this case the estate holder, shall pass to the Government, the purchaser. Now, when

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we are on this clause the question is, when the Government are going to pay the compensation, the sale price. (The Hon. Sri Kala Venkata Rao: 'Wait for that clause.') I am coming to that. My hon. Friend says, 'Why don't you wait till you come to the clause?' My answer is this. In this case you are taking a transfer of the interests of the estate holders or you are acquiring the interests of the persons concerned. Therefore, my submission to Government is that they should pay the price or the compensation before the transaction is completed, as in the case of ordinary sales. I know, Sir, even in the Land Acquisition Act, there are certain sections which say that if it is a matter of emergency, Government can take possession of the property even prior to the determination of the compensation and deposit into court the money payable to the person whose properties are acquired. Now, the question is whether there is any such emergency. Normally as I already said, compensation must be determined first and payment made, and then possession taken. I have not been told whether there is any emergency for taking immediate possession. On the other hand, it is feared—and I should think that it is a genuine fear—that this matter of survey, settlement, appeals against the officers to some tribunal, etc., will take such a long time as 5, 6 or 7 years. For the interim period, the Bill provides for the payment of 25 per cent of the income which the zamindar or the estate holder was getting each year. That argument, I am sure, is going to be urged by the Revenue Minister in answer to the plea that zamindars will have nothing to fall back upon, and therefore it would be impossible for them to make both ends meet. My question is why should not this taking over be delayed till survey and settlement take place and till the amount of compensation is also arrived at, especially in view of the fact that Government will be collecting the rent themselves at the ryotwari rate, and the ryots do not stand to suffer. There is no disadvantage for the ryots. They will pay only at the ryotwari rate. But what is the advantage that is gained by the Government, I ask? In order that the transaction may be a regular, proper and *bona fide* one, the survey and settlement might take place first, and then the compensation amount might be determined. Just like other transactions wherein Government acquire the rights of private persons, here also compensation may be paid first and then the interests of these zamindars may be taken over. There is no harm in that. On the other hand, I should think that it will be more proper. I have not known any transaction (in which the Government are a party) wherein the Government have stated that compensation would be paid after some time. Only in emergencies, certain properties of people have been taken over by Government. In extraordinary circumstances, Government must take possession of certain properties, e.g., say a flood or a famine, etc., and pay compensation later. Government have taken possession of certain jeeps now. I can understand the emergency for this. In such cases, Government do not have the time to delay matters. But no

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such emergency having arisen now, the only proper course is to determine the compensation payable to the persons whose interests are going to be acquired, pay them compensation, and then take possession. That will be a clean, regular and legal transaction. I do not mean to say that otherwise it would be illegal, but it would be improper. Therefore, Sir, I have great pleasure in supporting the first alternative given in amendment No. 52. As I said, the other alternative does not come in here at all, and it might lead to many complications. The Government may not be in a position to determine what should be the amount that should be tentatively paid, etc. Therefore, Sir, I support the first alternative."

* SRI R. RAMAMURTHY:—"Sir, on the grounds urged by my friends here on the question of compensation that is to be paid to-day or at a later date, I want to make one suggestion. My suggestion is that by accepting the first and second clauses Government have accepted that all the zamindars are permanent rent collectors. They have to their credit this rent collecting experience for nearly over 150 years. Therefore, I suggest a means, a suitable solution in the present conditions. Government are not able to give any compensation, because they have no money. The compensation also has to be worked out after survey and settlement take place. We do not know when they will be completed. My suggestion to Government is this. They are now getting some districts from Hyderabad for administration. These permanent rent collectors can be appointed there as Collectors so that they can make out their livelihood there. Small zamindars can work as Tahsildars, and big people can work as Deputy Collectors, and people who are getting only a few hundreds can work as Revenue Inspectors." (Laughter.)

* SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, the whole object of the Bill is to take possession of the estates and bring them under Government. The millions of ryots are looking forward to the day when the Democles sword hanging on their heads will be removed. Therefore, any delay in taking possession would be really very bad, causing the greatest disappointment to the largest number of people. Therefore, notification and taking possession should not be delayed under any circumstances. Besides, there is no meaning in keeping the zamindar there and Government undertaking survey and settlement operations. The ryot, of course, may pay less, but even then he would not be satisfied. It is a question of millions of people becoming free from this oppressive system which has subjected them to great suffering for the last more than 150 years. Therefore, we cannot and the Government should not delay notifying and taking possession of the estates. I wish the zamindars got something less and got out. But they are also arguing and bargaining for more. That is the whole trouble. So, the whole thing is dragging on on that account. I do not want to take more time of the House, but I want to know what this sub-clause (7) of clause 51 means. I request the Hon. Minister to explain to

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us. When I read clause 51, it appears as if the zamindars should be paid what are called basic sums each year till the total amount of compensation is ascertained. All right; I can understand that. But, with reference to basic sums that are paid for two or three years before the survey and settlement are completed and the amount of compensation is ascertained, I want to know whether they would be deducted from the total compensation or not. That is very doubtful to me. I would like to be enlightened by the Revenue Minister. I want that these sums also should be deducted. Why should the zamindars be paid more? For instance, take the case of a zamindar getting an income of one lakh of rupees. On the ryotwari basis, the basic income will be Rs. 25,000. According to the Bill, he will be paid seventeen and a half times this Rs. 25,000, unless the number of times is reduced or increased ultimately. Instead of that, the Government can pay the remaining amount in two or three years after deducting the basic sums already paid. Why should the amounts paid till the amount of compensation is determined and deposited, be free? That is what I want to know. With these words, Sir, I oppose the amendment. Government, of course, may pay compensation as early as possible, particularly to small people."

* SRI S. NAGAPPA:—"Mr. Speaker, Sir, I am not able to see any point in the amendments moved by my hon. Zamindar Friends. Their contention seems to be—rather their slogan seems to be—'cash and carry' instead of accepting the Hon. Minister's suggestion 'lease and lend'. I would request them to withdraw their amendments. Their arguments are that they will not be able to make both ends meet if their estates are taken away. I think they have to thank Government for having relieved them of the burden of collecting taxes. After all, we have accepted that they are only rent collectors. When that is the case, where is the question of any purchase from them. It is only in order to make them get on in life we are paying some compensation. Most of the zamindars whom the Government are going to pay compensation are many times richer than the ordinary men of the country. Therefore, my suggestion to Government is that they need not be paid any compensation at all. But the Government and the Congress Party have committed themselves in their election manifesto that these zamindars should be paid compensation. We know under what circumstances our country is passing to-day. Instead of paying any compensation to these zamindars, I would suggest to Government that they (Government) should purchase, on behalf of the zamindars, shares in national building activities."

3.45 P.M. MR. SPEAKER:—"Let not the hon. Member go into details. Let him not say what the Government should do and what the Government should not do."

SRI S. NAGAPPA:—"In the interests of the zamindars themselves, Sir, I am saying this. They are also our friends."

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MR. SPEAKER:—"The hon. Member should confine himself to the subject before us."

* SRI S. NAGAPPA:—"Now, Sir, my contention is this. The amount which the Government are going to pay to the zamindars as compensation should be utilized in a proper way, in order to improve the country from the irrigational point of view and from the industrial point of view. Therefore, I do not advise the Government to pay the compensation immediately to the zamindar. Now, the compensation which is fixed upon is already too much. If possible, Government can come forward with an amendment to reduce the percentage of compensation that is going to be given to these zamindars. With these few observations, I oppose the amendment moved by the hon. Member, Raja of Venkatagiri."

THE HON. SRI KALA VENKATA RAO:—"I am very sorry, Sir, that I am unable to accept the amendment moved by the Raja of Venkatagiri and ably supported by many friends. I cannot go into and continue discussing fundamentals on each amendment. Therefore, I wish to be excused by hon. Members. I would like to speak in detail on that when we come to clause 40. But, Sir, I am not prepared to accept the suggestion that Government should put off the notification till everything is finished because it would delay the acquisition of the zamindaris."

"As regards the payment of 75 per cent of the estimated compensation, Sri Viswanatham referred to some instructions given by the High Command. Of course, there was discussion about the percentage of the total compensation that could possibly be given earlier but finally, the advice has been that whatever has to be given must be given on the express advice of the Government of India and the Reserve Bank. Therefore, Sir, as I have said yesterday, I cannot commit myself to any particular percentage. As I said, it would be the earnest endeavour of the Government to do something in the matter. What form it will take and in which manner the compensation will be given will all come at a later stage. I am only committing myself to this extent."

"Then, Sir, another point was raised that the compensation has not been fixed according to section 299 of the Government of India Act. The Government of India Act requires only to lay down the principles on which compensation should be fixed, and we have done that in this Bill and we are satisfied about that. The quantum of compensation to be paid the method and manner of the payment of the compensation have all been left to the discretion of the Government so that we may do these in the proper manner at proper time and all that with reference to the financial conditions of the country. But, to ask us to wait till the financial conditions become better and to keep off the abolition of the zamindaris would not be an argument to which I can agree. As a matter of fact, it was pressed upon us at one stage that we should take up the management of these estates even earlier than the notification. Now, Sir, we are to take the estates subject to

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clause 51 to which my hon. Friend Sri Kaleswara Rao referred. We make an interim payment under clause 51 (7). Sri Kaleswara Rao felt doubtful whether the interim payments will be counted against compensation. This clause clearly says that it will not be counted against compensation. But during the period we make these interim payments, we will be getting rents and so revenue to the Government coffers. Therefore, we do not want to injure anyone if he is entitled to get the rent, we must pay that portion to him. I am not able to accept the suggestion of Sri Kaleswara Rao that interim payment should be deducted from the amount of compensation payable to the zamindar. As I have already said, interim payment will not be counted against compensation because it is a portion of the rent which we will be collecting for the ryots. That being so, I regret very much and I am unable to accept the amendment No. 52 or the alternative amendment moved by the Raja of Venkatagiri.)

* THE RAJA OF VENKATAGIRI:—“ Sir, I am thankful to certain Members of this House who could give expression to their appreciation of the difficulties which I have enumerated and the difficulties which the zamindars would be put to. I appreciate the earnestness and the fiery zeal of my hon. Friend Sri Kameswara Rao. Whatever he thinks to be just according to his lights or whatever he thinks to be correct according to certain principles of his own, he always gives his most violent support. Sir, at the same time, I must take exception to certain observations he has made. He said that belonging as he does to the Congress organization which has fought the Imperialists and which has driven out the Imperialists and ushered in independence, he would also fight the others who would come across his path. Sir, these legislative measures are matters which fall within the domestic sphere. Therefore, is it wrong for a section that is affected by any legislation to give expression to its apprehension about the legality of the measure itself? Does it savour of treason to the country? Does it indicate want of patriotism on the part of those who feel that justice is not done to them?

“ Sir, I have got a great affection and regard for my hon. Friend, Kaleswara Rao Garu, in view of my long acquaintance and friendship with him. But, Sir, I am afraid, I cannot understand his logic when he says that these interim payments should be deducted. I am glad that Sri Kala Venkata Rao Garu has opposed any such deviation from the present policy of the Government.

“ Then, Sir, as regards this amendment, Sri Kala Venkata Rao Garu has not replied to the various points that I have raised. But, still, I hope and trust that arrangements would be effected which would facilitate immediate payment of at least 80 per cent of the compensation worked out on the basis of 75 per cent. (Interruption.) I have not changed from the gist of my amendment; that 75 per cent of the present income to be the basis of compensation and 80 per cent of the amount to be paid as the advance payment. That is the gist of my amendments put together.

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My hon. Friend, Mr. Mahboob Ali Baig doubted whether it would come under this clause. Sir, this does not result in any departure from the principles already decided upon and included in the report of the Select Committee. My friend, Sri Kala Venkata Rao Garu, also said that these amendments are departures from the basis of compensation. I would go into the details and deal with proprietorship question when I deal with compensation clause. Though it was raised here, I purposely refrained from dealing with that aspect because this is not the proper place. If really, as is contended, we are not proprietors and we have not got the proprietorship in the soil, still I would not be willing to go as rent collector to Hyderabad, as was so magnanimously and so generously suggested by the hon. Member representing Vizagapatam Constituency, unless I am intent upon filling up my pockets with the loot which the Nizam's treasure of 600 crores might offer and I would not stretch my hand and beg for any compensation. This is the statement which I make on my own behalf because I know that even if the courts held that we are not proprietors of the soil, many zamindars would be deserving the compassion and the generosity of the Government because in deciding the quantum of compensation, Government have to accept the zamindars' long association with the land and also the legal aspect whether it is a contract or something else. Sir, I am confident that we have got proprietary rights, because, on that conviction mainly, I have been pleading before you that this discrimination should not be made. Sir, though the temptation is great, I would deal with that aspect when we deal with the compensation clause. Now, I would only represent to the Hon. Sri Kala Venkata Rao Garu that this would not mean any departure from the decisions already arrived at because, what is required is that only 75 per cent of a certain amount should be paid. When we deal with that clause, I would also submit certain points that would facilitate Government to secure monies also, and which may also, in a way, fall in line with my hon. Friend Sri Nagappa's suggestion. While I hold strongly the sanctity attached to private property, I am not lacking in conception or idea which are more in accord with modern trends of political and economic thought. Sir, I hope the Government would find it possible to give us at least this 80 per cent of the compensation which it is estimated we would get. Otherwise I am afraid the legality and the justice on which the policy of the Ministry is professed to be based would be affected adversely.

“ As regards the principles and the quantum of compensation under Section 299 of the Constitution Act, the Revenue Minister's contention that the legality is not affected simply because Government have defined certain principles is not correct. I am not a lawyer. But I have got in my possession the legal opinion of some of the best lawyers belonging not only to this country but also Britain, and I am afraid that the Ministry's position is not correct however great value the Ministry may attach to the

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advice it has received. Sir, with these few words, I hope and trust that the Minister would reconsider and would find it possible to accept this amendment and I am sorry that I cannot accept the advice of Mr. Nagappa."

SRI A. KAMESWARA RAO:—"On a point of explanation, Sir. Referring to me, the hon. Member said something. I submit Sir, that it was only in reply to my hon. Friend the Raja of Mirzapuram who rather threw a challenge that the Bill will not see the light of the day. I had the honour of having fought with the mighty British lion, and I would never have said such a thing, and I would have agreed to have a talk, if it comes to that."

THE HON. SRI KALA VENKATA RAO:—"Sir, I have nothing to add."

The following amendment No. 52: *Renumber* existing clause 3 as clause 3 (2) and *insert* the following as clause 3 (1):—

"(1) *On the completion of the survey and settlement of all 'estates' under the provisions of this Act, and after the compensation payable in respect thereof has been duly determined and paid or deposited under section 40 of the Act, the Government shall issue a notification in the official gazette extending the provisions of the Act (except sections 4, 58, 63 and 64) to all the said 'estates'.*"

was put and lost.

Then the alternative amendment: *Add* the following as sub-clause (1) and *renumber* the existing clause as clause 3 (2):—

"(1) *On the passing of this Act and before any estate is notified under this Act, the landholder of the estate shall be tentatively paid compensation, which shall tentatively be fixed by taking seventy-five per cent of the existing net demand of the estate as the landholder's basic annual income and capitalizing the same at twenty-five times the basic annual income. After the compensation is finally determined under the provisions of this Act the amount tentatively paid shall be deducted and the balance alone shall be paid to the landholder.*"

was also put and lost.

* THE RAJA OF VENKATAGIRI:—"Sir, as I know what the fate of this amendment also would be, I do not propose covering the same ground, and I am sorry to observe that my mind is filled with dismay, because I feel that even certain practical and reasonable amendments are not being given the sympathetic consideration they are expected to receive. But still as I have described myself as having been a born optimist, I hope that better counsel would prevail and the Ministry would even at a later stage consider it proper and convenient and just to reconsider the position. For this reason, I do not propose moving the amendment that stands in my name."

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MR. SPEAKER:—"Before Mr. Varadachari moves his amendment, I wish to know whether it comes within the scope of the Bill. Yesterday we have thrown out amendment No. 15, and in view of that, I would like to know whether the amendment is in order, and whether the hon. Member is withdrawing it."

SRI N. S. VARADACHARI:—"Sir, I would like to say just a word. I was really about to say that in view of what the Hon. Minister said yesterday so publicly in this House and to me so often elsewhere and here, I am not going to move this amendment. But since you have asked me whether it is in order, I think it is a discussion of a pure theory, and so I do not propose to take it up now, for it will only be wasting the time of the House. I am perfectly certain that this amendment is in order. But I am not moving it, since I have before me the statement of the Hon. Minister that the question of principle which I have raised will be carefully gone into by Government at some future time. So, I am not moving this amendment."

SRI K. BHASHIAM:—"Sir, I move the following amendment of mine; it is only a verbal amendment, and it will improve the language of the section:—

For the words "other non-ryoti lands," in sub-clause (b) substitute the words "and all non-ryoti lands"."

SRI T. VISWANATHIAM:—"Sir, I second it."

THE HON. SRI KALA VENKATA RAO:—"I wish to explain, Sir, that in the categories mentioned in the clause, there are some non-ryoti lands, and if you use the words 'all non-ryoti lands', they would not fit in. Therefore the words 'other non-ryoti lands' alone should stand, in the present set-up of the clause itself. So, I am not accepting it."

The amendment was, by leave of the House, withdrawn.

I move the following amendment standing in my name:—

THE ZAMINDAR OF MIRZAPURAM:—"My Speaker, Sir, Delete the words "pasture lands". "lanka lands".

The object of my moving this amendment is that the landlord should be given some lands for cultivation, under the proposed Bill. If he does not have any lands for grazing his cattle, it is not possible for a landlord to cultivate his lands. Even the tenants in ryotwari villages possess large extents of grazing land which they are using purely for grazing their own cattle. I request the Hon. Minister to sympathetically consider my amendment, and try to give the landlords at least some lands which will be useful for pastoral purposes, for their own cattle. As regards lanka lands, some of the zamindars are cultivating their own lands for a number of years. I would say, that even for a period of 20 and 30 years, some lands have been under their own cultivation. Therefore I do not see the reason why such lanka lands should be taken

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over by the Government without giving them on patta to the landholder. The Hon. the Revenue Minister seems to have in mind the idea that large extents of lanka lands are held by the landlords. I may inform him that he should not judge every landlord by a few landlords, who may be perhaps in his view, such as the Raja of Pithapur and the Raja of Chellapalli. There are several landlords who are depending on the mere cultivation of their lanka lands. On the same principle under which you are giving other lands to the landlord on pattas, why not give these lanka lands to the landholders if they are cultivating such lands continuously for a period of 12 years or if such lands have been in their possession for a specified period. I would request the Hon. Minister to reconsider and see whether he can accept this amendment. I know his mind. But all the same I have to do my duty and represent the grievances of the landlords to the Minister and leave it to him to judge things for himself."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I second it, Sir."

* THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, this is another instance where the zamindar may be shown some consideration. Of course, it may be contended that according to the provisions of this Bill, a certain consideration has been shown. That consideration should not be understood to be that the zamindar has been given something but it should be understood only as something less subtracted from his present rights, say, by 1/100 or 1/200 of what he possesses now. Pastural lands are necessary for even cultivation of lands which the zamindar continues to be in possession of."

"Then, as regards lanka lands, I think it is a clear case of expropriation, and I am afraid, Sir, this would not add to the strength of the Bill. When the day dawns when holdings are limited when the land tenures affecting all classes of landowners are modified upon certain well-defined and well thought out principles, and as the result of such policies, the holdings are limited, or certain other principles are adopted, then the lands held by the zamindars also shall be subjected to such schemes. Therefore I feel, that wherever at present according to the present law, tenants have not got recognized rights, the zamindars should not be deprived of their present possessions, but after the abolition of the zamindari system which I hope with God's grace will not see the light of the day, not because of a decision of the courts, but because of a change in the policy of the Government,—I still believe, as I said earlier, that Government may come to a decision not to abolish the zamindaris and may adopt a more scientific method, or a more progressive scheme well suited to the genius and the conditions prevailing in the country—other steps could be undertaken and the zamindars should be allowed to hold the lands I have referred to until a new scheme is thought of and a better basis is found for our land revenue system."

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THE HON. SRI KALA VENKATA RAO:—"Sir, I am very sorry that I cannot accept this amendment for the reason already mentioned by me in my reply to the general debate."

The amendment was put and lost.

SRI N. S. VARADACHARI:—"Sir, I move my amendment:—

"In the fifth line in sub-clause (b) between the words "shall" and "stand" insert the words "subject to the other provisions of this Act".

"This is purely a verbal amendment. These words should be inserted in the clause. Section 3 is a part of the Act and whatever you do under this section must be subject to the other provisions of this Act. This is all that I say. I leave it to the Government to accept it or not."

SRI K. BHASHYAM:—"Sir, I second the amendment. Special provisions have been made for alienations. It is necessary therefore in respect of this matter, to recognize the exceptions and to add the words 'subject to the other provisions of this Act'. From the drafting point of view also, it is much better to have these words."

THE HON. SRI KALA VENKATA RAO:—"The idea of the mover of this amendment is conveyed by the opening words of this section. Therefore this amendment is unnecessary."

The amendment was, by leave of the House, withdrawn.

* YUVARAJA OF PITHAPURAM:—"Mr. Speaker, Sir, in response to a query of mine, the Hon. Revenue Minister was good enough to tell me that he and the Government were not prepared to accept any of my amendments. As I do not want to waste the time of the House and as I do not want to make a fiction of my legislative individuality in the present set-up more fictitious I do not propose to move any of my amendments."

* SRI A. KALESWARA RAO:—"Sir, I move the following amendment I have given notice of:—

"Add a new sub-clause (c) after sub-clause (b) as follows and renumber existing sub-clauses (c), (d), (e) and (f) as (d), (e), (f) and (g):—

"(c) in the case of communal lands, all the unlawful alienations made by a landholder of them since the 28th day of June 1908 and encroachments made on them since the date, shall be illegal and void and the Government shall take possession of all those lands without paying any compensation to anybody".

This is a very important amendment which will be helpful to millions of ryots. Therefore I wish to move it even against the suggestion of my friend however respected he may be by me. The point is this. The Government under clause 3 (b) want to take

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possession of all communal lands and the entire estate including all communal lands, porambokes, waste lands, pasture, etc. I welcome it. Certainly we all want it. These communal lands are for public purposes. They are not for the use of the Government. They are for the use of the villagers. Not only rack-renting but also loss of control over the amenities of village life are the curses of the zamindari system. Now rents are being revised to the ryotwari level. The ryots want also amenities of village life. They want to have their rights in the forests. They want freedom to enjoy communal lands. Communal lands are part of the daily life of the villagers, pathways to take their cattle to the fields and to drive their carts through the broader paths, burial grounds and common lands which are used for common purposes. Therefore they are essential to the villagers. Therefore with regard to communal lands all that is necessary and all that is good must be done and must be provided for in the Bill. I have examined three Bills, (1) the Madras Estates Land Act, (2) Mr. Karanth's Bill as a result of Mr. Prakasam Committee's report, and (3) the present Bill. I wanted to see whether there is improvement or deterioration in this Bill. Of course the Ministry has brought forward this Bill for the abolition of the estates. Except for the abolition of the estates, nothing more has been given to the ryots by this Bill. When the estates are abolished, the Government should take possession of them; they must have survey and settlement. They must give more lands for the villagers, than what was provided for in Mr. Karanth's Bill. With regard to amenities for village life I examined this Bill whether it has reproduced all the necessary provisions from Mr. Karanth's Bill. The answer is 'no'. I cannot say whether this is due to negligence or purposely omitted. Other important provisions found in Mr. Karanth's Bill have not been embodied in this Bill. Ryots would naturally compare what is going on in the Congress regime, whether have enough communal lands for their use and what improvements they derive from the present Bill. Merely to say that we are abolishing zamindaris, paying them compensation and bringing the lands under the ryotwari system is not enough. They are very intelligent. I have examined the Bill very carefully. What I want is there should be specific provision to enable the Government to take possession of all communal lands encroached upon by the landholders, zamindars and others or alienated by them, without paying any compensation for them. The first Estates Land Act conferred occupancy rights on the tenants, and relief was given to them. Before the year 1908 for about 100 years the landlord system oppressed the ryots. The Government made a provision that all encroachments within 30 years should be removed. Such a provision is not enough because men may plead limitation as there is what is called limitation in such cases. The Estates Land Act had provided a section for this purpose. It says that any person occupying any lands mentioned in clause 16—that is communal lands—for purposes other than for which the land

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is set apart or contrary to the rules framed by the Provincial Government, may at any time within 30 years from the commencement of the Act, be summarily rejected by the Collector in the manner prescribed. That is the limitation—30 years from the date of occupation—that is provided in the Act of 1908. What will happen now? We have not provided anything in the present Bill. The old law is there. But the Hon. Minister cannot plead the old law. We are not lawyers in this House, expounding law, interpreting law and respecting the existing law. Here we have to make laws; we are law-makers, not law interpreters. That is our position in the House under your guidance, Mr. Speaker, Sir. We are not courts. You, Sir, is Speaker of this august Assembly, a sovereign body, who can enact any law and do anything in a sovereign capacity. Under the first Estates' Land Act it is stated in section 21 that within 30 years of occupation, from 1908, alienees or occupiers of communal lands may be ejected. Otherwise encroachments become lawful. There are certain means prescribed by which the character of the land is converted into ryotwari land. Coming to Mr. Karanth's Bill, the Government have clearly stated the same thing, without reference to even 30 years' period. They state that all communal lands, if they are occupied, encroached or alienated, can be taken possession of by the Government without any time-limit. With one stroke of the Legislature they wanted to remove the rule of 30 years' limitation. Clause 15 (3) of that Bill says that in the case of any assignment, alienation or disposal of communal lands, the land is entirely illegal and the lands can be taken possession of by the Government ejecting the persons in possession. The predecessor-in-office of the present Revenue Minister wanted to take possession of communal lands alienated or trespassed from 1908. Communal lands are there for the use of the villagers. Everywhere we go we find that zamindars encroached on communal lands. The ryots could not do anything. The zamindars destroyed tanks, closed pathways and closed cart-tracks. Zamindars and inamdars did these. This is one of the important curses of the zamindari system. Therefore, what I submit is a provision which I have suggested should be made. The provision that was in the previous Acts, has been omitted from this Bill. Therefore, there will be much difficulty. Under clause 19 of Mr. Karanth's Bill, any person who unauthorisedly occupies communal lands may at any time be summarily evicted. That is the point. Where is the corresponding provision now? Which law does apply now? Is it 30 years' rule? Or can people plead limitation? From time to time, for more than 30 years, zamindars have encroached upon communal lands and made unlawful alienations. There is this predicament, risk and bad thing for the ryots. Therefore in the interests of the ryots, about which there can be no question of difference of opinion, in this august House, I propose that the proviso under sub-clause (c) moved by me should be introduced. I want that communal lands, rivulets, rivers, tanks, etc., should be taken possession of by the Government

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immediately. For these reasons, I want that the amendment should be made. This is a very important and necessary thing. I suggested this in the Select Committee, but the thing went on like a steam roller and my hon. Friend the Revenue Minister did not accept it. I hope he will accept the amendment now."

SRI A. KAMESWARA RAO:—"I second it."

* SRI R. V. SWAMINATHAN:—"I support the amendment. The hon. Member Mr. Kaleswara Rao pointed out the legal difficulties. I want to point out the practical difficulties as to how this provision will be affected without this amendment. I can quote a number of cases in the zamindari areas where these communal lands have not only been alienated but even encroached upon indiscriminately. This has been done not only by the zamindars but by some of the influential ryots also. Even the zamindars have not been able to evict them. When the Government take over these zamindaris, these ryots will say that though these are communal lands, they have been in possession of them for 20 or 30 years and ask for pattas to be issued to them. These people who have been occupying communal lands illegally will ask for pattas. Even Mr. Kaleswara Rao has stated very carefully that only 'unlawful alienations' should be made illegal and void. He did not object if communal lands have been sold lawfully. This amendment should be acceptable to the Government. The Government should not allow this amendment to share the fate of the other amendments. I request the Hon. Minister to accept it."

SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I thought from the wording of the Bill that the entire estate including all communal lands referred to in this amendment was covered and that it is common ground to all of us. But the next clause says:

'(c) all rights created in or over the estate before the notified date by the principal or any other landholder, shall as against the Government cease and determine.'

I thought that there was necessity for bringing in a different kind of amendment also here. Certain alienations of communal lands have been made subject to the permission of the Collector, because the Act permits the alienation of communal lands with the sanction of the Collector. There are bona fide purchasers and transferees who have come into possession of the communal lands after paying money with the sanction of the Collector. But our friend says that everybody should be evicted out of these lands because they are communal lands. Sir, the sins of the zamindars only need not be exaggerated in the matter of the treatment of the communal lands. I ask, Sir, what has happened to the communal lands in ryotwari areas. The cattle of East Godavari go to Vizagapatam for grazing because they have no grazing lands there. All communal lands have been taken hold of, not only by

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the zamindars but by the tenants themselves. The ryots of the ryotwari areas are just the same as the tenants in the zamindari areas. There is no need to accuse either the zamindar or the Government. It is all due to the same natural tendency in human beings to encroach inch by inch on communal lands; and gradually owing to the neglect of duty by the Government and the zamindars, all communal lands have disappeared. Let us not therefore blame anybody; let us try to create conditions whereby communal lands can be brought into being in the ryotwari, inamdari or zamindari villages (which will soon become ryotwari villages). There is no use of attributing all the blame to the zamindars. All are equally culpable in this matter; all have eaten, swallowed and devoured communal lands leaving nothing for the cattle to graze.

Sir, I thought that there would be an amendment to the effect that bona fide transferees and entrants into the communal lands who have entered upon the land with the permission of the Collector would be saved from this kind of eviction. I thought that that should be the amendment. Sir, I am one of those who hold that persons who have acquired bona fide rights should be protected. However much people may disagree and the Revenue Minister may resist, still I would say till the end that bona fides alienees and transferees should be protected. Otherwise there is no trust or sacredness in law. If some transactions are entered into on the basis of the law you are passing to-day and if next year they are violated and bona fide transferees are not protected by the Government, there is no use or validity or sanctity in any legislation. Such a legislation is dangerous to the progress of society. I thought that would be the amendment, but that has not been stated in the amendment. I wish to draw the attention of the Hon. Minister to this aspect of the matter. In reply to my hon. Friend, Mr. Swaminathan, I should say that if you think of evicting people who have entered on the communal lands with the permission of the Collector, you will be involving the Government in suits for damages."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, I am one of those who is very zealous about protecting communal lands. The 1934 legislation tried to protect communal lands by enacting section 20-A. I very much appreciate the contention raised by Mr. Kaleswara Rao, but there is one legal difficulty in putting the date at 28th June 1908. Suppose a person has encroached on the land illegally in 1909; then he would have been in adverse possession of the land for more than thirty years and he would have acquired a title to the property. My hon. Friend, Mr. Viswanatham knows what is meant by title by adverse possession. It means a title not acquired bona fide or legally, but by being in possession of it for more than thirty years, by adverse possession by prescription. But putting the date as 1908, you will be legislating for the eviction of persons who have acquired a prescriptive

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right by having been in adverse possession for thirty years but not more. It will be *ultra vires*, unless you provide for compensation for the rights acquired by such persons between 1908 and 1918. All the persons who have acquired title by adverse possession between those dates will have to be compensated if this provision is to be put on the statute book.

"The second question is whether there is any necessity for this amendment. My humble submission is this. I entirely agree with Mr. T. Viswanatham that it is not necessary, because from the date the estate is taken over, the entire thing is going to become ryotwari and in the case of encroachment on lands in ryotwari areas the period is sixty years as against the Government. The Government will be in a better position to deal with these encroachments. Therefore my submission is that a provision with 1908 as the date is *ultra vires* and in the second place it is unnecessary since the whole estate will vest in the Government."

* SRI K. BHASHYAM:—"Sir, everybody seems to be agreed as to the object of the amendment. It is necessary that communal lands ought to be protected and reserved for communal uses. The question is how it should be done. Under section 21 of the old Act a man who has been in unlawful occupation of the land for less than thirty years, either by squatting on it or by other means, can be evicted. Therefore the limit is 1878. Any person who came into possession in 1878 does not get the full right to the property even under the old Act. In the present Bill there is no such clause at all. The point made by Mr. Kaleswara Rao is there is no provision in the present Bill empowering the Government to dispossess a person who has been there even though the period is less than thirty years. But I do not know how this thirty years period was fixed. If it is adverse possession against the community, it is only twelve years; if it is adverse possession against a local body it is thirty years and against the Government it is sixty years. If it is considered to be a case of adverse possession against the community, it is only twelve years. A special provision was necessary and it was made in section 21 of the Estates Land Act that a person can be evicted within thirty years of his occupation. Even that is taken away now. When Government want to take possession of the communal lands which have been unlawfully encroached upon or sold away, there will be difficulty. If a person has been squatting on it for twelve years and more, he will say it is no longer a communal land within the meaning of the Bill. I would like to point out to the Hon. the Revenue Minister that there will be great difficulty in getting hold of the communal lands from persons who have been in possession of them for more than twelve years. There is no article in the Limitation Act providing a thirty-year period against communities. Therefore a provision like this is really necessary. It may be that a person who has been in possession for more than thirty years may be hit hard, but he is rightly hit. An unlawful thing is being

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corrected. It may be that some persons who have occupied the land for thirty years will be hit, but they have got into it unlawfully and have no legal right to it." 4-45 p.m.

THE HON. SRI KALA VENKATA RAO:—"I regret, Sir, I cannot accept the amendment."

The amendment was put and lost.

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, my amendment is to the effect that sub-clause (c) be deleted. The sub-clause runs as follows: 'All rights created in or over the estate before the notified date by the principal or any other landholder, shall as against the Government cease and determine.' Sir, it is a very dangerous clause. It is a clause which determines once for all, all rights created in or over the estate before the notified date. It is not even the rights which are acquired by a particular landholder but it refers to rights in or over the estate altogether and what is the remedy for the third parties in whose favour the rights have been created prior to the notification. Of course, the language of the amendment is in keeping with the spirit of the other enactments and with the very curt manner in which the Hon. Revenue Minister was pleased to say, namely, I regret I cannot accept the amendment without assigning any reasons. Sir, when we advance some care and pain, certain legal difficulties and when we want that the law should protect the rights of persons who enter into *bona fide* transactions, he does not say anything by way of explanation but simply says, I regret I cannot accept it. I am not of course blaming him. He is apparently disgusted with what is happening here, because he knows he has a big majority, he knows he has published the Bill nearly a year ago and his worry is why so many persons should move amendments and should talk over those amendments when their fate is a foregone conclusion. His astonishment is that persons are still persisting knowing the result and this astonishment has gradually developed into a sort of disgust. I do not blame him for it, because he has to bear the brunt of it—his office is such that he has to bear its advantages as well as its disadvantages. Sir, although the result is a foregone conclusion, do we not know as much as the Hon. Minister knows the fate of the amendments we are moving, but still why should we persist in moving them? That is not a fiction in the manner in which the hon. Member, Yuvaraja of Pithapuram said it is a fiction. It is true the fate is known beforehand, but still it is not a fiction; we are a party and we have to do our work as legislators. We are not moving amendments simply to obstruct the passage of the Bill; we are not moving them just for the fun of contradicting what the Hon. Minister wants to pass as legislation in this House. Just as he feels, we feel the correctness of a certain position we take and we want him to appreciate our position." I am appealing

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to him to change that attitude at least now. It is true that when persons move amendments and press for division, he is a little worried, but let him not worry himself. He is otherwise a sociable man and he must keep his temper and besides keeping his temper, he must also try to understand and appreciate our point of view.

“Now, Sir, in regard to this sub-clause (c), namely, ‘all rights created in and over the estate before the notified date . . .’, the draftsmen thought that after all the rights that may be involved in this are rights to compensation and all that and possibly they might have thought there would be only one creditor, but the Minister knows as well as anybody else that over a particular land there will be some times several interests created; there may be several creditors whose rights cannot be determined here by the Tribunal which he has proposed under a later provision of this Bill. For example, mortgages, second mortgages, simple debts in between and questions relating to marshalling of securities will all arise. In the case of estates, big creditors who have invested their money on those estates will be in jeopardy. If, on the other hand, the Tribunal is to be a court with original jurisdiction and if there should be an appeal provided on legal points to the High Court, I would not have said anything but here the tribunal is the final authority for everything and the tribunal, I expect, is not expected to go into all those matters. There will be several creditors and other interests, there will be third parties, second parties and first parties and maintenance holders; there will be first charges created by decrees of courts and other charges created by third parties or by mortgagees and second mortgagees and all these questions of law and marshalling of securities to the detriment of the respective rights cannot be undertaken by the tribunal and would be far outside the scope of the tribunal. But, the Hon. Revenue Minister has provided in a later section only for determining compensation, the number of persons who should get compensation and what is the share of the compensation which these persons should get. According to the wording of the provision as it stands here, there will be several persons, not merely zamindars whose estates you are taking, not merely inamdars whose small properties you are treading upon, but other third parties who have put in money in the estates and persons who never believed that their rights would be jeopardised or there will be other persons who believed that the Transfer of Property Act of the Central Government would protect their rights and their properties, who will be endangered by this clause. Therefore, Sir, I submit that this clause, namely, ‘all rights created in or over the estate before the notified date by the principal or any other landholder, shall as against the Government cease and determine’ is a wrong proposition in law. It would not matter very much if the persons concerned are allowed an opportunity to

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go to a court of law, but there is no such provision here. Either provide a remedy to safeguard all persons who have got interests created in their favour or delete this sub-clause altogether. I am appealing to the Hon. Revenue Minister to appreciate this point of view and to see that third parties who have been under the security of the Transfer of Property Act and those who felt secure under the terms of the Statute, are protected and that they are not jeopardised.”

* SRI D. V. RAMASWAMI:—“Mr. Speaker, Sir, in seconding the amendment moved by my hon. Friend, Mr. Viswanatham, I would respectfully invite the attention of the Hon. Revenue Minister to a similar case where the Government have seen the justice of protecting the just rights of *bona fide* purchasers of land for valuable consideration in another connexion. I respectfully appeal to him, therefore, that since this matter is a very important one, any Constitutional Government should do its best to safeguard the interests concerned, as otherwise they will be landing themselves in very serious difficulties on a simple matter which is so transparent so far as the need for rectification of the clause is concerned. I hope it is not yet too late and instead of feeling worried over this amendment the Hon. Minister will kindly and coolly consider this very important matter which involves the rights of several intermediaries who have entered into some of these lands and entered into certain transactions in full faith and for *bona fide* considerations. I second the amendment, Sir.”

MAHBOOB ALI BAIG SAHIB BAHADUR:—“My submission is this, Sir. I should think that instead of deleting this sub-clause, it would be better to move an amendment at its proper place. What this sub-clause (c) contemplates is that as against the Government any rights created over the estates are not available to third parties and that they cease to exist. The preamble to this clause 3 says ‘save as otherwise expressly provided in this Act.’ So, this is a general clause just like in any document you say that all properties should come to you divested of all rights, rights created by mortgagees, land assessment and so on. Therefore, there cannot be any objection to this sub-clause going in as it is. That is my feeling, Sir, especially because in the preamble of this main clause itself it is stated, ‘with effect on and from the notified date and save as otherwise expressly provided in this Act.’ What the Government had in view when this clause was inserted, I believe, was perhaps this. Suppose, an estate is valued and they arrive at the compensation that will have to be paid, at say, one lakh of rupees and if the demand of the mortgagees, creditors or others who have got certain rights against the landholder, exceeds the lakh of rupees, I say, that unless there is a clause like this, the Government would be bound to pay

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as the transferee of the property from the zamindar, more than a lakh of rupees which the Government are thinking of paying. So, Sir, I suggest that a suitable amendment may be put in at its proper place to safeguard the rights of third parties. I have no objection to that.

"Then, Sir, with regard to the cases mentioned by my hon. Friend from Vizagapatam where valuable consideration has been paid and the zamindar got certain rights therein and supposing Government said that all alienations after a certain date, say after 1945 were wrong . . ."

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

The House then adjourned to meet at 11 o'clock on 16th September 1948.

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APPENDIX.

[Vide answer to starred question No. 301 asked by Sri S. Nagappa (on behalf of Sri V. Raghavayya) at the meeting of the Legislative Assembly held on 15th September 1948, page 299 supra.]

List of officers now in the Secretariat to whom advances for the purchase of motor cars were sanctioned since the 1st April 1946.

Serial number, name and designation of the officer.	Amount of advance.	Date of order sanctioning the advance.	Whether the car was purchased at controlled rate or not.
(1)	(2)	(3)	(4)
	RS.		
1 Mr. M. Gopala Menon, I.C.S., Under Secretary to Government, Public Department.	4,000	27th August 1947.	At controlled rate.
2 Mr. T. N. S. Raghavan, I.C.S., Secretary to Government, Finance Department.	5,400	27th October 1947.	Do.
3 Mr. P. Crombie, M.B.E., I.C.S., Deputy Secretary to Government, Finance Department.	5,000	29th June 1947.	Purchased in England.
4 Sri Rao Bahadur M. A. Kuttalingam Pillai, Secretary to Government, Food Department.	4,500	12th October 1946.	At controlled rate.
5 Sri Rao Saheb Rajiah D. Paul, Secretary to Government, Local Administration Department.	3,500	19th November 1947.	Do.
6 Mr. W. R. S. Sathianathan, I.C.S., Secretary to Government, Development Department.	6,400	18th April 1947.	Do.
7 Mr. K. G. Menon, M.B.E., I.C.S., Joint Secretary to Government, Development Department.	7,500	14th October 1947.	Do.
8 Sri S. G. Appa Rao Nayudu, Assistant Secretary to Government, Development Department.	(1) 3,750	25th April 1947.	Do.*
	(2) 5,200	3rd August 1948.	Do.*
9 Mr. P. V. Balakrishna Ayyar, I.C.S., Secretary to Government, Legal Department.	4,500	September 1947.	At controlled rate.
10 Sri K. Raghuramiah, Bar-at-Law, Joint Secretary to Government, Legal Department.	5,400	April 1948 ..	Do.
11 Mr. V. K. Rao, I.C.S., Deputy Secretary to Government, Revenue Department.	3,000	6th November 1947.	Do.

* Permission was granted by the Government for selling the car purchased out of the first advance and to purchase another car. The first advance was fully repaid when the second advance was granted.

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Serial number, name and designation of the officer.	Amount of advance.	Date of order sanctioning the advance.	Whether the car was purchased at controlled rate or not.
(1)	(2)	(3)	(4)
	RS.		
12 Mr. P. M. Nayak, I.C.S., Deputy Secretary to Government, Home Department.	4,500	1st September 1947.	At controlled rate.
13 Sri Rao Saheb M. S. Jagannayakalu Nayudu, Secretary to Government, Firka Development Department.	7,500	4th July 1947.	Not known.
14 Sri G. Gopalakrishna Nayudu, Assistant Secretary to Government, Firka Development Department.	(1) 2,400	May 1947 *	Purchased a second-hand car.
	(2) 3,200	February 1948 *	At controlled rate.
* The first car was sold away and the first advance fully repaid when the second advance was sanctioned.			
15 Mr. C. O. Coorey, I.C.S., Joint Secretary to Government, Education and Public Health Department.	£400	4th March 1947.	Purchased in England.
16 Mr. M. V. Subramaniam, I.C.S., Secretary to Government, Education and Public Health Department.	1,500	Do.	Not known.
17 Sri D. K. V. Raghava Varma, Secretary, Madras Legislature.	4,400	23rd September 1946.	At controlled rate.
18 Sri M. Surya Rao, Deputy Secretary, Madras Legislature.	3,300	6th August 1947.	Do.

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 16th September 1948.

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.

Facilities given to the refugees.

* 307 Q.—SRI N. VENKATASUBBAYYA: Will the Hon. the Premier be pleased to state—

(a) whether it is a fact that large numbers of refugees are pouring into the Province from the Hyderabad State;

(b) how many refugees have come into each of the border districts of this Province so far;

(c) whether the Government have issued any instructions to the Collectors concerning the facilities, etc., to be given to the refugees;

(d) if so, whether a copy of such instructions will be placed on the table of the House;

(e) the amounts spent so far by each of the Collectors of the border districts for the sake of the refugees;

(f) whether it is a fact that a large number of refugee students have sought admission to our schools and colleges; and

(g) if so, what instructions have been issued to the educational authorities regarding their admission?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—“(a) Yes.

“(b) The number of refugees who have come into the border districts so far is as follows:—

	In camp.	Outside camp.
Krishna	371	95,000
East Godavari ..	Number in camp not available—Total number in the district 6,860.	
West Godavari ..	Nil.	10,000
Guntur	Nil.	12,914
Kurnool	38	3,270
Bellary	Nil.	3,774

“(c) Yes.

“(d) A copy of the instructions is placed on the table of the House.

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“(e) The amounts so far spent by the Collectors of border districts on relief to Hyderabad refugees are given below:—

	RS.
Krishna	18,776
East Godavari	9,020
West Godavari	Nil.
Guntur	47
Kurnool	13,402
Bellary	25

“(f) The information is not available.

“(g) There is no restriction in regard to the admission of Hyderabad students either in the Government Arts Colleges or in the Arts Colleges under private management. In respect of these Colleges, Hyderabad refugees can compete on equal terms with students of this Province. As regards the Engineering Colleges, the Government have recently directed that the concessions granted to refugee students from Pakistan in the matter of admission to Engineering Colleges be extended to refugee students from Hyderabad also. The Government have also directed that refugee students need be required to pay fees at the same rates as the students of the Madras Presidency. So far as admissions to the Medical Colleges are concerned, refugee students from Hyderabad have not been given the concession granted to refugees from Pakistan.”

SRI N. VENKATASUBBAYYA:—“Now that military operations have commenced will the Government propose to lift the economic blockade and send back the refugees to their respective homes, and if so, what facilities they will get in this direction?”

THE HON. SRI B. GOPALA REDDI:—“Sir, apart from the premature lifting of the ban on the economic blockade it is entirely a matter for the Government of India.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I ask, Sir, whether the Government is aware that a large number of refugees are in the City of Madras and will the Government give them definite accommodation for living in the City of Madras?”

THE HON. SRI B. GOPALA REDDI:—“Whatever accommodation is available will be given to those unfortunate people who have come from Hyderabad.”

SRI A. KALESWARA RAO:—“In view to the fact that our police and officers are now occupying the villages in the Hyderabad State which are practically empty will the Government give all facilities for the refugees to go back to the villages and also help them financially?”

MR. SPEAKER:—“It is the same question as was put by some other Member.”

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SRI A. KALESWARA RAO:—“May I know whether the Government believe in doing all those things?”

THE HON. SRI B. GOPALA REDDI:—“It is not asking for information, Sir.”

SRI D. V. RAMASWAMI:—“May I know how many applications have been received by the Government to provide housing accommodation for the refugees?”

THE HON. SRI B. GOPALA REDDI:—“The information is not readily available.”

SRI S. NAGAPPA:—“May I know, Sir, how many people applied for loans in order to set up business in Indian Union?”

THE HON. SRI B. GOPALA REDDI:—“All these questions should be asked as separate questions and not as supplementary questions.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I know whether the Government will consider the question of exempting students from Hyderabad who have been admitted in the Madras Colleges from the payment of fees or whether they will accept fees later on in view of the stoppage of money orders, etc., from Hyderabad?”

THE HON. SRI B. GOPALA REDDI:—“Four days ago, some students came to me in Kurnool town and they said that they could not receive money from Hyderabad. I am taking up the matter with the Education Minister and we shall see what possible facilities could be given by the Government.”

SRI A. KALESWARA RAO:—“May I know, whether instructions have been issued to schools and colleges that the students may be admitted without transfer certificates which are insisted in every case in our own areas?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—“Orders have been issued that wherever possible these formalities may be dispensed with, to encourage refugee students.”

Repairs for “Peria Eri”.

* 308 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any representation was made by the agriculturists of Rajamadam, Eripurakarai village, agreeing to hand over the lake “Peria Eri” to the Government for necessary repairs and maintenance; and

(b) whether the Government propose to take up the lake under ‘Lake Restoration Scheme’?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) Yes.

“(b) The Chief Engineer (Irrigation) has been asked to submit a report and it is awaited. The question will be considered after the Chief Engineer’s report is received by the Government.”

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SRI A. VEDARATNAM PILLAI:—"May I know whether the Government will consider the proposal along with the Maharajasamudram Dam Scheme and if so, whether it will be possible?"

THE HON. SRI M. BHAKTAVATSALAM:—"That is exactly the idea as I have answered in this question. Investigation of Maharajasamudram is being done and then we will take up the question."

SRI N. SANJEEVA REDDI:—"May I know, Sir, if the Government realize the urgent need to take up Tank Restoration Schemes in Rayalaseema and give priority to them?"

MR. SPEAKER:—"It does not arise out of this question."

SRI D. V. RAMASWAMI:—"May I know, Sir, the difference between the 'Lake Restoration Scheme' and 'Tank Restoration Scheme'?"

THE HON. SRI M. BHAKTAVATSALAM:—"Lake and tank are synonymous so far as the question of irrigation is concerned."

Number of detenus released on parole.

* 309 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state—

(a) the number of detenus who have asked the Government to release them on parole; and

(b) in how many cases the Government have been pleased to release the detenus on parole?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Premier):—" (a) One hundred and twelve detenus have so far applied for release on parole.

" (b) Twenty-eight detenus have so far been released on parole."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"May I know, Sir, whether any communists have been released on parole?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir."

SRI A. KALESWARA RAO:—"May I know whether under the present disturbed circumstances and uncertain conditions it is safe to release communists on parole?"

MR. SPEAKER:—"The hon. Member wants the opinion of the Government."

SRI A. KALESWARA RAO:—"May I know whether the Government will consider that it is not desirable to release them on parole?"

THE HON. SRI K. MADHAVA MENON:—"When a person is released on parole all these factors are taken into consideration."

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SRI G. RAJAMANNAR CHETTY:—"May I know how many have been released on medical parole so far?"

THE HON. SRI K. MADHAVA MENON:—"I do not remember any has been released on medical parole. My recollection is nobody has been released on medical parole."

SRI S. NAGARAJA MANIGAR:—"May I know whether these applications are forwarded through the District officials and when the detenus are released the district authorities are consulted and the release communicated through the District authorities?"

THE HON. SRI K. MADHAVA MENON:—"I cannot disclose the source of getting information."

SRI S. NAGAPPA:—"May I know whether any detenu released has gone underground?"

THE HON. SRI K. MADHAVA MENON:—"A Muslim detenu from the border district of Kurnool was released on parole. But he has not been heard of afterwards."

SRI R. V. SWAMINATHAN:—"May I know, Sir, whether Mr. Narayanaswami Naidu, a member of the Provincial Congress Committee asked for release on parole and he was refused?"

THE HON. SRI K. MADHAVA MENON:—"I cannot remember. It is quite possible as the hon. Member says."

K. M. SEETHI SAHIB BAHADUR:—"May I know, Sir, whether the remaining applications from the detenus have been pending consideration have been disposed of?"

THE HON. SRI K. MADHAVA MENON:—"Some are still pending consideration."

SRI N. SANJEEVA REDDI:—"Are the detenus released on personal security or some other security?"

THE HON. SRI K. MADHAVA MENON:—"Since the incident of the Kurnool detenu we are taking other securities also."

"Madras Radio and Electricals."

* 310 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state—

(a) the amount that has been invested by the Government in "Madras Radio and Electricals, Ltd."; and

(b) whether it is a fact that the above firm has not been able to start production so far?

THE HON. SRI H. SITARAMA REDDI:—" (a) Government have taken shares in the Radio and Electricals, Limited, Madras, to the value of Rs. 2,00,000.

" (b) The company was formed for the purpose of assembling and manufacturing radio and electrical appliances. It is at the moment engaged in setting up a small scale assembly plant for A.C. mains operated (superheat) radio receivers

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with imported components. Though it has not yet started production, it proposes to take up the manufacture of electrical goods and accessories which are in good demand such as transformers and switch gear, air break switches, street lighting switches, iron clad switches, etc. At present the company is engaged in the purchase and sale of radio receivers and components and allied electrical goods."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government can give us any idea of the number of radio receiving sets that will be available to the people and whether sets made in England are available and whether they are aware that sets are available for 25 or 30 shillings?"

THE HON. SRI H. SITARAMA REDDI:—"If the Member wants all these details he must put a separate question about prices."

SRI P. NATESAN:—"May I know the capital of this company and why is it that as much as two lakhs share was taken by the Government of Madras?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, so far as I can see the paid-up capital is about twenty lakhs. Of that the Government have taken shares about 1945 or 1946. The shares are taken as the company wanted to manufacture radio sets in the Madras Presidency."

SRI P. NATESAN:—"May I know if the Government are aware that the company itself was aware that the money was not enough to manufacture these radio sets?"

THE HON. SRI H. SITARAMA REDDI:—"Perhaps at the time when the company was sponsored people were satisfied that twenty lakhs would be sufficient."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know whether the Government have any idea as to the amount of capital required to set up a very large radio manufacturing factory?"

THE HON. SRI H. SITARAMA REDDI:—"I do not know what the hon. Member means by 'a very large factory'. So far as this factory is concerned I see from the papers that it was proposed to locate the factory in or near Madras and the capital expenditure would be twenty lakhs. Land and Buildings—four lakhs. Radio Parts and Appliances—ten lakhs. Laboratory Equipment—one lakh. Preliminary Expenses—five lakhs. This is what I see from the papers with me."

11-15 SRI N. M. R. SUBBARAMAN:—"May I know who are the a.m. managing directors or agents of this firm?"

THE HON. SRI H. SITARAMA REDDI:—"I should like to have notice as it is a specific and not a general question."

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SRI L. N. GOPALASWAMI:—"Is it a fact, Sir, that the original managing agents were removed at the instance of the Government, and if so, why?"

THE HON. SRI H. SITARAMA REDDI:—"So far as I know there are no managing agents at present."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know whether the Government have any nominee of theirs as director on the board of directors just to watch the interests of the Government?"

THE HON. SRI H. SITARAMA REDDI:—"Yes, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know whether the Government have any information with regard to the progress of this company on the manufacturing side, whether the object of the company set out in the prospectus is kept up and the work is going on as per programme?"

THE HON. SRI H. SITARAMA REDDI:—"As I have already stated the company was started for assembling and manufacturing radio and electrical appliances. It is just now doing purchase and sale of radio sets. One of the directors is nominated by the Government for watching the interests of the Government. If there is any prospect of pushing up the manufacture of radio sets it will be done."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know when the Government expect this company to start manufacturing radio sets actually?"

THE HON. SRI H. SITARAMA REDDI:—"I cannot forecast."

SRI P. NATESAN:—"May I know when this company was formed to start a radio industry and why do they propose to manufacture all sorts of electrical things like transformers, switch gears, etc.?"

THE HON. SRI H. SITARAMA REDDI:—"The memorandum and articles of the Association are comprehensive enough to embrace the manufacture of these electrical accessories."

SRI P. NATESAN:—"May I know what the Government had in mind when they took shares to the value of two lakhs of rupees. Did they want to start the manufacture of radio sets or did they merely in a general way subscribe to the shares?"

THE HON. SRI H. SITARAMA REDDI:—"The then Government who subscribed would have gone through the memorandum and articles of the Association and taken action."

SRI C. M. KOTHARI:—"Is it the intention of Government to compete against private organizations and industries?"

THE HON. SRI H. SITARAMA REDDI:—"There is no question of competing with anybody. The Government were assured of a radio set manufacturing industry being started in Madras and that was why the then Government took shares in it."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I know at what stage are the steps taken to secure machinery from outside? "

THE HON. SRI H. SITARAMA REDDI:—" Notice."

SRI N. M. B. SUBBARAMAN:—" May I know whether the Government have any interest or share in the management of the firm apart from their having invested money by way of taking shares? "

THE HON. SRI H. SITARAMA REDDI:—" We have taken shares worth two lakhs of rupees. Naturally we are watching the interests to see that the money is safe."

H. S. HUSSAIN SAHIB BAHADUR:—" Since this company is said to have been started somewhere in 1945 or 1946, may I know whether this limited company has published its annual report and audited statement of accounts in any one year? "

THE HON. SRI H. SITARAMA REDDI:—" Yes, Sir."

SRI P. NATESAN:—" Is the Hon. Minister aware that there is a large amount of money lying in the banks without being used all these years? "

THE HON. SRI H. SITARAMA REDDI:—" Yes, Sir."

SRI G. RAJAMANNAR CHETTI:—" May I know whether the necessary materials, technical personnel and capital are available for the directorate in order to prosecute the plans now and if not, when do they expect necessary things will be available to put the scheme of production into operation? "

THE HON. SRI H. SITARAMA REDDI:—" I have just explained for the information of hon. Members that this is a private company. The Government have taken only shares worth two lakhs of rupees, and naturally the Government have got a director who watches the interests of the Government and the share-holders. The details of the working and other things are naturally managed by the private company."

SRI P. KANDASWAMI PILLAI:—" As the Government have invested two lakhs in it, may I know whether they have any other interest in the affairs of the company? "

THE HON. SRI H. SITARAMA REDDI:—" As I have already said there is no managing agent of theirs there."

SRI GUNTUR NARASIMHA RAO:—" May I know whether it has been brought to the notice of the Government that there has been mismanagement of the company, and if so, what steps have been taken to set right the affairs of the company? "

THE HON. SRI H. SITARAMA REDDI:—" I have no information. If any specific instance is shown I shall inquire into the matter."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I enquire, Sir, whether the Government before they invested money in this concern, assured themselves whether the necessary machinery have been secured, or whether the company has got their orders for such machinery accepted by any foreign manufactures? "

THE HON. SRI H. SITARAMA REDDI:—" I take it people who took shares must have satisfied themselves about this before they took any action."

Administration of Sandur State.

* 311 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state—

(a) whether the District Collector, Bellary, took over the administration of Sandur State;

(b) whether it is a fact that armed police accompanied the District Magistrate, when he went to take over the administration; and

(c) what the instructions are that were received from the Central Government in this matter?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) Yes.

" (b) Yes.

" (c) The Government of India asked this Government to take over the administration of Sandur State."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" May I know whether the attention of the Government has been drawn to the statement by the Raja that no notice has been given by the Provincial or Central Government of their intention to do it? "

THE HON. SRI B. GOPALA REDDI:—" As far as I am aware, I have not seen any statement in the Press."

MUHAMMAD RAZA KHAN SAHIB:—" Now that Sandur, Banganapalle and Pudukottai have been made part of this Province, may I know whether any arrangements have been made to have their representatives in this Assembly? "

THE HON. SRI B. GOPALA REDDI:—" It is too early to say. As regards Pudukottai and Banganapalle, they will have their representatives in the Constituent Assembly, and to-day is the last day for nomination."

SRI N. SANJEEVA REDDI:—" May I know whether there was resistance from the Administration when it was taken over? "

THE HON. SRI B. GOPALA REDDI:—" None."

SRI A. KALESWARA RAO:—" May I know whether any monthly allowance has been settled to the Raja of Sandur, and if so, how much? "

THE HON. SRI B. GOPALA REDDI:—" The matter has not yet been settled; perhaps it is under correspondence with the Government of India."

[16th September 1948]

Financial help for starting "Second-grade Colleges".

* 312 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) the number of applications made to the Government by the institutions and private individuals asking for financial help to enable them to start second-grade colleges; and

(b) how many such applications have been accepted by the Government and affiliation granted?

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

“(a) & (b) Affiliation has been granted by the University of Madras for the opening of the following second-grade colleges:—

1947-48.

- (1) Rajah Doraisingam Memorial College, Sivaganga.
- (2) P. S. G. Arts College, Coimbatore.
- (3) Stella Maris College for Women, San Thome, Madras.

1948-49.

- (4) Lady Doak College for Women, Madura.

Provision has been made in the Budget Estimate for 1948-49 for the payment of teaching grant to the three colleges started in 1947-48 and similar provision will be made for teaching grant to the Lady Doak College for Women, Madura, in the Budget Estimate for 1949-50.

An application was received from the citizens of Proddatur last year for the starting of a Second-grade College at Proddatur, but it was not considered as the Government were then having a proposal to start a Second-grade College at Cuddapah, which has since been started this year.

None of the second-grade colleges started in 1947-48 referred to above applied for building or equipment grant last year. Applications for building or equipment grant have been received this year from the following second-grade colleges and they are under consideration:—

- (1) Lady Doak College for Women—Building and equipment grants.
- (2) P. S. G. Arts College, Coimbatore—Equipment grant.
- (3) Stella Maris College, Madras—Equipment grant.”

SRI R. V. SWAMINATHAN:—“ May I know, Sir, whether any representation has been received from the Lady Doak College from Madura for building grants, and if so, whether any amount has been sanctioned for that? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“ The matter is under consideration.”

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SRI N. M. R. SUBBARAMAN:—“ May I know what is the proposed amount to be given to these colleges by way of building grant and equipment grant? ”

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

“ The grant will depend upon the applications. But the Government have fixed certain maximum for these. With regard to equipment it is ten thousand rupees; for buildings, it is fifty thousand rupees for second-grade college and seventy-five thousand for first-grade college.”

SRI T. VISWANATHAM:—“ May I know whether any money grant has been given to the C. R. Second-grade College at Ellore? ”

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

“ I do not think any application has been received, as far as I am aware.”

SRI A. KALESWARA RAO:—“ May I know whether any application has been received from the college at Bezvada for building grant, and if so, whether the Government have sanctioned any amount? ”

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

“ I have no information; a separate question may be put.”

SRI N. S. VARADACHARI:—“ In connection with these grants will the Government be pleased to give full priority to equipment grant rather than to building grant? ”

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

“ The Government will consider that matter.”

SRI T. VISWANATHAM:—“ May I know where the equipment will stand without the building? ” (Laughter.)

The report of the Corruption Enquiry Committee.

* 313 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Premier be pleased to state—

(a) whether the Government have received the report of the Corruption Committee which was recently appointed to enquire into cases regarding corruption among Government servants; and

(b) if so, whether the Government will lay on the table the report for the information of the Members of this House?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—“ (a) The Corruption Enquiry Committee which was appointed by the Government recently was to enquire into and suggest ways and means of dealing with corruption in Government departments and not to enquire into individual cases of corruption among Government servants. This Committee has submitted its report and its recommendations are under consideration.

“ (b) The Government consider that it will not be in the public interest to do so at present.”

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SRI S. NAGAPPA:—" May I know whether this committee consisted of members other than Police officers? "

THE HON. SRI B. GOPALA REDDI:—" The committee consisted of three members, the Chief Justice, the Public Prosecutor of Madras (Mr. V. L. Ethiraj) and Mr. T. Anantachari. "

SRI S. C. BALAKRISHNAN:—" May I know the names of the members of the committee? "

MR. SPEAKER:—" Just now the names were given." (Laughter.)

SRI B. S. MURTHI:—" May I know whether these members have had any anti-corruption experience? "

THE HON. SRI B. GOPALA REDDI:—" Yes, Sir." (Laughter.)

Enhanced fees collected in Pudukottai Colleges.

[* 314 Q.—MR. SPEAKER:—" The hon. Member, Sri Raghavaya is not in his place. The answers will be printed in the proceedings."]

SRI V. RAGHAVAYYA: Will the Hon. the Minister for Education be pleased to state—

(a) whether college students of Pudukottai have been directed to pay an enhanced fee of Rs. 150 instead of Rs. 90 per term;

(b) what the reasons for this enhancement are; and

(c) what is the term fee in the Government Colleges outside Pudukottai?

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

"(a) & (b) Instructions were first issued by the Director of Public Instruction that tuition fees should be levied in the Rajah's College, Pudukottai, at the rates in force in Government colleges in Madras. Revised instructions have since been issued that tuition fees may be levied in the college during 1948-49 only at the rates in force in it previously.

"(c) The attention of the hon. Member is invited to Rule 89 of the Madras Educational Rules."

Profits realized by the Agricultural Department in certain commodities.

* 315 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR:—Will the Hon. the Minister for Agriculture be pleased to state the profit that was realized by the Agricultural department by dealing in (i) groundnut cake, (ii) iron and steel and (iii) sunhemp seeds, for the past one year?

[16th September 1948]

THE HON. SRI K. MADHAVA MENON:—" The audited figures for 1947-48 are not yet available. For 1946-47, the position was as follows:—

(i) *Groundnut cake*.—The trading account showed a gross profit of Rs. 9,35,932. Against this the actual overhead charges worked out to Rs. 14,26,754. The excess expenditure of Rs. 4,90,822 which is the net loss to the Government was the subsidy to ryots which was borne equally by the Central and Provincial Governments.

(ii) *Iron and steel*.—The gross profit to the Government was Rs. 1,55,210. There was no subsidy for this item.

(iii) *Sunhemp seeds*.—Sunhemp is only one of the categories of green manure seeds which are included in the general scheme for 'purchase and distribution of paddy and other seeds'. Hence no separate figures are available for sunhemp seeds. The Trading Account for all seeds showed a gross profit of Rs. 1,547, while the overhead charges worked out to Rs. 2,30,572. The excess expenditure, viz., Rs. 2,29,023 which is the net loss to the Government was the subsidy to ryots which was borne equally by the Central and Provincial Governments."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—" When dealing in controlled commodities, is it not proper that the Government should get a profit, and when there is a loss, does it not follow that there is gross mismanagement? "

11-30
a.m.

THE HON. SRI K. MADHAVA MENON:—" Not at all. In the sale of these three commodities, we were not collecting the overhead charges from the ryots. If the overhead charges are collected, it is not a loss to Government."

SRI V. I. MUNISWAMI PILLAY:—" May I know the overhead charges in respect of iron and steel? "

THE HON. SRI K. MADHAVA MENON:—" I am unable to say what the overhead charges are. But the gross profit to the Government is Rs. 1,55,210."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know what items constitute the overhead charges for the sale of groundnut cake? "

THE HON. SRI K. MADHAVA MENON:—" On an average the Government are maintaining three agricultural depots in every taluk. Each depot is manned by a depot-keeper and a maistry. The rent for the building has also to be paid. These are the overhead charges."

H. S. HUSSAIN SAHIB BAHADUR:—" Will not the Government continue the sale of these necessary commodities even if it entails loss to them? "

THE HON. SRI K. MADHAVA MENON:—" Actually that is being done and the loss is borne by the Central and Provincial Government half and half."

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SRI N. SANJEEVA REDDI:—"Is it not wrong to use technically trained men as selling agents, because they will have no time to impart their knowledge to the agriculturists?"

THE HON. SRI K. MADHAVA MENON:—"That is perfectly so. But in the emergency in 1942 to 1944, there was no other agency to take up the work. Now the agency for sale of manures has been handed over to the Co-operative department."

SRI N. SANJEEVA REDDI:—"May I know why the agency for the other commodities also should not be handed over to the Co-operative Department?"

THE HON. SRI K. MADHAVA MENON:—"The commodities the sale of which has not been handed over to the Co-operative department are iron and steel and paddy seeds. As regards paddy seeds, that department thinks that expert knowledge is required to judge whether the seeds are good or not. Therefore the sale of paddy seeds is left to the Agricultural department. As regards iron and steel, licences are required under the Government of India Iron and Steel Control Order and that Government are not agreeable to entrust the sale to any other department."

SRI N. S. VARADACHARI:—"May I know whether the transport and distribution of groundnut cake are still with the Agricultural department or are transferred to the Co-operative department?"

THE HON. SRI K. MADHAVA MENON:—"The procurement of groundnut cake is with the Agricultural department because the Co-operative department finds it difficult to undertake the work. But the distribution is done by the Co-operative department."

SRI N. S. VARADACHARI:—"To minimize the overhead charges, may I suggest that the procurement and distribution of groundnut cake as fixed by the Government may be entrusted to some of the scheduled banks?"

MR. SPEAKER:—"It is a suggestion to the Government."

SRI S. NAGARAJA MANIGAR:—"As the sale of the commodities except iron and steel has been handed over to the Co-operative Stores, may I know how the overhead charges will be met with hereafter?"

THE HON. SRI K. MADHAVA MENON:—"The depots will be considerably reduced in number."

SRI GUNTUR NARASIMHA RAO:—"To minimize the overhead charges, will the Government consider the desirability of entrusting the work to the District Co-operative Stores or some other private agency and issue permits to the ryots to draw their supplies from them?"

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THE HON. SRI K. MADHAVA MENON:—"As long as the supply remains poor in comparison with the demand, it cannot be considered."

SRI S. NAGAPPA:—"May I know whether it is a fact that in the Kurnool Agricultural office there was a defalcation to the extent of Rs. 40,000 and, if so, what action the Government have taken in the matter?"

THE HON. SRI K. MADHAVA MENON:—"My hon. Friend may put a separate question. This question does not relate to defalcation."

Assignment of waste lands for the landless classes.

* 316 Q.—SRI A. SUBRAHMANYAM (on behalf of Sri S. Paramananda Rayar): will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that on account of the assignment of lands which are being made to political sufferers in pursuance of G.O. Ms. No. 3102, dated 23rd December 1947, many of the ryots and cultivators who have incurred heavy initial expenses and labour in reclamation and had brought barren and waste land under cultivation in pursuance of "Grow More Food Scheme" and otherwise, have been deprived of these lands; and

(b) whether the Government have under contemplation any scheme for the assignment of waste lands for the landless classes and labourers in general, and if so, what they are?

THE HON. SRI KALA VENKATA RAO:—" (a) Leases under the Grow More Food Campaign were for a definite period, viz., 5 years. No undertaking had ever been given to the lessees that the lands would either be assigned to them on the expiry of the lease period or that the leases would be renewed for a further period. The Government do not therefore consider that the assignment of these lands to persons other than the leases can have caused any hardship to them.

Instructions were however issued to the Collectors emphasizing that under the scheme for the allotment of land to political sufferers very poor persons should not be dispossessed.

" (b) The land assignment policy is under the consideration of the Government and orders will issue shortly. It is the intention of the Government that preference should generally be given to Harijans, backward classes and landless poor."

SRI R. V. SWAMINATHAN:—"May I ask Sir, whether the President of the Losari Gutlapadu Field Labour Co-operative Society in Bhimavaram taluk, has submitted a memorial to the Government on behalf of one thousand poor families belonging to backward communities requesting the assignment of 3,000 acres out of the 10,000 acres of land available in the village?"

THE HON. SRI KALA VENKATA RAO:—"The question will be considered on merits."

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SRI B. S. MURTHI:—"Are the Government aware that in Ramanujalanka, Razole taluk, East Godavari district, the lease of lands given to Harijans under the Grow More Food Campaign have been cancelled even though there are three more years for them to expire and, if so, may I know what are the reasons for taking such action?"

THE HON. SRI KALA VENKATA RAO:—"The lanka lands were given to the Field Labour Society under the Grow More Food Campaign. Nonetheless, as my hon. Friend is anxious to know the reason for the present cancellation, I may say that it has been reported by the District Collector that the gentlemen who have taken the leases have become Communists."

MR. SPEAKER:—"Supplementary questions are always oral questions. Members should not read from papers."

SRI V. I. MUNISWAMI PILLAY:—"Some of the lessees under the Grow More Food Campaign have built permanent structures upon the lands. May I know whether the Government have sanctioned it?"

THE HON. SRI KALA VENKATA RAO:—"We have not permitted it. If anybody has built a permanent structure, he must have done so at his own risk, and he will lose it."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know whether the Government have taken back any waste lands reclaimed by the lessees at a considerable expense?"

THE HON. SRI KALA VENKATA RAO:—"People who took lands on lease under the Grow More Food Campaign have to vacate them at the end of five years. That was the condition of the lease, and no other consideration will prevail with the Government. In those days lands were leased to rich landlords also. We have to take back the lands and give them to Harijans, Backward Communities, and landless poor."

SRI P. NATESAN:—"May I know what the purpose is in assigning waste lands to landless classes? If people are landless, they are supposed to be poor. Then, how can they improve the lands?"

THE HON. SRI KALA VENKATA RAO:—"By their labour, their enthusiasm and need."

SRI B. S. MURTHI:—"Are the Government aware that the Field Labour Society, Ramarajulanka, consists of 300 members and that the Secretary who turned Communist has been driven out of the Society and may I know whether the Government will now consider the desirability of helping the 299 members who are not at all Communists and who have given an assurance to the Collector to that effect?"

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THE HON. SRI KALA VENKATA RAO:—"If the Collector reports that they are not Communists, the Government will consider the question."

H. S. HUSSAIN SAHIB BAHADUR:—"In view of the fact that the Government are assigning lands to landless classes and labourers who are generally poor, will they consider the desirability of giving free financial help also?"

THE HON. SRI KALA VENKATA RAO:—"They can borrow from co-operative societies, occasionally takkavi loans are granted, and now and then subsidies also are given."

SRI N. M. R. SUBBARAMAN:—"May I know whether the Government have arrived at a decision on their land assignment policy and, if so, when it will be communicated to the district headquarters?"

THE HON. SRI KALA VENKATA RAO:—"I have already promised that the Government Order will be issued shortly. It is not easy; several clauses have to be scrutinized and the lands being Crown lands, so many conditions have to be attached. The whole thing will be finalized as soon as I am a bit free from my legislative work."

SRI L. N. GOPALASWAMI:—"In cases where the lessees have spent an enormous amount in reclaiming the lands, will the Government be pleased to consider the desirability of renewing their leases?"

THE HON. SRI KALA VENKATA RAO:—"I am not prepared to consider it. If a big mirasdar has invested Rs. 10,000 on 400 acres, I will pluck out the lands from him and give them to landless poor and Harijans."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is the Hon. Minister aware that the Communist Party has not been banned in this Province, that it is no sin to be a sympathizer of the Communists, and are the Government going to take away the assigned lands from all the sympathizers of Communists?"

THE HON. SRI KALA VENKATA RAO:—"My hon. Friend has completely misunderstood my answer. I never said that we were going to take away the lands from mere Communist-sympathizers. Lands were taken away from certain lessees because they were active Communists who were using violence."

BEGUM SULTAN MIR AMIRUDDIN:—"Are the Government paying any compensation to the Harijans who are deprived of the lands assigned to them, in view of the fact that they have spent large sums in improving lands and also because they are poor?"

THE HON. SRI KALA VENKATA RAO:—"The hon. Lady Member has misunderstood my answer. A poor Harijan who

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has been given one or two acres of land is not going to be dispossessed. If we dispossess him, we will not gain anything out of it."

K. M. SEETHI SAHIB BAHADUR:—"May I know who the backward communities are for the purpose of assigning lands?"

THE HON. SRI KALA VENKATA RAO:—"There are 129 communities or so in the list."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I wanted to ask the same question which Begum Sultan Mir Amiruddin asked . . ."

MR. SPEAKER:—"Then the answer will be the same."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"But in a different form. Will not the Government think that it is just to give compensation if the lessee has incurred large expenditure for improving the land, as the value of the land also would have risen?"

THE HON. SRI KALA VENKATA RAO:—"Under the conditions of lease, they have to vacate the land exactly after five years from their taking up the land. If they have invested a large amount, it must be to increase the normal yield and get a profit within that five years. Therefore why should they be paid any compensation?"

SRI A. VEDARATNAM PILLAI:—"Are the Government aware that hundreds of acres have been leased out to some rich mirasdars for a period of ten years and, if so, will they cut short the period?"

THE HON. SRI KALA VENKATA RAO:—"If it is open to the Government, I shall certainly do so. But we are advised that, as they are Crown grant lands, we cannot cut short the period unless we pay compensation."

SRI K. BRAHMANANDAM REDDI:—"Inasmuch as several poor people are likely to be deprived of the lands in their possession, will the Government direct the District Collectors to give them other lands if available in preference to others if it does not come into conflict with the grant of lands to political sufferers?"

THE HON. SRI KALA VENKATA RAO:—"I am not going to give such a direction, because in many cases there are rich people who were patronized by the Advisers."

11-45 a.m. SRI N. S. VARADACHARI:—"Would the Government consider the case of persons who have no other land, but have entirely relied on these small grants of lands and have spent some money on them, and see that they are not deprived of those lands?"

THE HON. SRI KALA VENKATA RAO:—"Their cases also will be considered, Sir."

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SRI K. T. KOSALRAM:—"May I know whether the Government are aware that lands which are assigned in the name of the Harijans under the Grow More Food Campaign are actually in possession of the village officers and rich landlords?"

THE HON. SRI KALA VENKATA RAO:—"There may be some such cases, Sir. People who are given lands under the Grow More Food Campaign are not given permanent pattas. We will make enquiry into such cases and when we make final assignment, the hon. Member may rest assured that no permanent patta will be assigned to such people and we will do the needful at the proper time."

SRI T. VISWANATHAM:—"May I know, Sir, whether it is a fact that in the lands in Romperu Drain area people owning large extents and those owning small extents have likewise been turned out of their lands?"

THE HON. SRI KALA VENKATA RAO:—"Yes, Sir, it may be."

The Madras Finger-print Bureau.

* 317 Q.—SRI K. T. KOSALRAM: Will the Hon. the Premier be pleased to state—

(a) whether it is a fact that the Madras Finger-print Bureau was temporarily shifted to Vellore during the war period; and

(b) if so, what steps have been taken to bring it back to Madras?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) Yes.

" (b) For administrative reasons, Government have decided to retain the Finger Print Bureau at Vellore, so long as the Police Training School remains there. The Police Training School and the Finger Print Bureau can be brought back to Madras when suitable accommodation, etc., become available."

SRI K. T. KOSALRAM:—"Is it not a fact, Sir, that in the annual Administration Report of the Police Department, the Inspector-General of Police has stated that it would be better for its proper working if the Finger Print Bureau is shifted back to Madras, and if so, what action the Government propose to take in the matter?"

THE HON. SRI B. GOPALA REDDI:—"Whatever might have been stated in the Administration Report, the Inspector-General of Police has been definitely of the opinion that the Finger Print Bureau should be retained at Vellore, so long as the Police Training School remains there."

SRI K. T. KOSALRAM:—"Are the Government aware that the Finger Print Bureau will be very useful in detecting crimes which are prevalent in the City? Will the Government also consider the desirability of sending one or two experts for training at the Scotland Yard?"

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MR. SPEAKER:—"The question of sending people to the Scotland Yard for training, is a different question, and does not arise out of the main question."

SRI K. BRAHMANANDAM REDDI:—"May I know, Sir, if the Government would consider the advisability of appointing a handwriting expert in this Province, in view of the fact that so many litigant public have to send their documents to other Provinces for opinion?"

MR. SPEAKER:—"We are not on the question of handwriting experts. We are on the question of the Finger Print Bureau. That question is not therefore a supplementary question on the main question."

Management of educational institutions.

* 318 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state whether it is the intention of the Government that ultimately Government alone should be in charge of educational institutions and that private agencies such as district boards and other institutions should be eliminated?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"No, Sir."

Acquisition of certain lands by the Government in South Arcot district.

* 319 Q.—SRI V. I. MUNISWAMI PILLAY (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the Government have resumed the Government lands under cultivation by Harijan agricultural labourers in Kodangudi, Elumathur in Vriddhachalam taluk, South Arcot district;

(b) whether it is a fact that the same were ordered to be granted to political sufferers, i.e., Thyagis; and

(c) what is the extent of land so deprived and granted?

THE HON. SRI KALA VENKATA RAO:—" (a), (b) & (c) It is presumed the hon. Member is referring to the villages of Kodangudi and Elumathur in Vriddhachalam taluk. The Government have received a representation in the matter from the Harijan cultivators of these and other villages. A report has been called for and is awaited."

Refusal of licence for cinema theatres.

* 320 Q.—SRI P. NATESAN (on behalf of Sri A. Y. S. Parisutha Nadar): Will the Hon. the Minister for Education be pleased to state whether it is a fact that in the district of Tanjore alone buildings with thatched roofs are refused to be licensed for cinema theatres; and if so, for what reasons?

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

"District Magistrates have discretion to grant or refuse licences to touring cinemas in any particular place. The District Magistrate, Tanjore, has considered that it is positively dangerous to allow touring cinemas to conduct shows in thatched sheds. So touring cinemas are not licensed to conduct shows in thatched sheds in the Tanjore district."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether it is not objectionable to allow cinemas in thatched sheds in all districts, and why should it be prohibited in the Tanjore district alone?"

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

"It is objectionable no doubt Sir. There are many other districts in which cinema shows in thatched sheds are not allowed. For instance, Anantapur, North Arcot, South Arcot, Chingleput, Chittoor, Krishna, East and West Godavari, Nellore, the Nilgiris, and Tanjore are some of the districts where cinemas in thatched sheds are not allowed."

Provision for drinking-water wells.

* 321 Q.—SRI S. NAGAPPA (on behalf of Sri P. Kakkan): Will the Hon. the Minister for Public Health be pleased to state—

(a) how many applications have been received for drinking-water wells as recommended by Members of the Legislative Assembly to the Revenue Divisional Officer of Ariyalur, Udayarpalayam taluk, Tiruchirappalli district;

(b) how many wells have been sanctioned and dug out; and

(c) if the wells have not yet been dug out, the reason for the delay?

THE HON. SRI A. B. SHETTY:—" (a) Twelve applications recommended by the hon. Member alone have been received by the Revenue Divisional Officer, Ariyalur, for provision of drinking-water wells in the following villages:—

- (1) Zamin Parukkal.
- (2) Zamin Vanathiranpatnam.
- (3) Irunjaiyur.
- (4) Athichanoor.
- (5) Karaikurichi.
- (6) Kulichi, hamlet of Sholamadevi.
- (7) Melakudikadoo, hamlet of Thirukachiperumalnatham.
- (8) Nalamam.
- (9) Venanalallur.
- (10) Sholamadevi.
- (11) Idanganni.
- (12) Koothangudi.

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“(b) & (c) In Zamin Parukkal a drinking-water well has been sanctioned and the work is in progress. The sinking of three wells in Vanathiranpatnam and of one well in Irungaiyur has been sanctioned and these works will be completed during the current year. Athichanoor, Karaikuichi and Kulichi have been included in the District New year's programme for execution in the years 1950-51 and 1951-52. The question of including the remaining villages also in the programme of work to be executed in the ensuing years is under the consideration of the Collector.”

SRI S. NAGAPPA:—“In view of the fact that sinking of new wells takes a long time and that in most of the cheries there are no drinking-water wells, will the Government launch a scheme, by which public wells that are existing in the villages will be thrown open to the Harijans?”

THE HON. SRI A. B. SHETTY:—“They have already been thrown open, Sir.”

SRI S. NAGAPPA:—“Is the Government aware that not even a single public well has actually been thrown open so far, and the orders are existing only on paper?”

THE HON. SRI A. B. SHETTY:—“This statement cannot be accepted by the Government, Sir. If any specific cases are brought to the notice of the Government, necessary action will be taken in the matter.”

SRI S. NAGAPPA:—“Will the Government consider the desirability of laying on the table of the House a report showing how many public wells are thrown open every month to the Harijans?”

THE HON. SRI A. B. SHETTY:—“All the public wells are thrown open to them, Sir, as I have already answered.”

SRI S. NAGARAJA MANIGAR:—“Is it not a fact, Sir, that delay in sinking drinking-water well is generally due to the want of technical men such as overseers, supervisors, etc., and also on account of high rates of wages demanded by the labourers over and above the scheduled rates?”

THE HON. SRI A. B. SHETTY:—“Yes, Sir, the hon. Member is right.”

SRI V. L. MUNISWAMI PILLAY:—“Arising out of the answer of the Hon. Minister, may I request the Government to call for a report from the District Collectors as to how many public wells are there and how many have been thrown open to Harijans?”

THE HON. SRI A. B. SHETTY:—“I shall have the matter considered, Sir.”

SRI B. S. MURTHI:—“May I know, Sir, in view of the fact that not even 9 to 10 per cent of the public wells have been thrown open to Harijans, whether the Government will consider the

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desirability of issuing fresh instructions to the Collectors to see that all the public wells are thrown open to them within a fixed period?”

SRI P. KANDASWAMI PILLAI:—“On a point of order, Mr. Speaker. You just now gave a ruling that hon. Members should not put questions by reading it from a piece of paper or from manuscript. In spite of it, I see that the hon. Member, Sri B. S. Murthi, is reading from a piece of paper. Is he in order, Sir?”

MR. SPEAKER:—“The hon. Member is not reading it. He is simply looking at the paper.”

THE HON. SRI A. B. SHETTY:—“Instructions have been given to the Collectors in the matter already, Sir. I do not accept what the hon. Member says.”

House-rent allowance for the clerks of the Criminal Investigation Department.

* 322 Q.—SRI K. T. KOSALRAM: Will the Hon. the Premier be pleased to state whether it is a fact that clerks in the Criminal Investigation Department are getting house-rent allowance?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—“All clerks of the Special Branch, C.I.D., are getting either rent-free quarters or a house-rent allowance not exceeding Rs. 50 per mensem each. In the case, however, of clerks in the Office of the Deputy Inspector-General of Police, Railways and C.I.D., those whose pay is Rs. 80 per mensem or less, are getting house-rent allowance at Rs. 7 per mensem, and those whose pay is more than Rs. 80 per mensem but not more than Rs. 150 per mensem, are getting house-rent allowance at 10 per cent of their pay subject to a minimum of Rs. 10 per mensem. These rates correspond to the house rent allowance drawn by clerks in the Madras Ministerial Service employed in Madras City on the same rates of pay.”

SRI K. T. KOSALRAM:—“May I know, Sir, whether such concessions will be allowed to the Finger Print Expert and clerks who are working under the Police Department?”

THE HON. SRI B. GOPALA REDDI:—“There is no such proposal, Sir.”

Alleged alienation of lands brought under cultivation by Harijans.

* 323 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Land Revenue be pleased to state whether it is a fact that the lands brought under cultivation by Harijans and the landless poor under “Grow More Food Campaign” System are taken away from Harijans and given to Satyagrahis?

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THE HON. SRI KALA VENKATA RAO:—"The Government have issued instructions that Grow More Food lessees who are very poor should not be dispossessed under the scheme for the assignment of land to political sufferers."

SRI S. NAGAPPA:—"Sir, are the Government aware, that especially in the Kurnool district, some poor people have been dispossessed of their lands, and if so, will the Government instruct the Collector and the District Advisory Committee not to dispossess such people of their lands?"

THE HON. SRI KALA VENKATA RAO:—"I think, I had better take away the name of Sri Nagappa from the list of political sufferers and put it amongst the Harijans. If the hon. Member can bring to my notice any specific case, I will make enquiries. As I have read from my answer, we have in fact issued only such instructions to the Collectors."

SRI S. NAGAPPA:—"Is the Hon. Minister in order, Mr. Speaker, that instead of answering my question, he should say that he would remove my name from the list of political sufferers and put it among the Harijans? I want your ruling, Sir."

MR. SPEAKER:—"The Hon. Minister never meant anything seriously. He simply said so in fun, because the hon. Member is the best friend of the Hon. Minister for Revenue."

SRI V. I. MUNISWAMI PILLAY:—"Arising out of the answer of the Hon. Minister, may I know who is to decide who is poor and who is not poor? Is it the Collector or his subordinates?"

THE HON. SRI KALA VENKATA RAO:—"Neither the Collector nor his subordinates, Sir. There is a committee in each district, which will go through each application, consider its merits and make its recommendation. The Collector will then finally issue the assignment orders. If there is any miscarriage of justice in any case, the Government can interfere and remove such injustice."

SRI N. SANJEEVA REDDI:—"Is it not a fact, Sir, that the committee is working under so many limitations and that it is not able to do adequate justice to the political sufferers in the matter of assigning lands?"

THE HON. SRI KALA VENKATA RAO:—"So far as I am aware, in many districts lands have already been assigned to the political sufferers, and certain complaints have also been received in the matter, and it is only to remove such complaints that I have proposed to tour the districts and make enquiries. I have already promised the House, that as soon as the Zamindari Bill is over, I will go to each district and see that lands are assigned as soon as possible."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know, Sir, whether the Government will assign to Harijans like the hon. Mr. S. Nagappa lands on the score of his being a Harijan and then again on the score of his being a satyagrahi?"

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THE HON. SRI KALA VENKATA RAO:—"He will not get two assignments, Sir."

SRI B. S. MURTHI:—"May I know, whether the Government are aware that certain Harijans who have been in the enjoyment of certain lands under the Grow More Food Campaign have complained to the Government that their lands have been taken away and given to political sufferers, and if so, what action has been taken on those complaints?"

THE HON. SRI KALA VENKATA RAO:—"Sir, so far as this matter is concerned, my answer is this. While I am in favour of giving as much land as possible to the Harijans and also give them priority, I am not prepared to accept the position that this should be the case in the case of each and every Harijan."

The Cadet Corps Scheme.

* 324 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Provincial Government have not yet accepted the "Cadet Corps Scheme" of the Central Government; and

(b) if so, why the scheme was not accepted?

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

"(a) The Government have approved the scheme generally and are taking the necessary steps to implement it.

"(b) Does not arise."

Assistant Surgeons selected for specialists' posts.

[* 325 Q.—MR. SPEAKER:—"The hon. Member is not in his place and the answer will be printed in the proceedings."]

DR. M. J. SAMUEL: Will the Hon. the Minister for Public Health be pleased to state—

(a) how many Assistant Surgeons are selected for specialists' posts and how many are selected from among the candidates who were serving under Rule 9 (a) (i);

(b) whether the Government have considered the experience and long service put in by some of the medical men under rule 9 (a) (i) for the appointment to these posts; and

(c) how many are still working under rule 9 (a) (i) at present in the Government and how many are lent to local boards?

THE HON. SRI A. B. SHETTY:—"The number of substantive and temporary vacancies in the cadre of Civil Assistant Surgeons in the Madras Medical Service up to the 1st April 1947 was 268 of which 179 vacancies have been reserved for appointment of war service candidates both by direct recruitment and by transfer and the remaining 89 vacancies have

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been allotted for the appointment of civilians by direct recruitment and by transfer. The war service candidates have been appointed as Civil Assistant Surgeons under rule 9 (a) (i) of the General Rules for the Madras Provincial and Subordinate Services pending regularization. Some of them have been holding appointment as temporary Civil Assistant Surgeons under rule 7 (a) of the Special Rules for the Madras Medical Service. The Madras Public Service Commission has been asked to select civilian candidates for appointment as Civil Assistant Surgeons and the result of its selection is awaited. The answer to the question is given only in respect of war service candidates.

“(a) Fifty-five Civil Assistant Surgeons who have rendered war service have been selected for specialists’ posts in the Madras Medical Service and they have been appointed under rule 9 (a) (i) of the General Rules for the Provincial and Subordinate Services. Fifteen of these candidates were serving in the department under rule 7 (a) of the Special Rules for the Madras Medical Service.

“(b) The experience and service of these candidates have been taken into consideration during the time of selection.

“(c) Thirty-eight candidates amongst those mentioned in (a) above are at present working in the department under rule 9 (a) (i) of the General Rules, and the appointment of others have been cancelled as they expressed their unwillingness to accept the appointment. No one has been lent to local boards.”

[* 326 Q.—MR. SPEAKER:—“The hon. Member is not pressing his question, and it is treated as withdrawn.”]

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

II.—ADJOURNMENT MOTION UNDER RULE 36 OF THE MADRAS ASSEMBLY RULES.

12 noon MR. SPEAKER:—“Will the hon. Member Mr. Prakasam, please resume his seat?”

“The hon. Member, Mr. Prakasam, has given notice yesterday of an adjournment motion under rule 36. The motion reads as follows:—

‘I move that I may be given leave to-morrow to move for the adjournment of the business of the House to discuss a matter of urgent public importance, namely, the action of the Government in having the meetings of the Assembly at this critical time and thus preventing the Members—

(1) to be present in their constituencies to help the maintenance of peace and order and good relations between communities;

(2) to tour the occupied areas to strengthen the morale of the people; and

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(3) to help the Indian Troops and officers and people in the establishment of peace and good government in the occupied areas.’

As far as the Chair is concerned, this is in perfect order. I wish to know from the Hon. the Leader of the House what he wants to say on this.”

THE HON. SRI B. GOPALA REDDI:—“I do not object to it, Sir.”

MR. SPEAKER:—“The motion will be taken up at 4 o’clock to-day. Next item in the Agenda.”

III.—MOTION UNDER RULE 17 OF THE MADRAS ASSEMBLY RULES.

THE HON. SRI B. GOPALA REDDI:—“I move, Sir, that rule 17 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 16th September 1948. I have consulted the Leaders of the Opposition and Members, Sir, who were present here yesterday representing their respective parties and they were agreeable to the suspension of this rule for to-day. As soon as the business of the Government is over, Sir, we are prepared to give an official day for non-official business if there is any urgent motion on the Agenda.”

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—“Mr. Speaker, Sir, you would have known and the Leader of the House is also aware how the hon. Members on this side of the House have co-operated with the Government; and particularly the Members of the Opposition are equally anxious that the Zamindari Abolition Bill should go through without delay. I can assure the Government, Sir, that more than the Government Party, all the Members put together, we can say, we on this side of the House are more keen that the Zamindari Abolition Bill should be passed early. That being the case we would not stand in the way of the Hon. the Leader of the House taking this day for official business. It is a known fact, Sir, that in the last year many non-official days have been taken away. So I would only like the Hon. the Leader of the House to say, Sir, that the next two Thursdays—to-day is the 16th and I mean the Thursdays on the 23rd and 30th of this month—will not be alienated. If he would say that, Sir, it will please us very much.”

THE HON. SRI B. GOPALA REDDI:—“Sir, the Leader of the Independent Group has said that everybody is anxious to get through the Zamindari Abolition Bill and that is welcome. If we have session still continuing on the 23rd or the 30th, we would certainly allow those days for non-official work. We hope that the Zamindari Abolition Bill will be finished by the 23rd and if the Assembly continues to be in session on the 23rd we will certainly allot that day for non-official work and 30th also, if there is session.”

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SRI S. NAGAPPA:—"Can we have an idea of the programme, Sir?"

MR. SPEAKER:—"The hon. Member should resume his seat. He must know I have not yet put the motion."

The motion was put and carried.

IV.—SITTINGS OF THE HOUSE.

MR. SPEAKER:—"Do the Government want to say anything about the programme of the House?"

THE HON. SRI B. GOPALA REDDI:—"The Agenda is circulated by the Secretary of the Legislature, Sir."

MR. SPEAKER:—"The hon. Member Mr. Nagappa wants to know as to how many days the House will sit."

THE HON. SRI B. GOPALA REDDI:—"It is entirely in your hands, Sir. It is up to you to decide how long we should sit for the Zamindari Abolition Bill and for the remaining Bills also."

MR. SPEAKER:—"It is not entirely in my hands. (Laughter.) I want the co-operation of the House also. If the hon. Members want to move every amendment that they have given notice of, I do not think I will be able to finish the Bill even in five days. I want the co-operation of the House. If hon. Members abstain from moving their amendments I hope I will be able to finish it in two or three days."

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, may I make a suggestion to the Leader of the House through you, Sir. If the hon. Members representing the party in power would consult among themselves and agree to reduce the number of amendments that would certainly save a lot of time, Sir."

MR. SPEAKER:—"Next item in the Agenda. The hon. Member, Mr. Baig was speaking yesterday. He will continue his speech."

V.—THE MADRAS ESTATES (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947 (L.A. BILL NO. 37 OF 1947)—cont.

Clause 3.

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, yesterday I was submitting, when Mr. T. Viswanatham moved his amendment, that he might move relevant amendments when we deal with the question of increasing the compensation or when we deal with the question of retaining the rights created by the landholder in favour of third parties. That would be the proper place. As I said yesterday if this clause is not there what would happen is this. Just as in the case of the ordinary purchaser, the Government as the transferee of the property will be made a party to all the proceedings that might be instituted by

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the creditors, the mortgagees and other persons having interests in the properties. As I illustrated yesterday, if the Government, according to their scheme, propose to give a lakh of rupees, and the creditors, the first mortgagee or the second mortgagee or the third mortgagee or even simple creditors or some persons having some interest, file suits impleading the Government also, they can bring this property to sale in a court of law. In order to obviate that contingency this provision is necessary. I certainly concede the proposition that was placed before the House by my hon. Friend, Mr. Ramaswami, that persons who have purchased lands for a bona fide consideration would suffer having paid money. My reply to Mr. Ramaswami is that at a proper place, provision can be made for such persons to be granted ryotwari pattas irrespective of the fact whether a purchase was made prior to 1945 or whatever it is. This is not the proper place where we should consider the question. As I have already said, Sir, this clause is necessary, otherwise the Government would be made a party to all proceedings in which third parties might claim an interest in this property.

"Now the question is whether such a provision straightway takes away the rights of third parties which were created by an All-India Act, i.e., the Transfer of Property Act. One of the matters that should be taken into consideration is whether the Provincial Legislature has got the right to do away with the rights created by the Transfer of Property Act in favour of third parties. I have looked into the list of subjects in the Provincial Legislative List and under item 21 of the List it is stated:

'Land, that is to say, rights in or over land, land tenures, including the relation of landlord and tenant, and the collection of rents; transfer, alienation and devolution of agricultural land; land improvement and agricultural loans, etc.'

So, Sir, my submission is that the Provincial List includes this subject-matter with regard to which we are now legislating. I think that it is within the competence of this Legislature to pass a legislation with regard to these matters. Although it is regrettable, Sir, that third parties' rights should be interfered with in this manner, the Provincial Legislature has the right. I am aware of the fact that certain High Courts have held that such a legislation may not bind the third parties. It is for the Government to look into these matters and at a proper place make a provision to see that the rights of third parties are not affected. Therefore, Sir, I think the rights of third parties can be safeguarded by some other amendment at the proper place, and I consider this clause is very necessary."

MUHAMMAD RAZA KHAN SAHIB:—"Mr. Speaker, Sir, I shall speak only for a few minutes at least to satisfy the Hon. the Revenue Minister."

THE HON. SRI KALA VENKATA RAO:—"I am prepared to sit for one month, Sir."

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MUHAMMAD RAZA KHAN SAHIB:—"It is very good, Sir, that the Hon. the Revenue Minister says that he is prepared to sit for one month, in regard to this Bill. I may say, Sir, that he would be doing greater service to this Province if that were the attitude of the Hon. the Revenue Minister, which is really the correct attitude, because the whole purpose of discussion as has been pointed out not only by hon. Members from this side of the House, but by hon. Members belonging to the Party in Power, is not whether this sub-clause or this clause is necessary or not. After all the Government may not at all accept our point of view or our amendments, but it is really necessary for the Hon. Minister to clarify these things, because in this particular Bill, the whole Province is interested. Let not people outside feel that simply because the Hon. Minister has brought and introduced this Bill, we Members of the Legislature have accepted it, without ever having a chance for discussion. Of course, I plead my inability to provoke the Hon. the Revenue Minister to speak. But I am sure at some time or other he will be provoked and he will be made to reply to some of the important points raised either by Members of his Party or by Members of the Parties on this side of the House.

"Well, Sir, that apart, Mr. Viswanatham's amendment is to delete sub-clause (c), namely, 'all rights created in or over the estate before the notified date by the principal or any other landholder, shall as against the Government cease and determine.' I do not know, Sir, what sort of legal advice has been given to the Hon. the Minister by his Legal Department about which he is so proud. It is always the case, Sir, that whenever a property is purchased by some party or the property is transferred, he takes not only the assets but also the liabilities. I am not myself a lawyer, Sir. But arguing the point as a layman, I can say, whatever might be the interpretation of the clause, the fact remains that the Government of Madras are acquiring all these properties. When once they, the Government, acquire the property, it is but logical and reasonable that they should take not only the assets but also the liabilities. The Hon. the Minister for Revenue cannot say: 'I will take the burden of all the assets, but the liabilities will be left to themselves.' It is bad logic and it is bad also in law. I don't know what his legal advisers might have said. But my opinion is that when anyone takes some assets he must also take the liabilities. On his own admission, the Hon. Revenue Minister in his speech the day before yesterday stated that most of these estates were mortgaged and that has been the practice for several decades and hundreds of years. Most of these estates have been mortgaged. If you will go through the records and make an enquiry—it is not too late now—you will find that fifty to sixty per cent of the estates have been mortgaged. I do not speak for the money-lenders. But the point for consideration is that those who have advanced money on the mortgage of these estates did so thinking that they would be paid back at sometime.

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But according to this sub-clause (c) what will happen is Government will take over all the estates, and the mortgagees will be left severely alone. They do not know where they stand. There is a provision in the latter part of the Bill enabling them to go to the District Court and have their claims settled. But the real point for consideration is this. I shall give an example now. The market value of an estate may be a lakh of rupees and on the mortgage of that estate, an amount of thirty thousand or forty thousand rupees might have been advanced. According to the provisions in the Bill, the zamindar will get only twenty-five per cent of the market value, that is, Rs. 25,000. But his estate has been encumbered to the extent of Rs. 40,000 or Rs. 45,000. In that contingency, I do not know how the zamindar will be able to redeem that mortgage. I want to know what is the protection given to the mortgagees. Of course, when once zamindaris are taken over, they will be entitled to an interim payment of 25 per cent of their income till compensation is finally settled. But in the case of the mortgagees what will happen? Will they be getting from Government interest on their advances? Or do the Government propose asking the zamindars to pay the interest. Supposing Government do not pay the interest, and the question of determining the compensation payable is also dragged on for a period of five years, these mortgagees will demand from the zamindars not only the principal but also the accumulated interest for a period of five years. This is a very difficult and anomalous position. Of course, I know that the Revenue Minister may not agree to the deletion of this sub-clause. But I am raising this point so that the Hon. Minister may clarify the Government point of view, and what exactly is the legal opinion given to him by the Legal Department.

"Under sub-clause (b), Government will take possession of mines, minerals, quarries, etc. These are all things which people take to purely as a business enterprise. Business people may have advanced one or two years' money to the zamindars for the exploitation of these mines and quarries. What is to happen to these people? Will Government take the responsibility to repay these people? I cannot expect, having regard to the present mood of the Revenue Minister, that he would agree to delete this sub-clause. But I only want that he should explain to the House what will be the exact position of the mortgagees, whether they will get any interest on the sums advanced, or failing that whether they will get at least after ten years the amounts advanced on mortgage, and what is the position of those people who have taken these mines and minerals on payment to the zamindars, etc. I request the Hon. Minister to clarify these points."

* THE HON. SRI KALA VENKATA RAO:—"Sir, this sub-clause is very fundamental to the Bill. It is an elementary condition under which Government can acquire properties. If after acquisition Government are drawn to courts by all and sundry, it

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will be very difficult for Government to proceed with the acquisition proceedings. A point has been raised saying that somebody might have given a loan on the mortgage of that estate, and that the compensation payable by Government for that estate might not cover even that loan, and in that contingency what do the Government propose to do? Sir, I would like to ask whether the creditor gave money because he wanted property to be protected? It is possible, that in many cases money was advanced with a view to take over the property ultimately, and the money that was advanced might have been simply squandered away. We know so many instances. The creditor first gives a hundred rupees. Then he takes a promissory note for Rs. 1,000. In this way he proceeds encumbering the property. (Interruption by Mahboob Ali Baig Sahib Bahadur.) We speak here from a commonsense point of view. Many of those who have lent money on the mortgage of the property did so because they wanted to swallow the property ultimately. For these things, should Government be the sufferers? Further, there is also another point. Why should the zamindar and the creditor go on dealing with the estate in such a way as to leave nothing residual for the sons of the zamindar? I am again speaking just from the commonsense point of view. It is not exactly my argument. All that this sub-clause seeks to do is, as Mr. Ali Baig has said, to vest the property in the Government, such vesting being lock, stock and barrel. No right should be left out and the Government should not, after acquisition, be drawn to courts of law by private parties, particularly by third parties. At least Government are paying compensation. I ask what would happen if the estates were to go in liquidation? The creditors would then be getting only a dividend declared by the courts. The ordinary law is there. We are not taking away the corpus. We are distributing the corpus by way of deposit in the court. The ordinary law of the country is to distribute the corpus to creditors and others entitled to the properties of estate.

"I would like to inform hon. Members that this will come under the Provincial list. The Bill has to receive the assent of His Excellency the Governor-General on the advice of the Ministry at the Centre. Therefore, any lacuna, will be wiped out by such a signature. (Interruption.) To test the *bona fides*, Sir God alone must come. Human nature has not invented a thermometer to test the *bona fides*. We have to acquire what we say in Telugu '*suddakrayam*' properties."

MR. SPEAKER:—"In Tamil also it is '*suddakrayam*'."

* THE HON. SRI KALA VENKATA RAO:—"Sir, I am very grateful to you for the information. We want to have a *suddakrayam* of these properties, and therefore I am unable to accept the amendment to delete this sub-clause."

MUHAMMAD RAZA KHAN SAHIB:—"On a point of information, Sir. The view of the Hon. Minister is that these mortgagees, who have advanced money to zamindars, should have

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advanced only a small sum, and that amount went on accumulating interest in course of time, and therefore they do not deserve the sympathy of the Government. If that be the view, may I ask the Hon. Minister whether he would incorporate a clause in this Bill, at a later stage, to the effect that all those who have advanced loans are not entitled for repayment. The Hon. Minister thinks that these people may have advanced only some hundreds of rupees, and that amount might have accumulated into thousands, and that the zamindars are not in a position now to pay them. If that is his view, will he come forward with an amendment to be incorporated in the Bill to the effect that, as the zamindars were only mere rent collectors, the creditors had no business to lend money to these zamindars and the zamindars also cannot mortgage their lands."

* THE HON. SRI KALA VENKATA RAO:—"As a matter of fact, Sir, a proposal was made to the Joint Select Committee, that the zamindars whose lands are being acquired should be given the benefit of the Madras Agriculturists' Relief Act. But unfortunately that was thrown out by ten votes to nine."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I have heard two very great propositions of law just now from the lips of the Hon. Revenue Minister. He said '*suddakrayam*' abrogates all rights of third parties. The interpretation of the word is always a matter of law. That is why I said that he has given an exposition of a legal principle. *Suddakrayam* means absolute sale deed and having absolute sale rights. It does not mean a sale deed affecting the rights of third parties who may have acquired rights under previous transactions. That is the first misnomer which the Hon. Revenue Minister has propounded here to-day with an amount of clearness of misunderstanding rarely found. The second is that 'God alone must come with a thermometer to test the *bona fides*.' Shall I, in turn, ask God for a thermometer to measure the *bona fides* of the Revenue Minister? I think that is not the proper way of discussing the merits of the Bill which is brought before this House to determine the rights between people and people and between people and Government. I have often been making the statement that we should not view these things in a light-hearted manner. The hon. Member, Mr. Ali Baig, says that the Government cannot go into litigation with regard to the property which is taken over by Government, and the Hon. Revenue Minister says that Government can of course take over property but they cannot take over its liabilities and enter into any litigation. It is true, but Government are safeguarded by sub-clause (b) itself, which says that the entire estate shall stand transferred to the Government and vest in them free of all encumbrances. Ever since the passing of the Revenue Recovery Act, 1864, and the Land Acquisition Act, Government have always taken care to see that the property

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they take over is free of all encumbrances. This provision is there already. This is included in sub-clause (b). That is why I submit that sub-clause (c) is redundant if that is the intention. This sub-clause does not deal with men but with rights created in or over the estate. That is a distinction which I sought to make out yesterday. I am also anxious to see that Government are not involved in unnecessary litigation. All the same, sometimes it cannot be helped. Suppose there is a ryotwari village and adjoining it there is a zamin village. Say, one pattadar of that ryotwari village has some claims over the lands which are alleged to belong to the zamindar, and a litigation is going on about certain portions of the land in the ryotwari area. I submit, by this sub-clause, that litigation also will have to be wiped out. The titles in dispute in courts regarding boundaries will also be wiped out. It is an astounding proposition for the Hon. Minister to say that all these things should be wiped out as soon as the estates are acquired. Sufficient care has already been taken under compulsory land acquisition proceedings to safeguard the interests of Government. Under the Revenue Recovery Act also Government are sufficiently safeguarded. Under this Bill, the wording of the safeguard is repeated. I have not raised any objection to it. I have not moved any amendment to sub-clause (b). But there is the further point for consideration. Sub-clause (c) goes further. It does not deal only with Government or with the particular zamindar from whom lands are taken over. It deals with rights 'created in or over the estate' of the zamindar 'before the notified date.' There are rights acquired by other parties over the estate. It is not necessarily only one creditor. Let not the Hon. Revenue Minister think that the creditor has advanced only some hundred rupees, and that amount has accumulated into thousands and tens of thousands. It is a misnomer; it is a slogan like an election slogan. In most cases, if an enquiry is to be held, it will be found that that was not the case. Such cases are only exceptions and do not form sufficient basis for the Hon. Revenue Minister of the Madras Government to come forward and say 'that is the reason why I do not care for the *bona fides*.' He even went so far as to say that God alone must come to measure the *bona fides*. I know, Sir, and I may inform the Hon. Minister that there are other means devised and recognized in this work-a-day world to find out the *bona fides* of creditors, debtors, administrators and legislators also. We need not despair about our incapacity. We need not be cynical about it either. There are accepted methods which the courts have laid down and there are also accepted authoritative principles by which we can get to know the *bona fides* of these transactions. There are so many decisions of courts in this country as also in great many other countries. Therefore, Sir, let not this thing be brushed away and treated in a very light-hearted manner. I know whenever the Hon. Minister replies, he gets irritated and he feels irritated more and more. I would only

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request him to get cooler and cooler. As I have submitted yesterday, we have to look into the merits. (Interruption.) Of course, we are looking but we are not satisfied about the merits. We depend upon only God to measure our *bona fides*! But, I say, Sir, there are accepted principles of jurisprudence by which we can verify the *bona fides* of a particular transaction. I only submit that the accepted principles of the Government have almost always been personal and they are not borne on any appreciation of justice. I only submit that clause (c) need not be there because it affects every kind of right. The Bill contemplates one creditor, and one-third party but I may submit that there are several other interests overlapping these rights. It is true there is the tribunal to settle all these things. But, Sir, that tribunal is not a civil court. It is also true that the matter may go to the High Court but that High Court does not sit according to ordinary rules laid down in the Procedure Codes. The High Court Judge also sits as the *persona designata* of the Government. Therefore, I say, these are more or less personal. It is not impersonal. The whole thing is more or less a personal affair from the Government and the tribunal up to the *persona designata* in the Court. That is not the way of administering the affairs of the citizens of this Province. The whole matter should be based on impersonal principles of justice common to all.

"Then, Sir, as regards the objection raised by the Hon. the Revenue Minister that it is absolutely necessary to protect the Government from litigation, I submit, Sir, sub-clause (b) does give that protection. My hon. Friend, Mr. Mahboob Ali Baig also said when we come to some other clause, we may bring in suitable amendment with regard to that protection. Sir, I say no amendment is necessary because protection is given in sub-clause (b). Therefore, Sir, I cannot accept the assertion of the Hon. Minister that God alone can know the *bona fides* of the transactions of all mankind."

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I do not like to elaborate on the points raised by Sri Viswanatham. Sri Viswanatham is a free lance and he has not gone into the merits. I can only deal with this question with my common sense. (Interruption.) One hon. Member from behind me is saying, where there is no common-sense, there is no sense at all. I have heard it said, Sir. I must tell that hon. Member that I will borrow some common-sense from that gentleman who feels so big in the House. Sir, about the present legislation, I must say that this is the work of equally eminent legal luminaries. It is only after the Government acquire the rights of the zamindars, they can deal with the third parties satisfactorily. Therefore, it is absolutely necessary that clause (c) should be there, and I am not prepared to accept the amendment."

The amendment was put and lost.

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Sub-clause (c).

THE HON. SRI KALA VENKATA RAO:—" Sir, I move—

' that in sub-clause (c), for the words " all rights created ", substitute the words " all rights and interests created " . '

Sir, this is only to avoid saying that the zamindar is the owner of the estate."

THE RAJA OF VENKATAGIRI:—" Mr. Speaker, Sir."

MR. SPEAKER:—" The hon. Member may come to the mike and speak."

THE RAJA OF VENKATAGIRI:—" Sir, I do not think I can have the privilege of speaking from the mike which belongs to the Treasury Bench. Simply because the Government say that by mentioning ' rights and interests ', the ownership would be denied to the zamindars, it will not be denied. Those rights stand irrespective of the wording of the section. Therefore, Sir, if the zamindar is not entrusted with the ownership right, then, does it mean he cannot acquire that right? For that reason, I think this amendment is unnecessary."

The amendment was put and carried.

Sub-clause (d).

SRI K. R. KARANTH:—" Sir, I beg to move—

' that in clause 3, sub-clause (d), the words " and all accounts, registers, pattas, muchillikas, maps, plans and other documents relating to the estate which the Government may require for the administration thereof, " may be removed. '

It is true that in some cases in big estates, Government want their accounts for further administration but in other cases, even in the case of petty holders, I do not know why the Government should take away their original title deeds and other things. That seems to me to be beyond any reason. I cannot accept this position because I know that these title deeds and accounts, etc., are very necessary for the zamindars or the inamdars when they appear before the tribunals, whether they are governed by the 1802 regulations or not. Again, Sir, the compensation the zamindar would get depends upon the data and the contents of the title deeds. It is, therefore, not proper that the Government should take away these title deeds, the accounts, etc., and keep them in their hands. That is something which I think will create difficulty, and it is not fair also. I know as a civil lawyer of some standing that even if these title deeds are with the Board, even then it is very difficult to get them when required by the zamindar, because the Board will say that it has gone to the Collector and so on. I am saying this from my experience. Therefore, what I ask of the Government is, do not deprive the

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zamindar of the records or take away his title deeds. When they come into the possession of Government, it does not necessarily mean that they remain in Fort St. George but they will be with some subordinate officer and when the zamindar wants them for arguing his case before the tribunal for compensation and other purposes it will be very difficult for him to get them. Therefore, they should not be taken away. If the Government want, they might take copies of the title deeds, etc., leaving the originals with the zamindars themselves. It would not be fair or proper to take away their title deeds and other things even before they are paid their monies and even before their rights are established before the tribunal. That is my submission, Sir."

* SRI T. VISWANATHAM:—" Mr. Speaker, Sir, I support the amendment moved by my hon. Friend, Sri Karanth, because as he said these accounts, registers, pattas, muchillikas and other things will be necessary to fight out the claims of the zamindar not necessarily against the Government, but against other claimants, the maintenance-holders, the share-holders and others who might have interest in the estate. Sir, Government may be afraid that they cannot retain documents in the possession of persons whose properties have been taken away just as in the case where a sale deed is executed, all relevant documents are handed over to the purchaser. Of course, Sir, Government might have put the clause innocently but the difficulty will arise in the day-to-day affairs. There are other interests also to be considered. In the case of the court or the tribunal, claims will always be considered on the merits of the documents and they will all be gone into at a later stage. Then it will be very difficult as Sri Karanth has pointed out to get copies of these documents from the Government. In fact, Sir, even under the existing Board's Standing Orders, the rules are so stringent that it is very difficult to get copies of relevant documents. Therefore, it will be very difficult for the zamindars and inamdars, etc., to get copies of those documents from the Government after they lose their estates. Without knowing exactly what the documents contain, the zamindar cannot litigate his interests against other interests and claimants before courts and tribunals. I, therefore, submit that he should not be deprived of the accounts, registers, pattas, muchillikas or maps, plans and other things. The Government might have put the clause in an innocent manner. But, I would suggest to the Government to take copies of the accounts, etc., which are absolutely necessary for the administration of the estates. All the documents in the possession of the zamindars are not necessary for the Government for the administration of the estates. It is common knowledge. Therefore, whenever a Deputy Collector in charge or some other officer wants certain documents which are necessary for the administration of the estate, he might get copies of the same but the originals must be left in the hands of the zamindar himself because he has got use for them at a later stage when the matter

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comes up before a tribunal or the High Court. I, therefore, submit that the amendment is very reasonable and I have great pleasure in supporting it."

* SRI R. V. SWAMINATHAN:—"Mr. Speaker, Sir, I want to oppose the amendment for this reason. From my own point of view, these documents are the properties of both the zamindar and the ryots. Suppose a particular land belongs to a ryot and if he wants to establish his claim, he must have access to the document and the other accounts that are necessary. Again, Sir, there are cases where pattas were refused to be granted to the ryots by the zamindars and inamdars. But if these documents are in the possession of the Government, both the landholders and the ryots can get them for their purposes. Suppose a man wants to purchase a land from a ryot, and if the latter refuses or demands more money, then, the man goes to the zamindar and gets from him an assignment and a patta for that piece of land by creating a false entry in the register of the landholder. But if we search the old register we will find that the land belonged to the particular ryot. So, Sir, if the Government keeps all these registers and accounts, it will prevent the zamindars creating false records and will also protect the interests of the ryots. The Government are here to protect the interests of the ryots as well as the zamindars. As the documents belong to the zamindars as well as the ryots, it is absolutely necessary that the Government should take possession of all these documents. Therefore, Sir, I oppose the amendment."

12-45 P.M. MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, my hon. Friends, Messrs. Karanth and Viswanatham, seem to think that the Government destroy a document whenever they think it may be adverse to them. I know, Sir, Government are impersonal and not like private parties. The courts have the right to compel any party, whether it be the Government or any other party to produce any documents which they may desire. And Government have produced documents in certain cases even if they knew well that the documents were against them. Neither the Board of Revenue, nor the Government, or for the matter of that, the Collectors, as far I know, can destroy any document. It is a wrong notion that some people have, especially those who are appearing against the Government in cases, that the Government destroy any documents that may be adverse to them. I can say with confidence that in no case, have Government withheld any document which is adverse to them. I know of certain cases where the Government have produced quite a lot of documents in the courts. They cannot afford to disobey the Courts. Of course, there was only one instance where certain documents were missing. The case went up to the Privy Council. The lower courts had held that the Government had withheld the documents. But the highest court, i.e., the Privy Council held, taking into account the cyclones

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that had been raging at that time in Masulipatam and other places, that those documents must have been destroyed. I repeat, Sir, Government are impersonal and not like any private parties.

"Then, Sir, with regard to the documents which under this sub-section should be given to the Government, as far as I know, these maps, plans, etc., are already with the Government. As a matter of fact, these maps, etc., are prepared by the Government, and they have always been in the Survey Department. The karnam of the zamindari village is also the karnam of the Government, and most of the accounts in the zamindari estates are the accounts that are prepared by these karnams with regard to every zamindari village. A copy of these things is always kept in the Taluk office. As for the pattas, and the muchilikas, these may not be in the possession of the Government. With regard to the other documents, I think the Government need not press that these maps and plans, registers and accounts should be given to them. If, however, they want them they may, however, take copies thereof. Or if that is not possible, at least certified copies may be given to the parties concerned, without payment of any cost."

THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, even in proper warfare, an adversary who is without arms is first provided with arms and then fought. But here I find, that after notification in the gazette that these estates are going to be taken over, the records and the documents which the Government in their just or unjust discretion would choose and would decide as being necessary, would be taken possession of. If I have read the speech of my hon. Friend, Sri Kala Venkata Rao, rightly, I think he seems to have expressed his readiness to agree to the suggestion made by my hon. Friend, the Zamindar of Mirzapuram, that copies would be given and all the documents would be taken possession of by Government. Sir, so far that is good of him. That alone could not be sufficient because the documents, registers and all the papers which they decide, and which the officers who are going to be in charge of these estates would decide, are necessary, would be taken possession of first, and then only the copies would be given to us. My hon. Friend, Sri Swaminathan, just now told this House, that these documents are the possessions of the public, and therefore they are necessary for Government. I would like to submit, Sir, that copies of these documents, maps, registers, dittams, etc., are there with the village officers who are after all the servants of Government. Sir, if the provisions of this Bill come into effect, first we shall be deprived of the possession of these registers and dittams, etc., copies of which are already with Government, and then only copies of these are promised to be given to us. But, so long as human beings continue to be what they are, with all the frailties in them, whether they be zamindars, ryots or Government officers, there would be lot of scope for harm being done to the zamindar, if he is first deprived of the documents and then only given copies of the same. This is considered to be a

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just and sufficient procedure by the Government. Once these documents are taken away from us, there is scope for certain things being done. Therefore, I think that the documents should not be taken away from the zamindars, until the copies are prepared and given to them; or alternatively, the copies of the documents which are already with the village officers who are in the service of the Government, may be taken by the Government. We have also heard of cases where certain documents which have been placed in the custody of the courts either undergoing certain changes or disappearing. As such, I think, the documents being first taken over by Government, and then true copies being given to us, of, at least, those documents which are considered to be necessary, are, I think, far in excess of the necessities of the case. Therefore, I would again request the Hon. Sri Kala Venkata Rao that no documents should be taken away from the possession of a zamindar, whether before or after the notification, till an authenticated copy of them are given to him.

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“Sir, that fact that some documents and papers will be taken away from us disturbs us very much. It would, in our opinion, amount to this; it would mean leaving us with no means or facilities to prevent any wrong being done; it would completely disable us from establishing our rights. For these reasons, I think, that the provision in the Bill should be dropped. If it is considered to be necessary, it should be laid down in the appropriate place that no document should be taken away from the zamindar before an authenticated copy is given to him; or the copy authenticated can be taken by the Government, and the original documents can be retained by the zamindar himself.

“My hon. Friend, Mr. Swaminathan, said that these papers belonged to the public. As a student of politics, I am trying to understand the progress of modern thought. I have yet to come across any authoritative statement which says that even documents relating to our present rights are considered to be public documents. As I said, there are, no doubt, certain public documents like dittam, village accounts, etc. Copies of these documents are with the officials of the Government. There are practically no other document that can be considered to have any relationship with the tenant's rights. The documents may be left with the zamindar and let the copy be taken by the Government, I have no objection. But let not anything be done to deprive the zamindar of the means and facilities of establishing his rights.”

* SRI D. V. RAMASWAMI:—“Sir, the hon. Member, the Raja of Venkatagiri, is seeking to move an amendment for inserting the words ‘after preparing and furnishing true copies thereof’ after the words ‘for the administration thereof’. Therefore, I am surprised to find him supporting this amendment. He has himself suggested that the copy may be with the landholder, whereas the original may be taken by the Government. He seems to shift his ground for curious reasons. I understand that the representative of landholders, the Raja of Venkatagiri, has given

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notice of an amendment that the Government can have the documents after giving true copies to the landholder. Another representative of theirs, Zamindar of Mirzapuram, has accepted the position that ‘copies shall be given to the zamindar’ and that the original records may be taken by the Government. It is very surprising that hon. Members who have given notice of these two amendments Nos. 69 and 70 are speaking against their own amendments. There may be the very reasonable argument that during the Advisers’ regime or when a party caucus was in power, people were not able to get true copies of documents they handed over to the Government. Now a responsible Government of the people and by the people is in power. Therefore, it seems to me to be reasonable to have faith that the Government can be safely trusted to be the custodian of very important documents relating to zamindars and landholders of this Province. For these two reasons I appeal to my hon. Friends, Messrs. Karanth and Viswanatham, not to press their amendments.”

MUHAMMAD RAZA KHAN SAHIB:—“Sir, no doubt the amendment of the Raja of Venkatagiri wants that copies of documents which the Government intend taking possession of after the notification should be given to zamindars. My hon. Friend, Mr. Ramaswami, stated that the hon. Member, the Raja of Venkatagiri, has shifted his ground from the position that copies might be with the Government and the original left in the possession of the zamindars. I think there is nothing in his contention. I think the Hon. Revenue Minister seems to be now in a compromising mood. I can understand this from his face. I can read in between the lines. He may have some sympathy for zamindars, allow them to have the originals and the Government can take copies. But he wants to take the lion's share of keeping the originals and leaving copies with the zamindars. The point is there is some force in what my zamindar friends have stated. We have got every confidence in the Hon. Minister that he would act with great care. But the point is we are not dealing with the Hon. Minister who is sitting in the Secretariat. The entire work is done by some petty officials of the Revenue Department, by the karnam and others. Invariably these documents will be missed by them. They will try to suppress certain important documents if they are interested in a particular person. Pending the decision of the court, a person may desire to have a share of the estate, to which it will be perfectly clear that the zamindar or mandar is entitled to get ryotwari patta. To prove that the zamindars are entitled to get ryotwari pattas, and to prove their *bona fides*, they may have some important documents. It is likely that some local officers, like the Tahsildar, the Revenue Inspector or some other official may know some person who has interest in the property, and the former may suppress the document or destroy it the moment he gets possession of it. There is nothing wrong in asking the Hon. Minister to take copies and to leave the originals with the zamindar, inamdhar or the party concerned. I am sure the Minister's

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point of view may be this; what does it matter, the original may be kept by the Government and the copy by the zamindar. I can retort. If it does not matter, the Government may take copies, leaving the originals with the zamindar.

"Apart from this argument, the zamindar may require the document not only for the purpose of proving his *bona fides* and his *prima facie* case that he is entitled to the ryotwari patta, but ask for very many matters relating to the zamindar's estate which may come up, such as moneys taken as loans. It is but right that the zamindars who continue to be owners of the property till such time as the compensation is paid, should be in possession of the documents. There is a moral factor also involved in the matter. A person may have taken a loan from the zamindar after executing a bond for Rs. 1,500 and he may say I will pay you back your money. The zamindar must have with him the connected document. It is not as if I wish to make a charge against the Revenue Minister. But it is likely that the local officials in their enthusiasm or on account of some prejudice or bias against a particular person, may suppress or destroy the document concerned. Even if the amendment is not accepted, at least the Revenue Minister can say that in view of the very good arguments put forward, the Government would take copies and leave the originals with the zamindars in spite of the unconvincing arguments put forward by my friend, Mr. Swaminathan or the elderly gentleman, Mr. Ramaswami."

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, under the clause as it is provided, we do not propose to take away the main title deeds which deal with the grant of the estates to the zamindar. What all we want are a certain type of documents which are very necessary for the future administration of the property, as it will come over to us. Without them it would be difficult for the Government to determine various rights within the estate. For instance in the case of an irrigation channel there will be a number of documents as to the ownership of the channel as between the zamindar and other parties. The Government step into the position of the zamindar and we have to know our own right. In any future litigation if all the connected documents are not with us we will not be able to face any claim from other parties.

"Then, Sir, there is another important point. When a land is purchased, the seller should hand over all the documents concerning that land to the gentleman who purchases it. In the same manner when we take over estates, we must have all the records so that we can proceed with their survey and settlement. We are not in favour of taking each one of the documents which are in the zamindar's record office.

"Further there is another factor. If you read the section, you will find that it is not mandatory. The word used is 'may'

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and not 'shall'. Therefore there is option in the matter. Therefore the present clause is necessary. If we are not in need of any particular document or record, we will not ask for or take it. I would like to state that the Government will keep the records safely in their record office. The documents have to be kept for years. Some hon. Members stated that the Revenue Officers are likely to destroy the documents or refuse to give them to the zamindar. That is not a correct statement. Government have got records from the year 1802 till to-day. If you go to the record office, you will find numerous original documents. Our successors may require some of these documents in future. When the estate which is a corpus now, is going to be dismembered, the successors-in-title who get the documents, after 50 or 60 years may not be as careful as the present Raja of Venkatagiri. If the records are kept in the Government Record Office, they will be kept safely for the use of the zamindars as well as of the Government.

"I am prepared to say two things. One is that we do not want all documents. The second thing is that we are prepared to give copies of the documents (certified by the Government) that are needed by the zamindar to prove his rights and claims. The only question now is as to whether who should keep the originals we or the zamindar. Is it not better that we should keep the originals in our Record Office and give the zamindar certified copies? We do not propose to take every document which the zamindar has. We will want only those that are necessary for administrative purposes. With these words I would request the hon. Member to whom I have given these assurances to withdraw the amendment."

* THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, I wish to know whether the Hon. Minister intends to take charge of the records first and then give copies. I should like to know whether I have understood him correctly. Our submission is that the Government must decide which records are necessary for them and for such records they should take copies and allow the originals to be retained by us. May I know whether the Government propose to take over the records from us, after copies are prepared and given to us? Suppose 100 documents are taken away and we have no list of them or copies of them. If the Government should decide what documents should be copied and supplied to us, it is not fair. I would, therefore, earnestly request that copies may first be prepared of the documents which the Government think are necessary for the administration, give them to us, and then take them.

"Mr. Speaker, my Hon. Friend, Sri Kala Venkata Rao Garu, said that when a property is purchased all the documents relating to the property are taken away by the purchaser, but that is done only after the completion of the transaction. But here as I explained at length to the House . . ."

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MR. SPEAKER:—The hon. Member is making a second speech."

THE RAJA OF VENKATAGIRI:—"I thought that if I pointed out this thing it would help the Hon. Minister. That is why I am doing this, though I am conscious of the fact that I am taking this extra privilege of making a second speech. I wanted to remove the wrong impression from the mind of the Hon. Minister by pointing out to him that until the transaction is completed, the documents are not taken away by the purchaser."

* THE HON. SRI KALA VENKATA RAO:—"The Raja Sahib's request can be met by a simple device, namely that we will take an inventory of what all we take and give him a copy."

SRI K. R. KARANTH:—"Sir, while I quite agree that the matter is not one which is susceptible to any hard and fast rule, I quite appreciate the difficulty of the Government that for the future administration of the estate certain accounts will be required. But the question of title-deeds as the Hon. Minister was pleased to remark is on a different footing. Where a man has to establish his title, show how the grant was made, whether he is the owner of the melvaram or the kudivaram and so on, the documents relating to these should remain with the owner. Therefore I would request the Government to see to this.

"Sir, also let not the Government think that once they get hold of the records they are quite safe. That may be the position in Madras, but I do know that very often we cannot get a document we want. When we want to fight the Government I have found that the officers of the Government fight far more bitterly than private parties. The fact that the records will be in the record office is no satisfaction to us. I hope that the matter will be looked into very carefully. If the zamindar or an inamdar wants to establish that he was in possession of the property, that he has got a patta for it, he may have to show his accounts to prove that he has been cultivating the lands from 1939 to 1948 and so on. If the records are taken away he will not be able to place his case before the tribunal. The Government may also consider whether some of these documents which will be required by the tribunals should not be kept with the tribunals themselves, so that they may be easily available to both the parties, to the Government as well as to the various interests concerned. Anyhow in view of the assurance given by the Government I do not press my amendment."

The amendment was by leave withdrawn.

ZAMINDAR OF MIRZAPURAM:—"Sir, I want to move the amendment which seeks to substitute the words 'which are necessary' for the words 'which the Government may require'."

MR. SPEAKER:—"It is on the same lines as the previous amendment."

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ZAMINDAR OF MIRZAPURAM:—"There is difference between 'necessary' and 'required'."

THE HON. SRI KALA VENKATA RAO:—"I have given an assurance to the House that we will take only what is required."

ZAMINDAR OF MIRZAPURAM:—"In view of that assurance, I do not move that amendment, Sir."

THE RAJA OF VENKATAGIRI:—"I want to move amendment after the words 'for the Administration thereof' insert the words 'after preparing and furnishing true copies thereof to the landholders'."

The assurance given by the Hon. Minister does not satisfy me, because what he says is that an inventory of the documents taken over from us would be prepared and a copy of it given to us. It may be like this: 'Dittam number so and so, correspondence covering so and so,' etc. But there may be so many other papers in the file, and surely the Hon. Minister knows as an administrator how it would be possible for interested parties to tamper with these papers. Sir, I would like to be understood that I cast no reflection on anybody. As I said before, human nature being what it is, there have been cases where very confidential documents kept in the secret archives of the Government disappearing and there have been also proceeding against such leakages. Therefore I request the Hon. Revenue Minister to assure us that copies would be prepared first and then the documents taken over—whatever documents they require. I suppose that documents relating to certain purely personal affairs may not be taken away. As far as documents relating to the administration are concerned, no document, no paper should be taken away from us before a copy is taken either by the Government or an authenticated copy given to us. Otherwise, Sir, there is scope for harm being done to us in spite of the best intentions of the Hon. Minister for Revenue."

MR. SPEAKER (after a pause):—"The amendment is not seconded; it falls through for want of a seconder."

ZAMINDAR OF MIRZAPURAM:—"I second the amendment, Sir."

MR. SPEAKER:—"It is too late."

ZAMINDAR OF MIRZAPURAM:—"Then I am moving my amendment No. 70, which runs as follows:—

Renumber the existing sub-clause as (3) (d) (i) and add the following as (3) (d) (ii) before the proviso:—

(ii) the Government shall grant copies of such accounts and records to the landholder free of cost when an application is made by him for the purpose before taking delivery of the estate records'.

The Hon. the Revenue Minister said that he would take an inventory of the records and give us a copy of the list and then take

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away the records. He would give a copy of the record whenever it is required by the landholder. But that is not enough. For when once the records are taken away by the Government, if the zamindar requires any record he may not be able to get it in time to prove his various claims before the various tribunals. I request the Hon. the Revenue Minister to assure us that he will give us copies of the records which are taken away by the Government so that the zamindars may have no trouble in proving their various claims before the various tribunals."

THE RAJA OF VENKATAGIRI:—"I second the amendment, Sir. I submit, Sir, considering the physical frames with which both the representatives of the zamindars have been blessed by Providence, the Hon. the Speaker may be pleased to allow us sometime for rising and seconding the amendments. (Laughter.) This amendment is almost on similar lines to the one I moved but which fell through for some technical defect. I request my Hon. Friend Sri Kala Venkata Rao Garu to be kind enough to give an assurance that before the records are taken away from us, copies would be given to us free of cost. It is very necessary. It is but the barest of justice and if this request is denied, I am afraid I will have to feel very bitterly about it. I have nothing more to say, Sir, except to again request the Hon. Sri Kala Venkata Rao Garu to be kind enough to assure us that copies of these records would be given to us free of cost and only those documents which are necessary will be taken over."

* THE HON. SRI KALA VENKATA RAO:—"Sir, I have already stated what we are going to do. As soon as we get possession of the records, an inventory, a very detailed inventory of them will be made as soon as possible—within a day or two days or ten days. Then we will give copies of documents needed. I assure him that we will take an inventory in the first instance and give copies in the second instance."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"When will the inventory be taken? After taking possession or before?"

THE HON. SRI KALA VENKATA RAO:—"After the notification, when the manager goes there to take charge of the records, he will do all these things."

ZAMINDAR OF MIRZAPURAM:—"If I understand the decision of the Hon. the Revenue Minister, it is that he will take possession of the records first, and then make an inventory. Perhaps he would not be there then; the Revenue Secretary would not be there then; the Collector and the big officials will not be there. The work will be entrusted to minor officials."

THE HON. SRI KALA VENKATA RAO:—"The work can be done in the presence of the zamindar's officials. If we send our officials, the zamindars also can send their officials there."

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ZAMINDAR OF MIRZAPURAM:—"It is a very sporting thing to ask us to send our officials there, but the Hon. Minister should know that as soon as our estates are taken over, no zamindar will be able to maintain or retain any official. So it is not enough to say that the Government will take the records first, keep them in a room and allow them to be tampered with by other people and then make an inventory of the available records in the record room. This is most unfair and unjust. Our request is a very simple one. Let the Government prepare copies of the records for themselves or give us copies of the records and take away the originals. If the Hon. Minister is not agreeable to this suggestion, at least let the inventory be made first before the records are taken away and let a copy of the inventory be handed over to the landholder. Let copies of the records be given to the landholder before they are taken away or at least let the inventory be made before the records are taken over by the Government."

* THE HON. SRI KALA VENKATA RAO:—"I agree to the taking of an inventory in the presence of the estate officials, the officials of the zamindar. In another clause we have provided for taking over the charge of the buildings. We are not going to carry away everything. We will have an administrative unit in the estate area. I therefore request the hon. Member to withdraw the amendment."

ZAMINDAR OF MIRZAPURAM:—"Sir, on the assurance given by the Hon. the Revenue Minister that he will take an inventory of the records in the presence of the landholder and his officers and that he will give a copy of such an inventory before the records are actually taken over by the Government, I withdraw my amendment."

The amendment was by leave withdrawn.

The House adjourned for lunch.

(After lunch 2-30 p.m.)

SRI V. I. MUNISWAMI PILLAY:—"Mr. Speaker, the amendment given notice of by me is similar to amendment No. 2 given notice of by my hon. Friend Mr. Nagappa."

MR. SPEAKER:—"When that amendment is moved, the hon. Member may speak on it."

SRI V. I. MUNISWAMI PILLAY:—"Can I not speak on it here, Sir?"

MR. SPEAKER:—"The best course would be to support the amendment of Mr. Nagappa when he moves it, because it is a comprehensive amendment."

SRI V. I. MUNISWAMI PILLAY:—"Thank you, Sir. Then, Sir, I am not moving my other amendment."

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SRIMATHI V. SEETHAMAHALAKSHMAMMA :—“అధ్యక్ష, 3 వ క్లాసులోని ప్రావైలో (i) item లో “Officer” అనే పదము తరువాత “and the Tribunal on appeal, if any, to it” అనే పదాలను చేర్చాలి. ఎందువల్లనంటే ఈ క్లాసు ప్రకారము రైతులు Settlement Officer కు appeal చేసుకోవడానికి ఏమిలేదు కాని దీనివల్ల sub-clause లో జమీందారులకు appeal చేసుకోనే అధికారమును కలుగజేసాయి. మనము ఈ జమీందారి రద్దు బిల్లును రైతులకు ఈ జమీందారి భూములలో ఎక్కువ హక్కులను కలుగజేయడానికి మాత్రమే pass చేస్తున్నాము. ఈ డ్రేజ్ ముతోనే రెవిన్యూ మంత్రిగారు ఈ బిల్లును ఈ శాసనసభలో ప్రతిపాదించినారు కాని ఈ బిల్లులోని 3 వ clause వల్ల రైతులకు అన్యాయము జరిగివచ్చును appeal చేసుకోనే హక్కు వారికి ఇవ్వబడలేదు. కాని ఈ హక్కు జమీందారులకు కలుగజేసాయి. దీనివల్ల ఒక చట్టానికి ఉపకారము జరుగుతుంది. రెండవ చట్టానికి అన్యాయము జరిగే అవకాశమున్నది. అందువల్ల రైతులకు కూడా Tribunal కు ఆపీలు చేసు నే అధికారము కలుగజేయవలసిగా కోరుచు, రెవిన్యూ మంత్రిగారిని నా amendment ను అంగీకరింపవలసినిగా ప్రార్థిస్తున్నాను.”

SRI B. VENKATANARAYANA REDDI :—“అధ్యక్ష, శ్రీమతి సీతామహాలక్ష్మమ్మగారు ప్రతిపాదించిన సవరణను second చేస్తూ ఈ సామాన్యమైనట్టి వంటి amendment ను సమర్థించవలసినిగా రెవిన్యూ మంత్రిగారిని హితవచనం పూర్వకంగా ప్రార్థిస్తున్నాను. ఇది సామాన్యమైనట్టి విషయమైనను జమీందారులకు ఒక విధముగాను, రైతులకు ఇంకొక విధముగాను ఉన్నది. ఈ clause లో ఇప్పుడు ఉన్న విషయము మరచిపోయి—

(i) If such person is a ryot, pending the decision of the Settlement Officer as to whether he is actually entitled to such patta;

(ii) if such a person is a landholder, pending the decision of the Settlement Officer and Tribunal on appeal, if any, to it, as to whether he is actually entitled to such patta;

అని ఉన్నది. దీనివల్ల appeal చేసుకోనే అధికారము జమీందారుల కొక్కరికి మాత్రమే ఉన్నది. కాబట్టి ఈ అధికారాన్ని రైతులకు కూడా ఇవ్వించవలసినిగా ప్రార్థిస్తున్నాను.

రెవిన్యూ మంత్రిగారు ఈ బిల్లులోని 14 వ section ప్రకారము ఇటువంటి హక్కు రైతులకు కూడా కలుగుతుందని అభిప్రాయపడుతున్నారు. వారికి నేనీ మనవి చేసేదేమిటంటే, ఈ 14 వ section 11, 12, 13 sections లోని జమీందారుల స్వంత భూములకు మాత్రమే వర్తిస్తుంది కాని ఇతర భూములకు వర్తించని అన్యాయించలేమని మనవి చేస్తున్నాను. రెవిన్యూ మంత్రిగారు వారి అభిప్రాయములనుగాని, నిర్ణయములనుగాని సూర్యకౌశవ రెవని ఈ amendment ను move చేసినవారికిగాని, నాకుగాని లేదు. కాని జమీందారులకు కలుగజేసిన ఇటువంటి హక్కునే రైతులకు కూడా కలుగజేయవలసినిగా నా అభిప్రాయము. కాబట్టి ఈ న్యాయమైనట్టి amendment ను సమర్థించవలసినిగా రెవిన్యూ మంత్రిగారిని ప్రార్థిస్తున్నాను.”

* **SRI A. KALESWARA RAO :—**“Mr. Speaker, Sir, I rise to support this small and just amendment. The privilege of

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appealing to the Tribunal on the decision of the Settlement Officer is denied to the ryots, whereas the landholder has the right to make such an appeal. That is unjust. My hon. Friend, the Revenue Minister, asks me to read sub-clause (2) of clause 14. Now, Sir, this clause 14, as has been explained by my hon. Friend, Mr. Venkatanarayana Reddi, refers only to the nature and history of all lands in respect of which the landholder claims a ryotwari patta. The question of the grant of ryotwari pattas is referred to in section 11, that is the case of zamindars; section 12 in respect of inamdars and then section 13 deals with the grant of pattas in general with regard to under-tenure holders. So, Sir, I submit that this clause 14 relates to lands in respect of which the landholder claims ryotwari patta under sections 11, 12 or 13 as the case may be. Sub-clause (2) of clause 14 says:

‘Any person deeming himself aggrieved by a decision of the Settlement Officer under section (1) may within two months from the date of the decision or such further time as the Tribunal may in its discretion allow, appeal to the Tribunal; and its decision shall be final and not be liable to be questioned in any Court of Law.’

There are two classes of cases envisaged here. The landholder himself may feel aggrieved; he may think that his lands are lands which ought to go to him and that his right to patta is unjustly denied to him. Then naturally on the decision of the Settlement Officer he can go on appeal to the Tribunal according to section 14. Generally the ryots may say that all land which should belong to the public, it is all ryoti land and not private land and they may object saying that such land does not come under section 11, 12 or 13 of the Bill. According to this section, it means any person aggrieved—not any particular ryot who is fighting for the patta of his land—may say, though it is not his own land, yet it must go to the village community, it should go to the Government and the Government must take it over and distribute it to the landless people or to political sufferers and so on. In that way they can object. There the person aggrieved refers to landholders being given patta. But the question here is, if such a person is a ryot and that individual ryot claims patta for the land, and he is denied patta, there is no appeal provided against the decision of the Settlement Officer, whereas in the case of the landholder he can appeal against the decision of the Settlement Officer to the Tribunal. For ryots no appeal is provided in the Bill with regard to the land for which they claim patta. I think it is a clear mistake and this has also been noticed by the Joint Committee of the Andhra Provincial Congress Committee and the Andhra Provincial Kisan Congress to whom my hon. Friend asserts so much of loyalty. Though my hon. Friend assumes so much of loyalty to them, on the whole they say they are disappointed with the performance of the Select Committee and also of the Revenue Minister for not keeping up the promise that he had been making from time to time. I shall hand him over the paper which they have sent me and I am sure he must have received a copy of it also. Therefore, Sir, his too much

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of assertion of loyalty and all that to the Andhra Provincial Congress Committee and the Kisan Congress is all useless in the face of their resolutions. The main point that they have noted is, whereas an appeal is provided in the case of the zamindar, no such thing is provided in the case of the ryots. Therefore, Sir, I hope the Hon. Minister will read the clause again and reconsider the whole position and provide for an appeal to the Tribunal as in the other case of zamindars. We want justice to be done. The other two representatives of the ryots have spoken on it and I request the Hon. Revenue Minister to reconsider the position and not simply say that under section 14 some such appeal is provided. I say it is wrong, because the question of an individual ryot feeling aggrieved is different from a zamindar or a landholder feeling aggrieved. I have pointed out the difference between the two and I hope the Hon. Minister will accept the amendment."

* THE HON. SRI KALA VENKATA RAO:—"Sir, I am in entire agreement with what all the hon. Gentleman has said, namely, the ryot should have the right of appeal to the Tribunal against the decision of the Settlement Officer. With reference to the two gentlemen to whom my Friend, Mr. Kaleswara Rao referred, I may say that in spite of what he said and in spite of his tall-talk I have their confidence and the confidence of the ryots and in fact I have discussed the matter with these gentlemen and I was even prepared to comply with their request, but on a legal examination of clause 14 (2), we found there was no necessity to add the words suggested in the present amendment. Still because some hon. Members feel that something is not covered by the clause, I shall however, get it examined again and if there is found to be any necessity for the insertion of those words, I shall add them in sub-clause (2). However, I think that these words need not be included here and I therefore request the hon. Mover, Seethamahalakshamma, to withdraw the amendment."

SRIMATHI V. SEETHAMAHALAKSHMAMMA:—"దీనివన ఉన్న Sub-clause లో ఈ appeal చేసుకొనే ఆధికారము జమీందారులకు కలుగజేసారు. అటువంటి ఆధికారాన్ని రైతులకు కూడా కలుగజేస్తే బాగుంటుందని మనవిచేస్తున్నాను."

THE HON. SRI KALA VENKATA RAO:—"14 వ section లో ఇటువంటి appeal చేసుకొనేటటువంటి ఆధికారాన్ని రైతులకు కూడా కలుగజేసినానని Legal Department వారు చెబుతున్నారు. కాని వారిని ఈ విషయమై మరల కనుకొని ఆవసరమైతే 14 వ Section లో సరిగ్గా మార్పులు చేసుకొనవచ్చును. ఇందుకు నాకు ఆధ్యంతరములేదు. కాబట్టి వారిని ఈ సవరణను ఉపసంహరించుకొనమని కోరుతున్నాను."

2-45 P.M. SRI A. KALESWARA RAO:—"On a matter of personal explanation, Sir. The Hon. Revenue Minister said that I have made a tall-talk. I am a lawyer and I know law much better than he does. I differ from him and his legal advisers about this

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amendment. And I still persist there is a legal necessity for this amendment of mine. It is not I that is making a tall talk. It is somebody else that is indulging in tall talk."

* THE HON. SRI KALA VENKATA RAO:—"I am sorry I am not a lawyer, and I do not claim to know much of it. I am a pigmy before him and his legal knowledge. But what he said was 'this Revenue Minister broke his promise to be loyal to the ryots'. I am loyal to the ryots more than any one else."

SRIMATHI V. SEETHAMAHALAKSHMAMMA:—"14 వ క్లాసు Private land కు మాత్రమే సంబంధించినది. ఈ clause అన్ని భూములకు వర్తిస్తుందని చెప్పినా మంత్రిగారు అంటున్నా కూడా నాకు ఇంకా సందేహముగానే ఉన్నది. ఈ clause స్వరూపములేదు, 14 వ క్లాసు స్వరూపములేదు."

THE HON. SRI KALA VENKATA RAO:—"14 వ section Private lands కు మాత్రమే కాకుండా ఇతర భూములకు కూడా వర్తిస్తుంది"

SRIMATHI V. SEETHAMAHALAKSHMAMMA:—"మంత్రిగారు అంత గట్టిగా హామీ ఇస్తున్నారు కనుక రైతులకు ఇటువంటి appeal ఆధికారాన్ని 14 వ section లో తప్పక కలుగజేయవలసినదని కోరుతూ నా సవరణను ఉపసంహరించుకొంటున్నాను."

The amendment was by leave withdrawn.

SRI N. S. VARADACHARI:—"Sir, there are two things in my amendment. I am not moving the first. With regard to the second, I am informed it relates more to clause 10 than to this clause. So I would like to move it when clause 10 is taken up."

MR. SPEAKER:—"How can you move it then, when you have given notice to this clause? So you are not moving your amendment."

SRI N. S. VARADACHARI:—"I am not moving my amendment."

* SRI T. VISWANATHAM:—"May I point out one thing. Mr. Varadachari's amendment runs thus: 'Omit the words "any persons holding under them" and add the following in clause 10.' Thus you will see the amendment really relates to clause 10."

* THE HON. SRI KALA VENKATA RAO:—"Sir, I beg to move—

'Renumber existing sub-clause (f) as sub-clause (g) and insert the following as sub-clause (f):—

"(f) the relationship of landholder and ryot shall, as between them, be extinguished."

Sir, the words are self-explanatory. Unless this is done litigation and other things may arise and therefore I move this amendment should form part of the Bill."

The amendment was put and carried.

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SRI A. KALESWARA RAO:—"Sir, I move—

'At the end of the sub-clause, the following proviso shall be inserted, namely:—

"Provided that this clause shall not, in any way, affect the existing customary rights of the ryots and other villagers to graze their cattle, and to get green manure, firewood, wood for agricultural implements and thatching, fencing and housing materials in the village forest."

"Sir, this is an important question of village amenities to the ryots. Only when fundamental rights are concerned I am moving amendments, whatever the tall talk may be. (Laughter.) With regard to the zamin and inam abolition a committee has been appointed by the Andhra Provincial Congress Committee and the Andhra Provincial Kisan Congress Committee. I have before me their unanimous resolution. Now, had not the hon. Revenue Minister sworn by them I would have kept quiet. Because he said 'I am a loyal member of the Andhra Provincial Congress Committee' I am challenging him by throwing to him this paper containing their resolution. If he cares to see he may do so and see that it is not my tall talk, but it is somebody else's tall talk. Therefore let there be no more tall talk between us. My amendment seeks to protect the existing customary rights of the ryots in the village. Their right to graze cattle, to get green manure, firewood, wood for agricultural implements and thatching, fencing and housing materials in the village forest should be safeguarded. Village forest is distinguishable from the reserve forest. The reserve forest is a much bigger thing. Village forests, according to Mr. Karanth's Bill is a communal land intended for the use of the villagers. He has also stated in it that it belongs to the village community. Of course, a national Government rightly steps into the shoes of the village community, and when they find the villagers are able to manage things themselves they will leave them to the panchayats. I know several cases where landlords have trespassed upon these lawful rights of the villagers after 1802 Permanent Settlement. The ryots have fought hard to secure back their rights. I have myself conducted several suits; in many cases I have succeeded, but in many cases I have failed also for want of evidence. So it is better we secure their rights by making suitable provision in statutes. Further, Sir, this Act should be an improvement over the previous measure of Mr. Karanth. In section 20 of that statute the existing rights of ryots are protected. Now we are here going back on that. Therefore I appeal to the Hon. Revenue Minister to accept my amendment."

* SRI R. V. SWAMINATHAN:—"Sir, I second this amendment and in doing so, I would say only a few words. The principle has already been accepted while passing Mr. Karanth's Bill, viz., the Preservation of Forest and Alienation of Private and

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Communal Lands Act. All that is asked in this amendment is to safeguard the customary rights of the villagers. It may be said that the village people would destroy forests, if left to them. But from my experience I can say the zamindars who have not preserved the forests but destroyed the same by selling away the trees, whereas the ryots have put certain restrictions on themselves to preserve the forests and thus have preserved them. I hope the Hon. Revenue Minister will accept the amendment."

* SRI K. BHASHYAM:—"Sir, I also support this amendment. If we look at the provision of the Bill, as it stands, it is clear from its terms that no ryot shall enjoy more than the rights and privileges as are recognized by this Bill. Therefore any right which may be secured by custom against the landholder for removing manure leaves, for collecting firewood or wood for agricultural implements (which rights the ryots now enjoy) are taken away by sub-clause (f). Now in this measure we are looking into the interests of the ryots; and so it is reasonable that this amendment should be accepted. Even in ryotwari areas, these rights are recognized as for example the right of fisheries, which the villagers should have. I have appeared in a number of such cases. Therefore this is nothing new. We are asking for a thing that has been recognized in a ryotwari area. So this amendment is extremely reasonable and it should be accepted."

* SRI ROKKAM RAMAMURTHI:—"Sir, this Bill is intended to acquire the rights of the landholders and not the rights of the village communities. Communal lands should not be taken away from the village community. They should not be placed in the custody of the Government. If that is done the village community would be put to much difficulty. Therefore I support the amendment."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I very 3 p.m. gladly support the amendment moved by the hon. Mr. Kaleswara Rao. I am not going into the personal element as between a tall man and a taller man. I am too short for all those things."

"From the substance of the amendment I find that it is a very good thing and that it should be incorporated. It may be argued that, when once the estates are taken over by the Government under this Act, they will automatically be converted into ryotwari estates and that therefore the rights now enjoyed by ryotwari pattadars bordering the forest areas will rest in the pattadars of the acquired estates. But it will be so only by a stretch of imagination. We are now passing an Act and let us be clear about that. Even that doubt would not have arisen in the mind of any one but for the language of sub-clause (f). It has been stated here that 'ryots in the estate and persons holding under them shall, as against the Government, be entitled only to such rights and privileges as are recognized or conferred on them by or under this Act.' The rights are specifically limited by this Act. Therefore

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it cannot be argued that, because the acquired estates will come under the ryotwari tenure, the rights now enjoyed by the ryotwari pattadars will accrue to the pattadars in the acquired estates. Sub-clause (f) definitely restricts the rights. It might not have been the intention of the draftsmen. It might not have been the intention of the Hon. Revenue Minister because I know he is as anxious about the rights of tenants as any one else. It is absolutely necessary that the intention should be made clear either by dropping off the words 'as are recognized or conferred on them by or under this Act' or by accepting the amendment of the hon. Mr. Kaleswara Rao. There is no use of saying that such rights will be there, because this Act will be a bar. I hope that the Hon. Revenue Minister will forget all other things and accept the amendment on merits."

* SRI M. S. PATTABIRAMIAH:—"Mr. Speaker, Sir, I support the amendment. Fortunately in many of the zamindaris in the southern districts, village forests and communal lands still exist and they have not entirely disappeared, however much the zamindars might have been anti-national or anti-social as we have now come to believe. Whether they have been preserved by the zamindars or the tenants, we do not know. We find that many ryots surrounding the zamindari areas send their cattle to the zamindari villages for grazing and get firewood, wood for agricultural implements, etc., from the village forests. The most unfortunate economic disaster that has overtaken this country after the advent of the British Rule is the wiping off of the communal lands of the village community in the Government administered areas. Therefore, in any future agrarian reform, it will be necessary to set apart lands for village forests, grazing grounds and for other communal purposes. In the political treatises of Ancient India we find that every village had forest and communal lands. Communal lands have already disappeared in the ryotwari areas directly administered by the Government, and it will be a great calamity if we copy the same system and wipe off the communal lands in the estates which the Government are going to acquire. I think it is quite necessary that the rights of the zamin tenants in respect of communal lands, forests, grazing grounds, etc., should be preserved. Therefore I appeal to the Hon. Revenue Minister to accept the amendment. It would be very graceful on his part and it would show how very much he is for preserving the rights of poor people. I once again appeal to him to accept the amendment."

* THE HON. SRI KALA VENKATA RAO:—"I am very sorry that there is some sort of misunderstanding over this. I am for giving as many rights as are feasible to all tenants, whether they are in ryotwari areas or zamindari areas, in respect of the enjoyment of communal properties. But the whole difficulty is this. There is an interim period of survey and settlement. When we acquire, all these estates will become ryotwari areas. Whatever

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rights the ryotwari tenants enjoy now will be enjoyed by the zamin tenants in future. The extra rights enjoyed by the zamin tenants will have to be extended to the ryotwari pattadars in the border areas. I am prepared to concede certain customary rights to all ryots including the ryotwari ryots. Under the Madras Preservation of Private Forests Act, we have to preserve forests. Except for that, the other rights for carrying headloads of firewood, cutting of grass, grazing cattle, etc., which Mr. Kaleswara Rao wants to preserve for the zamindari tenants, must also be extended to the people who have not yet got them. I am one with him in that respect. But there are other difficulties to meet which this clause has been drafted. Suppose there is an irrigation source in a zamindari. A tenant Y has got the right to draw water from a tank X for irrigation. We construct a new irrigation source Z and ask the tenant Y to take water from it. The tenant may say 'I have got a right over the tank X. I am not agreeable to your suggestion, even though the remaining 99 per cent of the tenants are agreeable.' To meet such contingencies, this clause has been introduced. I will certainly see and my successor will see to it if I am not here, that the customary rights which are necessary for the existence of tenants will be extended to the ryotwari ryots also. (Interruption.) You cannot create two types of rights. You cannot allow Mr. Swaminathan to enjoy a right and withhold it from Mr. Koti Reddi. There must be some uniformity. If you want to extend the right enjoyed by Mr. Swaminathan to Mr. Koti Reddi also, I am prepared. If the rights suggested are reasonable, I have no objection. But that must be done by amending the Board's Standing Orders. We are prepared to consider the whole thing and on this assurance, I request the hon. Member to withdraw his amendment."

* SRI A. KALESWARA RAO:—"If sub-clause (f) had not been there, it would have been all right. The existing rights will continue to be there. I have not brought in tanks in my amendment, because tanks must be regulated by the Government. With regard to forests also, regulations should be made by the Government. The question is only about grazing and such other rights as they already possess. Therefore what is the harm or injustice if these existing rights are protected when all other rights are taken away? Mr. Speaker, Sir, you will see that sub-clause (f) reads: 'ryots in the estate and persons holding under them shall, as against the Government, be entitled only to such rights and privileges as are recognized or conferred on them by or under this Act.' The Act specifically restricts the rights. Either the Act is defective or a provision must be there. I do not want a provision to be made anywhere else; with regard to this very important thing, a provision can be made here itself. Instead of that, the Act says that they will have only the rights conferred by this Act and that 'any other rights which may have accrued to them in the estate before the notified date against

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the principal, or any other landholder thereof shall cease and determine and shall not be enforceable against the Government or such landholder.' Are we not passing this Act to protect the one crore and odd ryots? What is the use of my friends asserting and myself being satisfied or myself asserting and my friends being satisfied? You are repealing the Madras Estates Land Act, the Permanent Settlement Regulation and all other regulations and Acts which pertain to the rights of the villagers. Here you have put in a clause to extinguish all existing rights except those conferred by this Act. You may say: 'I have good intentions.' Very good intentions! But what is the use? Therefore I press that my amendment should remain. Whatever be the fate of my amendment, I have done my duty towards the millions of ryots in seeing that their existing rights are preserved."

The amendment was put and lost.

Clause 3 as amended was put and carried.

Clause 4.

3-15 P.m. * THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I beg to move—

'that for clause 4, the following be substituted:—

"4. As soon as may be after the passing of this Act, the Government shall appoint a Director of Settlements to carry out survey and settlement operations in estates and introduce ryotwari settlement therein. The Director shall be subordinate to the Board of Revenue."

"Sir, this is in consequence of the proposal to have only one Director and this clause also provides for the process of settlement. This is a better-drafted clause than the one that now exists and I therefore ask the House to accept it."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, some of my friends are surprised that I am speaking upon so many amendments. There were other occasions when other members monopolised the floor of the House and now I think, I must have this bit of opportunity. What I want to draw the attention of the House to is this. The Hon. Minister for Revenue has been saying time and again that he has got in mind an entirely different scientific land revenue policy for this Province which he hopes to introduce in due course. He is also thinking of an overhaul of the agricultural tax in place of the present flat rate system of land assessment which is unscientific according to him. He said it, not once, or twice, but I have heard him say many times. If he had in view actually such a land revenue policy, I do not see any purpose in the appointment of this Director of Settlements, and having big survey and settlement operations for the next six or seven years. If he has got in view the other policy of taking the income of the tenants, as it is, according to the account books, exempt some income below a particular minimum from tax, and

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then tax on a slab rate system, all the agricultural incomes—whether they may be from the inams, or from the wet lands or from the gardens or from any other source—according to that scientific system, then I submit, Sir, there is no purpose in wasting the energy of so many officers and of the Government and of the people in inaugurating these settlement operations. That is the point which I want the Hon. Minister for Revenue to address himself to. It is true that he is going to convert all the lands taken over from the zamindars into ryotwari. Is his scientific system of land revenue of which he was talking so much and was so anxious to introduce, ready or not? If his scheme is ready, how long will it take to be implemented? If it is going to come soon, then these surveys and settlements are not necessary. Let him declare his policy. Is he going to delay the introduction of his scientific reform of land revenue for six or seven years until these survey and settlement of these estates are over? This is a thing which has been worrying our minds for some time, because if his new policy is to be brought into execution, all these things would be mere waste of time and money. These survey and settlement operations are to be conducted not in one village or in one taluk, but they cover about one-third of the area of this Province. I therefore want to draw the attention of the Hon. Minister for Revenue to this aspect of the question and ask him whether he has applied his mind to it seriously or whether he has simply been vaguely thinking of a new reform of land revenue in this Province."

* THE HON. SRI KALA VENKATA RAO:—"Sir, in my reply to the general debate and also on the first reading of this Bill, I have already dealt with this subject on the floor of the House. My idea is to introduce a new type of ryotwari system and there is no going back upon it. The whole scheme is not yet ready, but we are examining the scheme in all its aspects and seeing how best we can fit it in with the new basis. Even the other day, my hon. Friend Mr. Karanth raised this question whether the settlement of these zamindaris would not be a waste. I explained to him how survey is absolutely necessary, because we must have a definite record of the lands that have been taken over, the details and extents of various kinds of lands, not only for the purpose of assessing compensation, but for various other purposes also. It is an important item of work which cannot be left out. But it is only about the settlement operations that we shall have to consider, whether they should be on the present basis or on the new basis. Settlement only succeeds survey. If the plan which the Government have in view is ready by the time the survey is over, then there may not be any necessity for a settlement of the present type and we will not proceed with it. I think, Sir, that the present amendment must stand and I therefore cannot but press it, Sir."

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MR. SPEAKER:—"I must tell the House that if this amendment is carried, the hon. Mr. Bhashyam cannot move his amendment."

The amendment was put and carried.

Clause 4 as amended was put and carried.

Clause 5, sub-clause (1).

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I beg to move that—

'For sub-clause (1), substitute the following:—

"(5) (1) As soon as may be after the passing of this Act, the Government shall appoint one or more Settlement Officers to carry out the functions and duties assigned to them under this Act."

"Sir, this is only a better draft than the one drafted by the Select Committee and I therefore want the House to accept it."

The amendment was put and carried.

Sub-clause (2).

SRI K. BHASHYAM:—"Mr. Speaker, Sir, I move that—

'After the word "such" in sub-clause (2) the word "lawful" be added.'

"Sir, the Settlement Officers who are going to be appointed shall be subordinate to the Director and shall be guided by his instructions. I want to add the word, 'lawful' after the word 'such' in this sub-clause, so that the Government, the Director and the Settlement Officers may all act according to the provisions of the Act, because wide powers are given to them under the Act and it is possible that these powers are likely to be misconstrued. It is after all the Director who issues instructions and I want that he should be careful in regard to such instructions. It is only for this purpose that I move my amendment, Sir."

The amendment was duly seconded.

* THE HON. SRI KALA VENKATA RAO:—"Sir, these refer only to executive instruction. I do not think there is any need to add the word 'lawful' because executive instructions have nothing to do with the legalities under the Act. Necessarily such instructions must conform to the provisions of the Act. Otherwise the Government can interfere and modify such instructions. But if still my two learned friends, Mr. Bhashyam and Mr. Viswanatham are particular in adding the word, I have no objection to it, Sir."

The amendment was put and carried.

Clause 5 as amended was put and carried.

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Clause 6.

Clause 6 was put and carried.

Clause 7.

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, the only intention of my amendment is this. The Hon. Minister for Revenue who is so anxious to proceed with the abolition of the zamindaris has, the other day said that he would like to abolish the Board of Revenue. But I want to remind him through this amendment that he cannot possibly do it, at least for the next six or seven years, till this Act is put into force. If he wants to carry out the abolition of the zamindaris completely and successfully, he must see that the Board of Revenue remains and functions effectively at least till this Act is properly enforced. That is the purpose of my amendment, Sir. But I do not propose to move it."

Clause 7, sub-clause (a).

* THE HON. SRI KALA VENKATA RAO:—"Sir, I move—
'in clause 7, sub-clause (a) delete the words "on the notified dates".'

"Sir, this amendment simply makes the position clear and I request the House to accept it."

The amendment was put and carried.

Sub-clause (b).

SRI K. BHASHYAM:—"Sir, I move—

'that in sub-clause (b) of clause 7, for the words "issue instructions", substitute the words "issue such instructions as may be necessary for the said purpose".'

"This amendment makes the clause read better and makes the position clearer and therefore the Government ought to accept it, Sir."

SRI T. VISWANATHAM:—"I second it, Sir."

THE HON. SRI KALA VENKATA RAO:—"I do not think this amendment is necessary, Sir."

The amendment was put and lost.

* THE HON. SRI KALA VENKATA RAO:—"I move, Sir—
'that in sub-clause (b) of clause 7, before the words "District Collectors" insert the words "the Director".'

"Sir, this is only a consequential amendment and may be accepted."

The amendment was put and carried.

Clause 7 as amended was put and carried.

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Clause 8.

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I move that clause 8 be deleted.

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"Sir, I want that this clause should be deleted altogether for this reason. In the matter of acquisition of land, there are always two parties at least, the person whose property is taken and the person who is taking over the property. If any disputes arise and where rights are involved, it is not right that one of the parties to the dispute, namely, the party who is taking over the property should also assume the role of the Judge. This is a generally accepted maxim and from time to time I have had occasion to press it on the attention of this hon. House. Here, this is a dispute of tremendous magnitude between the Government and the persons whose properties are to be taken away under the Act. The disputes may relate to the extent of the rights taken away, or the quantum of compensation payable, or the principle upon which compensation is to be made payable or the principle of apportionment of that compensation, or the apportionment of the respective interests of the various maintenance-holders and others including the creditors. So, I thought that whenever property is acquired and where so many rights are involved, it is the civil courts that must have jurisdiction to go into these matters and not a tribunal constituted by the Government, which means that the Government themselves assume the role of the tribunal. The Government cannot at once say that in the public interest they are taking away property and therefore they will fix not only the principles upon which the compensation should be paid but also fix the mathematical calculations. Then they say that they will appoint a tribunal to go into the apportionment of the compensation among the various interests involved. Especially, the tribunal which will settle these things will not be a court of law as in other cases, but it will only be a special tribunal. I can understand if before the passing of the Act a Special Tribunal or a Commission like the Permanent Settlement Commission—namely, a Permanent Settlement Repealing Commission—was appointed. As we see it it is not so. A tribunal is created. The tribunal was of a particular complexion and calibre according to the original Bill. Then its calibre has been slightly changed. Sub-clause (2) says that the tribunal shall consist of three members; one of them shall be a District Judge or an officer eligible to be appointed as a District Judge. He is not even to be a District Judge. In order to satisfy the conscience of some friend who was sticking to his position, that there must be some judicial mind to be applied to the problems, first the words 'District Judge' were inserted and then immediately the words 'an officer eligible to be appointed as a District Judge' have also been inserted. There are 26 District Judges and some are there on reserve and though some are on leave, it would not be impossible for the Hon. the Revenue Minister to get a District Judge. Still they say, 'an officer eligible to be appointed as a District

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Judge.' Another shall be a Subordinate Judge or an officer eligible to be appointed as a Subordinate Judge and the third shall be a Revenue Divisional Officer or an officer eligible to be appointed as a Revenue Divisional Officer. Now, Sir, these eligibilities like the school final eligibilities have to be gone into but not published. Then, these three persons of the three different categories and cadres are to be on the same level, the District Judge, the Subordinate Judge and the Revenue Divisional Officer. It does not matter, Sir. Let us assume that they are a good set of persons. Then the sub-clause says that the tribunal shall have such jurisdiction, and over such estates or parts thereof, as the Government may, by notification from time to time, determine. And every tribunal shall have all the powers of a civil court to compel the attendance of witnesses and the production of documents. To that extent there is no quarrel, because any tribunal that is appointed to go into the merits of cases must have the powers. The question is whether this kind of a tribunal will meet the requirements and the necessities of the case. I submit 'Not', Sir, because the members of the tribunal are not there in the regular course of their duties. They are not District Judges who go and occupy the position of District Judges in the regular course of their appointment. They are not Revenue Divisional Officers who go and occupy the position of Revenue Divisional Officers in the regular course of their appointments, or in the ordinary exigencies of service as it is called. They are specially drafted for a particular purpose. Therefore the members of this tribunal consisting of these three unequal elements may be equal only for the purpose of this Act and they will sit and decide so many questions which are afterwards detailed under the various provisions of the Bill. The Government have taken out of their purview even the principles upon which compensation should be based and the method of calculation.

"Sir, the Government are taking away the property of another man. The other man has got a claim for compensation and this tribunal, which is appointed by the Government, is not given the right to go into these matters. It is not given the right even to go into the matters of how the compensation shall be determined. It is said that the compensation shall be determined for the estate as a whole and not separately for each of the interests therein. This tribunal cannot go and even apply the ordinary law in the apportionment of compensation. That particular detail also is taken away out of the jurisdiction of the tribunal. Having done all this, they say that if the persons feel aggrieved they can go to the High Court. And what is the High Court? It is not the High Court as such. It is a *persona designata*. One of the Judges of the High Court nominated for the purpose by the Chief Justice thereof shall hear such appeals as a *persona designata*, and his decision shall be final. I do not say that a High Court Judge will lose his value by being simply called a *persona designata*. I do not say that he will apply the law less when he is made a *persona*

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designata. What I submit is not with regard to particular persons or their capacities, but about the procedure adopted which is faulty. Under ordinary circumstances, if a property is taken away under the Land Acquisition Act, the man has got certain remedies which he can seek in the High Court. For example, if an aggrieved party has got certain grounds of law he has remedy. He can take the matter under Letters Patent. He can call for a Full Bench or a Special Bench; he can go to the Federal Court. And so many remedies are open to him but all these are denied to him under this Bill. The whole thing is reduced to a mere executive decision. The only improvement upon the original Bill is that this decision is not to come from the executive at Fort St. George, but it has taken a slightly different shape. My point is that in these cases, where we may have disputed rights, one of the parties should not assume for himself the right not only to take the property but also to determine the justness of the acquisition or the justness of the principles of compensation to be paid for the property acquired. I say that the tribunals and the High Court who will act as a *persona designata* to hear the appeals from the decision of the tribunals are not enough to meet the requirements of law. I submit that in the apportionment of compensation, in the settlement of disputes between the maintenance-holders and the owner of the estate from whom the estate is taken away, and the settlement of disputes between the estate-holders and the creditors, the first charge-holders, the second charge-holders and so many others, so many points of law will arise and it is not proper that all these things should be done in this way. Therefore my submission is that in matters of acquisition the decision should be left to the courts. I want to particularly stress this point. I may have to revert again to this, Sir, when we come to a latter clause for determining and enunciating the principles upon which compensation should be paid their basis and method of calculation, etc. I submit, Sir, that the Government should not have introduced into this Bill the way in which compensation should be calculated. When once the Government have decided to take the zamindaris and they are prepared to give compensation, the compensation should be left to be decided by a court of law. And that is all. But here, Sir, the Government have taken upon themselves not merely to define the principles upon which this compensation has to be paid, but they have gone into meticulous calculations as to how it should be done. Even their tribunal cannot look into it. Therefore, I submit that the whole idea of the tribunal is based upon faulty conception of the rights of persons whose properties are being taken away. I am submitting this because it is important not only for to-day, not only for this Bill but also in regard to subsequent pieces of legislation which the Government might like to bring forward before this House. We have to understand, Sir, where we are going, where our legislation is drifting us. Are we passing legislation which will protect the rights of aggrieved persons, which will give the aggrieved

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persons remedies which are open to the ordinary citizens or are we going to simply acquire properties and then deny him the rights which are open to ordinary citizens in cases where properties are required? Are we traducing upon the principles of justice laid down in the country for a very long time under the Land Acquisition Act? Are we traducing upon the principles that a man whose property is taken away, the man whose right is being infringed is entitled to a *quid pro co* before his property is taken? These are principles which though they look simply elementary because they are repeated a little too much on the floor of the House, are the real ones by which we have to measure every time we bring a legislation. We have got to examine the substance of the Bill which we are passing and see that we know what we are doing. We must see whether it conforms to the notions of ordinary justice or not. It is true that in a moment of heat some words might have been exchanged between the Hon. the Revenue Minister and some Members who have been insisting upon these things. It may be that he is perfectly right in saying: 'I know no law. I act upon my commonsense.' It is perfectly right for a man to say so. At the same time it is also true on a true understanding, that commonsense and law do not always conflict. They are not conflicting. Whenever a statement is made that a provision of the Bill is offending against ordinary notions of justice, let me tell my Hon. Friend, the Revenue Minister, that it offends not merely the law but also commonsense. The mere assertion of opinion cannot always be taken to be commonsense. (Interruption.) It may be my own view. When people have examined the legal aspect of the matter and have come forward and told you that certain rights are being stampeded upon, that the law of private property which is sacred to you and to me is being stampeded upon, that the rights of the innocent third parties are being affected, that small people are being crushed upon by this so-called steam-roller legislation, when we say these things and that this Bill offends against ordinary notions of law, if my Hon. Friend should always say and assert: 'I do not know any law, I am acting upon my commonsense,' then, Sir, it will be hard to believe that it is commonsense. The assertion of one, however big he may be and whatever respect I may have for the Hon. the Revenue Minister, an assertion like that cannot replace well-understood axioms of law. That is my submission, Sir, to the Hon. the Revenue Minister and to the House. There is no use always thinking that there is some conflict between commonsense and law. As I have already submitted, Sir, there is no such thing. What appears sometimes to be commonsense is not that, because it is not properly verified, it is not properly checked up. When we say that a particular thing is not legal, all that is meant by this much-hated lawyer is that, though it looks plausible in the first instance, it does not conform to even the ordinary standards of commonsense. It is only to protect the commonsense rights that the laws are made. Therefore, Sir, let us not assume that there is some conflict and that therefore we

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must stick to what we say as right or wrong. Let us understand a thing upon its merits. At the risk of repetition, Sir, I want to say that there are two parties here, namely, the Government and the estate-holders. If there is a dispute between them, the Government should not take upon themselves the final authority to settle not merely the policy of acquisition but also the quantum, and the principles of paying compensation and the apportionment of the compensation among the various interests. To some extent, the Select Committee's Report is an improvement upon the original Bill in that it has provided for an appeal to a High Court Judge who is to be a *persona designata*. Still as I have submitted, certain things are taken away out of the purview of the tribunal and of the High Court Judge. It will be wrong for the Government to say that they will stick to their provision in the Bill that they will not allow these tribunals or the High Court to go into the question of compensation. If they do it, then, I submit, Sir, 'Do away with the tribunal, do away with the High Court. Come out frankly and say: "Here we are. We have a strong party. We have got to take a decision and we have decided to take over your estate. This is our decision to give so much money for this estate. Take it or leave it. If you do not want it either, you can go away to some other country."' Let them say so, Sir, if they want. On the other hand, if they want to be just, there is no use simply affirming. To make an affirmation of being just is not being just when action belies it. Affirmation is not doing justice. Simply saying 'I am just' is not being just. If they want to be just, let them be just under a law. (Interruption by the Hon. Sri Kala Venkata Rao.) I submit, Sir, (and I also believe) that the sentiments which I am expressing are shared by the vast majority of the thinking sections of this House and of this Province. I am not casting aspersions upon anybody. But it is a difficult thing in fits of emotion, when emotions take the better of reason, and when we are caught in the meshes of mere slogans, to understand whether we are taking the right view or the wrong view. (Interruption by the Hon. Sri Kala Venkata Rao.) Please do not say 'it is your view.' I know it will be your view also if you are a little more patient and accommodating and if you do not think that your dignity or prestige of your office is affected if you try to understand the expositions of the conditions as given on the floor of this House. At the risk of repetition I again say that I am not saying these things just to criticise the Hon. Revenue Minister. It is not for that purpose I stand here. I feel that a dangerous principle is embodied in this Bill. It is a mere chance that it is coupled with the acquisition of estates, catching the popular imagination. One is, therefore, confused into thinking that whatever is said here is correct. There is popular acclamation for this Bill. Why? It is because the object is good. It looks therefore as if some mistakes can also be passed on as if they were not mistakes. I am submitting that this principle will lead our Province

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into a dangerous pass. That is why, in spite of the fact that I am voicing a minority view—I am in a minority here now—I am still trying to impress upon the Hon. Minister and Members of this House who are thinking along with him, that we are introducing a very dangerous principle in denying civil remedies to aggrieved persons. Whenever there are two parties and when we take over property, let us be sure that we give adequate compensation, and when there are disputes let us not be the sole Judges of the dispute. This Bill fundamentally offends most of those principles, and that is my objection and the objection of everybody. Let us not confuse the zamindari acquisition with the particular principle which I am explaining. It is only in connexion with that question of compensation has come here. Even so, it is a big thing. The estates are not small. The amounts are not small, and the number of zamindars is also not small. As I have already submitted, let us leave off the big zamindars. Not that they are our enemies; they are also citizens of our Province. But there are so many small zamindars and inamdars whose income is very small. They are not able to make both ends meet in these days of inflation which neither this Government nor the Central Government are able to control. Let us think of these persons. Yesterday, the Hon. Minister said that there were about 2,800 estate-holders besides inamdars. I take that figure for my purpose. I am asking how many of these 2,000 and odd estate-holders are persons whose annual income—even at the present high rates of rent which they are collecting—is Rs. 25,000 or more. It is only very few. If you will go into the list, in Chingleput, North Arcot and Salem districts, you will find that the number of persons (whose estates come under the operation of the Permanent Settlement) whose estates get an income of Rs. 200 or Rs. 500, is great."

MR. SPEAKER:—"The hon. Member has already exceeded the time-limit."

SRI T. VISWANATHAM:—"I am sorry, Sir, I have taken more time, but I feel that I am obliged to take more time. I crave your indulgence."

AN HON. MEMBER:—"Let him take more time, Sir."

MR. SPEAKER:—"The hon. Member is not there to say that he (Mr. Viswanatham) should take more time."

SRI T. VISWANATHAM:—"Sir, I am looking to the Chair alone, and I have not even looked at the other side. I crave your indulgence, because I feel strongly over this point. I am submitting that there are many small zamindars whose incomes range from Rs. 200 to Rs. 2,000. If the zamindar's income is Rs. 2,000, he has to pay a peshkash of Rs. 1,000 to Government. Even the balance of one thousand rupees is divided among so many share holders. Most of them in these days of high cost of living

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have become even indebted. Will you place all these people in the hands of the executive when you are taking away their property? Is it just to say 'I will prescribe the amount of compensation'? Is it just to say that 'nobody else shall revise my opinion of the matter'? I say it is unjust, undemocratic and it is not worth the while of a Minister representing a popular Government to do it. That is my submission. That is why I have said that this whole clause might go and that the whole thing might be re-drafted. I have given notice of a number of amendments only for that purpose, namely, this matter should be left to courts. It was said on a previous occasion by the Minister that under no circumstances will he leave the matter of compensation to a court of law. Why, Sir? Are courts of law so bad? If so, why do you have even a District Judge? Why have a judge of the High Court as *persona resignata* to hear appeals? I know his contention was that if it were a court of law, it would give a high rate of compensation. Are our courts so unjust? Are they so bad? Are they so inimical to this Government? Are they so inimical to the public interests of this Province as to direct the Government to pay undue amounts and disproportionately large amounts as compensation? Courts of Justice will no longer be Courts of Justice and they will not command the respect which they are now commanding if they take sides like that. One credit which goes to the judiciary of this Province is that in spite of everything that has happened, they have stood far above all these influences. It is a great thing. They do not need a certificate from a humble man like myself. Several great persons who have visited our province and studied the administration of this country have said that the judiciary of this country is of a very high standard. That is the reason why notwithstanding anything that has happened even with regard to the High Court during the last few years, people still have got confidence in courts of law. It is only proper that this Government also should place confidence in the courts of law of this land. There is no use of saying 'I shall not trust my court to determine the compensation which I want to pay'. Why should not the Government depend upon a Court of Justice? The only argument against leaving the matter to court is that the court will give more compensation. That only shows that that amount is justly due to the person whose properties are being acquired. If that is so, we must be ready to pay that compensation and take over the estate. The courts are not the relatives or friends of the persons from whose estates are taken over. Therefore, let not the Hon. Minister, in the interests of fairness to courts, repeat that this matter shall not be left to courts on the ground that they will give more compensation than he proposes. He may not leave it to them on any other ground than this. Let him not say 'No: I will not leave it to them because they will give higher compensation'. That statement is self-condemnatory, if I may be permitted to use a strong expression.

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Therefore, I say that this clause as part of the whole Bill should go. I want that the matter of compensation, the principles of compensation, and all the incidental points of law like apportionment, payment of compensation, and etc., must be left to courts of law as in the case of all other matters where there are disputes between two parties. That is the reason, Sir, and the rationale of my amendment to delete clause 8 altogether." (Applause, and hear, hear.)

SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, in seconding this amendment of my learned friend Mr. Viswanatham, I feel that he has very ably expressed the feelings of all the reasonably or judicially minded people who care to represent the position of all parties concerned whenever a new piece of legislation is sought to be brought into force. I feel that no more than a few words are necessary to second his amendment. I may at once recall to the mind of the Hon. Minister and Members of this House that it is not only the policy of our administration to effect the early separation of the Judiciary from the Executive, but it has also been the accepted policy of this Government that they would strictly adhere to that policy of separation. They are also ready with a scheme to introduce the separation of the Judiciary from the Executive. With such ambition to our credit, can we support a clause like this for the constitution of a tribunal to do all acts necessary for the purpose of this Act. Further, as Mr. Viswanatham pointed out, the Tribunal consists of an executive officer (the Revenue Divisional Officer), a District Judge and a Subordinate Judge. Therefore, on account of the rule of law that a prosecutor cannot be the judge in his own case, when there is a dispute between Government and the zamindar in respect either of rights or of compensation or rights of other parties on the estates, is it fair and is it reasonable to expect that the Tribunals as they are constituted, will ever be able to come to an independent judgment? Therefore, Sir, I feel that not only this amendment but all those amendments which are in the spirit of the present amendment and which have to be moved in this House by Mr. Viswanatham, namely, the substitution of the words 'civil courts' for the word 'tribunal' wherever it occurs, are absolutely necessary to safeguard our Government and their transactions from the perils of vitiation of justice. As this Bill is a very, very comprehensive one, because it goes to the very core of the existing system in this Presidency. I feel that the spirit in which Mr. Viswanatham has made his very strenuous appeal to the Revenue Minister will not only convince him but also the House so that the amendment is accepted and acted upon."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, I must really congratulate my hon. Friend Mr. Viswanatham for having made such an excellent, cogent and powerful appeal to the Congress Government of which the Hon. Mr. Kala Venkata Rao

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is the Revenue Minister. I have listened to the speech of Mr. Viswanatham with great interest, and I am happy to find that his views coincide with my own. You will remember, Sir, when I was speaking in the first reading stage of the Bill, I made it very clear that this Bill could have been drafted in two or three sections. One section should say that the Government are going to abolish these intermediaries, the other section should say that Government are acquiring these estates, and the third should say that compensation shall be paid to the persons whose estates are being acquired according to the decision of the courts of law."

Mr. SPEAKER:—"The hon. Member can continue his speech to-morrow. We will now take up the adjournment motion."

4 p.m. MOHAMED ABDUL SALAM SAHIB BAHADUR:—"On a point of information, Sir. I want to know from the Hon. the Revenue Minister whether his attention has been drawn to a news item that has appeared in the *Indian Express* stating that instructions have been issued that the amount of compensation that has to be paid to the zamindars should be specified in the Bill itself. I want to know from the Hon. Minister whether it is a fact and whether he has received any such information in the matter."

Mr. SPEAKER:—"We shall take it up to-morrow. We shall now take up the adjournment motion. The debate on this will terminate exactly at 6 o'clock, if not earlier. Afterwards, no motion could be put to the vote of the House."

VI.—ADJOURNMENT MOTION RE HYDERABAD SITUATION.

SRI KALLUR SUBBA RAO:—"On a point of Order, Sir. Is it in order and is it not necessary that Governor's permission should have been got for this motion because the question is one in which other States are concerned?"

Mr. SPEAKER:—"It is merely a motion for the adjournment the business of our House. The House has accepted it and it is in order."

SRI T. PRAKASAM:—"Sir, with your permission, I move that I may be given leave to-day to move for the adjournment of the business of this House on a matter of urgent public importance, viz., action of the Government in continuing the meeting of the Assembly at this critical time and thus preventing members (i) to be present in their constituencies to help the maintenance of peace and order and good relations between the communities; (ii) to tour the occupied areas to strengthen the morale of the people; and (iii) to help the Indian troops and officers and the people in the establishment of peace and good Government in the occupied areas.

"Sir, I happened to tour the border areas with other friends on several occasions during the last one year. All the hon. Members of this House and you yourself, Sir, know what has been

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going on during the last one year on the borders and also inside the Hyderabad territory. Some of us could enter not only the border but even the interior and we could see the circumstances and the conditions under which the people were living and we could also see the circumstances under which we ourselves were going into that area. On one occasion, Sir, Sri Kaleswara Rao, myself and Sri B. S. Murthi were going not only into the border but also into the interior. We came to a certain place where there were Razakars and Military officers of the Hyderabad State. Sir, before going, we tried to get the help of the District Officers at Vijayawada, the District Magistrate and District Collector and also the District Police Officer. We thought we should inform them before we went inside. We tried to get cars for us. But cars generally refused to take us into the border. With great difficulty, Sri Kaleswara Rao and another prominent friend at Vijayawada managed to get a car with a driver who had the courage to go on that route into places where we wanted to go. We went in and I was told that there was a conference fixed between the Collector of Krishna and all the officers. Sir, that conference was suddenly cancelled by the Collector of Krishna who sent a telegram that there was to be no conference. It was said that the conference was cancelled because of the absence of the District Magistrate in the Headquarters. We took risks; we went inside and we could see a number of Razakars and military officers of the State. Some people had suggested to me that we should not go along the route without making an attempt to see the officers present there. So, Sir, we sent word to the officers and went to them. They welcomed us. We had talks with them. They were good enough to give us some tea or some such thing also. For nearly an hour, we spent our time there. Then, we went inside. There also we were told some little story about Mr. Munshi who is the Agent-General of the Indian Union at Hyderabad. We could not understand all the perils at that place. It was only after we passed on, we were told about the circumstances regarding the presence of two dead bodies in that place on the roadside and through which Mr. Munshi was asked to go. It was said that he did not go there and see them. That was the charge against him. We could know it at that time because at another station, the Congress Committee President who was subsequently taken into custody as a Communist told us the truth about the whole circumstance. That is how, Sir, we could see the sufferings of the people and how they had to maintain themselves sometimes losing all their private property. It is not the case in one place but it is the case all along the border covering the whole distance of nearly one thousand miles. Sir, I should say, from time to time, we were in difficulties. We saw on the border how refugees came on this side and with all their bag and baggage, everything including cattle. That is how, Sir, we have had an opportunity of knowing the conditions inside the Hyderabad State. We were not able to do anything for relieving the sufferings of those people at that time. We could make only appeals to higher authorities to send military forces to the border

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so that there would be some fear in the minds of those who were attacking the unarmed people, men, women and children. Sir, it took a long time six months or nine months, for us to move the higher authorities. It was only when we were all in Bombay at the A.I.C.C. secret session and after the whole thing was revealed by me and Sri Kaleswara Rao to the Indian Union authorities, that steps were taken. We must thank the Prime Minister, the Defence Minister and the Deputy Prime Minister for the promptness with which they marched the forces into the border. After the forces were marched into the border, we went there again. We went to see every place and I myself saw the whole thing.

“ Sir, when these things were going on in this manner we were carrying on the business here in this House as if nothing had been happening. Circumstances compelled us at that time to keep quiet. But now seeing what is going on inside the Hyderabad territory and on the borders, is it not our duty to go there and offer relief to the suffering people? That is why, Sir, I am moving this adjournment motion. Sir, we are now in different circumstances. The day of redemption has come for the people who have been suffering. It is my view that it would not take more than four to six weeks. At the most, it may take six weeks, as I could see it now. Our troops are rapidly covering the ground. Now, therefore, it is time for everyone of the Ministers here and every member of the Government and practically all the members to go to that area and do all that is possible to maintain the morale of the people. It is now the proper time when all of the Ministers should go there and take us also to those areas in order to see that all that is necessary is done. When such is the case, this legislation is introduced here and is being discussed here, day after day, as it were, and the proceedings are being conducted. On the 13th, the first reading was finished; on the 14th the second reading was taken up and we are now in the second reading; then, the third reading will come and the Bill will be passed into law. Sir, I am not opposing the passing of this measure. But, I am opposing the way in which this is all being done. I had to think many times, Sir, before I tabled this adjournment motion for this reason. Because I was opposing the measure in several matters tooth and nail and because it would be said that as I wanted to delay this measure, I have brought in the adjournment motion. I thought many times before giving notice of the adjournment motion. As I have said, already, Sir, I am not opposed to the principle of the measure. Therefore, if I have moved this adjournment motion, it is not for the purpose of delaying the passing of the measure. Let not the Government think so. I may assure the Hon. the Revenue Minister and everyone of the members of this House that it is not with a view to delay this measure that I have brought in this motion. But, Sir, I must state that there is a more important thing to do now leaving aside all these useless matters that we have been going through. The Government could simply say that they accept amendments Nos. 1, 2, 3 and like that and reject all other amendments and thus they could pass the Bill in two days.

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But that is not the purpose. We have been on this Bill for one long year and we have supported the principle of the Bill all through. But, these young friends do not know what exactly they are talking. They say, because we have piloted this measure, you are opposing it and preventing it. I say, Sir, no one opposes it or no one prevents it from being passed. But, Sir, the way in which the whole Bill was redrafted and the original Bill was revised by the Select Committee, all these things were responsible for the delay. From the beginning to end I was saying that this measure would take more than six weeks to go through. Therefore, nothing will be lost in adjourning the House for some days at this critical time. But, seeing the way in which the Bill is gone through, I protested and said that I would not move any of my amendments. I protested against the proceedings of this Government from the beginning to the end and now. If anybody says a thing softly about the procedure of this Government, then it is taken as harsh and if anybody says a thing harshly, it becomes still harsher and Government say, we shall crush you; we will put you down. If that is the attitude that Government should take, then what is going to be the fate of the people outside and what is going to be the fate of the people who are concerned in this Bill?

“ I am very sorry, Sir, that we have all made the contribution 4-15
for this disastrous result in our Province. We have all brought p.m.
the country to a condition when we should weep, not with ordinary tears, but with tears of blood. What are we doing? What have we done? What are we going to do in the future if you pass this Bill? I told you that Dr. Rajendra Prasad himself said, that if Government go on with this Bill, without caring for the lot of the ryot, and pass it, its fate is doomed beforehand. I have stated it to this Government, and if I am wrong, I will make prostrations to this Government and tender my apologies for having stated it. After all, it is only a truth that I have been telling them, not anything untrue. Their anger and their hatred towards me were so much that they were not able to reconcile themselves to any reasonable position. In the end, this is the position into which they have reduced themselves. In the end, I started by saying, that I sympathize with them. Sir, this time, I have not been addressing them harshly, as I have done in the past. Even for that they will at once retaliate in their usual style. But that does not matter. If it should be said that I have brought this resolution for the purpose of delaying this measure, it is far from truth. I am for this whole thing being passed into law even to-morrow, why, even to-day, for starting this business. But they will not take that advice. (Interruption.) Some hon. Member has been saying that for seven years we shall not be able to abolish the Board of Revenue. The abolition of the Board of Revenue was thought of long long ago, long before the Congress Government came into office, even in 1937. The moderate legislators of this Province were so good, so clever and so able that they moved for the abolition of the Board of Revenue here, in those days. But

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everything has been delayed. That is because we have gone the wrong way. And I do not know whether God will give us sufficient strength to recover, to get back to our old position and try to do the right thing, forgetting the internal feelings of rivalries or any of these things. Of course, I anticipated that they might say that I have brought this resolution for the purpose of delaying this measure. But I may tell them that it is far from my mind.

Now, as I have stated, is it proper, when this country is in this stage, that this legislation should be hurried up in this manner, and the Chief Whip of the Congress party should be going about and saying to his younger friends: 'Don't do this, don't do that, let everything go on, let there be no opposition to the Government'? What has happened? What is going to happen? That is why I say let us not go into all these things. Now it is the duty of every one, particularly the Ministers themselves to go straight into that area. I was phoning to the Leader of the Tamil Nad Congress last night and was asking him whether he would go with me soon after this adjournment motion is over, on a ride to Hyderabad, or to Secunderabad following the troops and covering the whole country, to see things for ourselves. It is our duty now. It is more the duty of the Government to do so. Well, Sir, I said many things about this Government's neglect of the Hyderabad affair. Let me tell you and the hon. Members of this House, that but for the weakness and the wretchedness of ourselves in this part of the Presidency, this Hyderabad affair would not have assumed such proportions, and the Hyderabad tangle would not have come to this pass so as to compel the Union Government to send their armies there and carry on military operations. The whole thing would have been nipped in the bud, if only we had taken action promptly. It has not been done. Instead the C.I.D. department was applied against ourselves in our own province, one Minister applying the C.I.D. against another Minister, and the whole thing growing into a controversy in the papers. Where are we now? I tell you, and hon. Members alike, that we have no justification to feel that we are alive. In fact, we feel so Sir—I do not want to be harsh upon my friends, because it is all the young friends who have to run the India Government in the future. That is why they don't come under restraint that I have imposed upon myself until now. Even to-day I do not wish to bring up such things publicly for discussion either on the floor of this House, or in the Constituent Assembly, or anywhere; until now I have been avoiding all these things.

"Sir, Pandit Jawaharlal Nehru, the Prime Minister came here, stayed for three days, and on the last day he spoke in a secret session. He asked all the Ministers, and Congress workers all over the Presidency to be present there in that secret session. What hard things did he say to us! Of course, when he was talking, when he was putting the charges against us, could we look him up in the face? Did any of us get up and say that what he was saying was not true? All the members of this House were

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present there. (Interruption.) If I have said 'all', it is a mistake, and I shall correct myself. The hon. Member could not have been present, and a few others also could not have been present. Some thousand persons were present there, and after the whole thing was over, what have we done? I ask my young friends who are in charge of the Government to-day what should have been done after he had gone away. Was it not the duty of all people to gather together and find out why he has said such things? What are we to do? Have we done any mistakes? Are we not to correct the mistakes if any there are? They have in fact done no such thing. Nothing at all of that kind. We are remaining here as if nothing happened. After that speech, this Bill is introduced in this manner day after day, and hour after hour, so that in the next minute it may be over, it may be finished, ruling out all amendments. When some friends asked them; 'Let us discuss all the amendments in the Party', the reply was: 'No. No discussion. I don't allow you.' Where are we and what are we about? I am very sorry for the way in which they have proceeded, and the way in which this Bill has been introduced and is being rushed through. Pass it by all means. Can anybody say in this whole country that I am against abolition of zamins, that I am against tenants being given relief? Sir, I have been fighting before this Government and before this House to put the minimum burden upon the unfortunate tenants either in the north, or in Malabar or anywhere. But quite in the reverse way, the whole thing has been going on. I do not mind it. But I would only say this much. After Pandit Nehru's speech in the Rajaji Hall on the 26th June I believe, what is it that we should have been doing? We have not been doing the right thing. We have been doing the wrong thing, almost with a vengeance. What is the manner in which things have been working? The Hon. Minister is sitting there, calling a few friends, talking to them, and making some explanations, saying that 'Although I have put in this amendment now for the exclusion of these 1936 inams I am going to bring in a Bill again in two or three months', and every one of my young friends gets up and says: 'If you are prepared to bring in another Bill within three or four months, we are willing to withdraw our amendments.' Is that the way in which we should carry on things? . . ."

THE HON. SRI KALA VENKATA RAO:—"Is it about Hyderabad or the Zamin Abolition Bill that the hon. Member is speaking?"

SRI T. PRAKASAM:—"Sir, this is absolutely connected with this resolution of mine on Hyderabad. Of course naturally as human beings they would raise the point, that I have brought this resolution, to delay the passing of this Bill. Sir, I submit that the aim and object of this resolution that I have tabled is, as is stated in the motion itself: 'To be present in their constituencies to help the maintenance of peace and order and improve the relations between communities'.

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"Sir, I know how these friends have been endeavouring to achieve that object, each in his own area in the past. Now at this juncture also, their service would be of very great value. The mere presence of persons, let me tell you, Sir, as one who has seen the world for a much longer time than any of you has done—would give the people strength, and the women may get up and say: 'Give us arms, we would take hold of those fellows who are attacking us.' That is how, the presence of people, the Members of this Assembly, would help all those persons engaged in that area, i.e., in Hyderabad.

The second object is: 'To tour the occupied areas to strengthen the morale of the people, and to help the Indian troops . . . officers and people in the establishment of peace and good Government in the State.' All these are very essential things. It is only to achieve those objects, that I have moved this motion, Sir, in the hope that this session might be suspended for the time being for a few days to enable all the members to go over there and do their bit of work, and then let them come back and pass this Bill. I have no doubts about this Government being able to pass this Bill. Of course, people have been working together for a long time. They do not understand the implications, but come and say: 'We support this Government.' All right, do support, but I may tell you, and I am warning this Government and all the supporters of this Government as to what their future position would be, how they will have to correct their own mistakes, if they have made any mistakes in the past. Even now, let judgment be allowed between the Government and myself for a little while. I may sit side by side and within a few minutes, I can convince all my hon. friends who have been misled. I have no difficulty in doing that. That is why, Sir, without getting angry any longer with anybody, I have suppressed myself. If the Government are under the impression that by passing this Bill in a hurry, and by getting all orders executed in the way in which they are doing, they are serving the country and the people, they are totally mistaken. If they say: 'There is no appeal against us. We are the law makers; we make the laws, we enforce them, and who can say anything contrary to us?' I would only say, let them not make that mistake. There are the people who have sent the legislators here, people who will take charge of you, me, and every one of us here, when the time comes."

4-30 p.m. * SRI T. VISWANATHAM:—"Mr. Speaker, Sir, in seconding this motion which has been moved by the hon. Member Mr. Prakasam, I wish to point out that the fact that this country is in a very grave condition now admits of no doubt. There is no doubt that we are securing great successes, lightning successes against Hyderabad. Some steps have been taken and I need not go into the various steps taken by the Government of India. When something like war is taking place in the country, when internal security is affected, and when repercussions of what is happening now in Hyderabad are sure to be felt in our Province, we have also

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to consider what has to be done by us, who are not combatants, and who are not with the troops actually. We have got also certain duties. It is not an academic question. Last time when war broke out, you all remember, when the war was between certain nations far removed from us, how many precautions for civil defence had to be taken by the Government throughout the length and breadth of this country. I certainly expect some reactions in our own Province particularly in the districts which are bordering Hyderabad. The history of the Hyderabad question is partly responsible; is greatly responsible and is mainly responsible for my apprehensions as to its repercussions in the various districts. For months and months, you remember, Sir, the thing has been brewing. It was not war and it was not peace; it was negotiations. It was a series of riotings, raping, lootings and ravages of the country by a private army supported openly by the Hyderabad State. Legal points are generally raised. I am not going into them, whether Hyderabad is an independent State or a dependent State . . ."

MR. SPEAKER:—"We need not go into such questions."

* SRI T. VISWANATHAM:—"I am saying, Sir, that I am not entering into that question. It seems to me that we cannot be looking simply blind as to what is happening in Hyderabad."

MR. SPEAKER:—"We are here concerned with the action of the Government in not sending Members to their constituencies to give protection to people. That is the motion before the House."

* SRI T. VISWANATHAM:—"Sir, that is why I state that we cannot simply be looking on at what is happening in this country. Armies have gone into Hyderabad. However much we may disassociate ourselves with the question of communalism, there would be repercussions in the districts. The civil side of life will have its own reactions. I believe that the presence of Members of this Assembly in their respective constituencies is absolutely necessary. I do not like to go into details in a public discussion like this. But there are sufficient reasons to believe that there will be islands of trouble in most districts. It is one thing if Hyderabad immediately comes to terms. Hyderabad is being occupied by Indian Union troops, and there may be confusion for some months. That is why we submit that our presence is necessary in our own respective areas. We will have to co-operate with the local authorities. We will have to go from street to street, from house to house in order to restore relations that may be ruptured by rumours, by baseless rumours or as a result of loose language used by one person to another. The presence of Members of this Assembly in their areas and in their villages is absolutely necessary as there is the possibility of a communal rupture and other civil disturbance arising out of other political causes.

"Secondly, Sir, there is the occupied area. Our armies are occupying portions of Hyderabad and a good number of the districts of Hyderabad are our border districts. Peace and security

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of the people in our border districts have been disturbed for the last seven or eight months. Everybody is aware of it and the Government have been taking some steps in order to meet the situation. I am pointing out the particular fact that the peace, security or the peaceful atmosphere in the border districts of Hyderabad; is the essential concern of the people of the province, particularly of the Government and the Members of the Legislature. Our peace is disturbed if there is no peace in the occupied areas. Our peace will be disturbed and our harmonious relations will be disturbed here if an efficient form of administration is not immediately set up in the areas which are now occupied from day to day. A number of persons from those districts themselves may be of assistance to the officers, the Collectors, Engineers and others whom the Government is sending. But they are not outside jails. Some of the most useful men are in jails somewhere in the Hyderabad State. Therefore if our Engineers are going there, if our Collectors are going there and if administrators are going there to instil courage into the minds of the people of the villages which have been raped and looted, there must be some non-officials also to go into those parts from this province in order to strengthen the morale of the people of the area. If there is any state of terror, if no peace reigns and if there is no peaceful atmosphere, its repercussions will affect us very much. Some who are able to do so should go to the areas, follow the troops that are going forward, work along with the officers and contact the thousands of villagers. After all, it must be realised that the officers who are sent by this Government are absolutely new to the place and it will not be difficult for some persons to surround these officers, posing themselves as the well-wishers of the villagers. We have had several instances where people clothe themselves in dresses which will instil confidence and then deceive the villagers. Just now, if you want that a peaceful atmosphere should be established, some trusted and well-tryed public men from this province, particularly Congressmen, should go to the areas. We must be able to contact officers and villagers. It may be easy for other persons owing allegiance to some other political theory but who wear coarse khadi cloth, to go to people and put them in the false scent. Our innocent officers should not go and walk into the parlour of some persons who subscribe to a different political theory. Such things would have future repercussions on the final settlement of Hyderabad. When the question of accession comes, when the question of integration comes, it is the people's voice that should prevail ultimately. Some false persons may be able to impose themselves as well-wishers of the villagers and put them in a false position. In this way some people may be cut off from the right path. That is the reason why I submit that the Ministers and Members of the Legislature should go to the occupied areas, and help to restore peace and good administration in those areas. This Government has sent its civil officers; it has sent its Engineers; it is sending doctors also. Therefore there is every reason why some non-officials and the Ministers must go and see that the areas are well-administered. Deputy Collectors,

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Engineers, Doctors, etc., who go from this province must be helped by non-officials also in order to strengthen the morale of the officers and the villagers. It may not be always safe in an occupied area. Razakars may be still hiding somewhere and the people will be in a helpless position. People are unarmed and they are in a state of terror. Therefore it will be necessary for us to go there and strengthen the morale of the people. For these reasons I submit that our work in this connexion is very important and the security of our country is of much more importance than anything else. That is the justification for my seconding this adjournment motion."

* SRI B. S. MURTHI:—"Sir, I rise to support the proposition moved by my leader Andhra Kesari Prakasam. I had the opportunity of following the Andhra Kesari to the disturbed border areas and when I met these refugees, I saw what an amount of suffering they were undergoing. Only a poet can describe the glee and happiness that were exhibited by the refugees at the sight of their trusted leader, Mr. Prakasam. There is much necessity now for our leader, Mr. Prakasam, our Ministers and Members of the Legislature to go to the disturbed areas. People who have been suffering for the last 6, 7 or 8 months will feel happier. It is not enough if only Legislators from the border districts like Anantapur, Kurnool, Guntur, Kistna, East Godavari and West Godavari go there. There is necessity for our trusted leader, Mr. Prakasam to go there, along with M.L.As. Ministers also must go there. Every Legislator is a trusted leader of the people; he is their representative. If some of us could go there, most of the difficulties that are being experienced by people of affected areas, will be at an end. I do not like to take much time of the House. I only wish that the Government will see the necessity of adjourning the House. The question of the abolition of the zamindaris is there. It is also an important question. I know my Hon. Friend, Mr. Kala Venkata Rao is very anxious to finish it as early as possible, so that hereafter ryots will not suffer from harassment by the zamindars. The Hon. Minister Mr. Kala Venkata Rao will bear me out when I say how people—refugees in Vijayawada—were surrounding him, making complaints and putting forward their grievances. This happened when he went to Vijayawada for the first time when the first batch of refugees were settling down in Vijayawada. He knows from his own experience how the refugees will be anxious to meet persons like Messrs. Prakasam and himself. It is in the fitness of things that we may postpone the business in this House for a few days. The postponement of the session for a few days will not take away the sanctity of the Bill. After all we know that the old order changeth yielding place to new. After we pass this Act, another Government may come and make radical amendments to it. Only what is possible and necessary must be done. The need of the hour is not to be sitting here and discussing the Bill clause by clause and amendment after amendment, but rush to the scene of action and comfort the people and assure them that the Government, the Ministers

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4-45 p.m. and the whole population of five crores in the Madras Presidency are at the back of the military. We are told, Sir, that Russia won the war not so much by what she did in the war front as by what she did in the home front. When military action or police action is taken, there should be a liaison between the military and the people. The legislators should be there. I appeal to the legislators, especially to the Hon. the Leader of the House who is flowing with the milk of human kindness to arrange for this. I appeal to the House that this proposition should not be made a point of difference. Because it is Mr. Prakasam who has brought this, it must not be looked at in a spirit of hatred as if it is a means of delaying the Bill. They must see the spirit of Mr. Prakasam and his anxiety. He has been with the masses for the last 30 or 40 years and his heart is throbbing now to go and mix with the masses and give them all comfort and encouragement. I therefore appeal that the adjournment motion may be accepted by the Ministry and the House and that the House may adjourn for a few days—a week or 4 or 5 days. By that time our military forces will be able to reach their goal—Secunderabad—and our police forces will have mopped up all the bad elements in Hyderabad and peace and tranquillity will reign supreme there.”

SRI P. KANDASWAMI PILLAI:—“Mr. Speaker, Sir, I have great respect for the hon. Member Mr. Prakasam. I knew him even when he was practising as a barrister in the Madras High Court. (Laughter.) I was a boy then. I visited his office and I was told that it was the office of barrister Mr. Prakasam. As a leader he has made great sacrifices for the country. There is no doubt about it. His motive also I do not question. He feels sincerely that some of the members should go to Hyderabad and help the people. But in spite of my respect to him and sympathy with his object, I cannot agree with his argument because of the bankruptcy of facts to support it. For any argument to be sound there must be agreement between it and the facts. I am not a lawyer. I have great respect for Mr. Prakasam, but I must say that there is no agreement between the facts and his argument for the adjournment of the House. Of course, if he wants us to send a congratulatory telegram to the Union Government on behalf of this House for the timely military action taken by them, then his argument will be good. If he asks us to send our thanks to Pandit Nehru for the kind advice he gave to the people in the secret session, part of which has now been divulged by the hon. Member, then also his argument will hold good. If we are asked to take his advice on any other matter because he is a leader of this Province and has made great sacrifices for the country, we can take his advice, but not the adjournment of the House at this juncture.

“Sir, if the hon. Member wants the House to be adjourned he must adduce sufficient reasons why the Members should go to that place which is already disturbed by military action. Sir, ordinary common-sense would tell all of us that no one should go

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where the military is operating. Any ordinary man knows this. Many of us, our friends in the border areas and others used to say that the Union Government should take steps to put down the atrocities of the Razakars and the Nizam. Now that Government have taken timely action let us wait and see till they complete their work. We are legislators and we are sent here to make the necessary laws for the province. We need not adjourn the House simply because there is a slight occasion. It was at the request of all of us that the Union Government is taking military action. Everything is going on quite O.K. (Laughter.) There is nothing wrong. The people there do not expect our help. They did not send an S.O.S. to the Legislative Assembly for our presence there. They are quite safe and do not care for our help. I assure the House that we need not at all be perturbed about it. There will be nothing wanting there. The military operation is in the hands of able military men who have fought in other countries. We need have no fear. Very able police officers and other district officers have been posted there for the administration of the occupied areas. What is the fear? When the Razakars were killing our people, we were simply sending S.O.S. to the Central Government. Now they have taken action and everything is going on all right. Therefore there is no consistency at all in the argument that we must now adjourn the Assembly. If my respected friend Mr. Prakasam had argued in the High Court as he has now argued in the House, he could not have accumulated all his wealth which he later on sacrificed for the country. I am quite thankful to him for all that, Sir. The country is thankful to him for all that, but this time, I should say that his argument is not at all consistent and satisfactory. At any rate, it has not convinced me. Some hon. Members might have been convinced, but I have not been convinced and I hope very many hon. Members will agree with me that there is no case for adjournment. Sir, why should the Assembly be adjourned for a few days simply because there is some disturbance in Hyderabad? It is said that we must go and advise the people to be peaceful, as if they require our help and advice to be peaceful. Wonderful reasoning, Sir. The speeches that will be made by the legislators will not help them there. Firm action is needed to put down the rowdies. That is being taken. To run the civil administration several officers have been appointed. The Madras Government has been very careful to send a sufficient number of Collectors and Police officers. There is Mr. Subbarayan, Deputy Inspector-General said to be an able man, and there is Mr. Patro, Inspector-General of Police, to look after the work. If you find there is anything wrong, you may put down questions for answer. There is no need to go there and interfere with the arrangements made by the military. If some of us are bombed, there will then be an interpellation here: ‘Is it a fact that so and so, M.L.A. was bombed?’ If a reserve constable beat some Member, there will be a complaint made to the Government. Why should we purchase all this unnecessary trouble when there is no need for it? Therefore my humble submission to my hon. Friend is to drop this

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proposal. My hon. Friend could have given better advice on the Zamindari Abolition Bill, but due to his feelings, when he was asked to join the Select Committee he refused. His advice would have been very useful to the Select Committee. He was the person who first took up the question of zamindari abolition in this Province. We are all thankful to him. But he refused to co-operate in the middle for various reasons. At least now he could have given his advice by moving amendments. Even that he has refused to do. All of a sudden he wants the House to be adjourned. I am not speaking for the convenience of anybody. I am speaking for the zamin ryot only when I say that we should not postpone this Bill but complete it now. We may have so many difficulties at home and many of us may be losing hundreds and thousands of rupees. Lawyers and doctors may be losing because they have to give up their work. But we have taken up a responsibility for our constituencies and we should complete the work. The zamin ryot must be saved from his difficulties and troubles. He must be saved from the clutches of the zamindars. We cannot suspend that work in the middle simply because there has been lawful interference of the Union Government with Hyderabad. It is a very big affair and there are big people to deal with it. It does not require our M.L.As. to go there and stand before the cannon. We are not fighters. If we had wanted to fight we could have enlisted ourselves in the army or the police. That we have not done. The operations are going on well.

"As regards the Bill before us, the amendments are being considered quickly and in a few days, if we go on like this, the Bill will be passed. Just at this stage, there is the advice from a big leader, 'Please suspend this session and let us proceed to Hyderabad.' It is not at all convincing to me, Sir. In the interests of the poor ryots who have been suffering from exorbitant rents charged by the landholders, we must pass the Bill and redeem them immediately. Therefore I request the House to proceed with the Bill and pass it, as a justification for our remaining here. This is a very big Bill . . ."

MR. SPEAKER:—"The hon. Member should not speak on the Bill."

SRI P. KANDASWAMI PILLAI:—"The motion for the adjournment of the House has come when we are proceeding with this Bill. That is why I have referred to it, Sir. I request the House not to agree to the adjournment of the House, but to remain here as requested by our leader and the Premier and do what we can to help the ryots by improving the Bill and finishing it. We must make an honest endeavour to improve the Bill for the advantage of the ryot. There should be no adjournment of the House until and unless this Bill is passed."

5 p.m. * THE YUVARAJAH OF PITHAPURAM:—"Mr. Speaker, Sir, I rise to support the motion moved by my hon. Friend, Mr. Prakasam. After the eloquent appeal of Leader Prakasam there is very little for me to say in support of the motion.

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I say Leader Prakasam, in spite of the fact that he is not the Leader of the House, in spite of the fact that he is not even the Leader of the Congress Party and in spite of the fact that in our infinite wisdom we sent him out of the Premiership. I say he is a Leader, because his place as a Leader is assured in the hearts of the people, in the memory of posterity and in the annals of history.

"Sir, in rising this evening in support of this motion, I wish to place through you before this August Assembly just one or two points. I want to make it perfectly clear that, in supporting the motion, I have no intention whatsoever to delay the passing of the Zamindari Abolition Bill. My argument might not convince people like Hon. the Revenue Minister and I gave up all hope of convincing hon. Friends like Hon. the Revenue Minister; but to make my position perfectly clear, I would even suggest the following to the Hon. the Revenue Minister and his Government. If you want to go ahead with the Zamindari Abolition Bill, you can go ahead even without the help of the Legislature. You are the Government; there is the Governor, the constitutional head of the Government; you can request him to issue an Ordinance and can carry on with Ordinance legislation. That would be much better than your having to make us go through the various processes in this House. Having made that perfectly clear, I would like to advance just one argument in support of the motion. Whatever might be said, Sir, with reference to the feasibility or desirability of the hon. Members of this House going in the wake of the army of the Indian Union, one thing cannot be disputed and that is the desirability of the hon. Members of this House being in their respective constituencies. Well, when I say this, the various people concerned might accuse me and might not appreciate the full significance of what I say, dubbing me as one of those who, not being in the good books of the Government, are disgruntled. But, now, unfortunately another factor has crept into this atmosphere. No less a person than the Governor-General of India has issued an Ordinance after having proclaimed a state of grave emergency in this country. It is said that the proclamation is not with reference to any invasion of India, but it is with reference to the internal situation with particular reference to the very delicate communal question. When that is so, are we to be here discussing details, technicalities and things of that sort, and is it not the duty of every member of this House to be in his constituency and see that every rumour is nipped in the bud and that communal harmony is not disturbed in the least? As the answer is obviously in the affirmative, is it any wonder that responsible members like us feel impelled to support the motion moved by my distinguished Friend, Mr. Prakasam?"

SRI N. ANNAMALAI PILLAI:—"கனம் சபாநாயகர் அவர்களே, இந்த adjournment motion-ஐ எதிர்த்து சில வார்த்தைகள் சொல்ல விரும்புகிறேன். இந்த சபையை இப்பொழுது ஒத்திவைக்கவேண்டுமென்று சொல்லப்படுவது மிகவும் பொருத்தம் இல்லாதது. நாட்டில் ஒரு பக்கத்தில் நெஜாமியர்கள், ராஜாக்கர்கள் என்னும் எதிரிகளால் நம் மக்கள் தாக்கப்

[Sri N. Annamalai Pillai]

[16th September 1948]

பட்டு அதற்காக சென்ட்ரல் கவர்ன்மெண்டார் போராட்டத்தை ஆரம்பித்து போர் நடந்து கொண்டிருக்கின்றது. இந்த நேரத்தில் இந்த சபை இங்கே கூடி இருப்பது நம்முடைய அதிர்ஷ்ட வசம்தான் என்று சொல்லவேண்டும். இந்த சபை கூடாமலிருந்திருந்தால் இந்த சபையைக்கூட்டி நிஜாம் பார்ட்டில் என்ன நடந்து கொண்டிருக்கிறது என்பதை நண்பர்கள் தெரிந்துக் கொண்டு அதற்குத் தகுந்தாப்போல் யோசனைகளைச் செய்யவும் நம் கீழ் உள்ள அதிகாரிகள் செவ்வனே வேலை செய்வதற்கு யோசனை சொல்வதும் அவசியமாக இருக்கும். கடந்த மகா யுத்தத்தில் இங்கிலாந்தில் பார்லி மெண்டு இரவு பகலாக மெம்பர்களைக் கூட்டி அங்கே நடக்கிற கஷ்டங்களுக்கும் நஷ்டங்களுக்கும் ஜனங்களுக்கு என்னென்ன விதமான பாதுகாப்புகள் கொடுக்கவேண்டுமோ, என்னென்ன விதமான விருப்பத்தை உண்டு பண்ணவேண்டுமோ அதையெல்லாம் அங்கே யோசனை செய்து தகுந்தபடி செய்துவந்தார்கள். அந்த நிலைமையில் தான் இங்கேயும் இந்த சபை இருந்து வரவேண்டும். இந்த சபைக்கு அபாயம் ஏற்படுமானாலும், இந்த சபையில் Bomb போட்டு இங்கேயுள்ளவர்கள் அழிந்துபோய் விடுமபடியாக நிலை ஏற்பட்டாலும் நாம் அதையதோடு இருந்து சபையை நடத்திக் கூட்டி ஜனங்களை காப்பாற்றவேண்டும் என்ற எண்ணம் வரவேண்டும். அவரவர்கள் தங்களுடைய வீட்டு வாசல்களை விட்டுவிட்டு சென்னை நகரில் இந்தச் சட்ட சபையில் நாம் எல்லோரும் இங்கே கூடி அவ்வப்போது இங்கே இருக்கும் விஷயங்களை அறிந்து அதற்குத்தகுந்த பரிகாரம் தேடவேண்டியது பொம்பவும் அவசியமாகும். அப்படி இல்லாமல் சபையைக் கலைத்துவிட்டு நிஜாம் பார்ட்டுக்குச் சென்று யுத்தம் செய்கிறவர்களுக்கு உதவி செய்வதற்குக் காம் நாம் போகவேண்டுமென்று என் மதிப்புக்குகந்த தலைவர் கனம் பிரகாசம் அவர்கள் சொன்னார். இங்கே இருக்கிற மெம்பர்கள் நிஜாம் பார்ட்டுக்குச் சென்று அங்கே யுத்தத்திற்கு வேண்டிய உதவியை செய்யப் பேசிறார்கள் அல்லது யுத்தத்தில் சேர்ந்துகொண்டு யுத்தம் செய்யப்போகிறார்களா என்பதை நாம் யோசிக்கவேண்டும். அப்படி ஒரு முடிவுக்கு வந்து போகத்தான் வேண்டுமென்றால் போகவேண்டியது தான். இப்பொழுது நடந்துகொண்டிருக்கும் சபையை நிறுத்தி வைத்து விடுவோமானால் அ பார்ட்டுக்குச் சென்று உதவி செய்வதாய் விடாது. அப்படி கலைத்து விட்டா. திருநெல்வேலிக்கு கனம் அங்கத்தினர் கோசல்ராம் போய்விடுவார். மற்ற அங்கத்தினர்களும் அவரவர்களுடைய ஜில்லாக்களுக்குப் போய் விடுவார்கள். உள் நாட்டில் குழப்பம் ஏற்பட்டு விடும். அதைக் காப்பாற்றவேண்டுமென்று சொல்லுகிறார்கள். அப்படி உள் நாட்டில் குழப்பம் ஏற்படும் என்ற நிலைமை ஏற்பட்டால் இங்கேயிருந்து நாம் அங்கே போய் சேறுவதற்கு வெகு நேரமாகி விடாது. தவிர ஜனங்களுக்கும் காங்கிரஸுக்கும் மிகவும் முக்யமானதான இந்த ஜமீந்தாரி மசோதாவை இப்பொழுது நிறைவேற்றுகிறோம். அதை நிறைவேற்றுவதற்குக் கூடி இருக்கும் சமயத்தில் இதை தள்ளிப்போடுவது என்று சொன்னால் ஜனங்களுடைய கோபத்திற்கும் தாபத்திற்கும் நாம் உன்னாகவேண்டுமென்பதை மறந்துவிடக்கூடாது. ஜனங்களுடைய ஆதரவும், ஒத்துழைப்பும் நமக்கு இருக்கவேண்டுமென்றும் அதற்கு ஆதரவாக இந்த ஜமீந்தாரி மசோதாவை நிறைவேற்றியாகவேண்டும். ஜமீந்தார்களுக்கு தொந்திரவுகள் ஏற்பட்டாலும் எவ்வித கஷ்டம் ஏற்படாமலும் அவர்களுக்கு போதுமான பாதுகாப்பு கொடுப்பதும், அவசியமாகும். அவர்களுக்குக் கொடுக்கவேண்டிய தொகையை கொடுப்பதற்கு கவனம் செலுத்த வேண்டியது தான் இந்த சபையினுடைய முக்யமான வேலை. ஜமீந்தார்களை அடியோடு ஒழித்துவிட வேண்டுமென்று சொல்லிக்கொள்பவர்களில் நான் சேர்ந்தவனல்ல. இப்பொழுது அதில் இறங்குகிறேன் சேர்க்கவேண்டியதில்லை என்று சொல்லி ஒதுக்கப்பட்டிருக்கின்றது.

MR. SPEAKER:—“ஜமீந்தாரி மசோதாவைப்பற்றி இப்பொழுது பேசவேண்டாம். Adjournment motion-ஐப் பற்றி பேசுங்கள்.”

SRI N. ANNAMALAI PILLAI:—“இப்பொழுது சபையை ஒதுக்கிவைப்பதற்கு ஜமீந்தாரி மசோதாதான் காரணமாக இருக்கிறது. ஜமீந்தாரி மசோதாவை ஒத்திவைத்து விடுவது என்பது இந்த motion-ஐக் கருத்தாக இருக்கிறது. இந்த மசோதாவை நிறைவேற்றாமல் நிஜாம் பார்ட்டுக்குப் போக வேண்டுமென்ற தீர்மானத்தை தோற்கடிக்க சாதகமாக இருப்பதற்

16th September 1948]

[Sri N. Annamalai Pillai]

காக இதைப்பற்றி பேசுகின்றேன். ஆகையினாலே, ஜமீந்தார்களுக்கும் கஷ்டம் ஏற்படாமல் பாதுகாக்க வேண்டியது நம்முடைய கடமையாகும். சபையை ஒத்திவைக்காமல் இந்த மசோதாவை நிறைவேற்றுவதும் நம்முடைய கடமையாகும். இந்த சமயத்தில் இந்த சபையானது இங்கே இருந்து கொண்டொன்றிருக்கவேண்டும். இதை ஒத்தி வைத்துவிட்டு, நைஜாம் பார்ட்டுக்குக் கூட்டாய் போக வேண்டுமென்பதை நான் ஒப்புக் கொள்ளப்போவது இல்லை. நிஜாம் பார்ட்டில் யுத்தம் எவ்வளவு நாட்களுக்கு நடக்கிறதோ அவ்வளவு நாட்களும் இந்த சபையில் இருந்துகொண்டு அங்கே என்ன நடக்கிறது என்பதை தெரிந்துகொண்டு அதற்கு வேண்டிய ஒத்தாசையையும், உதவியையும் செய்துகொண்டும், இன்னும் வேண்டிய யோசனைகள் கொடுப்பதற்கும் கட்டாயமாக இங்கு இருக்கவேண்டும். இந்த மசோதாவை ஒத்தி வைக்கவேண்டுமென்று சொன்னால் அதனால் ஜனங்களுக்கு நம்மிடம் வெறுப்பு ஏற்படும் என்பதை மறந்துவிடக்கூடாது. ஜமீந்தார்களுக்கும் இறும் தார்களுக்கும் ஒழித்துவிடவேண்டுமென்று சொல்லிவிட்டு இப்பொழுது இறும் களை நீக்கிவிட்டு ஜமீன் ஒழிப்பையும் நிறைவேற்றாமல் ஒத்திவைக்கவேண்டுமென்று சொன்னால் அது மிகவும் பொருத்தமில்லாதது, நியாயமும், நேர்மையுமற்றது. அதை யாரும் ஒப்புக்கொள்ள முடியாது. ஒத்துக்கொண்டு வேண்டிய போனால் நம்மை ஜனங்கள் சுமமா விடமாட்டார்கள். நாம் இந்த சட்டத்தை நிறைவேற்றுவோம் என்று சொல்லி வோட்டு பெற்று இங்கே வந்தோம் என்பதை யாரும் மறந்து விடக்கூடாது. நிஜாம் எல்லைக்குப் போவதற்கும் இந்த மசோதாவை நிறைவேற்றுவதற்கும் யாதொரு சம்பந்தமும் இல்லை. நிஜாம் எல்லையில் யுத்தத்தை நடத்துவதற்கு உயர்ந்த உத்தியோகஸ்தர்கள் அங்கே வேலை செய்து வருகிறார்கள். வேண்டிய அளவு பணத்தையோ, மற்றும் எந்த விதமான ஆள் செலவுகளையோ, எல்லாவற்றையும் நாம் இங்கே இருந்துகொண்டு கொடுக்க ஏற்பாடு செய்யவேண்டும். அந்தந்த பகுதியிலுள்ளவர்கள் நிஜாம் எல்லைக்குப் போக வேண்டுமென்றால் அவர்கள் போய் வரலாம். அதற்காக ஒரு பெரிய சாரியம் நடந்து கொண்டிருப்பதை நிறுத்தி வைத்து விட்டு ஜனங்களுடைய ஆத்திரத்திற்கும் கோபத்திற்கும் ஆளாகக்கூடாது என்பதை தெரிவித்துக்கொள்ளுகின்றேன். கனம் பிரகாசம் அவர்கள் விஷயங்களை நன்றாக தெரிந்தவர்தான். ஒத்தி வைப்பதால் ஜனங்களிடையே ஏற்படும் வெறுப்பையும், மனஸ்தாபத்தையும் அவர் அறிந்து கொள்ளவில்லை. இன்று இதை ஒத்திவைத்தால் நமக்கு ஏற்பட்டிருக்கும் ஒத்தாசையும், காங்கிரஸ் ஸர்க்கார் இதுவரை செய்து வந்த வேலையினால் ஏற்பட்டிருக்கிற பெருமையும், உதவியும் குறைந்து போய்விடும். இது ரொம்பவும் அவசியமானது. இந்த மசோதாவை நிறைவேற்றுவதுதான் நியாயம் என்று நான் தெரிவித்துக்கொள்ளுகிறேன். அனுவசியமாக ஜனங்களிடம் குழப்பத்தையும் கொந்தளிப்பையும் எழுப்பவேண்டாம். ஜமீந்தாரி மசோதாவை ஒத்திவைக்க வேண்டுமென்று சொல்வது கொஞ்சமும் பொருத்தமாக இல்லை என்பதை தெரிவித்துக் கொண்டு நான் என்னுடைய வார்த்தையை முடித்துக்கொள்ளுகிறேன்.”

* THE HON. SRI KAILA VENKATA RAO:—“Mr. Speaker, Sir, I would not have interfered in this debate except for the fact that almost all the arguments for and against have been directed against this fortunate or unfortunate Zamindari Abolition Bill. (Interruption.) You never said it, but several hon. Members spoke about it. I am not one of those who feel that my hon. Friend, Mr. Prakasam, brought in this motion just for the sake of getting a postponement for my Bill. I am not so mean as to think that these motions come just for the nonce, just to create some sort of trouble towards the progress of the Zamindari Abolition Bill, simply because we differ over certain details about its conception, or its drafting. Here, I would like to say one thing. I am also bubbling with enthusiasm to run to Suryapet and do my duty there by enlisting myself, if necessary, in the

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army. I am ready and I have no doubt in my mind about that. But, Sir, the Government may have to decide the opportune moment for non-official propaganda or allow the Hon. Ministers to get into the Hyderabad territory to do their duty. As soon as that is known from Delhi, neither I nor any one of my colleagues will hesitate for a moment to go and do our duty for the cause of the Indian Union in the Hyderabad territory. Subject to this, I would appeal to my hon. Friend, Mr. Prakasam, to leave it to the Government to select the opportune moment whether and when the Assembly should be adjourned or not. I would also assure him that, at the earliest possible moment when the necessity arises, we shall certainly rush there. But, I do not think this is the opportune time to do so. I would like Mr. Prakasam and the House to trust the Government to select that opportune moment."

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* SRI K. BHASHYAM:—"Mr. Speaker, Sir, if I rise to support the motion, it is because I feel that, in spite of our pre-occupation with the Zamindari Bill, there must be a gesture on the part of this House to those persons who have suffered in the Hyderabad affair. If a motion like this is passed, it will be a sort of encouragement and sympathy to the people who have suffered so far. Also because it is necessary at this time of crisis that the persons who are there in those areas which are liberated and who are already suffering should have this encouragement from this House. I am sorry my Tamil friends could not really appreciate the situation, nor have they the knowledge to appreciate the situation. The situation is not as if it is one of military operations; it is not as if we are going there to fight the Razakars. What is necessary is, behind all this military power, there must be some encouragement from behind. It is that encouragement that is suggested by this motion. A number of refugees are pouring in round about the border districts for shelter, food and clothing. No doubt a communique has been issued by Government on this matter. True, Government will do all they can. But they are hampered by rules and instructions. It is here non-officials will do what Government cannot do. I do not expect all people will at once rush to Hyderabad, Bellary or Cuddapah for the purpose of helping. Persons representing those districts will do that. What is needed of other persons is to carry on propaganda to reconcile the irreconcilables to the Union Government and to say that we are above all communal bias. That is absolutely necessary. We are to-day liberating people, both Hindus and Muslims, who have suffered from the atrocities that ought not to have been committed.

"Then there is another aspect which has been wholly forgotten. It is this. In the districts conquered to-day, there are people who have suffered very badly at the hands of the Razakars. It may be they will be actuated now to take vengeance for that. In this, innocent Muslims will suffer. It is not all Muslims who have committed atrocities. There are good Muslims who have given shelter to Hindus. It is human nature to be impelled to

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retaliate and commit atrocities on Muslims who are residents of the occupied places. It is here non-official agency will be most helpful, as officials are bound down by rules and instructions. Therefore, I think Mr. Prakasam is quite right in insisting on the presence of non-officials in the conquered areas at the present juncture.

"Lastly, I appeal that this question of adjournment of business for a short time will have a stupendous effect upon the morale of the people there. The people there will say 'the Legislature has adjourned their work for us; and it is an encouragement for us.' That effect cannot be overlooked. Now, by saying that we are anxious to go through this Zamindari Bill, what is the good? What is the anxiety in passing this Bill? I have said several times that the tenants have been satisfied that their rents are reduced; they are not paying any rent to-day. Absolutely good peace prevails among them. Therefore, the anger of Sri Annamalai Pillai and Sri Kandaswami Pillai in delaying the passing of the Zamindari Bill is beside the point. Now, what is the point in saying that tenants will suffer? Who are the parties concerned in it? It is the zamindars and the Government; they have to decide what is the compensation and how it should be paid. So it is the zamindars and the Government who are interested in it, and not the tenants. All this talk of tenants and masses is without understanding the implication of the measure. The arguments of my Tamil friends will go to create an impression that they are in sympathy with the Razakars and not the Andhras. I rise to point out that the whole Andhra country has got the Tamil sympathy in their sufferings at the hands of the Razakars."

* SRI A. KALESWARA RAO:—"Sir, before I submit anything on the motion, I wish to thank, on behalf of the whole Province, the Leader of the Opposition, Mr. Ismail Sahib, for having called upon all the Muslims to stand by the Indian Union in this time of crisis. As a responsible leader of the Muslim League, he has done yeoman service not only to the Muslims but to the Hindus at this great juncture. I must also appreciate the action of the Government with regard to this motion. I thank the Leader of the House for allowing this adjournment motion to be taken up this morning. I also appreciate the Hon. Mr. Kala Venkata Rao's reply to this motion. I appreciate the way in which he has expressed his opinion with regard to this motion. Really, as he said, the Zamindari Bill is not the question to be brought with this motion. Nobody is more anxious than myself to see that the ryots do get all their rights immediately and now. We are all pledged to give all the facilities to the ryots and to give them reduction of rent. Of course, I shall be sorry to adjourn this House for even a short time because my Anti-Bigamy Bill will also be not passed into law, I mean its passage in the Upper House. Therefore, I am also in the same predicament as my friend, the Hon. Revenue Minister. We both have important Bills. Meanwhile, many bigamous marriages are taking place.

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(Laughter.) Zamindari or no Zamindari Bill, Bigamous or no Bigamous Bill, we must now consider the whole position from the grave emergency which has now arisen in our Province, and particularly in my part of the Province. I am in the thick of the fight, as it were. (Laughter.) From Vijayawada, you may be hearing every time through the radio the events which are taking place there and its surroundings. It is my place and it is also the place of Mr. Mahboob Ali Baig. In Vijayawada, we both joined together and prevented all Hindu-Muslim friction. (Hear, hear.) When there was a crisis there, we went round the place; we approached the people; I assured the Muslims on behalf of the Hindus that they are safe; and Mr. Baig assured the Hindus on behalf of the Muslims that they are safe. In the same way, now, our duty lies there, not here. So also Mr. Hameed Khan and Mr. Venkatasubbiah ought to be in Kurnool, and not here. The Government of India have decided to march their armies from various points to Secunderabad. Till now, there has not been much of resistance; but all on a sudden resistance may arise. Who knows, whether bombs will not be thrown on some of our towns? Who knows, panic will not prevail? When we are going through the Zamindari Bill, clause by clause, amendment after amendment, slowly deliberating over each of them, Rome is burning while Nero is fiddling! That is our position.

"Of course, the army and the Police will welcome us if we go there; because they cannot exercise all the influence that non-officials can. Supposing in Vijayawada itself all sorts of people are arrested, should we not prevent that; should we not see that everything is quiet. There is not much cause for arrest of people; still it is our duty to see that perfect peace reigns there.

"I know the whole history of this Hyderabad affair from the very beginning. It was in my house that Swami Ramananda Thirtha first declared his desire and his determination to fight the Hyderabad issue. When he came to Vijayawada, I received him; and he stayed in my upstairs. We did not have a public meeting. We only called a number of friends; because we did not know the communal susceptibilities then; it was only afterwards the Muslims joined. Till now, it has not become a communal issue. In this fight, many of my relations are in jail; many women of my relatives have been molested by the Razakars, and I bow my head in shame. I know how Mr. Bhansali's fast came about. We both went round and saw the atrocities committed in the border areas, and he resolved to fast to bring about peace. From my house, he went to Wardha, and it was there the Governor-General prevailed upon him to break his fast. As I said, I know the Hyderabad affair from the very beginning. My taluk is full of refugees. Nandigama taluk is in my district; and so I am in the middle of all these happenings. Now all the popular leaders of the Hyderabad State are in jail. I know them from my childhood; I know they have great influence over the people; I know what magical effect their presence will produce in the people. Now, all the villages are empty. The houses have been burnt to ashes;

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the refugees are afraid to go back to their villages. We must ask them to go back; we must instil confidence and hope in them; they should go back and help the army, dress and nurse the wounded. Even our womenfolk should come forward and rise to the occasion. In the war against Turkey by Italy, did not women go and do service in the field? Is not that the beginning of nationalism in Western Asia? In the same way, we have to infuse courage and confidence in the army.

"I have to say one or two things more. One thing Mr. Bhashyam referred. He said the Hindus are very angry with the Muslims, and they may now wreak vengeance on them. By this, innocent Muslims may suffer. So this spirit of retaliation and revenge must be nipped in the bud. For that, we must do propaganda; we must preach the spirit of Gandhism.

"The other point I have to say is with regard to Communists. As the Indian Union army moves forward, the Police and the officers of Government follow them and thereby in the occupied areas a state of vacuum is created; and in this place the Communists will step in. So we must tell the people that they should not ally themselves with them. In Nalgonda, Warangal, Suryapet, Mahboobnagar and Raichur districts, the Communists claim to be masters of several villages. They have robbed the people, killed the people, particularly the middle class and rich people, and they are masters of the masses, because they have distributed much of their loot to them. All these things, our Tamil friends, who are at a distance from this area, may not feel so much as we feel. Of course we shall take them there when we go there. If I were really free, myself and my friend Mr. Kala Venkata Rao will be in Suryapet. Mr. Prakasam will lead a party to Warangal, Mr. Gopala Reddi will lead a party to Kurnool, and so also Mr. Chandramouli.

"Mr. Speaker, Sir, it would be a really grand thing that the world should know that this august Assembly has postponed its deliberations for a fortnight in spite of the fact that very important Bills are pending consideration. It would add dignity to this House, it would add charm to the situation, and the people will appreciate it. I therefore request the Government to accept the adjournment motion and adjourn the House. With these words, I support the amendment."

SRI KALLUR SUBBA RAO :—"అధ్యక్షా! ఆంధ్ర దేశములో వేరన్నిక గన్న పెద్దలు ప్రకాశం గారు తీరేకంటా ఉత్సాహంతో అపూర్వ శక్తి సంపన్నులు. కాని చారిత్రపు పని గడిచి కాలాకాలమగుచేతను కాబోలు వారు తెచ్చిన తీర్మానము పై వాదన సారము లేకుండా ఉన్నది.

"ఇంతకుముందు మాట్లాడుచు రెవిన్యూ మంత్రిగారు జమీందారీ బిల్లు ఆంధ్ర ముఖ్యమైనది కాదనియు, అవసరమని రోచినపుడు ప్రభుత్వమువారు జమీందారీ బిల్లును కొంతకాలము ఆపి ఆయినను, నెజాము ప్రాంతములకు వెళ్ళుటకు తమకు అధ్యంతరము లేదని చెప్పినారు. కాని 11 కాశ్మీర రాజు గారు తమ వాదనలలో ఈ జమీందారీ రద్దు బిల్లు నాకు ముఖ్యమని చెబుతూ, అంతకుంటే రెజిస్ట్రార్ నాకు ముఖ్యమని అన్నారు.

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[16th September 1948]

వాకి బెజవాడ ఆంధ్రముఖ్యమైన వారు ఆక్రమణకు వెళ్లవచ్చునే, వెళ్లి ఆక్రమణకు చూసుకొనవచ్చునే, వాని వెళ్లవచ్చని ఎప్పుడూ అర్థమేదీ. వారు ఆక్రమణకు వెళ్లకారణాలచేత బెజవాడ వెళ్లినా ఈ జమీందారీ రద్దు విషయములో రైతు పక్షమున వాదనచేసే ప్రతివాంతులు నక్కడ ఇంకను కొంతమంది ఉండగలరని వారికి చెబుతున్నాను.

“ఇంకొక వాదన పెద్దలు చెప్పినారు. అది ముఖ్యముగా హిందూ-ముస్లిము సభ్యుల ఎక్కువ చేయుట కాని శ్రీ కాశీశ్వర రావుగారు చెప్పినట్టి చరిత్ర వల్లించుకుంటూ ఉంటే చాలా బాగుండేది. నిజముగా చూచినట్లయితే మరలా వ్యాప్తిములో హిందూ-ముస్లిము సభ్యుల చక్కగా ఉభయముల పాటు పడుతుంది. ప్రజలు దీని చక్కగా అనుసరించుచున్నారు. ఇంకేకాకుండా శాసనసభ్యులే కాకుండా జిల్లాలో ఇతర కాంగ్రెస్ పెద్దలు నాయకులు ఉన్నారు. వీరి వ్యతిరేక మత కలహములు వచ్చిన వారు నడుచుకుంటేయగలరని, అటువలె ఈ శాసన సభ సభ్యులే ఆక్రమణ ఉండవలెననుట ఆంధ్ర బాగులేదని నేను చెబుతున్నాను. రాష్ట్ర కాంగ్రెస్ సంఘాలు, జిల్లా కాంగ్రెస్ సంఘాలు, హైదరాబాదు ప్రతినిధులు, ఈ సంఘములకు సంబంధించిన శాఖలు జిల్లాలలో ఉన్నాయి. ఈ సంఘములు, ఇతర నాయకులు ప్రజలకు ప్రభుత్వమువారు కూడా సహాయము చేయుటకు సిద్ధముగా ఉన్నారు. కాబట్టి శాసన సభ సభ్యులు ఇక్కడ ఉండి ఎన్నటికప్పుడు హైదరాబాదులో జరుగుచున్న విషయములను ఈ సభ ద్వారా ప్రజలకు తెలియజేసి, ప్రబోధము కలుగజేసే విధమున తీర్మానములను పాటించి ప్రజలలో ఉత్సాహము కలిగించవలసినదిగా వారిని ప్రార్థన చేయుచున్నాను.

“రెండవ విషయమేమిట ఈ శాసన సభ్యులలో మిలిటరీ సహాయముకు ఆసక్తులు వడినవారు ఎవరు లేరని తెలియజేయుచున్నాను ఈనాడు శ్రీ ప్రకాశం పంతులు గారు కాదు, రెవెన్యూ కమిషనరు కాదు, ఎవరైనను హైదరాబాదు ప్రాంతములలో ప్రవేశించవలెనంటే దీర్ఘ ప్రధాన మంత్రియొక్క అంగీకారము లేనిదే అమరు పెట్టుటకు అధికారములేదు. హైదరాబాదు ప్రాంతములలో ఈ నాడు అక్రమిత ప్రాంతములలో ఉన్న కలెక్టర్ల యొక్క, District Superintendent of Police యొక్క అంగీకారములేదే ఎవ్వరైనను ప్రవేశము చేయటముగానీ, ప్రబోధము కలుగజేయుటగానీ గాని అధికారియులేదని సభ్యులు గమనించవలసినదని పార్టీచేస్తున్నాను. ప్రపంచ చరిత్రలోగాని శాసనసభల చరిత్రలోగాని రణరంగములలో ప్రబోధము కలిగించుటకు శాసన సభ్యులు అక్కడకు వెళ్లినట్లు కనపించదు. శాసన సభ్యులుగాని, నాయకులుగాని అక్కడకు పోయినానే రణరంగములలో సిపాయిలు ఉత్సాహముతో, ఉద్రేకముతో పోరాడగలరని నువ్వెప్పుడున్నాను. Central Provinces మొదలగు ఇతర రాష్ట్రములలో ఎక్కడా కూడా ఈ విధముగా శాసన సభ్యులు రణరంగములకు పోవలయునని తలచలేదు. కాని ఎవరైనను వెళ్లదలచుకొనదలచినచో సభను విడచి పోవచ్చును, వారికి కావలసిన ప్రబోధము చేయవచ్చును. Hospet ప్రతినిధి ఇక్కడనే ఉన్నాడు. కాని Hospet లోని ప్రజలు రైల్వే సహాయములలో హైదరాబాదు వరాను సైనికుల నెదుర్కొని 14వ తేదీ రాత్రి పోరాడినారు ప్రజలు ఉత్సాహముతో 25 వేల రూపాయలు బందాలువేసుకొని సైనికులకు కావలసిన సహాయము చేస్తున్నారు. కాబట్టి నాయకులు అక్కడ లేకపోయినట్లయితే ప్రజలు ఆ రైల్వే పడకారిని ఆనుకోవడము సహజము.

రణరంగమున నాయకులు వినియోగము కావలసినదే గాని ఎవ్వరకు హెచ్చు సహాయము చేయబోదు. ఆ జిల్లాలో ఇతర కాంగ్రెస్ నాయకులున్నారు. శాసన సభ సభ్యులే ప్రజలలో ఉద్రేకము, ఉత్సాహము కలుగజేయగలరని ఇతరులు చేయలేరని అనుకోవడము మంచిది కాదు.

[Sri Kallur Subba Rao]

“కొంతమంది గౌరవ సభ్యులు శరణార్థుల గురించి చెప్పినారు. ఈ శరణార్థులు ఈ నాయకుల సమేయము లేకుండానే అక్కడకు వచ్చినారు. ఈ నాయకులు చెప్పకుండానే తమ తమ ఇండ్లకు పోతున్నారు. ఈ నాడు వచ్చిన వార్లబట్టి ఈ శరణార్థులు అతి ఉత్సాహముతో, ఉద్రేకముతో మిలిటరీ వారి అడుగు జాడలలో తమతమ గ్రామాలకు పోతున్నారు. ఈ కారణములచేత శాసన సభ్యులు నేటి పరిస్థితులలో రణరంగమునకు వెళ్లవలసిన అవసరము లేదు. ‘నవీ నాగన్నా సీ ధర్మా నా కొడుకు పెండ్లి అయినది; విమన్నా పెండ్లికిపోయేటప్పుడు ఎదురురానిదే 10 వేలు’ అన్నట్లు ఈ శాసన సభ్యులు అక్కడకు వెళ్లి ప్రజలలో అలజడి కలిగించేకన్న ఇక్కడనే ఉండి ఈ శాసన సభ ద్వారా ప్రజలకు ఉత్సాహము కలుగజేయవలసినదని ప్రార్థన చేయుచున్నాను.”

THE HON. SRI B. GOPALA REDDI:—“Sir, in a way the Government welcome the motion. We expected some useful suggestions to be made by various hon. Members. In the light of them, if there is anything left for the Government to do, we would have taken ample measures to prevent panic in any quarter. But I am sorry to find that various issues have been raised and I do not know whether any constructive criticism was offered to the Government to enable them to go ahead with the steps they are taking. They wanted an adjournment of the House in order to enable the Members to be in their constituencies for doing certain things, to create communal concord and amity, to create better relations between the military and the civilians and so on. But whether a mere dispersal of the Members from the headquarters into the various districts would serve the purpose is a question that has to be considered on its own merits. In other countries, whenever a serious crisis occurred in the nature of a natural calamity, in the nature of civil commotion or in the nature of external aggression, when the Parliament was in session, did they ask the Members to be in their respective constituencies trying to keep up the morale of the civil population? Sir, as far as I can remember or recall to my memory, whenever an emergency of whatever nature has arisen, the Members always asked for an immediate convocation of the Parliament so that the Government can take the House into confidence and tell them the steps they are taking. But, Sir, here we are new to Swaraj and new to military matters because none of us has seen the military in operation. Thanks to various factors, India was spared the ravages of war either in the First World War or in the Second World War. Though in the distant Himalayas, our armies are engaged in an undeclared war for the last several months, we have not witnessed it and we have a very hazy notion of what is happening in Kashmir. But to-day at last, due to various factors, mostly political, when our forces are marching into Hyderabad, we are taking up a different attitude and we are showing anxiety to be somewhere very near the trenches or very near the advancing forces, instead of keeping at the headquarters, studying the situation and doing whatever is necessary to keep the civilian morale.

[Sri B. Gopala Reddi] [16th September 1948]

"Sir, at the outset I must thank the hon. Mover of the motion for the assurance he has given that he has no intention of delaying either the Zamindari Bill or any other measure that is coming up before the House. I must assure him that we, on our part, never mistook him. We really appreciate the sincerity of the motion and I know Mr. Prakasam would like to be somewhere near Vijayawada or Kurnool or Bellary and perhaps he would also like to take some other Members along with him to do the usual propaganda to keep up morale. As I said, we, on our part, never mistook him and therefore we had no difficulty in accepting the motion to be debated.

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p.m.

"Sir, we are also painfully aware of the fact that the main responsibility is not that of the Provincial Government. It is the responsibility of the Government of India and the Government of India have at last taken the decision to march our forces into the Hyderabad territory. They had made repeated requests to the Nizam's Government; they had waited for long and finally sent an ultimatum. They had prolonged negotiations in Delhi with regard to what should be done in Hyderabad. The Government of India demanded the disbandment of the Razakar movement which was threatening the very existence of the civil administration in Hyderabad, for no Government worth the name can allow private armies to exist in the name of religion and under the guise that they are redeemers of their people and their religion. As we all know, for several months the Razakars had been organizing themselves into a private army with Syed Kasim Razvi as their leader. It looked as though there was no civil administration in Hyderabad and that the Razakars got the upper hand in the machinery of administration, and they were trying to dictate to the Nizam and dominate him during the course of prolonged negotiations. It looked as though His Exalted Highness was a helpless spectator in that machinery who allowed the Razakars to have their own way and could not come to any settlement with regard to the future of Hyderabad. The Government of India having waited for long, and the Governor-General of India also having made a last-minute request to His Exalted Highness that Indian troops should be allowed to be stationed in Secunderabad as a measure of security and safety among the civil population in the border areas, so that they might be encouraged to stay in their own villages and carry on their occupations, and finding that all these requests were turned down and the negotiations having failed, at last decided to march their forces into Hyderabad. I am sure, Sir, our Governor-General and our Prime Minister of India are not very happy at the course of events which have led to this step. They would have welcomed any real gesture from the Hyderabad Government to introduce Responsible Government in the State and any real assurance that law and order would be maintained. But unfortunately the Nizam's Government was very adamant and would not come to any compromise, with the result that things had taken a different course and to-day much to the regret of everybody, our forces are marching into that territory, and we are sure that our troops will reach Secunderabad in the next few days and occupy it.

[16th September 1948] [Sri B. Gopala Reddi]

"In this connexion, Sir, I am glad to see that our Muslim friends in the Indian Union have taken a correct view of the whole matter and have expressed their opinions frankly about the Hyderabad affair and have also affirmed their loyalty and support to the Indian Government. Various Muslim leaders and Muslim organizations all over India, from Calcutta and other Provinces have given expression to their feelings. Here in Madras also, our Leader of the Opposition and also my hon. Friend Mr. Hameed Khan, the Floor Leader of the Independent Party have all made their appeals in the press and given their statements supporting the Indian Union's stand. Mr. Hameed Khan's appeal has not yet appeared in the press, but I just saw it relayed in the teleprinter. Having taken this stand, I wish they could have declared what they have stated in their statements to the press, on the floor of this House so that the statements of the leaders of the various parties in the Opposition and also the speeches made by veteran leaders on this side like Mr. Prakasam might go a long way to create a greater sense of security, confidence and safety in the minds of the people than ourselves going to those distant places where perhaps we are not wanted by the military and trying to infuse confidence among the people there. I am not also quite sure whether the military themselves would welcome some of us going over there, whether it would be of any use to them and whether it would not be of some little nuisance even, because we are all new to what is happening either in the forefront of the army or behind. We do not know their attitude with regard to this matter and as I have already said, our Muslim friends have taken up a very correct attitude in this matter. They have not given any communal colour to what is happening in Hyderabad.

"Sir, I had occasion to be at Kurnool on the 12th and even on the 13th morning and when the news of the entry of our troops into Hyderabad territory was announced, I was actually addressing a public meeting in Nandyal in which many Muslims were present. I found that almost all the Muslims there have taken the news coolly, because they knew the inevitability of the events taking place and they also realized that it is not a Hindu-Muslim question. They had seen for themselves that in Hyderabad there is an administration which would not help the civilian population from the depredations of the Razakars, which would not grant responsible Government to the people of the State and which even after the repeated occurrences of atrocities in the border villages would not take any action to safeguard the interests of the people there, and therefore they had reconciled themselves to the inevitable action which the Government of India had taken to restore order in the State and they had also realized that what the Government of India were doing was perhaps the only right thing that anybody could do under the circumstances. So it is highly gratifying that all our Muslim friends in the border districts of Kurnool, Cuddapah and Bellary had taken this view and are remaining loyal and are giving their entire support to the Union Government. Sir, I had also a long talk with the Collectors of

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those districts and have learnt at first hand how the Muslims in those districts have reacted to this news and they all told me that there is absolute peace in all places and that Muslims are not in any way reacting badly to our forces marching into Hyderabad. That is a very gratifying thing indeed and I wish that this occasion also should be taken by both the Hindus and Muslims to create a very cordial atmosphere by making an appeal through the press and platform and through the radio but more than all that, this forum of the Legislature must also be utilized by the Hindu leaders, Muslim leaders and the Congress leaders to create the necessary good-will and amity between the various sections of our population in this country.

"Sir, it is also gratifying to see that our defence forces are doing their job very excellently and very gallantly. They have achieved something very marvellous indeed within a short space of time at their disposal. And we have every confidence that our Brigadiers in the various sectors and our General-Officer Commanding here and the Southern Area Command at Poona are all at this job in right earnest. They are getting information almost every minute and they are also giving instructions every minute to the forces that are operating from the various sectors in the campaign. It is also really gratifying indeed to note that in spite of our officers not having had much of an experience in the actual theatres of war—because even during the last war, many of the Indian officers on the top rank were not trusted by the British Army Officers—given an opportunity, they are acquitting themselves very creditably in this campaign and that our forces are also doing the same thing.

"Sir, the morale of our people is also quite good, and I see this from the papers and also from the reports received from the Collectors of the border districts. They have one and all reported to that effect. From all places, from Kurnool, Nandyal, Vijayawada, Bellary and other places, news has been received that the morale of the civil population is very high and this is borne out by the fact that instead of our getting refugees from the other side, as we used to, in the days of the Razakar zoolum, to-day the situation is reversed. All those who had left their homes, weeks and months ago from Hyderabad, are now returning back to their homes, because they see that there is no chance hereafter of the Razakars raising their heads again in those villages. They have now known that the Razakar movement is once for all finished and that they can live happily in their villages. Sir, we have received reports from the Collectors, especially from the Collectors of Kurnool and Vijayawada, that many of the refugees are returning back to their villages.

"So, Sir, as I said, the morale of the people is high and when the military perhaps do not welcome us, I do not think there is any particular point in asking our Members of the Legislature to go back to their constituencies and be at their posts. If really, as my hon. Friend Mr. Kaleswara Rao has said, there was a little bombing in the Vijayawada town or over the Kistna bridge, or if

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something else happened at the Kurnool border or at the Bellary border, perhaps we could have thought that it is our duty to be at our constituencies and try to organize relief and keep up the morale of the people. But nothing has happened. Everything is all right. We have heard that our R.I.A.F. are already operating in certain places in the Nizam's territory and we naturally might expect some retaliation from the other side. But so far there is no sign of retaliation from the other side. So the chances of our towns being bombed are very remote. That is why the people at Vijayawada and at Kurnool are not only not panicky but they are really hilarious and jubilant that our Indian Government are acting in a firm manner and that they are going to see the end of the Razakar movement and that ultimately there will be Responsible Government in Hyderabad, because after all what we are so anxious about, is to see that a responsible and democratic Government functions in Hyderabad. But unfortunately His Exalted Highness has been refusing to form a responsible Government in the true sense of the term. He simply wants to have some other form of Government, where there should be parity or 50 to 50 between the Hindus and Muslims and so many other things. We, as believers in democracy, were naturally alive to the situation developing in Hyderabad and we wanted to have a full-fledged popular Government functioning in Hyderabad. We, who have supported the Indonesians, the Ceylonese and the Malaysians in their struggle for self-determination, could not remain helpless spectators at what was happening in Hyderabad and it was but right that we should throw our full moral and material support in favour of responsible Government in Hyderabad. Therefore, I am sure that the people in the border villages of Hyderabad are really happy to see our forces occupy those places, and our officers who are appointed by the Government of India will also be taking charge of those places very shortly and there would not be any difficulty for our officers to get mastery of the situation in a short time and everything that is possible will be done to restore peace and tranquillity in the occupied areas.

"Now, Sir, the motion moved by my hon. Friend Mr. Prakasam is based on three arguments, namely, to be present in their constituencies to help the maintenance of peace and order and good relations between communities, etc.

"Sir, that is all true, but there is nothing that we need do by going to our constituencies. We can as well stay at our posts in the headquarters and do what is necessary through the radio and through the press, because we have here both the radio and press which are very powerful and effective instruments to create good will, and all these facilities will not be available in all those districts. So, to help to maintain peace and order and good relations between communities, there is no other more safe and more suitable place than Madras. We expected some trouble within the Indian Union as soon as our forces marched into the Hyderabad territory; we expected some trouble behind our forces in the field and we also expected trouble in some of the Muslim pockets in

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this Province, and so naturally we had taken all preventive measures and we had to take them much to the annoyance of some of our Muslim friends in this Province. There is no hiding that fact, Sir. We had to take all these precautionary and preventive measures, and because we did those things, we are glad just now to find that there is no communal disturbance anywhere in this Province.

"The second argument advanced by Mr. Prakasam is 'to tour the occupied areas to strengthen the morale of the people.' As I said, Sir, I am not quite sure whether the military people want us there at all. The morale of the people is already high . . ."

"I think, Sir, the time is up . . ."

(The bell was rung.)

THE HON. SRI B. GOPALA REDDI:—"I want one more minute, Sir."

MR. SPEAKER:—"No. The debate terminates at 6 o'clock. I now adjourn the House to meet again at eleven o'clock tomorrow."

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A PPENDIX

[Vide answer to starred question No. 307, asked by Sri N. Venkatasubbayya at the meeting of the Legislative Assembly held on the 16th September 1948, page 359 supra.]

G.O. Ms. No. 1710, Public (Refugees), dated 14th July 1948.

[Refugees from Hyderabad—Relief—Supply of food and clothing—Scales fixed and instructions issued.]

With the breakdown in negotiations with Hyderabad State, the Government apprehend a large scale exodus of non-Muslims from Hyderabad State into the neighbouring districts of this Province. The Government consider that adequate arrangements for their reception as well as for their temporary care and shelter should be made. Instructions have been issued already to the Collectors concerned in regard to the relief and other measures to be adopted before and after the arrival of the refugees. The following further instructions are now issued:—

(1) *Relief camps.*—Immediate steps should be taken to open refugee relief camps wherever necessary.

(2) *Food.*—As regards food it has been decided that the same arrangements as for refugees from Pakistan accommodated in refugee camps in this Province should be followed in the case of Hyderabad refugees also. The following is the scale of food allowed to the Pakistan refugees:—

1	Wheat atta (containing an admixture of 10 per cent of barley) or rice	..	12	oz.
2	Unparched gram		2	"
3	Dhall		1	"
4	Vegetable		$\frac{1}{2}$	"
5	Vegetable ghee or oil		$\frac{1}{2}$	"
6	Salt and condiments		$\frac{1}{2}$	"
7	Gur or sugar		1	" gur or $\frac{1}{2}$ " sugar.
8	Milk per day for children below 12 years and for nursing and expectant mothers		1	lb.

In addition, the following articles are also allowed:—

Charcoal	..	$\frac{1}{2}$ seer per head per day.
Soap	..	3 oz. a month for adults and $1\frac{1}{2}$ oz. for children below 12 years.

Matches . . . One match box (50 sticks) per family consisting of not more than 2 members for a fortnight and one box for families consisting of more than 2 members per week.

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Half the quantity of atta or rice, maize or gram atta and parched gram is allowed to children under 12 years. With a view to avoid certain difficulties that may arise in distributing these rations according to the prescribed weights and in maintaining accounts therefor for purposes of audit, cash allowance equal to the cost of these articles is being paid. In Madras, the present rates of allowances paid to refugees from Pakistan according to the prevailing market prices of these articles except matches are :—

Rs. 4-8-0 (rupees four and annas eight only) per adult per week.

Rs. 4-7-0 (rupees four and annas seven only) per child below 12 years per week.

In accordance with the decision of Government mentioned above, the rates of allowance to be paid to the refugees from Hyderabad on the above basis should be worked out according to the prevailing local market prices and submitted to Government for approval.

The Hyderabad refugees will also be eligible to the following allowance for matches :—

Six pies per week for a family consisting of more than two members and three pies per week for a family consisting of not more than two members.

The Collectors of the districts concerned should see that food-grains and other necessary articles are made available at the refugee camps through co-operative societies or through selected reliable merchants.

(3) *Clothing*.—Clothes should be distributed free of cost at the following scale :—

Men.—One dhoti, one shirt and one upper cloth per head.

Women.—One saree and cloth for one blouse per head.

The Collectors concerned will make the purchases of clothing in suitable lengths and widths.

(4) *Employment*.—The able-bodied refugees may be employed on useful irrigation and road works and failing that, on less important works included in the famine relief programme of the district.

2. The expenditure should be debited to “57. Miscellaneous—hh. Expenditure on refugees—B. Madras refugees from Hyderabad State.”

As the demands for expenditure will be heavy hereafter on account of the apprehended large scale exodus of refugees, the Collectors of the districts concerned are requested to submit immediately revised estimates of expenditure for 1948-49 on relief, etc., to refugees from Hyderabad with reference to the scheme set out in paragraph 1 above for allotment of funds for each district.

THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 17th September 1948.

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 :—“ The Hon. the Education Minister wants to go away soon. I want to take up first the questions of the Hon. the Minister for Education.”

[*Note*.—Questions below are not in serial order.]

Free-fee concessions for Harijans.

* 328 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Education be pleased to state whether the ten-year free-fee concessions announced for Harijans by the Government, apply to aboriginals and ex-criminal tribes; and whether the word ‘ Harijan ’ includes them?

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

“ Such of those Aboriginal tribes and ex-Criminal tribes which are included in the list of communities classed as backward classes in Appendix 17-A of the Madras Educational Rules are eligible for the concessions referred to.”

SRI N. SANJEEVA REDDI :—“ Will the concessions apply to Sugalis also who are more backward than the Harijans? ”

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

“ The hon. Member may put a separate question. I do not know the community myself. I shall examine it.”

The regional language of Madras City.

* 330 Q.—SRI S. NAGAPPA (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Hon. the Minister recently stated that the regional language of Madras City is Tamil;

(b) whether it is a Cabinet decision; and

(c) on what basis the statement was made?

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

“ (a) Yes.

“ (b) & (c) It is based on Government Order No. 997, Education, dated 22nd July 1943, and Government Order No. 1358,

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Public Health, dated 16th June 1943, in which for purposes of admission, the following districts in the Province have been divided into the following groups:—

Group I.—Tamil 50.8 per cent of the seats is allotted for candidates from the group of districts which is predominantly Tamil, viz., Madras-Chingleput, North Arcot; Salem, Coimbatore, South Arcot, Tanjore, Tiruchirappalli, Madura, Ramnad, Tinnevely and the Nilgiris.

Group II.—38.1 per cent of the seats is 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 III.—11.1 per cent of the seats is allotted for candidates from the West Coast districts, viz., South Kanara and Malabar.

These orders have been confirmed by G.O. No. 1364, Education, dated the 27th July 1947 and G.O. No. 2223, Public Health, dated the 26th June 1947, and the orders issued afterwards with regard to the admissions to colleges."

SRI S. NAGAPPA:—"Arising out of the answer to clause (a) may I ask whether the order goes against the Telugu people of Madras City."

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

"It is not for me to say for or against any particular community or individual. We go by the tradition set up by the Government, even before the Congress Government came into power."

SRI S. NAGAPPA:—"Is it a fact that most of the Telugu people in Madras are feeling that so many schools have been retrenched only for this reason?"

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

"That has nothing to do with this question."

SRI K. RAGHAVAN:—"Is it because of this decision of the Government that the study of Malayalam has been stopped in some of the Colleges?"

MR. SPEAKER:—"What has that to do with the elementary schools. It is out of order."

SRI GUNTUR NARASIMHA RAO:—"Even if a mistake had been committed by the previous Government in giving 50.8 seats and taking Madras City to be a Tamil area in a City like Madras where there are many thousands of Telugu school-going population would it not be necessary to revise that order?"

MR. SPEAKER:—"Order, order. Is he putting a question or arguing his case?"

SRI GUNTUR NARASIMHA RAO:—"I am putting the question. For the reason that the previous Government has done a mistake in including Madras City as a Tamil regional area would

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not the Hon. Minister take into consideration that there are several lakhs of Andhras in Madras and would he not exclude the Tamil area and treat the Andhra area separately?"

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

"I would not answer this question. A linguistic Commission is actively working and I do not propose to answer such a question."

SRI GUNTUR NARASIMHA RAO:—"The Hon. Minister has given an unsatisfactory reply. I would request the Speaker to give a half an hour debate."

MR. SPEAKER:—"The Hon. Minister leaves for Delhi to-day. I cannot allow half an hour debate to-day."

Grant given to Convent schools in the City.

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

(a) how many Convent High Schools and General High Schools receiving grant-in-aid from the Government are there in Madras City; and

(b) the total amount of grant given to all the schools for the year 1947-48?

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

"(a) Four Convent Girls' High Schools and 57 General High Schools.

"(b) The total amount of ordinary teaching grant given to all the above schools in 1947-48 for the year 1946-47 was Rs. 4.66 lakhs."

SRI S. NAGAPPA:—"May I know, Sir, whether any application from High Schools has been rejected last year?"

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

"Application for what, Sir?"

SRI S. NAGAPPA:—"May I know, Sir, whether any application from such convent High Schools, Secondary or Middle School, has been rejected by the Government?"

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

"Application for what, Sir."

* 335 Q.—M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"In this connexion, Sir, on a point of information, I hear that

MR. SPEAKER:—"It will be taken up separately after questions."

SRI P. NATESAN:—"I will put the question."

MR. SPEAKER:—"Have you been authorized?"

SRI P. NATESAN:—"No, I have not been authorized. Anyhow, in the public interest, I am putting it."

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New scheme of education.

* 335 Q.—**MOHAMED ABDUL SALAM SAHIB BAHADUR:** Will the Hon. the Minister for Education be pleased to state—

(a) whether reform of the “examination system” is also part of the new education scheme;

(b) whether in the new system of examination that is proposed, marks would be allotted for qualities of leadership, personality and craftsmanship; and

(c) what is the place for religion in the new scheme of education?

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

“(a) & (b) The question of the reform of the Examination system at the S.S.L.C. stage is under consideration.

“(c) In regard to religious instructions, the *status quo* is maintained.”

Total number of candidates appeared for S.S.L.C. Examination, 1948.

* 337 Q.—**MUHAMMAD RAZA KHAN SAHIB** (on behalf of Mohamed Abdul Salam Sahib Bahadur): Will the Hon. the Minister for Education be pleased to state—

(a) the total number of candidates that appeared for the S.S.L.C. examination in March 1948;

(b) the percentage of passes (in S.S.L.C.) this year;

(c) the effect of not having selection examination on passes;

(d) the amount that was collected by way of examination fees from the S.S.L.C. students in 1948; and

(e) the amount spent by the Government for the S.S.L.C. examination for this year?

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

“(a) 54,133.

“(b) 51 per cent for the whole Presidency.

“(c) The selection examination was ordered to be abolished recently and the effect of this order can be known only after the examination of 1949.

“(d) Rs. 8,15,890.

“(e) The actual amount has not yet been calculated.”

MUHAMMAD RAZA KHAN SAHIB:—“May I know, Sir, why such a large number of people do not pass in the S.S.L.C. Examination?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“There is nothing like pass or fail. It is only a question of eligibility for the University Course.”

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SRI S. NAGAPPA:—“Arising out of the answer to clause (d) may I ask the Hon. Minister if the amount that Government is spending on these occasions is less than what is collected, will the Government consider the question of the advisability of reducing the examination fees?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“No, Sir.”

SRI K. P. KAMAKSHI CHETTIYAR:—“May I know, Sir, whether those students who come out successful in the October examination will also be allowed to join the colleges?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“It is not a question of Government admitting or not admitting. It is only a question of declaring the eligibility or ineligibility.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I know, Sir, whether in keeping with the question of efficiency the Government will also consider the question of more liberal percentage of passes for the school-final candidates?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“The whole question is under consideration. There are two ways of doing it—declaring more people pass and making the admission into colleges very strict. That matter is receiving the attention of the Government.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I know, Sir, why there is such a large percentage of failure in examinations in this country resulting in a tremendous waste of human effort?”

“In view of the fact that reference has been made to this matter in the Report of the Sergeant Committee will the Government appoint a committee to examine this problem?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“It is want of effort and not a waste of effort. The hon. Member knows it as well as I do and perhaps that is due to the disturbed condition all around.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“May I know, Sir, how the Hon. Minister for Education considers it a want of effort when the student has been promoted year after year and comes to the VI Form, and how is it that such a large percentage suddenly is found to be wanting in effort?”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—
“It is well-known, Sir, that as much effort as we use to put in our days is not being put by the students now-a-days. We know it from the case of our sons and nephews, etc.”

SRI V. M. RAMASWAMI MUDALIYAR:—“While for other examinations like Intermediate, B.A. or B.Sc. it is open to the students to pass subject by subject, is it not open to the school-final who wants to seek eligibility for a college course because he has to pass all the subjects simultaneously?”

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

“Because he must have a minimum amount of knowledge and grasp.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I ask whether the Government will put the subject before the Board of Secondary Education and the University to ascertain if pupils can pass the subjects in compartments and qualify themselves to the college course?”

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

“In every country the compartmental system is provided. But it is only when they go up and not in the elementary and secondary schools. Compartmental system is prevalent only in the higher standards.”

M. MUHAMMED ISMAIL SAHIB BAHADUR:—“With reference to the answer of the Hon. the Minister I want to know whether his lack of having sons or nephews is the reason for his not seeing the waste of effort in this way where a student after studying for ten years when he comes to the last year is failed. Even though he has no son, will the Hon. Minister for Education learn from the experience of other people?”

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

“Though I may have no sons, his sons are my nephews.”

11-15 a.m. M. S. ABDUL MAJID SAHIB BAHADUR:—“The Hon. Minister said, Sir, that there is no question of passing or no passing, but it was only a question of eligibility. May I ask, Sir, why in spite of this eligibility several of the students, who have been declared eligible, are not able to get admission into the colleges?”

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

“That is a separate matter, Sir, which cannot be discussed here.”

N. MUHAMMAD ANWAR SAHIB BAHADUR:—“I am glad, Sir, that the Government have announced that they are holding a supplemental examination for the S.S.L.C. unpassed candidates. But may I ask, Sir, whether they will make a provision that the unpassed candidates can pass the examination in compartments, i.e., by appearing and passing in the subjects in which they have failed?”

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

“That is the question which my hon. Friend opposite asked and which I answered.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I know, Sir, whether the Government will make provision for the successful candidates who appear and pass in the October examination to pursue their college studies or other technical studies?”

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

“Yes, Sir. If they are qualified they can certainly pursue their further studies.”

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SRI KALLUR SUBBA RAO:—“May I know from the Hon. Minister, Sir, whether the efficiency of the teachers in coaching up students has also lessened in the high schools?”

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

“Yes, Sir. There is a general inefficiency and want of effort in many directions as hon. Members are aware and that is affecting the colleges and schools also.”

SRI V. M. RAMASWAMI MUDALIYAR:—“My question was, Sir, whether the students who come out successful in the October examination can immediately join any college or technical course or whether they should waste the intervening period?”

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

“No September Colleges or October Colleges are contemplated, Sir.”

SRI V. I. MUNISWAMI PILLAY:—“Due to the strict observance of this rule, Sir, a greater percentage of Harijans could not get into the eligible list. Will the Government consider the desirability of making some concession whereby they can get into the eligibility list?”

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

“There is concession with regard to fees, etc., Sir, but about the standards, it is necessary that they must attain a certain standard.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“In view of the questions and answers, Sir, given by the Hon. Minister, may I once again earnestly request him to go into the question of why these students who have been declared eligible to go up for nine years should be found wanting all of a sudden. This is a very important question, Sir, affecting the nation and therefore may I not earnestly appeal to the Hon. Minister for Education to go into the question more carefully than he has done hitherto?”

MR. SPEAKER:—“It is a request and an appeal to the Hon. Minister. If he wants he may answer it.”

SRI N. SANJEEVA REDDI:—“Arising out of the reply of the Hon. Minister, may I know what purpose will be served by making the rule more liberal for the passing of students from the S.S.L.C., without their being eligible to be admitted to the college course?”

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

“The point is this, Sir. We have found that there is a great deal of wastage in the colleges. That is, in the Intermediate about 8,000 candidates appear, of whom about 4,000 only pass. More than half of this number are not fit to go into the college course and they have secured admission simply because they are declared eligible without the proper qualification. That is the reason why, Sir, I have suggested that we may consider the prescription of two standards, one

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for passing, as having undergone the course, and another for eligibility to go to colleges. We have not yet decided the matter, Sir, and it is still under consideration."

SRI S. NAGAPPA:—"May I know what prompts the Government, Sir, to collect more than the necessary examination fees?"

MR. SPEAKER:—"The hon. Member can put a separate question."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Is it the view of the Government, Sir, that our children as a class are characteristically inefficient in view of the fact that they fail in the school final class year after year in such vast numbers?"

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

"I do not like to use the word 'mischievous', Sir, but these questions are really tending to insinuate certain things which were never meant. What I meant is this. Recently, as the hon. Members might know, due to strikes and due to many other disturbances there has not been as much scholastic attention paid by students as they used to do sometime back. That is the truth, Sir, which we have found out after enquiry and every teacher knows it and many others know it. I do not want any insinuations to be made, Sir."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Is it not the duty of the Government to see that a certain standard is fixed for passing the S.S.L.C., irrespective of the fact whether there is any room in the colleges or not? Is it not the duty of the Government to see that anybody who gets a certain number of marks is allowed to go up and not be held down by regulated results on account of paucity of seats in the colleges?"

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

"No results are regulated because of the paucity of seats in the colleges, Sir. I do not think that is a matter which we can go into in this question."

SRI V.M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether the Government are aware that the efforts of students or want of efforts is common to all the Provinces and not peculiar to our Province and that the admission of the Hon. Minister that it is peculiar to our Province is not warranted by the more liberal results in other Provinces?"

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

"I have not compared the other Provinces. As man to man our boys are as good or perhaps better than many boys in other Provinces. I must say however that the efforts which the boys put five or six years back are not there and the studiousness of the students is not there. Due to political and other reasons we may take sometime to settle down and I hope we will settle down and the old effort which the boys used to put in will come back again."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I have to take exception to the remarks of the Hon. the Minister for Education, Sir. I only stated facts and I wanted some information based on the facts. I cannot conceive what insinuation my question could have contained. Is it not in the interests of the people of the Province, Sir, to see that such a large number of students are not kept out? I put it, Sir, in a general way, not even referring to this year or the last year. I said year after year, such a large percentage of our boys fail. I cannot understand what insinuations could anybody have imagined there."

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

"I accept the explanation of the Hon. the Leader of the Opposition, Sir."

Facilities for Telugu instruction in the City schools.

* 339 Q.—SRI D. V. RAMASWAMI (on behalf of Sri T. Viswanatham): Will the Hon. the Minister for Education be pleased to state—

(a) whether a committee has been appointed to enquire into the lack of facilities for Telugu instruction in the City schools;

(b) if so, what is the date of the appointment and the date on which it was intimated to the Members of the Committee;

(c) the time given in the first instance for submitting the report;

(d) whether the Committee requested for more time, and if so, on what grounds;

(e) whether any member was appointed to the Committee subsequent to the original Committee; and if so, who is the member so appointed;

(f) whether the subsequent addition of a member was announced in the press;

(g) whether the additional appointment of a member was intimated to the members of the Committee before the Committee started work;

(h) when the Committee started its work; and

(i) whether the member subsequently added to the Committee has been asked by the Hon. the Minister to assist the Committee members by acquainting them with true information and protecting any knowledge at once in the City from falsely being implicated?

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

"(a) Yes.

"(b) The order was dated 24th April 1948 and it was issued on the 26th April.

"(c) One month.

"(d) Yes, since they wanted more time.

"(e) No.

"(f) Does not arise.

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“(g) Does not arise.

“(h) On 17th July 1948.

“(i) Does not arise.”

SRI S. NAGAPPA:—“ May I know the names of the Members of the Committee, Sir?”

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

“ Yes, Sir. Sri K. Venkataswami Naidu, Sri G. Hari Sarvothama Rao, Secretary, Andhra Maha Sabha, Sri B. Pattabhirama Rao, Member of the Syndicate of the Andhra University, and Sri T. P. Meenakshisundaram Pillai.”

SRI S. NAGAPPA:—“ May I know, Sir, when the Government are making enquiries about the facilities to be given to the Telugu students, why Tamil Members have been included?”

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

“ With reference to a question in Madras, anybody in Madras can be appointed.”

SRI S. NAGAPPA:—“ When the Government wish to make an enquiry as regards the facilities to be provided for Telugu children, may I know, Sir, what was the necessity for the Hon. Minister to include a Tamil member, who is rather against the interests of the Telugu children?”

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

“ I must deny that allegation, Sir, that certain members are against. I take exception to certain Members casting aspersions about the people who are not present in the House, Sir. Whether he is against or for, Sir, I do not think any Member is entitled to make such a suggestion. Speaking from memory, Sir, I may say that the school of which the Member in question is the Correspondent provides for Telugu children also.”

SRI D. V. RAMASWAMI:—“ May I ask Sir, whether the Committee that has been appointed has been asked to send its report before a definite time?”

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

“ Yes, Sir. They were given one month's time and the Chairman wanted more time and it was granted. We did not want to hurry them up, Sir, because they have called for witnesses and they have examined individuals. They want to give many suggestions, Sir, and I thought that the Government might give them some more time.”

SRI A. KALESWARA RAO:—“ May I ask, Sir, whether the Hon. Education Minister knows whether the Telugu people are considerable in number whether they are in a minority or a majority in Madras, and what was the necessity for appointing a committee to investigate the teaching of the Telugu boys in their mother-tongue, Sir?”

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

“ I am afraid, the hon. Member has not understood the purpose of the Committee. There was some agitation that there were not enough facilities offered for the Telugu pupils; the Government wanted to know the facts and they appointed a Committee to go into the matter.”

SRI P. KANDASWAMI PILLAI:—“ Is it a fact that all the Members of the Committee are Telugu-speaking people except Mr. Meenakshisundaram Pillai?”

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

“ That is so, Sir.”

MUHAMMAD RAZA KHAN SAHIB:—“ Arising out of the reply of the Hon. Minister, Sir, stating that it was not fair for the Members of the House to cast aspersions or make insinuations against those who are not present here, may I know, Sir, whether it is right on the part of the Hon. Minister to cast aspersions and insinuations on the Members who are present here?” (Laughter.)

SRI A. KALESWARA RAO:—“ May I know, Sir, that there is a complaint made by the Telugu people that the Government is suppressing the teaching of Telugu and that there is an agitation?”

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

“ There is agitation, Sir, which is well-founded and there is agitation which is ill-founded. This is one which is ill-founded. It has absolutely no background.”

SRI GUNTUR NARASIMHA RAO:—“ After the statement of the Hon. Minister, Sir, that the regional language of the Madras City should be Tamil, in how many schools Telugu has been abandoned?”

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

“ I have also given another statement, Sir, in which I have said that for the purpose of instruction in schools Telugu will be considered a regional language and pupils will be allowed to study in Telugu. In the case of schools where they have already closed Telugu sections, I have made an appeal, that if there were such closure of such sections, they must make an attempt to re-open the sections.”

SRI S. NAGAPPA:—“ May I know, Sir, whether the report of the Committee was unanimous or whether there was any dissent and if so by which Member?”

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

“ The report has not been submitted. Sir, I would like to submit this, for the information of the House and for the information of the larger public, that the Government would like to do all in their power to give facilities for all sections in the City for their education.”

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ABDUL HAMEED KHAN SAHIB BAHADUR:—"Is it not the wish of the Hon. Minister, Sir, that Telugu students should rather take up Tamil as their medium of instruction rather than Telugu?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Not at all, Sir. Telugu is the regional language for the Andhras, Sir, and I want them—and even the Tamils in that region—to take Telugu so that they may have the benefit and the conveniences provided for the population in that area."

Construction of a bridge across Coleroon.

* 327 Q.—SRI A. SUBRAHMANYAM (on behalf of Sri S. Paramananda Rayar): Will the Hon. the Minister for Public Works be pleased to state when the contemplated construction of a bridge over the Coleroon near Anaikaran Chatram connecting the South Arcot and Tanjore districts will come into effect?

THE HON. SRI M. BHAKTAVATSALAM:—"The work has been sanctioned by the Government. The Chief Engineer (Highways) will arrange to commence it after detailed plans and estimates are ready."

SRI A. VEDARATNAM PILLAI:—"May I know what is the estimate for the bridge, Sir, and whether the Government have given any grant, and if so how much and what is the contribution which each of the District Boards of South Arcot and Tanjore has made?"

THE HON. SRI M. BHAKTAVATSALAM:—"The estimate is Rs. 26 lakhs, and the districts boards of Tanjore and South Arcot have been asked to contribute Rs. 8 lakhs and Rs. 4 lakhs respectively and they have agreed to make the contribution."

SRI N. VENKATASUBBAYYA:—"May I know, Sir, whether the bridges are taken up for construction at random or is there any definite programme for their construction? Will the Hon. Minister be kind enough to place the programme, if there is one, on the table of the House, if not now, at least at some time in the future?"

THE HON. SRI M. BHAKTAVATSALAM:—"We have a programme, Sir, for the construction of bridges, but I am unable to place it on the table of the House just now."

SRI P. KANDASWAMI PILLAI:—"May I know, Sir, how long will it take to commence the work on this bridge?"

THE HON. SRI M. BHAKTAVATSALAM:—"The work will be commenced very shortly."

11-30 a.m. SRI R. SUBBA AYYAR:—"Is there any proposal before the Government to levy a contribution tax, Sir?"

THE HON. SRI M. BHAKTAVATSALAM:—"In view of the large amount that has to be spent on the construction of this

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bridge, the Government propose to levy a temporary toll till the amount spent on the construction of the bridge is completely recovered."

SRI D. V. RAMASWAMI:—"May I ask, Sir, whether the construction of a bridge over the Godavari is included in this bridge programme?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir. That is included in the National Highways, and in a different programme. The construction of a bridge over the Godavari is being very actively examined."

SRI S. NAGAPPA:—"Arising out of the answer of the Hon. Minister to Mr. Venkatasubbayya, may I ask, Sir, if the Hon. Minister is not able to place the programme on the table of the House now whether he will take sufficient time and see that the programme is placed on the table of the House some time hence?"

THE HON. SRI M. BHAKTAVATSALAM:—"I would suggest to the hon. Member to put a separate question."

SRI K. BRAHMANANDAM REDDI:—"May I ask, Sir, whether there is any proposal to construct a bridge across the Krishna near Bezwada?"

MR. SPEAKER:—"The hon. Member can put a separate question."

SRI N. VENKATASUBBAYYA:—"Was the programme of bridge construction referred to by me in my last question drawn up by the Government themselves or drawn up with the consent of the district boards and other representative bodies?"

THE HON. SRI M. BHAKTAVATSALAM:—"In consultation with the various institutions we are drawing up a programme. In this particular case, we have been able to take up this work because the district boards concerned are prepared to make a substantial contribution towards the cost of the bridge."

SRI N. VENKATASUBBAYYA:—"Is it not a fact, Sir, that certain essential bridges, for which there have already been schemes, are being overlooked and comparatively minor ones are being taken up?"

THE HON. SRI M. BHAKTAVATSALAM:—"I do not admit that, Sir."

SRI A. VEDARATNAM PILLAI:—"May I ask, Sir, whether the Government have taken any steps to expedite the work of Coleroon bridge and, if so, what they are?"

THE HON. SRI M. BHAKTAVATSALAM:—"All the steps that are necessary have been taken, and the construction of the bridge will be taken up as quickly as possible."

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SRI R. V. SWAMINATHAN:—“ Since the Government have changed the names of some of the towns in conformity with the pronunciation in Tamil and Telugu, will they consider the desirability of changing this name ‘ Coleroon ’ into ‘ Kolladam ’ as is pronounced in Tamil? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ When we have constructed the bridge, we will consider the valuable suggestion of the hon. Member in naming the bridge.”

SRI KALLUR SUBBA RAO:—“ Sir, can any work be sanctioned by the Government without an estimate? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ I do not think so, Sir.”

Relaying dismantled railways in North Salem.

* 329 Q.—SRI S. NAGARAJA MANIGAR: Will the Hon. the Minister for Public Works be pleased to state what the result of his talks with the Central Government and the Central Railway Board is, with respect to the relaying of the dismantled railways in North Salem?

THE HON. SRI M. BHAKTAVATSALAM:—“ At the meeting of the Central Board of Transport held on 29th July 1948 at New Delhi the question of restoration of the dismantled railways was discussed. The Government of India were not prepared to accept the proposal for the restoration of the dismantled lines of the Salem district, viz., Morappur-Hosur and Tiruppattur-Krishnagiri lines; but they have finally accepted the suggestion that consideration may be deferred pending decision on the question of conversion of the two dismantled railways into metre-gauge lines.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I ask, Sir, whether any reason has been adduced by the Government of India for not considering the proposal to restore the line between Tiruppattur and Krishnagiri, which was serving a very useful purpose? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ It was pointed out by the Government of India that these lines were not paying, and further it should be more economical to have road transport for short distances rather than have new lines constructed.”

SRI S. NAGARAJA MANIGAR:—“ Is it not a fact, Sir, that the line between Morappur and Hosur is a longer route than Tiruppattur-Krishnagiri which is said to be short and uneconomical? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ But the Government of India, Sir, do not consider it sufficiently long enough to be taken up.”

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SRI D. V. RAMASWAMI:—“ May I ask, Sir, whether the Government of India have enunciated any general principle so that it will be applied to questions regarding other dismantled lines in other parts of the Presidency, e.g., Vizagapatam district? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ We have discussed with the Government of India every one of these dismantled lines. Apart from the question of general principle, I know the attitude of the Government of India.”

Iron ores in the Presidency.

* 331 Q.—SRI N. VENKATASUBBAYYA: Will the Hon. the Minister for Industries be pleased to state—

(a) the areas in this Presidency where iron ores are known to exist;

(b) whether any survey—geological or any other kind—has been made to ascertain the quantities of deposits existing in the several places;

(c) whether samples of iron ores found in the several areas have been got analysed by the Government to ascertain their iron content and, if so, what the percentage in each case is;

(d) whether this Government have had any correspondence with the Government of India on the subject of exploiting the iron ore deposits on an industrial scale and, if so, what the suggestions given by them are;

(e) by whom the industrial development could be undertaken, whether by the Provincial Government or by the Central Government; and

(f) whether this Government recently consulted any American Experts on the subject and, if so, who they are and what the advice tendered by them are?

THE HON. SRI H. SITARAMA REDDI:—“ (a) The investigation so far conducted by the Geological Survey Department of the Government of India have revealed the existence of iron ore deposits in this Presidency in the following places:—

1. Salem-Tiruchirapalli districts; and
2. Kurnool district including Sandur.

“ (b) The Geological Department have estimated the quantity of the iron ores in each of these areas as follows:—

1. Salem-Tiruchirapalli region—304,650,000 tons.
2. Kurnool—3,704,000 tons.
3. Sandur—130,000,000 tons.

“ (c) The Geological Survey Department have analysed samples of the ores found in these areas. The iron content of the ores is reported to be 35.27 per cent, 56.38 per cent and 64.78 per cent respectively.

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“(d) This Government addressed the Government of India for making arrangements for the development of the iron ores and for the erection of a steel plant in South India. The Government of India have appointed American Experts as their Consulting Engineers to advise on the possibilities of erecting new steel works in India.

“(e) Until the advice of the American Experts appointed by the Government of India becomes available, it is too early now to say whether the development of the iron and steel industry will be undertaken by the Provincial Government or by Central Government.

“(f) Yes. The Government recently discussed the question with the representatives of Messrs. Koppers Co., Inc., U.S.A., American Steel Consultants to the Government of India. The representatives have not yet communicated their opinion to this Government.”

SRI N. VENKATASUBBAYYA:—“ Since the completion of the geological survey may obviously take a long time, may I ask the Government, Sir, whether they would extend facilities to local blacksmiths and others who can manufacture implements for agricultural and other purposes? ”

THE HON. SRI H. SITARAMA REDDI:—“ I am not able to follow what my hon. Friend wants the Government to inform him.”

SRI B. ANANTACHAR:—“ In view of the good material available in Sandur region, may I ask, Sir, whether the Government will be pleased to work it up and speed up the production of steel and iron ore in that region? ”

THE HON. SRI H. SITARAMA REDDI:—“ As I have already stated, the iron ore content of Sandur has been found to be the very best that is available in the entire Presidency, and the quantity expected is 130,000,000 tons. The Government of Madras have been in correspondence with the Government of India in this matter, and I expect a further batch of American Experts to come to this Province very soon and then we will be able to discuss with them. If all other conditions are found to be suitable, the question of setting up a plant in South India will be taken up on the advice of the American Experts.”

SRI B. S. MURTHI:—“ Am I to understand, Sir, that one batch of American experts are now investigating the question and, if so, may I ask when the Government expect their report? ”

THE HON. SRI H. SITARAMA REDDI:—“ Sir, the Government of India have appointed American experts to advise them as to the location of steel plants in India. Those American experts have been going round the entire country examining the type of ore and collecting other information about the suitability of the various sites. After examining the various places in India, the experts will advise the

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Government of India as to the best place for the location of the steel industry. After that, the question of where and when it is going to be taken up will be decided by the Government of India. The Madras Government have been pressing for a steel plant in South India.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ In view of the great interest and importance of this industry to South India, may I ask, Sir, whether the Government will be pleased to lay on the table of the House the proposals, when they are finalized by the Government of India, for the information of the Members of this House? ”

THE HON. SRI H. SITARAMA REDDI:—“ I shall only be very happy to do it, Sir, but as I have already stated this is a question to be decided by the Government of India themselves, because it is they who propose to erect steel plants on their own behalf in India. So, the decision would mostly rest with the Government of India. As soon as we get some information which is worthwhile communicating to hon. Members, that information will certainly be communicated.”

SRI K. BRAHMANANDAM REDDI:—“ May I know, Sir, whether other areas in the Province are also to be surveyed, and, if so, when that will take place? ”

THE HON. SRI H. SITARAMA REDDI:—“ This question relates to iron ore. The geological reports with the Government of India and this Government show that the areas that have been mentioned are the best that have so far been surveyed. I may inform hon. Members that a general geological survey of the entire Province is being carried out under the direction of the Government of India in consultation with this Government.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ May I know, Sir, the date of the report of the geological survey of India which is under reference now? ”

THE HON. SRI H. SITARAMA REDDI:—“ Notice, Sir.”

SRI ROKKAM RAMAMURTHI:—“ Is the Hon. Minister aware of the fact that blacksmiths in villages can make implements that are useful for domestic purposes with iron ore? ”

THE HON. SRI H. SITARAMA REDDI:—“ I take the information from the hon. Member.”

SRI D. V. RAMASWAMI:—“ May I ask, Sir, whether the Hon. Minister is aware that not even an elementary geological survey of Vizagapatam district has been carried out—a district containing minerals like gold and diamond—and, if so, will he include the Vizagapatam district also in the geological survey operations? ”

THE HON. SRI H. SITARAMA REDDI:—“ The question will be considered, Sir.”

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SRI A. KAMESWARA RAO:—"Are the Government aware, Sir, that in Palnad taluk of Guntur district there are possibilities of exploiting iron ore?"

THE HON. SRI H. SITARAMA REDDI:—"I may inform the hon. Member that the Geological Department of the Government of India is fully aware of the various minerals in the entire area of the Madras Presidency. It is only a question of time to investigate each place and find out the possibilities in each place."

SRI S. NAGARAJA MANIGAR:—"May I ask, Sir, whether Salem is not one of the districts where iron ore is largely found and whether geological survey operations will not be carried out in that district?"

THE HON. SRI H. SITARAMA REDDI:—"Evidently my hon. Friend has not listened to my answer. I have already stated that Salem has been surveyed and that it is estimated that 304,650,000 tons of iron ore are available in that region."

SRI G. NARASIMHA RAO:—"In view of the fact, Sir, that coastal places are suitable for putting up factories, will the Government consider the proposal of getting Sandur iron ore and Vizagapatam manganese to Bezwada, and put up a steel factory at Bezwada?"

THE HON. SRI H. SITARAMA REDDI:—"I am not an expert, Sir, in all these matters. We have entrusted this matter to the American experts who are advising the Government of India."

SRI P. KANDASWAMI PILLAI:—"In view of the fact that iron ore is available in plenty in Salem district and arrangements for a geological survey of the area have been made, may I know, Sir, when that survey will begin and what possible time will it take to finish?"

11-45 a.m. SRI K. BRAHMANANDAM REDDI:—"Will not the Government take the reliable information which I have that there is not only iron but gold in Palnad taluk and will the Government take steps to appoint an expert to survey that area?"

THE HON. SRI H. SITARAMA REDDI:—"As I have already said, the Geological Survey Department of the Government of India are aware of the various minerals in various places. They have got reports of special areas. It is quite true that somebody may come across a piece of stone which may contain a little piece of gold. That is not a sure indication that the place could be economically exploited. All these are questions that will have to be gone into by the Government of India, Geological Department, and it is likely that investigation on this has been made by this time."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I ask the Hon. Minister with reference to the new survey, whether it is only a part of a routine survey which the Government of India,

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Geological Survey Department, undertook, or is it an intensive survey which the Members of this House have been urging upon the Government to undertake, particularly in view of the fact that, in the past, proper survey of this Province has been neglected?"

THE HON. SRI H. SITARAMA REDDI:—"The view that has been expressed by this House and also approved by this Government has been conveyed to the Government of India. In pursuance of that policy, they are surveying those areas intensively."

M. S. ABDUL MAJID SAHIB BAHADUR:—"As the right type of men are not available for exploiting the mineral resources of this Province, will the Government consider the question of handing over at least some of the mines to private agencies for exploitation purposes?"

THE HON. SRI H. SITARAMA REDDI:—"It is a question of policy and it is one of those questions which has to be discussed by the Government of India. Therefore, I cannot give any such assurance in the matter."

SRI KALLUR SUBBA RAO:—"In view of the fact that about the iron ore content in Kurnool, the American experts have differed, may I urge upon the Government to start a research laboratory in this Province?"

THE HON. SRI H. SITARAMA REDDI:—"There can be no question of difference of opinion about the iron ore content. It is very small and negligible in that place and therefore, there can be no question of difference of opinion in this matter."

SRI A. VEDARATNAM PILLAI:—"May I know from the Government whether they have taken any steps for excavating coal in South Arcot which was recently found out?"

SRI N. VENKATASUBBAYYA:—"Will the Government consider the opening of an installation of a large scale nature for the completion of the geological survey in this Province and will they extend facilities for the starting of small scale industries and the cottage industries such as that of blacksmiths by providing them electricity and also by granting subsidies?"

THE HON. SRI H. SITARAMA REDDI:—"The Government are prepared to extend the facilities in all ways. Electricity will be provided if electricity is available in the particular area. But, so far as this iron industry is concerned, it is not a thing that may be economically very good on a small scale because of competition from outside. But, if there is somebody who is determined to work it in spite of all these, the Government would consider the facilities that should be provided for such undertaking."

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Publishing news about communal riots.

* 332 Q.—K. M. SEETHI SAHIB BAHADUR: Will the Hon. the Minister for Public Works be pleased to state whether it is a fact that newspapers have been enjoined not to divulge the communities of the assailants and victims in publishing news relating to communal riots and disturbances?

THE HON. SRI M. BHAKTAVATSALAM:—"The reply is in the negative. The newspapers have however been instructed not to display such particulars in the headlines."

K. M. SEETHI SAHIB BAHADUR:—"Have the Government investigated whether this direction has been observed by the newspapers or whether it has been violated in many instances?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir. We are examining every now and then whether these directions are complied with."

K. M. SEETHI SAHIB BAHADUR:—"Has it come to the notice of the Government that there is a frequent violation of this direction by the newspapers?"

THE HON. SRI M. BHAKTAVATSALAM:—"Wherever there is a violation of these directions, we are taking necessary action."

Damage to crops on the bank of the Cauvery.

* 334 Q.—SRI S. C. BALAKRISHNAN (on behalf of Sri M. P. Periyaswami): Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the waters of the Cauvery river create great havoc and damage to the banks of Mohanur channel which branches from Idayar up to Madurai Veeraswamy Udappu and also to the patta lands adjoining the bank of the channel near Manapalli, Pettaipalayam, Mohanur, etc.; and

(b) whether it is a fact that on account of the floods in the Cauvery river, the poor peasants who are the owners of the patta lands, suffer a great deal on account of the damages caused?

THE HON. SRI KALA VENKATA RAO:—" (a) & (b) It is true that the right bank of the Mohanur channel in the reach between Nanjai Idayar and Madurai Veerankoil outlet is in dis-repairs and requires protective works. The Collector of Salem has already been asked to take necessary action for repairing the right bank of the channel."

When the Cauvery is in spate small extents of ayacut under the Mohanur channel adjoining the river at miles 2/7, 1/0, 5/1 and 7/0, etc., near Manapalli, Pettaipalayam and Mohanur villages get affected by floods and slight erosions of the lands in the river margin have also been caused. After the construction of the Mettur Reservoir, such high floods have become rare. The Government do not generally assume responsibility for protecting private property from

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damage by floods. It is open to the pattadars concerned to take such protective measures as they deem necessary with the prior permission of the River Conservator."

SRI S. NAGARAJA MANIGAR:—"In view of the damage caused to the lands which are cultivated and the damage to the foodgrains, will not the Government take steps to see that some protection is given? Will not the Government also see that the pattadars are made to work jointly in order to give the necessary protection?"

THE HON. SRI KALA VENKATA RAO:—"In view of the fact that the damage caused is very small, no particular action is necessary."

SRI A. VEDARATNAM PILLAI:—"May I know from the Hon. Minister whether it is a fact that in the Cauvery river near Pattukottai, there was another breach and that a vast area of land was submerged in water and if so, what action the Government have taken in the matter?"

THE HON. SRI KALA VENKATA RAO:—"About the breach of the river Cauvery, the hon. Member should put the question to the Hon. Minister for Public Works."

Lands in the Mylady tank-bed of Vaiganallur village.

* 336 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that lands in the Mylady tank-bed of Vaiganallur village, Kulittalai taluk, Tiruchirappalli district, were originally assigned to the Harijans of the village;

(b) whether it is a fact that these lands have now been taken back from the Harijans and have been re-assigned to some of the political sufferers; and

(c) if so, why the lands have been taken back from the Harijans?

THE HON. SRI KALA VENKATA RAO:—" (a), (b) & (c) The Government have no official information in the matter. A representation from the Harijans of Kottamedu, Vaiganallur village, Kulittalai taluk, was received stating that certain lands in the Mylady tank-bed reclaimed by them under the Grow More Food Scheme had been allotted to the political sufferers. The Government have called for a report in the matter."

SRI S. NAGAPPA:—"Will the Government give us an assurance that if the report that is called for discloses that the land has been taken away from Harijans and given to political sufferers, it will be returned to the poor Harijans?"

THE HON. SRI KALA VENKATA RAO:—"The question is hypothetical. But, if the land belongs to the poor Harijans who have no other property, the matter will certainly be considered."

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SRI B. S. MURTHI:—"Is it not a fact that the generality of Harijans are poor—especially those lessees being poor, they have been granted the lands—and therefore, may I know whether the Government will consider the report when available, and be pleased to say that the Mylady Harijans will not be deprived of their lands?"

THE HON. SRI KALA VENKATA RAO :—“ To say that every Harijan is poor is not wholly true. Hon. Members, Sri B. S. Murthi and Sri S. Nagappa, are rich Harijans. In the case of poor Harijans, I am more concerned than they.”
(Laughter.)

MUHAMMAD RAZA KHAN SAHIB:—" May I know, Sir, whether lands which are not fit for cultivation but which could be used for construction of houses now or in the near future in the Chingleput district or near the Madras City are being allotted to these people? "

THE HON. SRI KALA VENKATA RAO:—“ It is only when there is a chance of converting them for agricultural operations, they are allotted. House-sites are not allotted as a rule.”

SRI T. VISWANATHIAM:—"The Hon. Minister said yesterday and also repeated to-day that Sri Nagappa is a rich man. I want to know whether the Hon. Minister has got anything in view." (Laughter.)

THE HON. SRI KALA VENKATA RAO:—“ I only said that Sri Nagappa is a very rich gentleman.”

SRI S. NAGAPPA:—"May I ask the Hon. Minister whether if there is any deficit in my bank balance, he will be prepared to replenish it?"

THE HON. SRI KALA VENKATA RAO :—“ If any bank has allowed him to overdraw, then I will try to replenish it.”
(Laughter.)

SRI R. SUBBA AYYAR:—“ Is it not a fact that lands have been permitted to be cultivated by various persons under the Grow More Food Scheme temporarily and may I know, whether that temporary cultivation has stopped from June 1948? ”

MR. SPEAKER:—“That question was answered yesterday.”

MUHAMMAD RAZA KHAN SAHIB:—"My question was whether lands which are good and which could be used for house construction now or in the near future are being allotted to political sufferers in the Chingleput district. If it is so, will the Government prevent such a thing?"

THE HON. SRI KALA VENKATA RAO:—“ I can only say that there is no such assignment.”

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Harijan teachers in Labour Schools.

* 338 Q.—SRI M. MARIMUTHU: Will the Hon. the Minister for Rural Development be pleased to state—

(a) the number of Harijan teachers working in Labour schools, along with caste Hindu teachers; and

(b) the number of Harijan teachers proposed to be entertained this year ;

(c) whether there is any proposal to provide the teachers with houses constructed by the Government?

THE HON. SRI V. KURMAYYA:—“(a) The number of Harijan teachers working in Labour schools is 1,264, and the number of caste Hindu teachers is 308.

(b) 124 additional posts of Labour school teachers for the existing schools have been sanctioned this year. Proposals for opening new Labour schools are also under consideration. In making appointments to the posts preference is always given to Harijans.

“(c) No.”

SRI S. NAGAPPA:—“ May I ask the Hon. Minister why he has chosen to appoint non-Harijan teachers when Harijan teachers are available in large numbers? ”

THE HON. SRI V. KURMAYYA:—“ These appointments are being made for the last 25 years by the Labour Department. I do not think sufficient number of Harijan teachers were available in those days.”

SRI S. NAGAPPA:—“ In view of the fact that very many Harijan teachers are available now and the interest taken by them is much more now than before, will the Government be pleased to issue instructions that at least in future, Harijans alone will be appointed in these schools? ”

THE HON. SRI V. KURMAYYA:—“Preference is already given to the Harijans. Until all the Harijan teachers are absorbed, no applications from non-Harijans will be considered.”

SRI B. S. MURTHI :—“ పరిశ్రమ ఉపాధ్యాయిలకు కల గురువన్న ఇబ్బందుల సందర్భంలో గవర్నమెంటువారు Labour Department వ్యాధి చేసిన సహాయములే కలవిసారా ?”

THE HON. SRI V. KURMAYYA :—“ హుజుర ఉపాధ్యక్షయూల ఇబ్బందు లేమీ తెలియజేసే గవర్నమెంటువారు ఏమి చేసినది చెబుతాను.”

SRI M. MARIMUTHU :— கணம் தலைவர் அவர்களே, தஞ்சை ஜில்லா, போர்டு, முனிசிபாலிட்டி, லேபர் முதலிய பாடசாலைகளிலும் caste விந்து உபாத்யாயர்களோடு, ஹரிஜன உபாத்யாயர்கள் இது வரையில் சேர்ந்து வேலை பார்த்து வருபவர்களின் கணக்கையும், இவ் வருஷத்தில் மற்றபடி உபாத்யாயர்களை சேர்க்கப்போகிற கணக்கையும் கல்வி மந்திரியவர்கள் சொல்லுவாரா ?”

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MR. SPEAKER :—“ இந்தக் கேள்வியை நீங்கள் இதற்கு முன்னாலே போட்டாய்விட்டது. ஆகையால் தயவு செய்து நீங்கள் உட்கார்ந்து கொள்ளுங்கள். நீங்கள் மறுபடியும் கேள்வி கேளுங்கள்.”

SRI M. MARIMUTHU :—“ தஞ்சை ஜில்லா ஸ்கூல் மச்சர்களுக்கு குடும்ப சுகிதமாய் குடியிருந்து வருவதற்கு சர்க்காராவது அல்லது அக் கிராம பஞ்சாயத்தார்களாவது ஒரு வீடு கட்டிக்கொடுக்கும் யோசனை உண்டா என்பதை மராமத்து இலாகா மந்திரியவர்கள் சொல்லுவாரா ? ”

MR. SPEAKER :—“ நீங்கள் முன்னால் கேட்ட கேள்வியையே திருப்பிக் கேட்கவேண்டும். வேறு கேளுங்கள்.”

SRI M. MARIMUTHU :—“ தஞ்சை ஜில்லா போர்டு, முனிசிபாலிட்டி, லேபர் முதலிய பாடசாலைகளிலும் casto விந்து உபாத்யாயர்களோடு, ஹரி ஜன உபாத்யாயர்கள் இது வரையில் சேர்ந்து வேலைபார்த்து வருபவர்களின் கணக்கையும் இவ் வருஷத்தில் மேற்படி உபாத்யாயர்களை சேர்க்கப்போகிற கணக்கையும் கல்வி மந்திரியவர்கள் சொல்லுவாரா ? ”

MR. SPEAKER :—“ நீங்கள் ஏற்கனவே கேட்டு இங்கிலீஷில் இருக்கிற கேள்வியைத்தான் இப்பொழுது மொழி பெயர்க்கப்பட்டு மறுபடியும் கேட்கிறீர்கள். ஆகையால் உட்கார்ந்துகொள்ளுங்கள்.”

* * * * *

UNSTARRED QUESTIONS.

Admission to Agricultural Colleges.

36 Q.—SRI L. S. KARAYALAR: Will the Hon. the Minister for Agriculture be pleased—

(a) to place on the table of the House copies of Government Orders passed regarding admission to Agricultural Colleges for the present academic year; and

(b) the basis and the principle on which the allotment was made to the backward classes?

A.—(a) No special orders were issued regarding the admission of students into the Agricultural Colleges, Coimbatore and Bapatla, in the present academic year. A selection committee was however constituted this year. The admission to the Agricultural Colleges is governed by the following orders issued from time to time:—

(i) G.O. No. 1139 (12-S), Development, dated 19th June 1941.

(ii) G.O. Ms. No. 2503, Development, dated 6th June 1947.

(iii) Government Memorandum No. 58636 (A) AIV/47-1, Development, dated 17th June 1947.

(iv) G.O. Ms. No. 2544, Development, dated 18th May 1948.

(v) G.O. Ms. No. 3192, Development, dated 16th June 1948.

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(vi) G.O. Ms. No. 3221, Development, dated 17th June 1948.

A copy of each of these orders is placed on the table of the House.^a

(b) According to the existing rule for communal representation in the public services two out of every fourteen seats are allotted to Backward Hindu communities. The same basis is adopted for admission of students belonging to Backward Hindu communities in the Agricultural Colleges.

Professors in midwifery attached to Government institutions.

37 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Public Health be pleased to furnish the names of all professors in midwifery attached to Government institutions in this Province together with their qualifications and details of research conducted by them, if any?

A.—A statement^b is laid on the table of the House.

Tree-tappers thrown out of work.

38 Q.—SRI A. Y. S. PARISUTHA NADAR: Will the Hon. the Minister for Firka Development be pleased to state—

(a) the number of tree-tappers thrown out of work in the Tanjore district, consequent on the introduction of Prohibition;

(b) the number of such tree-tappers who have been provided with other work by the Government;

(c) the progress made in the matter of the Land Colonization Schemes at Avarampatti and Ponnappur villages in the Tanjore taluk designed to give the ex-tree tappers a few acres of land apiece and settle them in the villages as agriculturists; and

(d) how many applications were received in respect of each of these two schemes, and how many applicants were selected?

A.—(a) About 11,600 tappers were thrown out of work.

(b) About 420 have been provided with alternative employment by the Government.

(c) Proposals for the formation of Land Colonization Societies at Avarampatti and Ponnappur are under examination especially with reference to the suitability and availability of the lands for colonization purposes.

(d) No application has so far been received in respect of the Avarampatti Land Colonization Scheme. Seventy applications are reported to have been received in the case of the other scheme. Selection of members has not yet been made as the colonization proposal has not been finalized.

^a Printed as Appendix I on pages 525-529 infra.

^b Printed as Appendix II on pages 530-531 infra.

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State aid given under State Aid to Industries Act.

39 Q.—SRI K. LINGA RAJU: Will the Hon. the Minister for Industries be pleased to state—

(a) the names of industrial concerns that have received State aid under the State Aid to Industries Act since 1946; and

(b) the total money given to the various industries as State aid since 1946 to the end of June 1948?

A.—(a) The information is given in the statement^a appended:

(b) Rs. 2,88,000.

Admission to professional colleges.

40 Q.—SRI K. BHASHYAM: Will the Hon. the Minister for Education be pleased to state—

(a) whether in the admission to the professional colleges, there is any instruction that in addition to observing communal ratio in admission, any districtwar distributions also are to be made in the admissions;

(b) whether there is any distinction or variations between the candidates of the various districts as regards the percentage of marks to be obtained by them for qualifying themselves to admission to the classes such as a Tanjore Brahman must get 90 per cent while Brahmans from other districts may obtain less and get admitted; and

(c) whether the Government have any proposal to issue instructions that best men and persons who have obtained very high marks in each of the communities may be selected irrespective of the districts they come from?

A.—(a) Yes. With a view to ensure adequate representation for every district, the Government have ordered that in addition to the linguistic proportions being adhered to, the number of seats for each district should also be fixed, to the extent possible, with reference to the population of the district.

(b) No.

(c) No.

Number of persons under detention.

41 Q.—SRI K. BHASHYAM: Will the Hon. the Premier be pleased to state—

(a) the number of persons now under detention and how many of them are (1) Muslims, (2) Communists, (3) Kisans and (4) others;

(b) how many of these cases have been sent to the Advisory Council for consideration;

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(c) in how many cases, the Government have reversed the opinion of the Advisory Council;

(d) whether the Government have followed the advice of the Advisory Council in all cases, and if not, in how many cases the Government have not followed the Council's advice and why;

(e) if there are still cases in which the papers have not been sent to the Advisory Council, why should there be delay in sending them; and

(f) what is the longest period of delay in such cases and the shortest?

A.—(a) The hon. member is referred to the answer to clause (a) of Starred Question No. 28, copies of which were laid on the table of the House on 11th August 1948.

(b) 210.

(c) & (d) The Advisory Council's recommendation was not accepted in ten cases in all.

(e) & (f) It is not in the public interest to give the information.

Eviction order on certain Harijans of Tambaram, Chingleput district.

42. Q.—SRI B. PARAMESWARAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) Whether it is a fact that about 130 Harijan and Backward class families are under orders of eviction in Survey No. 307 in Tambaram, Chingleput district; and

(b) if so, the reasons for disturbing them from their abodes?

A.—The land in Survey No. 307-1 has been reserved for school and playground purposes. The encroachers cannot therefore be permitted to continue to occupy the site.

Number of applications for subsidy of wells.

43 Q.—SRI B. PARAMESWARAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of applications received from all communities for subsidy of wells, talukwar, and the number that were given subsidies in 1947-48;

(b) the reasons for the delay in not granting the rest; and

(c) the reasons for not sinking the wells at the places spotted by the Collector at Nimbacherry near Tinnanur, and the reasons for shifting the position of the well and locating it far away from the cheri?

A.—(a) The number of applications received for grant of subsidy under the New Well Subsidy Scheme during 1947-48 was 153,016 and subsidy was actually paid in 46,506 cases. Talukwar figures are not available with the Government.

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- (b) The grant of the subsidy loans is subject to satisfactory security being furnished by the applicant. The site on which the applicant proposes to sink the well has also to be inspected. These inquiries take time and a certain amount of delay is unavoidable.
- (c) The Government have no information. A report has been called for.

Grant of land to political sufferers.

44 Q.—SRI A. S. SAHAJANANDAM: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the Government have stopped giving lands to “thyagis”; and

(b) what the definition of “thyagis” is?

A.—(a) It is presumed the hon. Member is referring to the grant of land to political sufferers. The last date for the receipt of applications from them was 31st July 1948. The work of assignment is progressing.

(b) The attention of the hon. Member is invited to the definition of the term “political sufferer” contained in the Press Note No. 197, dated 14th August 1947. In addition, it has been decided to treat the following categories of persons also as eligible to the grant of land under the scheme:—

- (1) Persons whose names were included in the list of Satyagrahis approved by Gandhiji for taking part in the Individual Civil Disobedience Movement of 1940–41 who really disobeyed but who were not convicted;
- (2) Persons who conducted the movements from underground in 1942 under the direction and authority of the competent Congress Committees;
- (3) Persons who were not convicted and sentenced to imprisonment but who were subjected to heavy lathi charge or received gunshot wounds during their participation in political movements inaugurated by the Congress; and
- (4) Persons who took part in the movement and were placed on trial without finally being sentenced to imprisonment provided that during the period of trial they were remanded to custody in jails for pretty long periods, that is, not less than three months.

Age-limit for a teacher in Government schools.

45 Q.—SRI A. S. SAHAJANANDAM: Will the Hon. the Minister for Education be pleased to state the age-limit for appointment as a teacher in Government lower secondary schools and elementary schools?

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A.—The hon. Member is referred to rule 6 of the rules relating to the Madras Educational Subordinate Service.

Number of Registrars in the Province.

46 Q.—SRI B. PARAMESWARAN: Will the Hon. the Minister for Finance be pleased to state—

(a) the number of Sub-Registrars and District Registrars in the Province;

(b) how many of them are from Scheduled Castes; and

(c) how many of the Scheduled Caste Sub-Registrars are in the selection grade?

A.—(a) Reserve Sub-Registrars		74
Sub-Registrars 615	Sub-Registrars—	
	I Grade	123
	II Grade	492
District Registrars	25 permanent	
	plus 6 temporary	
(b) Reserve Sub-Registrars		10
Sub-Registrars	26 (all in II Grade)	
District Registrars	3	
(c) It is presumed that by selection grade the hon. Member is referring to posts of Sub-Registrars, I Grade, promotions to which are made from Sub-Registrars, II Grade, on grounds of merit and ability. There is no member of Scheduled Caste in Grade I.		

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

II.—ARREST OF MR. ABDUL SALAM, M.L.A.

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“Sir, it is reported that this morning one of the hon. Members of this House, Mr. Abdul Salam by name, has been arrested. In that connexion, I want to know from the Government on what charges or on what account he has been arrested. Secondly, he is a Member of this House, as you know. He has come to Madras for attending the session of the House, and he has been lodged in a place which has been allotted by the Government for the Members of this House. And in the natural course of things, he was for attending the House, this session. I request you, Sir, to say whether the privilege of the Members of the House is not affected, and whether it is proper on the part of Government to prevent a Member from attending the sessions, while he has been in the City of Madras only for the express purpose of attending the sessions, and also has been in a place which has been allotted exclusively for the Members of this House by the Government. Thirdly, yesterday, a Government spokesman spoke in appreciative terms of the way in which Muslims and other people have reacted to the action taken by the Government with reference to Hyderabad. And I would

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like to know from the Government whether they consider these continued arrests are in keeping with the appreciative attitude expressed and demonstrated by the Government yesterday."

MR. SPEAKER:—"The second part of the question has been addressed to me, regarding the privileges of the Members of this House. The House is aware that regarding privileges of Members, we are governed by the Government of India Act, 1935 as amended by the India (Provincial Constitution) Order, 1947, wherein section 71 gives the privileges of the Members of this House, which runs thus:

'1. Subject to the provisions of this Act, and the rules and standing orders regulating the procedure of the Legislature there shall be freedom of speech in every Provincial Legislature, and no member of the Legislature shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Legislature or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of a Chamber of such a Legislature of any report, paper, votes or proceedings.'

'2. In other respects, the privileges of members of a Chamber of a Provincial Legislature shall be such as may from time to time be defined by Act of the Provincial Legislature, and . . .'

"So far, we have not passed any Act, defining our privileges. In the Central Assembly, by an Ordinance, they have defined the privileges of the legislators. But here we have not done so.

' . . . and until so defined, shall be such as were immediately before the establishment of the Dominion enjoyed by members of that Chamber, or in the case of West Bengal and East Punjab, by members of the Provincial Legislative Assemblies of Bengal and the Punjab, respectively.'

'3. Nothing in any existing law, and notwithstanding anything in the foregoing provisions of this section, nothing in this Act, shall be construed as conferring or empowering any Legislature to confer, on a Chamber thereof or on both Chambers sitting together or any committee or officer of the Legislature, the status of a court, or any punitive or disciplinary powers other than the power to remove or exclude persons infringing the rules or standing orders, or otherwise behaving in a disorderly manner.'

"I may now remind the Members of this House, that sometime, I think it was last year, one hon. Member, Mr. Venkateswarlu brought an adjournment motion for consideration of the privileges of the Members of this House. I have already given the ruling in the matter.

"Regarding the first part of the question, I leave it to the Hon. Sri Kala Venkata Rao, to answer."

THE HON. SRI KALA VENKATA RAO:—"I may inform hon. Members of this House that Mr. Abdul Salam was arrested on account of a warrant received by the Commissioner of Police,

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Madras City, from the Collector of Guntur. The other details in connexion with his arrest are not known to us as yet. After we hear from the Collector of Guntur, and if any hon. Member is interested and puts a short notice question, we shall be able to answer it. As for the privileges, you yourself have given the details of it, and I therefore need not touch upon them.

"The Hon. the Leader of the Opposition raised another point, saying: 'You have appreciated yesterday, the favourable reaction of the Muslims towards the Hyderabad question, and then, why did you arrest that gentleman.' I presume, Sir, that there must have been sufficient reasons in the possession of the Collector of Guntur to have ordered his arrest. If those reasons could be divulged and are not confidential, I have no objection to disclose them to this House, after some time."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, you were pleased to refer to Mr. Venkateswarlu's adjournment motion for consideration of the privileges of the Members of this House, and your ruling thereon. I would like to submit, Sir, that it stands on a different footing altogether . . ."

MR. SPEAKER:—"I do not know the circumstances under which he was arrested. I am ignorant of that. Only this morning when I was about to come to this House, at about one minute to 11 a.m., two gentlemen, the Secretary of the Legislature, and one hon. Member of this House, Mr. Kosalram informed me that Mr. Salam had been arrested. But I do not know as yet the circumstances under which he was arrested. Without knowing all these things, it is not possible for me to say anything on the matter."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I have already submitted to you, Sir, that he was arrested this morning in a place which was allotted to the Members of this House, by the Government themselves.

"In the previous case, the question was whether the Government would not be kind enough to make arrangements for a Member who was not in Madras, but was in his native district, to attend the sessions of this House. And then you held that no such privilege could be enforced with reference to the Members. But here, a Member has already travelled from his native district, and has come to Madras . . ."

MR. SPEAKER:—"I know these things. But without knowing the circumstances and the details of his arrest, what can I do?"

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I want you to consider this fact, Sir, whether a Member who is in the course of attending the sessions will have his privilege affected by such action on the part of the Government."

MR. SPEAKER:—"To-morrow I shall give my ruling, after knowing the full details of his arrest."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"And then, Sir, I appreciate the way (interruption), not the frank way, but the appreciative way in which the Government have made that concession. I thank them, Sir, for saying that they will examine the papers and records connected with this matter, and do what they think, and take a favourable action if possible in the matter."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"In addition to what has already been said, I would like to ask the Government, whether the arrest of Mr. Abdul Salam was not known to the Government of Madras, whether the Collector of Guntur has not consulted the Government of Madras, before the arrest of a Member of this House, i.e., an M.L.A. Apart from that, I want to know whether it is not feasible at the present juncture, on the part of the Government to implement the appeal that has been made by the Hon. the Prime Minister, and the Deputy Prime Minister of India, to create an atmosphere in this country, which will be conducive to harmony among the various communities, so that the action that our Government have taken in Hyderabad could be carried on smoothly."

THE HON. SRI KALA VENKATA RAO:—"Sir, it is not just that the hon. Member should ask us to disclose the correspondence that goes on between the District Magistrate and ourselves. The Collector cannot detain a man by himself, unless it is a case which could be filed in a Court of law. If he has to detain any person, he must take orders from the Government, as the hon. Member knows very well, within 14 days of the arrest. Naturally he has to send the relevant papers to Government. And when we receive them we shall carefully examine them and do the needful. Of course, the number of days need not be exactly 14."

"Mr. Hameed Khan put the question, as to whether we are not acting in accordance with the appeal made by the Hon. the Prime Minister of India. We are acting so. That is the reason why only one has been arrested. (Laughter.) I want some time to consider the matter. I join with my Hon. Friend the Leader of the House, Mr. Gopala Reddi in saying that we quite appreciate the way in which the Muslims of Madras have reacted to the military operations in Hyderabad and I would only reiterate what my Hon. Friend Mr. Gopala Reddi already said yesterday. This arrest of Mr. Abdul Salam may be under special circumstances. While all Muslims will be co-operating Mr. Abdul Salam may not have done so. Let us get at the facts. (Interruption.) I used the word 'may' deliberately. Therefore in these circumstances, the Government cannot say anything further."

MR. SPEAKER:—"I have heard the hon. the Leader of the Opposition, the Leader of the Independent Party, as well as the Government. To-morrow we shall see whether the Government will be able to enlighten us further on this matter. We pass on to the next item on the agenda."

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SRI P. NATESAN:—"When the privilege of a Member of the Legislative Assembly is affected, I am surprised at the speech of the acting Leader of the House. After all, Sir, the Commissioner of Police, is a man who is resident here and is available in a minute's notice. And the Collector of Guntur . . ."

MR. SPEAKER:—"The hon. the Leader of the Opposition has spoken on behalf of his party, and the hon. the Leader of the Independent Group has spoken, not only on behalf of Mr. Natesan but also on behalf of his party as a whole. I have also heard the Hon. the Leader of the House, who has promised to give us further information to-morrow. So, we shall take it up to-morrow."

GOVERNMENT BILL. ✓

III.—THE MADRAS ESTATES (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947
(L.A. BILL No. 37 OF 1947)—cont.

Clause 8—cont.

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Yesterday, I was submitting, Sir, that I wholeheartedly support this amendment. As I have said many times before, the question of determining the amount of compensation, and deciding the various rights of the various claimants, and the determination of their interests involved in the acquisition of the property, will have to be left entirely to a court of law, instead of to a tribunal or an officer as contemplated by Government."

"The Government want to abolish these estates and acquire their interests. In a sense, the Government are purchasing their interests, for which the price money, or the compensation as it is called, must be paid by the Government. In all democratic countries—and even in the United Kingdom, the British Government took care to see that they decided first the quantum of compensation payable by the Government to the citizens, whose interests they were acquiring—the practice is, that the amount of compensation payable to the party is decided first. Sir, as has already been pointed out, you cannot be purchaser yourself and also the judge to say what is the amount to be paid by you. It is in that position that the Government stand in this matter. It may be said that rules have been laid down in the Bill itself. I know the argument of the Hon. Minister. 'We have laid down rules in this very Bill and the question of the amount is a matter of calculation. Therefore it does not matter whether an official or a court goes into the matter.' I may submit that this is not such an easy matter. May I point out to the Government that in the first place, you have to determine various interests, what are the properties in which a person has interests, and which you are acquiring, and what is the value of the land. All these things must be taken into consideration. It is no doubt true that the Government have got the right to acquire rights but it is not as if the Government can acquire them for any amount they choose to pay."

12.15
p.m.

[Mahboob Ali Baig Sahib Bahadur] [17th September 1948]

"Section 299 of the Government of India Act is very clear in the matter. Neither the Central Government nor the . . . Provincial Government can acquire rights without paying compensation. No purpose will be served by saying that we have laid down certain rules and principles and that our officials will calculate the amount in accordance with those rules. The Government are an interested party. The Government are interested in seeing that the least amount is paid to the person whose property is purchased. You are an actual party in this transaction. You cannot be both a party and the judge in the matter. That is the crux of the matter. At the suggestion of some Members some Tribunals have been set up. I shall come to the question of Tribunals afterwards. So far as the question of compensation is concerned, it is a very vital matter. You are entrusting this matter to a Tribunal. You are not allowing appeals. The forum is the Settlement Officer. He will investigate the matter and give some figure Rs. 10,000 or Rs. 20,000 as payable by the Government to the estate-holder. You are not providing appeals to a judicial body but to the Board of Revenue . . ."

THE HON. SRI KALA VENKATA RAO:—"We are discussing now the composition of the Tribunal. The question is whether the hon. Member should go into the question of compensation which comes up later. It is better to confine ourselves to the point under discussion. Mr. Viswanatham spoke at length that these matters should not be referred to the Tribunal but to a civil court. The hon. Member is traversing other grounds."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"The mover of the amendment has stated that the clause should be deleted. Therefore he does not want these Tribunals. He does not want either the Settlement Officer or the Board of Revenue. He wants the entire thing to be left to civil courts. That is the purport of what the mover of the amendment has said. Therefore I am in order. I heartily support the amendment. I commend it to the Hon. Revenue Minister, request him to revise his opinion on this point and accept the amendment."

* SRI K. BHASHYAM:—"Sir, the provision which we are now discussing is a very very important one, as it purports to take away the rights of the individual to go to a court of law, for the purpose of the matter being adjudicated by it. It is a very fundamental right which every person enjoys for the purpose of getting relief in case his interest is affected or anything is done against his interest either by the Government or by any person. This fundamental right is sought to be affected by section 8 which says that the Government are entitled to appoint Tribunals for all the purposes mentioned in the Act. Therefore what the Government purpose is to have a court of its own and not the ordinary civil court for the purpose of adjudicating various points raised in the Bill. I can understand some cases where the matter to be adjudicated upon is of technical nature, a matter in which

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technical knowledge is necessary, such as survey and settlement. But in cases where ordinary civil rights are involved, I do not see why civil courts should not have the right of adjudicating upon them. Under clauses 38 and 59 of the Bill the Government have taken power to have the matter adjudicated upon and settled by the Board of Revenue. I can understand that in such cases it is necessary to know certain local facts and practices. What about other matters? The question whether it is an inam created before 1802 or after 1802, may well be left to the court. It is a question of fact. It does not require any special knowledge of a Survey or Settlement Officer. It is only a question of the title deeds of the owners of the property. Every day thousands of such cases are decided by courts. I do not see why the ordinary courts should not be competent to decide such cases. Is it because you have no faith in your own courts? Is it because the court will not do a thing in the only way you like? It will be said that in cases where the Government are concerned or when the question of compensation is concerned, the Government choose to have its own courts for the purpose of adjudicating upon its rights. Do you want the stigma to be placed at the door of the Government that they want to create their own court and get decisions in their own way? It means nothing more. Even though they are called Tribunals, they are nothing more than executive courts. I would call them executive courts but not judicial courts. They will settle the terms as given by the Government. This point should be borne in mind. There is the question of compensation, etc. Such questions should ordinarily be decided by courts. There is the question of priorities of creditors, first mortgage, second mortgage, etc. How are people to be satisfied as between priorities? These are questions affecting ordinary civil law. This is no matter which requires any special knowledge. The Government might appoint tribunals, executive tribunals, when the question relates to revenue and other matters requiring special knowledge. I think ordinary civil courts must be competent to decide ordinary general questions. People have no power to question the decision of executive courts. Such a tendency is absolutely out of place especially in a popular and democratic State like ours. Matters must be allowed to be adjudicated upon by the ordinary civil courts, so that people will have confidence that absolute justice will be done by the Government. The Government will be discrediting itself if it established new tribunals and arbitrators. Therefore, Sir, in the interest of the fair name and in the interest of justice, I should like that this clause should be omitted, and the matters may be placed before ordinary courts. Ordinary courts have been doing their work well. They have given satisfaction to everybody. Otherwise the Tribunal will sit somewhere, will hold its session in some places to which the members of the public will not have access. It has been stated many times that the executive are exercising undue influence over the judiciary and that there is the desirability of separating the one from the

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other. Are you going to perpetrate this kind of domination by the executive over the judiciary even in civil matters? It has been stated many times on the floor of this House that courts should be free from domination by the executive. One of the parties concerned in the matter is the Government. The case is not between one party and another party, one subject against another subject. When the Government is a party to the proceeding, it is not desirable that it should appoint its own tribunal and that its rights and obligations adjudicated upon by a court constituted according to its own will and pleasure. It will be a most dangerous thing to do. Further, in all matters where the Government are deeply involved, where the exchequer is concerned, it should not allow its own officers to deal with them. The Government propose to appoint a District Judge or any officer qualified as a District Judge or a Subordinate Judge or an officer qualified as Subordinate Judge and a Revenue Officer—all officers of the Government. Why should not the Government appoint non-officials in order to see that proper justice is done to people concerned? I submit that the Government should not have its own courts when its own rights are affected. Let the ordinary courts settle civil disputes. I hope the Hon. Minister will do this so that there can be satisfaction to all parties concerned. In respect of matters relating to survey and settlement, I can understand the Government appointing its own officers. Civil courts ought to be allowed full play in civil matters. Why should the Government flight shy of civil courts?"

12-30
p.m. MUHAMMAD RAZA KHAN SAHIB:—"Mr. Speaker, I support the amendment of Mr. T. Viswanatham for the deletion of this clause. After the speech of Mr. Mahboob Ali Baig yesterday and the speech of the hon. ex-Law Minister of the Government to-day, there is not much for me to say by way of supplementing their observations. The whole difficulty with the Hon. the Revenue Minister is, when we confront him with an amendment he takes shelter under the plea that he has been advised by the Legal Department in a particular manner. If in the Madras Province you are having such a Legal Department which advises every Minister to remove the jurisdiction of the High Court, I feel, Sir, that there should be a change in the Legal Department. I cannot deal with the Legal Department. I do not know the Secretary, the Under-Secretary or the Assistant Secretary."

THE HON. SRI KALA VENKATA RAO:—"We decide the policy and the Legal Department only puts the thing in proper form."

MUHAMMAD RAZA KHAN SAHIB:—"Thank God, the Hon. Minister has taken the blame on himself. The main purpose of the clause is to do away with the jurisdiction of the civil courts and instead create special Tribunals. Before the Minister

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could ask the House to accept it, he must make out a case how this Tribunal will work better than the civil courts. He must show to the House why he wants these Tribunals. When civil courts are in existence, why does the Hon. Minister want to remove their jurisdiction and have these Tribunals? It is common elementary knowledge that whenever the Government is a party to a transaction, it is much better that the thing is decided by a court of law. Not once, but hundreds of times, not only we on the Opposition but also hon. Members belonging to the Party in power, have said that the powers of the High Court should not be touched. But in Bill after Bills which have been brought here, it has become a matter of necessity for the Government to have a clause removing the jurisdiction of the civil court. We have protested a lot, but without any effect. That does not mean we should give up our fight. We should go on fighting so that, although the Hon. Minister is not convinced to-day, to-morrow when he may not be a Minister he will be convinced that he has done something wrong.

"Sir, it is not possible for only one party to be in power always. We often hear, Sir, that certain things were done in 1935 and certain other things were done in 1938 when Mr. Rajagopalachari was Premier and so on. Precedents are created and they are quoted to us whenever we confront the Government with a certain thing. For argument's sake, not that I wish it, let us suppose that the Congress Party is not in power but some other party comes to power and takes greater powers almost completely excluding the jurisdiction of the High Court. If we question them, Sir, they will quote the precedent of the Hon. the Revenue Minister. As has been stated by Mr. Viswanatham, if you want to abolish the zamindaris by paying them some compensation, by all means do it, but in trying to set right one wrong, do not commit another wrong. I therefore see no reason why the Government should try to do away with the powers of the courts.

"In a later clause to which reference has been made by my hon. Friend Mr. Viswanatham, as far as the quantum of compensation to the zamindar or the inamdar is concerned, he cannot go to the High Court. The decision of the Revenue Department—the Collector or the Deputy Collector—is final. May I ask whether it is fair and just? After all do you not make it appear that you yourself have no confidence in your courts? In any matter that is referred to arbitration, the High Court should be the supreme authority. I entirely endorse the view of the hon. Member Mr. Viswanatham that the greatest achievement of this Province is the judiciary. They have got a name for independence. This Ministry will be here to-day and another Ministry may come in its place to-morrow. But the judiciary will remain there independently and render proper justice. The Hon. the Revenue Minister should make us understand why he feels the necessity for this Tribunal, when there are the usual civil courts. Because the Government is

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going to be a party in all these things, it is not fair play to have these Tribunals. As soon as this Bill is passed there is going to be a good deal of litigation. Some people may not understand the implication of this clause. But when the matter goes before the law courts, there will be good deal of trouble. With regard to the zamindars and the inamdars, there is practically no chance for them to go to the High Court for the redress of their grievances. Whenever some injustice is done, it will remain and work very hard. Therefore, there is time for the Hon. Minister for Revenue even now to accept the amendment and delete the clause and see that these matters are dealt with by civil courts. These courts will dispense justice; they are our courts. Why should we suspect them? Unless and until the Hon. Minister feels that the courts cannot carry out these duties, I see no justification for the creation of the Tribunals, which will lead to complications and will have a bad effect on the people who will believe that the Government are trying to do away with the rights and safeguards of the people. I support the amendment of Mr. T. Viswanatham."

(Mr. Speaker called on Mr. K. Varadachari to speak.)

THE HON. SRI KALA VENKATA RAO:—"Is it necessary that every Member should speak on each clause? Could they not speak on different clauses?"

MR. SPEAKER:—"The hon. Member is a Member of the Minister's party. He could have issued a whip."

SRI K. VARADACHARI:—"Sir, I did not want to intervene in the discussion, because our Revenue Minister is essentially a man of common sense as he himself has declared. Evidently, the Government seem to have thought that the civil courts should not be burdened with the huge crop of disputes that may arise under the various provisions of the Bill and they have created a statutory tribunal for the determination of these disputes. The fact that the Government themselves will be a party to the disputes is a criticism which should be noted, even though the Government want to relieve the courts of the huge burden which this Bill will throw upon them. The civil courts are above all influences. Every day, Members on the Opposition have been referring to the interference of the M.L.As. with the Collectors and the Magistrates, but not even the Ministers of the Government can interfere with even a District Munsif in the Province. That is a reputation which the civil courts have acquired; they are absolutely independent. Institutions of that kind are not to be underrated even by the Legislature and the Government. Sir, when a popular Government is functioning after freedom has been achieved, our legislation should not have a fascist colour. It has become the fashion of the popular Government here to take too much power in their hands and get involved in all sorts of misunderstandings with the public. It is better that this sort of thing is

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avoided. Perhaps in the special circumstances of the Bill, the Government have found it necessary to relieve the civil courts of the heavy burden that will be cast on them."

* THE HON. SRI KALA VENKATA RAO:—"Sir, I am very sorry that an hon. Member of my party has used words which he should be ashamed of using; he has called this Government a Fascist Government and that the methods we adopt are fascist. It is really unjust of him, Sir; though he is my elder, I must strongly protest against the way in which the hon. Member has spoken. (Interruption.) Though I am not a great intellectual like him, I have enough intelligence to understand what he sought to imply.

"Coming to the question of Tribunals, I must say that we are as much proud of our courts as anybody else. The courts do not need the advocacy of certain friends in this House. They are honoured for what they are. They are also the limbs of the Government; only they are functioning in an independent manner so that justice may be done to individuals. But here we have a different set of circumstances. We have a particular procedure to follow under the Land Acquisition Act, but this Bill prescribes a process of acquisition which modifies that procedure. This Bill being a social measure of vast magnitude, which has to be applied in a short time, the ordinary procedure of the Land Acquisition Act cannot be followed. It is open to a sovereign legislature to prescribe any procedure it considers best for the purpose of land acquisition. This is one such procedure.

"The hon. Member, Mr. Mahboob Ali Baig, has anticipated me. What does the Government of India Act want us to do? Section 299 says that we must fix the principles of compensation. We have fixed the principles of compensation and we have provided for the executive machinery for the working of the same. The principle is: one-third of the income minus so much amount multiplied by such and such a figure is the compensation. It does not require a court, this arithmetic. The question is not one of excluding the courts. What we have done in the Bill is to prescribe a special judicial machinery. If a District Judge who is dispensing justice in one of the civil courts, is appointed as the head of a Tribunal, do you think that he will change his colour? I do not think so. We have dropped the original proposal of having a mixed Tribunal and we have made it a complete judicial Tribunal. Otherwise, the whole difficulty will be this. The business of taking over the estate and of settlement which has to follow will be held up for an endless period; there will be suits and injunction petitions and things like that which will create difficulties in the way of achieving the object and moreover, the procedure in ordinary civil courts is such that there will be scope for endless delay. After all this Tribunal business is not a novel thing. Even under the 1936 Act there was such a Tribunal to decide the melvaram

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and kudivaram rights as between two individuals and we have only extended the same principle in this Bill and I do not see why there is so much criticism against it.

“Then, Sir, as can be seen from the Bill itself, Tribunals are will be appointed for various purposes. One Tribunal will be appointed under sections 8 and 9 for dealing with appeal regarding under-tenures; the second is under section 14 (2) which provides for an appeal to the Tribunal against the decision of the Special Officer regarding private lands; thirdly, sections 42, 43 and 44 deal with apportionment of compensation as between the landholder and other subsidiary interests under him, namely, creditors, maintenance holders, etc. An appeal is also provided to the High Court under section 48. Then fourthly, there is provision for a Tribunal for the apportionment of interim payments. Sir, there is another factor which my hon. Friend, has missed. There is a proposal to appoint 12 Regional Tribunals for the purpose of carrying justice to the door and I shall deal with that a little later. The main purpose of constituting these 12 or 13 Tribunals is to avoid the long delay which may be involved in going through the hierarchy of the legal system, namely, the Munsif's Court, the District Court, the High Court and the Federal Court. That is of course a different matter. After all these questions have to be decided either by a court of law or a Tribunal and it has been considered that it would be better to decide such matters through Tribunals. Especially when we are dealing with poor people in this country, what is the use of saying that there is the High Court or the Federal Court? It was said in England that justice is available to the poor man and the rich man alike. Many courts of justice are really for the rich; they cannot be reached by the poor man because they are a costly affair. Suppose you ask me to go in for a Daimler car—no doubt it is the best car, but can I afford to purchase a Daimler or a Rolls Royce? So, what is the use of asking a poor man to go to the Federal Court when he cannot travel to Amalapur and get justice in a Munsif's Court, on account of the inequality of opportunity between man and man. Therefore, Sir, there is no use of arguing like that. We will have to look for speedy dispensation of justice.

“One word in conclusion, Sir. The main scheme for the appointment of these Tribunals is to bring justice to the door of the poor man and of the common man and for the dispensation of justice with all possible speed. The only way to achieve this object is to entrust this business to Tribunals as we propose to do, and after all they are only a special type of judicial machinery. Therefore, I am sorry, I am unable to accept the amendment of my hon. Friend Mr. Viswanatham.”

* SRI T. VISWANATHAM:—“Mr. Speaker, Sir, I am very sorry that I will have to contradict almost every statement made by the Hon. Revenue Minister. Either by accident or by design he has side-tracked the entire issue altogether. He is only relying

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upon that. He says in effect ‘what have I done; I am an innocent man; I have prescribed certain principles, a scientific principle on which compensation should be computed; I have also fixed the principle for computing it and it should not be questioned by anybody else and these are all done under the Government of India Act and I have every right to do so.’ I say, that he is trying to give colour to the provisions of the Bill. I am quite aware that he has enunciated something which might be called ‘principles.’ The law says you must either provide compensation or fix the principles for the payment and the manner of payment of compensation. The whole point of our criticism or rather our appeal to him has been to see whether in so fixing the principles he has fixed any just principles or simply made the principles just to satisfy the provisions of the law. If he has only inserted certain principles just to satisfy the wording of section 299 of the Government of India Act and not the spirit of the section, I say he still does not conform to the language of section 299 itself. My argument has been that these provisions are such as do not conform to the spirit of section 299. Then, Sir, he has stated, ‘After all what am I doing? I am not doing anything novel. There is provision for tribunals in section 185-A of the Estates Land Act and I am also appointing similar tribunals; it is an old thing; why do you object to it?’ Again, our appeal to the Revenue Minister was that the tribunal itself was not properly constituted; that inamdars and the tenants did not take advantage of that, that the idea itself was not quite appropriate and the whole matter was the subject-matter of discussion and doubt. He thinks that he is not bringing forward anything novel but is only copying an existing thing. I wish to draw your attention, Sir, in this connexion, that he is copying a dubious provision of very doubtful value.

“Then, Sir, he said, ‘Why do you talk of civil courts; we have got rules relating to Civil Procedure, rules which deal with injunction petitions and adjournments’ and so on and there is also an appeal and very cleverly suggested that all these would involve delay which would result in great hardship to the poor man. It is an easy argument to advance, but this section particularly has nothing to do with the poor man. (Interruption by the Hon. Sri Kala Venkata Rao.) I am submitting, Sir, that it is not a question of the rich man or the poor man. It is a question of principle. These tribunals have to deal with the relations between the persons whom you call rich on the one side and the Government on the other; and the tenant does not come in the picture so far as these tribunals are concerned. Therefore, I submit that the argument of the Hon. Revenue Minister, namely, that he is copying section 185-A of the Estates Land Act in keeping with section 299 of the Government of India Act, is all beside the point. I am sorry he has brought in this just for the sake of drawing a red herring across the path. There is no use saying ‘I have of course great respect for courts and yet I do not trust them.’ He does

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not say 'I do not trust the courts' and it does not lie in the mouth of anyone including the entire body of this House to say that we do not trust our courts. He says the judicial officers are also paid by Government and it is with such conflicting sentiments that he goes on. It is this conflicting ideology that has been agitating the mind of the Hon. Revenue Minister, that is responsible for the entire confusion and fusion of contradictory notions. The question is whether civil courts are independent of influences or not. That is the real point and if the civil courts are independent of political or executive influences, we are satisfied and we believe we can get justice; the courts would command the confidence of the people and the public and that confidence in the civil courts and in the judicial officers is one of the greatest assets for the progress of human society. We cannot get round that fact. It is said that after all it is a judicial tribunal. I submitted, Sir, yesterday in my analysis of the membership of the tribunal, that it cannot be merely a judicial tribunal or a quasi-judicial tribunal . . ."

MR. SPEAKER:—"Yesterday the hon. Member took about half-an-hour over this."

SRI T. VISWANATHAM:—"I am sorry, Sir, even though I took about half-an-hour yesterday, I was not able to convince the Hon. Minister. I will not be sorry if he does not accept the amendment but I should be sorry if he has not grasped the arguments that I have advanced yesterday and therefore I am trying to make the point clear. Of course I am not trying to bring him round to my views. He thought I misunderstood the position and so I wanted to tell him the real position, but as he has not grasped it I crave your indulgence to give me a little more time, Sir."

"Sir, he said, 'These are fundamental principles, which Mr. Viswanatham discussed yesterday, and as they are going to be discussed fully in the later provisions of the Bill, we shall not have much of discussion now.' Sir, I would only repeat they are fundamental principles. And I therefore crave your indulgence for a little longer. Sir, when I was analysing the composition of the tribunal, I said it is not a judicial tribunal in any sense, because you are going to appoint a District Judge or a person eligible to be appointed as a District Judge; a Subordinate Judge or a person eligible to be appointed as a Sub-Judge or a Revenue Divisional Officer or a person eligible to be appointed as a Revenue Divisional Officer. These are temporary appointments of persons eligible to the highest position—of course, I am not casting any reflection—but surely they cannot be on the same level as the High Court Judges; they are not on the same level as a capable retired Judge of the High Court. You can appoint persons who have had the best judicial experience and persons who have nothing to fear or who do not care for any favours from the Government; or persons who have risen above a particular level; surely a tribunal composed of such persons would not have evoked so much of criticism from us. Simply to say, that a District Judge, a Sub-Judge

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or a Revenue Divisional Officer or persons eligible to these posts—these persons are obliged to be in the good books of the Government—would be appointed to the tribunal or quasi-Judicial Tribunal, I submit, is not speaking anything which is anywhere near the true set of facts. I submit it is not a quasi-Judicial Tribunal. If you say that the tribunal shall consist of persons that have served as High Court Judges and have retired, possibly we shall not raise much objection to it. (The Hon. Sri Kala Venkata Rao: 'If the zamindar would meet half the cost of the tribunal I am prepared for it.') I am not bargaining either for the zamindar or for the Hon. Revenue Minister. (The Hon. Sri Kala Venkata Rao: 'From the way in which the hon. Member was arguing, I thought he was asking for it'.) I protest against it, Sir. I am afraid the Hon. Minister has got a knack of misunderstanding things and a convenient misunderstanding of the situation. As I said I am not arguing either for the zamindar or the inamdar or the Hon. Revenue Minister, but I am arguing for a particular principle. To-day I believe after the attainment of independence, I am the citizen of an independent country and I believe I am one of those entrusted with the responsibility—probably self-chosen—of establishing good traditions of justice in legislation. I believe future generations will look to what we have done; they will look into our history and the methods we are pursuing in legislation for the amelioration of the condition of the masses. Therefore, if I am speaking here, I am speaking only from that point of view; I am not arguing for or against any particular set of persons; let the Hon. Revenue Minister never have any misapprehension. It is wrong of him to have said that even in a joke because he has an opportunity for talking anything he likes. I am sorry to find that the way in which he is talking shows that still his mind is as strong as a polished granite which receives or absorbs no light at all. It is said that a polished article does not absorb light. His heart is similar to polished granite and whatever I may argue nothing is entering his mind because he has set up his mind against it. But, still I believe in patience and still I believe that the good old Kala Venkata Rao is willing to understand."

SRI A. KALESWARA RAO:—"Is the hon. Member right in saying that the Hon. Minister is having a granite heart and so on. I object to it, Sir."

MR. SPEAKER:—"The House will adjourn and meet again after lunch at 3 p.m."

(After lunch—3 p.m.)

MR. SPEAKER:—"Sri T. Viswanatham may continue his speech."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I was on the point of the constitution of the tribunal when the House adjourned for lunch. I was trying to explain that this tribunal does

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not meet with the requirements of the present situation. I also submitted, Sir, that if the members of the tribunal were persons of the grade of High Court Judge things would be totally different. Because they, while serving as Judges, would not have to depend upon the Executive for their continuance. On the other hand these officials of the grade of District Judge, or Subordinate Judge or Revenue Divisional Officers would have to depend on the Executive for their preferment. I have mentioned that fact not with a view to cast aspersion that this Government would interfere with their activities or that they would be subjected to political influences. But politically, considering the merits of the legislation in the abstract, in passing this Bill a situation arises which involves great and momentous issues, affecting 26 to 30 thousand square miles of estates, and lakhs of tenantry and more than six to seven lakhs of inamdar families. So surely we have to look at the thing somewhat carefully. Therefore I submit that without reflecting anything on the Government or on the grade of officials to be chosen, I insist they must be persons who must be above all executive or political influences. That is the chief reason why I move the amendment of which I have given notice. I do not think there is any need for such a great opposition to this. When points have been raised which are beside the merits of the case I had to take a longer time than I expected to take. I submit the points given by the Hon. Revenue Minister do not in any way affect the arguments which I have advanced. I submit that in the interest of correct legislation, in the interest of rectitude, in the interest of the dignity of this legislature, in the interest of building up a decent tradition and leave it as a decent legacy for generations to come we should follow certain principles which fall in line with justice and rectitude rather than in line with executive influence. That is my submission and that is my answer to the Revenue Minister's arguments."

SRI R. V. SWAMINATHAN:—"On a point of information, Sir. Mr. Viswanatham said just now that the Tribunal will be subject to political influences. Will he enlighten us how the District Judge, the Subordinate Judge and the Revenue Divisional Officers will be subject to any political influence?"

MR. SPEAKER:—"He is not explaining."

THE HON. SRI KALA VENKATA RAO:—"Sir, there is no use of further arguing the question. I have stated my case earlier. I will have to request the mover to withdraw his amendment. Only one thing I will state, namely, that the Government is an impersonal body; there is no personal interest involved for anything. I may not be here when measure will have to be implemented. Individuals may try to do things according to their moral stature. But Government always rises to their full moral stature. I am perfectly certain that we will not interfere with courts of justice. I have stated that Government have sought to create this category of judicial tribunals so as to give speed to the

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whole business, and speed is very much needed. I have got in my hand a long list of institutions in England. In England administrative officers have been assigned judicial functions without provisions for appeal also. I request the hon. Mover to withdraw his amendment."

SRI D. V. RAMASWAMI:—"Will the Hon. Revenue Minister be pleased to read the cases of tribunals in England to which he referred to just now?"

THE HON. SRI KALA VENKATA RAO:—"Chief Registrar of Friendly Societies to settle disputes. The Administrative Officer is better fitted to settle it expeditiously. War Local Act, 1918. Savings Bank Act, 1920. Comptroller-General of Patents—Under the Patents and Designs Act, 1907, when the department refuses patents or revokes it. Appeal from this to Law Officer who is also an Administrative Official. Merchant Shipping Act, 1894. Superintendents exercise judicial powers. Section 477 of the Merchant Shipping Act, 1894—Wreck Commissioner. Section 479 Lord Chancellor appoints from the Bar or Judiciary and the person appointed is not a judge. He can be removed by the Lord Chancellor. Widows, Orphans and Old Age Contribution Pensions Act, 1925. Minister takes and decides claims. Railways Act, 1921. Tribunal absorbs all the functions of the Court and Railway Commissioners except the one regarding facilities and undue preferences."

SRI D. V. RAMASWAMI:—"No real property or estate of the kind we have here is involved there."

THE HON. SRI KALA VENKATA RAO:—"They concern with properties bigger than we have here in this Bill."

The amendment to delete clause 8 was put and lost.

[Clause 8, sub-clause (2).]

SRI V. I. MUNISWAMI PILLAY:—"Mr. Speaker, Sir, I beg to move—

'that in line 1, for the word "three", substitute the word "five" and add at the end the words "and two non-officials to be nominated by the Government".'"

MR. SPEAKER:—"I have to bring to the notice of the House that during the last four days we have been able to deal with only 92 amendments out of 444 amendments. We have finished only seven clauses. I am going to allow only fifteen minutes for the mover and ten minutes for the seconder."

SRI V. I. MUNISWAMI PILLAY:—"Sir, it has been well argued by my Friend, Mr. Viswanatham, why this clause should be deleted. I am not seeking to do that. We are now legislating on a very important matter concerning the disposition of land of some people, who have been claiming it for years, I may say, for

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decades. Now, Sir, the tribunal that is sought to be established under this clause is to consist of three officers, a District Judge, a Subordinate Judge and a Revenue Divisional Officer. As it involves compensation to people I feel, Sir, the non-official position should be explained to the tribunal. There will be agricultural labourers, tenants and landlords, who have got a ryotwari patta according to the provisions of this Bill and any decision that is arrived at by the tribunal will be final. So I feel that those interests must be present in this tribunal so that their case may not go in vain or by default. It is with this object that I move that two non-officials must be added to this tribunal, and the power of appointing them can be vested in the Government so that the tribunal may be in a position to understand the various implications of this measure. It is with this object I move my amendment."

SRI S. C. BALAKRISHNAN:—"I second it."

THE HON. SRI KALA VENKATA RAO:—"Sir, there is one point which my hon. Friend has failed to notice. One business entrusted to this Tribunal will be the case of private lands. Originally we wanted to give non-officials a place in it. But it was pointed out that both the representatives of the tenant and the landholder will fight against each other and the Deputy Collector will have a final say. After a long discussion on this matter we have decided to appoint judicial bodies and so it was deemed better to leave out non-official representatives. I request the hon. Member to withdraw his amendment."

The amendment was by leave of the House withdrawn.

* SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I beg to move—

'to omit the words "or an officer eligible to be appointed as a Subordinate Judge" and the words "or an officer eligible to be appointed as a Revenue Divisional Officer."'

Sir, this is an important amendment, though a small one. The tribunal must be of a judicial character, and impartial and experienced people must be there to decide about very important things concerning longstanding rights to property in a most judicial and just way. Therefore in the composition of this tribunal we must take all possible precautions. Mr. Viswanatham has said that even this tribunal is not proper. It would be better if the whole dispute is left to be decided by a court of law. He wants the High Court to finally decide. Leaving off even that, there is a serious defect in sub-clause 2 of clause 8. It says: 'Each tribunal shall consist of three members; one of them (who shall be its Chairman) shall be a District Judge.' That is good. A District Judge with his experience, impartiality and judicial character should preside over the tribunal. But then comes the

3-15 words 'or an officer eligible to be appointed as a District Judge'.
p.m. I am not objecting even to that, because only a senior Sub-Judge

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will be eligible to be appointed as a District Judge. I do not make much distinction between a District Judge and a Sub-Judge who is eligible to become a District Judge within a short time. Then comes the words 'another shall be a Subordinate Judge'. That is excellent. But there follow the words 'or an officer eligible to be appointed as a Subordinate Judge'. Every District Munsif is eligible to become a Subordinate Judge and the Government may nominate a District Munsif. Thereby we are lowering the judicial level of the tribunal. We want judicial officers with vast experience and of the highest status to decide conflicting issues. There will be the Government themselves or a vast number of ryots on one side and the zamindars or the inamdars on the other. For deciding these conflicting interests, we do not want 'an officer eligible to be appointed as a Subordinate Judge'. Therefore I want those words to be omitted. The third part is still worse. 'The third shall be a Revenue Divisional Officer'—I have no objection to that. He will have some practical experience, he will know the inamdars or zamindars, he will know the ryots and he will also know the conditions prevailing in the district. So we want him to assist the judicial officers. Then follow the words 'or an officer eligible to be appointed as a Revenue Divisional Officer'. Any Tahsildar is eligible to become a Revenue Divisional Officer and so he may be selected. This is ridiculous.

"I do not see why the Government should not accept the amendment. I wanted this to be accepted even in the Select Committee. Mere stubbornness—I think the word 'stubbornness' is Parliamentary; if it is unparliamentary I apologise and withdraw—and false prestige stood in the way. I hope the Hon. Revenue Minister will change his mind and accept this simple amendment."

SRI M. G. NATESA CHETTIYAR:—"Sir, I second the amendment. In seconding it I have nothing to add to what has already been said by Mr. Viswanatham . . ."

THE HON. SRI KALA VENKATA RAO:—"Mr. Kaleswara Rao . . ."

SRI M. G. NATESA CHETTIYAR:—"Excuse me, Sir, I know what I am speaking. Mr. Viswanatham put up a very strong case for the deletion of this clause quite rightly. Unfortunately the view taken by the Hon. Minister for Revenue is such that it cannot even be repeated as a request. The reasonableness of cases under a property legislation called a social legislation being dealt with by an executive body is unknown to the law of justice. With these words, I second the amendment moved by my friend, Mr. Kaleswara Rao."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, the Hon. Revenue Minister, while replying to my last amendment, after I

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spoke read out a list of Acts which confer on the tribunals powers similar to those conferred by this Bill. I would have been very glad if I had those Acts here or at least if he had enlightened us the circumstances under which they were passed. There is a book called 'The New Despotism' in the Legislature Library. These are some of the Acts specifically quoted by that learned writer to show that there is a growing tendency on the part of the executive in England to be despotic. I will only say that the Hon. Revenue Minister has at last been able to get models which are not appreciated and which are positively condemned by all modern political thinkers and Constitutional writers in England. I am referring not only to the book of Lord Hewart. There are quite a number of articles written in legal journals by advanced thinkers condemning provisions similar to clause 63 of this Bill. I am very glad that he has pitched upon some of the Acts which several authors have already quoted to show that there is a tendency on the part of the executive which the popular, growing democracies should curb. These are all Acts of England. When we know that they are wrong, there is no point in taking such out-dated examples as our models. (The Hon. Sri Kala Venkata Rao: 'The thing is I don't accept that they are wrong'.) I know you don't accept. That is our trouble. My persistent attempt is to make you accept somehow. For Heaven's sake, don't bring in examples from English legislation which are not appreciated by modern advanced political thinkers. (The Hon. Sri Kala Venkata Rao: 'In England, the Government are continuing those Acts'.) In England there is a different kind of Treasury Bench. The Hon. Leader of the House in speaking on another piece of legislation said: 'Yes, I shall not wait for papers to come in due course. Whenever there is some injustice, I shall send orders direct from Fort St. George' and asked: 'If I do not send such orders, why am I here for?' In England we do not have a Treasury Bench which says like that. It is that despotism that we must curb. These Acts are not the models, and citing them is like citing over-ruled cases. I had a friend who one day cited a case with great gusto. Ultimately the other side pointed out that it was an over-ruled case! (Laughter.) If there are bad pieces of legislation or undemocratic things in England, for Heaven's sake let us not follow them. Our Asiatic tradition is totally different from the Western tradition. By all means, copy the good things. I have always said that there is something very grand about English jurisprudence and English judicial system. Why do you pick out only the bad and leave out those that are good? That is my complaint. Copy, but copy well.

"This is an amendment which says that we have no objection to this officer or that officer. I may be misunderstood if I simply sit quiet and agree to the proposition that the tribunal may consist of a District Judge, a Subordinate Judge, and a Revenue Divisional Officer. I am totally opposed to the tribunal composed of the grade of the officers mentioned in the clause."

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* THE RAJA OF VENKATAGIRI:—"Sir, this amendment has got some bearing on the other amendment moved by Sri T. Viswanatham Garu, but lost. Before dealing with this amendment, I must congratulate him on the excellent speech he made."

MR. SPEAKER:—"We are in amendment No. 94."

THE HON. SRI KALA VENKATA RAO:—"I would like to submit that hon. Members should confine themselves to the particular amendment before the House. Having disposed of amendment No. 92, it is not right to speak on it again."

MR. SPEAKER:—"Perhaps the hon. Member is under the impression that we are discussing amendment No. 92, as Sri T. Viswanatham spoke."

* THE RAJA OF VENKATAGIRI:—"I am not unaware of the impropriety of discussing the merits of the amendment which has already been disposed of. I just wanted to congratulate him on the speech he made because several observations made in that speech have got a bearing on this amendment. I suppose this explanation would satisfy my hon. Friend, Sri Kala Venkata Rao Garu, that I am not wasting the time of this House by referring to an amendment which has already been dealt with by the House. In disposing of matters of such vast importance involving proprietary rights, the procedure adopted should be such as to inspire confidence in the public. Since these tribunals have to deal with matters of vital importance to individuals as well as classes, I would like that they should consist of only persons who have had experience as officers as specified and not those who are eligible for holding those offices. Therefore I hope and trust that it would be possible for the Hon. Revenue Minister to accept this amendment moved by my friend, Sri Kaleswara Rao Garu. This is one of those rare instances where Sri Kaleswara Rao and myself see eye to eye and therefore I consider it a pleasure to support his amendment. With these words, I support his amendment."

"Sir, due to indisposition I was not able to be present when various amendments, which have very great significance and which vitally affect the interests of not only the common man but also of classes, have been discussed and incorporated in the Bill. Whether one is rich or poor, the justice and the legality of one's right should be upheld by the Government with the same zeal and fervour."

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, 3.30
I cannot enter again into a controversy or go over the same ground p.m.
once an amendment has been moved, replied to and rejected by the House.

"With reference to the main amendment of Mr. Kaleswara Rao, which seeks to omit the words 'or an officer eligible to be appointed as a Subordinate Judge' and the words 'or an officer

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eligible to be appointed as a Revenue Divisional Officer', I have to say one thing. Promotions to the post of a Subordinate Judge or a Revenue Divisional Officer are not made *ad hoc*. Whenever a vacancy in the post of a Revenue Divisional Officer occurs, any Tahsildar immediately below him is not promoted to that post as a matter of course. So also when any vacancy arises in the post of a Subordinate Judge. For both these categories, every year about the month of April or May, a panel of names is prepared from among the Tahsildars and District Munsifs who are eligible for promotion, after a scrutiny of their personal records; and whenever vacancies among the Revenue Divisional Officers or District Judges arise, these people will be promoted according to the order of priority in the list. If ten or fifteen or twenty vacancies suddenly arise in the post of Revenue Divisional Officers they will be filled from this list. Therefore it is not as though any Tahsildar or any man from outside will be picked up at random and promoted as Revenue Divisional Officer and then appointed to be a member of this Tribunal. It is only as a matter of abundant precaution that the clause was drafted like that, because suddenly we might require a large number of Revenue Divisional Officers and Sub-Judges, and it might not be possible to find the required number from among the existing appointees.

"Sir, this morning an hon. Member of this House asked how many Tahsildars were promoted as Deputy Collectors. In reply I said that so many were promoted. It does not mean that all those people have been picked out at random and promoted as Deputy Collectors. As I said, we prepare a list of Tahsildars eligible for promotion as Deputy Collectors. It is only from that list, promotions are made, and the list will be prepared periodically every year and the officers selected for promotion are arranged according to their seniority and merit. Suppose we suddenly require fifteen District Judges or fifteen Sub-Judges or fifteen Deputy Collectors. I can assure the House that we do not make the selection to these posts in an *ad hoc* manner just for the sake of filling up these posts. After all the constitution of the Tribunal is only an impersonal matter. We want to appoint the best possible men who will put their hearts into the work, and I can assure the House that only such type of officers will be selected and not others. I would, therefore, request my hon. Friend, Mr. Kaleswara Rao, to withdraw his amendment."

* SRI A. KALESWARA RAO:—"Sir, this Bill is paved with good intentions. It is only in that way we are proceeding. We are living only on assurances, but I am not satisfied with these good intentions and assurances and things like that. When these Tribunals are formed, naturally promotions will have to be made from among the lower officers and so many claims may arise and so many political influences will be at work. My anxiety is that the legitimate claims of the officers should not be overlooked. It is not a so very easy thing, as my hon. Friend, the Revenue

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Minister, imagines, to fill up a number of high posts by taking up the first fifteen officers from the list. As I said, political factors are bound to exert their influences and it is quite possible that as an interim arrangement, some men from outside who are in special favours with the Government and whom the Government consider as eligible according to this clause, might be appointed as members of the Tribunal. As my hon. Friend, Mr. Kala Venkata Rao, himself said, he may not be there as Revenue Minister and I may not also be here to trouble him by raising such questions in this House. Therefore the Hon. Minister's argument is no point at all. Mine is a just amendment and a correct amendment and if even for this small thing, the Hon. Minister opposes and does not see his way to accept it, I am only sorry I cannot withdraw my amendment, Sir."

The amendment was put and lost.

SRI R. V. SWAMINATHAN:—"Mr. Speaker, Sir, I move the amendment standing in my name, namely:—

'For the words "Revenue Divisional Officer or an Officer eligible to be appointed as Revenue Divisional Officer", substitute the words "a ryot, nominated by the Government to represent the ryots"'

"Sir, my amendment is quite different from the two amendments moved by my hon. Friends, Mr. Muniswami Pillay and Mr. Kaleswara Rao. My amendment seeks to give a seat to a representative of the ryots in this Tribunal. My idea is not in any way a novel one. This idea was there even when the original Bill was drafted, because it contemplated the constitution of a Tribunal consisting of three members, viz., a Revenue Divisional Officer, one member to be nominated by the Government on behalf of the ryots and another member to be nominated on behalf of the zamindars. I do not know why the Select Committee has changed this constitution altogether and introduced this kind of Tribunal consisting of a District Judge, a Subordinate Judge and a Revenue Divisional Officer. I do not know for what reason they have withdrawn the representation given to the zamindars and the ryots on this Tribunal from the original Bill. I must point out one thing, Sir, in this connection. This Tribunal consists of two officers from the judiciary and one from the executive. If you look at the decisions, past and present, given by these District Munsifs, Sub-Judges and District Judges, and also the decisions of the Revenue Divisional Officers, you will find that they invariably vary and differ from each other, and that generally no agreement is come to between the judicial officers and the executive officers. My hon. Friend, Mr. T. Viswanatham, while speaking on his amendment for the deletion of this clause, said that these officers are not free from political influences. The same argument has been put by several other hon. Members of this House and I entirely agree with my hon. Friend, Mr. T. Viswanatham, at least on this

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point. I might just explain, Sir, how these officers are susceptible to political influences. Suppose a District Munsif wants to get a promotion to the post of a Sub-Judge. What he generally does is, he catches hold of some influential people with the Government and asks them to use their good offices to recommend his name to the Government."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Can a Member of the House impeach the character of the judiciary, Sir?"

SRI R. V. SWAMINATHAN:—"I am not characterising or impeaching any particular officer, Sir. I am only speaking about our officers in general, who are susceptible to influences. The ryots are insignificant people in this world, but the zamindars, inamdars and landholders are all very influential people. Though Congress is in power and though people's representatives are in charge of administration, yet it is only these zamindars and these high officers that are wielding great influences with the Government and with the top-rank leaders of the Congress. The voice of the poor ryot is not at all heard. Therefore I am afraid that these three officers who constitute the Tribunal may not be free from political influences and that is why I want that instead of the Revenue Divisional Officer, a ryots' representative should be given a seat in the Tribunal. After all what is it that the Tribunal is going to do? It is simply going to decide who is the real owner of a particular land. A zamindar may say that a particular land is his private land. Similarly an inamdar may claim that a certain land is his private property. On the other hand, the land might actually belong to a ryot. Therefore if a ryot's representative is not in the Tribunal, how can the interests of the ryots be protected, Sir? That is why I am asking that a ryots' representative should be given a place in the Tribunal instead of the Revenue Divisional Officer and that he might be nominated by the Government. There are a number of ryots' representatives who can be nominated by the Government, and I hope, Sir, that the Hon. Minister for Revenue will accept my amendment."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of information, Mr. Speaker, the hon. Member, Mr. R. V. Swaminathan, made certain remarks which are decidedly in disparagement of the judiciary as a whole. If he referred to a single officer in the judiciary, perhaps one cannot take objection, because he might have known that particular officer very well, but he spoke in wholesale condemnation of the judiciary and said that they are favouring one class of people. Would you allow such remarks to be made against such officers, Sir?"

MR. SPEAKER:—"If he had done so, I hope the hon. Member will not do so again."

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SRI K. T. KOSALRAM:—"Sir, நண்பர் கனம் சுவாமிநாதன் அவர்கள் கொடுத்திருக்கும் amendment ஐ நான் ஆமோதிப்பதுடன் ஒரு சில வார்த்தைகள் சொல்லப் பிரியப்படுகிறேன். சாதாரணமாக அதிகாரிகளிடத்தில் ஒரு பழக்கம் இருந்து வருவது கனம் ரிவினியூ மந்திரி அவர்களுக்குத் தெரியும். இன்னும் ஏழை விலசாயிகளாக இருந்தால்தான் நன்றாகத் தெரியும். சாதாரணமாக ஏழை மனிதன் ஒருவன் தன்னுடைய குறைகளை அதிகாரிகளிடம் சொன்னால் அதை அதிகாரிகள் காதில்கூட போட்டுக்கொள்வது இல்லை. இந்த விதமாக பழக்க வழக்கம் இருக்கும் நிலைமையில் நண்பர் சுவாமிநாதன் கொண்டுவந்திருக்கும் திருத்தம் மிகவும் முக்கியமானது. ஏழைகள் தான் அவர்களுடைய கட்சி என்ன என்பதை சொல்ல முடியும். அப்பொழுது தான் உண்மையாக விவசாயிக்கு அதில் ஒரு நன்மை இருக்க முடியும். சாதாரணமாக Leader of the Opposition Mr. Ismail சொன்னார்கள், ஜட்ஜுகளையோ, கோர்ட்டுகளையோ கண்டிப்பது அவசியம் இல்லை என்று. சாதாரணமாக இந்த அதிகாரிகளுடைய மனப்பான்மையைச் சொல்லாமல் இருக்க முடியாது. உதாரணமாக கனம் காளா வெங்கிட்டராவ்வுக்குத் தெரியும், ஊத்துமலை ஜமீன்தாரருக்கு ஒரு Stay order கொடுத்தும் அந்த Stay order 3 மாதம் வரையில் கலெக்டர் ஆபீஸிலேயே இருந்து ஜமீன்தாரருக்குப்போய் சேரவில்லை என்பது. அந்த நிலைமையில் ஜமீன்தாரர்களுக்கு ஆதரவாக அதிகாரிகள் இருக்கிறார்கள். கனம் மந்திரியவர்களுடைய உத்தரவுகள் கூட போய் சேரவில்லை என்றால் நிலைமை எப்படி இருக்கிறது என்பதைத் தெரிந்துகொள்ளலாம். மூன்று, நான்கு மாதம் கழித்து 3, 4 reminders அனுப்பி அதற்குமேல் போகும்படியான நிலைமையில் இருக்கிறது என்பதை கனம் காளா வெங்கிட்டராவ் அவர்களே அறிவார்கள். ஆகையால் இந்த ஏழை விவசாயிகளுக்கு ஒரு பிரதிநிதி இருக்கவேண்டியது மிகவும் அவசியம். அப்படி இருக்கவேண்டியது அவசியம் என்பதை கனம் காளா வெங்கிட்டராவ் அவர்கள் ஒப்புக்கொள்வார்கள் என்று கேட்டுக் கொண்டு நான் முடித்துக்கொள்ளுகிறேன்."

MR. P. A. THANGASWAMI NADAR:—"Mr. Speaker, Sir, I propose to say a few words against this amendment. I do not really feel that the presence of ryots' representative and that too nominated by the Government is necessary or useful on the Tribunal. In one sense the zamindar might say that he has no representative on the Tribunal. The Tribunal will have various functions and they will have to go into various matters in dispute. There are certain matters which affect the relationship between the zamindar and the ryots and there are also certain matters wherein there may be so many claimants for the payment of compensation. In so far as matters relating to the payment of compensation are concerned, I think it is only a judicial tribunal that can decide properly and it is only fair and just that such a tribunal should be constituted. I do not think there is any need to add a ryots' representative and that too, nominated by the Government."

THE RAJA OF VENKATAGIRI:—"I am opposed to this 3-45 amendment, Sir, for the simple reasons that Tribunals of this P.M. character should consist only of persons who are not interested or who do not belong to any interest in the matters before them. As we were submitting, Sir, there was some apprehension even about the present position. As such now to suggest that the ryots or the zamindars should be included in these tribunals is not proper. I must refer to the observation made, Sir, that these tribunals are likely to be influenced by the zamindars. On the other hand, the zamindars may feel that it is likely that undue influence may be

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brought to bear upon the Ministry in the matter of the selection of personnel to the Tribunal, though I would not expect the zamindars to have that apprehension. We must always credit the Ministry, the executive with a sense of genuineness and sincerity. Only when we have got some reasonable ground to fear that such is not the case we should entertain any apprehension. The zamindars may be justified in having such an apprehension because of the fact that the electorate contains a predominant element of another class. Still, Sir, in spite of that I am sure, striving as we are to establish high traditions, our Ministry would make a proper choice of the Tribunals and dispense justice in a proper manner."

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, the whole matter has been misunderstood, simply because sections 8-A, 9, 14 (2), 42, 43, 44 and 47-A come under the jurisdiction of the Tribunal. As I explained in the morning in this case, except in the case of appeals under section 42 (2) on the restricted question of private land, the Tribunal will deal with compensation after the compensation will be deposited. There the ryots have no interest at all. Therefore Mr. R. V. Swaminathan's amendment that a ryot should be included in all the Tribunals, even on his own argument, is not necessary. Another factor is this, Sir. When the question of a private land is in dispute it will be a dispute between the zamindar and the ryot and the onus of proof is on the zamindar. Then how can a ryot be allowed to be the judge? Therefore it was thought that the whole thing should be done by a judicial tribunal, and that was agreed to. In the original Bill, there was a provision for a representative of the ryots and for a representative of the zamindar on one type of Tribunals. Therefore, Sir, in the circumstances, I think there is no necessity for the amendment of Mr. Swaminathan.

"One more thing, Sir. The hon. Member, Mr. Kosalam, referred to some order with reference to Uttumalai. That was considered by us and orders were speedily communicated and enforced. There was no delay at all. The delay was due to the result of an injunction given by a civil court. Later on the High Court gave a stay order and the matter is pending.

"I would, therefore, request Mr. Swaminathan, Sir, to withdraw his amendment."

MR. SPEAKER:—"I think the hon. Member is withdrawing it?"

SRI R. V. SWAMINATHAN:—"If I don't withdraw it, Sir, I know what fate it will have. Therefore, I beg leave to withdraw my amendment, Sir." (Laughter.)

SRI A. KAMESWARA RAO:—"On a point of information, Sir. If the Tribunals give a decision over a question, then will there be any appeal to the Government? If not the poor ryot will go to the dogs . . ."

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MR. SPEAKER:—"Order, order. I hope the House gives permission to Mr. R. V. Swaminathan to withdraw his amendment."

The amendment was, by leave of the House, withdrawn.

* SRI K. BHASHIAM:—"I move, Sir—

"that in clause 8, sub-clause (2) in lines 3 and 4 for the word "officer" the words "any person" shall be substituted."

"Sir, I want to know why the Government should have really restricted the selection only to officers. I do not know, Sir, what they mean by having on such a statutory Tribunal their own officers, a District Judge, a Subordinate Judge and a Revenue Divisional Officer. I should like to point out, Sir, that a person who may not be an officer may still be good enough for being on the Tribunal. So I thought I was giving a little more power to the Government to select some non-officials or persons who have retired as High Court Judges, or others, for being selected to be members of these Tribunals. It need not necessarily be a subordinate officer who should be put on the Tribunal. If my amendment is accepted persons who have retired from office, or persons who are qualified for being appointed as District Judges or persons who have had ten years' experience in the Bar and all those will be eligible for appointment to those Tribunals. I suggest to the Government, Sir, that such non-officials may be there. It should not be restricted to officers who are serving the Government at the moment when the Tribunal is constituted. I have already placed my objection, Sir, that the Tribunal should be an independent body. If this amendment is accepted it will go a long way for removing my difficulty in accepting the section itself."

SRI T. VISWANATHAN:—"I second the amendment."

THE HON. SRI KALA VENKATA RAO:—"Sir, regarding the question of introducing the non-official element in the tribunals, it was considered by the Select Committee and was overruled because this will again bring in the bigger issue of political influences. I am unable to accept the amendment, Sir."

The amendment was put and lost.

Clause 8 was put and carried.

New clause 8-A.

THE HON. SRI KALA VENKATA RAO:—"I beg to move, Sir, my amendment No. 96, namely—

"after clause 8, insert the following new clause 8-A and the heading "Determination of inam estates" . . ."

SRI N. S. VARADACHARI:—"I wish to raise a preliminary point, Sir. When an amendment which was not at all contemplated by the Select Committee is introduced it is but right

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that the Government should explain the reasons which have necessitated the amendment before a discussion takes place on the amendment. I think it is but fair, Sir, to the House that the reasons should be stated immediately."

MR. SPEAKER:—"I wish to know whether the Hon. Minister wants to say anything on the matter."

THE HON. SRI KALA VENKATA RAO:—"I will speak, Sir, at the proper time whenever there is necessity for it."

SRI K. KOTI REDDI:—"I rise to a point of order, Sir, in connexion with the motion made by the Hon. the Revenue Minister. He has not moved the amendment, Sir."

MR. SPEAKER:—"He has moved it."

SRI K. KOTI REDDI:—"The fact that the amendment has been printed and given to us is not enough for moving an amendment, Sir, in the Assembly."

MR. SPEAKER:—"Order, order. Is it the intention of the hon. Member that the amendment should be read? It is a big amendment. If he wants that it should be read I have no objection."

SRI K. KOTI REDDI:—"Then it is no amendment at all. It is for the first time that I see this sort of thing."

THE HON. SRI KALA VENKATA RAO:—"It seems, Sir, that the hon. Member, Mr. Koti Reddi, has not been following the proceedings for the last four days and now only he rises in righteous indignation. For the last four days I was only reading the number of amendment, Sir, and nobody protested. If you want me to read the whole amendment, Sir, I am prepared to do so."

SRI K. KOTI REDDI:—"It is wrong in legislation, Sir, if he does not read it now."

THE HON. SRI KALA VENKATA RAO:—"What I say is, Sir, that the hon. Member, Mr. Koti Reddi, has not protested like this during the last four days."

MR. SPEAKER:—"Let the Hon. Minister read the amendment now. Order, order."

THE HON. SRI KALA VENKATA RAO:—"I beg to move, Sir—

'that after clause 8, insert the following heading and clause:—

"Determination of inam estates.

8-A (1) As soon as may be after the passing of this Act, the Settlement Officer may sue motu and shall, on application, inquire and determine whether any inam village in his jurisdiction is an inam estate or not.

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(2) *Before holding the inquiry, the Settlement Officer shall cause to be published in the village in the prescribed manner, a notice requiring all persons claiming an interest in any land in the village to file before him statements bearing on the question whether the village is an inam estate or not.*

(3) *The Settlement Officer shall then hear the parties and afford to them a reasonable opportunity of adducing all such evidence either oral or documentary as they may desire to, examine all such documents as he has reason to believe are in the possession of the Government and have a bearing on the question before him and give him his decision in writing.*

(4) (a) *Any person deeming himself aggrieved by a decision of the Settlement Officer under sub-section (3) may, within two months from the date of the decision or such further time as the Tribunal may in its discretion allow, appeal to the Tribunal.*

(b) *Where any such appeal is preferred, the Tribunal shall cause to be published in the village in the prescribed manner a notice requiring all persons who have applied to the Settlement Officer under sub-section (1) or filed before him statements under sub-section (2) to appear before it, and after giving them a reasonable opportunity of being heard, give its decision.*

(c) *The decision of the Tribunal under this sub-section shall be final and not be liable to be questioned in any court of law.*

(5) *No decision of the Settlement Officer under sub-section (3) or of the Tribunal under sub-section (4) shall be invalid by reason of any defect in the form of the notice referred to in sub-section (2) or sub-section (4), as the case may be, or the manner of its publication.*

(6) *Every decision of the Tribunal and subject to such decision every decision of the Settlement Officer under this section shall be binding on all persons claiming an interest in any land in the village notwithstanding that any such person has not preferred any application, or filed any statement or adduced any evidence or appeared or participated in the proceedings before the Settlement Officer or the Tribunal, as the case may be.*

(7) *In the absence of evidence to the contrary, the Settlement Officer and the Tribunal shall presume that an inam village is an inam estate."*

MR. SPEAKER:—"I suggest to the House that Mr. Kaleswara Rao's amendment may be taken up first, because it is a comprehensive one and if that is accepted (or rejected), there is no need for Mr. Koti Reddi to move his amendment."

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Clause 8-A, sub-clause (4) (c).

* SRI A. KALESWARA RAO:—“Sir, I move—

‘In new clause 8-A moved by the Hon. Sri Kala Venkata Rao—

For sub-clause (4) (c), substitute the following:—

“(c) An appeal shall lie to the High Court against the decision of the tribunal within three months from the date of such decision or such further time as the High Court may in its discretion allow. A Judge of the High Court nominated for the purpose by the Chief Justice thereof shall hear such appeal as a persona designata and his decision shall be final.”

Sir, in this new clause 8-A, I want that an appeal should be provided to the High Court against the decision of the tribunal. The Chief Justice may appoint one of the Judges of the High Court to hear appeals as a *persona designata*, and the decision of that Judge should be final. That is the first portion of my amendment. With regard to the clause itself, I must submit that on account of the confusions created by the Government from stage to stage, we have come to a very deplorable condition from the point of view of ryots. The ryots are in a very difficult position. I can understand that all the inamdars and mokhasadars are excluded from the operation of this Bill and dealt with in a separate Bill, with regard to compensation, grant of pattas, etc. That was the programme of Mr. Prakasam. That was the programme of Mr. Karanth also who worked under Mr. Prakasam. That is consistent. This Government have taken this up in the beginning with very great enthusiasm mixing up all people, inamdars, mokhasadars, etc., in the Bill. Zamindaris 1908 inams, 1936 inams and 1945 inams have all been brought under the provisions of one single Bill. Having done so, they ought to have stuck up to their programme right through. If that were so, there would not have been any difficulty. (Interruption.) Be bold; do not give up your stand. The High Command, under whose instructions they claim to have done so many things, have suggested various things, I know. They suggested more compensation being paid to the later inamdars, and certain small zamindars who were no more than share-holders. They suggested also the exclusion of inamdars owning 15 acres or so, the ryots under them being protected on the lines of the Bombay Act. They suggested so many methods. For example, even if a little betterment tax was levied, there would not have been any difficulty. In spite of all this, from stage to stage the Revenue Minister confused the ryots as well as the inamdars. A very serious suggestion was made that inams should be divided between the inamdars and the ryots, because Government did not accept any of the other suggestions in the matter of increased compensation, taking the existing income as the basis for calculation. Not accepting any of these suggestions, Government

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have simply landed millions of ryots under these inamdars into a very complicated and serious position. They are forced to contest in the case of every village whether that particular village comes under 1908 inam or 1936 inam. I am now speaking from the point of view of ryots. Is this a good position? There is the strong Government and there is the strong party. They could have boldly included all these inams, be they 1908 or 1936. What is the position now? This clause does not help the ryots. What will happen is the Settlement Officer will come and begin his enquiry. The ryots and the inamdars will adduce all their evidence on the strength of their documents. The Settlement Officer gives some decision in favour of somebody or other. He may be a good, or bad, or corrupt man. Then the ryots will probably have to go to the tribunal. The inamdars also may have to go to the tribunal. Therefore, there would be prolonged litigation and quarrels between these two parties. The inamdars will say that the inam is a 1936 inam, and the ryots will say that it is an 1908 inam. At the end of the struggle, the ryots may lose everything and they will also be mulcted of the costs of the litigation. If the inamdar is a poor man, and if he should lose the case, he is simply ruined. This new clause 8-A is ruinous; besides it will bring in unnecessary quarrel in four thousand villages. In every village there will be contest. The ryots in the other three thousand villages will also contest. That is to say, in all the seven thousand inam villages, an apple of discord will be thrown. This clause is ruinous both to the ryots and inamdars. It is a curse on the whole Bill. Government have constituted a tribunal. Suppose the tribunal gives a finding in favour of the inamdar. The inamdars are richer than the ryots. The Hon. Revenue Minister did not care to agree to my other amendment that a Tahsildar should not be appointed to the tribunal. If a Tahsildar is to be appointed, the case of the ryots may not be examined, they may not be shown sympathy, and the ryots will not have a chance. Therefore, I want that the final decision should be given by an experienced man. If a Judge of the High Court is to be appointed by the Chief Justice to decide cases of this sort, naturally the Chief Justice will appoint a man of sober judgment, good experience and sound knowledge of law. My first portion of the amendment before you is to provide an appeal to the High Court against the finding of the tribunal. Inamdars may be the appellants or the ryots may be the appellants. The Chief Justice may appoint a Judge of the High Court to decide this matter, and his decision should be final. Such a provision is made in this Bill in certain other cases. It is a fundamental and most important thing. It goes to the very root of the case. When a village is placed in a particular category, then the questions of pattas, private lands, compensation and distribution come in.

“I submit that my amendment is most important, and, therefore I move it.”

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SRI T. VISWANATHAM:—"I second the amendment."

SRI N. S. VARADACHARI:—"Sir, I wish to state a few points on this very important amendment."

MR. SPEAKER:—"Mr. Bhashyam has to move a verbal amendment to the amendment of Mr. Kaleswara Rao. Mr. Bhashyam's amendment is to omit certain words from Mr. Kaleswara Rao's amendment."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Sir, who has seconded the amendment of Mr. Kaleswara Rao?"

MR. SPEAKER:—"The hon. Member, Mr. T. Viswanatham, has seconded the amendment."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I submit, Sir, that any gentleman who wishes to second or speak on an amendment might stand up and second the amendment or speak on the amendment, as the case may be. When any hon. Member says sitting 'I second the amendment', the House is at a loss to know who has seconded the amendment."

MR. SPEAKER:—"Mr. Viswanatham stood up and seconded the amendment. He is so short that he could not be seen by other hon. Members." (Laughter.)

SRI K. BHASHYAM:—"Sir, I want a direction from you. I have a verbal amendment to move to the amendment of Mr. Kaleswara Rao. I am also opposing the original clause itself. Will I be given an opportunity to speak on the clause now, or later, after I move my amendment?"

MR. SPEAKER:—"If the hon. Member wishes to oppose the clause itself, he should have spoken before Mr. Kaleswara Rao moved his amendment."

* SRI K. BHASHYAM:—"Sir, I should like to know first whether new clause 8-A is to come in at all, secondly, if clause 8-A is to come in, whether Mr. Kaleswara Rao's amendment comes in, and thirdly, if it comes in, whether it will be incorporated in the new clause. I should like a direction from you. You have given me the opportunity, and I shall certainly move my amendment. I want to know whether I can speak against clause 8-A later, when you are putting it to vote."

MR. SPEAKER:—"The hon. Member may now move his amendment and speak on it. When new clause 8-A is put to the vote of the House the hon. Member will be given time to speak on it."

* SRI K. BHASHYAM:—"Sir, I move—

that the words "A Judge of the High Court nominated for that purpose by the Chief Justice thereof shall hear such

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appeal as a persona designata and his decision shall be final" be deleted from the amendment of Mr. Kaleswara Rao.

Sir, it is not as if the matter to be decided by a Tribunal is one relating to the question whether an inam is a 1936 inam or a 1908 inam or whether it comes under the provisions of this Bill or not. It is a very very important question settling the rights of the inamdars—and mark—not the rights of the ryots, because the ryots have got a reduction in their rent, and they really have no say, one side or the other, so far as the question whether it is a 1936 inam coming under the provisions of the Bill (and therefore should be abolished altogether) or it is an inam which comes within the meaning of 'estate', is concerned. It is a very important question for the inamdar and not the ryots. In cases of proprietary right as regards the nature of the holding of the inamdar, I should like to point out that this matter must be left to the decision of the civil courts and civil appeals must be allowed to aggrieved people. There cannot be any condition that there should be an appeal to the High Court alone, and that further appeals should be blocked. Appeals against the decision of the Judge of the High Court should be allowed, because the estates are very big ones, and many complicated questions are likely to arise. It is only right that the matter must be decided by the highest court in the land. Now it is not the Privy Council in England to which we have to go as previously but only to the Federal Court in India. It is not as if any small inamdar is going to be affected by this appeal being given. After all who will go to the Federal Court? Only if the inamdar wants to go, he will go; otherwise, he will acquiesce in the decision of the High Court. Therefore, it would not do any harm to provide for appeals against the High Court decisions. On the other hand, it will only help the inamdars to feel that they have the decision of the highest court in the land. Therefore, Sir, I move my amendment."

Sri T. Viswanatham seconded the amendment.

SRI K. R. KARANTH:—"I would like to know whether Sri Koti Reddi can move his amendment."

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p.m.

MR. SPEAKER:—"He need not move it because it is the same as Sri Kaleswara Rao's amendment."

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, we are on a very important amendment. Government have added absolutely a new amendment to the Bill. It was not even indicated that there would be any such amendment to the Bill at any stage. Even in the Select Committee stage, the Select Committee considered a totally different question under section 9. In the determination of under-tenure estates as estates as such, they considered only whether they were created before the Permanent Settlement or after that Settlement. In order to obviate difficulties, that question was discussed in the Select Committee. But now, Sir, the Government

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have come with an absolutely new clause and it is the highest impropriety that the Government should refuse to explain the amendment, which they are moving for the first time in the House. The Hon. Minister did read the amendment. But, that was not what I had asked him. His capacity for reading is unlimited. But the Minister should have offered some explanation as to why this amendment is necessary. Let me explain, Sir, how this amendment stands. The first sub-clause reads like this:

'As soon as may be after the passing of this Act, the Settlement Officer may suo motu and shall, on application, inquire and determine whether any inam village in his jurisdiction is an inam estate or not.'

That is the very first clause, Sir. Nothing like that appears in section 9 of the Select Committee's draft. Now, the object of this amendment is to reopen the whole question as to whether it is an inam village covered under this Act or not. Sir, this clause really supersedes all the decisions of all courts in this matter and tries to reopen the issue. It goes to the root of the matter. In fact, Sir, it was never mentioned either in this House or in the Select Committee or outside this House that any such thing would be considered by the Government. Sir, the difference between sections 8 and 9 is very obvious. Now, the proposed section 8-A gives power to the Settlement Officer and then to the Tribunal to go into the root of the matter and determine whether any particular village in his jurisdiction is an inam estate or not. Therefore, Sir, for the first time in this Bill, this amendment is brought in. A definition has already been provided for the word 'inam' which the Hon. Minister himself has accepted. (Interruption.) The Hon. Minister may have a multiplicity of amendments to present his case. But I am asking him to reason out his case and to base his arguments upon reason. The Hon. Minister may say, this was the advice given and this was decided and so on. But, I must be in a position to accept it. I may tell you, Sir, that in this House or elsewhere, the Hon. Minister or anybody on behalf of the Government or the Hon. the Premier himself never made any statement to the effect that this Bill would provide for the reopening of all the decisions of the courts on this matter.

"Sir, as it stands what does this section say? The whole question whether an inam village is an inam estate or not is left to be decided by the Settlement Officer. The Settlement Officer may not know whether a particular inam is a pre-settlement inam or a post-settlement inam. The question of the character of the village is sought to be raised in this amendment. I tell you, Sir, that this is an innovation, for the first time, made on the principles underlying this Bill. I differ from the Government on this matter and will ask for a vote on it if necessary. Having said that the Government would act on the principles accepted by the Select Committee, now, the Government have raised a fundamental issue for the first time and you have taken us by surprise by saying that the

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character of the tenure in a village will be the subject-matter for final decision by a Settlement Officer or by the Tribunal on appeal. I say, Sir, that this goes to the root of the matter. It is not so simple and innocent as it looks. The Hon. Minister has always the sweet way of presenting things and confusing people and making what is most difficult appear seemingly simple. (Interruption.) I am only complimenting the Minister. Hear and now, I ask, Sir, whether there has been any statement either in the Select Committee or in this House or in public to say that he would brush aside the law laid down on the subject by courts of the highest eminence. But, Sir, the Settlement Officer is the judicial officer chosen for the purpose in this clause. I say, Sir, this involves a big change.

"Now, Sir, let me go to the section itself. Hon. Members may compare sections 8 and 9. They are almost similarly worded."

MR. SPEAKER:—"I believe the hon. Member is speaking on section 8-A."

SRI N. S. VARADACHARI:—"I wanted to say, Sir, that while the Select Committee agreed to certain principles on this Bill, section 8-A is an innovation. Sir, one of the principles adopted and accepted by the Select Committee was this, namely, where there should be a presumption in favour of or against a particular tenure, it is not necessary to provide for the hearing of the parties if certain evidence was not available. Sir, I pointed out that in most of these cases, it was difficult to adduce evidence and it was wrong to assume that the onus would lie on the landholders to show what was a pre-settlement under-tenure or a post-settlement under-tenure. In fact, Sir, I pointed out that this difficulty would arise in the districts of Chittoor and Nellore where there are no proper documents and where the grants were made centuries ago. But, still complaints may be made and the landholders may be unable to provide evidence about the character of the inam. Custom will have to be relied upon in such cases. Afterwards, Sir, they dropped clause 9 which provided that every under-tenure estate would be regarded as a post-settlement under-tenure estate if the evidence were not there or could not be produced by the landlords in time. Having accepted that principle, Sir, should not Government at least be judicious enough to include that principle even in this new amendment which they have so suddenly sprung upon this House? What is the presumption here? In sub-clause (7) it says: 'In the absence of evidence to the contrary, the Settlement Officer and the Tribunal shall presume that an inam village is an inam estate.'"

SRI A. KALESWARA RAO:—"I have moved an amendment to delete this sub-clause (7). But, I will reserve my remarks on it, as Sri Varadachari is now talking on the fundamentals."

SRI N. S. VARADACHARI:—"I do not want to tire the House with two speeches and if the Hon. Speaker agrees, I will speak on sub-clause (7) also now."

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MR. SPEAKER:—"The hon. Member may speak on it afterwards when Sri Kaleswara Rao moves his amendment on sub-clause (7)."

* SRI K. KOTI REDDI:—"Mr. Speaker, Sir, I have given a similar amendment which is more simple than Sri Kaleswara Rao's and which says that the appeal from the decision of the Tribunal shall lie to the High Court; it need not necessarily be to a Judge of the High Court nominated for the purpose by the Chief Justice as a *persona designata*. Now that Sri Bhashyam has given notice of an amendment to Sri Kaleswara Rao's amendment, there may not be any need for me to move my amendment because both these amendments cover the same ground. Therefore, I do not propose to move my amendment. But, I am glad the Hon. Speaker has given me an opportunity to speak on this amendment.

"Sir, the question whether a particular village comes under the 1908 Act or under the 1936 Act is a very complicated question. After a long controversy, and I may also say, a lot of agitation, this House has decided to exclude the 1936 inams from the purview of this Act. If that is so, Sir, it is but right that the question, viz., whether a particular inam comes under the excluded inams or not, ought to be decided by a Tribunal in whom the parties concerned have absolute confidence. After the passing of the 1908 Act, there have been a lot of decisions, some of them decided by the highest court, namely the Privy Council. I do not want to tire this House even if I am able to do so, by quoting a large number of cases connected with that question. I am now speaking only about inamdars because this section deals only with inamdars. The decisions which I have stated concerned in most cases both the inamdars as well as the zamindars. For some time, the presumption whether a particular estate is excluded from the purview of the 1908 Act or not was in favour of the inamdar that particular estate was excluded from the 1908 Act. Later on, Sir, there have been a number of decisions to the effect that the presumption is against the inamdar and the inam estates were presumed to be included under the 1908 Act, unless evidence to the contrary is proved. Then, finally, Sir, in one or two cases—I may here refer to 41 Madras and 45 Madras—the Privy Council had decided that in this matter, no presumption could be made and that each case ought to be decided on its own merits. That was the final decision given by the highest Tribunal, that is, the Privy Council. But, whatever it might have been, it is clear from the number of decisions that have been given, that the question of deciding whether a particular inam came under the 1908 Act or not is a very complicated one. A lot of evidence wherever available has to be taken by the courts. The witnesses of the inamdars have to be examined. All the documents including the documents of grant have to be gone into. It is a question which requires very careful consideration by the judiciary. (Interruption: An hon. Member:

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'On a point of order, Sir . . . The hon. Sri Kala Venkata Rao: 'Some stranger has come and went away.' (Laughter.) P.m.
I hope that so far as these inams are concerned, the Revenue Minister will see his way that in a matter where a decision as to the proprietary rights of inam villages is concerned, an appeal should lie to the highest court, at least to the High Court. No doubt, in the amendment moved by the Hon. the Revenue Minister, a provision is made for decision by a Settlement Officer and later by the Tribunal. After all the Settlement Officer is a Revenue Officer who is not expected to go into the matter in a judicial manner; on the other hand, only the judiciary could satisfactorily do it. So I shall take it that for practical purposes, the first decision is really by the Tribunal, which, no doubt, consists of some officers of the judiciary. I have nothing to say against them. But I do feel that it is proper, and just and fair when matters involving large proprietary interests and even small interests are involved, that another opportunity is given to the aggrieved parties to appeal at least to the highest court, in this case, the High Court. It is on that ground that I plead that an appeal ought to be allowed to the High Court, and not that the inamdars or other proprietors are going to question or doubt the judicial tempo of the Tribunal. Anyhow, the confidence that the High Courts could create in the minds of the aggrieved parties cannot be created by any other body. I also feel that even in the matter of decisions first arrived at by the Tribunal at the first instance, another opportunity in the way of an appeal should be given to the aggrieved parties. It is on that ground that I appeal to the Hon. the Revenue Minister to see his way to accept this amendment."

SRI K. R. KARANTH:—"I beg to support the amendment of Mr. Kaleswara Rao. I am not sure whether the amendment of my hon. Friend Mr. Bhashyam would not delay matters. Now it is quite necessary I feel that there should be some highest body which decides this question. I can appreciate the Government's difficulty, because when they have decided now after the Select Committee stage to exclude the large number of 1936 inams, and since there is no list of what are inams of 1908 and what are inams of 1936, each case probably has to be decided on its own merits. Sir, all these would have been decided, I take it, by the highest courts of the land already. But the one difficulty in the amendment 8-A is that it ignores and does not take note of any decisions which might have been arrived at by the High Court and sometimes even by the Privy Council. I can quite understand, after 1908 certain 3,000 villages were brought in. What exactly they are, we do not know even at this stage, as we have been informed by the Government. I am sure in many cases, the landholders would have tried to evict the tenants and in certain cases, matters would have gone even up to the High Court, if not to the Privy Council. Therefore, one defect of the Government's amendment is that it does not provide for accepting decisions already come to by the highest courts. I would request the Government for their

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part to say that those decisions are respected instead of their covering the whole ground again. Secondly, a large number of these cases have not gone to the courts at all. Therefore, before proceeding with the settlement and other matters, it would be necessary for the Government to know where exactly these stand. Some decision is therefore necessary, and I take it, that speed is also necessary in this matter. I would therefore suggest to them that leaving matters finally to the Tribunal is very unsatisfactory, Sir. What Government have agreed to is that an inam village, i.e., a whole inam village of 1936 should be kept out of the purview of this Act. That is how we started. But it should not be very lightly brought in by an officer of Settlement or a Director. Therefore, it is possible to recast the whole of this, by taking away even the stage of the Director of Settlement under S-A. Time is the essence of the matter, I think it is. If the whole matter is left, with a regular appeal to the High Court, and a second appeal to the Federal Court, it may take some four or five years, and there can be no settlement or any further operation. Therefore, the Government may reconsider the matter. What I would suggest is that it need not go through two stages. Let the Settlement Officer place all materials before the Tribunal, but after the Tribunal comes to a decision, there must be certainly provision for an appeal at least to a single Judge of the High Court. A regular appeal would mean the printing of records; and a single judge, or a full bench of the High Court may have to sit upon the cases, and all this would mean a large number of years. So I request Government that in cases where there have been decisions by the highest courts of the land, those decisions must be respected. In other cases, this clause may be reconsidered, so that this Tribunal decides but there must be an appeal to a single judge of the High Court as *persona designata*. Certainly whether a certain village of 500 or 1,000 acres does at all come within the orbit of this Act is too serious a matter to be left in the hands of this Tribunal or the Settlement Officer.

"I do not want to say anything about clause 7, the amendment on which has not yet been moved. But I would say this much. I can hardly think of a presumption in the nature of clause 7—that the officer or the Tribunal shall presume that an inam village is an inam estate. It goes beyond anything which I can comprehend. When there are about 4,000 villages of 1936 which are outside the scope of the Act, that it should be possible by means of an inference to say that every one of them comes under 1908 is a thing unheard of. Even smaller presumptions than this, we deeply considered in the Select Committee and persuaded Government not to press. But anyhow that will come later. So, I would request Government to seriously reconsider the matter in the light of what I have suggested."

* THE HON. SRI KALA VENKATA RAO:—"The question now is as to whether there should be a decision by the High Court or a single Judge as *persona designata* in the High Court. While

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I am prepared to say that the previous decisions of the courts of the land, like the High Court, the Privy Council, and the rest, will be very good evidence for determining whether an inam is a 1936 inam or a 1908 inam, and towards that end, the rules, etc., will be framed by Government, the allowing of an appeal to the High Court once again, will cause not only delay but also a lot of expense to the poor ryot. One thing that has been said on the floor of this House is that the poor ryot in the village is unable to fight the inamdar up to the courts of law. Therefore, he is unable to secure the highest justice, he has a good case. As I explained this morning, the chief object of having a Tribunal is to bring justice nearer the door of the poor man. That is the reason why I am unable to accept this amendment. But I shall accept the other suggestion that decisions already taken by the courts of law will be respected in future also."

* SRI K. BHASHYAM:—"Sir, I would like to say just a word, in reply, in regard to the speeding up of inquiry. If only Government will consider the referring of the matter in the first instance to the District Court itself, instead of leaving it to the Tribunal, and then afterwards to the District Judge, undue delay would be avoided. I can quite understand Government's argument that there would be delay, if the matter is taken up with the Settlement Officer, the Tribunal and then the High Court. But supposing it is taken up straight with the District Judge direct, there would not be any difficulty in accepting this amendment."

Sri K. Bhashyam's amendment and Sri A. Kaleswara Rao's amendment were put and lost.

Clause S-A, sub-clause (7).

* SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I wish to move the amendment standing in my name. Sub-clause 7 raises a presumption. To do justice to all parties evenly and fairly, no presumptions should be made in any Legislature. As already explained by Mr. N. S. Varadachari, we have discussed in the Select Committee about such presumptions with regard to under-tenures, and after long discussion, we came to the conclusion that we shall leave out that presumption clause, namely, that under-tenures which are not governed by a pre-Settlement should be presumed to be post-Settlement ones. Let at least the courts be free. When once there is a presumption, they will be very hard upon the parties. It is not right. It is something like Government sanctioning a prosecution. The Magistrate will be afraid, he will never throw out a case when the Government take it up. Thus, if there is a presumption like this, the courts would be very hard upon the parties, and they would not go further than ask the man to prove his case and give their verdict just like a 'pound of flesh'. Therefore, this sort of unfairness to anybody should not be allowed. It is only fair, Sir, that we

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4-45 p.m. should go on the same principle as we adopted with regard to under-
tenures. Therefore, I press that sub-clause (7); which starts with
a presumption in the case, should be omitted. That is my proposi-
tion. With these words I move my amendment—

'Omit sub-clause (7) of new clause 8-A.'

* SRI K. BHASHYAM:—"Sir, I second the amendment. The point is this. It was resolved by the Government to exclude from the operation of the Bill all inams created by the legislation of 1936. Having said that, now what they gave by the left hand is being taken by the right hand. The presumption in the provision is all inams including those of 1936 are inam estates. The onus is on the party to prove that an inam is an inam coming under the legislation of 1936. The inamdar will have to place before the Survey and Settlement Officer the necessary evidence in respect of this matter. We are dealing with inams that came into existence long before any of us or our grandfathers were born. It is difficult for the party concerned to satisfy the Settlement Officer. The Privy Council, the highest court in the land, has ruled that in the case of inams, both the varams are with the inamdar. You are going behind the decision of the Privy Council. This amendment has been brought forward, because 1936 inams escape from the clutches of this Bill. Originally it was intended to include 1936 inams also. This amendment is intended to include those inams also. I do not think it should be allowed. Therefore, sub-clause (7) should be deleted. The usual presumption in each case should be that laid down in the Privy Council decision and not the artificial presumption as laid down in the provisions of the Bill."

THE HON. SRI KALA VENKATA RAO:—"I would like to know whether it will satisfy hon. Members if I substitute the word 'may' for the word 'shall'."

SRI N. S. VARADACHARI:—"Sir, the Hon. Minister is aware that the word 'may' will really mean 'shall' in such cases. Let me continue what I said on the last amendment. In fact I was dealing with this amendment when you asked me to take another opportunity to explain the position in respect of this matter. I was dealing with two matters. The first is: the Hon. Minister has promised that he will respect the decisions of courts. The statement was made in a halting manner. The decisions of the High Court and the Privy Council must be accepted as evidence by the Settlement Officer. The decision of the highest Tribunals must be respected and it must be given effect to. To change this decision, the Government is introducing this amendment to the effect that courts' decisions already made would be respected. I am glad for this small mercy. Sometimes even the High Court has to be satisfied with these small mercies from a popular Government. (Interruption.) I differ from some hon. Members about the definition of the new despotism. I certainly think that it is not part of the new despotism to see even where a

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court has decided a case on its merits after going through evidence and has come to some conclusions, that the decision of the court should be subject to review by the Settlement Officer of the Government. I say the position is not fair. I trust and hope that the Government will introduce a proper amendment which will clearly show that they are accepting the decision of courts already made or that may be made before the passing of this Bill into an Act.

"I say you cannot dangle the words before me, 'Will it please you to have the word "may" instead of the word "shall"?' I say, Sir, that the words make no difference in law. It is absolutely wrong to presume what is stated in the Bill. I am not prepared to go by doubtful propositions. Let it be put straight. I am not an experienced lawyer. If the clause is read properly, whether the word 'may' or 'shall' is there, for all purposes the Settlement Officer will be presuming that an inam village is an inam estate. Whatever it may be, look at the curious position we are in. An inam estate has not been defined. That definition is going to come hereafter. In anticipation of that definition, the Government has brought in this provision before the House. (Voices: 'It has been defined.') Where is the definition given? Show me. This Act will not apply to inams which became estates in 1936. An inam estate has been described definitely in the Act of 1908. If it had been defined in this Bill in the same manner it would have avoided many difficulties. I pointed out this fact even when definitions were gone through. But it was not taken notice of. I expect the Government to look into the matter and review the position. The principle contained in the sub-clause was rejected by the Select Committee and the rejection was approved by the Government. The Government have brought in a new clause now. The presumption is wrong. It is not known in many cases whether the inams were created before the Permanent Settlement or after the Permanent Settlement. It has a very limited issue. Even to that limited issue, is it a correct presumption? I cannot in any case agree to this presumption being made as worded in sub-clause (7). You may alter the words. You may try to satisfy me by putting what may be termed doubtful terminology instead of positive terminology. It leaves the discretion of making the presumption in the hands of the Settlement Officer. I will never give that discretion to the Settlement Officer though I may give him wide powers such as the determination of compensation payable or adjustment of certain claims. But here the presumption will be on a point of law. It goes much further. It gives the right to the Settlement Officer to say that he will not accept the decision of courts. So, I object with all the force at my command. Let me say this. The Hon. Minister described the poor condition of the inam ryots. Let me describe to him the position of the inamdar. The inamdar cannot go near his village. The presumption which the Hon. Minister wishes to have, is not allowed in law. There is physical force driving the inamdars away from their own property. Is that fair I want to know. You want to settle the question with the heavy presumption against the

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inamdars that may be made by the Settlement Officer. I say, Sir, that inamdars are not such bad people. Many of them will voluntarily agree that their inams were created by the Act of 1908 and go before the Settlement Officer not for the purpose of determining the character of the estate but for the purpose of their compensation being judged. Ryots are numerous. The gregarious character of the ryot population is their force. In the case of the inamdar, he is not only poor but also friendless. I want the Hon. Minister to accept the amendment and save him from the expense of litigation and the like."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, I am really surprised at my hon. Friend, Mr. Varadachari, saying that there is no difference between 'may' and 'shall'. The law provides difference between the two words. It is very kind of the Hon. Minister to suggest the substitution of the word 'may', for the word 'shall'. The record may prove the fact. Only if the fact is not proved, the Settlement Officer will call for proof of it. 'Shall presume' means that the Settlement Officer shall record the fact as proved unless and until it is disproved. Therefore, it is very clear that the change suggested by the Hon. Revenue Minister is important.

"Suppose there is no question of presumption at all and there is no evidence forthcoming either way. What is going to happen? Let us consider coolly. Trouble has arisen on account of exclusion of certain kinds of inams from the purview of this enactment. Hence this amendment has become necessary.

"Another point I would like to submit is this. My hon. Friend, Mr. Varadachari, said that nowhere you have defined what is meant by an inam estate. That is not a correct statement. In sub-clause (7) of the clause regarding definitions, 'inam village' has been defined. That is for the enlightenment of my hon. Friend. The definition does not include inam villages which were not estates before the commencement of the Amendment Act of 1936. Those estates became estates by virtue of that Act. Persons who agitated for the removal of certain kinds of inams are responsible for the amendment that is now moved by the Government. What is going to happen if there is no such tribunal . . ."

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

THE HON. SRI KALA VENKATA RAO:—"Sir, I would like to inform hon. Members of the House that we have received from usually reliable sources, the good news that our army has reached the gates of Hyderabad. Laik Ali Ministry has resigned and His Exalted Highness is drafting the instrument of surrender in consultation with our august representative, Mr. Munshi. This news requires further confirmation. But it is reliable news that we have received."

MR. SPEAKER:—"The House will now adjourn till 11 a.m. to-morrow."

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APPENDIX I.

[Vide answer to unstarred question No. 36 asked by Sri L. S. Karayalar at the meeting of the Legislative Assembly held on the 17th September 1948 on page 479 supra.]

(1)

G.O. Ms. No. 1139 (12-S), Development, dated 19th June 1941.

[Subject.—Education—Agricultural College—Admission of students—Reservation of seats on linguistic basis—Orders passed.]

The Government direct that, excluding one seat reserved for a student from the Orissa Province, the remaining 47 seats in the Agricultural College, Coimbatore, be allotted to candidates from the different language areas in the following proportion:—

Telugu	..	..	..	..	7
Tamil	..	..	..	..	6
Kannada	..	..	..	..	1
Malayalam	..	..	..	..	1 or 2

The Director of Agriculture should see that admissions to the College do not greatly depart from this proportion. Preference should be given, other things being equal, to sons of practical farmers.

(2)

G.O. Ms. No. 2503, Development, dated 6th June 1947.

[Subject.—Education—Agricultural Colleges, Coimbatore and Bapatla—B.Sc. (Agri.) Degree course—Admission of students—Linguistic basis—G.O. No. 1947, Development, dated 15th May 1946—Modified.]

READ—the following paper:—

G.O. No. 1947, Development, dated 15th May 1946.

Order.

In G.O. No. 1947, Development, dated 15th May 1946, the Government approved the proposals of the Director of Agriculture that seats in the Agricultural Colleges at Bapatla and Coimbatore taken together might be allotted to candidates from different language areas in the following proportion:—

Tamil	..	..	..	..	90
Telugu	..	..	..	..	90
Kannada	..	..	..	..	6
Malayalam	..	..	..	..	6
Total	..	..	..	..	192

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2. In modification of these orders, the Government now direct that the seats in the two Agricultural Colleges be allotted on population basis as follows :—

District.	Number of seats allotted.	District.	Number of seats allotted.
Vizagapatam ..	15	Salem ..	11
East Godavari ..	8	Coimbatore ..	11
West Godavari ..	5	South Arcot ..	10
Kistna ..	6	Tanjore ..	10
Guntur ..	9	Trichinopoly ..	9
Nellore ..	6	Madura ..	10
Cuddapah ..	4	Ramnad ..	8
Kurnool ..	4	Tinnevely ..	8
Bellary ..	4	The Nilgiris ..	1
Anantapur ..	5	Malabar ..	15
Madras ..	4	South Kanara ..	6
Chingleput ..	7		
Chittoor ..	6	Total ..	192
North Arcot ..	10		

The Government also direct—

(i) that if the requisite number of candidates is not forthcoming from any district, the balance of the number of seats should be allotted to that linguistic area to which the district belongs at the discretion of the selecting authorities ;

(ii) that in the event of it being necessary to admit students from outside the Province (e.g., Coorg, Cochin, etc.), the above proportion should be reduced by two in Tamil, two in Telugu and one in Malayalam assuming that the number of such students will be five ;

(iii) that subject to availability of seats, and as far as is practicable, students be admitted into the College of their choice, provided that in the Coimbatore College admissions of Telugu students are made, only if an adequate number of Tamil, Malayalam or Kannada students go to the Bapatla College and there is no loss of seats for any linguistic area thereby ; and

(iv) that the Principals of the two Colleges meet together and make selections jointly.

3. If there are any points of doubt, the Director of Agriculture is requested to refer them to Government for orders sufficiently in advance of the next selection for the academic year 1947-48.

(3)

Memorandum No. 56836(A) A-IV/47-1, Development, dated 17th June 1947.

[Subject.—Education—Agriculture—Agricultural Colleges, Coimbatore and Bapatla—Admission of Harijan candidates—Instructions issued.]

It has been represented to the Government that sufficient number of Harijan candidates with all the academical qualifications necessary are not forthcoming for admission into the Agricultural

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Colleges, Coimbatore and Bapatla. The Director of Agriculture is requested to instruct the Principals of these colleges to view applications from qualified Harijan applicants liberally.

(4)

G.O. Ms. No. 2544, Development, dated 18th May 1948.

[Subject.—Education—Agricultural College, Bapatla—B.Sc. (Agri.) Degree course—Admission of students—Preference for Intermediates with “Agriculture” as one of the subjects in Part III.]

READ—the following papers :—

G.O. Ms. No. 2503, Development, dated 6th June 1947.

From the Registrar, Andhra University, Waltair, letter No. C-2-622/46, dated 12th March 1948.

From the Director of Agriculture, letter No. X. 1-453/48, dated 5th April 1948.

Order.

The Registrar, Andhra University, has communicated to Government a copy of the resolutions passed by the Syndicate suggesting that preference may be given to students who have passed Intermediate with Agriculture as one of the subjects for Part III in the matter of admissions to the Agricultural College, Bapatla. The Director of Agriculture who was consulted has agreed to the recommendations of the Syndicate of the Andhra University. The Government accept the recommendations of the Andhra University. This preference should be shown without prejudice to the other principles laid down in G.O. No. 2503, Development, dated 6th June 1947.

(5)

G.O. Ms. No. 3192, Development, dated 16th June 1948.

[Subject.—Agriculture—Education—Agricultural Colleges—Coimbatore and Bapatla—Selection of students—Constitution of a committee—Ordered.]

READ—the following papers :—

G.O. Ms. No. 288, Development, dated 28th February 1927.

G.O. Ms. No. 1082, Development, dated 10th June 1941.

G.O. Ms. No. 2503, Development, dated 6th June 1947.

From the Director of Agriculture, letter No. X-1-704/48, dated 4th June 1948.

Order.

With a view to regulating the admission of students to the Agricultural College at Coimbatore, a Committee for the selection of students was for the first time constituted in G.O. No. 288,

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Development, dated 28th February 1927. In G.O. Ms. No. 1082, Development, dated 10th June 1944, the Government accepted the suggestion of the Director of Agriculture to abolish this Committee and made the Principal, Agricultural College, Coimbatore, solely responsible for the selection of students. A second Agricultural College has since been opened at Bapatla in July 1945. In paragraph 2 (iv) of G.O. No. 2503, Development, dated 6th June 1947, the Government ordered that the Principals of the two colleges should meet together and make selections jointly for the two colleges. The Government have reconsidered the question and direct that a Committee be now constituted for the selection of students for admission into the Agricultural Colleges at Coimbatore and Bapatla, consisting of the following members:—

- (1) The Principal, Agricultural College, Coimbatore—*Ex-officio Convenor*.
- (2) The Principal, Agricultural College, Bapatla—*Ex-officio Member*.
- (3) Sri M. Bapineedu, M.L.A., Mowbrays Road, Madras—*Member*.
- (4) Sri K. M. Desikar, M.L.C., Vallivalam, Tanjore district—*Member*.
- (5) Sri K. Unnikrishna Menon, retired Deputy Director of Agriculture, Edapal Post Office, Malabar—*Member*.
- (6) Sri Rao Bahadur K. T. Alwa, retired Deputy Director of Agriculture, Bijai Post, Mangalore—*Member*.
- (7) Sri P. Kakkan, M.L.A., Melur Post Office, Madura district—*Member*.

The members will hold office for a period of three years.

2. The Convenor will intimate well in advance to all the members of the Committee the date and place of the meetings. The Committee will interview the candidates at Bapatla, Coimbatore and Madras and finally sit at Madras to scrutinize the applications and prepare final lists for the two colleges according to the orders of Government regarding principles of selection for the time being in force.

3. The Committee will be treated as a first-class Committee and non-official members will be paid travelling allowance at the rates prescribed in G.O. No. 520, Finance, dated 10th July 1947 and G.O. No. 33, Finance, dated 12th January 1948.

4. The Principal, Agricultural College, Coimbatore, will be the controlling officer for countersigning the travelling allowance bills of the members of the Committee.

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5. The orders in paragraph 2 (iv) of G.O. Ms. No. 2503, Development, dated 6th June 1947, are hereby cancelled from the date of this order.

(6)

G.O. Ms. No. 3221, Development, dated 17th June 1948.

[*Subject*.—Agriculture—Education—Agricultural Colleges, Coimbatore and Bapatla—Selection of students—Committee—Nageswara Rao, Sri M., M.L.A.—Appointed as a member.]

READ—the following paper:—

G.O. No. 3192, Development, dated 16th June 1948.

Order.

In partial modification of G.O. No. 3192, Development, dated 16th June 1948, the Government direct that Sri M. Nageswara Rao, M.L.A., Guntur, be appointed as a member of the Committee for the selection of students for admission into the Agricultural Colleges at Coimbatore and Bapatla, in the place of Sri M. Bapineedu, M.L.A.

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APPENDIX II.

[Vide answer to unstarred question No. 37 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly held on the 17th September 1948 on page 479 supra.]

The names of Professors of Midwifery attached to Government Institutions in this Province is furnished below :—

Name of the college.	Name of Professor.	Designation.
Madras Medical College ..	Dr. M. Balakrishna Prabhu, M.D., M.B.C.P. (Edin.), M.M. (Lond.).	Professor of Midwifery.
Do. ..	Dr. R. K. K. Thampan, B.A., F.R.C.S. (Edin.), M.R.C.O.G. (Eng.).	Professor of Clinical Obstetrics and Gynaecology.
Stanley Medical College ..	Dr. P. Madhavan, B.A., M.D.	Professor of Midwifery.
Andhra Medical College, Vizagapatam.	Dr. M. K. Krishna Menon, B.A., M.D.	Do.

2. The details of research conducted by the officers are as follows :—

(1) *Dr. M. Balakrishna Prabhu—Clinical Research.*—(a) On cervical Dystocia in labour as met with in South India. Paper read before Congress of Obstetrics and Gynaecology, Bombay, 47.

(b) Infantile Biliary Cirrhosis, Aetiology, Pathology, Prognosis, Diagnosis—University Endowment Circle.

(c) Clinical Research on “problems of Puerperal Sepsis”. “Toxæmias of Pregnancy—Hyperemesis Gravidarum” “Adherent Placenta”. Read before Obstetrical and Gynaecological Congress.

(2) *Dr. R. K. K. Thampan.*—The following papers have been read as a result of studies while working in the Women and Children Hospital, Madras :—

(a) “Placenta Prævia and accidental Hæmorrhage”—Paper read by First Obstetrical and Gynaecological Congress in 1935—Madras.

(b) “Vesico Vaginal Fistula and Puerperal inversion of Uterus” read by the Obstetrical and Gynaecological Congress held at Calcutta in 1941.

(c) “Floating Head and its significance”—“Study of stillbirths and Neonatal deaths”—Paper read by the Obstetrical and Gynaecological Congress in Bombay, December 1947. “The Position of the Maternity Service in the City of Madras Elizabeth Mathai Endowment Lecture of University of Madras”—Lecture delivered in 1946.

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Now conducting research.

(a) Place of Paraldehyde and other Sedatives in the Trt. of Eclampsia.

(b) The variations of the configuration of the Pelvis in South Indian Women and its influence on labour.

(c) *Anæsthesia in labour.*—The paper will be ready for the next Obstetric Congress to be held in December 1949. Besides this he has read papers on “Toxæmias of Pregnancy”, “Occipito Posterior Positions”, “Puerperal Infections,” etc. He is also the Joint Author of a text-book on Clinical Obstetrics with Sir A. Lakshmanaswami Mudaliar.

(3) *Dr. P. Madhavan.*—Research being conducted : (1) Research on Pelvis in South Indian Women, (2) Blood Proteins—Relation to Pre-Eclamptic Toxæmia.

(4) *Dr. M. K. Krishna Menon.*—He was a Research Scholar of the Madras University in Midwifery working under the guidance of Dr. Sir A. L. Mudaliar (1935-38)—Subject—Toxæmias of Pregnancy.

Later he was appointed as Research Fellow, University of Madras, in Midwifery and continued to work under the guidance of Dr. Sir A. L. Mudaliar (1938-39)—Subject—Anæmias of Pregnancy.

Papers published.—(1) Artificial rupture of membrane—Journal of the Indian Medical Association—A paper read at the Scientific sections of the Fourteenth All-India Medical Conference.

(2) Eclampsia—A clinical and bio-chemical study—Journal of Obstetrics and Gynaecology of the British Empire—1940. A short summary of the paper was presented at the Second All-India Obstetric and Gynaecological Congress.

(3) Anæmias of Pregnancy—Journal of Obstetrics and Gynaecology of the British Empire—1942. A summary of this paper was presented at the Third All-India Obstetric and Gynaecological Congress.

No further work was done and was away on active service. Since 1946 has started the work on “Morphological variations of the pelvis and its effect on labour.”

The work is being continued and is at present unfinished.

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APPENDIX III.

[Vide answer to unstarred question No. 39 asked by Sri K. Linga Raju at the meeting of the Legislative Assembly held on the 17th September 1948, on page 480 supra.]

(i) *List of industrial concerns that have received State aid under the State Aid to Industries Act since 1946.*

Serial number and applicant's name and address.	Amount sanctioned or recommended by Board of Industries.
(1)	(2)
(1) Radio and Electricals, Limited, No. 1/29-B, Mount Road, Madras.	Two lakhs.
(2) The Metal Industries, Limited, Shoranur.	Loan Rs. 1,00,000 (amount disbursed on 19th July 1948).
(3) The Industrial and Commercial Syndicate, Madras.	Loan of Rs. 85,000.
(4) The Quilandy Artisans Co-operative Society, Limited, Quilandy.	Subsidy of Rs. 3,000.

(ii) *List of industrial concerns for which orders sanctioning aid have been issued by Government but actual disbursement has not been made yet pending execution of mortgage deed.*

Serial number and applicant's name and address.	Amount sanctioned or recommended by Board of Industries.
(1)	(2)
(1) N. Narayanappa, Narayana Tile Works, Hosur.	Loan Rs. 5,000.
(2) K. V. Brahmam & Sons, Bhimavaram.	Loan Rs. 3,000, and subsidy Rs. 3,000.
(3) K. V. Ratnam & Brothers, Ratnam Fountain-pen Works, Rajahmundry.	Guaranteeing overdraft of Rs. 2,000.
(4) The Mohan Industries, Limited, Saralanagar, Tenali.	Loan of Rs. 1,00,000.
(5) Sri Kadamby Seshadri, Kuppam, Chittoor district.	Subsidy Rs. 1,000.
(6) The Sudarsan Oil Mills, Limited, Katpadi.	Loan of Rs. 10,00,000.

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Serial number and applicant's name and address.	Amount sanctioned or recommended by Board of Industries.
(1)	(2)
(7) Star Tyre Service Company, Madras.	Loan of Rs. 12,000.
(8) The Solar Industries and Trades, Limited, Erode.	Loan of Rs. 1,50,000.
(9) Sree Radhakrishna Vegetable Oil Products, Limited, Pamidi.	Loan of Rs. 1,25,000.
(iii) <i>List of industrial concerns for which aid has been recommended by the Board of Industries, but orders of Government sanctioning aid have not yet been issued.</i>	
Serial number and applicant's name and address.	Amount sanctioned or recommended by Board of Industries.
(1)	(2)
(1) Sri Krishna Cycle Industrial Works, Ambajipeta.	Loan of Rs. 5,000 and subsidy of Rs. 3,000.
(2) Sri Venkateswara Paper and Straw Board Mills.	Loan of Rs. 2,50,000.

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, the 18th September 1948.

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

SRI S. NAGARAJA MANIGAR:—" May I know whether our House is not going to give felicitations"

MR. SPEAKER:—" The hon. Member could have ascertained that in my Chamber itself."

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Failure of crops in Tirunelveli.

* 339-A. Q.—SRI K. T. KOSALRAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that crops on 30,000 acres of wet lands in Srivaikuntam Anicut, Tirunelveli, Tambraparni system, are at the point of failure for want of water;

(b) whether the Government have received any urgent representations to supply water from the Papanasam Reservoir; and

(c) if so, what steps the Government have taken in the matter?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) The Government are informed that the crops on a good percentage of the wet lands under the Srivaikuntam Anicut are in an advanced stage requiring one or two wettings to mature them.

" (b) Yes.

" (c) The Government have arranged that the supply of water required for the crops is maintained by making the necessary additional issue from the power storage in the Papanasam Reservoir."

SRI K. T. KOSALRAM:—" Sir, இப்பொழுது விடப்பட்டிருக்கும் 12,000 cusecs தண்ணீர் போதாது என்றும் அந்த தண்ணீர் இந்த 30 ஆயிரம் ஏக்கர் நஞ்சை நிலங்களுக்கு வந்து சேருவது கஷ்டம் என்றும் கனம் மந்திரியவர்களுக்கு மீண்டும் பல தந்திகள்வந்தும் அங்கே இருக்கும் இந்த சட்டசபை அங்கத்தினர்களும் அவர்களிடத்தில் சொல்லி இருக்கிறார்கள் அது அது சம்பந்தத்தில்"

MR. SPEAKER:—" சொல்லி இருக்கிறார்களா என்பதோடு நிறுத்திக் கொள்ளுங்கள். பாக்கியை பிறகு கேட்கலாம்."

THE HON. SRI M. BHAKTAVATSALAM:—" இப்பொழுது கேள்வி கேட்கும் அங்கத்தினரும், மற்றொரு சட்டசபை அங்கத்தினரும் வந்து சொல்லி இருக்கிறார்கள். ஆனால் அதைப்பற்றி விசாரித்ததில் இப்பொழுது விடப்பட்டிருக்கும் தண்ணீரால் சமாளித்துவிடலாம் என்பது"

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றும் இந்தமாதிரி ஏற்பாடாக இருந்தபோதிலும் அங்கே இருக்கும் அதிகாரிகள் விசாரித்து மேற்கொண்டு செய்யவேண்டுமென்றால் சர்க்காருக்கு தெரிவிக்கவேண்டுமென்றும் அறிவிக்கப்பட்டிருக்கிறது.”

SRI K. T. KOSALRAM :—“ பாபநாசம் நீர் தேக்கத்தில் இப்பொழுது எத்தனை அடி தண்ணீர் இருக்கிறது ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ எவ்வளவு அடி தண்ணீர் இருக்கிறது என்று சொல்வதற்கு கணக்கு இல்லை. பாபநாசம் நீர் தேக்கத்திலிருக்கும் தண்ணீர் முற்றிலும் மின்சார அபிவிருத்திக்கு ஏற்பட்டிருக்கிறது என்பதை ஞாபகப்படுத்த விரும்புகிறேன்.”

SRI K. T. KOSALRAM :—“ சென்ற வருஷம் இந்தக்காலத்தில் இதேமாதிரி தட்டு ஏற்பட்டு 80 அடி தண்ணீர் இருக்கும்போது சாதாரணமாக மின்சாரத்திற்கு போக பாக்கி அதிகமான 120 cusecs தண்ணீரை பயிருக்கு விட்டார்கள். ஆனால் இப்பொழுது 115 அடி தண்ணீர் இருக்கும்போது அதிலிருந்து கொடுக்கப்பட்டு பாதுகாக்க முடியுமா என்றும் அதற்காக வேண்டியதைச் செய்துகொடுப்பதாக சர்க்கார் உறுதி கொடுக்கார்களா என்றும் கேட்கிறேன் ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ பயிர்களுக்கு அவசியமாக தண்ணீர் வேண்டியிருந்தால் அதற்கு வேண்டிய தண்ணீர் விடுகிறோம். தண்ணீர் தேக்கத்தில் அதிகமாக தண்ணீர் இருக்கிறது என்பதை உத்தேசித்து அதை waste செய்யவேண்டுமென்பது அர்த்தம் இல்லை.”

SRI K. T. KOSALRAM :—“ பயிரை காயாமல் பார்த்துக்கொள்வதாக சர்க்கார் உறுதி அளிப்பார்களா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ இயன்றமட்டும் அவ்வாறு செய்வோம்.”

[The Krishna-Pennar Project.

* 340 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government will be able to complete the preliminary investigation of the Krishna-Pennar Project (Sangameswaram Project);

(b) whether it is a fact that Kerthikamma channel has not been taken into consideration for preliminary investigation; and

(c) whether an additional 1,400,000 acres of land can be brought under irrigation by that channel?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) The Government hope so.

“ (b) Yes.

“ (c) The Government have no information.”

SRI S. NAGAPPA :—“ Sir, will the Government call for information as regards clause (c) ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not think it is necessary to call for that information about acreage because on enquiry I find that the level in the intermediate places does not permit taking any steps.”

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SRI S. NAGAPPA :—“ May I know whether it is a fact that more than one-third of the present staff has been taken away to Ramapadasagar and Tungabhadra Projects and so the Government could not take enough staff to take the level in this channel for that reason? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ It is not so. We distribute the staff for various schemes in various areas.”

SRI S. NAGAPPA :—“ Is it not a fact, Sir, that more than 50 supervisors have resigned and gone to other services and if so will the Government conscript their services till such major projects are finished? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Perhaps they have better prospects. We can make it up in so many other ways.”

SRI S. NAGAPPA :—“ Do not the Government think it improper that they should train them at enormous expense in the service personnel and leave them at that? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not think it would be possible to conscript.”

Appointment of Deputy Panchayat Officers.

* 341 Q.—[MR. SPEAKER :—“ The hon. Member is not in his place. Answer will be printed in the proceedings.”]

MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) the number of Deputy Panchayat Officers who have been appointed since 1st July 1947 by direct recruitment; and

(b) what their qualifications and the communities are?

THE HON. SRI K. CHANDRAMOULI :—“ (a) The cadre of Deputy Panchayat Officers under district boards was newly formed with effect from 1st May 1948. Fifteen candidates from among those who were selected by Government for direct recruitment as Deputy Panchayat Officers, have so far been appointed.

“ (b) A statement * is appended.”

Use of edible oils for the manufacture of soaps.

* 342 Q.—[MR. SPEAKER :—“ The hon. Member is not in his place. The answer will be printed in the proceedings.”]

MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that large quantities of edible oils are being used for the manufacture of soaps; and

(b) if so, whether the Government intend to take steps to prevent such use of edible oils?

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THE HON. SRI H. SITARAMA REDDI:—“(a) Yes, Sir.

“(b) No, Sir. The total estimated production of edible oils in this Province is 336,000 tons; out of this only about 8,000 tons or less than 3 per cent is understood to be used in the manufacture of soap.”

Development of the credit section of the co-operative movement.

* 343 Q.—[MR. SPEAKER:—“The hon. Member is not in his place. The answer will be printed in the proceedings.”]

MOHAMED ABDUL SALAM SAHIB RAHADUR: Will the Hon. the Minister for Local Administration be pleased to state what special steps the Government are taking to develop the credit section of the co-operative movement?

THE HON. SRI K. CHANDRAMOULI:—“The answer ^a is placed on the table of the House.”

Scheme for bee-keeping.

* 344 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have any scheme for bee-keeping; and

(b) if so, what the scheme is?

THE HON. SRI K. MADHAVA MENON:—“(a) The answer is in the affirmative.

“(b) There are at present schemes for the improvement of bee-keeping working in the districts of Chittoor, Vizagapatam and West Godavari. The Government are considering the question of working similar schemes in all districts of the Province.

A scheme for the establishment of a Central Bee-Research Station at Coimbatore and two regional stations at Coonoor and Kodur has recently been forwarded to the Indian Central Agricultural Research with a request to sanction 50 per cent of the recurring expenditure of the scheme. Their sanction is awaited.”

SRI A. VEDARATNAM PILLAI:—“May I know, Sir, whether Government are trying bee-keeping in forests? If so, what is the result in the various forests they have experimented? May I also know whether the Government will extend it to all forests?”

THE HON. SRI K. MADHAVA MENON:—“Bee-keeping has not been taken as part of the activities of the Forest department. But it has been part of the activities of the Agricultural department in the Pomological station at Coonoor. It has not been done by the Forest department.”

^a Printed as Appendix II on pages 548-550 infra.

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SRI M. G. NATESA CHETTIYAR:—“May I know, Sir, whether any subsidy is given in respect of bee-keeping to private individuals?”

THE HON. SRI K. MADHAVA MENON:—“I do not think so.”

SRI A. VEDARATNAM PILLAI:—“May I know, Sir, whether the Government will consider the desirability of introducing bee-keeping in forests also?”

THE HON. SRI K. MADHAVA MENON:—“The Agricultural department is encouraging bee-keeping by the people in villages. No attempt has been made by the Forest department. The suggestion will be considered.”

SRI M. G. NATESA CHETTIYAR:—“May I know whether the Government have any intention of introducing the system of subsidy for bee-keeping by private individuals?”

THE HON. SRI K. MADHAVA MENON:—“There is no intention at present. But the suggestion will be examined.”

SRI M. G. NATESA CHETTIYAR:—“May I ask since what year bee-keeping is being advocated by the Government and whether the progress was satisfactory?”

THE HON. SRI K. MADHAVA MENON:—“I do not understand. We have been trying in the Agricultural department. I do not know from which year the department has taken up the work.”

SRI M. G. NATESA CHETTIYAR:—“May I know the result of the experiments carried on hitherto in the Agricultural department with reference to bee-keeping?”

THE HON. SRI K. MADHAVA MENON:—“There is no experiment at all. It is only keeping the hives and extracting honey. It has been successful wherever tried.”

SRI M. G. NATESA CHETTIYAR:—“Has no research been done so far?”

THE HON. SRI K. MADHAVA MENON:—“No particular research has been done. The second part of the answer is: A scheme for the establishment of a Central Bee-Research station at Coimbatore and two regional stations at Coonoor and Kodur has recently been forwarded to the Indian Central Agricultural Research Institute with a request to sanction 50 per cent of the recurring expenditure of the scheme. Their sanction is awaited.”

* 345 Q.—SRI S. NAGARAJA MANIGAR:—“I request the Government to take up the question on Monday as a book has been handed over to us just now.”

MR. SPEAKER:—“The hon. Member is not able to go through the book. The House will take up the question on Tuesday.”

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II.—MESSAGE OF CONGRATULATION ON THE SUCCESSFUL TERMINATION OF POLICE ACTION AGAINST HYDERABAD STATE.

THE HON. SRI KALA VENKATA RAO:—“ I beg to move, Sir—

‘ That this House sends a message of congratulation to the Hon. Prime Minister and the Hon. Deputy Prime Minister of India and the Indian Armed Forces on the successful termination of the Police action taken against Hyderabad in order to preserve law and order in the territory and requests the Speaker to convey the same to them. ’

“ Yesterday evening, Sir, we received the glad news that there was ‘ cease-fire ’ in Hyderabad and that our Armed Forces which were marching in that territory during the last five days have had a triumph as it were. Many people thought that this will be a very long-drawn war and that there will be great resistance to the entry of our forces into Hyderabad. But all that proved false and our forces marched in almost without any resistance, and the little resistance that was offered here and there was virtually overcome with ease. None of us were prepared, Sir, to have that news so early as yesterday. But, Sir, God is great and we are very glad that there is such an early termination of the action without causing bloodshed in a part of our own country where the people are our own brethren. After all, Sir, if we take aeroplanes, bomb places, take tanks and use all arms and artillery, not only will we kill people who are waging the war but also many innocent people. For nearly 150 years this country had not seen any serious war. Though there were two World Wars in 1914 and 1939 they did not practically reach the borders of India and many of our generation did not see what a war is and unfortunately if war had to be carried on within the borders of Hyderabad, it would have been, Sir, a great misfortune for the people who reside within the borders of our own country. Sir, on this point we are very glad. Hyderabad is not a foreign country. It is a part of India and the claim put forward that it is an independent nation, was never deemed tenable. And, therefore, the Government of India from the beginning has been very anxious and has shown very great consideration towards the events that developed in Hyderabad during the past one year. The one thing which had received great condemnation at the hands of every one was the menace of the Razakar movement. There some fanatical people formed themselves into an organization and took up arms and began to oppress their own brethren in their own territory. The formation of these private armies was a menace to the people at large—
 11-15 Hindu, Muslim or of any other persuasion. Therefore the
 a.m. Government of India was impressing upon His Exalted Highness the need to put down this organization which was causing havoc in the territory, but the organization was strong and there were rumours that the Nizam himself was unable to put down this organization. The Government of India were then forced to send an ultimatum to the Nizam either to put down the organization or

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let the Indian troops occupy Secunderabad as was done before the Standstill agreement, so that they might see that there was no menace to the peaceful citizens of Hyderabad pending other negotiations regarding accession. But even this reasonable request was refused by the Ministry in charge of Hyderabad. Therefore the Government of India were constrained, after allowing for a period of waiting, to march their armies into Hyderabad. We are very glad not only at the successful termination of this march, but also at the fact that it has ended so swiftly without causing much havoc within the borders of the Nizam's territory. For this unique achievement, we must congratulate the great statesmen who are guiding the destinies of the Indian Union, the great Prime Minister, Pandit Jawaharlal Nehru and his Deputy Sardar Vallabhai. Their greatness lay not only in their following the footsteps of the great leader Mahatma Gandhi in exhausting all peaceful means of persuasion before they took punitive action, but also in seeing to it that the punitive action did not result in any great havoc. This is indeed a great achievement. More than anything else we have to congratulate the armed forces who marched in under the command of Lieut.-General Rajendra Singhji, Major-General Rudra and others. Though our Generals were saying in private that it would take three weeks to occupy the whole of Nizam's territory, they have achieved one of the greatest triumphs India has ever known in having completed the campaign in five days.

“ Sir, in this connexion I should also mention the services rendered by our Police forces on the border. For nearly a year they have been living on their nerves. I have visited many of those border places more than once. We must congratulate them for what they have done. Men of our armed police marched into Hyderabad territory though they had no military training. You have all read about the successful march of the Police forces on the Vijayawada-Hyderabad line and taking places like Khammameth and Dornakal under the able guidance of the Inspector-General of Police and Deputy Inspector-General, Northern Range. At Hospet also there was a bitter fight. There were attempts by the Hyderabad forces to take back Munirabad, but the bravery of our soldiers at Hospet and Kurnool prevented this. For all these things, I would like to congratulate the Police forces of Madras for what they have done as the guardians of the border and later on as an army which marched in.

“ Sir, I need not speak long, because our hearts are full of joy at this achievement. Our only prayer is that there should be a calm settlement of the question, that Hyderabad will accede to the Indian Union forthwith unconditionally as other States have done, and that there will be a people's Government established there as early as possible under the guidance of the Union Government. Before closing, I must congratulate the Hyderabad State Congress which started satyagraha a year ago for the establishment of the rights of the people and for a people's Government. Last night, it

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was announced over the radio that Swami Ramanand Tirth was released. I hope that this leader of the Hyderabad State Congress will be the first Prime Minister of Hyderabad under a people's Government. I commend this resolution for the acceptance of hon. Members."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Mr. Speaker, I have great pleasure in seconding this motion and I do so most heartily. It is really very glad and happy news that the police action or the military action taken by our Government has ended so soon and so happily. We have to congratulate the Central Government, particularly the Prime Minister and the Deputy Prime Minister, for having arranged to manage this business so finely and finish the whole matter in the twinkling of an eye almost. They have achieved the maximum of success with the least loss of life and property. All credit is due to the Government in this respect. By this achievement the Government have vindicated the position they have taken. The way in which they arranged and managed the thing has enabled them to make, as it were, a triumphant march into Hyderabad. Now this has made the people heave a deep sigh of relief. From Cape Comorin to the Himalayas people feel that they can now pay more attention for the more necessary and important things such as the development of the country. I am sure, Sir, even the affairs of Kashmir will be settled very soon to the happiness of the people of the country and then we shall be able to pay full attention, the whole of our attention to the development of the country and secure the happiness of the people.

" I have to mention, Sir, one more thing. We have also to congratulate the Agent-General of India, Mr. K. M. Munshi, who has played a very important part in the achievement we are celebrating to-day. He has also contributed substantially in bringing about the end of this episode in this happy manner. I join the acting Leader of the House also in the remarks he has made on this occasion, particularly in his congratulations for our military police force who have taken a substantial and creditable part in this matter, and who have also contributed to the success of the whole campaign. Sir, we have also to congratulate the forces belonging to the other Provinces also who have contributed so brilliantly to the achievement of the success which we are celebrating to-day. I wish our whole country every happiness and prosperity in future. I hope, Sir, we shall soon be able to sit and work for the prosperity of the whole country. As a living nation, as an Indian nation, we have always to be exercising vigilance over our affairs so that we may not be disturbed in our lawful and peaceful avocations and in our efforts to bring about prosperity for this long-suffering country and its millions."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Mr. Speaker, Sir, it gives me great pleasure in associating myself and my

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party with the resolution that has been moved by the Hon. Mr. Kala Venkata Rao. We are all very happy that it has been possible for our forces to achieve this great success within a very short period. When we are now celebrating this victory, we have to act like victors, for the success is due to God's wish. Therefore we must first of all offer our thanks to God Almighty for the success that he has bestowed on us. On this occasion, we the Musalmans of India are particularly happy over the success, especially in view of the fact that unnecessarily our loyalty was suspected. Now these unnecessary suspicions have been falsified beyond doubt. I am sure, Sir, that the country will recognize that we the Musalmans of India have made no mean contribution for the success of our armies in Hyderabad. ('Hear, hear'.) I am sure, Sir, when once things become settled in Hyderabad, like victors, we will not be vengeful, but will work in a constructive spirit, build up Hyderabad and establish a National Government, a Government of the people, without any consideration of community or caste. Therefore the Musalmans of the Province are very happy at the great success that has attended our armies and also at the fact that we will be free from any fear of suspicion on the part of our fellow-countrymen in this Province. That is a great relief to us, for we have felt that we in this country needed that amount of freedom from suspicion on the part of our fellow-countrymen. That is a great achievement, more than the achievement of our armies. We Musalmans, particularly of South India, are relieved and we feel free to-day from any suspicion that we are a very different people in this country from others. We are really happy that our forces have attained that success. We are also happy that we, Hindus and Muslims in this Province will work together freely for the prosperity of the whole country and for all the people living in it without any consideration of caste or creed. I have once again great pleasure in associating myself with the resolution moved by my Hon. Friend, Mr. Kala Venkata Rao, and I wish to thank God for the success with which He has blessed this country."

SRI T. PRAKASAM:—" Sir, this is the happiest day in the history of the political struggle of our country. The freedom was achieved by the departed leader Mahatma Gandhi with the weapon of Satyagraha which was applied during a period of twenty-seven or twenty-eight years. Ultimately he succeeded through that weapon only in securing freedom by making the British people confess that they would not be able to carry on the administration in this country any longer because of the unity that was created and the determination that was exhibited by the people. Their forces have been taken away and they left the country also. They asked us to carry on the administration. Therefore, Sir, in the first place the Satyagraha weapon that had been given by Mahatma Gandhi has to be respected and worshipped by every one of us who has been in this fight all these thirty years. 11-30 a.m.

" Then, Sir, as the Hon. Sri Kala Venkata Rao said, those who are in charge of the administration of the country, Pandit

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Jawaharlal Nehru, the Prime Minister, and the Deputy Prime Minister Sardar Vallabhai Patel having been in the forefront of the fight applying that Satyagraha weapon, they knew how to carry on this administration particularly in regard to the Hyderabad business. They have watched and waited and found the opportune time when the order should be given. On the 15th of August last, on the anniversary celebration of the Independence Day, I was in Delhi and it was believed generally that the march of the Indian troops would begin almost immediately after the 15th of August. But they have taken time for more than one month now to regulate their forces in such a manner as to see that the least disturbance is caused by way of killing mercilessly and aimlessly all and sundry that they may come across. Although the forces have been in the battle field for a violent fight, they also have been trained for thirty years in this country as to how to be non-violent, how to be violent, when to be non-violent and when to be violent. This also has been demonstrated on this great occasion. I must say that it is a victory that cannot be described in a few words; it is a victory that cannot in any way be minimised by anybody on earth. No one ever believed that within five days the armies would march with lightning speed without doing any havoc unnecessarily anywhere and achieve the object in this manner. It is really a surprise to all of us; it is a surprise to the rest of the world also. The troops and the Commander-in-Chief all of them have proved that India is equal to any other country in the world with regard to carrying on the fight on the battle field in a violent manner as well. Without really being violent, they have shown to the world that India cannot be conquered by any outsiders indulging in the false belief that they could have an easy march over this country. Therefore, Sir, we are proud of our people, of our soldiers, of our Government and particularly of the Satyagraha Movement of Swami Ramanand Tirth, who had been in jail continuously, without caring in the least for the sufferings of his own self. Ramanand Tirth is not a politician, he is not a Barrister, he is not a distinguished man in any respect. He is a Swami, he has renounced everything. He has shown to all Congressmen and non-Congressmen and to the rest of the world how a mendicant, a sanyasi, could take up a cause of this nature on behalf of humanity and how he could secure success. You will find that in Hyderabad the movement started with a Satyagraha movement headed by Swami Ramanand Tirth. Violence started, Razakars started, Communists started one killing the other. While these troubles were going on, you may remember how one Mr. Bhansali started a Satyagraha campaign in Hyderabad State, how he worked and how he was removed from there. This shows to the whole world that the fight started with the Satyagraha movement of Swami Ramanand Tirth was closed with the Satyagraha movement of Mr. Bhansali. Between these two, we had the Union Government headed by Pandit Jawaharlal Nehru and Sardar Vallabhai Patel, seasoned Satyagrahis and there were also seasoned military officers in the field of violence also. In that way we can be proud of our country, of our men and women. When we were

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touring in these border areas we could find women who said: 'Why do you trouble yourself? Give us arms. We shall be able to deal with the situation ourselves.' So we can be proud of our country.

"I support the resolution."

* Dr. P. SUBBARAYAN:—"Mr. Speaker, Sir, I do not want to speak on this resolution in any spirit and I told you so. When feelings were running high and people were panicky, I mentioned that our leaders knew what they were about and it was best to leave the matter to the Government of India, because I felt then and I am glad I am justified in what I said then, to-day that it was their job. It was a matter for the Central Government, it was a military action no doubt in a police sense and it would not be possible for any Provincial Government, however powerful it might be, to settle this issue. I am glad that the Government of India have proved worthy of the position they occupy to-day. They waited. Having shown exemplary patience in spite of deteriorating conditions in Hyderabad, they began to take action only when they felt that action was necessary, only when they felt that things were going on so badly in Hyderabad that their repercussions were bound to disturb peace in the border areas of this peaceful land. Our congratulations are due to our acknowledged leaders for their patience and for the prompt action they have taken. I would be failing in my duty if I do not pay a meed of praise to His Exalted Highness himself because, even though he had formed a Frankenstein round him, he at last realized that in the interests of the people whom he governed though in a mediaeval and autocratic fashion, bloodshed should be stopped and he saw sense when he ordered cease fire yesterday. Mr. Hameed Khan went into some detail which I am not prepared to go into now. If there was suspicion of Muslims in this land, I would like to remind him that it was due to the fact that they so assiduously fought for the division of the country to the divided part of which they could never belong. I am glad that both the Leader of the Muslim League and Mr. Hameed Khan have realized that to-day they are subjects of the Indian Union and that they must act in a manner worthy of the subjects of that Union. I am glad there is a change of heart and I am sure this change of heart will be reciprocated by the leaders of our Indian Union. I leave it at that.

"I must also remind the hon. Member representing the Kurnool Muslim Constituency that there are others outside our country looking on and causing trouble to this newly won independence. A word about what Mr. Bevin said in the House of Commons is enough to prove this. No doubt the Prime Minister Mr. Attlee rightly said that the British Government would not interfere in the relations of India and Hyderabad. But Mr. Bevin unfortunately used the words that the new Dominion had a warlike spirit which I think is very much opposed to what is happening in this country. Mr. Bevin and others of his ilk must realize that we have inherited

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a great tradition from Mahatma Gandhi and that is to place moral standards above everything else. There is no question of our country adopting the adage of the end justifying the means. It has always been the concern of our leaders that they should be judged by moral standards. Even in the matter of Kashmir, Pandit Jawaharlal Nehru went to Gandhiji before operations were commenced. All that Bapu had to say was: 'Think of the moral standards and then take any action you like.' There is also no question of our having been trained in violence, because Mahatmaji never imagined for a moment that anybody should be trained in violence. All his cult was based on non-violence. He was really the successor of the great Prophet Israel after two thousand years and he was in many ways Christ born again and I don't think we will be just in saying that we were trained in violence. But at the same time the world being what it is to-day, we must so train ourselves that, if there is any aggression from any side of the world, the country must defend its hard-won independence. Any armed forces that are in this country to-day are there because the world has not yet understood the ideal which Mahatmaji preached, and I am hoping that one day the world will realize that it will be the end of all civilization as we have come to understand it if violence still forms part of the upbringing of any nation or man at that. It is because our leaders took action at a time when they felt that they might get on with this business without much violence, that we have reached the stage to which we have come to-day. Let us hope and pray that the world itself will learn a lesson from what has happened in the dealings of the Government of India with Hyderabad and how in such conditions peace may be maintained by taking prompt action even though with no spirit of violence."

Mr. SPEAKER:—"It gives me very great pleasure to associate the Chair with the resolution moved by my Hon. Friend, Sri Kala Venkata Rao, and supported by other Members. I know hon. Members are very glad that the incident in Hyderabad has come to an end without much loss of life. I also join the chorus of praise showered on the Armed Forces of our country. Lastly, I congratulate our Hon. Prime Minister and our Hon. Deputy Prime Minister on the victory. It will give me very great pleasure to forward the resolution that was moved."

The resolution was put, and carried unanimously amidst cheers.

MUHAMMAD RAZA KHAN SAHIB:—"What about holiday? On occasions like this, we must be given a holiday."

(Several hon. Members: 'We want holiday.')

SRI T. PRAKASAM:—"I do not wish to make any speech, Sir, but this day must be a holiday and there will be no more work for the rest of the day."

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SRI P. NATESAN:—"May I point out, Sir, that I am not worrying myself about the holiday. While I certainly agree with the hon. Mr. Prakasam and with all the Members of the House that we must have a holiday to-day, may I request you, Mr. Speaker, to give us the position in regard to Mr. Abdul Salam Sahib which you promised yesterday, because the unfortunate gentleman happens to be in custody. Now that the position has eased, Government must come forward magnanimously and give relief to the hon. Member."

THE HON. SRI KALA VENKATA RAO:—"The point raised by Mr. Natesan is quite different, Sir. We can take it up on Monday. I agree to the adjournment of the House to-day."

MR. SPEAKER:—"The House will have holiday to-day."

The House then adjourned to meet again at 11 a.m. on Monday, the 20th September 1948.

11-45
a.m.

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APPENDIX I.

[Vide answer to starred question No. 341 asked by Mohamed Abdul Salam Sahib Bahadur at the meeting of the Legislative Assembly held on 18th September 1948, page 537 supra.]

Name.	Community.	Qualifications.
1 C. V. Velusami	Scheduled Caste ..	B.Sc. and B.Sc. (Tech.)
2 M. Jagannadhan	Do.	B.A. (Hons.) since resigned.
3 S. Tirupathi	Indian Christian ..	B.A.
4 A. Subramanian	Brahman	B.A., B.L.
5 J. V. Subba Rao	Non-Brahman (Hindu)	B.A.
6 Y. V. Subba Rao	Do.	M.A.
7 P. Sivasubbu Thevar ..	Hindu (Backward) ..	B.A.
8 B. Papa Rao	Non-Brahman (Hindu)	B.A.
9 G. Narayya	Do.	B.A.
10 S. Appa Rao	Do.	B.A.
11 M. Venkataramanaraju ..	Do.	B. Com.
12 V. Pitchayya	Do.	B.A.
13 P. Bhavannarayana ..	Do.	B.A., B. Edn.
14 Y. Venkataramana Reddi	Do.	B.A.
15 P. V. Subbi	Do.	B.A.

APPENDIX II.

[Vide answer to starred question No. 343 asked by Mohamed Abdul Salam Sahib Bahadur at the meeting of the Legislative Assembly held on 18th September 1948, page 538 supra.]

A.—(1) The various types of societies which dispense credit are the rural credit societies, land mortgage banks, and non-agricultural credit societies. A statement showing the number of the various types of societies and the amount of loans issued by them during the past five years is annexed.

(2) The number of rural credit societies and the amount of loans issued by them are progressively increasing year after year. With a view to develop the rural credit societies and revive defunct societies, the central banks convene conferences of their supervisors once in every half-year, chalk out programmes, fix targets for loan business, collections, etc., for each supervisor and take further action. The development of these societies depends mostly on close supervision. A proposal submitted by the Registrar of Co-operative Societies that

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each supervisor should not be entrusted with the supervision of more than 15 rural credit societies and that the Government should meet the cost of the additional staff required for the purpose is under consideration.

(3) The land mortgage banks cater to the long-term credit needs of the agriculturists. These banks have been issuing loans for permanent improvement of lands such as sinking of wells, installation of electric pumps, etc., and for the discharge of prior debts. The loans issued by these banks during the past five years indicate the progress made by them in their loan business. The Central Land Mortgage Bank which is the financing agency for these banks, arranges with the local firms for the quick supply of machinery required by agriculturists. The Government have permitted the reduction of the margin between the borrowing rate of the Central Land Mortgage Bank and the lending rate of the primary societies from 3 to 2½ per cent with the result that the borrowing agriculturist is able to get loans at 5½ per cent from the primary banks. This rate is by far the lowest in India and has increased the loan business to a great extent. Another step taken towards the development of long-term credit is the permission granted by the Government for the issue of more than one loan to the same individual by land mortgage banks. The Government have also enhanced the maximum individual credit limit to Rs. 15,000. At present, a borrower can take three loans up to this limit, provided he can offer adequate security and has sufficient repaying capacity. This will enable more agriculturists to take loans from land mortgage banks. A scheme submitted by the Registrar of Co-operative Societies to subsidize land improvement loans whereby it will be possible for land mortgage banks to disburse loans at 3 per cent to the agriculturists is under consideration. Arrangements are also being made for the organization of new banks in areas not served by such banks at present.

ANNEXURE.

Statement showing the number of the various types of Co-operative Credit Societies and the amount of loans issued by them during the past five years.

Type of societies.	Year.	Number of societies.	Amount of loans issued. RS. (IN LAKHS).
1. Rural credit societies ..	1943-44	10,821	167.16
	1944-45	10,792	189.67
	1945-46	10,877	265.85
	1946-47	11,375	347.16
	1947-48	12,234	(Figures not yet available.)

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Type of societies.	Year.	Number of societies.	Amount of loans issued. RS. (IN LAKHS).
2. Land mortgage banks ..	1943-44	..	18.31
	1944-45	..	24.81
	1945-46	..	41.18
	1946-47	..	46.96
	1947-48	119	(More than Rs. 60 lakhs.)
3. Non-agricultural credit societies.	1943-44	1,184	327.29
	1944-45	1,184	367.48
	1945-46	1,185	435.17
	1946-47	1,278	546.36
	1947-48	1,146	(Figures not yet available.)

THE MADRAS LEGISLATIVE ASSEMBLY.

Monday, the 20th September 1948.

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.

Publication in the "Noorul Islam" regarding "Uvathi Nirvana Poojai."

* 346 Q.—SRI M. A. EASWARAN (on behalf of Sri N. M. R. Subbaraman): Will the Hon. the Premier be pleased to state—

(a) whether the Government's attention has been drawn to the following news published in its issue, dated 5th August 1948, of the 'Noorul Islam' under the title 'Uvathi Nirvana Poojai'.

"The London Police have arrested and are conducting a case against Ivanoff, the French magician, who had been conducting prayers keeping eighteen-year-old girls nude and teaching them dancing.

In Madras Province, however, the Madras Ministers are carrying on propaganda about Hindu religion so as to facilitate magicians, heads of mutts and *Samiars* committing atrocities like exorcising evil spirits, giving boons for child-birth and performing miracles. There they are arresting; here they are helping; and

(b) if so, what action has been taken against that paper?"

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) Yes.

" (b) The question of taking action against the paper is under consideration."

SRI D. DURAIRAJA PANDIAN:—"Are the Government aware, Sir, that one journal *Ismalia Tharakai* from Ceylon is publishing articles against the Nationalist Leaders of the Indian Dominion?"

THE HON. SRI B. GOPALA REDDI:—"We are not aware of it."

SRI P. NATESAN:—"May I know, Sir, if these papers are printed in Hindi or Tamil?"

THE HON. SRI B. GOPALA REDDI:—"I think it is a Tamil paper, Sir."

SRI L. N. GOPALASWAMI:—"Who is the editor and printer of this paper, Sir?"

THE HON. SRI B. GOPALA REDDI:—"Certainly I do not know."

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SRI GUNTUR NARASIMHA RAO:—" May we know the offending passages completely, Sir, so that we may know the whole case? "

THE HON. SRI B. GOPALA REDDI:—" It is in the question itself."

SRI P. NATESAN:—" Are the Government aware, Sir, that there are mutts who keep girls nude? "

THE HON. SRI B. GOPALA REDDI:—" We are not aware of such mutts."

The Minor Irrigation department.

* 347 Q.—SRI S. NAGARAJA MANIGAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there is any proposal to amalgamate the Minor Irrigation department with the Public Works Department; and

(b) if not, why not?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) & (b) The question of transfer of Minor Irrigation works from the Revenue to the Public Works Department was recently considered and the Government ordered in July 1948 that, before coming to a final decision, an experiment should be made by making such a transfer in a small area in Chingleput district and watching the result for some years. The question will be reviewed after two years in the light of the experience gained in the experimental scheme."

SRI S. NAGARAJA MANIGAR:—" Is it not a fact, Sir, that the people employed in the Minor Irrigation department because they have no future prospects, do not stick to it and therefore it is that there are dearth of hands for executing our works? "

THE HON. SRI M. BHAKTAVATSALAM:—" There are Minor Irrigation Overseers for the purpose of Minor Irrigation works. I have no information that they are not sticking to their jobs because there are no prospects."

SRI N. VENKATASUBBAYYA:—" Is it not a fact, Sir, that due to shortage of hands a number of repairs to Minor Irrigation works are held up and even the budgetted amounts are not being spent up fully? "

THE HON. SRI M. BHAKTAVATSALAM:—" It is quite true, Sir."

SRI S. NAGAPPA:—" May I know, Sir, why out of all the districts Chingleput alone was selected? "

THE HON. SRI M. BHAKTAVATSALAM:—" Even in the whole of Chingleput only a small portion was selected for this because it is adjacent to the headquarters and it will enable the Chief Engineer to watch the experiments."

SRI D. V. RAMASWAMI:—" Is it not a fact, Sir, that in a district like Vizagapatam which has got very few big rivers Minor Irrigation department has much work to do with regard to various

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small schemes and that the Government should bear this in mind and give better attention to this district for improving facilities for irrigation? "

THE HON. SRI M. BHAKTAVATSALAM:—" The Government bear in mind not only the Vizagapatam district but so many other non-delta districts. We are thinking of taking it over after working the experiment."

SRI S. NAGARAJA MANIGAR:—" May I know, Sir, the difference between a Minor Irrigation Overseer and a P.W.D. Overseer? "

THE HON. SRI M. BHAKTAVATSALAM:—" We are having P.W.D. Supervisors and Minor Irrigation Overseers on the same scale."

SRI K. BRAHMANANDAM REDDI:—" Will the Government consider the desirability of taking over the Minor Irrigation department into the Public Works Department in Guntur dry area also? "

THE HON. SRI M. BHAKTAVATSALAM:—" We will consider the suggestion after watching the result of this experiment."

M. S. ABDUL MAJID SAHIB BAHADUR:—" The District Collectors are overworked due to several control orders. Therefore they are not able to devote much attention to Minor Irrigation work. Therefore, may I request that at least in some of the districts the Minor Irrigation works be handed over to the P.W.D.? "

THE HON. SRI M. BHAKTAVATSALAM:—" The Government feel there are practical difficulties in taking over the Minor Irrigation department for want of additional staffs. That is why we are making this small experiment."

SRI L. N. GOPALASWAMI:—" In view of the fact that the Minor Irrigation work is very important and that it would take a long time for the amalgamation of this work, will the Government consider the advisability of employing more hands for this Minor Irrigation department? "

THE HON. SRI M. BHAKTAVATSALAM:—" We are trying to do that."

SRI N. VENKATASUBBAYYA:—" What is the difficulty to take a decision on the question of amalgamation? Is it such a big difficulty as to have an experiment which would mean trial in a district while the works would suffer very much? "

THE HON. SRI M. BHAKTAVATSALAM:—" It looks to us we would have to double the present staff and it is not practically possible now."

SRI D. V. RAMASWAMI:—" May I request the Government to consider the special case of Vizagapatam district and reduce the period of experiment from two years to one year? "

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THE HON. SRI M. BHAKTAVATSALAM:—"We would consider the suggestion after this year is over."

SRI ROKKAM RAMAMURTHY:—"May I know, Sir, which department is to look after the irrigation works that are now in the estates and in the zamindaris after the abolition of the zamindaris?"

THE HON. SRI M. BHAKTAVATSALAM:—"That will be considered after the abolition of the zamindaris."

SRI S. NAGAPPA:—"Will it not be desirable to take another locality also into consideration because if this experiment fails it will be marrring the whole progress of the Province?"

THE HON. SRI M. BHAKTAVATSALAM:—"We have selected this area because we feel it would give the best results to enable us to proceed ahead."

SRI S. NAGARAJA MANIGAR:—"Is it not the considered decision of the Government to give priority to Minor Irrigation works to Grow More Food Scheme and therefore necessary to help the people in the department?"

THE HON. SRI M. BHAKTAVATSALAM:—"We are giving all necessary attention to minor irrigation works."

Release of certain Communists.

* 348 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state—

(a) whether it is a fact that certain Communists who were sentenced to imprisonment have been released recently on their tendering apology; and

(b) if the answer to (a) is in the affirmative, whether the Government propose to consider similar cases of other Communists who are still under detention?

THE HON. SRI O. P. RAMASWAMI REDDIYAR:—" (a) Yes.

" (b) Each case will be considered on its merits."

The Porunthalar scheme.

* 349 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received the report on the investigation of the Palar, Pachiyar and Porunthalar schemes in Palni taluk, from the authorities concerned;

(b) whether the estimate has been prepared for this scheme; and

(c) when the work will be begun?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) No.

" (b) No.

" (c) It cannot be said now whether and, if so, when the work will be taken up."

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N. MUHAMMED ANWAR SAHIB BAHADUR:—"Now that Mysore State has acceded to Indian Union and there is responsible Government in Mysore what difficulties are there in negotiating with the Mysore Government to conduct the investigation of the Palar?"

THE HON. SRI M. BHAKTAVATSALAM:—"This is not Palar of the North Arcot district. This is Palar of the Palni taluk of the Madura district." (Laughter).

Questionnaire set up by the Linguistic Provinces Commission.

* 350 Q.—SRI A. KALESWARA RAO: Will the Hon. the Premier be pleased to state—

(a) whether the Government have perused the questionnaire set up by the Linguistic Provinces Commission;

(b) whether the Government have prepared any replies to them and sent them to the Commission either collectively or in groups by the Telugu Ministers and the Tamil Ministers separately;

(c) if so, whether the Government will be pleased to place on the table of the House all such replies sent or prepared by the Cabinet as a whole and by the Hon. the Ministers in groups separately;

(d) whether the Hon. the Premier either as Premier or in his individual capacity, has written to the Commission that the agitation for the Andhra Province is only of the three per cent educated persons who want jobs but not of the ryot population in accordance with his Hospet speech;

(e) whether the Hon. the Premier either as Premier or in his individual capacity, has written to the Commission that the formation of the Andhra Province should be postponed, in view of the financial and other difficulties expressed by him in his Hospet speech; and

(f) whether the letters that he has written to the Commission, if any, will be placed on the table of this House?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) Yes.

" (b) For the first part of the question the answer is in the affirmative, for the latter portion answer is in the negative.

" (c) It is not proposed to lay it on the table of the House.

" (d) No.

" (e) No.

" (f) Does not arise."

SRI A. KALESWARA RAO:—"Are the Government aware of a report published in *The Andhra Patrika* that the Government have said that under no circumstances should the City of Madras be constituted into a separate Province and is the report correct?"

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THE HON. SRI B. GOPALA REDDI:—"I have not seen the report in *The Andhra Patrika*."

SRI M. SANJEEVA REDDI:—"May I know whether the existence of the Sri Bagh Pact and the necessity of implementing it was brought to the notice of the Commission?"

THE HON. SRI B. GOPALA REDDI:—"We do not propose to lay the answer on the table of the House. So I cannot answer."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, whether *The Andhra Patrika* did not contain the report or whether the Minister has not seen the report?"

THE HON. SRI B. GOPALA REDDI:—"I have not read *The Andhra Patrika* of that day."

Subdivision of holdings.

* 351 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Land Revenue be pleased to state whether the Government propose to take any measures to restrict subdivision and fragmentation of holdings in this Province?

THE HON. SRI KALA VENKATA RAO:—"The matter is under the consideration of the Government."

The N.G.Os.' strike.

* 352 Q.—SRI A. DEVANAYAGA IYAH: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the N.G.Os. who participated in the strike last December have been granted their pay for the period of their absence from office;

(b) what action was taken on the Press Note No. 1, dated 3rd January 1948 regarding special promotions to those who did not participate in the N.G.Os.' strike but worked in the office; and

(c) whether the Government have received any memorials from the translators of District and Sessions Courts in the Presidency as regards their salary and if so, what orders have been passed in that connexion?

THE HON. SRI B. GOPALA REDDI:—" (a) The attention of the hon. Member is invited to the Press Note No. 83, given in answer to Legislative Assembly starred question No. 110.

" (b) Action in this regard in individual cases will have to be taken by the appointing authorities concerned.

" (c) It is presumed that the reference to the term 'salary' is to salary for the N.G.Os.' strike period. If so, the answer to the first part is in the negative. The second part does not arise."

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

II.—ARREST OF MR. MOHAMED ABDUL SALAM, M.L.A.

SRI P. NATESAN:—"The other day the Hon. the Leader of the House promised to make a statement with regard to the arrest of Mr. Salam. Anyway he promised to give us exactly the cause of the arrest of Mr. Salam. Perhaps the need does not arise to explain the reason why he was put under arrest. Now that the situation is eased and the other Provinces like Bombay and Central Provinces have released detenus I should be glad to hear from the Leader of the House whether it would not be practicable to release all the detenus in Madras."

THE HON. SRI B. GOPALA REDDI:—"The question of release of the Member of the House will be considered by the Government in due course."

MR. SPEAKER:—"I must also inform the House that the practice in England—the old practice in England was that the Members were free from arrest as also their servants. It was changed subsequently and the Members alone were free from arrest and not the servants. No member could be arrested 40 days previous and 40 days after the meeting. A Member can be arrested if he was found guilty of a criminal charge or secondly if he disobeyed any regulation made for the preservation of peace. In England the Speaker is informed of the fact of the arrest of a Member immediately after the arrest."

THE HON. SRI K. MADHAVA MENON:—"Now, Sir, on the question of privilege . . ."

THE HON. SRI B. GOPALA REDDI:—"It is not a question of privilege, Sir, . . ."

* THE HON. SRI K. MADHAVA MENON:—"On the analogy of the present case in the British Parliament, in a case of detention of a Member of Parliament under the Public Safety Act, in an identical case, Captain Ramsay was arrested under the orders of the Home Secretary and detained under the Public Safety Act. The matter was brought before the Parliament. The Speaker appointed at once a committee consisting of the Premier and some Members of Parliament, and they in their report said as follows:—

'The precedents lend no support to the view that Members of Parliament are exempted by privilege of Parliament from detention under Regulation 18 (b) of the Defence (General) Regulations, 1939. Preventive arrest under statutory authority by executive order is not within the principle of the cases to which the privilege from arrest has been decided to extend. To claim that the privilege extends to such cases would be either the assertion of a new parliamentary privilege or an unjustified extension of an existing one. No question of any infringement of the privilege of freedom of speech arises.'"

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MR. SPEAKER:—"That is exactly what I was saying to the House."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, why we should follow in this matter a country which does not believe in non-violence. May I know why we should not have rules of our own according to our standard of violence and non-violence?"

THE HON. SRI B. GOPALA REDDI:—"Unfortunately all citizens do not believe in the principle of non-violence." (Laughter.)

MR. SPEAKER:—"Apart from this I would suggest to the Treasury Bench they will do well to bring in a Bill for the privileges of Members of the House."

THE HON. SRI B. GOPALA REDDI:—"We are just awaiting the final draft of the constitution." (Laughter.)

* M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I thank you for the elucidation of the point. But what I wanted to point out was though our privileges are not defined it has been the practice wherever there has been no such definite provision to follow the tradition of the British Parliament. Now coming to the explanation of the Hon. Leader of the House, I want to know whether you were informed of the arrest of the hon. Member."

MR. SPEAKER:—"No, I was not informed; that is why I asked the Leader of the House to do it as it is done in the British Parliament."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"One thing more, Sir. I want to remind you that the acting Leader of the House promised that he would tell us the reason for which the hon. Member, Mr. Salam has been arrested and detained, and we are still in the dark why he has been arrested."

MR. SPEAKER:—"For the sake of clarification I would request the hon. Member to say 'the Hon. Mr. Kala Venkata Rao' instead of the acting Leader of the House."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, the Hon. Sri Kala Venkata Rao, who has been fortunate or unfortunate enough to be the acting Leader of the House, said the other day that he would give us some information on the point the next day. As we are still in the dark, would he himself impart the information to the House to-day or persuade the Leader of the House to do that."

THE HON. SRI B. GOPALA REDDI:—"The question why he has been arrested is not a point of privilege."

SRI P. NATESAN:—"The Hon. Sri Kala Venkata Rao promised he would give us the reasons why Mr. Salam was arrested. Either the acting Leader of the House was wrong or the present Leader of the House was wrong."

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ABDUL HAMEED KHAN SAHIB BAHADUR:—"Besides I would submit with regard to this Member it is the duty of the House to know what grievous offence the Member has committed for which he is detained. The Hon. Leader of the House should take us into his confidence; or at least, he should inform the Speaker as the Member belongs to this House."

THE HON. SRI B. GOPALA REDDI:—"Is it necessary to enlist the sympathy of the Speaker? We have promised that we would inform the Speaker hereafter whenever a Member is arrested."

MR. SPEAKER:—"Next item in the agenda." (Laughter.)

III.—THE MADRAS ESTATES (REPEAL OF PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947—cont.

MR. SPEAKER:—"When the House adjourned the other day, Mr. Baig was speaking on sub-clause (7) of the new clause 8-A."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Sir, I request you whether you cannot give some latitude to Mr. Baig in view of the fact that some Members are under the impression that this will come up only after 12 o'clock, when generally question-hour is over. So Mr. Baig is not here just now."

MR. SPEAKER:—"It cannot be done. Hon. Members are expected to be here at 11 o'clock."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"That is why I said 'give some latitude.'"

THE HON. SRI KALA VENKATA RAO:—"The other day I told the hon. Member that I am accepting his amendment to substitute the word 'shall' by the word 'may'. So I am not accepting this amendment."

SRI A. KALESWARA RAO:—"Sir, I want to know whether the Hon. Minister is prepared to change the wording in this way, that is, on the lines in clause 9 (4); it will be as follows: 'Unless the Settlement Officer or, where there is an appeal, the Tribunal decides to the contrary an inam village shall be regarded as an inam estate.'"

THE HON. SRI KALA VENKATA RAO:—"I think the changing of the word 'shall' into 'may' will be sufficient. I am not prepared to accept the amendment."

MR. SPEAKER:—"The question is—

'in new clause 8-A, the sub-clause (7) be omitted'."

The amendment was put and lost.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move—

'that in sub-clause (7) of new clause 8-A, the word 'shall' be substituted by the word 'may'."

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SRI R. V. SWAMINATHAN:—"Sir, I oppose this action because I stand for the inclusion of the entire sub-clause without any change. The amendment, if carried, will change the entire spirit of the clause. I request the Hon. Minister to withdraw his amendment."

SRI K. BRAHMANANDAM REDDI:—"Mr. Speaker, Sir, I oppose this verbal amendment for the language, as it is, is very clear. The sub-clause says, 'if there is no evidence to the contrary the Settlement Officer and the Tribunal shall presume that an inam village is an inam estate'. There is no option left to the officer. I want to know why Government want to give an option to the officers when there is no evidence to the contrary."

THE HON. SRI KALA VENKATA RAO:—"Sir, the other day I explained it is not necessary to have a steel-frame wording with regard to presumptions. The only question is whether the presumption should be raised. The Select Committee considered this aspect. The change proposed does not injure the case of anybody. The change of wording is necessary."

The amendment was put and carried.

MR. SPEAKER:—"The whole of clause 8-A is now before the House for discussion. If Mr. Viswanatham wants to oppose it he may do it."

* **SRI T. VISWANATHAM:**—"Mr. Speaker, Sir, I want to oppose this amendment moved by the Hon. Minister for Revenue, for the insertion of the new clause 8-A. The real point before the House, as I have oftentimes pointed out is whether in the legislation which is intended to abolish the zamindari system in this Province, inams also should be included. That is a substantive point and neither the Hon. Minister for Revenue, nor hon. Members of this House should forget it. The Bill itself, if it was confined only to the abolition of the estates, would have been passed nearly a year ago. But unfortunately several other kinds of lands have been included in the definition of the estates which the Bill seeks to abolish and hence arose all these complications and all these prolonged discussions, which are sometimes so irritating to my hon. Friend, the Revenue Minister. As I said, the substantive question is whether inams, jagirs and other unsettled palaiyams, and such other lands should be included within the purview of this Bill. After several months had elapsed, after instructions have been taken from Delhi and after several other persons and members of the party had been consulted, it was finally decided that inams need not be included within the purview of this Bill. The only question, therefore, is for us to see whether that intention is carried out by the various amendments which are now proposed by the Hon. Minister for Revenue."

"Sir, from the beginning, I was not one of those who were anxious to exclude the inams altogether from the legislation in this House."

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SRI K. T. KOSALRAM:—"Mr. Speaker, on a point of order, Sir. கனம் மெம்பர் விஸ்வநாதம் அவர்கள், இந்த சட்டசபையில் கொண்டு வரப்பட்ட 'பில்' சம்மந்தமாக பேசும்போது அசெம்பிளிக்கு கனம் மந்திரி கூறிவந்ததையும், Congress Working Committee, Congress Parliamentary Board அவர்கள் கொடுத்த விஷயங்களையும், அலெம்பிளிக்கும் சர்க்காருக்கும் சம்மந்தமாயுள்ள சட்டவியப்பற்றியும் பேசலாமா என்று கேட்கிறேன்."

MR. SPEAKER:—"பேசக்கூடாது."

SRI K. RAJARAM NAYUDU:—"அவருக்கும் தெரியும்படியாக இக்கிலிஷில் சொல்லவேண்டும்."

MR. SPEAKER:—"I hope the hon. Member, Sri T. Viswanatham will not bring in matters which are extraneous and which relate to consultations with the Congress High Command."

* **SRI T. VISWANATHAM:**—"It is true, Sir, and I admit it, that I cannot go into what has happened elsewhere either in Delhi or in the party meeting, but if any Member of the House is precluded from even mentioning the words like Delhi, or Congress High Command or Congress party meeting, how is it possible for us, Sir, to explain our point? I am also one of those who agree with the Chair that we should not go into all the details of the proceedings which took place in those places, but what harm is there even to utter such words when we frame our sentences to explain our points, or what objection is there to say that a particular decision was reached at the party meeting and that decision was to exclude the inams from the operation of this Bill? If, even the uttering of such words is an anathema to my hon. Friend, Mr. Kosalram, I shall not use those words, Sir."

"Sir, I was only asking the Hon. Minister for Revenue whether the decision to exclude inams is being incorporated in this Bill or not. I submit, Sir, that the decision is not being carried out, because in the very first instance, when the discussion of the Bill began, the Hon. Minister for Revenue moved an amendment to the effect that the 1936 inams as distinguished from 1908 inams should be excluded from the operation of this Bill. I then submitted that it was a misnomer to call them 1936 inams, because there were no such inams like the 1936 inams or the 1908 inams and that there were really no differences between them. The Act of 1936 only set at rest certain doubts as regards the presumptions that are to be applied in cases where there is a doubt as to whether the tenants have got occupancy rights or not. I said that it was a confusion of thought to say that there are two kinds of inams, but now I find that the same confusion is sought to be perpetuated here also by the insertion of this new clause 8-A. If the Hon. Minister for Revenue wants to exclude certain inams from this Bill, not only that amendment but also this amendment are quite unnecessary. But on the other hand, if he wants to bring in all the inams under the purview of this legislation, he need not have moved the amendment to the first clause at all, in which he said that the 1936 inams are to be excluded. Therefore, I submit, Sir, that there is a very great confusion of ideas and inner contradictions within

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the Bill itself. Either we include the inams or we do not include them in this legislation. I submit, Sir, that having said in the very first clause that the 1936 inams are excluded from the operation of this Bill and again to come forward with this clause 8-A and say that the Tribunal will go into this question under this very Act is something which cannot be understood. If the inams are excluded, bring them under the operation of a separate Act. If they are included, by all means include every inam and every jagir and pay them their just compensation. In the case of very small inams, where you consider that the people should not be made landless, by all means leave them out of the Bill. Our policy should have some consistency. I am not saying that there is anything fundamentally wrong in acquiring the inams, but we must do so by paying the just compensation. Do not hit any very small inamdar. Give him some interest in the land to settle himself once for all. If you want to exclude inams, do not again bring in all these complications and prolong the discussion of this Bill by all these clauses. That is my submission, Sir.

"I submitted, Sir, that there was an inquiry into all these inams in the year 1859, and the Inam rules cover all the various categories of inams. In the face of the Enquiry Report and in the face of what the Inam Commission had written, it is not easy to understand what this Tribunal is going to enquire into. You will find, Sir, that Mr. Taylor, the Inam Commissioner, in his report to the Government, dated 6th July 1859, had stated as follows:—

'The rules are framed in accordance with the general principle laid down in the Minute of the Honourable the Governor. They embrace all classes of inams which are known to exist in several districts, and they provide for every variety of case and circumstance likely to come under consideration, so far as it is possible to foresee them'

"That is how, Sir, the Inam Commission brought under its purview almost all the inams after an exhaustive enquiry, because they were totally different from the zamindaris. If you seek to abolish the inams also, you must provide all those things in this Bill.

"Sir, here were several reasons why the inams were not touched in those days. The Inam Commission very well knew that the right to property was a very valuable right and that it should not be easily disturbed, and if it should be disturbed, it could be done so only on payment of just and adequate consideration.

"Then, Sir, Mr. Blair, the officiating Inam Commissioner, in his communication to the Government, dated 30th October 1860, wrote as follows:—

' . . . While such was the prevailing opinion of Government on the subject, an event occurred in the Cuddapah district which although in itself insignificant in its political bearing and in reality but little connected with the course of treatment latterly

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pursued towards inams generally, led to a discussion regarding the policy of disturbing long-existing rights of property in inam lands; and the Honourable Court of Directors, adopting the views of the Special Commissioner, Mr. Inglis, as the proximate cause of insurrection of Narasimha Reddi, came to the conclusion that it was to be ascribed to a course of measures in violation at once of the stipulated and prescriptive rights of property in the district. They proceeded further to observe that "Whatever may be the result of the further enquiry which you have instituted, we deem it essentially necessary that it should be placed beyond doubt that wherever such rights actually exist they will be respected by the officers of the Government and that all apprehensions in the minds of the people on that head should be effectually removed"

MR. SPEAKER:—"The hon. Member need not quote it at length. Hon. Members were supplied with copies of the Report and it is enough if the hon. Member simply mentions it."

SRI T. VISWANATHAM:—"Sir, when I want to draw the attention of the hon. Members of this House that long-established rights to property should not be disturbed lightly, it is only proper that I should quote some of the documents. That is what I am doing, Sir. I am not reading all the 600 pages of this Report.

"Then the Inam Commissioner's communication goes on as follows:—

'In dealing with questions connected with the right to property, it ought to be borne in mind that long undisturbed possession not only affords evidence of the existence of the right but moreover, with respect to landed property and to tenure affecting whole classes of persons, creates, on consideration equally of policy and justice, a powerful motive with Government for not wishing the possession to be disturbed. . . .'

"That is why the Inam Commission did not interfere with various kinds of inams.

"After going into the question, the Inam Commission and the Governor in those days were clearly of the opinion that these should not be left over to the mere executive decisions and orders.

"In paragraph 32, the Inam Commissioner states—

'All questions of disputed rights between individuals relating to inams were to be settled according to the established forms in the ordinary course of justice. The claims of Government upon inams previously to enfranchisement were to be determined by the officers of Government; but after enfranchisement the inams were to be in every respect under the protection of the Courts of Justice.'

"Sir, I submit that even a cursory glance into these matters would reveal to us how careful the previous Governments were in dealing with the rights to property and particularly long-established rights. That is why I am submitting that if you want

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to disturb these rights to property, by all means do it in the public interest, but pay them the just compensation. If you are not prepared to pay compensation, do not touch them. You say that you would exclude these inams, but then why do you bring an enquiry again into this by the Tribunal, under this very Act?

“Sir, as a matter of fact, the draftsmen of the 1908 Act well knew even at that time that the inams in this Presidency were of two kinds: first, those where the proprietary right in the soil and the right to the Government share of the revenue derivable from the land coalesce in one and the same individual; and secondly those where the proprietary or occupancy right is vested in one or more individuals while the Government share of the revenue has been granted to another. These are the two kinds of inams, Sir, that is . . .”

11-45 a.m. Mr. SPEAKER:—“The hon. Member has already taken 15 minutes.”

SRI T. VISWANATHAM:—“Very well, Sir. I will not take a single minute more.”

SRI K. BHASHYAM:—“Sir, I do not want to go into the principles which have been touched upon by Mr. Viswanatham as to the desirability of having a section like this. I should like only to point out that the procedure adopted in this section is objectionable and that the section ought to go altogether. In fact what happens is this. In the very first sub-clause of clause 8-A, it is stated that the Settlement Officer may *suo motu* enquire. It also says that the enquiry can be made on application. It does not say by whom the application is to be made, whether it is to be made by an inamdar or by a tenant in the inam estate or it is to be made by the Government. The whole question is a mystery. We do not know what persons are entitled to demand an enquiry. Can any person under the sun who has no interest in an inam estate put in an application for an enquiry?

“Then, Sir, why should it be started *suo motu* at all? Does it mean that, where the inamdar and a tenant are getting on beautifully well and there is no dispute between them, you want to start a dispute? Is the Settlement Officer to start a quarrel between them? Is it fair and is it reasonable? Is it just? I should like to know what is the meaning of all this. Why is the word *suo motu* put in? What is the effect of it? What is the implication of it? Is it to be said that even when persons have come to an agreement when an inamdar and the tenant have come to an agreement, that the inam in question is of the kind which came in 1936 and not earlier, even when there is such agreement, is the Settlement Officer to go into the question and say: I shall go into the question whether there is an agreement between the parties or not? Then, Sir, it must be a very large power that the Government are taking to themselves by saying that the enquiry may be started *suo motu*.

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“Then look at sub-clause (2). It says that the Settlement Officer shall cause to be published in the village a notice. It is not as if it is limited to the persons between whom there is a dispute but it is intended for all persons in the village. It may be by means of tom-tom. It does not specify how the notice is to be published. It does not specifically say that notice shall be given to the person affected, namely, the inamdar or the tenant. It only says that a notice published in the village will be enough for the inamdar or any villager concerned in the village. Therefore, I say that the procedure is so difficult and it will really work great hardship among the persons who may be away from the place where the inam is situated and it will also be difficult for any person who may be absent from the village for legitimate reasons. The procedure prescribed is, as I have already pointed out, very defective. I only point out these things, Sir, so that the Hon. the Revenue Minister when he makes rules may take all these into consideration.

“Then sub-clause (3) says that the Settlement Officer shall hear the parties and afford to them a reasonable opportunity of adducing all such evidence either oral or documentary as they may desire to, examine all such documents as he has reason to believe are in the possession of the Government and have a bearing on the question before him and give his decision in writing. Does it mean, Sir, that the documents in the possession of the Government which he reads, are to be read by him in his Chambers, without giving any opportunity to the persons concerned for knowing the contents of those documents or is it meant that the documents could be put on record so that the Tribunal which really hears the case will have all the cards before it? This is not made clear—whether the documents which the officer reads are to form part of his report and will be submitted along with his report. For these reasons, Sir, the procedure adopted in sub-clause (3) is defective. It does not give effect to the normal procedure in public enquiry which is very necessary in this case.

“Sub-clause (4) (a), Sir, is very difficult to follow. It says that a right of appeal is given to any person who is aggrieved by the order of the Settlement Officer. It does not restrict the right to persons who have already appeared before the Settlement Officer. It does not say: ‘Persons who have already appeared before him and who feel aggrieved.’ But it gives the right of appeal to even persons who did not appear before the Settlement Officer in the dispute. Therefore, it really means that in every case, where they want to create trouble, the inamdar or any of the tenants may go and put in a petition to the Tribunal and start an enquiry on the application. I say, Sir, these things must be made very clear as to the persons who have the right of appeal and who may bring the matter to the appellate Court. All these things are not specified. It says ‘any person aggrieved,’ which is very difficult to follow. This is a thing which cannot really be worked properly.

“Then sub-clause (b) says that notice of appeal is to be given—not to the persons concerned or the person in whose favour a decision has been given. No specific notice is provided for. It says

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merely that notice will be given to the whole village. I say that kind of a thing is wrong. I have to point out to you, Sir, that the person in whose favour a decision has been given by the Settlement Officer should be given particular notice in respect of this matter.

“Then there is the usual clause, Sir, in sub-clause (c) that the decision of the Tribunal under this sub-clause shall be final and not be liable to be questioned in any court of law. This is a very unjust provision, Sir. It is an unconstitutional provision. This is a provision which is intended for the purpose of taking away the matter from the purview of the ordinary courts. It is not the proper procedure to be adopted. I have often repeated that in all cases the matter should be examined by a court of law. This is an ordinary right of every citizen.

“Then sub-clause (5) says, Sir, that even if there is any defect in procedure the decision of the Settlement Officer shall be final and that the decision shall be valid and shall not be disputed. The clause says that no decision of the Settlement Officer or of the Tribunal shall be invalid by reason of any defect in the form of the notice (that is the procedure) . . . as the case may be, or the manner of its publication. Therefore, they have taken power to cover all defects and mistakes committed in the course of publication of the notices. Therefore, in such cases it will mean as if you are giving an ex parte decree against some person or other who has not been given sufficient or proper notice and who may be vitally affected by the decision.

“Then, Sir, sub-clause (6) is the most wonderful clause. It says that the decision shall be binding on all persons claiming an interest in any land in the village. There may be persons, Sir, who may have an interest only to a very small extent and he may not care to go before the Tribunal or the Settlement Officer for anything. Still the decision is to be binding upon him and upon all persons and he cannot go before any civil court. This kind of *res judicata* being applied to the decision of the Tribunal and the Settlement Officer is unjustified.

“Then we come to sub-clause (7), about presumption, which is very important. It has been slightly modified now. When I came in I heard the Hon. the Revenue Minister say that in deference to the decisions of the High Court and the Privy Council, it has been put in that the Settlement Officer or the Tribunal can presume that an inam village is an inam estate where it has not been proved to be the contrary. It looks as if, even in cases where the High Court or the Privy Council have decided that an inam is an inam of 1936, the Settlement Officer can presume that an inam is of 1908 variety and therefore it might be brought on record for the purpose of including it within the purview of the Bill. I think, Sir, it is against the teeth of the decision of the Privy Council in 41 Madras. It is hardly fair that this should be treated in this cursory fashion. (Bell.) One more minute, Sir, and I have done. I only want to point out this. It may

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lead to complications. The presumption has to be made by each Settlement Officer and there will be some conflict between the presumptions made by the various Settlement Officers. So I see that the whole question is bristling with difficulties. It is full of vagueness and uncertainties. The notice to be given is inadequate and it will really affect persons who are not sufficiently acquainted with such enquiries.”

MAHBOOB ALI BAIG SAHIB BAHADUR:—“I regret to point out, Sir, that the speeches of both my hon. Friends, Mr. Viswanatham, and of Mr. Bhashyam are misleading. If we know what the purpose of this legislation is, many of the observations made by our friends would stand no scrutiny at all. The purpose of the legislation is to acquire the rights in the estates including those estates which are not, according to my Hon. Friend, the Revenue Minister, 1936 inams. That is the purpose. An inam estate has been defined and it has been stated that this legislation does not apply to those cases of inams which were not inam estates prior to 1936 but which became inam estates after 1936. It is wrong to say, as my hon. Friend, Mr. Viswanatham, stated, that the Hon. the Revenue Minister wants to exclude all inams. It is not so. He wants to exclude only those inams which became inams after the 1936 legislation. Therefore, it is necessary that one should know what are the 1936 inams in order that they may be excluded. And for that a certain procedure is laid down. Unless we know what the 1936 inams are we won't be able to exclude them and consequently it will be difficult for the Government to acquire the rights in the inam estates. The point is very clear. A certain machinery is required by which you will know what are the 1936 inams. Once they are excluded all others which are not 1936 inams will come under the purview of the legislation and the interests therein will be acquired by the Government.

“With regard to Mr. Bhashyam's criticisms that it is very vague and that this has got many defects, I would only like to point out one thing. He asked why the Government should enquire *suo motu* or on the petition of anyone. I say it is very necessary. The Government want to know the interests of each inam which they are going to acquire. For ascertaining this, the Government might set up an enquiry by itself, or on the petition of an inamdar or on the petition of an inam ryot, contending that it is a prior 1936 one while the inamdar contends that it is the contrary. Therefore there is nothing wrong in the Government itself doing so, because they must know it clearly whether the inam was an estate prior to 1936. (Interruption.) Supposing there is collusion between the inamdar and an inam ryot. Therefore the Government want to know whether an estate is a 1936 inam or whether it was an estate prior to that. There is nothing wrong in that. The aim of the enquiry is to find out in which cases of the inams the Government have to acquire the rights of the inamdars. That is very clear.

“Then, Sir, with regard to the publication of notices, I entirely agree with my hon. Friend, Mr. Bhashyam, that the

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person who is interested must be given the notices that are required to be given under this section. I agree with him in that respect. It may be that the man is absent or whatever it is, proper notice must be given to him by the Government. I think, the Government would agree to that position."

"Then, Sir, my hon. Friend was saying that proper notice should be published by the Settlement Officer because it will enable the Government to acquire the rights of the inamdar. Therefore, Sir, proper notices should be published and I agree with him in that respect also.

"Then, Sir, with regard to the question of presumption, Mr. Bhashyam referred to certain Privy Council decisions, where, he said, that persons who seek remedy have to prove their cases and that it was this decision that was responsible for the 1936 legislation. As I have said, Sir, in most cases, the inamdar does not go to the court. It is the ryot that goes to the court, because the inamdar has always got all the documents with him and the ryot does not have them. Therefore, some consideration should be shown to the inam ryot. Further, there is the presumption that the inamdar has the right only to collect the taxes on the lands inhabited by the ryots. The Government at that time made a grant in favour of the inamdar of the right to collect the taxes, that is, the melvaram right only has been transferred to the inamdar. In very many villages, where inam lands were granted by the Government, that is the presumption. Further, there was the Interpretation Regulation of 1822 erasing the false opinion created by the 1802 regulation that the zamindar has got full proprietary rights. On account of the 1802 regulations, many zamindars began to eject their tenants and therefore, this Interpretation Regulation of 1822 was passed. In the same way, under the Inam Act of 1856 or 1859 the inamdars began to eject their tenants. Therefore, another Interpretation of Inam Act was also passed to clarify the position in 1865 in which it is said that the inamdars cannot eject the ryots. There are two reasons for this. The inam villages must have been inhabited by ryots except in a few cases and where a whole inam was granted by the Government, the ryots could not have been ousted. Therefore, the question of presumption comes in the case of 99.9 per cent of the inam villages which are inhabited that the Government granted to the inamdar the right to collect the taxes only from those ryots. Therefore, the presumption in the case of an inam village is that the inamdar was granted the right only to collect the taxes and that in the case of the whole-inam villages, the inamdar could only have the melvaram right. Therefore, that presumption was there. When the Privy Council ruled that the parties may go to court, it is the ryot who went to the court and not the inamdar. The Legislature then intervened and passed the 1936 legislation stating that in the case of whole inam villages the inamdar had only the melvaram right. But, there were some hard cases which had to go to the Tribunals for establishing both the melvaram and kudivaram

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rights, and they said that the kudivaram rights could be purchased by paying some compensation. There is nothing wrong in this. It is historically correct and it is also necessary for the protection of the ryot. Therefore, I do not see the reason why this presumption should not be there.

"Then, Sir, it is very kind of the Hon. the Revenue Minister to have accepted my amendment, viz., to substitute the word 'may' for 'shall' in sub-clause (7). I suppose as a sort of a compromise, he has accepted it. Therefore, Sir, I submit in the interests of the parties themselves, this procedure is necessary."

* SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, this amendment brought forward by the Hon. the Revenue Minister for introducing a wholly new section involves not only the introduction of a complicated procedure in order to determine the question of 1936 inams but also involves a negation of almost of all that he has been pleased to concede from the very beginning of this debate with regard to the inclusion or the exclusion of the 1936 inams. There seems to be a great struggle in his mind whether to accept the large volume of weighty opinion, both legal and lay, in regard to the advisability of treating the inams as a subject by themselves for a separate legislation or whether he should stick up to his opinion which he has once taken to include all these inams in this piece of legislation. There is also the struggle in his mind whether the matter should be pursued in some way or other. But for that struggle, he would not have been obliged to introduce a section like this. At the time when the Select Committee had finished its labours, they proposed some improvements and modifications."

THE HON. SRI KALA VENKATA RAO:—"Does the hon. Member want me to stick up to the original idea of the Select Committee to include the 1936 inams also?"

* SRI D. V. RAMASWAMI:—"No, but apart from that, Sir, people are expecting that there will be a clear statement as to the acceptance of the position taken by some legal luminaries of our Presidency that the principles adumbrated by the Hon. Sri Prakasam's legislation should be followed and that the question of inams should be treated as a separate subject for a separate legislation altogether, both on account of its history as well as on account of practical politics. That position and the hope held by the public that the Hon. Revenue Minister would provide for the exclusion of all the inams from the scope of the present Bill have been taken away by the way in which he seeks to bring in this new section under the present Bill. This is only an extraordinary exhibition of his internal conflict. I am sure if he recognizes that if the inams are taken away and left for a separate piece of legislation, he will realize that it will satisfy all the parties that are affected. I therefore, hope that the Hon. Minister will reconsider his position and I trust that he would agree to the exclusion of this new clause 8-A from this Bill."

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SRI R. SUBBA AYYAR:—"Mr. Speaker, Sir, I rise to support the amendment of Sri Viswanatham. I support the motion for the deletion of the entire clause 8-A. With regard to inams, instead of mixing all kinds of inams in a cumbrous manner, I suggest the exclusion of the so-called 1936 inams from the scope of the Bill. I also urge upon the Government to collect the necessary statistics and to frame suitable legislation for those inams independently of this Bill. Sir, it is a matter of policy and therefore having regard to the large volume of opposition in the country and the advice given by the High Command on the various principles involved in this Bill and having agreed to the postponement of the legislation, I feel that the Government is not justified in bringing forward an entirely new clause in this Bill by means of an amendment like this. I should say that it is something like bringing by the back door what was allowed to go by the front door. As my hon. Friend, Sri Bhashyam, put it, it is like taking away by the left hand what was given by the right hand.

"Then, Sir, this House will remember that there is a good deal of doubt expressed with regard to these 1936 inams and therefore, to try to lug in by way of this amendment all these 1936 inams is not a fair way of dealing with this subject. Again, Sir, the exclusion or the inclusion of a particular inam depends upon the Settlement Officer because it is he who would decide the nature of the inam and say whether it should be included or excluded. In doing so, I consider, Sir, having regard to the provisions of the new clause, the die will be very much overloaded against the inamdar in every respect, taking into consideration the whole procedure involved in this. Moreover, Sir, the Settlement Officers who are expected to be no more than Deputy Tahsildars will hear the evidence and pronounce judgments in respect of the property rights in four thousand inam villages. Sir, this is a very important question and Government should not vest such an enormous power to determine the character of an inam and to decide whether it should be included or excluded in the hands of a Settlement Officer.

"Then, Sir, with regard to serving of notices, anybody having any experience of civil courts will surely know that these provisions could be easily by-passed by stating that sufficient notice has been given to the parties and then decisions could be arrived at without even the parties being present before the Settlement Officer. All these things could be so manipulated in order to reach the results. Sir, there is one difficulty in the procedure laid down in this new clause. Sir, while the highest tribunals in the land have said that cases must be decided on merits, it is strange to invest the Settlement Officer with the power to decide the nature of these properties involving the rights of the inamdar and the ryot. It is not the proper thing for the Government to invest him with such a power. Moreover,

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Sir, to say that the ordinary civil court will not have any jurisdiction over this matter is another extraordinary thing. That seems to be one of the characteristics of our present day legislation. Consistent with that, this new clause also excludes the jurisdiction of civil courts in this particular matter.

"Then, Sir, coming to sub-clause (7), it may be that the substitution of the word 'may' for the word 'shall', may effect a little change, but still in 99 cases out of 100 the word 'may' will be 'shall' with the result that the effect of the whole clause will be something like this. Anybody who presents an application before the Settlement Officer to decide the nature of an excluded inam can so manipulate things as to get a decision from the Settlement Officer against the particular inamdar concerned. That is a thing which requires very very deep consideration at the hands of the Hon. Minister. With an obliging Settlement Officer, things could be so manipulated and even without having all the parties before the Court, decisions could be arrived at which cannot be altered subsequently by any amount of effort by any of the ordinary courts in the land. As I said at the very beginning, the die is so much overloaded against the poor inamdar that it would be practically impossible for him to get a verdict in his favour. Somehow or other, it seems to me that the Hon. the Revenue Minister does not want these inams to escape from the operation of this Bill. Well, Sir, if this provision is intended to hold an enquiry over the rights of persons in these 4,000 and odd excluded inams, then the Hon. Minister should have stuck to his guns and said that he would stand or fall on the inclusion of all the inams within the scope of the Bill. Having agreed to exclusion of these, I submit, the proper course would be to leave that aside now for the moment, and let the status quo prevail, till he makes up his mind to frame a suitable legislation over the acquisition of the rights of these inamdars. I submit this is not a fair way of doing things.

"Another point that I wish to stress is this. I wonder whether this new clause had the consideration of the Cabinet as a whole and had its approval. If the Cabinet had agreed to the introduction of this entirely new clause by way of this amendment, I should only say, God save us from those Ministers. I put it on a question of high policy. If it is a decision by only the Hon. Minister for Revenue, I would very humbly submit that it is still open to him to reconsider the position. Am I wrong in reminding him that he has told us a hundred and one times on the floor of this House that he will bring in a suitable legislation as early as possible with regard to these excluded inams? I would submit and urge that he should gather all the statistics that he has promised with regard to these excluded inams, and frame a suitable legislation for the acquisition of the rights of the inamdar on a very just and equitable basis. With these few words, I support the motion for the deletion of the entire clause."

12-15 p.m.

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* SRI K. VARADACHARI:—"Sir, I appreciate the motive or the purpose underlying this new sub-clause (8-A) which has been moved by the Government. The object is simply two-fold, that is as my hon. Friend Mr. Mahboob Ali Baig has put it, the Government have got to know which inam they have to take away now, and which they have to reserve for future consideration. The second thing is that the Hon. Minister has promised a further enquiry to investigate into the nature of these 1936 inams or things of that sort. And he does not want evidently any further inquiry by another agency and therefore wants to finish off that investigation even by a machinery that has been devised by him under this new clause he has introduced. But the agency that he has chosen or seeks to lay down for enquiries under this clause are so very grotesque and dangerous that it would throw things into confusion and drive parties to run amock with the sort of procedure that is laid down here. It will mean that an application to a Settlement Officer shall be enquired into. An application even by Mr. Winston Churchill from London to the Settlement Officer will compel the Settlement Officer to go into the matter." (Hear, hear.)

THE HON. SRI KALA VENKATA RAO:—"If he is a Muslim inamdar, even the Caliph of Mecca can apply." (Laughter.)

MUHAMMAD RAZA KHAN SAHIB:—"There is no Caliph now."

* SRI K. VARADACHARI:—"I am only saying that it is wrong, and against all canons of legislation. You are only throwing things into confusion. By 'you', I refer only to the Hon. the Revenue Minister and not to the Hon. Speaker. We are all liable to throw things into confusion now and then. But in this matter, it is very important that this Government should be very careful. In every enactment you will find the words used are really 'a person interested'. 'Person interested' is the correct phrase used in every legislation, whereas, forethought and care are the prime features of drafting of Bills or enactments. Then again, it is said that the Settlement Officer shall enquire into anything, examine any document behind the back of anybody. He need not even mention any reference to such document in the judgment that he is going to pass. He has to pass a judgment which can be known by the parties interested. Whether he is bound to write a judgment at all, we do not know. Under this clause, he can simply say 'I direct that this inam village shall be treated as a pre-1936 inam', or say, a post-1936 inam or a 1936 inam. With those words, we are finished. Nobody can know, not even the Tribunal, which is the Appellate authority can know the reasons which goaded this officer to come to a decision of that sort. All this must be regulated by a clause inserted at the end, that the rules of procedure contained in the Civil Procedure Code, and the rules of evidence contained in the Evidence Act shall govern the enquiries in this connexion. An enquiry made even by the lowest officer of the Government, say by a Deputy Tahsildar must

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conform to rules of procedure and evidence as we find it administered in the courts. Why should the Deputy Tahsildar or the Settlement Officer be prevented from observing these rules, and be compelled to throw them to the winds, when he is making these enquiries? If you apply the rules of procedure and evidence, the natural result would be that persons cannot file documents behind the back of anybody. The Judge himself cannot refer to any document behind the back of the parties. No irrelevant or inadmissible evidence will be allowed. All these things would be safeguarded. The appellate authority which you have kindly provided under this clause to go into this matter, will be unable to judge the merits of the decision of the Settlement Officer himself. Therefore I make a special plea—instead of being irritated, the Hon. Minister will see the justice and equity of this plea—that he will add a clause regulating these inquiries, by the Civil Procedure Code and the Evidence Act. We, lawyers, are at a disadvantage with him."

* SRI A. KALESWARA RAO:—"I shall be very brief, Mr. Speaker. The one thing that I want to say is this. This is a point in which the greatest disservice has been done by the Hon. the Minister to both the parties, the ryots as well as the inamdars. The ryots are poor people, and the inamdars also are middle class or lower-middle class people. The whole point is instead of sticking up to the position he took up of including all the inams he has split them up now without listening to the sober, good and reasonable advice given by the High Command which was put once before us, and many of us said that we should do so. Instead of giving compensation as per our advice he has taken upon himself the task of dividing these inams, as 1908 inams and 1936 inams.

"The difference between this section and section 9 that comes after this, is this. In clause 9 no doubt, there are two kinds of under-tenures—Post-Settlement and Pre-Settlement. The ryots are not concerned with this division. They get occupancy rights, and get their lower rents. Then they get themselves freed from the thrall of landlordism, and get the amenities of village life. It is only a question of compensation. The ryots are not very much worried with regard to the compensation to be paid particularly to the small inamdars as well as under-tenure holders. And therefore that is a matter entirely for the two classes of under-tenure holders. Here the whole thing is in suspense. With regard to the 1936 inams, nothing is settled. Even the Rent Reduction Act is kept in suspense, and therefore the ryots are interested in seeing that every inam becomes a 1908 inam, while every inamdar is interested in seeing that every inam is a 1936 inam, and thus there is a lot of litigation in which both parties are plunged. They shall be plunged into rivalry, enmity and blood-shed. The richer people will go to the police and get advantages by corrupting them and the poor people will go to the help of the Communists who will come and interfere and create anarchy. Therefore, Sir, this is a very dangerous thing.

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"I wish to conclude by asking a question addressed to the Hon. Minister for Revenue. He says that within a very short time, he is going to bring in a Bill with regard to these 1936 inams. If he has already made up his mind to include them in some way and then settle something about compensation, why should all these things come up now? When once litigation starts, and the ryots and inamdars are before the Settlement Officer and even before the Tribunal, going on spending a lot of money, he comes suddenly with some provision. Therefore the whole thing is nothing but a confusion, and a disservice to those middle class and lower-middle class people. In a few words, I could not see why all these things have come."

12-30 p.m. THE HON. SRI KALA VENKATA RAO:—"I am very sorry that such an innocent clause as clause 8-A has been the subject of so much discussion and has taken more than one hour of the time of this House. The whole thing is this. The very gentlemen who are opposed to this whole clause to-day were vociferous earlier to certain inams were excluded. Now that we have decided to exclude them, now that we have accepted their advice and excluded these inams, they now come and say, 'Why do you define and distinguish?' Shall we continue to keep things in a mess?"

SRI A. KALESWARA RAO:—"I never advised."

THE HON. SRI KALA VENKATA RAO:—"The hon. Member spoke many things, bloodshed, etc."

"Apart from these side-issues, I would like to submit the reason for introducing this clause 8-A. It is very simple. There are about 7,000 inam villages, some of them 1908 inams, and some 1936. Some day or other, we have to separate them. We have to decide the question now, because we have to give compensation to the 1908 inamdars. It has been asked why don't you take it to a court of law to decide which is a 1936 inam? That is the basis of the whole argument advanced by my hon. Friends."

"Sir, you have to decide under what category 7,000 inam villages will come. Otherwise people will be going from one forum to another and even up to the Privy Council to get decisions. We have to take decisions. We have to classify these inams. That is the simple reason for this new clause. My hon. Friend, Mr. Mahboob Ali Baig, has explained this position very well."

"There is another reason why this clause is necessary. Who is to go to a court?—the poor inamdar for whom Mr. Kaleswara Rao has great sympathy or the poor tenant for whom I have great concern? Is a ryot to spend what little money he has to get a decision whether any inam village is an inam estate or not. The Settlement Officer will decide the question if there is a *prima facie* case, whether it is 1908 inam or 1936 inam. We have provided for an appeal to the tribunal—a Judicial Tribunal. I do not know why my hon. Friends should fight shy of the tribunal. What does it matter? The District Judge instead of sitting in a District Court, would sit, as a tribunal in another

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room. I do not understand why any distinction is sought to be made. The same person with the same integrity and of the status and with the judicial temperament will function. Never mind where he sits. The criticism is unnecessary. I would request the House to accept the new clause—clause 8-A. We will frame rules regarding the procedure in due course."

BEGUM SULTAN MIR AMIRUDDIN:—"I wish to know whether the tribunal will be under the jurisdiction of the High Court."

THE HON. SRI KALA VENKATA RAO:—"With reference to the question of the hon. Member, I would like to point out this difficulty. If we allow things to be filed in Courts the suits will have to go from the District Munsif's Court up to the Privy Council, if the party has got money to do so. Instead of encouraging that long legal procedure, we want to cut it short. In order to decide the question, the poor ryot of Bezwada need not go to Madras or even to Masulipatam. He will apply to the tribunal. If necessary we can have itinerant tribunals. The tribunal will consist of judicial officers. There will not be the least difficulty at all. In cases where questions of law are involved, for instance, claims for compensation—we have provided for appeals to the High Court."

* BEGUM SULTAN MIR AMIRUDDIN:—"May I know from the Hon. Minister as to what will be the position after the draft constitution of India is adopted, for as far as I remember, it has been provided therein that the High Court shall be seized of control over all tribunals, including special tribunals. As the Draft Constitution Bill will be passed in a few months I wish the Hon. Minister to explain as to what the position will be thereafter."

THE HON. SRI KALA VENKATA RAO:—"These are special tribunals. Therefore the High Court will have no jurisdiction over them."

New clause 8-A was then put and *carried*.

MR. SPEAKER:—"Hon. Members have given a number of amendments nearly 444. We have finished consideration of only 96 amendments, during the last four or five days. I am thinking whether I can adopt kangaroo closure. This power is vested in the Speaker of the House of Commons. The Speaker can choose a few amendments and pass over the rest. This procedure is followed in the House of Commons. I am thinking seriously whether I shall adopt this procedure after two or three days."

* SRI K. BHASHYAM:—"Sir, we do not know what the kangaroo closure is, whether it is an Australian procedure. We do not want it here. I do not think that such a power is inherent in the Speaker and that he can adopt a procedure not within our rules. So far as the Hon. Speaker of this Assembly is concerned,

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I may point out that he is bound by the rules for the conduct of business in this House. For the present there is no such power under the rules."

* SRI T. VISWANATHAM:—"Sir, you might have observed in the course of the discussion which has proceeded for the last few days, that we have not moved some of the amendments we had given notice of. You might have noted that when a decision has been taken on a substantive amendment, some of us have not moved our other amendments. I wish to say that we are not taking undue time over the discussion of this very important measure. The Government have taken more than a year to frame this Bill and to bring it forward for discussion. A few days do not really matter. As a matter of fact, the tenants who have to be relieved of the burden, get benefit under the Rent Reduction Act. An exhaustive discussion of the Bill is necessary in view of the various kinds of conflicting principles the Hon. Minister has enunciated on the floor of this House."

MR. SPEAKER:—"I shall wait three or four days. In the meantime I shall think over it. I may tell the hon. Member, Mr. Bhashyam, that this procedure need not be prescribed in the Rules of the House. We can have a particular practice. When there are a number of amendments, they will take a long time of the House. The Speaker can adopt kangaroo closure and choose a few amendments, passing over others. This procedure is followed in the English Parliament."

Clause 9.—Sub-clause (1).

* SRI K. BHASHYAM:—"Sir, I move the following amendment:—

'After the words "any other person" insert the words "interested in the estate" and before the word "may", add the words "of the Government".'

"I want to have two amendments in this sub-clause. I want the words 'interested in the estate' should be inserted after the words 'any other person' and the words 'of the Government' should be added before the word 'may'. Otherwise a person from London may make an application. In clause 8-A the words 'all persons claiming an interest in any land' are there.

"The second point is this. It is stated that the landholder or any other person can make the application. It does not give power to the Government to make applications where they are necessary. The word 'person' will not include Government. It will lead to trouble."

SRI T. VISWANATHAN:—"I second the amendment."

THE HON. SRI KALA VENKATA RAO:—"Sir, I would invite the attention of the hon. Member to the amendment given notice

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of by Government to sub-clause (3) of this clause, which says 'for the words "Any person" in the first line, substitute "The Government or any person"'. I am willing to accept the amendment that the word 'interested' may be added after the words 'any other person'. The other amendment is not necessary."

MR. SPEAKER:—"The Hon. Minister can move a verbal amendment to the amendment of Mr. Bhashyam."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, it is necessary to state that only the person who is interested should be allowed to make the application. I know the Government also is interested in the land. Therefore it may also apply to the Settlement Officer. The first amendment of the hon. Member Mr. Bhashyam should be accepted as otherwise any person unconnected with the land may file the application. The Government also must have power to apply."

THE HON. SRI KALA VENKATA RAO:—"Sir, I am prepared to accept the amendment that the word 'interested' be added after the words 'any other person'. I am not prepared to accept the other amendment, because I propose to move a similar amendment to sub-clause (3). I therefore move the following amendment to that of the hon. Member Sri Bhashyam:—

'That the words "in the estate" and the second part in Mr. Bhashyam's amendment shall be omitted'."

* SRI K. BHASHYAM:—"Sir, having once accepted that the person must be interested, one would like to know what he is interested in. The person may be interested in his son-in-law or the brother-in-law getting money from the under-tenure holder. He may be a creditor of the under-tenure holder and as such he may be interested in the under-tenure holder getting a large property. I do not want that such persons should come in for the purpose of making applications under this section. They should be persons who are interested in the estate itself. If the Government enlarge the scope of this section, they will be letting themselves in for much trouble. Then I want the Government also to have the power to make applications. In section 8-A it has been provided that not only the Settlement Officer may *suo motu* inquire into the thing, but he shall make the enquiry if there is an application. I do not see why the Government should not have this power under this section. It seems to me to be most unreasonable."

MR. SPEAKER:—"I shall first of all put the Government amendment as an amendment to Mr. Bhashyam's amendment. It is this:

'That the words "in the estate" and the second part in Mr. Bhashyam's amendment shall be omitted'."

The amendment was put and carried. The amendment of Mr. Bhashyam as amended was put and carried.

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Sub-clause (2).

THE HON. SRI KALA VENKATA RAO:—"Sir, I move—
'that for the words "may desire" the words "may desire to" be substituted.'"

The amendment was put and carried.

* SRI K. BHASHYAM:—"Sir, I move the following amendment:—

'At the end of sub-clause (2) add the following—

"For the said purpose of the settlement, the parties to the claims shall be entitled to all facilities for examining the documents in the possession of the Government, and to take copies thereof, and such copies when relied upon by the Settlement Officer shall form part of the record along with other documents before the appellate authorities when there is an appeal."

"Sir, the clause as it stands says that the Settlement Officer shall examine all such documents as he has reason to believe are in the possession of the Government and have a bearing on the claims before him and give his decision in writing. While the Settlement Officer is given the discretion to look into the documents and pick out such of those as he considers necessary, the other side or parties is not allowed an opportunity to look into the documents and pick out those which it thinks necessary and relevant to the case. After all the Settlement Officer is not the final authority in this matter. There is the appellate tribunal. Therefore I want that the other parties also should have all facilities for examining the documents in the possession of the Government and when such documents are relied upon by the Settlement Officer they should form part of the record along with other documents before the appellate authorities when there is an appeal. The usual procedure for letting in evidence should be followed by the Settlement Officer and the appellate tribunal. In ordinary cases, a person relying upon a document is entitled to put it to the court and get a ruling whether it is relevant or not. If the court says, 'No', the matter will go before the appellate tribunal and if that tribunal comes to the conclusion that it is relevant, the document should be taken into consideration. That kind of opportunity which ordinary parties have is negated by this clause. I want, Sir, that a full opportunity should be given to the other party also to put its case before the Settlement Officer and after he decides one way or the other, when the matter goes before the appellate tribunal, they must be in a position to examine all the documents and find out the truth. I only appeal to the sense of fairness and justice of the Hon. the Revenue Minister and ask him to provide scope for all the parties to put their case clearly before the Settlement Officer."

* SRI T. VISWANATHAM:—"I second the amendment. I should like to say, Sir, that the Hon. Minister in framing the rules

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should also introduce a similar provision applicable to enquiries under section 8-A which has already been passed without such an amendment. It is an absolute necessity and I hope he will accept it."

THE HON. SRI KALA VENKATA RAO:—"Sir, while appreciating the idea of the amendment I may say, Sir, that the purpose will be well served by making a rule to that effect instead of including it in this clause. I give an assurance that it will be included in the rules. With this assurance, I request the Hon. Member, Mr. Bhashyam to withdraw the amendment."

The amendment was by leave withdrawn.

Sub-clause (3).

THE HON. SRI KALA VENKATA RAO:—"Sir, I move the following amendment:—

'For the words "Any person" in the first line, substitute "The Government or any person".'

The amendment was put and carried.

* SRI K. BHASHYAM:—"Sir, I move the following amendment:—

'For the words "the date of the decision" substitute the words "the date on which the decision is communicated to the party concerned" and omit the words "and its decision shall be final and not be liable to be questioned in any Court of Law".'

"In the clause as it stands, the time given for appeal is two months from the date of the decision of the settlement officer. Of course there is also the further provision, 'or such further time as the Tribunal may in its discretion allow'. My amendment says that the two months must be calculated from the date when the decision is communicated to the party. In ordinary civil courts there is a date fixed for the judgment, the parties are present either in person or through pleaders and they know the nature of the judgment. It is easy for them to calculate the period for the appeal from the date of the judgment. But in a hole and corner court like this, where the Settlement Officer is entitled to deal with the matter as he pleases—he may go on circuit to various places and give his decisions there—it will be difficult for any person to know when the time for appeal starts. Even in the Survey and Settlement Act, I think the time for appeal is calculated from the date when the decision is communicated to the party. It helps the party concerned because it gives him notice to look into the judgment quickly and decide on the nature of the appeal he has to make. It is a very simple amendment and I hope it will be accepted."

SRI T. VISWANATHAM:—"I second the amendment."

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THE HON. SRI KALA VENKATA RAO:—"In clause 63, the Government have the power to frame rules on this question. We propose to exercise that right and see that proper rules are framed."

* SRI K. BHASHYAM:—"Sir, the rules can be framed only in accordance with the sections. If the section says that the time must be two months from the date of the decision, the Government cannot make a rule that the time must be two months from the date on which the decision is communicated. I am afraid my Hon. Friend has not been properly advised when he says that this can be done under the rules. I insist upon this clause being accepted by the Government as it is a very necessary clause and as the Government will be precluded from making the necessary provision under the rules."

THE HON. SRI KALA VENKATA RAO:—"The Government do not accept the amendment."

The amendment was put and lost.

* SRI T. VISWANATHAM:—"Sir, I move the following amendment:—

'In sub-clause (3) of clause 9 for the words "or such further time . . . in any court of law" substitute the words "appeal to the Principal Court of the Subordinate Judge within whose jurisdiction the lands are situate."'

Sir, this is not the first time that I am speaking about the tribunal. Last time I was speaking about the original jurisdiction of the tribunal, but here it is the appellate court also. There is no appeal from its decision. We have heard the various suggestions made by the hon. Members Mr. Bhashyam and Mr. K. Varadachari with regard to the procedural difficulties and disabilities the parties have to undergo on account of the wording of the new section 8-A and this section 9. The parties appearing before the tribunal do not have the same facilities as parties appearing before a court of law. Much of the criticism against these tribunals would not have been levelled if the parties had the same opportunities to adduce evidence, examine documents and cross-examine the opposite parties. As it is the tribunal sits and hears one party, sends him out possibly and hears the other party, looks into whatever document it likes, untested by any cross-examination or by any relevant rules under the Evidence Act. That is the nature of the proceedings before the tribunal. Added to that, if it is stated that from the decision of the Settlement Officer, it is only that kind of tribunal that has got the jurisdiction to hear appeals, you can imagine the difficulties and disabilities of persons whose properties are going to be affected, persons who were in possession of those properties not for 10 or 12 years but in the case of some for 200 to 300 years. If you add to that the condition that from the decision of the Settlement Officer, there may be an appeal to the tribunal which will be final, you can imagine those disabilities and hardships of

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the parties. Persons who have had possession of properties, not for ten or twelve years, but during the course of some two hundred or three hundred years, will be affected; and the rights of so many people should not be bartered away in this manner. That is why even from the beginning I raised my voice of protest to the constitution of this tribunal. Clauses 8-A and 9 have definitely disclosed how the procedure to be adopted will be disadvantageous to the concerned parties and how the claim advanced by the Hon. Minister is not correct. Therefore, I submit that in this case the Government should see that provision is made for an appeal to the Principal Subordinate Judge within whose jurisdiction the lands are situated rather than to a tribunal on the composition of which and on the procedure before which we have had plenty of discussion already. I submit that however well-intentioned the tribunal may be and whatever assurances the Hon. Minister may now give here, the tribunal cannot be a substitute for a civil court of law. A regular court of law has got to observe certain methods and a certain established procedure, and the officers who come to these courts come there in the regular course of their appointment. It is only the special tribunal and the special appointments of persons to the tribunal that we are objecting to since they have an executive flavour about them. Even the highest and best of men when he comes there under executive order, cannot fulfil the functions of a court satisfactorily. I submit that, however esteemed a man may be, he will naturally be a limb of the executive and he cannot function as a court of law. I do not base my remarks on mere theory; the discussions on clauses 8-A and 9 have disclosed that the tribunal has not got a judicial flavour about it. At the time of the discussion on the rule-making powers, the Hon. Minister said "we will look into it"; but later, when pressed, out of sheer disgust I think, he said 'No, no, I am not going to accept it.' At one stage the Minister accepts the idea, but at another stage, he does not accept it, because I think his mind is not clear. I am sorry to say so, but it is true that his mind is not clear on this point. What he has accepted in regard to one section, he does not accept in respect of another section under the same given conditions. That is our difficulty. As I have already submitted, these tribunals are not proper courts of law; appeal should lie only to the Principal Subordinate Judge within whose jurisdiction the lands are situated. Then only all the other details that the Hon. Minister has given, viz., that the party will be allowed an opportunity to look into the documents, that there will be a proper record of the judgment, etc., will be of any utility at all. Finally therefore, I submit that the appeal should go to a regular court of law and not to a tribunal whose composition we have already discussed in great detail."

* SRI K. BHASHYAM:—"We have already discussed under clause 8-A the difficulties the parties will be put to if you send these matters for decision to courts which are not strictly judicial in their character. It is necessary at least so far as under-tenures are concerned, that the appeals should be looked into not by executive courts, as they may be called, but by regular courts of

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law. These tribunals have no fixed procedure and the parties will be put to very great difficulties in presenting their cases before them. There must be some check on the orders passed by the executive officers at some stage or other; and I am sure the Hon. Minister himself will not be able to say that the procedure adopted by the Settlement Officers will at least approximate to that adopted in a regular court of law, so far as the sense of natural justice is concerned. If in respect of one particular variety of cases the parties may go up to an ordinary court over the executive order of a Settlement Officer for final decision, I cannot see why in these cases the parties cannot be allowed to do so. In these cases which are very important—you are really trying to displace titles—the parties should be given every opportunity to put their cases before the courts; and that is not possible with these tribunals."

THE HON. SRI KALA VENKATA RAO:—"I have been saying from the beginning that from the point of view of benefit to the poor ryot, I am not prepared to yield, and I would certainly prefer the tribunal to a court of law. I am perfectly certain that these tribunals will give as much justice as the courts which are now sought to be substituted by the tribunals. I need not go into the question once again, Sir; we have had sufficient discussion on it; I very much regret that I cannot accept this amendment."

The amendment was put and lost.

* SRI T. VISWANATHAM:—"In view of the attitude of the Hon. Minister, I am not moving my amendment to sub-clause (4), Sir."

MR. SPEAKER:—"I shall now put clause 9 as amended; then I shall take up the amendment of Mr. Natesa Chettiyar to clause 9-A."

Clause 9 as amended was put and carried.

Clause 9-A.

* SRI M. G. NATESA CHETTIYAR:—"Mr. Speaker, Sir, I beg to move the amendment standing in my name . . ."

THE HON. SRI KALA VENKATA RAO:—"I think, Sir, the substance of this amendment relates to the previous amendment which has already been decided on."

MR. SPEAKER:—"Let the hon. Member move his amendment."

* SRI M. G. NATESA CHETTIYAR:—"My amendment is—

(1) Add the following in the beginning of the heading:—

"The basis of fixation of peshkash of zamindari estates at or after the Permanent Settlement Regulation XXV of 1802 and the."

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(2) Add the following new clause:—

"9-A (i) The Director of Settlement shall, on application from the landholder or any other person interested, examine and decide from the materials available from the Government and from such other documents and materials filed by the parties within a reasonable time after the notified date whether the fixation of peshkash was or was not on the basis of ryotwari assessment in the zamindari estates at or after the Permanent Settlement Regulation XXV of 1802."

(ii) The Director of Settlement shall afford a reasonable opportunity to the applicants to hear them and examine the records and materials with them and decide and give his decision in writing to them.

(iii) Any applicant aggrieved by the decision of the Director of Settlement under sub-sections (i) and (ii) may within three months from the receipt of the decision, appeal to the Board of Revenue and its decision shall be final and not be liable to be questioned in any Court of Law."

"Sir, in moving this amendment, I would like to state that under the Permanent Settlement Regulation XXV of 1802, various tenures have been brought in and one of them related to those that were settled on the services rendered; a second related to the unsettled portions; the third was jagir; and the fourth related to lands that were surveyed regularly and sold in public auction on a fixed rent called peshkash. Among the conditions of sale one condition was that the land was being sold just like the public sale of land by Government for the recovery of revenue arrears—which gets every title. What was the position at that time? Vast areas were jungles and only one-fourth of the area was under cultivation. I may state, as an instance, in the Salem district, regional areas were farmed out and sold out in public auction on fixed rentals. As the land laws of this Province advanced, this variety of lands sold by public auction also was brought under the Permanent Settlement and was administered under the Estates Land Act of 1908. These were not estates conferred on anybody for purposes of collecting rent and thus they are not renters. They were lands which were secured by purchase in public auction and improved by reclaiming forests and uncultivated wastes and bringing them under cultivation by affording facilities for the tenants or ryots to bring those areas under cultivation and thus expand their incomes. Under the present Bill, the peshkash is sought to be calculated on a different basis. The peshkash settled in 1802 in respect of other varieties of tenure, could not and should not be applied to the estates purchased in public auction. These estates are Crown lands where both warams were given to the purchasers; and on account of the advanced land laws of the present day they were brought under the Estates Land Act. As an instance, I may tell you, the extent of cultivation of an estate which was purchased by sale was about 600 acres; but to-day it is more

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than 3,000 acres. The peshkash fixed then was on the rental collected from the cultivated area at that time. The rest was only waste and jungle but now under cultivation after years of investment of capital and recruitment of ryots. Thus, Sir, the increased rentals collected from these estates is purely on account of extension of cultivation and is five times more than what it was before. It is all due to investment of money to bring forest lands into cultivation. The position of partible estates in the Presidency, is invariably under this category. All Crown lands in the Province have been surveyed; so we can find out what the acreage of land under cultivation was originally, and what it is now; how much capital was invested and what the cost of labour involved was to bring cultivation to the present level. In this the partible estate-holders were doing social service to the people. These people have not enhanced the rent even to-day. The rent collected is far below the rate collected in ryotwari areas. In impartible estates and other jagirs there was invariably no survey made, there was no principle on which the peshkash was fixed. It was only on a rough calculation the peshkash was fixed for such estates. Those estates were given for services rendered on condition of payment of the peshkash unalterably fixed. To bring all the estates under the same category is wrong and will be a social injustice if it is done. You cannot call all the four-legged animals without horns by the same name. There are horses and asses in that category. Similarly it is wrong to bring all estates under the category. You can compare the rent fixed in 1908 with what it was originally. There is no necessity to fix a new peshkash to partible estates. The biggest partible estate in the Province is not even as big as an average landholding in America. A lakh and twenty-three thousand acres are possessed by an individual American agriculturist. I am yet to see one similar farm here, conducted in an economic way. What are the opportunities here? (Sri R. V. Swaminathan: 'After the passing of the zamindari bill you will have such opportunities.') The interruption of the hon. Member is encouraging. Sir, partible zamindaris have been rendering social service and are eligible to get proper compensation; and no new method as now proposed in the bill should be adopted or followed to arrive at proper compensation. The deduction of peshkash after survey and settlement and assessment must be only the peshkash which was fixed at the time of public auction. To bring in this class of partible estate-holders to a separate category and treatment, I want the tribunal to examine and list them separately. It is to render social justice to the social service rendered by the partible estate-holders I move this amendment. I request the Hon. Minister to accept the amendment."

The amendment fell through for want of a seconder.

Clause 10

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I beg to move that in clause 10 delete the words 'or ought to have been properly included'. Sir, in this clause and in some other clauses

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these words are used. The whole question is, who will decide on that particular date, which are the lands which ought to have been properly included. There is no machinery given. Therefore I submit it is a clause based upon some contingency to decide which there is no machinery or procedure given. The clause runs as follows:

'Every ryot in an estate shall, with effect on and from the notified date, be entitled to a ryotwari patta in respect of'. The words 'shall . . . be entitled' are themselves clear. The words 'or ought to have been properly included' carry no meaning, and they may lead to difficulties. The ryots may have some kind of litigation with a neighbouring pattadar or with a neighbouring service inamdar. English words do have a meaning in their syntax; but when put together unless it be in their proper context will carry no meaning. These words have even no legal terminology at all. I therefore suggest these words may be omitted.'

* SRI K. BHASHYAM:—"Sir, I second this amendment. The ambiguity involved in it, and the uncertainty, what it may lead to between ryot and ryot has been properly explained already. I shall instance a case in point. It is a case like this: there is a ryoti land, and by the side of it there is an inam land. Supposing they are side by side. (Sri R. V. Swaminathan: 'How can they be?') It is not an inam village I am referring to. I am talking of inam lands."

MR. SPEAKER:—"The hon. Member can continue his speech after lunch."

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, I was referring to the difficulty of working this clause in the form as it stands. I was referring to a case where there is a ryoti land in the occupation of a ryot and by the side of it there is a minor inam land which has been granted to some village artizan. Suppose the village artizan had encroached upon the ryoti land and included it in his own inam land, and suppose he has been in possession of it for more than twelve years. Certainly the inam ought to have been included by prescription and the ryot would have lost his right to his land. What is to become of the land? I ask the Hon. Minister whether in such a case as that, would he still acquire this ryoti land and bring it back to the possession of the ryot who lost his right or would he leave it in the holding of the inamdar. Such cases do certainly occur where minor inams of one or two acres were given to the village artizan or to the village officer or to such other servants of the village, although they may be very rare in big inam villages. I am sure it will be very difficult to decide such a question."

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"The next point is who is to decide whether such ryoti lands 'ought to have been properly included' in his holding. Perhaps the Hon. Minister will say that it is the Tribunal that will go into these matters. But there is the other point also, namely, that the civil court has certainly the right to decide whether the land ought to have been included in the ryoti land or not. I should like it being treated as a ryoti land and included as such in the village register, in which case, perhaps there will be some definiteness about it. But if the land is deemed, as one which 'ought to have been included as a ryoti land' according to the wording of this sub-clause, it will lead to all sorts of complications and litigations between the landlord and the tenant. I therefore think that these words ought to be omitted, Sir."

* SRI R. V. SWAMINATHAN:—"Mr. Speaker, Sir. I oppose this amendment moved by my hon. Friend, Mr. T. Viswanatham. While doing so, I want to say a few words. Sir, the hon. Member, Mr. Viswanatham, said that the phrase 'or ought to have been properly included' has much meaning in it and that it would affect certain ryots. Sir, I cannot see any point in his argument and I do not know how it will affect the interests of the ryots. I oppose it for this reason, Sir. Suppose a certain land which is in possession of the ryot is claimed by the zamindar or the inamdar as his own land how the matter is to be settled? While the Settlement Officer goes into the question of issuing pattas, the ryot will go to him and claim that it is his land. But the zamindar or the inamdar will say, 'No. It has been in my occupation for so long and I can prove it by records'. If after the final enquiry the Settlement Officer decides that the land should go to the ryot, that land would be covered by the phrase 'ought to have been properly included', that is to say, the land that is to be taken is one which ought to have been properly included for the grant of ryotwari patta."

"Then, Sir, as regards the case referred to by my hon. Friend Mr. Bhashyam, I want to say this. Suppose in a particular zamindari where there is a dispute between two ryots for the ownership of a land and if the matter goes to the court and the court decides in favour of one or other of the parties to the dispute, how should the matter be taken? While the Settlement Officer makes his enquiries into the land and the particular ryot who has won the case goes to him and says that he got the decree from the court to the effect that the land was his, are we not to consider this land as 'a land which ought to have been properly included?' Therefore, Sir, this clause is absolutely necessary in the interests of the ryots and so I vehemently oppose the amendment moved by my hon. Friend Mr. T. Viswanatham."

SRI P. A. THANGASWAMI NADAR:—"Sir, I rise to oppose the amendment. It says that there is no necessity for the phrase 'or ought to have been properly included' in that clause. There is apparently a misapprehension about the meaning of the

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entire clause. To put it in simple and plain English, the meaning of the clause is 'that the ryotwari patta which is to be really granted shall include all lands which are included in the patta or which ought to have been included in the patta'. That will be the proper meaning of the phrase, 'ought to have been properly included in the holding'. There are a number of cases in which patta has not been transferred but in which the ryot is entitled to a patta. Under section 146 of the Limitation Act, the ryot has to make the necessary application to the landholder or to a court saying that he had been in possession of the land for more than 12 years, that he had not been issued a patta in his name, and now the land should be transferred in his name and that he should be given a fresh patta. Only such cases will be covered by the phraseology. I therefore submit, Sir, that there is a necessity for keeping this phrase in the clause."

* SRI K. BHASHYAM:—"On a point of personal explanation, Sir. The case referred to by my hon. Friend Mr. R. V. Swaminathan is a case in dispute between two ryots as to the portion of the land which ought to have been included in the patta. That certainly comes under the earlier clause 'to be properly included'. Such cases which go to a court will be covered by the court's decision and they need not be brought under this section at all. Therefore my hon. Friend need not be afraid that such cases will be affected by this phrase."

THE HON. SRI KALA VENKATA RAO:—"Sir, the whole purpose of using these words is this. Suppose A is a ryot and his name is not found in any village register although he is the real owner of the land. This provision is intended only to help such kinds of ryots to get on to the register. The difficulty is that there are no proper records in the estates and in many cases the real owners of lands are not found in the register at all. Nobody knows who is really the occupancy ryot and who is the rightful owner of the land. Suppose I am the real owner of the land and I have leased it to some other man. My name will not be found in the estate register as the owner of the property. It will be in the name of somebody else who once owned it. In order to cover such cases also, these words are added. It is necessary to retain those words, Sir, and I request my hon. Friend, the mover to withdraw his amendment."

* SRI T. VISWANATHAM:—"May I explain my point, Sir. Firstly, the Hon. Minister for Revenue says that this clause relates to the ryots. I thought, Sir, that it related to the lands. Therefore I submit that his explanation was not able to reach my understanding. I suppose that what he has in mind is that a ryot is entitled to a patta for such of the lands to which he is entitled as a matter of right. If that is his idea, it can be put quite simply and plainly like this, 'every ryot in the estate on a notified date, will be entitled to a ryotwari patta to all lands which are in his possession and which he is otherwise entitled to under the law.' This is the proper language and the legal language and it is this

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language which is also found in several other acts. But the phrase 'or ought to have been properly included' is not a legal phraseology at all. There is absolutely no cross-purpose in the language I have suggested and if this is what the Hon. Minister for Revenue has in mind, he can move an amendment accordingly. If that is not so, then there is no use my discussing upon that basis, Sir. In fact he has been saying that there are some ryots who are entitled to the possession of the land, but that their names are not found in the estate register. Therefore he refers only to the ryots. Sir, there is some confusion of thought and idea in this clause over the words ryot and right. If my suggestion is accepted, it will make the position clear. My suggestion, if I may repeat it, is this: 'All ryoti lands which immediately before the notified date were properly included or other lands to which he is entitled.' If this is accepted, I have no objection to withdraw my amendment, Sir. But if the Hon. Minister gives some other explanation to the words, then I am sorry, I cannot accept it."

THE HON. SRI KALA VENKATA RAO:—"Sir, it is beyond my capacity to convince my hon. Friend. My explanation will not reach his ears or his heart. I cannot agree to the redraft of the clause in the manner suggested by him, because his drafting does not satisfy me. Those words which are there in the clause were put in after a lot of discussion and consideration and therefore I must insist on their retention, Sir."

The amendment was put and lost.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move—

'that in sub-clause (a) of clause 10, for the words "not being either lanka lands", substitute "and which are not either lanka lands."'

"Sir, this is only a drafting amendment and can be accepted by the House."

The amendment was put and carried.

SRI A. KALESWARA RAO:—"I move, Sir—

'that in clause 10, sub-clause (a) for the words "not being either lanka lands or", the words "including lanka lands and not being" be substituted and sub-clause (b) and the proviso be omitted.'

"Sir, the amendment given notice of by Mr. Brahmanandam Reddi and this amendment are the same though the language is different. And we have both agreed that my amendment might be moved. In the Select Committee a new clause has been introduced with regard to the lanka lands, not only regarding the giving of pattas to the ryots and landholders but to the payment of compensation to the landholders. We object to that because, according to law, a ryoti land includes a lanka land. Sub-clause (a) of clause 10 refers to ryoti lands except lanka lands. That is wrong. Ryoti lands include lanka lands. Then sub-clause (b) is introduced to give pattas to ryots of lanka lands under particular

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conditions, i.e., if the ryots were in possession of the land right from 1939 and their predecessors-in-title were in possession. They have put in too difficult and unnecessary things. According to the Estates Land Act, Mr. Speaker, a ryoti land includes all lands whether it is in a lanka or any other place. Ryoti land means all cultivable land in an estate which is not private land. Every ryot now in possession according to the Estates Land Act and subject to the provisions of the Act, or who will be let in by the landholder to possession shall have occupancy right. And therefore this is removing the occupancy rights possessed by the ryots under the existing law in these lanka lands. Therefore these new provisions are wrong because they are taking away the existing rights of the ryots. Therefore, Mr. Speaker, my amendments are all right. If my amendment with regard to the substitution of the words is accepted then sub-clause (b) becomes unnecessary. I should like to point out that under the Madras Estates Land Act and also in Mr. Karanth's Bill no distinction was made between the lanka lands and any other land. Therefore, Mr. Speaker, according to the existing law a ryot who is now in possession must get a patta. Whichever ryot is now in possession of these lanka lands must get a patta without reference to the year 1939, 1946 or 1936. As Mr. Brahmanandam Reddi pointed out by this amendment the latter portion of the clause (a) is also not necessary. But since the Government have put in the words I do not want to quarrel, because it is they that should look after the phraseology and the legal methods. What we want in substance is that the lanka lands also should be treated like other ryoti lands and the ryots should possess occupancy rights and they must be included in their pattas. If they are not already included in their holdings they must be included now. So that is my proposition, Mr. Speaker."

SRI K. BRAHMANANDAM REDDI:—"I beg to second the amendments just now moved by my Friend, Mr. Kaleswara Rao, Sir. In view of the fact that Mr. Kaleswara Rao was moving his amendment I did not move my earlier amendment. What I am anxious about is that the ryot should be entitled to all lanka lands which are in his possession on or before the notified date. That is our chief aim. I do not see any reason why a ryot who is in possession of a lanka land before a notified date should be denied the benefit just because he is not in continuous possession of the land from 1st July 1939. I do not know the sanctity about the date '1st July 1939.' I do feel that wherever the land is in the bona fide occupation and possession of a ryot he should be given the right to it. That is my aim. These clauses (a) and (b) should be considered together, Sir, because clause (a) refers to the lanka lands described in clause (b). Another objection is this, Sir. Supposing a ryot who is in possession of a lanka land and which is in his occupation is forcibly dispossessed by a zamindar, what would happen to him and what would happen to such a land? Does the ryot get a right to it in spite of the fact that the zamindar forcibly dispossessed him?"

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"I request the Hon. Minister to explain a further doubt, Sir, and it is this. Clause (a) says that for all ryoti lands which immediately before the notified date were properly included in his holding, the ryot would get a patta. I want to know what would happen to lands used by the ryot for the purpose of grazing and which are in his possession. You are aware, Sir, that in the ryotwari tracts and other zamindari tracts also a ryot or cultivator, if he owns 20 acres of cultivable land, also owns 5 to 10 acres of beedu for grazing cattle. It is not possible for an ordinary cultivator to get on with the cultivation of his other lands without this pasture land. (Interruption.) The hon. the Revenue Minister says that the ryoti lands will also include the pasture land. But I should like to point out that in the Estates Land Act, the definition of a ryoti land is as follows: 'A ryoti land means a cultivable land in an estate other than private land, but does not include . . .'. What is 'cultivable land'? It has been interpreted by the High Court as land not including pasture land. I am bringing this to the notice of the Hon. Minister that the cultivable land is said to mean lands permanently cultivable for all practical purposes and not land which might be occasionally cultivated and land let out for pasturage. These are the decisions of the High Court. In view of these decisions, I want to know whether the pasture lands would be included in the term 'ryoti land.' If they would be included I have the least objection. If they cannot be included, I would request the Hon. Minister for Revenue to make a proper provision for including such lands also."

* THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, when you look into clause 10 of this Bill you will find that the ryot is not deprived of the lanka lands. We have said in sub-clause (b) that all those lands which have been in his occupation or his predecessors-in-title continuously from the 1st day of July 1939 should be given to the ryot. While moving his amendment, Mr. Kaleswara Rao referred to the point as to how the fixing of a time like 1939 would work hardship. I think, Sir, for the sake of clarity this distinction is necessary and it should be maintained. I do not see how any of the ryots are affected by this differentiation. For these reasons, Sir, I do not think this amendment is necessary."

SRI P. A. THANGASWAMI NADAR:—"I would like just to ask the Hon. the Revenue Minister, Sir, on what principle the date '1st July 1939' is fixed. That is, why should the ryot be in possession for such a long time so as to entitle him to a ryotwari patta in his favour?"

THE HON. SRI KALA VENKATA RAO:—"Sir, in this matter there is a slight misunderstanding which I want to explain. Sir, lanka lands are lands which are in the beds of the rivers Krishna and the Godavari. These lanka lands do not exist in any other area. The area of these lanka lands is rather limited but the land is very valuable. A good portion of the lanka land is owned by the

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Government themselves and some portions are owned by the zamindars. There are three classes of lankas (a), (b) and (c). A (c) class lanka is a lanka which is newly formed. A (b) class lanka is one which has got some permanency and a (a) class lanka is a lanka which is a high level lanka and which is not subject to erosion. Therefore the Government lease the (a) class lanka for a period of 20 years, the (b) class lanka for three years and the (c) class lanka for one year. Generally in the case of (b) and (c) class lankas, they are put to auction. They are also given to field labour co-operative societies without public auction. In certain villages the high level lankas were settled. They were settled for Rs. 11 and Rs. 12 an acre. This is the position in the ryotwari areas.

"It is true that there is no separate definition of lanka lands ^{3 p.m.} under the Estates Land Act. But, on account of the peculiarity of these lands, we had to make a distinction in the present Bill. To show that distinction clauses (a) and (b) are put in. Clause (a) is necessary because this clause is intended to exclude all the lanka lands. Clause (b) seeks to give pattas to the ryots of these lands. Then, Sir, persons in possession of these high level lanka lands will be given a patta if they are in continuous possession of those lands from 1st July 1939. Then in the case of B and C class lankas, those lankas will be sold in public auction and will be dealt with in the same manner as we deal with lankas of similar nature in the ryotwari areas. Therefore, it comes to this that in the case of high-level lanka lands, the patta will be given to the person who has been there continuously from 1939. In the case of other lankas, they will revert to the Government and will be dealt with in the same manner as the lankas in Government areas. Therefore, Sir, there is no injury to anybody. We apply to these lankas the same rules which we apply to the lankas in the ryotwari areas. Then, Sir, any person who comes into possession of a lanka by auction or if he is simply an ijardar he has to vacate it after his term is over. He has no right to occupancy.

"Then, Sir, with regard to the date 1st July 1939, we adopted that because the fasli following the publication of the Prakasam Committee Report was taken as the basis. We thought, Sir, that it is the proper date and a reasonable date. But, the really reasonable date would have been twelve years preceding 1948 and so that is 1936. Instead of doing so, we fixed two dates 1st July 1939 and 1st July 1945 because 1945 was the year in which the Congress Election Manifesto was published. In the circumstances, we thought that 1st July 1939 and 1st July 1945 would suit better. Therefore, Sir, I request that the amendments may be withdrawn."

* SRI A. KALESWARA RAO:—"I am not withdrawing my amendment. Sir, 112 and 113 both cover the same ground. Sir, Government's explanation of this lanka business, like erosion and other things, all existed even in 1908 in Krishna and Godavari and they have not come in only when they presented this Bill. At that time, Sir, Government did not think worth while to make a distinction between lanka lands and other lands under the 1908 Act and there was also no distinction made in Sri Karanth's Bill."

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THE HON. SRI KALA VENKATA RAO:—" May I ask the hon. Member why these lanka lands were not dealt with as ryoti lands and pattas given till now? "

* SRI A. KALESWARA RAO:—" There is a temptation now, Sir, because the Hon. the Revenue Minister wants to take possession of the lanka lands, and then with regard to the giving of pattas, he has classified these lanka lands into three categories. The zamindar had never had the rights in these lanka lands. That is why, Sir, we have put in in the explanation, the terms lessee and the ijardar. The zamindar has no other right except to take the kist from the ryots. Therefore, Sir, this clause is unjust and improper because it does not allow the existing rights to the ryots to the possession of this valuable property. It may be only in a few districts that such cases may arise. Except Godavari and Krishna, in other districts, the ryots have been cultivating and they have been paying the rents. Therefore, whichever ryot is in possession (but not a lessee or ijardar or collector of rent) must be given the patta. I am not therefore withdrawing my amendment."

The amendment was put and lost.

Clause 10, sub-clause (b).

SRI A. KALESWARA RAO:—" I now move my alternative amendment to sub-clause (b), because it is very important. It says—

"In sub-clause (b), for the words and figures "from the 1st day of July 1939" substitute the words and figures "from the 1st day of July 1945"."

SRI T. VISWANATHAM:—" I second it, Sir."

* SRI A. KALESWARA RAO:—" Sir, this alternative amendment is very important, because it really refers to principles and not to procedure and it deals with the substantive rights of the ryots. Of course, Sir, the Select Committee members laboured too much about the dates. But, this clause (b) is produced in a most artificial way. It is put in that 1939 should be taken as the year for this purpose. But, Sir, we must consider the ryots' position—of course if the zamindars try to do some mischief, they may take some precautions—but, why should we throw the burden more onerously upon the ryot. The ryots might have been there for a long time. On that account, we should not throw more burden on them. Therefore, Sir, I have moved that for the words and figures 'from the 1st day of July 1939,' the words and figures 'from the 1st day of July 1945' should be substituted. My object in moving this amendment is that if the ryots are there from 1945, Government must give them the patta instead of asking them that they should have been there from 1939."

* THE RAJA OF VENKATAGIRI:—" Sir, this is perhaps one of those very rare occasions when I have the pleasure of agreeing with my hon. Friend, Sri Kaleswara Rao Garu in regard to the

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grant of pattas, accustomed as we are to the peculiar manner in which my hon. Friend Sri Kaleswara Rao Garu expresses his opinions, I do not take exception to any words which he has used.

" Sir, as regards the object of this amendment, I am in agreement with Sri Kaleswara Rao Garu. It says that pattas issued to the tenant by the zamindars in exercise of their rights should come in for examination and simply because they have been issued subsequent to 1939, they should not be treated as void. Sir, I would like not merely 1945 but even that the date of publication should be taken as the date for deciding whether pattas given after that date should be accepted without examination or not. Sir, it may be alleged that certain zamindars, anticipating this legislation have issued certain pattas which should not be allowed to come into force. But, Sir, I cannot understand why any such apprehension should be entertained for the mere reason that they were issued subsequently to 1939. Since 1939, we had nine years during which we had to carry on the administration and exercise our rights in the ordinary course. Sir, as far as I am personally concerned, it is immaterial whether it is 1939. I look at it from the standpoint of the individual's legal rights—the rights of the zamindars as well as the rights of the tenants. I am one of those who feel, whether it benefits the zamindar or whether it benefits the ryots, that legislation should be on well-conceived lines which would not in any way cause complications especially in such matters where the zamindars have exercised their lawful rights. Sir, it may be said that certain zamindars have assigned away large tracts of land anticipating this legislation and such assignments should not be allowed to go unquestioned. Sir, even if it were a fact that such assignments were made, I do not see the unmorality of it so long as the rights of certain other third parties are not affected. In fact, Sir, there has been no legal bar on anyone belonging to the family of zamindars from becoming a big agriculturist. It was also alleged in the past that these zamindars have merely been collecting rents and not taking to agriculture as they should though they were expected to promote agriculture as the owners of certain proprietary rights in the land. Now, Sir, when lands are assigned and actually cultivated by certain individuals, whether they are ordinary people belonging to the villages or members of the zamindari family or relations or friends of zamindars, they should be given encouragement and not such discouragement. Sir, does this clause serve that purpose of encouragement? Is it the intention of the Government to make the zamindari class as a sort of a penal class which should not be allowed to exercise its rights in other spheres than mere collecting of rents? No, Sir.

" I do not think it is the intention. Perhaps it is the fear of the Government is that vast areas would be monopolized by a particular individual and that it is against public policy. Any such act now considered by the Government to be against public policy, namely the concentration of holdings in the hands of one individual can easily be prevented when they introduce an all-comprehensive legislation of land tenure reform. Then it would be time to decide

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the size of the holdings and other things pertaining to the mode of cultivation and other things. Sir, till that time, on behalf of the zamindars, I, though I am not personally in any way interested except as a zamindar and as one who would not like to cause inconvenience to the tenants, and create complications for them, would oppose the provisions of this Bill as drafted, and as such I have great pleasure in supporting my Friend Sri Kaleswara Rao Garu's amendments."

SRIMATHI V. SEETHA MAHALAKSHMAMMA :—“అశ్వత్థ, ఇప్పుడు శ్రీ కాశ్యపరావుగారు తెచ్చినటువంటి amendment ను నేను support చేస్తున్నాను. ఈ clause లో 1939 వ సంవత్సరంనుంచి ఈ లంక భూములను సాగుచేస్తున్న వారికి వాటిని పట్టు ఇవ్వవలెనని సూచించినారు. కాని 11 (b) (ii), 12 వ క్లాజులలో జమీందారులకు, ఈనాందారులకు 1945 వ సంవత్సరమునుంచి అయిన పట్టు ఇవ్వకవచ్చునని ఉన్నది.”

THE HON. SRI KALA VENKATA RAO :—“ఆ విధంగా లేదు.”

SRIMATHI V. SEETHA MAHALAKSHMAMMA :—“అలాగే ఉన్నది. 11 Sub-clause (b) (ii) ప్రకారం 1945 వ సంవత్సరం July 1-వ తేదీ నుండి జమీందారుల స్వాధీనములో ఉన్న కొన్ని పొలాలకు పట్టులను పొందే అవకాశము జమీందారులకు కలుగజేయబడినది. కాని ఇటువంటి అవకాశము రైతులకు కలుగజేయబడలేదు. ఈ లంక రైతులు చాలా పేదవారు. ఇటువంటి నిబంధనవలన ముఖ్యంగా నా నియోజకవర్గంలోని పేద లంక రైతులకు చాలా అన్యాయము జరుగుతుంది. ఇంకేకాకుండా ఈ లంక రైతులు ఎప్పుటినుంచి ఈ భూములను సాగుచేస్తున్నారో రుజువు చేసుకోవడము చాలా కష్టము. ఈ రైతులవద్ద ఎటువంటి రికార్డులు ఉండవు. దీనివల్ల ఈ లంక భూములను తాము 1939 వ సం॥ నుంచి సాగుచేసుకొంటున్నామని వారు రుజువు చేసుకోవడం చాలా కష్టము. అంతే కాకుండా ఈ అసెంబ్లీ ఎన్నికల జరిగేవరకు జమీందారులకు రైతులకు ఏ విధమైనటువంటి బేరాలుగాని, తగాదాలుగాని లేవు. కాని 1945 వ సంవత్సరంలో కాంగ్రెస్ ఎన్నిక ప్రణాళిక ప్రకటించబడిన తరువాతనే జమీందారులు ఈ లంక భూములను అన్యాయము చేయడము, కొంతమంది పేద రైతులను తొలగించడం, భూములను అక్రమముగా జరిగింది. ఇందువల్లనే అనేక తగాదాలు వచ్చినవి. కాబట్టి శ్రీ కాశ్యపరావుగారు ప్రతిపాదించినట్లుగా ఈ time limit ను 1945 వ సంవత్సరం July 1 వ తేదీనుండి అని పొడిగించినట్లుయితే న్యాయముగా వ్యవసాయము చేసికొంటున్న రైతులకు అన్యాయము జరుగదు. అంతేకాకుండా చాలామంది రైతులకు వారు 1939 వ సంవత్సరంనుంచి ఈ లంక భూములను స్వాధీనము చేసుకొని సాగుచేసుకొంటున్నామనే బయటపడితే రుజువు చేసుకోవడం తప్పదు. ఏమి ఈ లంక భూములను చాలాకాలమునుంచి సాగుచేస్తున్నా వివాదానికి రికార్డులులేని కారణముచేత రుజువు చేసుకోవడం కష్టమవుతుంది. కాబట్టి శ్రీ కాశ్యపరావుగారి amendment ను అంగీకరింపవలసినదిగా రెవిన్యూ మంత్రిగారిని విషయపూర్వకంగా ప్రార్థిస్తున్నాను.”

* SRI T. VISWANATHAM :—“Mr. Speaker, Sir, as I was hearing this discussion certain thoughts crossed my mind. I am not going into the A, B and C classification of these lankas. But

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when I read the explanation and listened to a general point raised by one of the Members that if in the ordinary course of management, tenants are given pattas in these lessees also are to be affected, I thought that that was a thing which runs counter to the point of view which I have been pressing on the floor of this Assembly from time to time. It is not correct to say that after the Prakasam Committee's Report, every owner of the estate, in every act of his acted in a *mala fide* manner. It is too sweeping a statement, which is very far from the truth. One is afraid now that even after the publication of this Bill in the ordinary course of management, doubts arise as to whether these estate-holders should file a suit or not for arrears of rent. Were the Government able to give an answer to that? Nothing. Neither the Secretariat nor the Minister was able to say: 'All right, you follow your own course. We are unable to advise you.' Were these people to file a suit or not, to save limitations? If they file suits, will you call it *mala fides*? If they don't file it, they would not be entitled to anything at all. Under those circumstances, some might have filed suits, and that you cannot call *mala fides*. Similarly, it is true that the Prakasam Committee's Report came out in the year 1939, and we accepted it, but the estates were not taken away. The zamindaris were not abolished. In the ordinary course of things what has this man to do, who has got the management of the estate? Simply because some zamindars might have let in some distant relation in some lanka land, you could not say that every act of letting out is *mala fide*. It is a very wrong presumption to make. Therefore I submit without going into them, the Minister will be pleased to see this, that lessees in lankas, and *ijaradars* who came into possession as such under the lease deeds executed in the ordinary course of the management of the estates by these estate-holders—unless one is able to prove that there was any corruption—must be protected. They must put in some time-limit in this clause. If it were a three years' lease they must have put in some money, and it is not right to say that they must go away simply because we are thinking of the abolition of these zamindaris. It is only for that purpose that I have risen to speak upon this amendment."

THE HON. SRI KALA VENKATA RAO :—“Well, Sir, I have explained to the House, the peculiarity about the lankas. The zamindari ryots who are lanka ryots want to have some more benefit than what exists in law. I am also interested in them. My constituency consists of zamin lankas. But this should not be the criterion. I do not think that Mrs. Seethamahalakshammamma will agree to adopt the same date for the zamindari lands in clause 11. She is of the opposite view I definitely know. Is she prepared to give the land to the zamindar if he cultivated it continuously from 1st July 1945? No. (Interruption.) Leaving alone socialization, nationalization and the rest, as practical men, we should fix a date. If you want to have 1st July 1945 for the ryot, you must adopt the same date for the zamindar also. That is not possible. (Interruption.) I do not know whether Mr. Kaleswara

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Rao will rebegin his practice in the Court of Law. Else, I would have accepted his amendment and entrusted my case to him in the High Court. But he will not go to practice in the High Court to-day. I will have to rely upon other gentlemen to argue my case, and I am advised that if you make a distinction between these two categories of people, you will be injuring the cause of the Bill. There must be some uniformity which has got to be observed in these dates. 1st July 1939 is for one purpose and 1st July 1945 is for another purpose, and that is the reason why these two dates are adopted throughout the Bill. I have frankly expressed the difficulty in this matter.

"The second thing is this. Rarely—Mr. Kaleswara Rao is receiving the support of the Raja of Venkatagiri. The reason is not far to seek. The Raja Saheb is interested in clause 11. Therefore he wants the same analogy to be followed in clause 10 so he will have an advantage in clause 11. (Interruption.) We shall see in just half an hour, who is imagining. You will naturally insist upon greater latitude being given to the private land in clause 11. If this principle is pressed upon the Government and they accept it, they cannot refuse to adopt the same principle to the zamindars in clause 11. I am perfectly certain my hon. Friend, Sri Kaleswara Rao, will refuse to be hugged by the Raja Saheb on this matter, or on any other matter.

"Then, Sir, we have to protect against binami assignments. We know of many cases, we have discussed them on the floor of this House, more than once. I do not like to go into the whole question again. Some date has to be specified. So, under the circumstances explained by me, I feel that the Government draft should stand, and I would request my hon. Friend, Sri A. Kaleswara Rao, to withdraw the amendment."

* SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, the argument of my hon. Friend, Sri Kala Venkata Rao, is not convincing. Of course, I thank him for saying that he would entrust his case to me, because he has confidence in me, but I do not practice in the High Court to-day. I thank him once again for that. But the point is this. With regard to the zamindars, they are powerful people and they know what is coming, and what is not coming. The case of the zamindars is very strong and in their favour. In 1802 they have got the estates. And then they became powerful. They encroached upon everything possible, and then from 1898 to 1918, the agitation for giving protection to the ryots began seriously. From that time onwards, the zamindars have been careful. Certain precautions had to be taken even in the Estates Land Act of 1908 that only those lands which had some evidence before 1893 would be taken. Now again, the Prakasam Committee has come. The zamindars are a strong and powerful body and they agitated the whole question once again. But what about the poor ryots? They know nothing. They merely come, and they take lands under lease from the zamindar, and cultivate them. Therefore

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this date 1939 cannot in any sense be applied to the ryots. Therefore I would request Mr. Kala Venkata Rao to accept my amendment. Really there is nothing lost, if he accepts this. It is a small thing but a very useful thing to the ryots. With regard to the private lands of zamindars, I shall deal with them, when I come to that clause."

The amendment was put and lost.

THE ZAMINDAR OF MIRZAPURAM:—"I beg to move my amendment, Sir, . . ."

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MR. SPEAKER:—"The hon. Member cannot move his amendment. The House has already given its verdict on a similar amendment."

MAHBOOB ALI BAIG SANIB BAHADUR:—"The amendment of Mr. Kaleswara Rao is a combined amendment, to omit sub-clause (b) and the proviso. The present amendment is for the omission of the proviso only."

MR. SPEAKER:—"The hon. Member (Zamindar of Mirzapuram) should have moved an amendment to the amendment of Mr. Kaleswara Rao."

* SRI R. V. SWAMINATHAN:—"Sir, I beg to move the following amendment:—

"In the proviso, for the word "landholder" add the words "or who has obtained assignment of any land from the landholder on payment of nazar or not".

I will not take much time of the House. I shall explain one or two points, which I feel, are very important. I am moving this amendment in order to tighten this provision. Because in our Province we know that a number of indiscriminate transfer of land has been made by the zamindars and inamdars without seeing whether the land belongs to them or not. I will not accuse the zamindars only. In some cases even greedy and influential ryots have approached the zamindar and they got transfer of the land after paying some money. Of course this provision refers to issue of patta. It is stated in the proviso that no person who came into possession of the land after 1st July 1945 should be given patta. Some persons might have got possession of the land by paying nazar. They may say that it is a bona fide transaction. How to manage such kinds of transactions is a question. Sir, I say that even in such cases patta should not be given whether nazar has been paid or not. The zamindars may be living in Madras City and they may not know the real position of the lands. If a ryot comes to Madras and asks a zamindar to give 20 or 30 acres of land offering a sum of Rs. 1,000, the zamindar will certainly give him the assignment because he knows that he is getting this sum for nothing. The zamindar knows that the zamins are sure to go out of his hands. When a fool of a ryot is willing to pay the zamindar that sum, the zamindar does not look into the matter whether the land belongs to him or to a ryot.

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He will simply transfer the land even if it belongs to a ryot. I want to tighten the provision of the Bill. By my amendment, I am helping the Hon. Minister. With these words I move my amendment."

SRI P. S. VELUSWAMI GOUNDER:—"Sir, I second the amendment."

MR. SPEAKER:—"I would ask the hon. Member to tell me how his amendment would fit in in the Bill."

* SRI R. V. SWAMINATHAN:—"The Hon. Minister may see that this amendment is properly worded as to fit in in the Bill. He has the assistance of Legal Department. We are not lawyers, and we might not have prepared the amendments in proper form. But our main object is to convey the principle involved in it. It is the Government who should help us in such matters. Hence I request the Hon. Minister to accept the principle of my amendment."

* THE RAJA OF VENKATAGIRI:—"Sir, I am afraid my hon. Friend, Mr. Swaminathan, is over-zealous in safeguarding the interest of the ryots. I am afraid it is not fair to have any such provision in the Bill. I do not see why such transfer of land should be void. The Bill seeks to leave it to the Government to go into the circumstances—about bona fides of the transaction—and decide the question. I do not think that the provisions of the law should say that even cases where nazar has been paid, should be considered as void. This point was examined in the Select Committee and certain Members felt that in cases where nazar was paid, patta should be given. With these words I wish to point out to the House that this amendment should not be accepted."

THE HON. SRI KALA VENKATA RAO:—"Sir, I regret I cannot accept the amendment."

SRI R. V. SWAMINATHAN:—"I withdraw the amendment."

The amendment was by leave withdrawn.

SRI A. KALESWARA RAO:—"Sir, I beg to move the following amendment . . ."

THE HON. SRI KALA VENKATA RAO:—"The amendment is about the extent of land that can be owned by a particular person. The hon. Member has given notice of a similar amendment. Instead of having discussion twice over the same point, he can confine himself to one amendment."

* SRI A. KALESWARA RAO:—"The other amendment is different from this. Therefore, I move the following amendment:—

'In the proviso, for the words "except where the Government after examination of all the circumstances otherwise

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direct" substitute the words "except where the extent of such land does not exceed twenty-five acres of wet land or an extent of wet and dry lands equivalent to that extent derived by calculating one acre of wet land as equal to two and a half acres of dry land".

The object of the amendment is this. Even if the zamindar has admitted the ryot to the possession of the waste land and the ryot got *prima facie* permanent rights of occupancy, the Government wants to deprive him of his right on the ground that the zamindar might have entered into a benami transaction, or that the transaction was mala fide. My point is this. In the case of ryots who were given pattas by the zamindars after 1st July 1945, for small extents of land, pattas should be renewed to them. If the zamindar gives patta for a large extent of land to a friend or relative, it is a different matter which we can understand. Suppose he gives land to the extent of 25 acres of wet land to his servant, or to a poor ryot. Suppose a ryot begs the zamindar to give him some land. Such a gift would be welcome to the ryot. Why should such a gift be void? Therefore in the interest of the small ryots, those who have taken pattas from the zamindar even after July 1945, should not be disturbed and they should be given pattas. I have fixed a limit to the land. It should not exceed 25 acres of wet land or an equivalent of wet and dry lands. It is not from the point of zamindars that I am speaking now. It is from the point of view of the small ryots—in some cases, servants—who are in possession of such land that I am speaking. We need not bother ourselves with such cases. In such cases even if the grant had been made after 1st July 1945, they may be granted pattas."

* SRI T. VISWANATHAM:—"Sir, I second the amendment. I would submit that this is a very healthy principle which my hon. Friend, Mr. Kaleswara Rao, has enunciated. Because, as he told us, it is not sin to assign land in one's possession to some person whom he knows. The only cases in which the Legislature should set its face against, are binami or collusive transactions. The rule is, if it is a collusive or binami transaction, it should not be protected. If it is not, it should be protected. That is a healthy principle. Mr. Kaleswara Rao did not extend the principle to its logical limit. Only in the case of small holdings to the extent of 25 acres, it must be protected. Having already discussed the principle behind such protection, I need not elaborate the point. I do submit that this is a very good amendment and the Hon. Mr. Kala Venkata Rao should think of accepting it without further discussion.

"Just one word; let him not repeat the words of mine. I have been pressing that only collusive, binami and mala fide transactions should not be considered. Let us not adversely affect persons who get small extents of land—25 acres or less in the regular course of administration."

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* SRI K. VARADACHARI:—"Mr. Speaker, in supporting the amendment moved by Mr. Kaleswara Rao I should like to draw the attention of the Hon. the Revenue Minister to the provisions which he has consented to in Act XIV of 1947, the Act for the prohibition of alienation of forest and communal lands. There he has accepted this limitation of extent in respect of all transactions whether bona fide or mala fide. By another proviso in the case of bona fide transactions, in good faith and for valuable consideration, all alienations of any extent have been validated. That being so, I fail to see why a different principle or attitude should be adopted in the case of these cultivable lands which were in the possession of the zamindar and which might have gone to waste and remained uncultivated but which were given away to bona fide agriculturists who would have paid money for them and who might have paid premiums for them. Such transactions should not be invalidated. When the Government have already accepted the principle in respect of valuable forest lands—lands which will be very valuable when they are reclaimed—when the alienations of these lands to bona fide agriculturists have been accepted as valid by the Government in Act XIV of 1947, I do not see any reason why the Government should not also accept Mr. Kaleswara Rao's amendment which limits the extent to 25 acres of wet land or the equivalent of dry lands, especially when the Government have admitted the rights of bona fide alienees as valid without any limit in the other Act."

* SRI K. KOTI REDDI:—"Sir, this is one of the instances where the Government have done a great injustice to the cultivators. I hope, Sir, that the Hon. the Revenue Minister will see his way to accept the amendment. There is no reason why the ryot who was admitted by the landholder to cultivate a piece of land even after 1st July 1945 should be deprived of his rights. It is said that on the 1st July 1945, the Congress published a manifesto to the effect that the future Congress Government would enact a law about land tenures in estates. Are the tenants, the common men expected to know this, Sir? It is too much to expect a ryot to be capable of understanding the implications of this. According to the common law of England everybody is presumed to know the law. We also take the same view, but happily for us, British democracy has limited the presumption to enacted law and not to manifestoes and communiques. Let us admit for the sake of argument that the common man, the tenant, whose cause we have been championing to-day knows that the Congress Government is going to enact a tenancy law, what is the harm that he has done to the country and what is the wrong that he has committed in getting a piece of land from the landlord and cultivating it by spending a lot of money and energy on it? Why should he be deprived of the right to own this piece of land to which he would be legally entitled to but for this legislation? Sir, everyone from the highest to the lowest, both officials and non-officials have been proclaiming that the need of the country is the production of more food and though we are an agricultural

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country of 400 millions, unhappily and to our shame, we have had to import large quantities of foodstuffs from foreign countries. Therefore, is it not the duty of the Government to encourage the cultivation of land? Politicians most of whom are arm-chair politicians know very little of agriculture. To a certain extent I can claim to be an agriculturist. I gave up law a long time ago and whether I know much of law or not, I know to a certain extent about the cultivation of land and its difficulties. To-day, Sir, I am prepared to make a gift of 200 acres of very good land to the Hon. the Revenue Minister if he wants it. I have not been able to find a cultivator for the last 17 years. Not willing to relinquish the land, I have been paying land revenue all the time."

THE HON. SRI KALA VENKATA RAO:—"After my retirement from politics, I will take it."

* SRI K. KOTI REDDI:—"After all, Sir, bringing new land under cultivation is not an ordinary thing. For one or two years and sometimes for three or four years it yields very little. It requires a lot of manure. The poor ryots not knowing what is going to happen to their lands but thinking all the while that the lands will be theirs have put all their energy and money and cultivated the land. Why should we deprive them of it? What is the idea behind it? I am unable to understand. If a landlord or a ryot brings some land under cultivation, it is certainly to the advantage of the country. If in the interests of the country it is considered necessary that the lands should be divided among all the people, it may be done by a comprehensive piece of legislation affecting the zamindari tenants, the poor landholders, the rich landholders owning 1,000 acres and more and so on. That is the proper way of doing the thing. But let us not injure the poor ryot who has cultivated the land after spending a lot of money and energy on it. I do not know what is the idea of the Government in treating these cultivators in this way, be he a small cultivator or a big cultivator. Apparently, some time ago, we understood that happily or unhappily some zamindar gave a lot of lands to his relations or made a lot of money by assigning the land to some tenants. It may be so. I do not know. But where there was no legal impediment for the zamindar doing so and where it was not immoral for him to do so, and where the ryots who have nothing to do with the landlord—innocent ryots—have cultivated a piece of land and tried to make a living out of it, are those ryots to be deprived of their piece of land? The Hon. the Revenue Minister might say, 'We will investigate every case and if we find that it has been done in a *bona fide* manner and that the ryot deserves the piece of land, we will give a ryotwari patta to him.' But the Hon. the Revenue Minister must also consider that all these cases are not going to come before him for decision. They will go before the karnam or the Tahsildar or the Deputy Collector and from what I know, one will have to spend a lot of time and energy and pay the ordinary mamools to the various people before getting a patta. If the thing is done by the Government here, all these things will be avoided. This is not a

[Sri K. Koti Reddi] [20th September 1948]

case in which the Hon. the Revenue Minister should be obdurate. He may accept a reasonable amendment such as this and I hope he will do so."

THE HON. SRI KALA VENKATA RAO:—"Sir, I am sorry, I am unable to accept this amendment. It has been stated that in some cases the zamindar would have given in good faith and in a bona fide manner lands to ordinary cultivators. I can only say this. The land will go into the hands of the Government after abolition. In the light of our general assignment policy we will try and consider these cases and do justice where it is called for. With these words, I would request my hon. Friend Mr. Kaleswara Rao to withdraw his amendment."

* SRI A. KALESWARA RAO:—"I am sorry, Sir, that my Hon. Friend does not admit of any light or reasoning. I want to make this Bill an excellent Bill if he accepts all the amendments that I have moved. This is a very good amendment. What is the meaning of his saying, 'Let the ryot lose the land first; we shall consider about giving it back to him later.' That is wrong. Keep the land with him. Why should you take it away from him and then ask him to go to the local officers to get it back? It is really bad. Sir, as I said before, this Bill is paved only with good intentions and assurances which I am not prepared to accept. I would appeal to the Hon. the Revenue Minister once more to accept the amendment."

THE HON. SRI KALA VENKATA RAO:—"There is great difficulty in distinguishing a bona fide thing and a mala fide thing. At this stage my assurance ought to satisfy the hon. Members."

The amendment was put and lost.

4 p.m. * SRI A. KALESWARA RAO:—"I beg to move my amendment, Mr. Speaker, which runs as follows:—

'After the proviso and before the Explanation, add the following additional provisos, namely:—

"Provided also that the aggregate extent of land to which a ryot shall be entitled to a ryotwari patta under this section shall not exceed three hundred acres of wet land or an extent of dry, wet and garden lands equivalent to that extent, derived by calculating one acre of wet land as equal to one and a half acres of garden land or two and a half acres of dry land:

Provided further that the ryot shall have the right to select the land or lands to that extent, if more extent is under his possession on the date of the commencement of this Act and the Government shall take possession of the excess land for the benefit of the nation."

"Sir, I am trying to introduce a socialistic principle into this legislation by my amendment. This legislation is undertaken in pursuance of the Congress election manifesto and in pursuance of

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the socialistic idealism which has inspired the framing of that election manifesto. The Hon. Revenue Minister is saying that he is going to bring Heaven on earth; that he is going to introduce very useful beneficial idealistic and socialistic legislation very soon. I do not know whether he can do it; after all the Zamin-dari Abolition Bill has really taken ten years I must say; this idea even struck Rajaji and from his Premier's post, he said, 'we have no right at present to abolish the zamindaris, but when the time comes, we shall abolish them and pension up the zamindars'. Later, Lord Erskine after he retired, said in England that this zamindari system is an anachronism; it must go. From that time onwards we have come to the present stage when our Minister Sri Kala Venkata Rao is introducing this Bill. There are three items of land reform, viz., the restriction of holdings, the levy of a progressive agricultural income-tax and thirdly the settling of the rights and terms of the pattadars and their tenants in an equitable manner. I say by my amendment, begin now this reform. We have three places in this Bill relating to the grant of pattas for land—to the ryots, to the inamdars and also to the zamindars. In respect of all these three items, I am introducing a provision fixing the aggregate extent of land. I want the Hon. Revenue Minister to make a beginning now in respect of what he has been asserting in various communiqués and statements from various platforms. Three hundred acres of wet land is not an extreme figure; I am not saying that he should stick to this figure or to 50 acres or 25 acres. One Bombay Minister has even said that the maximum extent that a ryot should possess should be only 50 acres; but I only want the Minister to make a beginning. All people will get pattas, ryots, inamdars and zamindars; therefore begin now. This is a very important amendment, and if you accept it, it will be really like Congress; it will be like Gandhiji's socialism. It will be a foundation for the great nationalization that we want to establish. This is a grand principle; begin in a moderate way. I am not saying that you should take away all the lands from the zamindars and give them to the ryots at 5 or 10 acres each. Three hundred acres of wet land will no doubt be a good thing; families can live happily with that extent and in a prosperous way. There may of course be some people, very few, who have more than this extent; and only zamindars will be affected and not many inamdars. The Revenue Minister may of course say: there are mirasidars in the Tanjore, Ramnad and Madura districts who have a thousand acres of land and more; who do you add to that number? I say: when you have the Bill before you, when you have the control of the situation in your hand, why don't you start with something? Why do you say 'Let him have any extent, even 10,000 acres; I shall deal with him afterwards.' For the matter of that, we do not know what obstacles will come in our way afterwards; why not deal with such cases even now? If you do not agree to do so, I am afraid people will think that the Congress Ministers and the Congress legislators are merely talking about something in the air which they do not believe in putting into action. Sir, I move my amendment."

[Sri A. Kaleswara Rao] [20th September 1948]

* SRI T. VISWANATHAM:—"Sir, I second this amendment wholeheartedly. In my opinion, this is a very important amendment which deals with a very good and healthy principle, a principle which is being talked of by several members. But as soon as that principle is sought to be put into action by Mr. Kaleswara Rao, I find several heads shaking 'no, no'. I however know that the intensity of the shaking is the measure of the correctness of the proposition. For the past ten years and more we have heard it said everywhere that the ryot is a poor man; that everything is for a ryot, that we breathe for the ryot, that we live for the ryot, and so on. There are many ryots who are cultivators of the soil who do not have land. Mr. Speaker, Sir, you may remember the number of questions which Sri Nagappa and Sri B. S. Murthi have been asking about the cultivators of the soil, the agricultural labourers, and as to the whether anything is sought to be done for them in this legislation. When introducing the legislation, the Government said this was intended to ameliorate the condition of the cultivators of the soil; they also said that they would abolish all the intermediaries. I want to know whether all those who are supporting the principle of this Bill and the principle of the abolition of the zamindaris, are willing to subscribe to the principle underlying this amendment of Mr. Kaleswara Rao. Three hundred acres of wet land for a single ryot or 750 acres of dry land for a ryot is much too much in my opinion, so far as I am concerned. But still I am supporting Mr. Kaleswara Rao's amendment because if you make a distribution of the land available in this Province among persons who are dependent on land, you will find there would not be even three-fourths of an acre of land for a family. In appealing in the name of the masses and in fairness to the cultivator of the soil and also remembering that this Bill is intended to solve the food problem of the country and lift up the level of the cultivating masses, I would ask the Hon. Minister and those who are thinking with him whether they are absolutely serious and whether they would not make a beginning now and translate their professions into action. I know there are ryotwari pattadars at present in delta areas who have a thousand acres and more. This Bill does not touch them immediately, but as Mr. Kaleswara Rao said, why not make a beginning, I ask? You are now converting all land into ryotwari land; therefore, begin translating your principles into action. This is a very good amendment which my friend has introduced on the floor of the House at this hour of the day. It must set the Hon. Revenue Minister thinking about this matter. For one year now, we have been thinking in terms of slogans and vague phraseology, we have been thinking of removing the intermediary between the cultivator of the soil and the estate holder, without understanding all the implications. Like so many assurances which are often given by our Ministers, the Hon. Revenue Minister also has given an assurance 'I am bringing forward a comprehensive legislation'. If we ask for better drainage in Vizagapatam, the Minister says 'A comprehensive legislation is under consideration'. Again, if anybody asks: 'Will you lay a road from this place to that', the reply is

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'A comprehensive legislation is under consideration'. Similarly, here, the Hon. Revenue Minister says a comprehensive land reform scheme will be brought forward. Of course, I am not accusing him of any *mala fides*; I am only saying that the thing has come upon us rather very soon; the estates are being abolished. I suppose during the course of this week this Bill will become an Act. (The Hon. Sri Kala Venkata Rao: 'If you allow it.') Yes; if I had my way, this Bill would have been an Act one year ago. It was because Mr. Venkata Rao's mind has been straying from the zamindars to the other tenure-holders from China to Peru, that all this delay has occurred; and I think he must thank himself for this delay. Who will not allow him to go through the Bill? We have always said, we would support him, 'take our collaboration and bring in a Bill, we will help in drafting the Bill and we will abolish the zamindaris in a month.' But he never sought our collaboration and so there is no point in his now saying 'if you allow it.' On the other hand, we are more anxious than he is to see that the zamindaris are abolished. But I am anxious to know what you are going to do with the landholders? Are you going to create another class of people called pattadars? This is a question which cannot be lightly brushed aside. I am glad Mr. Kaleswara Rao has moved this amendment, and I hope the Revenue Minister will think seriously about this. Let him not think that he has already made up his mind as in the case of every other amendment that has been moved; let him not say 'I have made up my mind, therefore, I regret and I am sorry I cannot accept the amendment'. Here is an opportunity for him and for the Government to translate their professions into practice. I have already submitted that 300 acres is too much for one man and it may be reduced to some lower figure, because it is the persons who rise from their beds before the sun rises and who go to their beds long after the sun sets, it is they that are the cultivators of the soil; they are the persons who, when the ryotwari settlement came into this Province, attracted the attention of the Committee; it was not the middlemen or the pattadars who only called themselves the cultivators of the soil, that attracted their attention. After all, only 30 or 40 per cent are real cultivators. If we really want to make this reform, let us do so now. At the stage of general discussion, everybody asked whether the Hon. Minister was doing anything for the cultivator or the soil or not. This is the best opportunity to do something for him. I think, Sir, this amendment ought to be accepted by the Minister."

SRI S. NAGAPPA:—"Mr. Speaker, I wholeheartedly support the amendment moved by my Friend Mr. Kaleswara Rao. The Hon. Minister has been pleading all these days in the country that he will bring all people to the same level and even make poor people rich. Mr. Kaleswara Rao has said that 300 acres should be the limit. I say, even 30 acres is too much; no one single family can cultivate 300 acres of land. But because it is not possible for me to move another amendment with a lower acreage, I support Mr. Kaleswara Rao's amendment and I hope the Hon.

[Sri S. Nagappa] [20th September 1948]

4.15 p.m. Revenue Minister will accept this amendment—which will go a long way in helping the poor people of this Province. Sir, I have been always saying on this Bill, if the Government want to really improve this Province economically on the agrarian side it must come forward with a progressive legislation, and not with a legislation of this kind. This will not help anybody, except creating a few more zamindars; for by this Bill Government are creating some more zamindars without that name. Now, Sir, when they cannot cultivate the land themselves, why should they own them? Is the Hon. Minister for Revenue going to accept this 300 acres suggestion? He has been a Congressman all these years; and from every platform he has been saying that every poor man will get land in the redistribution of land. Now if he agrees to the 300 acres suggestion how is he going to find land for all the people? I have suggested to him, why not he bring in that legislation even in this Bill? I would suggest 25 acres of wet land and 40 acres of dry land will do for a family. As it is, I am not able to bring forward such an amendment myself. I would request the Hon. Minister not to stand on prestige or on some such thing, but come forward with a generous offer to prove what he has been saying all these years, namely, that he exists only for the poor. Sir, what is the use of beating one's own trumpet and sticking to his gun here. I hope he would have been convinced of my arguments and he would accept this amendment."

* THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, by a slip of the tongue, my Friend, Sri Nagappa, said the object as I understood him, of this legislation is to make the zamindar poor. (Laughter.) Anyway we always believe that if we got power into our hands in our country the Ministry would adopt policies which would result a process of levelling up and levelling down only when this levelling up requires that process of levelling down. But I am sure the authors of the Congress programme and policy never had the intention of only adopting such process which would result only in levelling down."

"Now with reference to this amendment I understand the anxiety of my friend, Sri Viswanatham and others is to implement the various promises which they have given to the electorate. The promises contemplate the elimination of all the intermediaries between the State and the cultivator. I cannot for myself understand how and why such policies should be attempted to be introduced into a legislation of this kind, which aims only at the abolition of the system known as the zamindari system. Sir, as I observed a short while ago when the Ministry deals with the policy of land tenure reform then it would be time for them to decide the size of the holding and various other allied subjects. Here in this Bill, I would not welcome the introduction of such principles, for they would only create more confusion and complication and which, in my opinion, are discriminatory. Supposing, as has been commonly and generally apprehended in this House, that general scheme of reform is put in here in this Bill, I ask, should this restriction apply only to the ryots living in

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zamindari areas? Why should that restrictive measure be given effect to in zamindari areas only? Sir, let the Ministry bestow its fullest consideration and thought and decide the principle and basis of land tenure reform. Sir, at present I am opposed to have any other principles, which are absolutely not relevant to the abolition of zamindaris, introduced in this Bill, whether they affect the zamindars as such, or whether they affect the ryots. I as a member of this Legislature would like to avoid such a thing. When I spoke on some other amendment, the Hon. Minister was uncharitable enough to observe that I made my remarks from self-interest. Sir, I don't claim to be a man devoid of self-interest. But, Sir, I also claim to possess the capacity to view things from the right perspective irrespective of mere self-interest alone. For this reason I think this amendment which is brought by Mr. Kaleswara Rao may be considered when the Ministry brings forward a measure for the general land reform."

* SRI K. VARADACHARI:—"Mr. Speaker, Sir, I heartily support the amendment of Mr. Kaleswara Rao. In these days we find the capacity of the agriculturist to cultivate land limited by slender resources on the one hand and there is great agitation against absentee landlordism on the other hand. We also find that the war profiteer, the big money-lender, the merchant and the blackmarketer have all conspired to take away lands from the ryot population and have concentrated big holdings in their own hands. In several cases in zamindari areas, the hon. Revenue Minister would have found non-agricultural classes getting large extents of land into their possession by illicit means, immoral means and unsocial means. When that is the case there is no point in allowing land to be concentrated in large extent in the hands of individuals, who cannot cultivate them themselves. Nor could they cultivate them through tenants. It may be they are too unwieldy for intensive cultivation. Mr. Kaleswara Rao's suggestion to fix the maximum of holding to 300 acres of wet land or an equivalent wet and dry land is too large for an individual ryot. The fact that the zamindars may get into possession of them need not disturb at all."

SRI ROKKAM RAMAMURTHI:—"అధ్యక్షా, శ్రీ కాశ్యపరావు గారు ఉపసాదించిన ఈ amendment ను నేను బలపరుస్తున్నాను. శ్రీ కాశ్యపరావు గారు ఒక socialist State ను నిర్మించే విధానానికి పునాదిగా పుండునట్లు ఈ సవరణను చేసినారు. వారు ఏ జమిందారుకు రైతుకు, 300 ఎకరముల పట్ల పు ఘామి గాని 400 ఎకరముల మెట్టుగాని ఉండకూడదని ఆర్డీసాయపడినందులకు వారిని ఆర్డీ సందించుచున్నాను. కాంగ్రెస్ వారు అనేక సంవత్సరములనుంచి దేశములో social-ism ను ప్రవేశపెట్టాలని, అర్థిక సమానత్వము కలుగజేయాలని చెబుతూ వచ్చారు. ఇప్పుడు వారికి వారి వాగ్దానాలను నెరవేర్చుకొనటానికి అవకాశము దొరికినది. ఈ విధంగా ప్రభుత్వమువారు చేసినట్లయితే ప్రజలకు మనమీద నమ్మకము కలుగుతుంది. సంఘములోని అర్థిక తారతమ్యాలను కాంగ్రెస్ వారు తొలగిస్తారని ప్రజలకు ధైర్యము కలుగుతుందని నా నమ్మకము. ఇప్పుడు శ్రీ కాశ్యపరావుగారు ఇచ్చిన limit ను

20th September 1948] [Sri M. S. Pattabiramaiah]

லட்சக்கணக்கான பட்டாதார்கள் நமது மாகாணத்திலிருக்கிறார்கள். அந்த பட்டாதார்களுக்கு சராசரி 5 சொச்சம் ஏக்கர், 4 சொச்சம் ஏக்கர், 3 சொச்சம் ஏக்கர் நிலங்களுக்கு அவர்களுக்கு பட்டா இருக்கிறது. அவர்கள் அவ்வளவுக்குதான் சொந்தமுடையவர்களாக இருக்கிறார்கள். ஆகையால் நாம் மூன்று ஏக்கராவது வரையரும்பு செய்யாவிடால் எனக்கு முன்னால் பேசி யவர்கள் சொல்லியபடி

MR. SPEAKER:—"Order, order."

4-30
p.m.

* SRI D. V. RAMASWAMI:—“ Mr. Speaker, Sir, I cannot but indeed dissociate myself from the remarks that have been made just now by my predecessor. He need not indeed have made such wild remarks at anybody who feels called upon to take an active critical interest in such an important measure like this. I know that the Hon. Minister for Revenue had till recently been in the executive of the Congress Committee and has participated in the joys and sorrows of the masses of the people, especially in the Andhra districts and I am sure, he will yield to none in his anxiety to see that the common man is assured of his share in the good things of this world. Surely he has been promising that as soon as this legislation is over, he would bring forward another comprehensive piece of legislation to limit the holdings of an individual pattadar in the ryotwari areas also, so as to fit them into an economic unit. While considering the situation in the present context, the only question before us is to see that some provision is made immediately restricting these holdings of persons that will come into existence as a consequence of this measure,

[Sri D. V. Ramaswami] [20th September 1948]

that is to say, to see whether a reasonable economic holding would be assured to those who will be immediately affected, and if so, what the extent of that holding should be. With that background in mind, I am sure, hon. Members of the House would dispassionately and coolly consider the pros and cons of this amendment that has been brought forward by my hon. Friend, Mr. Kaleswara Rao, and not simply brush it aside or fight shy to meet his arguments. His amendment puts an upper limit only to an individual holding. It does not fix any lower limit. It is after all going to be only a temporary measure, because nothing prevents the Government at a future date from going into the whole question of tenancy legislation, for the whole Province, and from deciding what are the economic holdings, what are the equities and justice involved in apportioning lands, etc., and the Hon. Minister has also promised that he is already examining those questions in connexion with the new land revenue policy and agrarian reforms which he is going to introduce very soon. Therefore, this amendment of my hon. Friend, Mr. Kaleswara Rao, which is brought in the public interests, must be welcomed and I most heartily support it and also appeal to the Hon. Minister for Revenue to accept this essential amendment without unnecessarily creating any disunity among members who are equally anxious with him to serve the common man by forcing a division."

* MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, I had no intention to intervene in this debate. I am not a Congressman and do not hold any brief for either the Congress Party or the Congress Government, but I am compelled to intervene in this debate to say one or two points. If the Congress Government does not accept this amendment, would that be tantamount to its having given up the policy of socialization, that is to say, limiting the acreage of an individual holding which the Congress has been proclaiming all these years? No; they cannot be said to have given up that policy. But I submit, Sir, that it is correct that the Government should not consent to consider this question of limiting the acreage of an individual holding in this Bill, because that subject is not germane to the subject-matter of this Bill. The subject-matter of this Bill is the abolition of the zamindaris and converting them into ryotwari by payment of compensation for the rights acquired from them. In such a Bill, is it germane to introduce a provision limiting the acreage that a man should possess? Is it right, especially when the Hon. Minister for Revenue has been saying that the Government of India have constituted a committee which are making an enquiry into the agrarian conditions, and which would recommend what an economic holding is, and that in due course when the committee have concluded their labours, he would bring forward a comprehensive legislation in this House for this purpose. Sir, I submit that it is not so easy a matter to fix that a man should hold only so many acres of land. In Russia they have fixed an economic holding as what is known as, five acres of land and one cow.

20th September 1948] [Mahboob Ali Baig Sahib Bahadur]

Whether that system will suit this country or not, or whether such a holding is economic or not, are questions which are not germane to the present Bill.

"Now, Sir, the second point that I wish to mention in this connexion is this. I am sorry to find that there is not a single word here to say that these 300 acres must go to the actual cultivator. My hon. Friend, Mr. Kaleswara Rao, has been saying that we should limit the holding to 300 acres only. To whom, I ask? Is it to the actual cultivator or to the tenant who is an absentee landlord? There are many absentee landlords even in the zamindars. So all the criticisms levelled against the present Government is that they are not caring for the working classes, and that they are not caring for the cultivating classes. I submit, Sir, that all these things are not relevant in this connexion. The Hon. Minister has promised to consider these questions in due course and after all, Sir, I submit that even on merits, this amendment which seeks to limit the holding to 300 acres for tenants—after all they may not be cultivating tenants at all—does not command itself to me. Perhaps, it is right that a beginning should be made in this direction. But that should not be done in this Bill. Hon. Members may put forward any suggestions they like, but a responsible Government, when it is taking up this important step, must be very cautious. If one kind of tenancy is created to-day, perhaps tomorrow the ryotwari tenants will rise up in revolt and cry hoarse against this thing. The Government should be consistent in regard to these matters and should not differentiate between one set of tenants and another. As I said, they have promised that they are considering this matter, that an Agrarian Enquiry Committee has been going into this question and that it would come to conclusions, and that this difficult question of limiting the acreage would be settled in due course. That must satisfy hon. Members."

4-45
p.m.

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, while I was hearing the eloquence of some hon. Members I was thinking whether I should have occupied the Treasury Bench piloting this Bill or I should have been sitting on the back-benches and spoken with more vehemence and more enthusiasm and more eloquence. (Interruption.) Treasury Bench means the place where the Government Members sit. Mr. Kaleswara Rao need not take it in that light. He knows parliamentary practice very well and the use of the words 'back-bencher' or 'front-bencher'. I am very glad, Sir, that my friends have raised the question and spoken so very well in support of it. It augurs very well for the future, if not for to-day. Whether it is to-day or tomorrow some other Bill will have to be brought limiting the acreage or fixing certain other rights and defining the relationship between the tenant and the landlords, whether it be the present ryotwari landlords or the future ryotwari landlords as they become after the abolition of the zamindaris. That being so, I am very glad that hon. Members who have spoken on the amendment are all aware of something that is to come and also feel the justice about it. I counsel a little more patience because, when one legislation is on, another type of legislation

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cannot be clubbed with it. Mr. Kaleswara Rao wants a socialistic proposal with moderation. There is nothing called moderate socialism. There is what is called Fabian Socialism. That means, halting at every stage. If you are a real socialist you must demand the nationalization of all land. These lands should be owned in common and should be cultivated in common and the produce should be shared in common. But that time has yet to come. Now I can only promise this much. The Congress Agrarian Reforms Committee was specially appointed at the request of all the Revenue Ministers in India. That Committee has to suggest reforms which will follow the abolition of zamindaris in the Provinces. You would have read the news in the papers, Sir, that the Committee is now touring. We expect their report in one or two months. We would be able to do something, as soon as their comprehensive survey of the question comes out and as soon as the Congress High Command decides on the type of legislation and the extent to which we should go on the road to socialism, or as I would prefer to call it, on the road to Gandhism, because it was Gandhiji who suggested that all lands belong to Gopal. Therefore I wish to tell my hon. Friends that I am with them in sentiment, but not in speeding up things before the report is out. Mr. Nagappa can think of anything. This is not the occasion for me to exchange jokes with him. I can tell this much, Sir, that it is not for Mr. Nagappa that I promise any legislation. But there is that somebody there with a loin cloth, with no shelter and on the roof of whose house there are many holes through which the rain and the sun get in. There are people who are without even these 8 ounces which Mr. Nagappa and we are eating in the City of Madras. (Interruption.) Mr. Nagappa may be an advocate for them, but I am equally an advocate for them and I do sincerely believe in what I say and I do hope that Mr. Nagappa believes in what he says. He has put his signature to the manifesto and I have also put my signature to the manifesto and we have to be guided by that manifesto. We have got our reins elsewhere. We belong to an organization. Mr. Nagappa cannot go to the north and the south and I to the east and the west. As Members of the same Party we must be guided by the directions of the national executive to which we owe allegiance. If he feels otherwise, he can go to the Opposition or even take a more forward view and then begin to criticize the Government. But now we have to vote together and we have to work together and we will have to bring in reforms together. Therefore I would only plead for a little more patience. The question is going to be solved in a few months, if not within a few years. I do hope and pray, Sir, that the hon. Members, Mr. Kaleswara Rao and Mr. Varadachari will live long enough to see the time when I will later on move a Bill which will limit the extent of land, and which will bring in Socialism or Gandhian Socialism in action. But let us not mingle these ideas into this Bill which only simply seek to abolish the zamindaris.

"The other criticism was that we do not completely remove the intermediaries. It is true that as far as this Bill goes the intermediaries are the zamindars and the inamdars alone and that

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is the advice of those who have drafted the Congress Election Manifesto. (Interruption.) I am not bound to accept the interpretation which my hon. Friend gives it. I must say this much, Sir, that the present object of bringing in a legislation like this is for the abolition of the zamindaris through out India. The object is only to abolish the zamindaris and those melwaram interests which collect rent, namely, the zamindar, the inamdar, the Izaradar, the Basardar or whatever it is. That is the position. I only want to express the idea that the interest which has got the right to collect melwaram has got to be abolished. There is no use judging the Bill by another touchstone. Therefore, Sir, I can say that as soon we receive the Report of the Agrarian Reforms Committee and we get the advice of the party to which I have the honour to belong, I shall bring in such a legislation. Under the present circumstances, Sir, I would request the hon. Gentleman to withdraw his amendment."

* SRI A. KALESWARA RAO:—"Mr. Speaker, if I do not doubt the honesty of Mr. Kala Venkata Rao, I must suspect his deluding himself. The point is this, Mr. Speaker. Here in this Act we are concerned with three parties, namely, the zamindars, the inamdars and the ryots. These three are going to be given ryotwari pattas and they are going to be treated on the same level. Therefore what I propose must apply to all. That is why I have put in 300 acres for the present. When once you reduce the status of the zamindars to a lower level let it be to a level which they can adjust themselves to. That is why I have put in 300 acres, not that that I do not believe in socialism at least as much as my hon. Friend, Mr. Kala Venkataraoji. The reason why I am putting 300 acres is not that I cannot put in 15, 20 or 30 acres, but I want to bring it to a practical proposition. When we are dealing with the zamindari Abolition Bill, the Inamdari Abolition, the Mokhasadari Abolition Bill, we should know what should be the maximum for which the Government can give a patta to all these people, because all the villagers are going to become ryotwari pattadars and all the people are becoming ryots. We should not make a distinction with regard to their mode of livelihood. Of course we have the economic programme of the All-India Congress Committee. There must be some maximum and minimum. If my hon. Friend had taken the trouble he could have produced a much better legislation than this. Of course he must also listen. There is no use becoming impervious to all ideas. There is no use saying: 'I can't accept' or 'I am sorry, I cannot accept, because I am advised like that'. I only hope, Sir, that most probably he might generously accept the amendment.

"The Sowcars in the villages have purchased the neighbouring lands and they have grown big. It is capitalism no doubt. I say, keep the limit at 300 acres and don't put it at 6,000 or 8,000, etc. Tomorrow I shall speak at greater length on the question of how much the zamindars are to be given. I shall then say what they will do. They will sell away and become Kotiswaras and devour the whole society. They will control the whole society.

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There is no use simply saying that he is for the tiller of the soil. I am also actually for the tillers of the soil who are going to be made pattadars under the Bill. I have already remarked, Sir, that 90 per cent of the people in the villages are actual tillers of the soil and only 5 per cent are absentee pattadars. Therefore, Sir, the ryots will really thank us when once we assure them that we are going to deal with the zamindars, the inamdars and the aghaharamdars in the same fashion. With these few words, I have to say, Sir, I cannot accept the assurances and the good intentions of my hon. Friend, the Hon. Sri Kala Venkata Rao and I therefore request him to accept my amendment."

The amendment was put and lost.

New sub-clause (c).

MR. SPEAKER:—" Shall we sit and finish this clause? "

HON. MEMBERS:—" We shall take it to-morrow, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" How does it help, Sir, if we finish this one amendment now? You can take it up to-morrow, Sir."

MR. SPEAKER:—" We shall finish this now."

* SRI T. VISWANATHAM:—" Sir, I move—
that the following new sub-clause be inserted as sub-clause (c):—

' (c) any other ryoti land which may be decreed in his favour by any Principal Court of original jurisdiction wherein the lands are situate '."

As I was speaking on clause (a), Sir, I already drew the attention of the House to this particular thing. When the words ' ought to have been included ' are there, the trouble arises as to what are the kinds of lands which will be entered into the ryotwari patta to which the ryot is entitled under clause 10. That was the point, Sir, which we were discussing in clause (a). I submitted then that there might be lands to which a ryot might be entitled otherwise than under the provisions of the Bill. I showed that he might have litigation. He may have claims against another ryotwari pattadar who is his neighbour. He may have claims against another purchaser in a revenue sale or he may have some litigation with some of the holders of service inams who are his neighbours. I submitted therefore that there may be several other kinds of lands which the ryot may be entitled to. Therefore in order to save those lands also and in order to see that those lands also are entered in his patta I submit this amendment is necessary. There may be pending litigation and we must have a provision for what he is going to get under the pending litigation and not merely depend only on what the Tribunal is going to do under the provisions of the Bill. That is the reason, Sir, why I submitted that this is not an unimportant amendment but this is an amendment which is very necessary in order to protect the claims of the

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ryotwari pattadars. Otherwise there will be a great lacuna and afterwards it would be impossible for the tribunal to issue a complete ryotwari patta of these lands. Therefore it is necessary that in order to make the ryotwari patta complete a provision like this should be inserted. And that is my amendment, Sir."

SRI K. VARADACHARI:—" I second the amendment."

MR. SPEAKER:—" We can sit for five minutes more and 5 p.m. finish the amendment."

THE HON. SRI KALA VENKATA RAO:—" Sir, there is only one point here and that is that such lands as are mentioned in the amendment should be included in the patta of the ryot. There is no gainsaying that fact. But, I would like to submit that the insertion of this new clause is not necessary to assure that position, because the existing law covers that. The wording there ' ought to have been included ' occurs and it covers the same thing and therefore there is no need to insert this clause."

SRI T. VISWANATHAM:—" That wording ' ought to have been ' refers only to small pattas which are not included under the inams now."

THE HON. SRI KALA VENKATA RAO:—" That can be included. I think Sir, it covers and the amendment is not necessary."

The amendment was put and lost.

Clause 10 as amended was put and carried.

MR. SPEAKER:—" Regarding clause 11, there are 34 amendments. I have told the House this morning that we are making a very slow progress. I have also told the House that it is my intention to apply what is known as ' Kangaroo closure '."

THE HON. SRI KALA VENKATA RAO:—" I hope it will not be let loose on the House." (Laughter.)

MR. SPEAKER:—" The hon. Member, Sri Bhashyam, said this morning that it was not mentioned in any of our rules. But, let me draw the attention of the House to rule 150 which says:

' The Speaker shall have power to regulate the conduct of business in the Assembly in all matters not provided for in the Act, or the Rules.'

Therefore, certain things need not be mentioned in the rules. There are certain inherent powers vested in the Speaker to deal with them. But, I am not going to apply this ' Kangaroo closure ' to-morrow or day after to-morrow. I will watch the progress and then I shall inform the House whether I am going to apply this ' Kangaroo closure ' or not.

' I now adjourn the House till tomorrow 11 o'clock."

The House then adjourned to meet again at 11 a.m. on Tuesday, the 21st September 1948.

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, the 21st September 1948.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

* 345 Q.—SRI S. NAGARAJA MANIGAR:—"Will the Hon. the Minister for Firka Development be pleased to state—

(a) whether there is a scheme for the development of the firkas; and if so, whether a copy of it will be laid on the table of this House; and

(b) if not, whether the Government propose to have a scheme prepared for the purpose at an early date?"

THE HON. DR. S. GURUBATHAM:—" (a) Yes; a copy of it is laid on the table of the House. ^a

" (b) The question of reorientating the present scheme has been taken up and it is now under consideration of Government."

SRI S. NAGARAJA MANIGAR:—"Sir, the book that is placed on the table of the House only gives the general principles which are more or less recommendations of an expert committee. I wanted the concrete proposals that are before the Government or the regular plan that is before the Government according to which development is being carried on in the firkas so that hon. Members may know how much has been already carried out and what remains to be carried out and during which period the firka development will be completed?"

THE HON. DR. S. GURUBATHAM:—"We are carrying out the development of the firkas according to the plan that is drawn up. I cannot say that we are carrying out all the plan in each firka. But depending upon each firka, we are carrying out some programme."

SRI V. M. RAMASWAMI MUDALIYAR:—"In the report it is said detailed plans will be based on overall plans. May I ask, Sir, whether any of these firkas have prepared the detailed plans keeping the general plan and overall plan in view, and if so, how many firkas have prepared the detailed plan and what are the concrete achievements in the respective firkas?"

THE HON. DR. S. GURUBATHAM:—"Each firka has got its own plan based upon the plan that has been drawn up. We have evolved two principles up to the end of the official year, 31st March 1949. We are trying to have all the wells

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dug so that people can get drinking water. As far as possible the road works will be completed. We have given directions to take up at least one village in each firkas and complete the housing schemes there. This is not a plan that can be completed within three or four years. It will take ten years if we are to achieve the object of the plan."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Sir, the Government are aware that almost all the villages in our Province suffer for want of drinking water. What arrangements have the Government made to see that in these firkas drinking water-supply is assured to the people?"

THE HON. DR. S. GURUBATHAM:—"That is just the answer I gave. By 31st March 1949, every village shall have a well; that is our programme."

SRI B. S. MURTHI:—"In order to give fillip to firkas development, Firkas Development Officers have been appointed in the beginning. After some time, these posts have been abolished. May I know whether the Government are considering the revival of these posts so that cottage industries in these firkas will receive greater attention?"

THE HON. DR. S. GURUBATHAM:—"Firkas development is a new policy of the Government. In that new policy, we have ventured out on many plans. From the experience gained we are adjusting the plans. In some places we have withdrawn, and in some we have advanced the schemes. With regard to cottage industries, our scheme is to train up 20 to 50 workers in pottery, carpentry, and blacksmithy. These people were given three months' training. But it was not practicable to give training within three months. We are withdrawing that plan. We are putting forward a different plan for them. That is, we shall take up some of places where there are already cottage industries. They will be formed into a co-operative society. We will train four workers there giving them full scholarship for one year. This training will be given for three years. First year, there will be full scholarship, in the second year there will be half-scholarship and in the third year they will be self-supporting. In that scheme we are trying to put into practice what we can do."

SRI P. NATESAN:—"May I know whether there is any provision for the supply of electricity to the cottage industries in the different firkas?"

THE HON. DR. S. GURUBATHAM:—"We are not taking up the question of supplying electricity to cottage industries. But, wherever possible, we are trying to give electricity for pumping out water."

SRI R. V. SWAMINATHAN:—"May I ask, Sir, whether the Government are satisfied with the work that is being carried

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on in the firkas. If certain firkas are not working properly, will the Government consider the desirability of changing the scheme to some other firkas?"

THE HON. DR. S. GURUBATHAM:—"The Government are satisfied with the work of all the firkas."

SRI KALLUR SUBBA RAO:—"Are the Government thinking of training non-official workers in each one of the selected firkas, at least 50 workers, so that they may take up the work when the Government give it up?"

THE HON. DR. S. GURUBATHAM:—"Experience has shown us that there are not very efficient workers in the firkas. Some of the workers appointed in these firkas have not satisfied the Government; some have left, and some we had to change. We had come to the position that training of the workers is the most important function of the firkas development. We have opened a training school at Kaliupatti this month. Forty workers are being trained. We are trying to open the Dandalur school on the 2nd October. We are emphasizing the training of these people. We are trying to carry on the policy in the villages. We have come to the conclusion that we cannot tackle all the villages in the firkas. So, we have got five village development officers who are now called *grama sevaks*. We have omitted the words 'village development officers', because some of the officers develop the idea of officers with peons running after them. These people have to select one village in each group and constantly try to make that village a completely changed one."

SRI L. N. GOPALASWAMI:—"Is it a fact, Sir, that many of these Firkas Development Officers at present are not efficient in work, and if so, will the Government consider the question of replacing them?"

THE HON. DR. S. GURUBATHAM:—"I have said that we are not satisfied with many of them. We are changing them and we are trying to train them. We intend calling all the Firkas Development Officers as distinct from Village Development Officers for a conference, to discuss with them and to give them at least three weeks' training so that we may have a new policy."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"In the overall plan I see no provision for the extension of compulsory education and adult education. May I know what definite plans the Government have for the spread of compulsory education in all these selected firkas of our Province?"

THE HON. DR. S. GURUBATHAM:—"There is in the plan a place for adult education. We have not yet introduced compulsory education, because we do not have enough teachers for starting basic schools in these firkas. The policy of firkas development will be to start basic schools and in that we have not succeeded. We are trying to open basic schools wherever possible."

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M. S. ABDUL MAJID SAHIB BAHADUR:—" May I know whether the Director of Town-Planning has been consulted with regard to housing schemes that are to be adopted in all these firkas? "

THE HON. DR. S. GURUBATHAM:—" No, Sir. We are not consulting the Director of Town-Planning, because his schemes are too grand for the villages. I have been trying for the last three months to evolve a scheme and meeting different types of people who are interested in rural housing. The latest proposal put up by the department was that we should take up six villages for rural housing at a cost of 15 lakhs of rupees. We have said that we cannot go on at that rate. In my tour of Tanjore district, I met two hundred Harijan families. We are evolving a scheme to construct a house at Rs. 150. We will be drawing up the scheme in the course of a week. As I said at the beginning we are taking at least one village in each firka and we are trying to satisfy the housing scheme there. Plans will be prepared in the course of a week."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know what type of houses are going to be provided by the Government; are they going to be ' pakka ' houses or mud houses? "

THE HON. DR. S. GURUBATHAM:—" This question of ' pakka ' houses or mud houses, I am not able to see clearly. Are not mud houses also pakka houses? I will explain it a little more fully. There is a proposal put up by the Development Department to construct houses in the villages, with one room 12 feet by 10 feet and another 8 feet by 10 feet, with mud flooring, with no verandah, and with a thatched roof. This scheme costs Rs. 1,000. At this rate, we cannot satisfy the demands of the villagers. So, I have been pressing hard for another proposal, and it is this. We will give a site in Tanjore district villages. We will give them 7½ to 10 cents each. They will be provided with a door and two windows. We will give them bamboos for their roof and tiles also. The other things must be met by the villagers themselves, i.e., walls and flooring. I know the question of cement flooring is not liked by the villagers. Cement is meant for people who are using cots. In our country the villagers do not use cots. They simply spread their cloth on the floor and lie down on them. The housewife does not like a cement floor. (Interruption.) I am just explaining all this in order that we may understand the position. We are not going to provide cement flooring but only mud flooring."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know, Sir, what approximately will be the time required by the Government to develop the firka to become self-sufficient? "

THE HON. DR. S. GURUBATHAM:—" It all depends on the amount of co-operation that we get from the different departments of the Government, the co-operation from non-officials and villagers. It will take about two to ten years."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I know what happened to the spinning and weaving part of the Firka Development Scheme, and whether people are taking to it enthusiastically, and what progress has been made in that part of the scheme? "

THE HON. DR. S. GURUBATHAM:—" It is one of my headaches, if I may use that term. I find this enthusiasm for khadi in the countryside is not so great as it used to be. I find that wherever I go. (' Hear, hear. ') But still the Government are trying their level best to introduce it in the firkas. We have selected three firkas in Coimbatore district, where we are pushing on the scheme. The Government are putting all their energy to introduce khadi in all the Government departments and offices. There are a number of difficulties in the way, but we are struggling hard to put it through."

SRI P. NATESAN:—" May I know if the Hon. Minister thinks that a 12 feet by 10 feet room will be sufficient for a husband and wife, and a couple of children? "

THE HON. DR. S. GURUBATHAM:—" I have not said that. I only said that such a programme was given to us. We have not approved that programme."

SRI B. S. MURTHI:—" May I know whether in giving house-sites, the Government are taking care to see that no caste system is observed, e.g., Harijans, non-Harijans, backward communities, forward Hindus, etc.? Are all given sites side by side? "

THE HON. DR. S. GURUBATHAM:—" In all our directions, we have been telling that with regard to house-sites, the words ' Harijan colony ' should disappear from our firkas. We are omitting the words ' Harijan colony ' in all our housing schemes, and we are trying to give house-sites to all people."

SRI V. M. RAMASWAMI MUDALIYAR:—" Am I to understand, Sir, from the answer given by the Hon. Minister that each year an additional firka is to be taken for khadi, and if so, what time the Government expect to take to develop all the firkas in the various districts? "

THE HON. DR. S. GURUBATHAM:—" I have answered this question already. It will take 10 years to develop one firka, according to the co-operation that is available. The Government are not taking any more firkas until the existing firkas are improved."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" In view 11-15
of the headache the Government seems to have in the matter of a.m.
hand-spinning and hand-weaving, will the Government propose to make any radical change in the scheme so that people may take enthusiastically to something else and the money of the tax-payer be saved? "

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THE HON. DR. S. GURUBATHAM:—"All these things are being considered and we are trying to work it properly and effectively."

SRI M. BAPINEEDU:—"What new cottage industries have been introduced since the inauguration of the scheme?"

THE HON. DR. S. GURUBATHAM:—"What is meant by new cottage industries, Sir?"

SRI M. BAPINEEDU:—"Those industries that were not in existence before the inauguration of the scheme."

THE HON. DR. S. GURUBATHAM:—"We have got here the list of industries and these will be introduced according to the number of workers working in the locality."

SRI N. SANJEEVA REDDI:—"May I know whether the Government are satisfied with the work done in the firkas and whether they will consider the desirability of extending the scheme?"

THE HON. DR. S. GURUBATHAM:—"Until we have been able to make the firka developed completely, we do not like to extend."

SRI ROKKAM RAMAMURTHY:—"In the scheme, they promise to improve poultry in the country. Have the Government taken any steps in the direction?"

THE HON. DR. S. GURUBATHAM:—"Poultry farming is one of the activities in any village development and we are paying attention to that also."

SRI S. NAGAPPA:—"Have the Government been able to get certain co-operation and co-ordination from all the departments like Agriculture, Industries, Education, etc.? If not, will the Government consider the desirability of bringing all these departmental heads together and bring them under one executive head?"

THE HON. DR. S. GURUBATHAM:—"The matter has been closely considered and all the heads of the departments discussed the question and further steps will be taken to co-ordinate the departments in the firka."

SRI D. V. RAMASWAMY:—"May I ask, Sir, whether the Government in their Scheme for Firka Development have any objection to the introduction of electricity?"

MR. SPEAKER:—"One hon. Member has already asked the question."

SRI GUNTUR NARASIMHA RAO:—"Will the Government consider the desirability of encouraging other producers of khaddar for some more time as the stuff produced in the firka is not enough to meet the needs of the people?"

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THE HON. DR. S. GURUBATHAM:—"The Government will not consider individual cases but whenever there are large number of spinners and the All-India Spinners' Association has not taken up the work, we will organize co-operative societies to bring them together. We are trying to evolve a second policy to bring together large number of such spinners which will help them so that khaddar will be produced on a larger quantity than at present."

SRI MATHI V. LAKSHMI AMMAL:—"May I know if rice mills are allowed to work in the Firka Development area?"

THE HON. DR. S. GURUBATHAM:—"Rice mills are working in the Firka Development area, though they were meant to be prohibited. Before prohibiting, the Government is investigating alternative methods of husking paddy. The matter is still under investigation. I am visiting certain centres for husking rice and until we have introduced the new methods, it will not be possible to bring in legislation to stop rice mills."

SRI P. KAKKAN:—"தலைவர் அவர்களே, firka முன்னேற்றம் நன்றாக நடைபெறுவதற்கு பொதுஜன ஆதரவும், அரசியல் ஆர்வம் படைத்தவர்களுடைய உதவியும், வகுப்புவாதம்ற்றவர்களுடைய ஒத்துழைப்பால்தான் நிறைவேற்றப்படும் என்பதை கனம் மந்திரியவர்கள் அறிவார்களா?"

MR. SPEAKER:—"அவர் பக்கபலம் வேண்டுமென்று ஏற்கனவே சொல்லி இருக்கிறார்கள்."

SRI P. KAKKAN:—"என்னுடைய கேள்வி வேறுவிதம். வகுப்புவாதம் இல்லாதவர்களும் அரசியலாக்கப்பெறாதவர்களுமான வாதிகளால்தான் இத்திட்டம் நிறைவேற்றப்படும் என்பது."

THE HON. DR. S. GURUBATHAM:—"அப்படி நான் சொல்வது இல்லை. எல்லோருடைய ஒத்துழைப்பாலும் Firka Development நன்றாக நடக்கவேண்டுமென்று அதற்கு வேண்டிய முயற்சி எடுத்துக் கொண்டிருக்கிறார்கள்."

SRI P. KANDASWAMY PILLAI:—"In view of the answer given by the Hon. Minister, namely, that the interest for khaddar is going down, may I know if the enthusiasm is wanting in the consumer or on the part of the producer, Sir?"

THE HON. DR. S. GURUBATHAM:—"Not the want of enthusiasm on the part of both; but the whole country is not very enthusiastic to-day. That is how I put it."

SRI G. KUMARASWAMY:—"May I know from the Hon. Minister for Firka Development whether Prohibition which forms part of Firka Development is working satisfactorily in all the development firkas where it was introduced already?"

THE HON. DR. S. GURUBATHAM:—"Yes. Prohibition is a definite policy. We have introduced prohibition in all the firkas and they are working satisfactorily."

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SRI K. VARADACHARI:—" May I ask the Hon. Minister for Firka Development whether he has been able to get at the Electricity department to see that power wherever available in the firkas is extended further in the firka? "

THE HON. DR. S. GURUBATHAM:—" We have already contacted the Electricity department and wherever I have visited the firkas, I have called for the Electricity department and if the people guarantee income of 8 per cent, the Firka Development is contributing $4\frac{1}{2}$ per cent, so that the $12\frac{1}{2}$ per cent required by the department is met."

MR. SPEAKER:—" I have allowed 23 minutes for this question. I will pass on to the next question. If any hon. Member wants to put any further question, he may put it in writing."

Retrenchment in the Departments of the Secretariat.

* 353 Q.—SRI S. C. BALAKRISHNAN: Will the Hon. the Minister for Finance be pleased to state—

(a) whether retrenchment has been made in the several categories of officials in the Departments of the Secretariat; and

(b) if so, the number of persons who were retrenched in each category?

THE HON. SRI B. GOPALA REDDI:—" (a) & (b) The matter is under consideration."

SRI S. NAGAPPA:—" May I know, Sir, why such drastic steps were not taken by the Government as recommended by the Retrenchment Committee on the other categories and they have taken steps only in regard to lower ranks? "

THE HON. SRI B. GOPALA REDDI:—" Even in the Secretariat, there were the lower ranks of people, the lower division clerks and the upper division clerks. The question relates to those people. The matter is under consideration."

SRI B. S. MURTHI:—" May I know, Sir, if the recommendations of the Retrenchment Committee have been accepted as regards the Secretariat Departments? "

THE HON. SRI B. GOPALA REDDI:—" They required that the $12\frac{1}{2}$ per cent retrenchment should be effected in the permanent and temporary cadre of the Departments."

SRI S. NAGAPPA:—" May I know why the Government has not given effect to the recommendation, whereas the Government has given effect to the recommendations as regards poor peons and others? "

THE HON. SRI B. GOPALA REDDI:—" The recommendations as received by the Government are again scrutinized by the departments and final orders are issued. This matter is receiving attention."

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SRI D. V. RAMASWAMY:—" May I ask, whether the top officers in the Food Department as recommended and approved by the Committee have been retrenched? "

THE HON. SRI B. GOPALA REDDI:—" In several other departments they made certain recommendations and we expect to consider all the recommendations together."

SRI D. V. RAMASWAMI:—" Is it not a fact, Sir, that the post of the Joint Food Secretary is converted into Deputy Secretary? That is one has been removed and in his place another has been brought in under a different name? "

THE HON. SRI B. GOPALA REDDI:—" A separate question may be put, Sir."

SRI T. VISWANATHAM:—" May I enquire whether in view of the assurance given by the Leader of the House that the Retrenchment Committee report will be discussed on the floor of the House, whether it will be possible for him to allot a day, and pending that, not to make any retrenchment? "

THE HON. SRI B. GOPALA REDDI:—" We will consider the question of giving a day in the next session which may meet in October or so."

SRI B. S. MURTHI:—" Is it not a fact that now because of the new departments such as imposition of textile control, food control and the Government taking over bus services, the work in the Secretariat has increased and the Government will give full consideration before giving effect to the proposals of the Retrenchment Committee again? "

THE HON. SRI B. GOPALA REDDI:—" The hon. Member is quite right in saying that the work of the departments has increased tremendously during recent years and so we are considering the recommendations of the Retrenchment Committee very carefully and we have examined all the aspects of the question very carefully also."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" May I know whether the Retrenchment Committee did not take into consideration the tremendous increase in the work of the Secretariat before they recommended retrenchment? "

THE HON. SRI B. GOPALA REDDI:—" Perhaps they did."

Number of theft cases in the City.

* 354 Q.—SRI A. SUBRAHMANYAM: Will the Hon. the Premier be pleased to state—

(a) the number of house-breaking and theft cases including pickpocketing that have occurred in the City of Madras from April 1947 to date; and

(b) the number of cases detected and the action taken thereon?

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THE HON. SRI O. P. RAMASWAMY REDDIYAR:—“(a) One thousand and five cases of house-breaking, theft and pick-pocketing were reported in Madras City from 1st April 1947 to 10th August 1948.

“(b) Five hundred and thirty-four cases were detected. Of these, 437 cases ended in conviction and 97 cases are pending trial.”

Political activities of the communal organizations.

* 355 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state—

(a) whether it is a fact that the Central Government have issued instructions to the Provincial Government regarding the treatment that has to be given to communal political organizations; and

(b) if the answer to (a) is in the affirmative, whether the Provincial Government have been asked to take any notice of communal organizations which represent political matters?

THE HON. SRI O. P. RAMASWAMY REDDIYAR:—“(a) Yes.

“(b) The Provincial Government have been asked not to take notice of representations made by communal organizations on political matters.”

Revenue land given to the Lawrence Memorial Royal Military School, Nilgiris.

* 356 Q.—SRI V. I. MUNISWAMI PILLAY: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the acreage of revenue land given to the Lawrence Memorial Royal Military School, Lovedale, Nilgiris, and when and on what terms these lands were given; and

(b) what use is being made of this land?

THE HON. SRI KALA VENKATA RAO:—“(a) & (b) The land in question belongs to the Government of India.”

SRI V. I. MUNISWAMI PILLAY:—“Am I to understand, Sir, that the lands lying in the Madras Province belong to the Government of India?”

THE HON. SRI KALA VENKATA RAO:—“This particular land was given very long ago.”

SRI B. S. MURTHI:—“May I know, Sir, whether the Government will move the Government of India to give these lands to the Memorial School.”

THE HON. SRI KALA VENKATA RAO:—“They are using it for a very good purpose.”

SRI V. I. MUNISWAMI PILLAY:—“Will the Government find these particulars from the Government of India and place them on the table of this House?”

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THE HON. SRI KALA VENKATA RAO:—“We are not concerned. It is their property.”

Assistant Secretary, C.R.T. Board.

* 357 Q.—SRI P. VENKATARAMA AYYAR: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the report of the C.I.D. of Police who enquired into the conduct of the Assistant Secretary, C.R.T. Board, has been received by the Government; and

(b) whether the Government propose to place the copy of the C.I.D. report against this officer on the table of the House?

THE HON. SRI B. GOPALA REDDI:—“The answer to clause (a) is in the affirmative.

“The answer to clause (b) is that as the report is still under consideration, Government do not consider it desirable to place it on the table of the House.”

SRI K. T. KOSALRAM:—“May I ask if the C.I.D. report is not against the Assistant Secretary; whether the Government will give him promotion which has been overlooked?”

THE HON. SRI B. GOPALA REDDI:—“The matter is under enquiry and the Provincial Transport Commissioner is holding an enquiry and so I cannot say anything just now.”

SRI A. VEDARATNAM PILLAI:—“Is there any corruption charge against him, Sir?”

THE HON. SRI B. GOPALA REDDI:—“The matter is under investigation.”

SRI P. KAKKAN:—“May I know the name of the Assistant Secretary and his qualification, Sir?”

THE HON. SRI B. GOPALA REDDI:—“The name of the officer is Mr. Arulanandam; his qualifications I cannot say just now.”

SRI S. NAGAPPA:—“What is the usual procedure of the Government when there is an enquiry against any officer, whether they will suspend the officer, or they will go on with the enquiry retaining the officer?”

THE HON. SRI B. GOPALA REDDI:—“It all depends upon the nature of the offence. Either he may be transferred or suspended or kept in the post and the enquiry conducted.”

Alleged smuggling of petrol into Hyderabad.

* 358 Q.—SRI S. NAGAPPA (on behalf of Sri V. Raghavaya): Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that petrol was smuggled from this Province into the Hyderabad State in the past three months;

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(b) whether such offences took place at Kurnool and Nandyal in Kurnool district;

(c) whether any enquiry was held in the above connexion, and if so, what the quantities involved are;

(d) whether it is a fact that the B.O.C. agent at Kurnool resigned his agency after this enquiry within the past three months;

(e) at what stage the enquiry against this agent and the vendor at Nandyal is;

(f) what the names of the agents in both the places are; and

(g) whether any complaints have been received about the aforementioned transaction?

THE HON. SRI B. GOPALA REDDI:—“(a) The Government are not aware of any smuggling of petrol from this Province to Hyderabad State.

“(b) No.

“(c) to (e) The questions do not arise.

“(f) The Burmah-Shell Oil Storage and Distributing Company's agency at Kurnool stands in the names of Sri Rao Bahadur B. P. Sesha Reddi and his son Sri B. S. Sanjeeva Reddi and that at Nandyal in the name of G. Rama Subba Reddi & Bros.

“(g) No.”

SRI S. NAGARAJA MANIGAR:—“In view of the importance of my question on Firka Development, may I request the Hon. Speaker to allow a few more minutes for that question?”

MR. SPEAKER:—“It is not possible. I have already allowed 23 minutes for that question. Now we will pass on to the next item on the Agenda.”

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

II.—RELEASE OF DETENUS.

SRI B. S. MURTHI:—“Mr. Speaker, Sir, we are all very happy that the Hyderabad trouble is over. But, Sir, before this trouble started due to the Razakar movement and the indifference of the Nizam, some persons in our own Province have been arrested and are being kept as detenus. Sir, we have read in the papers that in the Provinces of United Provinces, West Bengal and Central Provinces, there is a jail delivery and release of these detenus. I would like to know from the Hon. Minister the view of the Government on this matter, and whether they would also follow suit those Governments and see that much of the trouble and tribulation that are being experienced by the family members of these detenus will be put an end to.”

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THE HON. SRI B. GOPALA REDDI:—“I may not agree with the hon. Member that the Hyderabad matter is settled. The Police action might have been over but there are still the other problems connected with the Razakar movement and other matters. Therefore, it is too premature to say anything on the position until we know what the future of these Razakars will be and what the Military Governor's attitude will be towards their organization. I may say the matter will be considered in due course and an order will be issued accordingly.”

M. S. ABDUL MAJID SAHIB BAHADUR:—“On a point of information, Sir.”

MR. SPEAKER:—“If the hon. Member wants to raise any point of information he may tell me what he wants to ask or send me a chit because, I cannot ask the Hon. Minister to answer on the spur of the moment. If the hon. Member raises any point of information, let him send a chit to me and I may pass it on to the concerned Minister or it is also open to the hon. Member to put a short notice question.”

SRI S. NAGAPPA:—“On a point of information, Sir.”

MR. SPEAKER:—“What I have told Mr. Majid holds good in the case of Sri Nagappa also.”

III.—THE MADRAS ESTATES (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947—cont.

MR. SPEAKER:—“We are now on clause 11. Sri B. Venkatanarayana Reddi will now move his amendment.”

Clause 11.

* SRI B. VENKATANARAYANA REDDI:—“శ్రీమత్, నా పేరున ప్రస్తుతువంటి సవరణను నేను ఉపాదిస్తున్నాను—

(1) for clause 11, substitute the following:—

“In the case of an estate a landholder shall with effect on and from the notified date be entitled to a ryotwari patta in respect of all lands (including lanka lands) which immediately before the notified date belonged to him as private land within the meaning of section 3, clause 10 (a), of the Estates Land Act.”

“ఈ చట్టములోని 11, 12 clause లనుబట్టి private land అనే నెపముతో జమీందారులకు ఈనాందారులకు విశేషముగా భూములను నిర్వహించు చేయుచున్నారు. ఈ చట్టము వాఫ్ అయి ఆముఖ జరిగేవరకు అన్ని విషయములు ప్రస్తుత సున్నటు వంటి Estates Land Act ప్రకారమే పరిష్కారము కావలసివచ్చును. Private land అంటే ఏమో Estates Land Act లో నిర్వచించబడి ఉన్నది. కాని ఈ clause ప్రకారము private land అనేటట్లు భూమి నిర్వహణకు చూచినట్లయితే Estates Land Act లో ఉన్న దానికంటే జమీందారులకు, ఈనాందారులకు హెచ్చు ఉపయుక్తముగా ఉన్నది. ఈ విధమైనటువంటి నిర్వచనము చేయుటలో ప్రభుత్వమువారి ఉద్దేశమేమో నాకేముతము అట్లము కావడములేదు. ఈ విషయము అనేక పర్యాయములు, అనేక చోట్ల ప్రభుత్వమువారి దృష్టి notice కి తీసుకొని రాబడిసది. ఆయినప్పటికీ కూడా

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ఈ సమయములో ఈ విషయాన్ని మరల వారి వృత్తికి తీసుకొని రావడము నా ధర్మమని భావించి ఈ సవరణను నేను తేల్చిచెన్నాను. జమీందారులకు ఈనాందారులకు ప్రత్యేకంగా ఈ private lands విషయములో కొన్ని సదుపాయములను విస్తాటు చేయవలసిన అవసరము కనపడుచున్నది. Compensation విషయంలో చిన్న పెద్ద గమనించికొని హెచ్చుతగ్గులను విస్తారుచేస్తే చాగంటిదికాని ఈ విధంగా private lands విషయములో జమీందారుల వాకవిధంగా ఈనాందారుల నొకవిధంగా చూడవలసి ఆ సరములేదు. ముఖ్యంగా ఈ 11 వ clause వలన జమీందారులకు చాలా విస్తీర్ణ పైస భూములు స్వంత భూములనే కారణంచేత సంగ్రహించగలరు.

“ఈ సందర్భంలో ముఖ్యంగా రెవెన్యూ మంత్రిగారి వృత్తికి ఒక విషయమును తేలదినాను. 11 వ clause లో 2 వ పేరాలో revenue arrears వలన వేలము కాబడిన భూములు జమీందారులకు చెందవలసినవి వున్నది. దీనివలన ఈ భూములు ప్రభుత్వమువారికి దఖలు కడతరు. ఈ విషయములో నేను పనిచేస్తే దేమిబంటు అనేక సందర్భములలో పేద రైతులు జమీందారులు విధిచితులవంటి హెచ్చుపన్నులను ఇచ్చుకొనలేక ఈ భూములు వేలమైపోతున్నాడు. దీనివలన వచ్చినది కాబట్టి ఈ భూములను విస్తారుచేయుట వేలములో వదలుకొన్నారో వాకి తిరిగి సంగ్రహించ చేయు శక్తి న్యాయమని ధర్మమని మనవిచేస్తున్నాను.

“తరువాత 3 వ పేరాలో ఈ విధముగా ఉన్నది—

(iii) all lands [not being (i) lanka lands (ii) lands of the description specified in section 3, clause 16, sub-clauses (a), (b) and (c)], of the Estates Land Act, or (iii) forest lands which have been abandoned or relinquished by a ryot, or which have never been in the occupation of a ryot, provided that the landholder has cultivated such lands himself, by his own servants or by hired labour, with his own or hired stock in the ordinary course of husbandry from the 1st day of July 1939, and has been in direct and continuous possession of such lands from that date.

“జమీందారీ, ఈనాందారీ గ్రామాలలో ఇదివరలో జరిగియున్నంత విషాద గథలను చెప్పి ఈ అమూల్యమైన కాలమును వ్యర్థముచేయుట యుక్తముకాదు. కాని ఒక్క విషయమును మనవిచేయదలచినాను. ఈ గ్రామాలలోని రైతులు కిన్ను భారమువలన ఇతర ఆర్థికపరిస్థితులవలన భూములను వదలివేయవలసివచ్చినది. అంతేకాకుండా జమీందారుల దౌర్జన్యమువలన నీటి వనరులను కలుగజేయక పోవడంవలన భూమి సాగుచేసుకొనె ఆస్కారములేక, పన్ను భారము భరించలేక అనేక సందర్భములలో రైతులు భూములను వదలి వేసుకొనవలసి వచ్చినది. ఇటువంటి భూములు ఇప్పుడు ప్రభుత్వమువారికి సంగ్రహించుటల చేసి వీటిని తిరిగి విస్తారుచేయ వేగొట్టుకొన్నారో వారికి తిరిగి ఇప్పించుట ధర్మమని మనవి చేస్తున్నాను. ఈ ఉద్దేశముతోనే నేను ఈ సవరణను ఉపసాదిస్తున్నాను.”

SRI PYDAH VENKATANARAYANA:—“Mr. Speaker, Sir, I second the amendment moved by my hon. Friend, Sri B. Venkatanarayana Reddi. Sir, clauses 11 and 12 of the Bill seek to increase the scope of the private land as defined under the Estates Land Act. Even if the definition comes under clause 10 (a) of the Estates Land Act, the existing zamindars are entitled to acquire pattas for large tracts of most valuable land, even though it is

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highly undesirable. Sir, by these saving clauses 11 and 12 of the Bill, if these zamindars lease the private lands in their estates, they will get huge income on these private lands. The income which they will be actually receiving by means of leasing of these private lands will be very much higher than the income which they will be losing by the abolition of the zamindari itself. In fact, Sir, already by this time, the zamindars have come into possession of vast tracts of such private lands and it is time for the Government to check such a development. Whenever some hon. Members point out to the Hon. Revenue Minister about the large holdings held by zamindars and other tenants, he always says that very shortly he will come forward with a new Bill to reform the present land tenure system and the present tenancy system, as if that is going to remedy thousand and one diseases. Therefore, Sir, if the Revenue Minister allows these zamindars to acquire such huge extents of land as private land, when the new Bill for the reform of the land tenure comes, it will be so difficult for him that he will find it absolutely impossible to reform the land tenure system at a later stage. No doubt, he may come forward with a new Bill to restrict the present holdings but he should take care to see that he does not agree to large holdings being acquired by the zamindars, because that will stand in his way when he comes with his new Bill for the reform of the land tenure system in this Province. For instance, Sir, suppose in the Retrenchment and Reorganization Committee Report, they have suggested some recommendations for retrenchment. There is no meaning in the Government now saying that they would create more staff now and that staff also will be affected at the time when the whole scheme is put into effect. Therefore, Sir, this amendment would be helpful to him at a later stage. If, however, prestige stands in the way of the Hon. Minister accepting this amendment, I have nothing to say. With these words, Sir, I second the amendment.”

* SRI T. VISWANATHAM:—“Mr. Speaker, Sir. I have carefully followed what has been said by my hon. Friend, Sri B. Venkatanarayana Reddi in moving his amendment and also what has been said by Sri Pydah Venkatanarayana who supported it. They have been under the impression that this clause 11 enlarges the scope of the ‘private lands’ as already defined under the Estates Land Act. I submit, Sir, it is not so. Because, Sir, if you make a reference to section 10 (a) of the Estates Land Act and then compare it with section 16 of the Estates Land Act, you will find that clauses (a) and (b) and sub-clauses (1), (2), (3) of clause 11 (b) are all culled out from them and practically re-written in the shape of clause 11. The only difference is that the ‘lanka lands’ are also brought in. Sir, these lankas sometimes make their appearance and sometimes disappear when they are under floods. (Laughter.) In this clause, they appear. Therefore, Sir, clause 11 is perforce a restatement of the position as stated in section 10 (a) of the Estates Land Act. I draw the attention of

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the hon. Member who moved the amendment and also the hon. Member who seconded it to this point. I would therefore submit that there is no force in the contention that the Hon. the Revenue Minister would be able to enlarge the scope of the private land by means of this clause.

11-45 P.m. “Section 10 (a) of Madras Estates Land Act is what is clause (b) here. The provisions which they refer to in clause 12 relating to inams are already found in clause (b) of section 10 of Estates Land Act. And the ryoti land which is defined under section 16 is all that is included now here in sub-clause (3) of clause (b) of this particular section, and I therefore submit that there is no reason to apprehend that the Hon. Minister has increased the scope of the private land as defined under the original Act, and therefore there is no reason to move this amendment. Therefore, I oppose this amendment.”

SRI K. BRAHMANANDAM REDDI:—“Mr. Speaker, Sir, if I support this amendment, I need not move the amendment that stands in my name. I am assured by the Hon. Minister that no landholder will in fact be entitled to a patta in respect of lanka lands. I am glad about it. So I need not speak about the first amendment of mine, under this clause.

“Sir, private land is defined under the Madras Estates Land Act in section 3, clause 10. Now what is said to be given to a landholder is not only the private land which belonged to him as private land as defined under section 3, clause 10 (a) of the Estates Land Act, but also lands that ‘stood recorded as his private land in a record prepared under the provisions of Chapter XI or Chapter XII of the said Act, not having been subsequently converted into ryoti land.’ My amendment is that sub-clause (a) (ii) of clause 11 be deleted. All of us are aware that generally a landholder, especially a big zamindar being a very rich and influential person is in possession of all these records available to him, and would have recorded many thousands of acres of lands as private land, in order to exclude bona fide people from possession of land, and to disentitle them from getting pattas. So, this is a very dangerous provision. Merely because some lands stood recorded in the records under the provisions of this clause as private land, it should not *ipso facto* follow that they are his private lands. It must be proved to be his private land as defined under section 3, clause 10. So, if this sub-clause (i) alone is retained, it comes to this, namely that if the zamindar is able to show that a particular piece of land is his private land, it is enough to entitle him for a patta. But the mere fact that because he has recorded certain lands as his private land should not entitle him for a patta in respect of those lands. I am aware, Sir, I am informed very reliably that many many zamindars have recorded thousands of acres as belonging to them in the category of private land. My submission, is therefore that sub-clause (2) be deleted, and if the amendment of my hon. Friend Sri B. Venkatanarayana Reddi is accepted, it makes a very intelligible and just proposition.”

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* THE HON. SRI KALA VENKATA RAO:—“Well, Sir, from the number of amendments that have been given notice of for this clause, you can see that there is some feeling about leaving any land to the zamindar as his private land. It is true, Sir, that under the 1908 Estates Land Act, the private land of the zamindar was definitely described, saying that land which has been under the continuous cultivation of the zamindar from 1896, i.e., 12 years preceding 1908, is his own. Therefore it comes to this, that if that definition alone is adopted the zamindar must prove that he has been in continuous occupation and cultivation of the said land from 1896 till 1908 or the date of notification of the estate under this Act. In the Select Committee, the matter was examined in detail. And we came to the conclusion that in the interests of the tenant as well as the zamindar, there should be a more detailed definition of private land. That is the reason, Sir, why such an elaborate clause has been put in. The main objection to this has been: ‘Why do you give something more extra than what is defined in the 1908 Act, and to which alone he is entitled?’ My answer is this. In the clause as amended by the Select Committee, there is not much more land added to what the zamindar is entitled to under the Madras Estates Land Act of 1908. I shall give my reasons for saying so.

“Clause (a) of section 11 covers only the private land which comes under the Madras Estates Land Act. The latter portion of that clause relating to the records prepared under Chapters XI and XII of the said Act, refers only to sections 183 and 185 or so, of the Estates Land Act. Those sections read as follows:

Section 183 (1).

‘In the case of any land alleged to be a landholder's private land, on the application of the landholder or of any occupant of the land and on his depositing the required amount for expenses, the Collector may, subject to rules made in this behalf by the Provincial Government, ascertain and record whether the land is or is not a landholder's private land.’

Section 183 (2).

‘Notwithstanding anything contained in any agreement or compromise, the Collector shall not record any land as a landholder's private land, unless it is proved to be such by satisfactory evidence.’

“This is the clause referred to by my hon. Friend, and it is one of the privileges given to the zamindar under the existing Estates Land Act with reference to his private land, which we cannot take away so easily. But the question is, as Mr. Brahmanandam Reddi said, as to whether many zamindars took advantage of this and got much land recorded as ‘private land’. Our

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charge has been that there was no survey, or settlement or no proper record, etc., of their own rights in their own estates, as well as of the rights of their tenants. There does not seem to be much recording of this type in many estates. Therefore, I do not think that it will injure any tenant, even if this clause is there.

“Then, Sir, coming to clause (b), I would like to point out that under the first sub-clause we give him as private land what he got by inheritance or succession. I explained the whole thing in detail the other day. What we propose to give him under 11 (b) (i) is the land which he got by inheritance. Say, for example, he has got a grandfather, i.e., his mother's father, who has a ryoti land in the same estate. Suppose the grandfather dies without a son. That land will be inherited by the zamindar. It is ryoti land in another sense. If he gets that land by inheritance, that land remains with him, according to the Hindu Law in operation now. Therefore, there is nothing extraordinary in having clause (b) (i). And clause (b) (ii) gives him the land which he secured by purchase, exchange or gift. These are some definite transactions. Purchase of ryoti land at the market value in the open market is not objectionable. Then exchange might be exchanged for ryotwari land or exchange for ‘private land’ to which he is entitled to. Anybody can give a gift to the zamindar. This is not a gift by a zamindar but a gift to a zamindar. Therefore it is nothing extraordinary in deeming these categories as ‘private land’.

“Then, we come to the important sub-clause (iii) of clause (b) of clause 11. This covers the other lands. Here the words are: ‘all lands [not being (i) lanka lands, (ii) lands of the description specified in section 3, clause 16, sub-clauses (a), (b) and (c)] of the Estates Land Act. . . .’ This refers to communal lands. Then, the clause reads: ‘which have been abandoned or relinquished by a ryot . . .’ Even these three categories of lands, he will not get under clause (b) (iii) automatically. He will not get any land which was at any time in the occupation of a ryot and got back through revenue sales. That is the fundamental principle on which we have been fighting all these years on behalf of the tenants. The charge is that the zamindar by some subterfuge methods got into possession of the land which was once ryoti land. When once a zamindar admits anybody into ryoti land he automatically becomes an occupancy tenant. He cannot resume it. The rights pertaining to that property vest in the occupancy tenant. Therefore the zamindar cannot take over these lands. The clause is in favour of the tenant. Any land which is proved to have been in the possession of the ryot at any time even if it be for a single day, that land will remain with the ryot and not with the zamindar. That is the fundamental thing specifically put in clause (b) (iii).”

MR. SPEAKER:—“There is too much of noise. Order, order.”

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* THE HON. SRI KALA VENKATA RAO:—“The waste land which the zamindar improved with his own equipment, goes to him under clause (b) (iii). The rest will be with ryots or if there is no ryot, will revert to the Government and will be assigned to those people who originally lost it to the zamindar. Many ryots have represented that lands taken from them by zamindars may if available be returned to them. The matter will be considered. This being so, except for the general socialistic principle on which we debated yesterday, there is no reason why this clause should be touched. This elaborate definition goes to help the ryot in proving what is his land. If as I have already said, any tenant comes and shows a receipt for rent paid or to show that that land was in his possession at any time, then the land goes over to the tenant and not to the zamindar. That is the principle for which we have fought. As for bought-in lands they are saved here. I gave a detailed description of the implications of this clause, the other day. So, after all this discussion, it does not seem just to delete this clause, and substitute the amendment of my hon. Friend, Sri Venkata Narayana Reddi, and I request my hon. Friend to withdraw the amendment.”

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER:—“There are 33 amendments more, for clause 11. We have considered only one amendment.”

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noon.

* SRI A. KALESWARA RAO:—“Sir, I move the following amendment:—

‘Omit the words and brackets “(including lanka lands).”’

“Sir, I want that the zamindar should not be granted patta for any lanka lands. Lanka lands are not either pannai, Sir, or domain lands of the zamindar. Lanka lands must belong to the ryots, who have been cultivating the lands. If there are no such ryots, the Government may take possession of the lands, for the benefit of the nation. Zamindars should not get pattas for any portion of lanka lands. Besides, I must also point out to the House through you, Sir, that the Revenue Minister introduced this clause in the Select Committee stage. It is not in the original Bill. This is an additional gift to the zamindar, the rich zamindar. Why should we make any gifts to the zamindars? After all, they are not owners of any property; they are merely rent-collectors. Zamindars will get their pannai, Sir and domain lands, as their private land, as they have been their ancient lands from time immemorial. With regard to other lands, we should be strict. Therefore, I propose that lanka lands should be omitted.”

SRI T. VISWANATHAM:—“I second it.”

* THE HON. SRI KALA VENKATA RAO:—“Sir, as far as I know, lanka lands that can be claimed by the zamindar, can be only those lands which were guaranteed to him by the Act of

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1908. If the present clause is read with the relevant clause of the Act of 1908, the point will be very clear. Only lanka lands which have been in the possession of the zamindar from 1896 to date and cultivated by him without break will go to him. In the circumstances which I explained yesterday with regard to lanka lands, it will be very difficult for the zamindar to prove that the lands have been in his possession from 1896 to date. This is only a drafting device, in respect of lanka lands. From information we have gathered even with regard to Kistna lankas, we think it will be difficult for the zamindar to prove that they belong to him. I am not going to make any gift of lands to zamindars, much less, lanka lands. I would request my hon. Friend to withdraw his amendment."

* SRI A. KALESWARA RAO:—"Sir, I know that 'private land' has been described in the Act. It must be in continuous possession and direct cultivation of the landholder for 12 years before 1908. It is difficult to prove that lanka lands have been in possession of the zamindar. But the zamindar can show records to that effect. Without the knowledge of the ryot, the zamindar might have got some records from the Collector by some means. Some lands may come under the second portion of the sub-clause. It is not a drafting device. Why should these lanka lands be mentioned specifically? Therefore, I submit, I cannot withdraw the amendment."

THE HON. SRI KALA VENKATA RAO:—"On enquiries made in the estates, we find that there are no records with regard to lankas maintained on up-to-date lines."

The amendment was put and lost.

* SRI R. V. SWAMINATHAN:—"Sir, I beg to move my amendment—

'Delete the words "Chapter XI or "'

MR. SPEAKER:—"The hon. Member came to my Chamber yesterday and told me that he would not take much of the time of the House. If he is earnest, he need not move his amendments."

SRI R. V. SWAMINATHAN:—"I will move only such of the amendments which are very important. I will not move other amendments."

"According to Chapter XI of the Estates Land Act, the zamindar can have certain records to show that some lands are his pannai lands. I shall give one instance. If the Hon. Minister is not satisfied and wants me to withdraw my amendment, I shall do so. But, he must understand the position and say whether I am right or not. Take for instance the Sivaganga Estate. It was leased to a

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private English Company for several years. These Englishmen thought that it was not better to have varam in kind, and that it might be commuted. Therefore they obtained permission from the Government for survey. Survey officials carried out the survey and it was completed about the year 1924. By the time the zamindar came to power, the survey was completed. But the ryots protested that land should not be surveyed; they wanted to give the varam in kind. The land there depends on rain; there are no irrigation sources from Periyar. The survey was one-sided. Though the ryots objected, the zamindar had the survey conducted. Though some lands were in the actual possession of the ryots, records were created to show them as private lands of the zamindar. According to the clause in the Bill, the zamindar will be given pattas for such lands. My amendment will not affect many estates. It will affect only a few estates. Very few estates have been surveyed in the Province. Only such estates will be affected. It is very unjust to declare some lands as private lands. The matter should go before the Settlement Officer. Let him find out whether the land is in the actual possession of the ryot. If he is satisfied let him give patta to the ryot. If the zamindar objects to this, let the Settlement Officer decide the question. The lands should not be considered as the private lands of the zamindar and pattas given to him because the survey officials have made the records to show that these lands are private lands. The provision in the Bill will affect many thousands of ryots in Sivaganga Estate. Therefore in the interests of the ryots, I appeal to the Hon. Minister to omit the words referred to by me."

SRI A. KAMESWARA RAO:—"I second the amendment."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, the hon. Member, Mr. Swaminathan wonders why I rise to speak on this amendment. I wish to point out that survey and settlement operations have been carried out in several estates in the Province according to the provisions of the Estates Land Act. I agree that there might be some cases where the zamindar got undue possession of some lands. For one or two such entries which the hon. Member, Mr. Swaminathan knows, he should not condemn every transaction and every entry in every survey. It is wrong to do so. Therefore, I submit, that this sweeping suggestion that the survey proceedings should be dropped altogether or forgotten as if they never existed, is bewildering. If he knows how the survey proceedings are carried on, he will understand the difficulty. A Survey Officer surveys the land, that survey is not final. Opportunity is given to the parties concerned, to the tenant in occupation, to the zamindar and to others who claim the land. Some suits are filed before the civil courts against the decision of the Survey Officer. It is bewildering that my hon. Friend, Mr. Swaminathan should say that all decisions given by courts should be wiped out, and that all proceedings pursued under Chapter XI should be forgotten as if they were non-existent. It is impossible.

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I can easily conceive that there may be a few collusive cases and such cases would necessarily go before the tribunal or a court of law. I always submit do not go to tribunals; go to a court of law and retain the jurisdiction of the courts of law where all binami and collusive transactions can be set aside. Therefore, I submit, that the amendment of my hon. Friend, Mr. Swaminathan should not be accepted."

* THE HON. SRI KALA VENKATA RAO:—"Sir, I explained to the House the whole difficulty. We cannot go back on the Madras Estates Land Act and the Permanent Settlement. I cannot accept any amendment which go against the existing law, against sections 183 and 185 of the Estates Land Act, by which certain rights were recorded. I assume that my hon. Friend, Mr. Swaminathan, is right. I have no dispute with him on this point. But the difficulty is, that we cannot ignore what was law in those days. I am not quite certain whether the Sivaganga Estate was surveyed or not. A portion of it might have been surveyed.

"There are other difficulties also. There might have been surveys in some estates. But finality was not reached in many estates, and no records were created. In the circumstances I regret I will not be able to accept the amendment of my hon. Friend."

The amendment was, by leave, withdrawn.

* THE ZAMINDAR OF MIRZAPURAM:—"Sir, I move the following amendment:—

(1) After the words "Chapter XII of the said Act" and before the words "not having been" insert the following:—

"(iii) were declared as private land by any decree of a court at any time before the notified date."

(2) After the words "subsequently converted into ryoti land" add the following:—

"or (iv) in respect of which a final decree or order of a competent civil court held that the tenant had no occupancy right and the landholder has not between the date of such decree or order and the date of notification admitted any ryot to possession of the land."

My amendment is a very simple one which, I am sure, the Hon. Revenue Minister will accept. It only says that if the courts have decided that a land is private land, it should be accepted. It should be taken as conclusive proof by the Settlement Officer or the tribunal in arriving at a decision. That is the object of my first amendment.

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"My second amendment also is simple. It says if any competent court has held that a particular land was never a ryoti land and it belongs to the zamindar, it should be given to the landholder. I do not like to waste the time of the House. I would request the Hon. Revenue Minister to accept my simple amendments which do not affect any of the principles of the Bill."

* THE RAJA OF VENKATAGIRI:—"I second this amendment, Sir. By accepting this amendment, I do not think the scope would be so enlarged as to allow the main object being defeated. This amendment seeks to allow land that was once declared by any decree of court before the notified date as private land to continue as private land and also it seeks to add that the land in which a competent civil court has held that the tenant has no occupancy right and into which no ryot has been let into possession subsequent to that date and before the date of the notification, should be allowed to continue as private land. I think this is mere clarification of what has already been adopted in the Bill. It is a very simple amendment and I hope it would be accepted by the Hon. the Revenue Minister." 12-15 p.m.

THE HON. SRI KALA VENKATA RAO:—"Sir, I am in sympathy with the spirit of the amendment. As I said while speaking on clause 10, this need not be incorporated in the sections of the Act. The tribunal will certainly respect the decisions of the courts. We did not make a similar provision in clause 10 and there is no need to make it in clause 11."

THE ZAMINDAR OF MIRZAPURAM:—"I respectfully suggest to the Hon. the Revenue Minister that he might include this provision in the rules, so that the Settlement Officers and the tribunals may not find any difficulty in deciding the matter."

THE HON. SRI KALA VENKATA RAO:—"I shall examine the question whether this provision can be made in the rules."

THE ZAMINDAR OF MIRZAPURAM:—"On the assurance given by the Hon. Minister that he will examine this question, I beg leave to withdraw my amendment."

The amendment was, by leave, withdrawn.

Sub-clause (b).

* SRI A. KALESWARA RAO:—"I beg to move the following amendment:—

'Omit sub-clause (b) (i), (ii) and (iii).'

In moving this amendment, I know its fate. The Minister will not accept it. He will say, "I am sorry, I cannot accept it" or "I am advised so". The party members cannot vote for it because there is already a whip that they should not pass anything which the Minister does not accept. But for the sake of the larger public

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and the people who have sent us here, I am moving this important amendment. This is a most important struggle. Of course my hon. Friend Mr. Venkatanarayana Reddi tried to do something, but he mixed up inams which are gifts of property and zamindaris and caused some confusion in the argument. The original Bill confined itself to the technically private lands of the Madras Estates Land Act. Section 3 (10) of the Act says that the private land must be of ancient origin and that it is the domain or home-farm land of the landholder such as *sir panna*, etc. From all authorities we learn that the zamindari system has been introduced for administering the collection of public assessment. The zamindars were not owners of land; they were merely rent collectors. Here is a great authority which says that in the original significance the word denoted not more than the collector of land revenue. It did not have any idea of lordship or proprietorship of the land. That was in the Mogul period. The zamindar was merely the holder of an office. His duty was to supervise the portion of the country left to his charge, to do justice to the ryots and peasants, to furnish them with the necessary advances for cultivation and to collect the revenue due to the Government. (Interruption) I am reading from Mr. Sundararaja Ayyangar's Book on Land Tenures in the Madras Presidency. I am prepared to place it on the table of the House."

SRI M. G. NATESA CHETTIYAR:—"On a point of order, Mr. Speaker, is the hon. Member in order in speaking about under-tenures when we are discussing about zamindaris themselves?"

* SRI A. KALESWARA RAO:—"It is a book on Land Tenures in the Madras Presidency. Lands are divided in all these zamindari estates into private lands and non-private lands. Non-private lands are all ryoti lands. Ryoti lands are defined in Mr. Karanth's Bill as public lands. There is a difference between the private lands of the zamindar and the public lands which belong to the ryots and to the village community. The zamindar cannot possess any portion of the ryoti land. When once a land is a ryoti land, he cannot acquire it by any means. That is what I am going to prove."

"Sir, I am not objecting to clause (a). It is technically private land. There is reference to record of rights and so on. I do not object to it. But a new clause has been introduced by the Hon. the Revenue Minister in the select committee. First it refers to all lands properly included as ryoti lands but which the zamindar gets by ways of gift or purchase or by a will. Then he refers to waste lands and abandoned lands which he has occupied from 1939. I do not know wherefrom he gets this 1939. If it is an estate it is 1908 and if it is an inam it should be 1933. This 1939 has been introduced here artificially by the Hon. Minister. He is making a gift of all lands which the zamindar is supposed to occupy and which he has no right to occupy. Lands which have been abandoned or relinquished by the ryot or which have never been in the occupation of the ryot—all these lands he wants to give the zamindar. By

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this I am reliably informed that one zamindar in my district will get 8,000 acres of wet land. By the time the so-called land reform measure is introduced—I do not know how many years it will take; the Hon. Minister is issuing statement after statement; it is easy to make statements, but it is very difficult to introduce a measure when there are so many vested interests—by the time a survey and settlement is made and pattas are given, the zamindar will have sold these 8,000 acres or the total of 10,000 acres and at the rate of even a thousand rupees an acre, he would have got one crore of rupees. I pointed out to the Hon. Revenue Minister that he is creating new capitalist. He says that there are people owning 5,000 and 10,000 acres in Tanjore and asks me what I am going to do with them and whether I am going to restrict them. But by this clause you are giving more lands newly to the landholders. The most comprehensive and the most wide provision is found in (b) (iii) which speaks of all lands which were in the possession of the zamindar before 1st July 1939. This is the most abominable scandal from the point of view of public interests and the interests of the electors who have sent us here. With regard to even gifts and purchase, what is the position under the Estates Land Act? I am not speaking of waste lands because they are public lands and they have no right to touch them or occupy them. With regard to gifts they are ryoti lands. The Collector can never take possession of estates and become owner of them. It is like that. Section 8 (1) of the Estates Land Act, 1908, says:

'8. (1) *Wherever before or after the commencement of this Act, the occupancy right in any ryoti land vests in the landholder, he shall have no right to hold the land as a ryot but shall hold it as a landholder, but nothing in this sub-section shall prejudicially affect the rights of any third person.*

Therefore when ryoti land vests in the landholder, he will have no right to it. The land goes to the public or to the ryot whom he lets in. That is the position. So also, in (4), we see 'where after the passing of this Act, the interest of the ryot in the holding passes to the landholder . . . ' he does not get the kudivaram right; when a landholder reclaims waste land, it is only melwaram and the right to collect the kist of the land. I say my friend is now giving him the kudivaram right which is against the spirit of the whole of the Estates Land Act. Mr. Karanth's Bill stated 'this is all public land and no zamindar could have any right'. If in this way thousands of acres go, what will happen, I ask? The Government should take possession of these lands and use them for the landless people. Supposing by this Bill, some even with 15 acres and less lose their land, they may be given the land, we have no objection. That should be the proper attitude of the Government. This is a most dangerous thing and a very bad thing we are introducing now"

MR. SPEAKER:—"You must conclude your speech soon."

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SRI A. KALESWARA RAO:—“ I therefore submit that this whole sub-clause (b) should go. This addition that was made in the Select Committee by the Revenue Minister should be deleted. That is my submission.”

SRI K. VARADACHARI:—“ Sir, I second the amendment. In doing so, I wish to state that by several unfortunate turns, the Congress party and the Government represented by it have come to this that they have made this enactment one which makes the rich man richer and the poor man poorer. That is what we have arrived at after long and difficult processes of consultation, discussion and ever so many cogitations over this Bill. The Estates Land Act is being sworn to by the Hon. Revenue Minister for everything; but in doing so, he must be consistent with that Act. To add more land to go under the occupancy of the zamindar himself, by taking it away from the public or from the ryot who has a right under the Act to occupy it himself, is a proposition which passes my comprehension. I do not know how we have arrived at this conclusion; evidently, it has been a very unconscious gradual transformation from the position taken up initially in the original Bill. As my Hon. Friend Mr. Kaleswara Rao put it, section 8, sub-sections (1) and (4) of the Estates Land Act never gave this right which is now sought to be given under sub-clause (b) of clause 11. I therefore submit the Hon. Minister may think twice before introducing this most revolutionary change in the status of the zamindar in so far as land which was once declared to be ryoti land is concerned. Once a ryoti land is always a ryoti land whether it is purchased or inherited; and you cannot make it the zamindar's property to-day. If you have any doubts still, you may please get it examined by the department. It is never too late to amend the law.”

* THE RAJA OF VENKATAGIRI:—“ Sir, feeling as you do, perhaps rightly, that the progress over this Bill is somewhat slow, I must submit that some of the questions are of such vital importance to the parties concerned that necessarily free and full discussion is required. Though it may not result in effecting a change in the attitude of the Ministry, since the stage of consideration on merits is not passed, the Revenue Minister may kindly consider the reasonableness of some of the amendments and accept a few. Since the object is that in view of the importance of this measure, all the differing views should be placed on record, I feel that this question of proprietorship should be gone into at some length. But I refrain from doing so just now; I propose with your kind indulgence to deal with the question of proprietorship in soil which is of fundamental and pivotal importance to the whole problem, when we come to the clause relating to compensation. But here I am tempted to cross swords with my friend Mr. Kaleswara Rao who in his great enlightenment and knowledge thinks that whatever he enunciates represents authoritative opinion on this question of

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proprietorship both from the judicial and historical standpoints. Sir, as I said, I would deal at some length with this when we go to the compensation clause; but here I would request my friend to just look into 18, Madras, in which the reputed champion of the tenants' cause, the hon. Justice Muthuswami Ayyar has observed:

‘ In the case before us, the appellant is the grantee of a permanently settled estate who is entitled to waste lands and to lands relinquished by ryots in the parganas,’ etc. In the face of that statement, to say now that only in the private lands the zamindar has got some proprietary right and not in waste lands, is I think, going beyond what the law permits.

“ Further, as regards the merits of this amendment, we feel that now that the estates are sought to be taken away, even the lands that are now permitted to be in our enjoyment are very much restricted and conditioned by certain clauses which make them of little benefit to us and almost illusory. As such, for my friend Mr. Kaleswara Rao to apprehend that this legislation through this clause would create a new class of multi-millionaires, I am afraid is rather imaginary. For one zamindar who is reputed to own several vast areas, you have got many zamindars who own very small areas; and if you impose further restrictions, they will suffer. For these reasons, Sir, I oppose this amendment.”

* MAHBOOB ALI BAIG SAHIB BAHADUR:—“ Sir, I would like to say a few words. There is a wrong impression created in my hon. Friends Mr. Kaleswara Rao and Mr. Varadachari. They have argued that by this clause, the rights of the ryots are affected; that persons who are in possession of lands are going to be ejected and those lands are going to be given to the zamindars. That is not correct. Sub-clause (b) (iii) contemplates cases of abandoned or relinquished lands or lands into which a tenant was not inducted at all. Therefore, there is a misreading of this sub-clause.

“ With regard to what my hon. Friend Mr. Kaleswara Rao said, viz., once ryoti always ryoti, it is true and the ryot also gets restricted rights under the Estates Land Act. What is the scheme of this enactment? It is that the relationship that exists between the ryot and the zamindar or the landholder must cease to exist and that ryotwari tenure must be introduced. As I said, the tenant of the ryoti land has got restricted rights under the Estates Land Act. When all lands are going to be converted into ryotwari lands, their rights are naturally being enlarged by this legislation. Similarly, the zamindar who does not have kudivaram right in the unoccupied ryoti land is given ryotwari patta by this legislation, provided he has been in occupation and continuous cultivation from 1939. Just as in the case of the zamindari ryot, whose rights are being enlarged, in the same way, the zamindar who has been occupying land and cultivating it after clearing forests and spending much money over it, is being given patta. There is nothing inconsistent here at all, especially because the whole tenure is going to be changed, from zamindari tenure to ryotwari tenure. Therefore, I

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submit, a wrong impression has been sought to be created by this amendment that whatever rights are not there, are now being given. One thing I would like to say, Sir. In the case of lands which were not in the occupation of the ryot or into which the ryot has not been admitted the zamindar has a right to cultivate it. Nobody can deny that under the existing Act. Therefore the amendment is not in order."

12-15
p.m.

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I agree with the Hon. Revenue Minister that the intention is that the lands to which the estate holder was entitled under the Estates Land Act are the lands he now seeks to vest in the landholders after the passing of this Act. That is, so far as the intention is concerned, it is all right. Mr. Kaleswara Rao's amendment is on a different point. It does not controvert correct principles, which Mr. Baig has expounded. This bringing of the dates, the 1st July 1939 has brought some confusion. It is true there are relinquished lands in which there are no ryots. Section 10-A of the Estates Land Act has clearly stated that only such lands which were in occupation by the zamindar for 12 years prior to 1908 will be his private land. But the language under this sub-clause brings the date forward to 1st July 1939, and that is what has created trouble. The intention of the Hon. Revenue Minister is confined to private lands which are already mentioned in 1908 Act and are governed by the ordinary Hindu law. But in carrying out the intention it looks as if certain confusion arose in dates. There is great force in what Mr. Kaleswara Rao said. I would request the Hon. Minister to think about that aspect of the matter also."

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, while discussing the previous amendment I have given a clear definition and the views which Government hold with reference to the whole clause. I need not go on repeating the same thing for each amendment, nor do I propose to do so.

"With reference to this particular amendment, in addition to what I have said, I would like to add that Mr. Kaleswara Rao is rather exaggerating the position; for this simple reason that he said, 'one zamindar in my district is going to get 8,000 acres or 10,000 acres, and if you multiply it by such and such a figure he will get a crore by sale of lands. Is the Hon. Revenue Minister going to add to those big landholders in the Tanjore district?' I wish he had given some more particulars. According to the information I have with me, such persons will be very, very few. Even with reference to the particular gentleman, I can say, even if we liberally calculate, he will get only one-third of what Mr. Kaleswara Rao estimated he would get. Because, he forgot one important point to take into account the year in which the Kistna East Bank Canal was opened. It was opened only in 1939. Sir, it is not proper to discuss individual names on the floor of the House. But I only said this with a view that Mr. Kaleswara Rao may not go with the impression that thousands and thousands of

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acres are going into the hands of zamindars and this Revenue Minister is a party to it. He said this has become an abominable scandal. Any scandal I can bear. For a politician in public life has to bear it in spite of his integrity of purpose in public life. But I must state that there is some exaggeration; and my picture has to be presented to the public, so that those who have not got full knowledge of the matter may think that such an abominable thing is being done in this matter.

"Then, Sir, Mr. R. V. Swaminathan said that thousands of acres are going away to the Rajah of Sivaganga, and that many tenants are being dispossessed. Mr. Prakasam's Report gives information regarding the private land owned by each zamindar and from it I could show to Mr. Swaminathan that only 2,400 acres would go to the Rajah of Sivaganga. I claim that clause (b) is in favour of the tenants; for the zamindars will get only private land by gift, sale or purchase. In sub-clause (b) (iii) there is protection to the ryot inasmuch as any land which was brought in in any revenue sale by the zamindar will revert back to the Government, if not already assigned. That is a big hit on the zamindar. Mr. Varadachari was very particular about the poor man. He said, we are only making the poor man poorer and the rich man richer. When he comes to plead for the Karvetnagar estate we shall see who is out to help the tenant. (Laughter.) I only said 'this is not the final step; this is only a first step towards helping the poor man.' Finally I would state that only 50,000 acres will become private lands, all told, out of 128,000 acres of zamin land. I shall now for the benefit of the House read some figures regarding the home-farm lands in certain zamin areas.

"In East Godavari district in Jaggampeta estate the extent of home-farm land is 656.91 acres. In Pithapuram estate it is 55.37 acres. In Krishna district, in South Vallur Part I estate the extent of home-farm land is 32.00 acres; in north-east Vallur it is 143.20 acres; in north-west Vallur it is 114.00 acres. In Trichinopoly district in the Udayarpalayam estate it is 502.92 acres. In West Godavari district in the Vasantavada estate it is 80.09 acres; in Koppakka I estate it is 16.03 acres; in Koppakka II estate it is 62.47 acres; in Konithivada estate it is 109.11 acres; in Tinnevely district, in the Ettayapuram estate it is 1,622.50 acres; in Sivagiri estate it is 351.93 acres; in Tanjore district, in the Inam Kadiramangalam it is 364.28 acres; in Vizagapatam district in the Vizianagram estate it is 935.81 acres; in Tekkali estate it is 300.78 acres and in the Mandasa estate it is 29.00 acres.

"Many of these figures are below the limit which Mr. Kaleswara Rao wants to prescribe. My only point in reading these figures is to show that we are not seeking to give away something big to the zamindars. So I do not think there is anything for much discussion about this. We are as watchful as any other

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hon. Member. It is not intended to make the rich man richer. Even if incidentally one gets richer he will remain rich only till the scissors come. I did not use the word 'razor'. I invite the hon. Mover to withdraw his amendment."

* SRI A. KALESWARA RAO:—"Sir, I do not propose to withdraw the amendment. I would leave it to the fate which I know it will have. The Hon. Minister says that fifty thousand acres of private lands are to be possessed by three thousand zamindars. In my district I know better, and with greater experience and longer intimacy and as a man connected with law courts I know which zamindar has how much land than the Hon. Revenue Minister, who sits in Fort St. George. Therefore I cannot accept his argument. (The Hon. Sri Kala Venkata Rao rose in his seat.) Please sit down." (Laughter.)

MR. SPEAKER:—"May I draw the attention of the hon. Member that the Chair is here to ask the Hon. Minister to sit down."

* SRI A. KALESWARA RAO:—"I am sorry, Sir. Sir, I am sure of my facts. I know what IS, Madras (I.L.R.), says. It only says that the zamindar has got the right to give patta of the waste lands to anybody he likes and not that he can take possession of the land. When a patta is given the man gets occupancy right. Therefore it is a major issue. How the pendulum has swung back from the Gokhale Hall meeting communist slogan to the realities of the Select Committee, by which certain zamindars are benefited by thousands of acres, which will fetch them crores of rupees! This is the most objectionable and cardinal feature of this Bill. Of course, my friend treats it lightly. It is a most serious thing; and so I cannot withdraw the amendment."

1 p.m. * SRI T. VISWANATHAM:—"On a point of information, Sir. The Hon. Minister for Revenue has read out some figures with regard to the extents of private lands in certain estates and in his reply to Mr. Kaleswara Rao, he was saying 'I know the Krishna district much better'. I think he has not given the figures in respect of all the estates in the Krishna district, Sir. I would now request him to read it again."

THE HON. SRI KALA VENKATA RAO:—"I read some figures about certain estates, Sir, but I have not got the figures for the Chellapalli Estate."

SRI T. VISWANATHAM:—"I was thinking of the Mirzapuram Estate, Sir."

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I have nothing more to say about the remarks of my hon. Friend Mr. Kaleswara Rao. I am sorry, he has been rather

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ungenerous to me in this matter. He has referred to the communist slogan from the Gokhale Hall meeting to the things that happened in the Joint Select Committee in Fort St. George. Sir, I have never been a zamindar and have not become a zamindar to-day. Yesterday I wanted to answer him, when he moved an amendment limiting the individual holding of a zamindar to 300 acres, but I did not do so, because that was not germane to the clause in question. But I must say that I would have no quarrel with him even if he cuts it down to 25 acres, because I have no special favour for any one. It is very unkind of my hon. Friend Mr. Kaleswara Rao who knows me for over 25 years either to align me with the communist slogans or to club me with zamindars for my sympathies towards them. It is also very unkind of him to have made such personal references towards me, but all the same, I am sorry, Sir, I cannot accept his present amendment."

* SRI A. KAMESWARA RAO:—"If he cannot accept the amendment, Sir, at least the Hon. Mr. Kaleswara Rao would give us some figures with regard to the estates in the Krishna district." (Interruption.)

The amendment was put and lost.

THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, Sir, I move the amendment standing in my name, namely:—

'Substitute the following for clauses 11 (b) (i), (ii) and (iii) and Explanation:—

"11 (b) all lands [not being (i) lands of the description specified in section 3 (16), clauses (a), (b) and (c) of the Estates Land Act, or (ii) forest lands] in the occupation of the landholder immediately before the notified date having been acquired by him by any lawful means, whatsoever including purchase, exchange, gift, inheritance, succession under a will or adverse possession for a continuous period of not less than 12 years, but not including purchase at a sale for arrears of rent provided that in the case of any such land which has been abandoned or relinquished by a ryot or which has never been in the occupation of a ryot the landholder has either (i) cultivated the land himself by his own servants or by hired labour or with his own or hired stock at any time prior to or after the 1st day of July 1939 and has not admitted any ryot to the possession of the land at any time between that date and the notified date, or (ii) used the land as pasture land for his cattle continuously for a period of not less than 12 years immediately preceding the date of the passing of this Act."

"Sir, this is an amendment which I want to substitute for clause 11 (b) of this Bill. I want by this amendment that the landholder should be given ryotwari pattas in respect of lands which have been in the possession of the landholder from 1939, lands which have been cultivated by the landholder either by

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himself or by his own servants or by hired labour prior to or after 1st July 1939 and also grazing lands in the enjoyment of the landholder continuously for 12 years immediately preceding the passing of this Act. As I have already stated, it will not be possible for the landholder to cultivate his lands without grazing fields. Even in ryotwari villages, the ryots are having grazing fields big enough for feeding their cattle. Sir, this is a substantial amendment which I would request the Hon. Minister for Revenue to accept.

" Sir, I have to point out in this connexion certain misleading statements made by my hon. Friend Mr. Kaleswara Rao, on the floor of this House. He was saying that the zamindars would be given thousands of acres of land, and that certain zamindars would be getting as much as 8,000 acres by this Bill. I am sorry, Sir, that such misleading statements should have been made by responsible members on the floor of this House. I can assure him, Sir, that no zamindar will get 8,000 acres of land as his personal property. Perhaps he has got a particular zamindar in his view, but still I can assure him and this House that even he would not get 8,000 acres of land. He would get very much less than what my hon. Friend Mr. Kaleswara Rao thinks. Whether the landholder would get large extents or small extents, justice should be done to him by the Government. There are several ryotwari ryots even in my own district of Krishna owning hundreds of acres of land, who have leased out their lands to their tenants and are enjoying incomes of something like Rs. 100 and Rs. 200 from each acre. I do not know what my hon. Friend Mr. Kaleswara Rao is going to do with them. Why does he want that zamindars alone should not be given lands or that lands should be restricted for them alone? By giving expression to his own pet theories and ideas, Mr. Kaleswara Rao is neither helping the Government nor the tenants. He is only just trying to play a political stunt. Probably he wants to get himself popular. Perhaps he wants to become the Leader of the House next time, which God forbid! (Laughter.) So, Sir, I submit that the party which is in power and which is expected to do justice to all classes and all communities should not be led away by the mere political slogans and political ambitions of a few set of people, who are out to ruin one class of people from the society.

" Mr. Speaker, I have known Mr. Kaleswara Rao for the last several years and he is one of my dearest friends. We have always sailed in the same boat and even now we are sailing together in my district. He has been supporting me and I have also been supporting him in certain policies. Of course he is a Congressman and I am not a Congressman, but we are supporting each other in many matters. While that is so, he should not try to wreak his vengeance against the landholders at the present juncture for some of his imaginary grievances against them. With these remarks, Sir, I would request the Hon. Minister for Revenue to kindly consider and accept the amendment I have proposed."

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MUHAMMAD RAZA KHAN SAHIB:—" Mr. Speaker, Sir, I second the amendment moved by my hon. Friend the Zamindar of Mirzapuram. I do not like to say much on this matter, except to request the Hon. Minister for Revenue to feel the reasonableness of the demand made by my zamindar friends. After all you are depriving them of their estates which they have been enjoying for a very long time. Whatever may be the contention of the Hon. Revenue Minister, there are no doubt lands which are in possession of the zamindars and which they have been cultivating either by themselves or by their own servants or by hired labour. It may also be that they have come into possession of some lands which have been abandoned by the ryots and sometimes they would have also purchased lands which had come into auction. Incidentally I may submit for your information, Sir, that whenever kist is not paid by the tenants, their lands are brought to auction and the usual practice is that when there are no bidders, naturally the zamindars are forced to take them for the arrears of the kist. I do not think, Sir, that is being resorted to by the zamindars in a deliberate way to deprive their tenants of their lands. In the natural course of things certain ryots might have felt that cultivation of certain lands was not a feasible proposition and so they might have abandoned the same or sometimes they would have been unable to pay kists and in such circumstances, their lands would have been brought to auction in the usual process and by such means and in the course of so many decades, the zamindars might have come into possession of these lands. It is therefore only fair that the zamindars should be given ryotwari pattas for these lands and I do not think that there should be any objection on the part of the Government to accept this amendment of my hon. Friend, the Zamindar of Mirzapuram.

" Incidentally, Sir, I may here draw the attention of the Hon. Minister for Revenue to another aspect of the question. Of course, he would say that he would take up this question at a later stage, but I think it is better to do it now than later. The Hon. Minister is aware that there are lands which are being used for industrial purposes, like the tanneries. They cannot by any stretch of imagination be deemed to be agricultural lands. These lands have been purchased by some zamindars as a sort of property. Although there are no amendments down on the paper to exclude all these lands from the purview of this Bill, I still feel that the Government should rightly exclude them from this Act, because these lands have been purchased by the zamindars as a sort of property and they are entitled to annual rents and other incomes from such property, which they have been getting all these years. I hope, Sir, that the Hon. Minister for Revenue will accept this suggestion also."

* SRI A. KAMESWARA RAO:—" Mr. Speaker, Sir, I oppose this amendment and in doing so, I should like to say a few words with regard to the sweeping remarks made by my hon. Friend

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the Zamindar of Mirzapuram. It is unfortunate that our zamindar friends do not yet realise that they are now living in a different age altogether. They are still thinking that they are living in the olden days when they had their full sway. The other day, the Zamindar of Mirzapuram threatened that this Bill would not see the light of day. To-day he attacks our valiant and veteran leader Sri Kaleswara Rao who has been serving the country for the last thirty years and who has been championing the cause of the ryots and it is unfair that such attacks should be directed against him. I am afraid, Sir, that all these amendments should be carefully gone through and should not be easily accepted. I take strong exception to the remarks of the Zamindar of Mirzapuram and I request the Hon. Speaker also to see that such personal attacks are not made while speaking on any amendment. I should also like to warn my hon. Friend that he is not living in the year 1928 or 1939 when the British Imperialism was ruling us. (Interruption.) I am not yielding Sir, but they are living in the year 1948. It is unfair that he should say like this even when the zamindars are being treated very fairly."

THE ZAMINDAR OF MIRZAPURAM:—"On a point of order, Mr. Speaker, I want to know whether any hon. Member of this House can warn or threaten another Member of the House."

MR. SPEAKER:—"No, the hon. Member cannot do so. He will not do so in future."

SRI A. KAMESWARA RAO:—"It is not a threat, Sir, but I am only telling him this."

THE ZAMINDAR OF MIRZAPURAM:—"Sir, I should like him to withdraw."

SRI A. KAMESWARA RAO:—"Sir, if things go on at this rate, or if anything is done to delay or stop the course of this Bill, I can assure him that the next Bill, when it comes, will be a more drastic Bill and they will suffer much. I wish, Sir, that they will be cautious in using their language. Of course they can bring forward any amendments, but they should not use this kind of language. I am opposed to this amendment, Sir, because it is the amendment of the interested party."

1-18 P.M. * THE RAJA OF VENKATAGIRI:—"Sir, to commit any mistakes in parliamentary debates cannot be the monopoly of any Member of this House, and that monopoly cannot be exercised with impunity. My friend the Raja Sahib of Mirzapuram was referring to certain unfortunate remarks made by some speaker. We are aware that we are not now living in 1928 and that we are now in the Gandhian era. We have got that great Mahatmaji, and I hope and trust that that departed soul would always be there in that picture and guide us in whatever we decide and whatever ideas and thoughts we give expression to. Apart from the facts and apart from the personal reminiscences to which my hon. Friend the Raja Sahib of Mirzapuram has referred, i.e., about

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Kaleswara Rao and others, this amendment deals with certain lands to be given or to be left in the hands of the zamindars. If this Bill comes into force—I would again repeat 'May God forbid such a contingency'—it would dissociate the zamindars entirely with the lands with which they have been associated through legislation for nearly 50,000 days, since the enactment of 1802 regulation, and also through their claim from time immemorial. This class of lands called private lands were recognized not only in 1908, but from an earlier date, i.e., 1802. Even before 1802 itself you will find that these have been mentioned in records. To-day my hon. Friend Mr. Kala Venkata Rao is being accused of making or creating by this legislation a new class, and a class which would be richer than the zamindars of to-day. While I am interested in the ordered and progressive advance of this country towards that cherished goal of peace, prosperity and contentment for all, I am not interested in the personal or cross party currents. All that I am interested in—and I appeal to the House as a whole irrespective of their ideologies or their personal predilections—is that we should see that legislation when passed should be worthy of this House and worthy of the great ideals for which this great Congress Party professes to stand and for which Mahatmaji has laid down and sacrificed his life. That is Dharma for all. Let us see whether *Dharma* is being done to all now. Are we really creating a new class richer than the zamindar? If a zamindar who now owns ten thousand acres converts that land into money and gets about a crore of rupees, I ask would he be richer than he is to-day? No, certainly not; he would not be richer. In the process of discussions on these measures of deprivations of our properties while care should be taken to see that no waste of time is there, I plead that we, the representatives of landholders, should be given a little latitude. Those remarks are actually relevant. They were occasioned by certain remarks by other Members of this House. I cannot allow those remarks to go unreplied. This is an important class of land. What would be left would really be a very much reduced fraction of the land which is now in the possession of the zamindars. Should there be any objection to a zamindar being an agriculturist? When the Government decide upon limiting the size of holdings, and decide upon a comprehensive programme of land tenures, then it would be time for them, but not until then. Till then, I would say that every individual whoever he may be, be he a zamindar or an inamdar or a mirasdar, should not be subject to any restrictions placed on his holdings. I have given notice of another amendment which deals with lands purchased in auctions. Subject to that exception I support this amendment. Here also I have got an amendment dealing with the date. In general, I would say that zamindars should not be prevented from owning lands and cultivating them, subject to one condition, namely, that no ryot is deprived of his rights and that his rights, if any, are safeguarded. It is not a new class which the Hon. Revenue Minister is creating. As a matter of fact, our grievance against him is that those rights are

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very much curtailed and without any justification. As I said, Sir, it is a surprise to me to see that the Revenue Minister is accused of creating a new class. There are three classes of lands, one is what are called private lands, the second is that which comes to the zamindar by inheritance or purchase, and the third class is land which was never in the possession of the ryots but which were made cultivable lands at great expense by the zamindar himself. For all these, the tests applied are rather restrictive. Sir, I have pleasure in supporting the amendment of my hon. Friend the Raja of Mirzapuram."

* THE HON. SRI KALA VENKATA RAO:—"Sir, while I am not afraid of the charge that I am going to the side of the zamindars—I am not also afraid of the charge of the zamindars that I am going to the side of the ryots . . . (Interruption.) I am a ryot and I will continue to be a ryot, and I will go on defending the rights of ryots. (Sri T. Viswanatham: 'Are you also a cultivator?') Now I am not. I own some lands in a zamindari. Therefore, I am an occupancy ryot. There is nothing wrong in defending the rights of ryots. I would like to state that the maximum extent to which we could go, we have already gone in clause 11. I am not prepared to accept any further enlargement of clause 11. Therefore, I oppose the amendment of the hon. Member, the Raja of Mirzapuram."

The amendment was put and lost.

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, the Hon. the Revenue Minister has defeated me with regard to my amendment to delete sub-clause (b) altogether. Now, I am moving another amendment saying that sub-clause (b) should be confined to small landholders. You may give a gift, but I object to gifts being made to all the zamindars irrespective of the size of their zamins or irrespective of the compensation that will be paid to them. Therefore, I want that this sub-clause dealing with the grant of lands on patta in addition to private land should be confined to small landholders. Of course some possess many thousands of acres as private land and others do not possess any. With regard to land to be granted on patta, I want that it should be confined to small landholders. My amendment is—

"In sub-clause (b), at the beginning, the following words shall be inserted, namely:—

"(b) In the case of a landholder who holds only one village or only part of a village as his estate, he shall be entitled to a ryotwari patta also in respect of the following lands in addition to the lands specified in clause (a) of this section."

"Sir, sub-clause (a) refers to ordinary private land. Sub-clause (b) refers to additional private lands which the Hon. the Revenue Minister has been pleased to grant to them. I submit

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that this is far in excess of Mr. Karanth's Bill. I have always been comparing this Bill with his. Of course, people think that I am speaking from political motives."

MR. SPEAKER:—"The hon. Member will continue his speech after lunch. The House will now adjourn and meet at 2-30."

(After lunch—2-30 p.m.)

SRI A. KALESWARA RAO:—"Mr. Speaker, if the Hon. Minister says that this is a Bill in itself and it is not one of the series of Bills, then except on certain points, there can be no quarrel. But he professes on the one side extreme socialism saying that he would restrict holdings to 25 acres or 50 acres . . ."

MR. SPEAKER:—"The hon. Member has mentioned this point a number of times."

SRI A. KALESWARA RAO:—"If that is not there there is no difficulty. But why should we first create these big holdings? I must thank my hon. Friend, Mr. Kameswara Rao, for defending me against my friend the Raja Sahib of Mirzapur. I do not mind the ordinary remarks, Sir, for when we are arguing many things would naturally come. I know when I am opposing the big zamindars they will be angry with me, especially when distinct groups are being formed to control the next elections. That is a different matter. Whatever it is, Sir, I do not mind. I want to point out, Sir, that Mr. Karanth's Bill stated that a private land, unless it still continued under their cultivation, would be taken over. It not only said '12 years' cultivation before 1908' but it also said: 'Provided that any such land which ceases to be so cultivated shall cease to be private land.' Where are we between Mr. Karanth's Bill and Mr. Kala Venkata Rao's Bill? That is the position, Sir. Therefore I want to point out to the public through the House, Sir, this thing. I request the Hon. Minister to give up his previous position and reconsider his position and confine all these benefits which he is conferring in an extra-judicial way—for it is going beyond the existing law—on the zamindars and the landholders, to the small people among them who have only a small share in the holdings."

SRI ROKKAM RAMAMURTHI:—"అదృష్టం, నేను ఈ amendment ను second చేస్తున్నాను. Private lands విషయములోను, దరిమితు కొనుక్కొని గాని gift వల్లగాని, విల్లువల్లగాని సంక్రమించినటువంటి భూముల విషయములోనూ, పెద్ద పెద్ద జమీందారులను వేలకొలది ఎకరములున్న వారిని, లక్షలాది రాబడి కలిగినటువంటివారిని, వృష్టిసంపదించుకొని అందరిని ఒకేవిధంగా—చిన్న జమీందారులను, ప్రాకర యిట్లను—చూడడం ఆలోచించవలసియున్నది. ఈ పెద్ద భూస్వాములు లక్షలాది రాబడిగలవారు. ఇటువంటి జమీందారీలను impartiable estates అని అంటారు. కాని 1 వెయ్యి, 2 వేలు, 3 వేలు, 4 వేలు రాబడి ఉన్నటువంటి చిన్న చిన్న estate lands ను ప్రాకరయిట్లను ప్రత్యేకంగా చూడాలి. ఇటువంటి చిన్న ప్రాకర

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బుట్టర్లకు ఉన్న భూమి చాలా తక్కువ. ఒక్క గ్రామము ఉన్న వారుకూడా కలరు. కొన్ని కొన్ని గ్రామాలలో భూమి 50, 60 మ.ది ప్రాప్తబుట్టర్లకు పంచబడికూడా ఉన్నది. ఇటువంటి సామాన్య సంసారీలు, పెద్ద బిమిందారులు ఈ private lands విషయములోను, దరిమిలా స్వక్రమించిన భూములలోను ఒకే విధమైన సేవం గలవలసిన కట్టుబడునట్లుగా చేసినట్లయితే ఈ చిన్నచిన్న భూస్వాములకు చాలా అన్యాయము జరుగుతుంది. ఈ చిన్న భూస్వాములు ఈ భూములను చాలాకాలము నుంచి స్వంత సేవ్యము చేసుకొంటూ ఆనుభవిస్తున్నారు. ఇప్పుడు ఒక్కసారిగా వారి భూములను తీసివేసుకోవడము ప్రజలలో చాలా అశాంతి ఆసంశ్యపై కలుగుతుంది. ఈ కారణాలవల్లనే శ్రీ కార్యశ్రీర రావుగారు తెచ్చినటువంటి సవరణను నేను ఎలవరుస్తున్నాను. కావలసి వచ్చినట్లయితే ఈ భూస్వాములు, 100, 200, లా 300 లో ఎక్కువ భూమి కన్న ఎక్కువ భూమిని ఉంచుకొనకూడదని నిబంధన చేయవచ్చును కాని ఈ మధ్యరకపు సంసారులను ఒక్కసారిగా వేదవారిగ చేయడం వారు చాలాకాలము నుంచి సాగుచేసుకొని ఆనుభవించుచున్న భూములను తీసివేసుకోవడం భర్తంకాదని మంత్రులకి మనవిచేస్తున్నాను."

THE RAJA OF VENKATAGIRI:—"Sir, I have pleasure in supporting the amendment moved by my hon. Friend, Sri Kaleswara Rao Garu. It just happens that we are in the same boat as far as this amendment is concerned. Though I believe in calling a spade a spade I do not accept the suggestion of my friend, Mr. Natesa Chettiyar, that I am doing it with the object of benefitting the ryot. Of course, I would be delighted if the ryot is benefitted by any of the provisions and I would certainly like to see that the ryot is benefitted while there is no detriment to the vital interests of the landlord. Therefore I would like to make my position absolutely clear. I am trying to safeguard the legitimate, the just and what I consider to be the established vital interests of the landholders. This amendment involves a very wholesome principle, namely, that lands that have been cultivated should be assigned to the landholders as private land, if they were cultivated and were in his possession from the mentioned date, namely, July 1947 the date of publication of this Bill. But, Sir, to take it back to 1939 is too hard. It is too long a period. The zamindar who has attempted to bring the lands under cultivation, which incidentally helps the country in growing more food, is being penalized and this is something which would discourage any agriculturist in the future.

"As regards the amendment, Sir, I support it because I make no distinction in regard to the size or income of the landholder. When we are legislating, Sir, let us have clearcut and well-defined principles. When we come to the question of the limitation of wealth or the limitation of possessions, then is the time for us to decide as to the size and the quantum of wealth that any individual could own. But here we are dealing with a legislation affecting the estates and as such we should deal only with the problems connected directly with this Bill. I am entirely in agreement with the main principle involved in Sri Kaleswara Rao's amendment, Sir, and I have pleasure in supporting the amendment."

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SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I have great pleasure in supporting the amendment moved by Sri Kaleswara Rao. The chief reason for my doing so is that the case of the small holders certainly deserves a greater and higher consideration than the holders of big estates. Although in principle it looks as if we should not make a distinction, every principle has got a limit and when it comes to a small vanishing point we must certainly make a distinction between the big estate holders and the small estate holders. That is why I say that the principle embodied in the amendment of Mr. Kaleswara Rao is a good one. As I have already submitted the smallness of a particular estate deserves better consideration and that is the reason why the date 1st July 1947 seems to be a better date. Certainly this amendment does not cover and no amendment and no law can cover any collusive or benami transaction. Collusion or the benami transaction is brought forward every time and it is said: 'How can we make a distinction between bona fide and non-bona fide transactions?' Therefore I shall deal drastically with every transaction, because I cannot know which is good and which is bad.' As I have already submitted, Sir, the law is intended to protect only the bona fide and lawful transactions. Therefore, Sir, this amendment may be accepted by the Hon. the Revenue Minister. I believe he has bestowed some thought upon this amendment and I also believe that he is following what is happening on the floor of the Assembly. I believe he is hearing what I am speaking also now. I put it, Sir, that this date, namely the 1st July 1947, is the correct date, because the small estate holders cannot be asked to go back a number of years to prove their continuous possession. By some lawful means they might have come into possession of the property before the introduction or the publication of the Bill. Therefore, Sir, it cannot be said that things might have been done in anticipation of the publication of the Bill. Things which are obviously collusive and which are obviously mala fide can always be cancelled by any court of law. I therefore submit that the Hon. Mr. Kala Venkata Rao will be able to reply to the various points raised by us and will not simply say: 'I have not heard or I regret, I cannot accept'."

MUHAMMAD RAZA KHAN SAHIB:—"Mr. Speaker, Sir, I think, particularly the zamindari interest will be very much thankful to the hon. Member, Sri Kaleswara Rao, for his small sympathy because he wants that at least these small zamindars and lawful landholders should have this benefit of such land which are in their possession and which they have been cultivating. He wants that the year 1947 should be substituted for the year 1939 in sub-clauses (b) (i) and (b) (iii). It is quite legal, Sir, because some landholders might have been cultivating or might have got possession of these lands in between 1939 and 1947, and as long as the law allowed these small landholders or zamindars to cultivate their own lands, to-day, we cannot make them suffer. To that extent, I agree that the point of view expressed by Sri Kaleswara

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Rao is quite correct. But, I would go a step further than my hon. Friend, Sri Viswanatham. Well, Sir, you cannot find out who are the small landholders and therefore, it should be for the generality of cases. Otherwise, there will be difficulty. I hope the Hon. Minister will agree to this proposition. When you are depriving the zamindar of everything, I think it is fair—I have also said it this morning and I repeat it again and again for the benefit of the Hon. the Revenue Minister—when you are really paying something to which they are entitled for the property and for the landed interest of which they are the owners till now, I think it is but fair that the Hon. the Revenue Minister should be a little bit generous. He should also view it from the view of practical politics and allow the zamindars to enjoy that right. Of course, Sir, in later clauses, we have better occasions to discuss this aspect of the case. But, I should like to say one or two words here, not in the spirit of having a sort of debate on this point, but in the spirit of offering some practical suggestions.

“Sir, we sincerely agree that the hon. Member, Sri Kaleswara Rao, is a confirmed socialist. He has got his own theories and views. So far so good. Anybody is entitled to have his own views. Now, Sir, I am not holding any brief for the zamindars or for the interests which they are having in their estates. But, as a general principle, I might say that when you are taking away the interests of zamindars—after all, there are also other people who are holding wealth amounting to crores and crores of rupees whom you are not touching—when you are taking away the interests of all the zamindars, from the top zamindars to the small zamindars, when this Bill is passed into an Act, you must concede that they are entitled to at least this advantage. Because, Sir, they have done nothing illegal and they have been in legal possession of the land and therefore; they should have the right and the liberty to enjoy this right. People who are affected, people whose rights are taken away and whose properties are taken away, must have this privilege. As has been pointed out elaborately by Sri T. Viswanatham, all zamindars cannot be taken as multimillionaires. There are big zamindars as well as petty zamindars whose income may not be more than Rs. 40 or Rs. 50 a month. When such are the circumstances it is but right that their interests should be protected. You cannot refuse it with your huge majority. After all every section of the people, even the minority party including, feel that it is their own Government that is functioning. Even the zamindar to-day feels that it is his own Government and that it does not belong to any one party. Therefore, they have the right to ask the Government to protect their legitimate rights.

“Then, Sir, my hon. Friend, Sri Kameswara Rao, said that this is 1948 and not 1928. Sir, it does not matter whether it is 1928 or 1948. The one thing that remains is justice and I want that justice should be done. Because it is 1948, it does not mean that people should be unjust. We have to do justice to all classes of

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people and that is what really matters. After all the principle of justice is there for all time and justice should be done to the people that are affected.”

* THE HON. SRI KALA VENKATA RAO:—“Well, Sir, there is too much talk about justice for the small man, for the big man and for the intermediaries and the rest. In any piece of social legislation, some of these people will be hurt and that cannot be helped. I do not want to go into further details again and again as the whole principle of the Bill has been discussed. We cannot go on discussing this matter every time we rise to speak on the floor of the House. I am very sorry, Sir, I cannot be drawn into discussion over and over again on the principles of the Bill. We cannot have one principle in clause 9 and another principle in clause 11. I have been saying that from the beginning. As far as clause 11 is concerned, there are 28 amendments and if on each one of these amendments, I am asked to speak on the fundamentals, it will be rather a hard business.

“Then, Sir, about this clause I am glad that Sri Kaleswara Rao has come down a bit with regard to these under-tenure landholders. After all he has given these amendments because he wants to help the mokhasadars. Sir, he has been very good from the beginning towards these mokhasadars. If you ask a mokhasadar tenant and a zamindari tenant in any single village, his sufferings will be hundred times more than those of the tenants in the bigger zamindari estate. Such being the case, why should Government help these mokhasadars alone and not the zamindars? I do not understand the reason. Further, we have adopted a single principle for both from the beginning and why should we go back upon it? After all, this clause is not new and except for the date, there is no difference of opinion. Then, Sir, about the implications of the clause, Sri Kaleswara Rao has accepted the conditions of clause (b) (1), (2) and (3). But in the case of Mokhasadars he wants the date 1st July 1947 to be inserted instead of 1st July 1939. But, having accepted that date in another clause, it is but proper that we should have the same date here also. It is very difficult to distinguish a big landholder and a small landholder because sometimes a single village zamindar may own 300 acres or even more as Private land. Therefore, Sir, the clause will apply equally to the big zamindar as well as to the small zamindar. Otherwise, there will be great difficulty and it will be giving a particular preference to a particular class of people. (Interruption.) The hon. Member, Sri Kaleswara Rao, is free to move that amendment and get the support of this House. Therefore, Sir, as I have already mentioned, I do not like to draw a distinction between them and as far as the ryot is concerned, the small zamindar and the big zamindar are the same to him. On

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behalf of the tenants, I strongly oppose this amendment and I do not accept it."

The amendment was put and lost.

* THE RAJA OF VENKATAGIRI:—"Sir, I move the amendment given notice of by me. It is as follows:—

'(1) For the word "and" after the words "whichever is later" and before the words "has been in direct and continuous possession" substitute the word "or".

(2) For the words and figures "1st day of July 1939", substitute the words and figures "1st day of July 1946."

Sir, with a view to save time, may I ask the Hon. Speaker's permission to deal with amendments of the same nature which I have given notice of in regard to other sub-clauses. I am suggesting this because without any further observations, I may just move the other amendments when they come and they may be either accepted or rejected."

MR. SPEAKER:—"Let the hon. Member confine himself to the amendment before the House. It may not be possible for me to remember at that time what those amendments are on which the hon. Member has spoken."

THE RAJA OF VENKATAGIRI:—"That is only a suggestion which I made with a view to save time. But, now, Sir, as the Speaker has asked me, I would confine myself to this amendment only. Clause (1) deals with lands which are properly included and so on. These are acquired by two processes, one is inheritance and the other is succession under a will, and the land so acquired by the landholder should have been acquired, if this is passed into law, before 1939. Sir, inheritance or succession under a will is an act of Providence and not an act of the individual. As such, Sir, according to the Bill by means of succession under a will or by inheritance, the landholder could acquire the right only if he had got that prior to 1939. Sir, that seems to me to be rather strange. The reason why this was provided for was that he could not be in a position to abuse his powers in possession of these rights if it was one of inheritance or succession under a will. As such, to set a time-limit is in my opinion unnecessary. Either succession under a will or inheritance would not give scope for misuse. Therefore, I think the amendment which I have given notice of should be accepted so that either the process of inheritance or succession should be made valid if the right was acquired before the 1st day of July 1946 instead of saying that it should have been acquired before the 1st day of July 1939. This is the gist of my amendment and I think this amendment may be accepted by the Hon. the Revenue Minister."

THE ZAMINDAR OF MIRZAPURAM:—"I second the amendment."

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THE HON. SRI KALA VENKATA RAO:—"Sir, it was only 3 p.m. after discussion in the Select Committee, in which the proposer as well as the seconder of this amendment were present, that we decided upon the date 1st July 1939. He has not adduced any reasons other than those we have heard previously. I am sorry that I cannot accept this amendment."

THE RAJA OF VENKATAGIRI:—"Sir, the reason given by my hon. Friend, Sri Kala Venkata Rao Garu, is a very curious one. What he says is this. Because the proposer and the seconder were in the Select Committee and he has listened to their pleadings and rejected that amendment, therefore he cannot accept this, is really a curious one. Simply because they were either accepted or rejected there, should not the House be told the reasons which he gave in reply to my submissions in the Select Committee, in reply to the submissions which I am now making in support of the appropriateness and reasonableness of my amendment."

THE HON. SRI KALA VENKATA RAO:—"I have nothing more to add to what I have said already."

The amendment was put and lost.

* SRI M. G. NATESA CHETTIYAR:—"Sir, I move—

'that in sub-clause 11 (b) (ii), in line 4 the words "but not" be deleted.'

"This is to entitle the landholders to get a ryotwari patta in respect of the lands purchased in revenue sales also. Ordinarily in revenue sales, before the landlord wants to bid in a sale, he has to apply to the Revenue Divisional Officer in Court, and get permission for the same, and also conform to the other rules in regard to the confirmation of the sale. Only in cases where there has been no bidder for the sale, the landholders are given the permission. In these sales, it absolutely becomes necessary for the landlord at last to set off his own decree by bidding in the sale, and getting the same amount adjusted towards the arrears of rent. Why should a sale made under these circumstances by the landlord not make him eligible for getting ryotwari patta under the present Bill? The Hon. the Minister said this morning that some premises had to be struck at and that the premises had to be continued and followed irrespective of whether one is a landlord or a tenant. I just want to quote a parity made in respect of the granting of a ryotwari patta to the landholders in zamindari estates, and the landholder in an inam estate. In clause 11 the lands purchased by the landholders for arrears of rent are not to be given patta to the landholders. Whereas, in clause 12 (b) (ii) we find, that if an inam estate holder bids in the sale and purchases it in sale, he is entitled for a ryotwari patta in respect of that land. He said that he does not want to make a distinction between these people just now. But here there is parity between the inam estate holder and the zamindari estate holder. Why is

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this parity shown here? The premises that have been quoted by the Hon. Minister this morning has been immediately overthrown and it is very reasonable that the estate landholders should get a patta for the lands purchased by them in revenue sales also. Again, Sir, quite rightly, the Hon. Minister said this morning that the estate holders in the zamindaris have been hit very hard though he did not say wrongly. I would say he has hit them very hard and wrongly too, when he exempted the lands purchased by them in revenue sales from being given ryotwari pattas. I request the Hon. Minister not to make any parity like that. It is wrong to change the premises and still go on saying that these classes of people are different from the other class, which has been the Stock Exchange available for argument with him, time and again. Again, Sir, you want to throw away a class of people from certain occupations. Don't you want them to become agriculturists at least? Why not give them all possible chances to become agriculturists and invest their capital in this great occupation? Further, the food shortage and other essentials that are running short in the market will also be facilitated. Under these circumstances also, and having regard to the policy of the Grow More Food Campaign of the Government, I feel very strongly that Government cannot afford to throw away this class of people. Agriculture is an industry which requires a lot of capital, investment and a certain amount of enthusiasm without much return economically. In the light of these arguments of mine, I request the Hon. Minister to include this class of lands purchased in revenue sales also for the granting of pattas to the incumbents, whether he be a landlord or a tenant. Again, the foundation of society is security. When the land was purchased, it was secured to him that the land would be his own and he could invest his capital therein. When such worthy assurance and security were given to him by Statute in a public auction conducted by the Court under the auspices of the Revenue Department, it is wrong to say that he will not be given a ryotwari patta; and further it is wrong to give retrospective effect to the provision in the Act on this behalf. It will certainly create a sort of misunderstanding in the minds of the people who are to invest the capital, and pursue the industry which is very essential to the society to-day and more to-morrow. Under these circumstances, I request the Hon. Minister not to hit under the belt but see his way to accept my small amendment which is all reasonable."

* SRI T. VISWANATHAM:—"Sir, I have got an amendment of mine, of similar import. Shall I second this and speak on it, or shall I move my amendment separately?"

MR. SPEAKER:—"It is better that the hon. Member seconds this amendment and speaks on this."

SRI T. VISWANATHAM:—"Mr. Speaker Sir, some of my hon. Friends are getting very much worried. They are saying 'Another speech for two hours'."

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MR. SPEAKER:—"But I have allowed only ten minutes."

* SRI T. VISWANATHAM:—"No facts are necessary for some of my hon. Friends to talk whatever they like. It is to show it to you, that I have drawn your attention to it. But my feeling is why should we undertake all this bother if people are in a state of disgust. Surely I am not responsible for this disgust. I have got some vanity that whenever I speak, I speak short and I speak clearly enough so that I do not create any disgust. I am not responsible for this disgust. But I would ask my hon. Friends to be a little patient. Having come all the way, having had grim and costly elections, let them have some patience and sit here; even if they do not take part in the debates, let them at least be glad that some others are doing it on their behalf."

"Sir, this is an amendment which I wanted to move myself. But at your suggestion, Sir, I am seconding the amendment moved by my hon. Friend, Sri M. G. Natesa Chettiyar. It is well known, Sir, that in several cases, estate holders will be compelled to purchase lands, because there will be no purchaser. Sometimes, it happens in the case of the Government also. If the sales are held up, there will be no bidders to come forward, and for a long time, the lands will have to be kept or given on small leases to this or that person. And in the case of some estates, because it is sold by a single individual or shareholder naturally they have the possession of land for themselves and continue to cultivate it themselves, only until such a time as another person is willing to take possession of the land. I know from my experience that in the case of *mala fide* decree-holders getting into possession of these lands; they get nothing in the end. It is very difficult to believe that people will be anxious always to have bought-in lands. There may be some cases, Sir. I easily admit that there are always, in this world, whatever the law may be, whatever the structure of society may be, and whatever the economic doctrine that lies behind our society may be, some people who are ready to evade the law and to enter into corrupt transactions. But that should not blind us to the fact that ordinarily speaking, man's mind is more healthy than otherwise, man is more law-abiding than otherwise, and men are accustomed to enter into transactions according to law and not otherwise. On that assumption it is, I believe that society is progressing, that laws are made and administered in this country as in other countries. Therefore, I submit that wherever a person is obliged to purchase lands at revenue sales and has been in possession of that land for want of other ryots who would take possession of it, because it is cast at a distance, or because there is no proper water sources or because the neighbours are not congenial, and therefore ryots may not be coming, he should be given a ryotwari patta in respect of those lands."

"Sometimes the zamindar would have paid the land cess calculated on the rent of some lands. Sometimes it will be found

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that there were no tenants. We cannot describe all such transactions as *mala fide*. The argument advanced by my hon. Friend, Mr. Natesa Chettiyar is reasonable. I would ask the Hon. Minister to compare the provision in sub-clause (iii) which refers to all lands . . . which have been abandoned or relinquished by a ryot. In such cases patta should be given to the zamindar, if he has been in occupation of the land from 1st July 1939. I think the land referred to in the present amendment is similar, because no ryot has occupancy right. It is just like abandoned or relinquished lands. The landholder has been in continuous possession from the date of the sale. If it is necessary and if desired this sub-clause may be properly redrafted and included in sub-clause (iii), by which the category of bought-in lands might be combined with other lands abandoned or relinquished by ryots, which have not been in the occupation of the ryot and which have been continuously under the personal cultivation of the estate-holder. That would go a long way to clear the matter. The zamindars or estate-holders had no option but to cultivate the land; they cannot allow the land to lie fallow for years together.

"I have got another point which I want to advance. Suppose there are two neighbouring estate-holders—one estate-holder in one district and another estate-holder in another district. Certain lands of another district are sold in revenue sale. Because the other estate-holder is there or is interested in the land or he lives there, he purchases the land in a revenue sale. He must get the land. Simply because he is a landholder, he should not be penalised. He has purchased another man's land. From every point of view, the clause should be suitably amended. I think the Hon. Minister will bring forward an amendment to transfer this category of lands to sub-clause (iii), to the effect that the provision will not apply to cases where the zamindar has purchased a land sold in another estate, although he is a landholder of some other estate. I think I have made myself clear and I hope the Hon. Minister will bestow his thought to this amendment, and put it properly."

* THE RAJA OF VENKATAGIRI:—"Sir, I whole heartedly support the amendment. Without repeating the various reasons which have been so ably advanced by the previous two speakers, I would like to point out that this amendment deals with certain rights acquired by the zamindar for no fault of his. These are lands purchased by the zamindar for arrears of rent, which includes also Government dues and cesses paid by the zamindar to the Government on behalf of the ryot. As such, to deprive the landholder of these lands entirely without any return or compensation is acting in my opinion, in a very unjust way. It may lead to legal complications. I hope the Hon. Revenue Minister will not say that the principle of the clause has been decided in the Select Committee. I do not like to waste the time of the House. If he accepts this amendment, we will be thankful that at least in one

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case our just claims have been recognized. (Interruption by the Hon. Sri Kala Venkata Rao.) I do not hear what the Hon. Minister is saying. While speaking on another amendment he said that the fundamental points had already been dealt with and that it was therefore unnecessary for him to repeat the arguments. In that case the whole Bill may be passed without any discussion on the clauses. I venture to point out to him that it is not proper on his part to say that he had dealt with the fundamental aspect of the whole problem and that he could refuse to deal with it. . . ."

THE HON. SRI KALA VENKATA RAO:—"When each clause is taken up, I generally explain the principle underlying it. Therefore I think it is not necessary to repeat the argument for every amendment."

* THE RAJA OF VENKATAGIRI:—"Sir, I misunderstood the Hon. Minister. I would not charge him with discourtesy to the House. At the same time I feel I raised a specific point that in the case of lands inherited or acquired by succession or in a sale there can be no room for collusion. I was not present in the House and I do not know what the Hon. Minister said with regard to this aspect in the general debate. I hope he will accept this amendment. With regard to arrears of rent, it is accrued right. To say that the rights which are already in the possession of the zamindars would be wiped out, is not proper and legally valid and would not achieve the object the Hon. Minister has in view. I hope the Hon. Minister would agree to give pattas in regard to lands purchased for arrears of rent."

THE HON. SRI KALA VENKATA RAO:—"Sir, this morning I explained the basis on which these two clauses were accepted by the Select Committee. These clauses were agreed to as a result of a compromise. One point was with reference to the category of the private land of the zamindar, which he may be allowed to retain. Another principle that was agreed to was that bought-in lands should be given to the ryot and not to the zamindar. Lands sold for arrears of rent should not go to the zamindar. It was only on that basis that this clause was put in. If we remove the words as suggested in effect it would mean that what Mr. Kaleswara Rao said would be justified, namely that we are making big gifts of land to the zamindars. I think this is not just as I have explained already. As a result of discussion and compromise, these clauses have been drafted. I do not see any reason why this clause should be tinkered with at each stage. I oppose the amendment."

THE RAJA OF VENKATAGIRI:—"Sir, the word 'compromise' has been used by the Hon. Minister. I was a Member of the Select Committee. I would like to have further information on the point."

THE HON. SRI KALA VENKATA RAO:—"Sir, I am not prepared to say anything further on the point. Every hon. Member knows in his own mind, what happened."

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* SRI M. G. NATESA CHETTIYAR:—“ Sir, I do not really understand the premises taken by the Hon. Minister in refusing to accept this amendment. He has specifically allowed eligibility of getting a patta acquired by sale of lands to inam estate-holders and refused that to the zamindari estate-holders though both are stated by himself to be taken on the same footing by the Madras Estates Land Act as amended. He is proceeding on wrong premises. He is proceeding on a basis which is against facts. The fundamentals are there, whether the Hon. Minister accepts them or not as proposed by him. He is simply driving the patient cultured classes who have been rendering much social service, on the plea that he is improving social life by rendering social justice by this reform. He is not really treating these classes of people, as they ought to be. In these circumstances I do not propose to withdraw the amendment or to accede to the request of the Hon. Minister.”

The amendment was put and lost.

* THE RAJA OF VENKATAGIRI:—“ Sir, I do not move the first part of my amendment, as the House has already given its verdict on it. I move the second part of the amendment. It is as follows:—

‘ For the word “ and ” after the words “ from the 1st day of July 1945 ” and before the words “ has been in direct and continuous possession ” substitute the word “ or ”

For the words and figures “ 1st day of July 1945 ” substitute the words and figures “ 1st day of July 1946 ”.’

“ Sir, my hon. Friend Sri Kala Venkata Rao was saying that it was the result of a compromise. Though I do not want to have any debating exchanges here, I wonder whether it was the result of any compromise in regard to this matter. If really there was a compromise to which I am a party and if I now seek to go behind it, I will be guilty. For that reason I brought out this point, because it is a serious thing. Whatever may be the result and the sacrifice of my interest, I for one would not allow myself to be accused of getting away from any understanding. With these words, I move my amendment, and I hope the Government would see their way to accept it, since it is only by way of acquisition or exchange or gift.”

THE ZAMINDAR OF MIRZAPURAM:—“ I second this amendment. This refers only to lands purchased or exchanged or received as a gift by the landholder. If a landholder purchases a land or gets a land by way of gift even after 1945, I do not see why the land should not be given to him. Otherwise there will be no justice. I would also request the Hon. the Revenue Minister to inform this House what would happen if a landholder purchases land in some other zamindari after 1945 or if another zamindar makes a gift of land to him. Would such lands also not be given to him if the transactions had taken place after 1945? ”

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THE HON. SRI KALA VENKATA RAO:—“ This refers to gift given to the zamindar and not to gift given by the zamindar. If the zamindar has got a gift of lands in some other estate of which he is not the proprietor, it will come under the common law. If he purchased the land in another estate, the general law will govern it. If he holds the land as a ryoti pattadar in some other estate, he gets a patta under clause 10. Clause 11 has no reference to a zamindar owning lands in a different estate. Therefore, I am not in a position to accept the amendment.

“ In this connexion, with your permission, I would like to invite the attention of the Raja Sahib of Venkatagiri to page 30 of the proceedings of the Select Committee:

“ The Raja of Venkatagiri and the Zamindar of Mirzapuram wanted it to be noted that they agreed to the above draft with a reservation that private lands declared as such by decrees of courts should also be expressly recognized as private lands.”

I am not going to charge anybody with anything. All this has been the result of the discussion for the last four and half months. At various stages, some held views to the right and some held views to the left. Now, Sir, I am not in a position to accept clauses (2) and (3) of amendment No. 142 of the Raja of Venkatagiri.”

THE RAJA OF VENKATAGIRI:—“ I should like to press the amendment, Sir.”

The amendment was put and lost.

SRIMATHI V. SEETHAMAHALAKSHMAMMA:—“ Omit clause 11 (b) (iii).

“ అధ్యక్షా, ఈ జమీందారి రద్దు బిల్లు యొక్క 11వ క్లాజు (b) లోని 3వ sub-clause ను తీసివేయవలసినదిగా నేను నా సభాసభ ప్రతిపాదిస్తున్నాను. ఎందువల్లనంటే మన రెవిన్యూ మినిస్టరుగారు లోగడ ఈ బిల్లును ఈ శాసన సభలో ప్రవేశపెట్టేటప్పుడు తమ యొక్క ఉద్దేశములను చెబుతూ రాష్ట్రములో చాలా అక్షరకారిత విర్వడి ఉన్నదని, ఈ నాడు మన రాష్ట్రములో సాగుకు వీలైనంత భూమి అంతా తమంతటాము సాగు చేసుకోలేనటువంటి—పెద్ద పెద్ద జమీందారుల చేతులలో ఉన్నదని, ఇరొక వంక సాగుచేసుకోటానికి భూమి లేక అనేక లక్షల మంది ఉన్నారని చెప్పి ఉన్నారు. అంతేకాకుండా ఇటువంటి భూములను రైతులకు స్వక్రమింప చేయడము తర్వాత ఆహారోత్పత్తి అధికము చేయుటే తమ ఆభిప్రాయమని తెలియచేసినారు. అంతే కాకుండా Select Committee నివేదికను, ఇక్కడ ప్రతిపాలించేటప్పుడు ఒకసారి రైతి భూమిగా పరిగణించబడినటువంటి దానిని తిరిగి జమీందారులకు ఇప్పించే ఉద్దేశము తమకు లేదని స్పష్టముగా చెప్పారు. అనేక సందర్భములలో జమీందారుల దౌర్జన్యము వలన, ఇతర కారణములవలన రైతులు తమ భూములను తమ ఇష్టములేక పోయినను రద్దించేయవలసి వచ్చినది. ఆసలు 1908 వ సంవత్సరపు Estate Land Act ప్రకారము ఏ భూమి రైతి భూమి అని నిర్వచించబడి ఉన్నదో అటువంటి భూమి అంతయు రైతులకే స్వక్రమింపవలెనుగాని, మరల జమీందారులకు స్వక్రమింపజేయుట చాలా అన్యాయమని మనవి చేస్తున్నాను. ఈ విధమైనటువంటి clause ను ఈ బిల్లులో ప్రవేశపెట్టడంవలన, వేరుకు మాత్రమే ప్రభుత్వమువారు జమీందారిలను రద్దు

[Srimathi V. Seethamahalakshamma] [21st September 1948]

చేస్తున్నామని చెబుతున్నారని, యథార్థాన్ని అలోచించి చూచినట్లైతే జమీందారులకు ఇదివరకట్టికన్న ఈ బిల్లువలన హక్కు ఉపకారములు జరుగుచున్నాయని ప్రజలలో చాలా ఆసక్తి వీర్చి ఉన్నది. ఈ sub-clause ను కనుక ఇప్పుడే నను ఈ బిల్లులోనుంచి తొలగించి స్టేట్ కోంఠ మంది పెద రైతులకైనా ఉపకారము జరుగుతుందిని సుపరిచేస్తున్నాను.

“అంతేకాకుండా 1939 వ సంవత్సరం నుంచి జమీందారుల చేతులలో ఉన్నటువంటి waste lands కూడా వారికి దఖలుపడతాయని ఈ sub-clause లో ఉన్నది. ఈ నాడు చేశంతో ఆహార కొరత వీర్చి ఉన్నది. ఇటువంటి పరిస్థితులలో ఈ ఎక్కువ భూములను ఇంకను జమీందారులకు సంక్రమించ చేస్తే ఏ విధంగా ఆధికారానికి తగ్గి జరుగగలదో బోధపడడంలేదు. ముఖ్యంగా ఈ విషయంలో మన ప్రభుత్వమువారు అవలంబిస్తున్న విధానము కాంగ్రెస్ యొక్క సిద్ధాంతములకు విరుద్ధముగా ఉన్నది. కాబట్టి sub-clause ను తీసివేయవలసినదని రెండు మంత్రిగారిని మరీమరి కోరుతూ నా సవరణను ఆంగీకరించవలసినదిగా ప్రార్థిస్తున్నాను.”

SRI B. VENKATANARAYANA REDDI :—“అధ్యక్ష, నేను శ్రీమతి సీతామహాలక్ష్మమ్మగారు ప్రతిపాదించిన సవరణను second చేస్తున్నాను. శ్రీమతి సీతామహాలక్ష్మమ్మగారు ఈ సవరణను ప్రతిపాదించుచు జమీందారులు ఆనేక సందర్భములలో రైతులకు చాలా నష్టకరముగా సంవరించుటవలన అనేకమంది ఆమాయక రైతులు తమ భూములను వదలివేయవలసినదని చెప్పుచున్నప్పుడు కొందరు గౌరవ సభ్యులు ఆశ్చర్యపడుచున్నట్లు నేను గమనించినాను వారు ఆ విధముగా ఆశ్చర్యముచెందుటకు అవసరములేదు ఆనేక సందర్భములలో జమీందారులు రైతులను నష్టకరముగా ప్రవర్తించినారని, అందుచేత రైతులు తమ భూములను వదలివేయవలసినదని మొదట మన రాష్ట్రంలో కాంగ్రెస్ ప్రభుత్వము ఏర్పడిన రోజులలోనే ప్రభుత్వమువారికి రిపోర్టులు వచ్చినవి. జమీందారులు అడవులు, చెరువులు మొదలైన నీటి వనరులు తమ చేతులలోనే ఉంచుకొనేవారు. ఏ రైతుయొక్క భూమిని సేను వారికి ఆకలి నపుడు ఆ రైతు భూమికి నీరు వదలక అతని పశువులను అడవులలోనికి బోసేయకుండా యింకా ఇటువంటి అటంకాలను కలుగజేసేవారు. పెద రైతులు ఈ జమీందారులను ఎదుర్కొనడం చాలా కష్టతరమైనటువంటి విషయమని అందరికీ తెలిసినదే. చేనేడమి లేక రైతులు భూములను వదలుకొనవలసివచ్చేది. ఈ భూములను జమీందారులు తిరిగి తమ ఉపయోగానికో లేక తమ ఆశ్రయాలకో ఇచ్చేవారు. కాబట్టి ఈ relinquished or abandoned lands ను మొదట ఏ రైతులు అనుభవిస్తుండేవారో వారికి తిరిగి దఖలుపరచడం చాలా ధర్మమైనటువంటిదని రెవిన్యూ మంత్రిగారిని ప్రార్థిస్తున్నాను.

“అంతేకాకుండా ఈ క్లాజు ప్రకారము revenue arrears కుగాను వేలమునకు వచ్చిన భూములు ప్రభుత్వమువారికి సంక్రమించేట్లు ఉన్నది. ఈ భూములనుకూడా వేలము జరిగేనాటికి ముందుగా ఏ ఏ రైతులు అనుభవిస్తున్నారో వారికి తిరిగి ఇప్పించవలసినదని నేను మంత్రిగారిని ప్రార్థిస్తూ ఈ సవరణను బలపరుస్తున్నాను.”

SRI A. KALESWARA RAO :—“అధ్యక్ష, గౌ. శ్రీమతి సీతామహాలక్ష్మమ్మగారు ప్రతిపాదించి, గౌ. శ్రీ వెంకటనారాయణ రెడ్డిగారు ఆమోదించినటువంటి ఈ సవరణను నేను హృదయపూర్వకంగా బలపరుస్తున్నాను. ఈనాడు ప్రభుత్వము వారు ఆధిక ఆహారోత్పత్తిగాను బంజరు భూములను ఇతర సాగుకు అనుకూలముగా తీర్చి భూములను పెద రైతులకు ఇస్తున్నారు. అదే విధంగా జమీందారీలో ఉన్నటు

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వంటి ఈ relinquished and abandoned భూములను తిరిగి రైతులకు ఇప్పించి పట్టయితే చాలా మందిదని ఆ కారణంచేత ఈ సవరణను ఆమోదించవలసినదిగా మంత్రిగారిని కోరుచున్నాను.”

MR. SPEAKER :—“I am not against the hon. Member speaking in Telugu, but I should like to point out that we have only one Telugu reporter and if three hon. Members speak in Telugu consecutively the reporter will be put to considerable trouble.”

THE HON. SRI KALA VENKATA RAO :—“Since every hon. Member who has spoken on this has spoken in Telugu, may I also reply in Telugu, Sir?”

MR. SPEAKER :—“As I said just now, there is only one Telugu reporter. That is the difficulty.”

* THE HON. SRI KALA VENKATA RAO :—“Sir, the point made out here is that we are giving away something which does not belong to the zamindar under the existing law. As a matter of fact, we have so defined the ‘private land’ in this section as to bring out something from the zamindar which the zamindar thought belonged to him. Therefore that interpretation is not correct. Nothing is being given to the zamindar under this section which under the existing law does not go to the zamindar. There is nothing extraordinary about it.

“Then, Sir, the lady member went off at a tangent and said that the Bill is only a Zamindari Abolition Bill in name. It is very unjust of her to have said that. She knows what it contains and she has herself spoken earlier on the Bill and found very many good points in it. Simply because she cannot get her amendment accepted in this case, it is not just that she should say so. To say also, Sir, that this is against the Congress’ view is wrong. I need not labour the point further.

“Sir, Mr. Kaleswara Rao said that all these bought-in lands are given to the zamindar. It is wrong, Sir. It is only such of those waste lands which were developed by him and have been continuously cultivated by him for the last 12 years that are sought to be given to him. The other lands will not go to him, but revert to the Government. They will be given to the ryots and the poor people. Therefore, it is not a correct interpretation, Sir. Further, I may say these gentlemen who feel that they are taking the leftist view of the whole matter have not appreciated the one very good thing that is incorporated in this clause (iii), viz., the question of the bought-in lands. That is the purpose for which the leftist organizations have been fighting all these years. From the point of view, this should be a major good that this Bill seeks to do to the ryots. Mr. Venkatanarayana Reddi made an appeal that in the matter of the disposal of the lands coming into the hands of the Government, the claims of all those who forsook them earlier should be considered. I have already said this morning

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that the matter would receive the attention of the Government. Therefore, Sir, I am sorry I am unable to accept the amendment of the hon. lady Member.

“అధ్యక్షా, శ్రీమతి సీతామహాలక్ష్మమ్మగారు తమ సవరణను ప్రతిపాదిస్తూ ఈ clause వలన (1) జమీందారులకు హక్కు ఉపకారం చేయబడుతోందని, (2) జమీందారి రద్దు నామమాత్రంగా ఆయిపోతోందని, (3) ఇది కాంగ్రెస్ యొక్క ఉద్దేశాలకు వ్యతిరేకంగా ఉన్నదని చెప్పినారు. వారి ఆక్షేపాలకు నా సమాధానాలను తెలియజేస్తాను. మొట్టమొదట ఈ బిల్లువలనగాని, ఈ క్లాజువల్లగాని జమీందారులకు ఏ విధముగాను హక్కు హక్కులు కలుగజేయబడలేదని నేను నిస్సందేహముగా చెప్పగలను. ఇక రెండవ విషయంగా ఈ బిల్లు రైతుకు అనేక విధాల ఉపయక్తముగా ఉన్నదని శ్రీమతి సీతామహాలక్ష్మమ్మగారి వారు మార్పు ప్రశంసించి యున్నారు. వారు ఇప్పుడు ఈ విధంగా తమ ఆభిప్రాయాన్ని మార్చుకోవలసిన అగత్యమేమీ నాకు బోధపడుటలేదు. ఇక మూడవ విషయం, ఈ బిల్లు కాంగ్రెస్ సిద్ధాంతాలకు, అశయాలకు విరుద్ధంగా ఉన్నదని వారన్నారు. దీనికి నేనెంతమాత్రము సహించలేను. Revenue sales అయినటువంటి భూములను కూడా తిరిగి రైతులకు ఇప్పించే అవకాశములు ఈ ఒక్క బిల్లులోనే కలుగజేయబడ్డాయిగాని వేరెక్కడ లేవు. ఇటువంటి పరిస్థితులలో వారి ప్రశంస పూర్వకమైనటువంటి ఈ బిల్లును వారు విసిరేముగా విమర్శించడము ధర్మముకాదని అందుచే వారు తమ సవరణను withdraw చేసుకొనవలసినదని కోరుచున్నాను.”

SRI T. VISWANATHAM:—“On a point of information, Sir. The Hon. Revenue Minister was pleased to give a gist in Telugu of the speech he made in English. Is he not obliged to say in Telugu everything he said in English? For instance, he said in English that the hon. lady Member went off at a tangent, but in his translation he did not say anything about it.” (Laughter.)

MR. SPEAKER:—“Is the hon. lady Member withdrawing it?”

SRIMATHI V. SEETHAMAHALAKSHMAMMA:—“I am withdrawing my amendment.”

MR. SPEAKER:—“Has the hon. Member permission of the House to withdraw?”

SRI T. VISWANATHAM:—“I object, Sir, to its withdrawal.”

The amendment was put and lost.

MR. SPEAKER:—“The first portion of Amendment No. 145 need not be moved because the House has already given a verdict on it. The second portion may be moved.”

THE ZAMINDAR OF MIRZAPURAM:—“I am not moving it, Sir.”

* THE RAJA OF VENKATAGIRI:—“Mr. Speaker, Sir, in the case of this category of lands, I do not think the date should

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be 1939 but should be the date specified in the amendment I have given notice of. These are lands which by their nature do not admit of any abuse of rights. I therefore move my amendment No. 147, viz.:—

(1) For the word ‘and’ after the words ‘from the 1st day of July 1939’ and before the words ‘has been in direct and continuous possession’ substitute the words ‘or’.

(2) For the words and figures ‘1st day of July 1939’ substitute the words and figures ‘1st day of July 1945’.

Sir, I hope the Government will accept it.”

THE ZAMINDAR OF MIRZAPURAM:—“I second the amendment.”

THE HON. SRI KALA VENKATA RAO:—“I regret, Sir, I cannot accept the amendment; I have already given my reasons for it.”

The amendment was put and lost.

THE ZAMINDAR OF MIRZAPURAM:—“This is a very simple amendment and I am sure the Hon. Minister will accept it. My amendment is:

‘Add the following as proviso after clause 11 (b) (iii):—
“Provided that if the landholder leases the land temporarily for any purpose other than cultivation, he shall be deemed to be in direct possession of the same.”’

“In certain areas, in villages especially where there is no water in the tanks, the lands are temporarily leased out for grazing purposes, not the land itself, but only the right to graze cattle is leased out. In such cases, it may be possible for a settlement officer or the tribunal to say that the landholder is not in direct possession of that particular land. That will be rather unfair and unjust. I appeal to the Hon. Minister to accept this amendment, so that all possible difficulties in this respect may be eliminated.”

* THE RAJA OF VENKATAGIRI:—“In seconding this amendment, I may say it provides for certain peculiar cases where as the result of certain action of the Government, valuable lands have been taken away from the possession of the zamindar and on that account, the provision in the law, viz., that the land should have been in direct and continuous possession of the landholder for a particular period, may not be satisfied. It is but fair that such cases should be provided for; otherwise, it would be depriving the zamindar of the valuable land. The zamindar is always suspected to be a machine of economic oppression and as likely to exercise his imaginary powers or abuse his privileges. This amendment is intended to make sure that the act of leasing the land does not affect the proviso that he should have been in direct and continuous possession.”

THE HON. SRI KALA VENKATA RAO:—“I regret, Sir, I am unable to accept this amendment for the definite reason that

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unless there is continuous possession and cultivation, it would not come under this clause; and as I have already said, the Government are not prepared to enlarge the scope of the clause."

THE ZAMINDAR OF MIRZAPURAM:—"I am sorry, Sir, I have not made my hon. Friend, the Revenue Minister, understand the position correctly. My point is that although the land may be in direct and continuous possession of the landholder, it may be leased out for the purpose of grazing as grass may be grown thereon. Such lands, I say, should be deemed to be in the direct and continuous possession of the landholder."

THE HON. SRI KALA VENKATA RAO:—"I have already stated my case, Sir, and I have nothing more to add."

The amendment was put and lost.

SRI A. KALESWARA RAO:—"Sir, this is an amendment which I have given notice of in pursuance of my having proposed it in the Select Committee:—

'At the end of clause 11, add the following provisos, namely:—

"Provided that the aggregate extent of land to which a landholder shall be entitled to a ryotwari patta under this section shall not exceed three hundred acres of wet land or an extent of dry, wet and garden lands equivalent to that extent derived by calculating one acre of wet land as equal to one and a half acres of garden land or two and a half acres of dry land.

Provided further that the landholder shall have the right to select the land or lands to that extent, if more, extent is in his possession on the date of the commencement of this Act and the Government shall take possession of the excess land for the benefit of the nation."

I am sure, Mr. Speaker, I am not wasting your time or the time of the House by introducing anything here which I have not proposed in the Select Committee. I fought for this in the Select Committee, but the Committee was all packed against me and I failed. I tried to produce some effect in the party but I was denied the privilege and so I am putting it here. Somebody also said that there should not be any free voting. But all the same, I must satisfy my conscience, my constituency and the people behind me. This is an amendment not only moved by me but also by my leader, Mr. Prakasam, although he is not here. He and I both gave notice of amendments Nos. 121 and 152. My friend, the Zamindar of Mirzapuram, said it was all mere politics. Of course, it is politics. I wanted to follow the Congress socialism, the Gandhian socialism and also the resolutions passed by the Andhra Provincial Congress Committee and the Andhra Congress Kisan Committee. That is politics, which I must explain. He says that God forbid that I should ever become the Leader of the House. Of course, I do not aspire to become the Leader of the

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House. But even if I become one, God forbid that it should be with the support of any of the zamindars. With these words I move my amendment. Of course, yesterday, I explained I have put this limit of 300 acres for the sake of zamindars; if it had been for the ryots I would have put it considerably less, because I am anxious that the process of levelling down should be done slowly. The Raja Sahib of Venkatagiri invoked the spirit of Gandhism in his plea. I say in the same spirit of Gandhism I want the levelling down and levelling up and I want the zamindars to be content with 300 acres of best wet land and with a similar equivalent of dry land. With these words, Sir, I move my amendment. 4 p.m.

SRI K. VARADACHARI:—"I second it."

* THE HON. SRI KALA VENKATA RAO:—"Sir, this point was discussed yesterday. It relates to the upper limit with regard to owning of land by a single individual. Yesterday it was with regard to the tenant and to-day it is with regard to the zamindar. Sir, this question is engaging the attention of the Agrarian Reforms Sub-Committee and it will come in due course. Mr. Kaleswara Rao said that I was sticking to my opinion in the Select Committee. I shall read to him the exact position I took. 'Messrs. Karanth and Kaleswara Rao raised the question of limitation of holdings. It was stated on behalf of the Government that this would depend on the report of the Agrarian Sub-Committee and the decisions thereon.' So, Sir, I would request my friend to wait till that Committee submits its report. Then we shall consider about all landholdings throughout the Presidency."

SRI A. KALESWARA RAO:—"Sir, instead of creating a demon now and then afterwards begin to cut it to pieces, is it not better to straightaway not create the demon at all? (Laughter.) You are now giving thousands of acres of land as private land to zamindars and you propose to take them away afterwards, and therein my friend is not doing a service to them."

THE HON. SRI KALA VENKATA RAO:—"I have given sufficient notice to the zamindars of the major issue, and also to the big ryotwari landholders to take notice of it."

The amendment was put and lost.

Sub-clause (b)—Explanation.

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I beg to move—

'to delete the words "but does not include the rearing of topes of spontaneous growth".'

Sir, in framing this sub-clause the Hon. Minister had in mind some land of the nature of forest. But I would like to bring to his notice that without partaking of the nature of forest there are lands in the Vizagapatam district, of which I have personal knowledge, in which there are topes of spontaneous growth, but which have become valuable for their timber by careful rearing, and so several landholders keep them uncut to use them on

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some proper occasion. Therefore, it is wrong to say that 'rearing of topes of spontaneous growth' should not benefit the landlords. Sir, they have been maintained at great cost. The trees are kept there to be used for their own purpose at the proper time. They bring some revenue. It is not as if the trees standing there are useless. Probably the Hon. Minister thought that topes artificially created and artificially reared should be protected, but not topes of spontaneous growth. It should not be done, for several estate-holders depend on these trees for most of their revenue. There are one or two estates in the Tinnevely district where the entire peishkash is settled not on the basis of land revenue because there is no land revenue, but upon the trees. It cannot be said that the palmyra trees were planted by the zamindars originally. Most of them were of spontaneous growth and they were reared by the zamindars. The peishkash was settled on them. Therefore, I submit that simply because there may be trees of spontaneous growth it should not be the case, that the estate-holder should be deprived of the value and of the utility of the land covered by the trees. I hope the Hon. Revenue Minister will agree to this amendment. I know he is not in a position to immediately accept any amendment; for he has deprived himself of the privilege of accepting amendments. I submit he must consider these things very carefully; he is dealing with long established rights; and so he should not stick to his original view."

* SRI M. G. NATESA CHETTIYAR:—"Sir, I second this amendment. I too have given notice of an amendment to the same effect. It is true some topes originally were of spontaneous growth. But the rearing of them also involves investment of capital, employment of labour and expenditure of money, to make them yield income. For instance, in Salem district, very many topes are of spontaneous growth. But they have been reared and watched for years and they are yielding a fair income now and in a few more years, they may yield much more good income. In fact, as Mr. Viswanatham said, some of these trees yield income, and out of that income peishkash is paid invariably by the landholders, as no collection will be possible in earlier kists. Fruit-bearing trees belong to this category. They are situated invariably on wastes or porambores which are the properties of the landholders. Therefore, they must be taken as the property of the landholders and made eligible for ryotwari patta. If even this amendment is not accepted it would be difficult to carry on with this reform. The Bill would look very unreasonable. The Central Government themselves may think that the Madras Legislature is proceeding with a reform of valuable property in a manner not conducive to the status and position of this great Indian Union. Under these circumstances I request the Hon. Minister to accept this amendment. Again I would request the Hon. Minister to state whether he had received any information from the Centre in respect of provision of certain amount of compensation to be provided as a target in this Bill. I want this information because it is likely

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that if it is known, there may not be any amendments for moving and we may complete the discussion of the Bill early. I request the Hon. Minister to give this information as I saw something about it in the newspapers to-day. And also I want to know whether he had made any arrangement in respect of payment of compensation when the Centre has refused to give any help practically so far as this Bill is concerned."

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I am not in a position to accept the amendment. If capital were invested and the tope had been properly reared, then it will not come under this definition. As a matter of fact there is no loss to the landholder, if he were getting income from this kind of land; for we are going to pay him compensation under the miscellaneous income clause. Therefore the zamindar has nothing to lose.

"With regard to the point raised by Mr. Natesa Chettiyar, I have already stated on the floor of the House once that I am very sorry that I am not prepared to disclose the instructions from the High Command. Whatsoever they may be I can only say that I will implement in this measure almost all suggestions. That is all I can say."

The amendment was put and lost.

* THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, 4.15
Sir, I move the amendment which stands in my name, namely:— p.m.

'Insert the following as Explanation (1) at the end of clause 11 (b) and renumber the existing explanation as Explanation (2):—

"(1) The lease of the lands falling under this clause, either to the Central or Provincial Government on or after the 1st day of July 1939 shall not be treated as an interruption to the possession or cultivation mentioned therein."

"Sir, this is only a simple amendment. During the last Great War the Central Government have taken some of our lands which had been under cultivation till 1942. Such lands were given to them on lease for war purposes.

"Now, Sir, during the discussion of the various clauses in the draft Bill these lands were not included. I would request the Hon. Minister to accept my amendment, so that lands which were taken on lease by the Central and Provincial Governments should not be treated as an interruption to the possession or cultivation thereof. I do not like to take much of the time of the House on this amendment, because it is a very simple and a reasonable one and I request the Hon. Minister for Revenue to accept it."

* THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, I have great pleasure in seconding this amendment and in doing so, I must observe that this is an amendment which requires the sympathetic consideration of the Government. The amendment says, 'that the lease of the lands falling under this clause, either to the Central or Provincial Government on or after the 1st day of July

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1939 shall not be treated as an interruption to the possession or cultivation mentioned therein.' As my hon. Friend, the Zamindar of Mirzapuram, has said, certain very valuable lands which could have come under this clause of the Bill had been requisitioned and had been taken away on lease by the Central Government and by the Provincial Government during the period of the last war. Now if these lands are not included, it would be a real hardship to the landholders. These lands were given to the Government on lease on account of the official pressure that had been brought to bear upon the landholders. I hope, Sir, that even if the Hon. Minister for Revenue, has any difficulty in accepting this amendment, he would be so reasonable as to find some means by which he would do justice to the landholder. Sir, here is a case where the zamindars are being handicapped because of the action of the Government and I submit, Sir, that such handicaps should be removed."

* THE HON. SRI KALA VENKATA RAO:—"Sir, I regret I cannot accept this amendment. We have recently examined this position at great length and we have come to the conclusion that it is not possible to accept this amendment. My hon. Friend, the Raja of Venkatagiri, has even envisaged certain technical objections. I am mindful of them."

THE ZAMINDAR OF MIRZAPURAM:—"In view of the assurance of the Hon. Minister for Revenue, I withdraw this amendment, Sir."

The amendment was, by leave, withdrawn.

New sub-clause (b) (iv).

SRI T. VISWANATHAM:—"Sir, I move—

'to insert the following as new sub-clause (b) (iv):—

"(iv) All pasture lands attached to the lands described in the above clauses."

"Sir, the first portion of this amendment has already been decided. But the other portion is very necessary, Sir. I suppose the Hon. Minister will see the justice of my very reasonable and small demand. I know in certain villages, where if the pasture land is not given, there will be no use at all in giving any lands to the ryots for purposes of cultivation. You may give ryotwari pattas over such lands, but if you take away the pasture lands and water facilities, the ryots will not be able to cultivate such lands at all and it is no use giving them such lands. I submit, Sir, that by accepting this amendment or by making proper rules in this respect in proper time, the Hon. Minister will be pleased to see that he gives pasture lands and water facilities to those lands for which he proposes to give ryotwari pattas. Otherwise the ryotwari pattadars of these lands will be in a hopeless predicament and ultimately they will not be able to cultivate the lands, and this will affect production. Therefore, I request the Hon.

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Minister for Revenue to see that something is done, which will satisfy me, satisfy the land and satisfy the ryots and also facilitate extra production."

*SRI M. G. NATESA CHETTIYAR:—"Mr. Speaker, Sir, I second this amendment and in doing so, I should like to ask the Hon. Minister to whom is he going to give the patta? When the landholder is there actually cultivating the land, and when the land has been purchased in revenue sale years ago subsequent to 1908; and when there is no other man than the landholder in whose name the land is registered in the rent roll chitta to whom is he going to issue the ryotwari patta. I want, Sir, that the Hon. Minister for Revenue to kindly explain this point when he replies."

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, all I can say in reply is that the pasture lands will be attached to the agricultural lands. They cannot go otherwise. We will consider the suggestion of the hon. Members when making rules under this Act.

"With regard to the second point raised by my hon. Friend, Mr. Natesa Chettiyar, as to whom the ryotwari pattas would be issued, my reply is, that if there is no other man who has the occupancy right, such lands will go to the ill-clad, to the down-trodden and to the various other kinds of gentlemen in the agricultural set up in the villages for whom my hon. Friend, Mr. Kaleswara Rao, has been all along pleading and for whom I have got the utmost sympathy and to whom the Government have promised help."

*SRI M. G. NATESA CHETTIYAR:—"What I want to know is this, Sir. The land is being cultivated to-day by the landholder and it will continue to be cultivated by the landholder hereafter also. There is none cultivating it except himself. He uses his own cattle and his own men. In such a case, to whom the ryotwari patta will be issued in respect of the land purchased in revenue sale."

THE HON. SRI KALA VENKATA RAO:—"It does not come within the scope of this clause, Sir."

SRI T. VISWANATHAM:—"In view of the reply of the Hon. Minister, I am not pressing my amendment, Sir."

The amendment was, by leave, withdrawn.

New sub-clauses (c) to (e).

*THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, I do not propose to move all the three amendments, Sir. I am only moving the first amendment, namely—

'Add the following as new sub-clause (c) to clause 11:—

"(c) All topes, gardens and orchards belonging to the landholder and in his possession immediately before the notified date."

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"Sir, this amendment relates to topes, gardens and orchards belonging to the landholder and in his possession immediately before the notified date. Sir, provision has already been made in the Bill for recognizing topes, gardens and orchards which were reared by the zamindars prior to 1939 as their private lands but those which have been laid after 1939 have not been so recognized, although the landholder might have spent a lot of money on raising these gardens and topes. I know that several landholders have invested a lot of money in promoting horticulture and now if they are told that simply because they had raised them after 1939, all these orchards and gardens would be taken away from them, I submit, Sir, it would hit the zamindars very hard indeed and such a course would be most improper and unfair.

"Sir, gardens and orchards can be raised only after very elaborate preparations and they must be reared and tendered very carefully and with great skill, and the soil selected must be most suitable for their growth. Otherwise they would not grow and would become useless. So, the process of rearing the gardens and orchards cannot in any way be compared with the mere ploughing of the field and raising paddy by sowing of the seeds and so on. Therefore it cannot be argued that the zamindars have reared these gardens merely for the purpose of acquiring large areas of lands under the pretext of raising gardens. If really the Government entertain any such apprehensions or suspicions that these topes and orchards had been raised by the zamindars simply for the purpose of registering their claims to the land, let them constitute an impartial authority to go into the question and examine whether that was so, and we shall abide by their verdict. But without providing any such safeguards, if the zamindars are deprived of these topes and these orchards, I submit, Sir, it would be unjust, improper and expropriatory. I hope, Sir, that the Hon. Minister will see the reasonableness of my amendment and accept it."

* THE ZAMINDAR OF MIRZAPURAM:—"Sir, while seconding this amendment, I should like to say that according to the present Bill, topes raised after 1939 will not be given to the landholder. As my hon. Friend the Raja of Venkatagiri pointed out, the raising of a garden is a very costly affair and to maintain it is also a costly affair. Generally, if a garden is laid in the year 1939 or 1940, it will take something like seven or eight years now before it begins to yield for a few years to come. If it is the intention of the Government to take away these gardens also, without paying any compensation to the landholder, then I submit, Sir, all the money invested by the zamindars in rearing these gardens until now would be lost to them and it would be a very unfair and unjust thing to do.

"I therefore request the Hon. the Revenue Minister, Sir, to consider these things. The amendment which we are moving is

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a just and proper amendment and I request the Hon. Minister to accept the amendment and thus save the landholders from going to ruin. There are several landholders, Sir, who are entirely depending on these gardens and topes. For instance small zamindars, mokhasadars and under-tenure holders are all entirely depending on such gardens and if such gardens are not given and if they are asked to leave the gardens and go away, they will have nothing to fall back upon. With these words, Sir, I request the Hon. the Revenue Minister to accept the amendment." 4-30 p.m.

* MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, while speaking on this I have to point out that if no ryotwari patta is given for these lands they must certainly be given compensation. Normally if the lands had been vacant lands and cultivable, perhaps the rule of two-thirds or one-third of the assessment might apply. But in this case where they have spent a lot of money on a vacant land and a garden has been raised out of which the landholder gets a lot of income, the payment of a compensation of one-third of the ryotwari assessment will not form a proper basis for acquisition of the topes, etc. Further there will be legal difficulties also. If the Government do not want to give ryotwari pattas to the zamindars for these lands, they will have to pay proper and adequate compensation. Unless they pay such proper compensation which must be at least the income that they get from the garden, I feel that so far as this matter is concerned it won't be adequate compensation. And therefore a legislation of this nature will be ultra vires. From that point of view, Sir, I feel that this is a matter which the Government must examine and give compensation on the basis of the income derived from the gardens, if they are not willing to give a ryotwari patta."

SRI K. KOTI REDDI:—"Mr. Speaker, I believe the Hon. the Revenue Minister will really take a sane view in this matter. I am not generally credited to be a champion of the zamindars. Sir, but I must say that in this respect the amendment moved by the Raja of Venkatagiri is not only sound but we would be doing the greatest injustice if we do not accept it. Having some knowledge of the orchards, I can say this much, that to raise an orchard, particularly an orange garden and see that it yields an income, you have to spend thousands and thousands of rupees. A mango garden, though it may not be so costly to raise will take seven or eight years, before you can get a proper income and an orange garden will at least take ten years before you get a proper income. Before you get any income from these gardens you will have to spend a lot of money to bring them to fruit-bearing stage. From my practical experience of a mango garden I can say that it will at least take up to ten years to get an income from them. When such is the case, Sir, will it not be a great hardship and will we not be doing the greatest injustice to the person, be he a zamindar or a ryot, if we deprive him of this income altogether?"

[Sri K. Koti Reddi] [21st September 1948]

"My hon. Friend Mr. Ali Baig pointed out some difficulty. He said that the income which he gets from the gardens must form the basis for the calculation of compensation. But there is another difficulty. A garden which has been raised only before six or seven years would not yield any income now and it will be only fit for fuel. For such gardens his suggestion may not work at all. If we do not accept the amendment, the zamindar does not get any income at all and no compensation at all for the garden he has raised. Speaking as an ex-lawyer, I doubt very much if under the Government of India Act, 1935, as it now stands or even the new Constitution that we propose to pass, a law which deprives a person of his income and whose property is taken over by the Government without paying the slightest compensation would really stand. Apart from the legal aspect of the question, Sir, it is injustice if there is no provision at all to compensate the zamindar for a garden which he has raised, a garden which yields a lot of income. It cannot ordinarily be treated on the same footing as the land of an ordinary cultivator. If the Hon. the Revenue Minister thinks that he is going to help somebody or the poor man for whom he pleads so much—as if other persons here are not as much interested in the poor man as the Hon. the Revenue Minister—by depriving one set of people of their legitimate due and without giving proper compensation, without at the same depriving everybody else in this country and without having a reform of this type for everybody in this country, that is, if he wants to deprive only this class of people, namely, the accursed zamindars, I do not think, Sir, it is proper and just and it is not at all proper legislation."

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, I am sorry I am unable to accept the amendment. Here the purpose is only to change the date. If there are orchards in which the zamindar has invested money and they have been in his continuous possession from 1939 they will go to him. (Interruption.) That is what the Bill provides. But this amendment, by using the words 'the notified date' would ask us to give him the land which he began cultivating even from the date of the notification. It means, if to-morrow there is some land in which he begins to grow some trees, that land also will go to him according to the amendment. (Interruption.) That is a different thing. As the amendment stands it means only this. If to-morrow one landholder begins to plant some trees that land will at once become his land, because he is rearing a tope there. That will be the consequence of the amendment, Sir. Therefore I am not able to accept the amendment."

* THE RAJA OF VENKATAGIRI:—"Sir, my hon. Friend, Mr. Mahboob Ali Baig, spoke about compensation. Compensation can be given only to those gardens which have begun to yield, but what about the cases of those gardens which have been planted, but which have not yet begun to yield. Therefore the compensation question does not arise at all. (Interruption.) Well, Sir,

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potential values are very different. To the extent to which I know of that law, although I am not a lawyer, it is all very difficult to assess potential values correctly. All that we want is that lands wherein gardens have been grown by the zamindar should be assigned to him on patta. If I understood my Hon. Friend, Mr. Kala Venkata Rao, correctly he seemed to have observed that cases where gardens have actually been raised even subsequently—I would like to be corrected by my friend, Sir, if I am wrong—I would request through you, Sir, . . . "

MR. SPEAKER:—"The Hon. the Minister for Revenue."

THE RAJA OF VENKATAGIRI:—"I would request the Hon. Mr. Kala Venkata Rao, Sir, to tell me whether I understood him correctly, when I say that in cases where the zamindar has subsequent to 1939 raised gardens he would be given pattas for those lands also. If that is really what he has said, Sir, I have no objection to withdraw my amendment, provided he gives me that assurance."

"He gave expression to another fear, namely, that if it is to be the notified date, a zamindar can raise a bund or do something and claim that that land has been reserved by him for raising a garden or an orchard. If there is difficulty about the notified date, Sir, then we can have some other date if it is suggested by the Government. 1947 may be the date. With this, Sir, I hope the Hon. the Revenue Minister would do the needful. I do not press the amendment."

The amendment was, by leave, withdrawn.

Clause 11, as amended, was put and carried.

MR. SPEAKER:—"Before we go to clause 12, I must inform the House that I have been informed by the Government that they have ordered the release of the hon. Member Mr. Mohamed Abdul Salam." ('Hear, hear.')

IV.—DISCUSSION RE PROCEDURE TO BE FOLLOWED WITH REGARD TO AMENDMENTS.

* SRI R. V. SWAMINATHAN:—"Mr. Speaker, Sir, I want to make one submission and it is this. Hon. Members are put to great difficulties. We are here in the City from the 3rd September. We have taken up discussing this Bill clause by clause on the 14th itself. A period of about eight days is over. Yet we have not finished twelve clauses. Therefore, Sir, I want to know from the Government for how long we have to sit here. I request the Hon. the Revenue Minister through you to consider our difficulties. I may also suggest to you, Sir, that you may apply the 'Kangaroo closure' which you mentioned yesterday from to-morrow onwards. Then, in two days, by the 23rd, the discussion over clauses will be finished and we can have the third reading on the 24th. I am not the only person who feels like that but there are many Members including the zamindar Members in the House who also feel like that and they are also of the same

[Sri R. V. Swaminathan] [21st September 1948]

opinion that this Bill should be finished as early as possible. (Interruption.) I am not speaking for the hon. Member Sri M. G. Natesa Chettiyar, but I may say that other zamindar Members feel like that. In case, Sir, the Kangaroo closure is applied, I would also be affected because there are about thirty amendments still standing in my name. Therefore, when I am saying this, I do realize I will also be affected as other Members who have given notice of amendments. With these words, I request the Hon. the Revenue Minister to consider our difficulties."

* THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, this 'Kangaroo' business has created a real 'kangaroo' in my mind yesterday. The word 'kangaroo' in Telugu means alarm. Sir, I felt alarmed and I still feel alarmed over the results of this Bill if passed into law. Then, Sir, this Kangaroo principle has the prospect of depriving the Members of their right of discussion. Therefore, it is really a 'kangaroo.' At the same time, I may tell you, Sir, that before you apply this Kangaroo principle you should see that proper opportunity is given to us to express our views, because here the rights of the zamindars are being taken away. My hon. Friend, Sri R. V. Swaminathan, wants that the rights of the ryots should be promoted and increased, and I do not grudge him that right. But, let it not be at the expense of our vital interests. As I said, Sir, since hope is always perennial in the human breast and since we have divinity in us at some stage or other"

MR. SPEAKER:—"It becomes a great debate. Let the hon. Member finish soon."

THE RAJA OF VENKATAGIRI:—"I am speaking in the hope that justice will be secured. In this connexion, I may suggest this because this Kangaroo is there. (Laughter.) Supposing you decide that certain amendments are vitally important and others are not so vital and supposing there are certain amendments which we think are vital and you may pass over, then, there will be difficulty."

MR. SPEAKER:—"For clause 12, there are 43 amendments. I may suggest this thing. I shall call a meeting of some of the Members who have already given amendments, in my room so that we may come to a conclusion about the importance of the amendments and then they may be moved here. That will be the best thing. At this rate, we will have to sit for thirty or forty days."

SRI R. V. SWAMINATHAN:—"Can we sit till 7 o'clock every day?"

SRI P. KANDASWAMI PILLAI:—"We can sit till 9 o'clock every day, Sir."

* SRI T. VISWANATHAM:—"I may submit that we are not taking undue time over our discussions. Secondly, I request the Hon. Speaker to watch the progress during this week. If the

21st September 1948] [Sri T. Viswanatham]

Speaker thinks it cannot be finished within this week, then, Sir, you can introduce that Australian gentleman here. (Laughter.) Meanwhile, I may also submit to you, Sir, that you can adopt the procedure that is adopted with regard to the Budget cut motions according to which some amendments can be classified together. The Hon. Speaker may ask one hon. Member to move it and then others may speak on it. It will simplify matters. Instead of that, Sir, you have brought in this zoological being and Sri R. V. Swaminathan is fond of these things. (Laughter.) Once we take to this People's Park business, it may become a very serious matter afterwards. Even when the Prakasam Committee Report was discussed, we took more than ten days at that time. Now, Sir, this is a very important Bill. I, therefore, submit that the amendments may be classified. Then, Sir, it is also a very good suggestion which you gave, that is, the Members who have given amendments may sit together with you and come to a conclusion with regard to them. But, Sir, do not bring in that Australian gentleman here." (Laughter.)

MR. SPEAKER:—"It is not at all my idea to rush up this legislation. The thing is this. There are 43 amendments to clause 12. Many of the amendments seek to apply the same wording for lanka lands which was applied for the inam. Even though there is overlapping of these amendments, yet, it is not possible to classify all of them. Therefore, I wish to call a meeting of the Members who have given notice of the amendments on Friday at 10-30 a.m. in my room in order to come to a conclusion about the importance of the amendments. That is my suggestion. I may again state that it is not at all my idea to rush this Bill."

THE HON. SRI KALA VENKATA RAO:—"I wish this Kangaroo is not brought into this House at all. I would bring to the notice of the Hon. the Speaker that there is the guillotine process and I think it will be more effective than this Kangaroo business."

SRI T. PRAKASAM:—"Sir, at last we have reached a very interesting stage in the conduct of this Bill. I would like to say one or two words addressing you as the Speaker of this House. So far as you are concerned, you have been allowing the business to go on in the normal manner. But, the proposal now made will not be in keeping with the position you occupy and you should not call the Members who have given amendments into your room with a view to settling the important amendments and then classifying them. My suggestion is this. There are very able men and very sensible men in this House. They must sit together and then come to certain conclusions with regard to the order in which the amendments should be moved. Sir, everything has gone wrong so far as this House is concerned with regard to this Bill. I do not want to harp upon that matter at this stage. But, I

[Sri T. Prakasam.] [21st September 1948]

would request you not to deviate from the path which you have been following till now. It may take time, but it cannot be helped and nobody can help it in a measure of this nature. I have abandoned my amendments and I am not talking on those amendments. I only want to talk in the end after seeing all these things. On some of those important amendments which I have given notice of, I was very much tempted to talk but I resisted from talking because things were going on quite in the wrong way from the beginning, and the Government is not prepared to yield even an inch. Sir, I have no pleasure in pursuing the matter. But, Sir, you should allow every Member to move his amendment and speak on it. That means we will have to sit for more than thirty or forty days. If it is necessary to do so, we will have to sit in order to pass a Bill of this magnitude. The House cannot say 'No'. Nobody should do it, because it is not in the interests of this House and the proceedings of this House. Even as it stands to-day, to my mind, the procedure is not in the interests of the House. I will tell my mind to this Government in the final speeches that we have to make. When we reach that stage, I will deal with those points. Now I would only request the Speaker to allow things to proceed in a perfectly orderly manner. You are thinking of allowing this Kangaroo business here. I say, Sir, that Kangaroo procedure should not be allowed and introduced. Instead of progressing we are retrogressing . . . "

MR. SPEAKER:—"That means, according to hon. Sri Prakasam, we have to sit for a number of days, more than thirty or forty days. Regarding the suggestion of the Hon. the Revenue Minister, I do not think it is necessary to apply the guillotine because, in that case, I will be putting to vote clause by clause without considering any of the amendments. I do not think it is right on my part to do so and I am not going to use that power. Only as a last resort, I want to use this 'Kangaroo closure'. Then, another suggestion was that the amendments might be classified just as cut-motions are done during the Budget session and then I may use the guillotine. It is not possible to classify the amendments and I cannot use the 'guillotine procedure' here. I may tell the House that some Members such as Sri N. S. Varadachari, Sri T. Viswanatham, Sri T. Prakasam, Sri Bhashyam and the Zamindar Members and others have given notice of a number of amendments. I wish to call them to my room and then come to a conclusion about the importance of the amendments. That will avoid the Members openly saying in this House, 'I am not going to move this amendment' and so on. At this rate we may take two months and, therefore, there is no harm in calling for a meeting in my room because that will amicably settle all these things. I am thinking of doing this on Friday."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Is the Chair entitled to apply the guillotine and put the main clauses to the vote without amendments being moved?"

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MR. SPEAKER:—"I am not going to do that."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Has the Chair power to do so?"

MR. SPEAKER:—"I am not going to do that."

SRI P. KANDASWAMI PILLAI:—"Will it not be convenient for the Hon. the Speaker to send for the Members who have given amendments to-morrow morning itself because it will expedite matters?"

MR. SPEAKER:—"Let us wait for to-morrow, and on Friday, I shall call a meeting of the Members who have given amendments in my room to settle this matter. I now adjourn the House to to-morrow till 11 o'clock."

The House then adjourned to meet again at 11 a.m. on Wednesday, the 22nd September 1948.

[21st September 1948]

APPENDIX.

[Vide answer to starred question No. 345 asked by Sri S. Nagaraja Manigar at the meeting of the Legislative Assembly held on the 21st September 1948, page 617 supra.]

General Plan for Firka Development Work.

THE PROVINCIAL FIRKA DEVELOPMENT BOARD.

SUB-COMMITTEE.

MADRAS,

27th October 1947.

To

THE HON'BLE PREMIER,

Government of Madras.

SIR,

The Provincial Firka Development Board at its meeting held in the Council Hall on 19th October 1947 under your Chairmanship appointed a Sub-Committee of eight of us as per the terms of reference of the following resolutions:—

“ This Board authorizes the following Sub-Committee consisting of not more than five persons (in addition to the Provincial Firka Development Officer and the Regional Firka Development Officer), in the light of the discussions that have taken place at this sitting of the Board, to, (1) draw up a detailed scheme for the firka development work, (2) draw up a detailed plan for the training of workers under the scheme and (3) provide for the effective supervision and inspection of the work; and to submit its proposals to Government in regard to these matters within a week's time.”

The Sub-Committee met twice under my Chairmanship and we have now completed our labours. Herewith are our proposals as per the terms of reference in the above resolutions.

We sincerely trust that, under your inspiring personal leadership the work we have planned, which we hope will have your approval, will be implemented with the utmost thoroughness and without any delay.

I remain,

Sir,

Yours sincerely,

G. RAMACHANDRAN,

Chairman.

21st September 1948]

A GENERAL SCHEME FOR FIRKA DEVELOPMENT WORK.

(In four parts.)

- I. General plan of work.
- II. Scheme for the training of workers.
- III. Supervision and Inspection.
- IV. Concluding observations and certain suggestions.

SUB-COMMITTEE MEMBERS.

Sri J. C. KUMARAPPA.

„ G. RAMACHANDRAN (*Chairman*).

„ R. R. KEITHAN.

„ MOTHEY NARAYANA RAO.

„ M. SATYANARAYANA SASTRI.

„ K. KELAPPAN.

„ G. VENKATACHALAPATHI (*Convenor*).

„ T. V. RAGHAVA RAO.

[21st September 1948]

THE GENERAL PLAN FOR FIRKA DEVELOPMENT WORK.

AIMS AND OBJECTS.

This is a general and overall plan for the work of firka development. It does not furnish specific or detailed schemes of work for each of the firkas. It lays down what we consider are the right lines along which the whole work should begin and grow. It is for each of the firkas to draw up periodically its own local schemes in detail, keeping in mind the general lines we have laid down.

But before any schemes of detailed work are actually drawn up, the general plan laid down by us should be fully understood. Because whatever schemes of work are taken up locally should not merely be good for the locality, but should fit in harmoniously with the general plan of development. It is therefore necessary to set forth clearly what are the aims and objects with which the general plan is drawn up.

The object is to organize the villages for a happier, more prosperous and fuller life in which the individual villager will have the opportunity to develop, both as an individual and as a unit of a well integrated society. This has to be done by using local initiative and local resources to the utmost extent possible in the economic, political and social fields of reconstruction on co-operative lines. Self-reliant, self-dependent and properly organized life in the villages will thus be the aim of firka development work. Such work should ultimately lead to the establishment of a just and democratic social order along peaceful lines. In Gandhiji's words such a new social order should be "Casteless and Classless".

PART I.

PLAN OF WORK.

Firka development is best organized around the following five main centres of work :—

- (1) Agriculture and Village Industries.
- (2) Sanitation, Health and Housing.
- (3) Village Education.
- (4) Village Organization.
- (5) Village Culture.

[21st September 1948]

I. AGRICULTURE AND VILLAGE INDUSTRIES.

Under this heading we deal with village economics. This is a big and comprehensive heading. Agriculture is the foundation of village economy and includes animal husbandry. The aim is self-sufficiency in food and clothing as far as possible.

(A) Under *agriculture and animal husbandry*, the following details are emphasized :—

(1) *Balanced cultivation*.—Priority should be given to the growing of food crops keeping in view the fundamental necessity of a balanced diet for the villages. Further the proper rotation of food crops keeping in mind the balanced fertility of the soil is necessary. Selection of seeds is another important item. In regard to manure, villages should be taught the use of night soil, farmyard and green manure, village waste, bone meal and jungle collections.

The Agricultural Department should help in teaching the great possibilities for better cultivation from the proper selection of seeds and from the composting of all locally available sources of manure.

(2) *Minor irrigations*.—Wells and tanks next only to rain contribute most to village irrigation. Many of the old tanks are tending to become less useful. A full survey of village tanks and wells should be made and possibilities of adding to them and improving them should be investigated.

(3) *The conservation of the soil*.—The prevention of erosion, the recovery and use of uncultivated lands, afforestation and tree-planting in public land, the utilization and regulation of excess lands not availed of for balanced cultivation for commercial crops and similar other items must be attended to urgently.

(4) *Vegetable gardening*.—Villagers eat more grain food and too little of vegetables and this is one of the chief reasons for malnutrition. There will hardly be a village which cannot grow its own vegetables. Vegetable gardening must therefore be systematically organized and even made obligatory. Where families have no land even for vegetable gardening small plots should be made available either free or on easy terms. Vegetables exhibitions should be organized and best growers honoured and given prizes.

(5) *Fruit tree planting*.—Fruit trees suitable to the localities should be extensively planted under a proper plan as private and also as common effort.

(6) *Other items*.—Poultry farming, bee-keeping, sheep rearing, fish growing, sericulture, etc., are other important items.

(7) *Animal husbandry*.—This is a major item closely associated with agriculture, since the whole of our village economy is more or less bullock and cow centred. Attention should therefore be given to the development of cattle of good working capacity and good milk-strain through proper breeding. The milk goat should not be neglected as it is the poor man's cow.

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(8) *Village dairies*.—Village milk production is in a chaotic state and benefits no one less than the villagers. It is a prolific source of exploitation by the city men. The organization of village dairies on a co-operative basis is a crying need.

(9) *Ailments of cattle*.—The common ailments of village cattle and cheap and simple remedies for the same should be taught in the villages. There is already a fund of knowledge available in the village on this subject. It has to be added to and made more scientific.

(10) *Common pasture land*.—In the old days common pasture lands in the villages was part of village economy. Such pasture lands have now-a-days largely disappeared. This is fatal and should be remedied, if necessary by framing new rules and regulations by Government.

(B) *Village Industries*.—Under village industries will come the following numerous items, not necessarily in their order of importance, since that will vary from firka to firka and even from village to village :—

(1) *Food processing*.—All food processing such as flour grinding, paddy husking, oil pressing, gur making should be emphasized.

(2) *Khadi production*.—The whole process of Khadi production from cotton to cloth including tailoring comes under this item. Production of woollen goods also should be organized wherever possible.

(3) *Village pottery*.—The village potter like the village handloom weaver has withstood much competition and survived. But his methods and technique should be improved.

(4) *Handloom weaving*.—The village handloom weaver is one of our best craftsman. While the ultimate aim is to convert every handloom into a Khadiloom, even those who now use mill yarn should be organized on a co-operative basis. Luckily much valuable experience in this line is available with the Co-operative department which should be utilized.

(5) *Mat and basket making*.—This is one of the industries requiring the cheapest raw materials available almost everywhere and should be taken up more extensively than now.

(6) Bell metal work.

(7) Toy making.

(8) Tool and equipment making for village schools and village industries.

(9) Soap making.

(10) Paper making.

(11) Tanning and making of leather goods.

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(12) Making of oil lamps.

(13) Improved carpentry.

(14) Improved blacksmithy.

Note.—None of these items of village industries is new. They are already being carried on almost everywhere as parts of the undying economy of our villages. But in many cases our village craftsmen make no progress with their technique, patterns, materials and designs. The need therefore is to give them the assistance of expert technicians and artists. New types of village goods suited to new needs and tastes in the villages themselves and outside should be produced with better technique, materials and artistry. Workers trained in good technical schools and schools of art should be made available from time to time by Government departments concerned. Village pottery, village carpentry, etc., can thus be made more useful, artistic and remunerative. *Electricity*: For agricultural and village industries purposes cheap power should be made available wherever possible under proper guidance. Proper guidance is necessary in order that use of power may not uproot village economy but will strengthen and nourish it on its own ground.

II. SANITATION, HEALTH AND HOUSING.

Gandhiji has insisted that Sanitation is the first step in village work. Many of the diseases, which have tended to depopulate our villages arise from insanitary conditions of life.

The following items have to be emphasized :—

Sanitation.

(1) *Personal habits of cleanliness*.—Villagers have generally a fairly high sense of personal cleanliness derived through tradition and habit. Unfortunately some of these good habits are being given up under a false sense of modernity. Therefore the value of all good old personal habits of cleanliness should be re-emphasized and where necessary new good habits inculcated.

(2) *Collective or group cleanliness*.—This is the weakest link in our village life. Village paths, roads, public places and tank bunds have all become so many public latrines. Villagers answer the calls of nature anywhere indiscriminately polluting most of the places on which people walk about and even the available drinking water. But the fault is not the villagers' wholly. There are no common latrines or urinals in a village and houses are so crowded and small that each house has no such facilities. Therefore the construction and proper maintaining of latrines, urinals and bathing places on a common basis becomes very necessary, as also a plan to convert all rubbish and night soil, etc., into manure. Such a programme is necessary from the point of view of sanitation and of village economy. The following details of group cleanliness are indicated :—

(a) Suitable and cheap drainage, even if only open ones, and their periodical cleaning and disinfecting.

(b) Use of drainage water for kitchen gardens and fruit trees.

(c) Collection of all rubbish and waste and its conversion into manure.

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(d) Keeping village wells, paths, tanks and open places clean and uncontaminated.

(e) The making and maintaining of small gardens for the village public, childrens' playgrounds, etc.

Health.

(1) *Village dietetics.*—Mal-nutrition is rampant in the villages. Villagers must be taught the nutritive values of different articles of food which are or can be produced in the villages. Every family should understand the meaning of a balanced diet and how best to get it under village conditions.

The Health Department should take up educative work in this line in all the firkas seriously. The Government should prohibit rice mills within the firkas to begin with and help to organize hand-pounding of rice.

(2) *Drinking water.*—Supply of clean drinking water is a fundamental item. Many more wells are required in the villages. Many old ones have to be repaired. In some cases clean and protected tanks will have to be made sources of drinking water. This is one of the items which should secure immediate priority.

(3) *Preventive measures.*—Preventive measures against diseases should be emphasized more than curative measures. This means emphasis on balanced diet, personal and collective sanitation and general healthy living with provision for recreations and exercises.

(4) *Ordinary ailments and cheap remedies.*—Common village ailments and their prevention and cure should be taught. Natural methods and cheap remedies with suitable village herbs and drugs should be emphasized. Every family should be supplied with and taught the use of cheap disinfectants. The Health Department should investigate the value of locally available poisonous herbs, weeds, etc., in this connexion.

(5) *Recreation and exercises.*—Provision of space and equipment for open air recreations and exercises should be made in every village. Exercises like Suryanamaskar, Asanas and collective village games should be encouraged and organized.

Housing.

Better and healthier housing is an important item. Village houses are insanitary, over-crowded and built without any common plan. This has to be altered under a well-conceived plan which will be drawn up by the village panchayats sitting down with such Public Health and Public Works authorities as are available near at hand. The following points have to be emphasized :—

(1) Relieving congestion of village houses by providing extension-sites for buildings under a plan.

(2) Future house building to be on a co-operative basis.

(3) Improvement of existing houses through educative propaganda.

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(4) Provision of some kind of drainage for individual houses and for the streets. The first is obtained by digging and maintaining soak pits which will be periodically cleaned and changed. The second is done through a simple and cheap drainage system, even if open, which will be periodically cleaned and disinfected. Normally drainage water should be used for vegetable gardens and fruit trees.

(5) Village houses being small and over-crowded common latrines, bathing and washing places should be provided.

(6) Immediate levelling up of all stagnant water pools and pits which become source of malarial infection.

(7) Laying out and improvement of village paths and roads on planned basis is not to be delayed.

(8) Model houses suited to village conditions should be made and exhibited by Public Health and Public Works Departments.

(9) In select places where old villages cannot be improved in sanitation and health conditions, an attempt should be made in transplanting the village progressively to a new site nearby with free gift of land and small building subsidies on a co-operative basis. (This is being attempted in Sevagram, Wardha.)

(10) In all new enterprises and schemes of house building care should be taken to give the Harijans their full share of concessions and amenities in order to do away with the present segregation of their living quarters from the rest of the village.

III. VILLAGE EDUCATION.

Village Schools.

Under this heading we deal with village schools. In regard to village schools the Government has laid down a policy for the whole Province, i.e., that all elementary schools should be converted into basic schools as soon as possible. Almost all the schools in the villages are primary and elementary schools. The question under the Firka Development Scheme therefore is when and how will all village schools become Basic schools.

In view of the fact that Firka Development as conceived by us is complete village re-organization, we are convinced that the question of the schools in the selected firkas being converted into Basic schools should obtain immediate priority in the programme for the spread of basic education in the Province. Such priority would be of value both to the Firka Development Scheme and to the Education Department Scheme for spreading basic education. Basic schools will flourish better in the selected firkas than elsewhere because in the firkas they will have the background of the co-ordinated work of village reconstruction.

But basic education will be a seven years programme only for boys and girls between the ages of seven and fifteen. In the selected firkas however, there will be the large percentage of adults who have had no education worth the name. This adult

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population will be the chief human material with which Firka Development Work will have to deal and as such nothing is more important in our scheme than the education of the adults.

The following proposals are made in regard to basic education and adult education :—

1. *Basic education*.—(a) Machinery should be set up to link up the Basic Education Programme of the Education Department with the programme of firka development.

(b) A plan should be drawn up under which the first and second grades in all village schools in the selected firkas should become basic within the next one or two years and remaining grades become basic within the further three years. Thus within the next five years all elementary schools in the selected firkas should become basic schools.

(c) To achieve the above end, two teachers from each of the existing schools should be trained as basic teachers within the next one year or two and all the rest within the further three years.

Note.—Wherever basic education spreads the village outlook and village organization will follow and grow. Thus basic education will be the best lever in firka development. Firka development without simultaneous spread of basic education will become a contradiction and lead to failure.

2. *Adult education*.—If basic education is important as part of the permanent and long range plan, adult education is of more extreme urgency, for, without taking on hand the immediate education of the village adult whose percentage of literacy is very low, we shall not secure the intelligent co-operation of that very section of the village community without which no single item of our programme can be worked successfully.

The Hindustani Talimi Sangh, Sevagram, Wardha, has prepared through a committee of experts, a scheme of adult education which has had the careful scrutiny of Gandhiji himself. According to this scheme, adult education should neither begin nor end with literacy; but it is the education of the adult for life and throughout life for a happier, fuller and more prosperous existence. The following are our suggestions for adult education :—

(1) One duly qualified worker from each of the selected firkas should be trained for six months at least in adult education work as conceived by the Hindusthani Talimi Sangh. The training should be under the direction of the Hindustani Talimi Sangh. The qualification for those selected for training should not be so much a University degree as love of the village people, experience in one or more items of constructive work including knowledge of some village handicraft, organizing capacity, capacity to persevere in day-to-day practical work and general knowledge of village facts and conditions. Thirty-four adult education workers will thus be trained, one for each firka, for six months under the direction of the Hindustani Talimi Sangh at some suitable rural centre in the south where there is already a sound tradition of village work.

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(2) Each one of the trained adult education worker will at the end of six months start an actual centre of adult education in his firka at which he will train a small number of local workers in the technique of adult education.

(3) As more and more trained adult education workers become available we should multiply such adult education centres so that finally we have a network of them throughout the firka.

(4) All adult education centres will become active centres of firka development. They should be provided with craft and educational equipment, a small village museum, library with reading room attached, a workshop, a radio set, a magic lantern set, etc.

N.B.—The whole of the above work of village education will be impossible unless the Education Department co-ordinates its work with that of firka development. In order to achieve such co-ordination, we suggest that a small Standing Committee of not more than seven members be set up under the Chairmanship of the Premier and with six other members selected three each from the Basic Education Board and the Firka Development Board including the Education Minister. The whole work of Educational Reconstruction in the selected firkas should be as per plans prepared by this Standing Committee.

IV. VILLAGE ORGANIZATION.

Village organization will come under three institutions : (1) a village panchayat for village administration on the basis of village self-government, (2) multi-purpose co-operative society for the economic organization of the village, and (3) a grama seva sangham to mobilize non-official support and initiative to back up the work of the whole scheme of firka development, on the basis of voluntary effort.

(1) *The Village Panchayat.*

There will have to be a village panchayat for each village selected on adult franchise, the village being divided into wards for convenient sections for the purpose.

The panchayat will have direct responsibility in regard to all village services, such as village roads, village water-supply, village education, village dispensaries, village sanitation, administration of justice within certain limits, village lighting, etc. These services will have to be compulsorily provided for in every village. If the revenue raised and allotted is not sufficient to provide for these services the deficit should be borne by Government.

There will be another set of services like libraries, village halls, exhibitions, etc., which should be paid for partly by local contributions and partly by Government.

There should be a panchayat union for all the panchayats in the firka. The duty of such a union will be to link up the various essential services, under the village panchayats. The union will thus guide, supervise and co-ordinate the activities of village panchayats and audit their accounts. The firka union will further

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undertake secondary or post-basic education and maintain hospitals and maternity homes. An Assistant Engineer attached to the firka union will prepare estimates and execute all works.

The firka union of panchayats will consist of representatives from the various panchayats in the firka. It will get contributions from the panchayats and grants from the Government.

N.B.—The village panchayats should be something more than mere administrative agencies. They should help in training villagers generally in civic responsibility giving every adult knowledge of the rights and duties of village citizenship. They should also take up the tasks of internal reforms like the abolition of common vices such as gambling, etc., abolition of superstitions and social evils like untouchability, etc.

(2) *Multi-purpose co-operative societies.*

Just as the panchayat is the instrument of political and administrative organization, the multi-purpose co-operative society is the instrument for the economic organization of the village. The multi-purpose co-operative society will deal with the following items:—

(1) The obtaining, grading and storage of the food produce of the village.

(2) The various processing of food articles.

(3) The balanced distribution of local products and of such imports as are necessary.

(4) The stocking and supply of the instruments for agricultural operations, village industries, etc.

(5) The stocking and supply of raw materials like cotton, wood, metal, etc., for local industries.

(6) The marketing of finished products.

(7) Arranging for the exchange of surplus village produce for necessary materials and goods from outside.

(8) The organization of important village industries as inter-related co-operative units, so that, as far as possible, profits and benefits are equitably shared by the village community as a whole.

(9) Up-to-date technicians and those with artistic training should be made available to village artisans to help and improve their work. The cost of such instruction and supervision should be borne by the Government.

(10) There should be one fully trained Co-operative Inspector for each firka.

(3) *Grama Seva Sangham.*

The question may be raised, where is the place for a Grama Seva Sangham, where panchayat and multi-purpose co-operative society are together organizing village life. It should not be forgotten that the village panchayat and multi-purpose co-operative society will be run only by a few elected people whereas all the adults who have elected them will have only a waiting and watching programme unless they are also harnessed to constructive work under the various headings of village reconstruction. The

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Grama Seva Sanghams will be non-official voluntary bodies which would organize all such work as will help the panchayat and the multi-purpose co-operative society to fulfil their tasks. Firka Development Officers and Village Development Officers and others should help in organizing, strengthening and utilizing the Grama Seva Sanghams, which should be autonomous bodies with their own constitution, rules and funds. Government may give grants to this Grama Seva Sanghams, but without fettering their autonomy. The Grama Seva Sanghams will organize bodies of voluntary workers for village sanitation, for the regulation of village meetings and festivals, for the protection of life and property in the villages and for various service on such occasions as the prevalence of epidemics or floods or similar emergencies. In fact for every full-time paid worker under Government, panchayat or multi-purpose society there will have to be numerous non-official voluntary servants of the village from the village trained for such work by the Grama Seva Sanghams.

Note.—We have dealt with Village Panchayats, Multi-purpose Co-operative Societies and Grama Seva Sanghams as the three instruments of Village Organization. The ultimate aim of Village Organization is village self-sufficiency in food and clothing and in other major needs of village life as far as possible, so that self-reliance and self-dependence become the foundation of village life. And all this to be achieved on democratic and peaceful lines.

V. VILLAGE CULTURE.

Village culture is a neglected item in most programmes of village development. But neither village self-government nor village self-sufficiency will be of real permanence without the solid influence of village culture. India has evolved through the centuries a village culture which has fairly stood the test of time. It must be rediscovered, valued and developed. The village woman particularly indicates the inheritance of this culture adding beauty and strength to village life. It has sometimes been said that a village grandmother can put a University graduate to shame with her practical wisdom and understanding of life and its problems. The following suggestions are made to nourish village culture:—

(1) Study of village traditions and habits, village institutions and village history.

(2) Study of folk songs, folk tales and folk art.

(3) Recovery and improvement of artistic handicrafts and village art in general.

(4) Organization of bhajans, kirthans, dramatics, etc., for village education.

(5) Organization of village festivals and important religious occasions to strengthen the unity of village life without distinction of caste and community. People belonging to different communities should be encouraged to take part in each others festivals and religious occasions in a spirit of common happiness.

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(6) Organization of village libraries, village museums and village study circles.

(7) Provision for healthy and open air recreations like rural games, folk dances, excursions, etc.

Note.—The reorganization of village culture should be creative and should aim at giving the villager a high sense of the values that should govern his life as an individual and as the unit of a new society.

PROPAGANDA.

We are strongly of the opinion that organized educative propaganda must be undertaken as an integral part of the work. The whole work cannot go on efficiently and speedily if we do not continually educate public opinion to appreciate what is being planned and done. We suggest the following ways in this connexion:—

(1) A Central Publicity Committee should be set up with not more than five members which should be charged with the task of effectively organizing propaganda.

(2) Simple and easily understood pamphlets and tracts should be prepared on various items of work showing their importance, etc.

(3) Magic lantern lectures, dramas, songs and bhajans, exhibitions, demonstrations and competitions should be arranged.

(4) Wireless sets should, if possible, be made available.

(5) Occasional tours should be arranged for those who are competent to explain to the firka people the ideas and methods of the Firka Development Programme.

(6) A small propaganda unit should be set up in each firka consisting of important local people.

(7) Adequate financial provision should be made for the work of propaganda.

Note.—Propaganda among the literates who are only 12 per cent of the population will be fairly easy, but propaganda among the 84 per cent of the illiterates will be very difficult and when done will be education and thus part of adult education work.

PART II.

SCHEME FOR THE TRAINING OF WORKERS.

1. GENERAL REMARKS.

We cannot emphasize too much the need for giving adequate, efficient and thorough training to all workers on whom will rest the burden of implementing in the villages the programmes laid down. The untrained worker will be a menace to the work, and will create confusion where there should be a clear vision, a detailed plan and careful methods of work. We have no hesitation in saying that the whole programme will be defeated and frustrated without trained workers.

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There should be no delay in taking up the training of workers. The training programme has therefore be marked "immediate and urgents".

2. OUTLINES OF THE TRAINING WORK.

The points under this heading are—

(1) Who are to be trained?

(2) Who will train those selected?

(3) Which will be the centres of training?

(4) What is the period of training and when should training commence?

(5) What should be the nature of training and who will draw up the syllabus of studies?

(6) What standards should be set for the trainees?

(7) What will be the cost of training?

We shall now consider the detailed answer to the above questions.

(1) Who are to be trained?

Those to be trained will be primarily the Firka Development Officers and the Village Development Officers. Besides these whole-time paid workers a sufficient number of others with suitable qualifications should also be trained who will be part-time or voluntary workers. From this last group will come those who might be recruited later as Village Development Officers and Firka Development Officers. Firka Development Officers and Village Development Officers will have to be trained separately. All the Firka Development Officers can be trained together whereas the Village Development Officers will have to be divided into a Telugu group in the North and into a Tamil-Malayalam-Canarese group in the South. A certain number of voluntary workers with due qualifications will have to be trained along with each group at each centre as reserves under each category.

(2) Who will train those selected?

Without a proper training staff we shall only be wasting time, energy and money on the training scheme. The staff will therefore have to be carefully selected. The advice of the All-India Spinners' Association, the All-India Village Industries Association and the Hindustani Talimi Sangh as also of the Kasturba-Gandhi National Memorial Trust may be taken in this connexion. Experts from the various Government departments should also be consulted.

The staff of each training centre will consist of two kinds—

(1) Resident and permanent staff where necessary.

(2) Visiting and temporary staff of experts and workers with experience.

The resident and permanent staff for each training centre should consist of at least two members; a Superintendent, who is

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an Agricultural, Craft or Co-operative expert and a chief assistant who is alternately an expert in one of these three items. Those two will be trained full-time workers.

The visiting and temporary staff will consist of such persons as will teach one or more of the various subjects in the syllabus for some days at a stretch. A list of such teachers should be drawn up and each of them assigned his or her subject and time. These will be given travelling expenses, free food while at the training centres and where absolutely necessary, a small honorarium.

(3) *Which will be the centres of training?*

We have already stated that the Firka Development Officers and the Village Development Officers will be trained separately. So the centres of training for the Firka Development Officers and Village Development Officers will be in different places.

It would be good to give all the Firka Development Officers together training in such centres in the Province where considerable constructive work has already been undertaken as in the Vinayasram in Guntur, the Gandhi Ashram at Komaravole in Krishna district, the Gandhiniketan in the Madura district, the Gandhi Ashram in the Salem district, the Gandhi Ashram near Chidambaram and Gandhi Gram near Dindigul. The headquarters of the Tamilnad, Andhra and Kerala All-India Spinners' Association will also be good centres for training.

The Firka Development Officers are 34 in number. These 34 plus 6 qualified private candidates making a total of 40 may be selected for training. As it will not be possible to take away the Firka Development Officers from their firkas for more than a short period at a time, our proposal is that the Firka Development Officers should come for training for a period of three weeks at a stretch once in every three months. For each of these short periods of training one of the above institutions may be chosen to locate the training centre. The training during each of those periods at one or the other of the above Ashrams may be for one special subject, giving most of the time to that subject but without completely neglecting other items. For instance, the training course on the subject of village education may be either at the Vinayasram in Guntur or in the Gandhi Ashram at Chidambaram which have basic Teachers' Training Centres and Basic schools as part of their work. In the same way for the subjects of Co-operative Village Industries, the Gandhiniketan in the Madura district may be chosen. Similarly, to specialize in village sanitation and health as also in organizing women in the villages Gandhi Gram near Dindigul may be selected. In this way, the Firka Development Officers will get their training in their main subjects at centres which have specialized in them.

The training of Village Development Officers should, we think, be at two permanent centres, one in the north range and the other in the south range. The Andhra Village Development Officers

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will get their training at the Telugu centre and the Tamilnad, Malabar and South Kanara Village Development Officers at a Tamil Centre in the South range. Since successive batches of Village Development Officers will have to be trained necessitating permanent staff, accommodation and equipment, we suggest that the two training centres may be made permanent centres. Since we are proposing later in our report that the Regional Firka Development Officers for the north and the south should each have their headquarters in one of the Andhra and Tamil firkas, respectively, we suggest that the permanent training centres for the north and south ranges be located in the two headquarters firkas.

Two Village Development Officers from each firka should be selected to give a total of 34 Village Development Officers for training at a time at each permanent centre in each successive batches for a period of three months in 1948, to be followed by further successive batches in 1948 each getting training similarly for three months. Along with the 34 Village Development Officers six voluntary candidates with proper qualifications may also be trained, thus giving a batch of 40 candidates for each period of three months per year. The same batch which is trained in 1948 will come in for the next three months training in 1949, so that each Village Development Officer will get six months training in two years.

Each of the above permanent training centres will work for an aggregate of nine months in 1948 and for a similar aggregate of nine months in 1949 but the second year's training will be for the same groups. It means that between the two centres, 240 village Development Officers and voluntary candidates will be trained in the first year, each for a period of three months and for a further period of three months in the second year. The work will proceed as follows: Forty candidates will be admitted at each of the two training centres to begin with. At the end of three months, this will go back and will be replaced by the second batch of 40 for another three months and when the second batch has finished, training for three months, a third batch of 40 will take their place.

N.B.—Later on trained Firka Development Officers and Village Development Officers working together in small select group might run smaller training centres for a number of field workers in the various firkas locally, the ideal being to give every adult in the firka some useful training or other for a short period.

(4) *What is the period of training and when should training commence?*

We are strongly of the opinion that all arrangements for the training of workers should be completed before the end of December 1947, so that the one rotating training centre for the Firka

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Development Officers and the two permanent training centres for the Village Development Officers should actually commence their work on the Thursday, the 1st January 1948.

According to Gandhiji, no complete village worker can be trained in less than two years. But the firka development work is there, money has been spent on salaries and establishment and so we are compelled to be in a hurry. We therefore suggest the irreducible minimum of six months for training workers. But since even here, we have to face the difficulty that the Firka Development Officers and Village Development Officers cannot be drawn away from their firkas for too long a time, we have suggested that the six months of training may be spread out as explained under the previous heading. Under our Scheme, the Firka Development Officers will get the six months training spread over two years in periods of three weeks once in every three months. Similarly, the Village Development Officers will get their six months of training also in two years but in two periods of three months each.

(5) *What should be the nature of training and who will draw up the syllabus of studies?*

The nature of the training will closely follow the nature of the work as outlined in our general plan. Those trained should be able to fit in the general scheme of work with special knowledge of the important items and a working knowledge of the other items. The trained Firka Development Officers should have a clear idea of the objectives and of the nature of the overall plan and be capable of supervising and guiding the work. The trained Village Development Officers should be capable of the same things in a smaller area.

The syllabus of studies should be drawn up under the following major items:—

(1) Clear grasp of the ideals of the new Social Order which has to be created; in other words, a clear understanding of the aims and methods of Firka Development as part of National Reconstruction. Every trained worker should be made familiar with the ideology and methodology of the Congress Constructive Programme as outlined by Gandhiji.

(2) Training in and understanding of Panchayat Organization, in Multi-purpose Co-operative Society and in the work of Grama Seva Sanghams.

(3) Village economics and village sociology.

Proficiency in at least one village handicraft.

(4) Village politics and technique of village politics and technique of village organization.

(5) Understanding of the village mind and the village outlook. This means the study of village habits and customs, village traditions and village culture.

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(6) Study of the technique of village survey.

(7) Actual practice of village work for a minimum period of thirty days as a brief apprentice course.

(6) *What standards should be set for the trainees?*

There will be no formal written examinations which are often misleading. The success of each candidate will be judged from his progress from day to day throughout the period of training. The following items are important in judging the success or failure of every candidate:—

(1) Earnestness in an application to work.

(2) Village-mindedness.

(3) Skill in any craft or crafts.

(4) Organizing ability.

(5) Capacity to persevere in practical work.

(6) General knowledge.

The teaching staff will judge jointly who is successful from the experience they have of the trainees throughout the period of training.

(7) *What will be the cost of Training?*

The cost of the training of the Firka Development Officers and Village Development Officers should be borne by Government. But we have also suggested that along with the training of these, Government should also train a small number of qualified voluntary workers. We think that the cost of the training of these voluntary workers should also be borne by Government as Firka Development will require more and more trained workers in every direction. After all, we have suggested the addition of only six such candidates along with the Firka Development Officers and another 18 along with the Village Development Officers.

TRAINING OF ADULT EDUCATION WORKERS.

We had suggested earlier that adult education workers should also be trained under this scheme. In regard to this, the Hindustani Talimi Sangh should be approached to frame a scheme with budget, etc., and make it available to the Provincial Firka Development Officer early. The candidates to be selected for adult education training need not necessarily be from among the Firka Development Officers and Village Development Officers.

Budget for the Training Centres.

This is the budget for the training of the 34 Firka Development Officers and six volunteers and for the training of three batches of 34 Village Development Officers each, plus six volunteers for each batch, in one year.

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I. Budget for the training of Firka Development Officers.

Number of candidates—40.

Period of training—Three weeks (four times in one year).

	RS.	A.	P.
1. Establishment charges—			
(1) Three temporary sheds, and temporary latrines and bath rooms	1,500	0	0
(2) Lighting and sundries— Twenty lanterns, two petromax and kerosene, etc.	300	0	0
(3) One clerk and one office boy	60	0	0
2. Salaries, honorariums and travelling allowance for teaching staff—			
(1) Principal—Honorarium	100	0	0
(2) Resident Assistant—Honorarium	60	0	0
(3) Honorarium for five visiting teachers— Rs. 30 × 5	150	0	0
(4) Travelling allowance under all heads but not including travelling allowance for Firka Development Officers	300	0	0
3. Kitchen equipment—			
(1) Cooking utensils—Mud pots mainly	100	0	0
(2) Buckets, mats, etc.	50	0	0
(3) Water storage vessels	100	0	0
4. Craft and education equipment—			
(1) Tools and craft equipment minus charkas which the Firka Development Officers should bring	300	0	0
(2) Maps, charts, reference books, etc.	250	0	0
5. Food charges—			
(1) Forty trainees × twenty rupees (three weeks).	800	0	0
(2) Provision for visiting staff and guests	200	0	0
6. Contingencies—Stationery, postage, etc.	50	0	0
Total for each three weeks' course	4,320	0	0
Total for four such courses in 1948	17,280	0	0

N.B.—But since lighting, kitchen and craft equipment can be taken over from one training camp to another there will be considerable saving in training of the three courses after the first, which will amount to a total saving of about Rs. 3,000. The net cost of the scheme therefore will be about Rs. 14,000.

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II. Budget for the training of Village Development Officers.

Number of candidates—Forty each at two permanent centres.

Period of training—Three months.

	RS.	A.	P.
1. Non-recurring items—			
(1) Buildings—			
(a) Two permanent hostel blocks 60 × 15, hard floor, brick walls and country tiles, Rs. 6,000 × 2	12,000	0	0
(b) One residential block for staff 60 × 15, same details, only divided into five rooms.	6,500	0	0
(c) Kitchen and dining hall with store room	5,500	0	0
(d) One class room with side room and one craft class with store room, each 60 × 15 and same details as (a), Rs. 6,000 × 2	12,000	0	0
(e) Five bath rooms and five latrines	5,000	0	0
(f) Workshop block for carpentry, blacksmithy, weaving, etc., 60 × 15, same details	6,000	0	0
(g) Office and library building	5,000	0	0
(h) Two wells	2,000	0	0
Total	54,000	0	0
(2) Equipment—			
(a) Hostel equipment, racks, floor desks, mats, etc., for two hostel blocks for forty trainees.	1,000	0	0
(b) Equipment for staff quarters, same details.	500	0	0
(c) Kitchen equipment—Cooking vessels, storage utensils and boxes, shelves, etc.	1,000	0	0
(d) Bath room equipment, tubs, buckets, etc., plus latrine equipment	500	0	0
(e) Craft equipment	1,000	0	0
(f) Workshop equipment	2,000	0	0
(g) Educational equipment	500	0	0
(h) Office and library	1,500	0	0
Total	8,000	0	0
Total for one permanent centre	62,000	0	0
2. Recurring items—(three courses of three months in one year)—			
(1) Establishment charges—Teaching staff—			
(a) Principal, salary Rs. 100 × 12	1,200	0	0
(b) Khadi expert, Rs. 75 × 12	900	0	0
(c) Agricultural teacher, Rs. 75 × 12	900	0	0
(d) Co-operative expert, Rs. 75 × 12	900	0	0
(e) Provision for the honorarium of five visiting teachers from outside for part-time teaching for bee-keeping, gur making, paper making, carpentry, etc., also leading constructive workers	1,000	0	0
(f) Workshop manager, Rs. 75 × 12	900	0	0
(g) Weaver, blacksmith and carpenter and potter, Rs. 50 × 4 × 12	2,400	0	0
Total	8,200	0	0

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	RS.	A.	P.
(2) Office staff—Salaries—			
(i) Manager <i>cum</i> Accountant, Rs. 75 × 12 ..	900	0	0
(ii) Typist clerk, Rs. 50 × 12	600	0	0
(iii) Office boy, Rs. 25 × 12	300	0	0
Total ..	1,800	0	0
3. Stationery and postage—			
(1) Paper, note books, covers, etc.	200	0	0
(2) Postage and telegrams	120	0	0
4. Travelling under all heads. (Visiting staff and experts, etc.)	600	0	0
5. Lighting—			
Thirty lanterns plus three petromax and kerosene, etc.	500	0	0
6. Food charges—			
Rs. 25 × 40 × 9 months only	9,000	0	0
Provision for visiting staff and guests	500	0	0
7. Contingencies	500	0	0
For one permanent centre total ..	21,420	0	0
N.B.—Non-recurring total for one permanent centre	62,000	0	0
Recurring total for one permanent centre ..	21,420	0	0
Total ..	83,420	0	0
Grand total for two centres—2 × 83,420 ..	1,66,840	0	0

N.B.—Each permanent centre should get at least 15 to 20 acres of fairly good cultivable land. The cost of this has not been added as the value depend upon the locality and availability of land in the chosen area.

PART III.

SUPERVISION AND INSPECTION.

Naturally supervision and inspection will be in the hands of the Provincial Firka Development Officer and two Regional Firka Development Officers. They will be the Chief Supervisors and Inspectors. But we feel strongly that competent non-officials should be associated with the supervision and inspection of the whole work. After all, the whole work is in effect non-official work among the bulk of the village people on a self-reliant and self-dependent basis. We therefore suggest the following procedure :—

The Provincial Firka Development Officer in consultation with the Regional Firka Development Officers might authorize one

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or more competent non-officials in each district to supervise and inspect as often as possible and necessary the work in the district. The reports of such supervision and inspection should be sent to the Provincial Firka Development Officer through the Regional Firka Development Officers at least once in two months without fail. Only such people as agree to do this may be authorized to do same. The travelling expenses of such non-official inspectors should be met by the department. Such non-official agent or agents in each district will act as a link between the department and the field workers.

PART IV.

CONCLUDING OBSERVATIONS AND CERTAIN SUGGESTIONS.

The work before the Firka Development Department is new and difficult in the present context. Therefore we strongly feel that the whole procedure of work under the department should be made simple, quick and devoid of delays. Otherwise there will be waste of money and energy. The following points appear to us as of great importance in this connexion :—

(1) The Firka Development Department should become a full-fledged department like any other. The Provincial Firka Development Officer will be head of the department, and the department should have a full-time Secretary to Government.

(2) Every district should be asked to frame their schemes and budget for 1948 immediately and once these budgets are approved and sanctioned, the Provincial Firka Development Officer as the head of the department would make all disbursements as and when needed. In drawing up the budget, the quantum of contribution from local sources, if any, should be incorporated.

(3) Since firka development work in each district will require co-ordination between various departments, a District Firka Development Board must be set up in each district with the Collector as Chairman, the Firka Development Officer as Secretary and with the district heads of the department concerned plus a few non-officials as members. All schemes and budgets should come through these Boards to Government.

(4) The Regional Firka Development Officers should select one firka in the Telugu area and another in the Tamil area to locate their headquarters. They should stay in the selected firka and personally guide and direct a fully co-ordinated experimental work in them. The training centres for the Village Development Officers which will be permanent should be in these two headquarters firkas. All the items of work in the general plan should be taken up in these firkas as soon as suitable workers are available. This being experimental firkas which should serve as models, adequate funds should be provided. Detailed schemes and budgets for the above purpose should be immediately called for from the Regional Firka Development Officers.

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(5) Wherever specific schemes of work are available even now they should be immediately scrutinized and sanctioned. This will specially apply to schemes in regard to drinking water-supply, minor irrigation and village roads.

(6) In view of the fact that work as conceived by us should develop as quickly as possible, there should be no retrenchment at all of the Village Development Officers. Where technicians are needed, their services should be added for such periods as necessary to those of the existing staff.

(7) The present Cottage Industries Section is attached to the Department of Industries. This section should be brought into the Firka Development Department. This is in our view, very important.

Note.—In conclusion we wish to point out that great expectations have been created in the public mind regarding firka development. Those who have carried on constructive work in various directions during the last 25 years look upon the scheme of firka development as the fulfilment of all that they have worked for till now. After all only the Government can fulfil a general and country-wide programme of village reconstruction. The people will help and must be organized to help. But the main burden will naturally fall on the Government. Therefore a great responsibility rests with the Government. Firka development should not be considered as a side programme but as the central one in National Reconstruction. It should therefore occupy the Centre of the stage in our national planning. It is for the Government to give this perspective to all those who will be concerned with their programme of firka development.

G. RAMACHANDRAN (*Chairman*).

J. C. KUMARAPPA.

R. R. KEITHAN.

MOTHEY NARAYANA RAO.

M. SATYANARAYANA SASTRI.

T. V. RAGHAVA RAO.

G. VENKATACHALAPATHI (*Convenor*).

THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 22nd September 1948.

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.—SWEARING IN OF A NEW MEMBER.

Haji Moulvi Abdul Khader Sahib Bahadur was sworn in.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Number of Harijans selected for police Sub-Inspectors' training.

* 359 Q.—SRI V. I. MUNISWAMI PILLAY (on behalf of Sri B. S. Murthi): Will the Hon. the Premier be pleased to state why only 11 Harijans were selected last September for police Sub-Inspectors' training at Vellore, when according to the latest communal Government Order, Harijans are entitled for not less than 12 seats of the total of 84 seats?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—"When the selection of candidates for Sub-Inspectors' training in the Police Training School, Vellore, was made in September 1947, the Harijans were entitled to only nine posts in accordance with the rule of communal rotation then in force. Two more Harijan candidates were however subsequently selected."

Blackmarketing in essential articles.

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

(a) what steps the Government are taking to check blackmarketing in essential articles; and

(b) whether the Government propose to introduce a Bill to check blackmarketing and to impose on blackmarketers deterrent punishment?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) To control and prevent blackmarketing, hoarding and profiteering in food-stuffs and other essential articles, the Madras Government have so far issued several control orders. Further in order to check effectively the commission of offences and evasion of control orders, Government had till recently, in addition, created a Special Branch of the C.I.D. Police, whose function was to detect and book offenders against the control orders. In view of the decontrol policy pursued by the Government, the Special Branch was disbanded but the ordinary Police and the departmental officers are now discharging the duties of the detection of cases of infringement of the control orders

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and taking action against offenders. In spite of the vigilant activities of the Police and the official machinery, black-marketing has been rampant partly due to the lack of co-operation from the public, and partly due to the absence of a clear definition of the term "Blackmarketing" in the existing laws which has rendered the successful prosecution of the offenders difficult. With a view to check the menace immediately, the Government have under consideration the question of enacting legislation on the lines of the West Bengal Blackmarketing Ordinance, 1948. This Bill when enacted, will, it is hoped, go a long way to eradicate the anti-social evil."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know when this Bill is to be introduced? "

THE HON. DR. T. S. S. RAJAN:—" It is being drafted. As soon as it is ready it will be brought forward."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Government have now a definition, either legal or otherwise, for blackmarketing? It was said that the absence of a definition for blackmarketing was the cause for the delay."

THE HON. DR. T. S. S. RAJAN:—" It has been taken up and the Bill will define it."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know the general essential features in the Bill? "

THE HON. DR. T. S. S. RAJAN:—" No, Sir. The House will certainly consider it when it is placed before the House for discussion."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" I do not want the whole Bill to be introduced. I want the Hon. Minister to tell us what exactly he wants to do? "

THE HON. DR. T. S. S. RAJAN:—" That shall be told along with the objects and reasons that will be placed in connexion with the Bill."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know what the objects and reasons of the Bill are? "

THE HON. DR. T. S. S. RAJAN:—" Please wait."

SRI V. RAGHAVAYYA:—" With reference to the framing of the new Bill, may I know whether the Government will keep in mind that the Government servants are not able to do much to check blackmarketing more due to inefficiency and unwillingness rather than the ability of the blackmarketer to escape? "

THE HON. DR. T. S. S. RAJAN:—" Certainly not."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know how the Hon. Minister proposes to bring such offenders to book? Is it by having control orders or whether this Bill will take into consideration profiteering by enormous increase of prices? "

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THE HON. DR. T. S. S. RAJAN:—" I will ask the hon. Member to wait for the Bill when it comes before the House."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Is it going to be a copy of the Government of India Bill? "

THE HON. DR. T. S. S. RAJAN:—" I have already given all the information necessary with regard to the Bill. I really refuse to be dragged into a consideration of the Bill at this stage."

SRI D. V. RAMASWAMI:—" May I know what is the number of cases of offences that have been brought to the notice of this Government that compelled them to bring forward this measure? "

THE HON. DR. T. S. S. RAJAN:—" Notice."

SRI G. RAJAMANNAR CHETTY:—" Is it not a fact that blackmarketing is running on a very wide scale under the very nose of the Government and that it has become almost normal and any one who does not do blackmarketing is an abnormal person? "

THE HON. DR. T. S. S. RAJAN:—" That is why legal enactment has been considered necessary."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know, Sir, whether the special branch of the C.I.D. who were recently disbanded will be revived? "

THE HON. DR. T. S. S. RAJAN:—" Alterations in the administrative procedure will certainly be considered and acted upon."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—" Do the Government conceive that the decontrol policy of the Government is tantamount to the regularization of blackmarketing? "

THE HON. DR. T. S. S. RAJAN:—" No, Sir."

SRI V. I. MUNISWAMI PILLAY:—" May I know, Sir, when the Draft Bill will be in the hands of the Members of the House? "

THE HON. DR. T. S. S. RAJAN:—" I have already informed the House that the Bill is being drafted and that when it is ready it will be placed before the House."

SRI V. RAGHAVAYYA:—" Enormous delays are happening between the commission of the crime and the prosecution of the offence, and if so, have the Government introduced any provision for shortening the delay in future? "

THE HON. DR. T. S. S. RAJAN:—" Necessary action is being taken as early as possible. Such delays cannot be avoided. The House must wait till the legislation is complete."

SRI M. S. PATTABHIRAMIAH:—" Are the Government aware of specific instances where for lack of public co-operation Government failed to bring the offenders to book in black-marketing? "

THE HON. DR. T. S. S. RAJAN:—" The presence of the necessity for the Bill is itself a criterion of the fact that the co-operation has not been had in full."

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SRI A. VEDARATNAM PILLAI:—"Will the Government consider the desirability of confiscating unaccountable earnings?"

THE HON. DR. T. S. S. RAJAN:—"I do not know how that question arises as supplementary to the one now before the House."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know, Sir, whether it includes corruption also and whether it will be on the lines of the West Bengal Act?"

THE HON. DR. T. S. S. RAJAN:—"I may say that it has been drafted more or less with suitable alterations to suit local conditions on the lines of the West Bengal Ordinance."

Defence counsel for the accused in departmental enquiries.

* 361 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state whether the accused in the departmental enquiries are, as a matter of right, allowed to have advocates to defend them?

THE HON. SRI O. P. RAMASWAMY REDDIAR:—"No, accused officer has a right to be represented by counsel at departmental enquiries. A vakil will, however, be allowed if the enquiring officer is satisfied that the defendant will be greatly prejudiced in making his defence unless he is represented by counsel. Where, however, the prosecution invokes legal assistance, the accused officer will, as a matter of right, be allowed such assistance."

Rise in prices of oils, pulses, etc.

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

(a) whether the prices of oils, pulses and sugar have risen in Madras;

(b) if so, what the percentage of rise is; and

(c) what steps the Government have taken to control these prices?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) When compared with the prices which were prevailing before the decontrol of these commodities, the prices which prevailed on 31st August 1948 indicate an increase only in the case of some of them. In the case of the others, the prices have registered a fall. The percentage of increase or decrease as the case may be is as follows:—

Commodity.	Increase or decrease.				Percentage.
Gingelly oil ..	Decrease	..	..	..	4.3
Groundnut oil ..	Increase	..	..	..	52.5
Coconut oil ..	Do.	..	..	..	5.7
Redgram dhall ..	Do.	..	..	..	7.7
Bengalgram dhall.	Do.	..	..	..	46.4
Blackgram ..	Decrease	..	..	..	16.2
Sugar ..	Increase	..	..	..	67.2

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"(c) In the case of sugar, the increase is partly due to United Provinces Government having fixed a higher price for the cane producer. The Government do not consider that there is any need for reimposing control even in the case of commodities like groundnut oil, Bengalgram dhall or sugar the prices of which have increased appreciably. However they are watching the position carefully."

SRI V. RAGHAVAYYA:—"In view of the present policy of the so-called trade channels who are notorious for their carnivorous habits may I know why the Government does not think of controlling which will go a great deal to reduce the cost of commodities?"

THE HON. DR. T. S. S. RAJAN:—"The Government should watch the situation and whenever interference becomes necessary to reduce the level of prices they do take action."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know whether in view of the fact that the price of groundnut oil which is being used as an edible oil of the poor classes has increased by 50 per cent causing considerable hardship the Government will take any steps of banning the export of the groundnut oil?"

THE HON. DR. T. S. S. RAJAN:—"The fluctuation is not a permanent one. It varies in the market. When it becomes prohibitive and permanent the Government will certainly interfere. As it is, it does not seem that Government interference has become necessary."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"What exactly is the stage when the Government consider that the prices are prohibitive?"

THE HON. DR. T. S. S. RAJAN:—"When the price becomes steady and prohibitive; not in the temporary fluctuations of everyday market."

SRI V. RAGHAVAYYA:—"In view of the bitter past experience in the matter of these commodities may I know whether the Government propose to divert them to co-operative channels for distributive purposes?"

THE HON. DR. T. S. S. RAJAN:—"We have had no bitter experience as the hon. Member suggests."

SRI V. M. RAMASWAMI MUDALIYAR:—"In view of the fact that sugar is necessary for patients as well as children will the Government consider it necessary to control it?"

THE HON. DR. T. S. S. RAJAN:—"We have no option as 11-15 we have to import sugar from other provinces and they have a.m. decided to put up the prices to meet the high cost of production. We have no option except to pay the prices fixed."

SRI G. RAJAMANNAR CHETTY:—"Is it a fact, Sir, that the prices of gingelly oil and other pulses that were being obtained

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from Hyderabad have risen, because of the situation in Hyderabad in the past, and in view of the present development, is it possible to obtain enough gingelly seeds and other pulses in order to reduce their prices in our Province?"

THE HON. DR. T. S. S. RAJAN:—"It is true, Sir, that there has been a rise in the price of gingelly oil, on account of the stoppage of movement of commodities from Hyderabad. But it has not been of such a nature as to warrant interference by the Government."

M. S. ABDUL MAJID SAHIB BAHADUR:—"Referring to the statement which the Hon. Minister has given to the Press yesterday, with regard to the re-imposition of control on food-stuffs, may I know whether the implementation of the policy of the Government of India contemplates price control also on essential commodities?"

THE HON. DR. T. S. S. RAJAN:—"I have told the Press yesterday that we have not yet decided as to the line of action to be taken. But we certainly want to give the greatest consideration possible to the decisions arrived at the Delhi conference. We shall certainly get the opinion of the public as well as of this House, before we launch upon a policy which we decide for this Province."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Arising out of the reply of the Hon. Minister, with regard to sugar, may I ask whether the Madras Government will take up the question with the Government of India, just as the Government of India has done in regard to cloth, and thus try to bring down the price of sugar also?"

THE HON. DR. T. S. S. RAJAN:—"The Government of India knows perfectly well, all about the prices of sugar, in our Province. We are not producing enough sugar for our requirements, and as long as there is sugar shortage in our province, we are obliged to import, and we will have to pay the price demanded by the people who supply us that commodity."

SRI V. RAGHAVAYYA:—"Are the Government aware that the Government of India propose to have movement control over pulses?"

THE HON. DR. T. S. S. RAJAN:—"The movement control is done by transport arrangements, Sir."

Ban on smoking in cinema halls.

[* 363 Q.—

MR. SPEAKER:—"Hon. Member is not in his place. The answer will be printed in the proceedings."]

MUHAMMAD RAZA KHAN SAHIB:—"May I make a submission, Sir? As Mr. Salam is likely to attend the House to-morrow, can we not postpone that question?"

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MR. SPEAKER:—"But it will become a bad precedent. In these matters, I shall follow certain rules. When an hon. Member is not in his place, the answer will be printed in the proceedings. Otherwise, hon. Members may be absent, without authorizing anybody, and I will be put in the awkward position of postponing so many questions. It will become a bad precedent. So I shall follow the rules strictly."

MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have under consideration any proposal to ban smoking in all cinema halls; and

(b) whether the Government are aware that the Bombay Government have already banned smoking in cinema halls?

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

"(a) Yes.

"(b) Yes."

The appointment of the Governor of Madras.

* 364 Q.—ABDUL HAMEED KHAN (on behalf of Mohamed Abdul Salam Sahib Bahadur): Will the Hon. the Premier be pleased to state—

(a) whether the Provincial Government was consulted by the Central Government before the Maharaja of Bhavnagar was appointed Governor of Madras; and

(b) if the answer to (a) is in the affirmative, whether any other names were considered in such consultations?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) The Hon. the Premier was consulted before the appointment was made.

"(b) It is not in the public interest to give this information."

SRI V. RAGHAVAYYA:—"May I know, Sir, what the sanctity attached to the cinemas, is?" . . . (Laughter.)

MR. SPEAKER:—"Order, order. We are in question No. 364."

MUHAMMAD RAZA KHAN SAHIB:—"Arising out of the answer of the Leader of the House when he said that the Hon. the Premier was consulted, may I take it that only one name was mentioned to him, or that certain names were suggested to him, and he was asked to make his recommendations?"

THE HON. SRI B. GOPALA REDDI:—"Sir, I would invite the attention of the hon. Member to the answer to (b), that it is not in the public interests to disclose the information."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know the section, under which the Hon. Premier was consulted?"

THE HON. SRI B. GOPALA REDDI:—"A separate question might be put."

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M. S. ABDUL MAJID SAHIB BAHADUR:—" May I know whether the Hon. the Leader of the House has read the news published in *Forum* in connexion with this appointment, Sir? "

THE HON. SRI B. GOPALA REDDI:—" I don't read *Forum*, Sir."

M. S. ABDUL MAJID SAHIB BAHADUR:—" May I know, what are the papers which the Hon. Ministers read? "

THE HON. SRI B. GOPALA REDDI:—" I think it is not in the public interests to reveal the names of the papers." (Laughter.)

MUHAMMAD RAZA KHAN SAHIB:—" May I know, Sir, whether he made any reference to the report appearing in *Forum* reproduced in the *Madras Mail*? "

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—" On a point of order, Sir. I submit to you that this House is not entitled to debate on the question of the appointment of the Governor of Madras."

MR. SPEAKER:—" We are not debating the question. The hon. Members are putting supplementary questions only to elicit information."

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—" I submit, Sir, that the last question which has not luckily been answered, is not a question on information. It is something that questions the appointment itself in an involved manner."

MR. SPEAKER:—" The question was whether the Hon. Premier was consulted or not. The Government can reply 'yes' or 'no'."

MUHAMMAD RAZA KHAN SAHIB:—" Sir, I appreciate the anxiety of the Kumararaja of Chettinad, now Maharaja of Chettinad, to safeguard the position of Governors as is usual with him. My point is that the report which appeared in *Forum* was reproduced in *Madras Mail*, and may I take it that the Leader of the House did not go through that report? "

MR. SPEAKER:—" It is not possible for the Hon. Ministers, to read all the papers."

Scales of pay of Hindi Pandits.

* 365 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) whether the scale of pay to Hindi Pandits has been revised; and

(b) if not, when the revised scale will be introduced?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Minister for Education):—" (a) No.

" (b) The matter is under consideration."

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SRI A. VEDARATNAM PILLAI:—" May I know, Sir, the difference between the salaries of the Hindustani Pandits and those of the Pandits in other languages? What is the reason for this difference? "

THE HON. SRI K. MADHAVA MENON:—" Sir, I cannot give off-hand the difference in scales of pay of the Pandits in service. The question put here is whether there is any proposal to revise the scale. I say, the matter is under consideration."

SRI V. RAGHAVAYYA:—" What are the reasons which have prompted Government not to place the Hindi Pandits on the same scale as any other teacher employed in any other school of the same category? "

THE HON. SRI K. MADHAVA MENON:—" It is just to avoid this anomaly that we are considering the question, Sir."

SRI B. S. MURTHI:—" Sir, now that Hindustani has become the *lingua franca* of India, or rather the *lingua indica*, may I know, whether the Hindi Pandits will be placed on the same footing, and on a par with the Lecturers in English in Colleges, and given better treatment than is being meted out to them at present? "

THE HON. SRI K. MADHAVA MENON:—" I don't think that they will be placed on a par with the Lecturers in English, but the question of revising their pay is already engaging the attention of the Government."

SRI D. V. RAMASWAMI:—" May I know, Sir, whether the Government received among other representations, one requesting that the salary of the Hindi Pandits may be approximated to that of the L.T. cadre? "

THE HON. SRI K. MADHAVA MENON:—" I want notice, Sir."

SRI A. VEDARATNAM PILLAI:—" Is it possible, Sir, to revise the scales of pay of the Hindi Pandits? "

THE HON. SRI K. MADHAVA MENON:—" The proposals have already been received from the Director of Public Instruction; and they are being examined by Government."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—" Does the Hon. Minister know that the scale of pay provided for Hindi Pandits is far lower than the scale of pay provided for them in different provinces in India, and will he try to see that when the revision takes place, it is in conformity with the scale of pay prevalent in the North? "

THE HON. SRI K. MADHAVA MENON:—" We have no idea of the comparison of the scale of pay of Hindi Pandits or other teachers in this Province, and that in other Provinces, but we know that it is low in this Province, and the question of revising it is under consideration."

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SRI L. N. GOPALASWAMI:—"Will the Government give an assurance that their status will be raised to that of the Tamil or Telugu Pandits in the Province?"

THE HON. SRI K. MADHAVA MENON:—"No such assurance can be given. The matter is under consideration."

Scales of pay of Gazetted Police officers.

[* 366 Q.—

MR. SPEAKER:—"Hon. Member is not in his place. The answer will be printed in the proceedings."]

P. K. MOIDEEN KUTTY SAHIB BAHADUR: "Will the Hon. the Minister for Finance be pleased to state whether the Government have received any representations from any gazetted police officers with regard to their scales of pay?"

THE HON. SRI B. GOPALA REDDI:—"No."

Alleged statement of Hon. the Premier at Hospet.

[* 367 Q.—

MR. SPEAKER:—"Hon. Member is not in his place. The answer will be printed in the proceedings."]

MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Premier be pleased to state whether it is a fact that at Hospet he gave an undertaking that an independent committee of educationists would be constituted to go into the question of educational reorganization?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"The answer is in the negative."

MR. SPEAKER:—"Questions are over."

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

III.—ECONOMIC CRISIS IN THE PROVINCE.

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, may I, with your indulgence ask the Hon. the Leader of the House, that in view of the enormous amount of news—that has been put into the press last evening and this morning about the various kinds of advice that has been given to the Madras Government on matters of great and urgent public importance, such as the food question, the zamindari Bill, and Prohibition—to take the House into confidence and enlighten this House, as to the nature of advice given by the Central Government on these vital matters, and the reactions of the Madras Government, apart from the reports that may have been published in the Press, and in what way they are going to implement them, and when they are going to bring the matter before the House for discussion. I have also given notice of an adjournment motion to you this morning, requesting that this House shall stand adjourned to discuss matters of urgent public importance, namely, the present economic crisis, that is threatening the Province, and which has also been recently

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pointed out by the Government of India. Without taking up the time of the House, I would request the Hon. Leader of the House to enlighten the House fully in this matter."

THE HON. SRI B. GOPALA REDDI:—"Sir, I have just seen a copy of the notice of adjournment motion that the Raja of Chettinad has given to you. When to-morrow he is formally moving it, we shall define our attitude with regard to it. The hon. Member may wait till the formal movement of the adjournment motion to-morrow after the questions are over."

GOVERNMENT BILLS.

IV.—THE MADRAS ESTATES (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947 (L.A. BILL NO. 37 OF 1947)—cont.

MR. SPEAKER:—"Now we are on clause 12. I must tell the House that yesterday there were a number of amendments to clause 11 which were almost the same in principle; for clause 12 also, there are a number of amendments similar in principle, with regard to the inam lands. I hope the hon. Members will not take much time over them, since their principle is the same. What they want is that the principle that is applied to zamindari lands should also apply to the inam lands. As the principle is the same, I hope the hon. Members will not take much of the time of this House over the various amendments. There are about 42 amendments to clause 12."

Clause 12.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move that in the opening paragraph of clause 12, for the words 'inam village', the words 'inam estate' shall be substituted."

The amendment was put and carried.

Sub-clause (a).

SRI A. KALESWARA RAO:—"I move that the words and brackets '(including lanka lands)' shall be omitted from sub-clause (a) of clause 12. I do not want to go into the arguments once again. I do not want lanka lands to be given over to the zamindars or the inamdars. They should be divided between the ryots and the Government. Whatever lands the ryots are in possession of to-day, they must get pattas for them, and whatever lands are not in possession of the ryots should be taken over by the Government for the benefit of the nation. With these few words, I move my amendment."

The amendment fell through for want of a seconder.

Sub-clause (b).

SRI V. RAGHAVAYYA:—"Sir, I move my amendment: 'Omit sub-clause (b) (i), (ii) and (iii) and add at the end of sub-clause (d) the following proviso:—
"Provided that a landholder's entire private land will not on the notified date exceed a ceiling limit of fifty acres of land".'"

11-30
a.m.

[22nd September 1948]

THE HON. SRI KALA VENKATA RAO:—"Sir, the principle of this amendment was discussed at length day before yesterday."

SRI V. RAGHAVAYYA:—"Sir, my object in moving this amendment is to call the attention of the Government once again to the burning cauldron of discontent that is raging in the country. It is easy for the Government in the saddle to be very much satisfied always at the existing state of things. We have the duty of looking at the distant future to see what dangers are in store ahead."

THE HON. SRI KALA VENKATA RAO:—"Sir, there is no limit set for the zamindar. Yesterday the whole point was debated and decided. When there is no limit for the rich zamindar, why should there be any limit to the poor inamdar?"

MR. SPEAKER:—"Yesterday, the House gave its verdict. The hon. Member is moving an amendment similar to that on which the House has already voted. The amendment seems to be out of order."

SRI A. KALESWARA RAO:—"Sir, the present amendment is not out of order, because the zamindar is a different person from the inamdar. My hon. Friend, Mr. Kala Venkata Rao can argue of course that there is no limit for the zamindar's private land. So, how can a limit be fixed in the case of an inamdar? At this stage I would submit that I have also given notice of another amendment. It may be taken up later and disposed of. My amendment says that a landholder should not have more than 300 acres of land. Of course, I know the fate of that amendment of mine. It will be thrown out."

* SRI V. RAGHAVAYYA:—"Sir, when I use the word landholder, I do not use it in the sense in which it is used in the Estates Land Act. There is no word like zamindar in the legal terminology. The word 'zamindar' is used casually by people who do not know any law. The legal word is landholder. I am using the word 'landholder' in the loose sense. It will mean anybody, whether a tenant, or a zamindar or an inamdar."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, clause 11 deals with private lands in zamindari estates and the grant of ryotwari pattas to the zamindari estate-holder. Clause 12 deals with inam village. The Government has moved an amendment to substitute the words 'inam estate' for the words 'inam village.' I can understand the Government saying that on merits this amendment does not deserve discussion. But it is not out of order. The word landholder will apply to any person who owns some lands."

* SRI V. RAGHAVAYYA:—"Sir, I want to put a ceiling limit to the extent of private land which a landholder can have. Under the new dispensation, my submission is that there should be no man in this country who should possess more than 50 acres of land, whether he belongs to the category of a zamindar or inamdar or a tenant. It has been the experience of western

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countries after the close of the first war—not the recent war, but the European war which ended in 1918—that they had to give employment for people released from the army. Therefore, every country including Germany, not to speak of Russia, France, Italy and every country which turned fascist later on, was put to the necessity of putting a limit to the extent of land a man could own. Let me explain my proposition. All lands above the ceiling limit, should go to a pool of the Government and the Government will have the right to apportion these lands to co-operative organizations or a Government-controlled body which will distribute them among the people. By doing so, there will be no rackrenting, there will be even distribution of land and unemployment in the country will be relieved. My object in moving this amendment is that, when once the Madras Government has taken up this very salutary measure of abolishing zamindaris on the plea that a few people should not own large extents of land to the detriment of a large number of others, it should further apply that principle to all other classes of exploiters. People should not own lands which would enable them to become small zamindars. There will be a great tendency on the part of these small zamindars to copy the ways of the bigger ones, and to reach that position as quickly as possible."

MR. SPEAKER:—"The hon. Member is covering the same ground, because he was absent from the House for some days."

SRI V. RAGHAVAYYA:—"I therefore, suggest that a ceiling limit should be fixed."

MR. SPEAKER:—"The amendment falls through for want of a seconder."

SRI D. V. RAMASWAMI:—"Sir, I move the following amendment:—

- (1) *In sub-clause (b) (i), (ii) and (iii), after the words "has cultivated" insert the words "or undertakes to cultivate from the date this Act comes into force."*
- (2) *After the Explanation add the following proviso:—
"Provided that in the case of small inamdars the extent of the holding shall not exceed 15 acres per family unit and provided that the landholder undertakes to cultivate such lands himself or by hired labour".*

From the very nature of things the Hon. Revenue Minister will see that this amendment is intended to protect the cases of minor inamdars who have been in the enjoyment of their lands without any interruption from the cultivating tenants. Several cases have come to my notice where the inamdar has been giving muchilikas to the tenants from year to year. It is the recognized right of the inamdar to replace the tenant according to the state of things. If the tenant is loyal and regular in his payment of rent in kind or in cash, he will not be disturbed. In view of the consequences

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that would follow from this enactment, I wish to give an opportunity to inamdars—whose fate will be finally settled by the present Bill—to undertake to cultivate lands themselves or with hired labour within a measurable period from the date when this Act comes into force. It is also understood from leading newspapers that there is an idea that some time will elapse after the passing of this Act and before it is put into actual operation. In view of such a possibility I request the Hon. Minister to consider this point which vitally affects minor inamdars. At present these inamdars are renewing muchilikas to their tenants from year to year. The inamdars will be in a position to adjust themselves to the new circumstances in case this Bill comes into operation. They should be treated as pattadars provided the extent in their possession does not exceed the small limit of 15 acres. With these words I commend this simple amendment to the acceptance of the Hon. Minister."

SRI K. KOTI REDDI:—"Sir, I second the amendment. I hope, Sir, I can move later the amendment I have given notice of."

THE HON. SRI KALA VENKATA RAO:—"Sir, this is a curious amendment which does not refer to any existing right. In a Bill which seeks to abolish the zamindari system, the hon. Member wants to give permission to the inamdars to undertake to cultivate some lands in future. I do not think that such a right can be given. I am unable to accept the amendment."

"I would like to point out to him that perhaps he gave notice of this amendment thinking that 1936 inams would be included in this Bill. No distinction can be drawn between the inamdar and the zamindar. There is no justification to accept this amendment. I would request the hon. Member to withdraw his amendment."

SRI D. V. RAMASWAMI:—"Sir, I am referring to small inamdars and shortriyamdars who have been cultivating their lands themselves or with hired labour. They have been renewing muchilikas from their tenants from year to year, subject to certain accepted conditions. There is some doubt whether the Hon. Minister has made provision with regard to 1936 inams by the new clause 8-A. I do not want to press my amendment. Yesterday we received whips that we should not press our amendments. I withdraw my amendment. But I want to draw the attention of the Hon. Minister to this point."

The amendment was, by leave, withdrawn.

* SRI K. KOTI REDDI:—"Sir, I move the following amendment:—

"In clause 12 (b) (i) to (iii) between the words "has cultivated" and "such lands" insert the words "or will bring under cultivation" and for all the words after the word "husbandry" substitute the words "before the expiry of one year from the notified date"."

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"The amendment moved by Mr. D. V. Ramaswami covers to a certain extent the same ground. But there is this difference. In the one case there is no limitation as to the period beyond which this section should apply, whereas in my amendment, I have fixed a definite date and only for lands cultivated before that date pattas have to be given. I will also be moving some other amendments almost to the same effect but making the period still shorter. In this amendment I have asked the Hon. the Revenue Minister to grant pattas to inamdars who have brought unoccupied lands under cultivation before the expiry of one year after the notified date. In the other amendment which I will be moving in the usual course, I have asked for the grant of pattas only to those who have done this before the notified date. It is left to the Hon. Minister to choose whichever amendment he wants to accept. I am, no doubt, a bit ambitious in this amendment, but I shall be satisfied if he accepts the other amendment at least. I am pleading once again, Sir, that it will serve no purpose, it will serve neither the interests of the present tenants nor the interests of the so-called future agriculturists not to accept my amendment. My amendment does not take away a bit of land which belongs to anybody else. It only asks the Government to grant a patta to the man who brings that land under cultivation at present or in the near future. Sir, throughout the country the cry is that population has increased but we have not been able to increase food production and more food is necessary. But is this the way to meet the food problem?"

THE HON. SRI KALA VENKATA RAO:—"But, why did he not bring this under cultivation all these six years? There was the food problem all the while."

* SRI K. KOTI REDDI:—"In moving this Bill, the Hon. the Revenue Minister said that he has brought forward this Bill particularly to help to increase the food production. I do not deny that an agricultural labourer who has no lands of his own and who is cultivating other's lands will certainly put more energy in his work if the land belongs to him. I believe that the future of the country certainly lies in giving as much land as possible to the agricultural labourers and landless labourers. But before any such legislation promised by the Hon. the Revenue Minister takes any shape, is there anything wrong and have the interests of the State been so much affected as to make it deprive these people who have already cultivated the land and who are prepared to cultivate the land for another year or so if the amendment is agreed to? Is it just and proper to deprive a man of his right which he is entitled to but for this legislation? The date has been fixed as 1st July 1945. I do not see any sanctity in this date. The Hon. the Revenue Minister has said that the Congress manifesto has mentioned that the Provincial Governments would bring necessary legislation to abolish intermediaries. This day just precedes

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that. The mere fact that it was stated that some sort of legislation with regard to intermediaries—whoever they are, they did not say—would be brought forward is not a sufficient ground to deprive the inamdar of the fruits of his labour and of the cultivation which he undertook under the present conditions with a view to produce more food. Remember, Sir, the land belongs to him under the present law. It does not belong to anybody. It is a land in which no tenant has been deprived of his rights. Even if the Hon. Minister wants to give lands to agricultural labourers who do not have lands, is there not plenty of land throughout the country? Statistics will show that we have millions of acres available for cultivation if only they want it. It is not so easy after all to cultivate land. I have some experience of the difficulty of bringing new lands under cultivation. During the Justice Party days, on the agitation made by some of the Members of the Legislature, a lot of communal lands intended to store water for cattle in the Ceded districts was allotted to poor Harijans and non-Harijans. But without the wherewithal to bring them under cultivation, very little land has been brought under cultivation even to-day. Therefore, if somebody with some means comes forward to cultivate the land and produce more food why should we stand in his way, particularly when the land belongs to him? Sir, a lot of other difficulties also are involved in this. Suppose an inamdar says that he began his cultivation one month or one year earlier than the 1st July 1945, are the Government going to make serious enquiries for the purpose of determining when the land was brought under cultivation? This unnecessary enquiry and litigation ought to be avoided. It does not serve any useful purpose to deprive a man of the land which he has been cultivating. If the Government are not willing to make the period as one year from the notified date, they can at least make it as the notified date itself. The result would be this. After the notified date the Government would be administering the village and their managers can take into account what are the lands which the inamdars have brought under cultivation. They could have the figures and there would not be any need for an enquiry whether a particular piece of land which has been brought under cultivation had been cultivated before the 1st July 1945 or later on. These are all very serious considerations which I hope the Hon. the Revenue Minister will take into account.

“ Besides, Sir, I am afraid, section 299 of the Government of India Act also would stand in the way of the Government. Do not these inamdars own the lands to-day? These lands belong to them and they have brought them under cultivation. They are their property if they are brought under cultivation. Then why should they be deprived of the lands without being paid anything? Where is the provision for paying compensation to them? For the lands which the inamdar has brought under cultivation after 1st July 1945, no compensation has been provided for. I know the temper of the Hon. the Revenue Minister. He is not going to

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accept any amendment—reasonable or unreasonable. He is consistent in that. (Interruption.) But I am not speaking for anybody; I am speaking to satisfy my own conscience. I am not here to satisfy A or B. Therefore I appeal to the Hon. the Revenue Minister once more. In a small inam village, after all how many acres would have been brought under cultivation? Not many. I for one would now encourage the cultivation of these lands. There is yet time for the Hon. the Revenue Minister or his successor whoever he may be—it may be myself or somebody else—to think of doing something for giving relief to the landless labourers. It is not he and he alone who is capable of doing it.”

MR. SPEAKER:—“ The hon. Member's time is up.”

SRI K. KOTI REDDI:—“ So, I hope, Sir, that the Hon. Minister will accept this amendment. If it is not possible for him to accept this amendment, I hope he will at least accept the other amendment.”

* SRI D. V. RAMASWAMI:—“ Sir, I second the amendment moved by my hon. Friend. He has already sufficiently elaborated the various reasons which should persuade the Hon. Minister to reconsider the position he has taken and see that justice is done to the parties who will be directly affected if this amendment is not accepted. I join with Mr. Koti Reddi in his request to the Hon. Minister to reconsider the whole question and if possible make suitable amendments himself or accept the amendment which has been moved. I second the amendment.”

THE HON. SRI KALA VENKATA RAO:—“ Sir, in spite of ^{12 noon.} the greater consideration shown to the inamdars as against the zamindars, I am very sorry that still criticism is being levelled against the Government. This is a question of date and as I told you yesterday, the dates were arrived at after a lot of discussion, I do not see sufficient reason to change the decision already come to.”

* SRI K. KOTI REDDI:—“ Before withdrawing my amendment, I just want to say that there is of course consistency in rejecting the amendment. Consistency may be good, but in this case, I am sorry, it is misplaced.”

THE HON. SRI KALA VENKATA RAO:—“ We cannot bring into this legislation people who will cultivate the land in the future. That is not possible.”

SRI K. KOTI REDDI:—“ I withdraw the amendment, Sir.”
The amendment was, by leave, withdrawn.

* SRI R. V. SWAMINATHAN:—“ I move—

‘ that in sub-clause (b) (ii), after the word “ gift ”, the words “ but not ” be added.’

“ This amendment is an important one. If my amendment is not accepted, the inamdars will get patta for lands which have

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been taken by sale for arrears of rent. This privilege has not been given to the zamindars under clause 11. The idea has always been that both the zamindars and the inamdars have taken away the lands belonging to the ryots even without the ryots knowing it. So, it was put into the original Bill and the Select Committee also said that the ryots should not be deprived of lands taken away by zamindars on sale for arrears of rent. But while that idea has been carried out in respect of zamindars, I cannot understand how the Select Committee concluded that the privilege might continue so far as inamdars are concerned. Zamindars generally had separate departments for the purpose, and in the case of long-standing arrears, they will file suits in the court, bring the lands to public auction, a number of ryots will also be allowed to bid at the auction and then the land will be taken by the zamindars. But in the case of inamdars who were comparatively smaller people they must have taken the lands even without the ryots knowing it. It may be that for some years together, the ryot will be cultivating the same land and paying the rent and the inamdar may not be issuing receipt to the ryot; usually the inamdars are not accustomed to issue receipts. One fine day when the feeling between the ryot and the inamdar becomes strained, the inamdar will say 'well, it is my land, I have taken a decree' and all that. So saying he will evict the poor ryot. Therefore, Sir, I am unable to understand how the Select Committee has come to this conclusion of giving different treatment between zamindars and inamdars. Of course, I am not now pleading for the zamindars, but the fact is that the inamdars are being treated differently. I think the Select Committee must have succumbed to the shouts of Varadacharis and others, although they are shouting so much here. The zamindars and inamdars are the two eyes of the State, how can the Government put butter in one eye and lime in the other? I must know the reason why this has been done. The hon. Minister will of course say as usual 'I cannot accept the amendment'; but he must remember that he is not only responsible to the House but he is also responsible to the people and he will have to face the ryots. I ask him to consider this question carefully and accept the amendment."

* SRIMATHI V. SEETHAMAHALAKSHMAMMA :—“ ఆధ్వర్య, శ్రీ స్వామినాథకాగారు ప్రతిపాదించిన సవరణను నేను బలపరుస్తున్నాను. 11 వ క్లాజులో ఇస్తున్న బకాయిలకుగాను జమీందారులు వేలము వేయించుకొన్న భూములు జమీందారులకు చెందకుండా చేసినారు కాని ఈ 12 వ క్లాజులో ఈనాందారులకు ఇటువంటి ఇస్తున్న బకాయిలకుగాను వేలముకాక భూములు సర్కార్ కిమ్మనట్లుగా ఉన్నది. ఇది చాలా అన్యాయము. ఈ బిల్లు యొక్క ముఖ్యోద్దేశము సాధ్యమైనంతవరకు రైతులకు ఉపకారము చేయవలెనని అందరికీ తెలిసిన విషయమే. కాని దురదృష్టవశాత్తు కొన్ని ఈనామలను ఈ బిల్లులోనుంచి ఇప్పుడు తొలగించివేసినారు. అంతేకాకుండా ఇప్పుడు ఈనాందారులకు అనేకమంది కేంద్రరైతులభూములను సర్కార్ కిమ్మనట్లున్నారు. ముఖ్యముగా మనము ఒక విషయాన్ని గమనించాలి. ఈనాందారీ రైతుల నొకవిధంగాను జమీందారీ

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రైతుల నొకవిధంగాను చూచినట్లయితే రైతులలో చాలా ఆశాంతి, ఆసంతృప్తి ఏర్పడుతుంది. ఈ ఈనామ గ్రామాలలో రైతులు తమ భూములు ఇస్తున్న బకాయిలకుగాను వేలముయిపోతుంటే ఎందుకు ఊరుకోవలసి వచ్చినదో మనము గమనించాలి. జమీందారీలో కన్న ఈనాం గ్రామములలో రైతులు ఇప్పుడు కొనసలసిన ఇస్తున్న అనేక రెట్లు ఎక్కువగా ఉంటుండేది. ఇంత హెచ్చుతగ్గులను ఇప్పుడు కొనలేకనే రైతులు బకాయిలు పెట్టవలసి వచ్చినది. అందువలననే వారు తమ భూములు అక్రమంగాను, అన్యాయంగాను వేలముయిపోతుంటే చేసేదేమీలేక ఊరుకోవలసి వచ్చినది. ఇటువంటి భూములను తిరిగి రైతులకు ఇప్పించకుండా వాటిని ఈనాందారులకు కట్టబెడితే రైతులు చాలా బాధపడతారు. ఈ విధంగా రైతులకు అన్యాయము చేయడమువలన రైతులలో చాలా ఆందోళన, ఆసంతృప్తి ఏర్పడతనని రెవిన్యూ మంత్రిగారికి పడేపడే తెలియజేస్తున్నాను. ఇది ముఖ్యంగా కాంగ్రెస్ సిద్ధాంతాలకు, ఆశయాలకు విరుద్ధంగా ఉన్నదనికూడా మనవిచేస్తున్నాను. ఈనాందారులు కాంగ్రెస్ ప్రభుత్వమువారు తమకు అన్యాయముచేసివారని అనుకోకుండా ఉండాలనే అభిప్రాయముతోనే నేను ఈ సవరణను బలపరుస్తూ దీనిని ఆంగీకరింపవలసినదిగా రెవిన్యూ మంత్రిగారిని మరి మరీ ప్రార్థిస్తున్నాను ”

* SRI K. BRAHMANANDAM REDDI :—“ Mr. Speaker, Sir, hon. Members can quite see that clause 12 is merely a reproduction verbatim of clause 11 of the Bill, excepting for sub-clause (c) of clause 12. I do not see any reason why the Government should make a distinction between zamin estates and inam estates in regard to this. We have excluded the 1936 inams from the operation of this Act. As Mr. Swaminathan said, there is no ostensible reason why patta should be given to the inam landholder in respect of lands taken by sale for arrears of rent. I am sorry to say that the Revenue Minister has been all along telling us that he wanted to keep the inams on a par with the zamindari estates and that inam villages are as good or as bad as zamin estates; but due to some extraneous circumstances, the inam villages of 1936 were excluded. But in this case, it comes with ill-grace from him. When the big estate landholder is precluded from being given patta for lands taken by sale for arrears of rent, why should the inam landholder be given the right to have patta, I want to know. I have nothing more to say, but I want to make it clear that this is bad in principle and against the pronouncements of the Revenue Minister himself. I appeal to him, Sir, to accept this amendment of Mr. Swaminathan.”

* SRI A. KALESWARA RAO :—“ Mr. Speaker, Sir, I rise to support this amendment. With regard to compensation, the inamdars are smaller and poorer people than the zamindars, and so they should be given more; but with regard to the treatment of ryots it is all the same, whether they are in the zamin or inam estates. With regard to collection of arrears of rent, much fraud is being committed even in court sales. When suits are filed, sometimes notice is not given and *ex parte* decrees are obtained. In regard to auction sale, notice is not properly given. In this way

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there is much chance for fraud being committed during the whole legal procedure; and therefore there is no justification for allowing these bought-in-lands to go back to the inamdars."

SRI A. KAMESWARA RAO:—"I should also like to say that I do not see any justice in treating zamindars in one way and the inamdars in quite a different way. The common interest of the Government and of the members is the ryot; and it is the interest of the ryot that the whole Bill is intended to advance. So, I do not see any justification for this provision here and I earnestly request and beg of the Hon. Revenue Minister to consider this carefully and accept this amendment."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, it is contended by persons who are the supporters of inamdars in this House and outside that the inam village in many cases has been subdivided into small parcels of land consisting of 5, 10, 15 and 20 acres and all the owners are called landholders. So, it was contended, and with great force, that in the case of these inamdars who are owners of 10, 15 or 20 acres of land, there may not be many cases of fraudulent sale in court auction. The inamdar owning 15 or 20 acres may not have even filed suits for recovery of arrears of rent, and even if he has, he is not so powerful as to defraud the court or alter the procedure, and therefore may not have purchased many lands in court sales for arrears of rent. So, Sir, it was contended on behalf of the inamdars with very much greater force that whatever lands were purchased by them in court auction for arrears of rent, of which there may be only very few they might not be excluded from the benefit of clause 12. That is the main consideration that should prevail in making any distinction between inam estates and zamindari estates.

"One other thing I would like to submit is this, Sir. As all lawyers know, even in the case of lands purchased for arrears of rent in a court sale, the purchaser in this case if he happens to be an inamdar, gets title to the land. The same argument applies to the zamindar also. So, Sir, if such a provision finds a place in the clause dealing with zamindaris, there is no reason why it should not be here. One wrong does not make another wrong good. I contend that even in the case of the zamindar, patta should be given for such lands also. Legally speaking the person who purchases land in court auction gets rights vested in him and he becomes the owner. That amendment was rejected under the zamindari clause and since it was rejected there it does not necessarily mean that we should support it here. (Sri K. Brahmanandam Reddi: 'Inconsistent'.) Inconsistency apart, I have told you that the practical reason why these were not excluded was, the inamdars are petty men and therefore this concession was sought to be given. I think it was agreed to mutually outside the House."

THE HON. SRI KALA VENKATA RAO:—"I am very sorry, Sir, that I am unable to accept the amendment. It is alleged

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that the Revenue Minister who seemed to be so very revolutionary has become an evolutionary or even a moderate. Yes, Sir, I cannot but become one and I have to stand in the middle of the right and left groups and defend what we have decided upon. The whole Bill has been based upon certain definite considerations. My friends asked about the instructions received from the High Command and what was the objection raised and so on, but I am not prepared to disclose all that. Sir, if you read clauses 11 and 12, the only difference is the absence of the words 'but not', otherwise the whole thing is there. About the date, I have already stated our decision. Therefore, it is one of the concessions shown to the inamdar and there is no gainsaying the fact. I am not prepared to accept the amendment."

* SRI R. V. SWAMINATHAN:—"Sir, the arguments advanced by the Hon. Revenue Minister do not at all convince me. When I first read the Bill as it came out of the Select Committee, I thought it was only a printer's devil. Still I cannot understand why this kind of difference is shown between the inam ryot and the zamindari ryot. There is a feeling in the country that the entire Ministry is in the clutches of the inamdars, because I see there are inamdars everywhere, even among the members of this House. We see inamdars in the lobbies and on the roadsides of the City going about and putting forward their case to the members of this House. Now that the Government are not prepared to accept this amendment, it is evident that the entire Ministry is in the clutches of the inamdars. From the reply given by the Hon. Revenue Minister—of course I do not want to charge him with anything like that—I think, he has also succumbed to the power which is dominating the Ministry. The only thing that I can do in the circumstances is to go out and tell the ryots that though I attempted—not only myself but also some other friends of mine supporting me in my attempts—to help the ryots by means of my amendment, the Ministry is not in favour of the ryots but that they are for the landholders. I do not, therefore, propose to withdraw the amendment but I wish to press it, Sir, and I want this to go into the records."

THE HON. SRI KALA VENKATA RAO:—"Sir, if my hon. Friend had added any further arguments to what he had stated in the beginning, it would be right for me to consider again. On the other hand, he is going on saying things which are absolutely false and lies. I do not know what influence my friend Mr. Swaminathan is having. I may state on the floor of this House with my hand on my conscience that neither myself nor my Government—and even all members of my party—have nothing to look to, either from the inamdar or the zamindar. I do not worry about what Mr. Swaminathan says. But if party members begin to speak in this strain, I consider it not fair and as an

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elderly man I would advise them when speaking not to use better language. What Mr. Swaminathan spoke is entirely out of court. I am very sorry, I cannot accept the amendment."

* SRI M. G. NATESA CHETTIYAR:—"On a point of information, Sir. Yesterday when I moved an amendment to clause 11 (b) (if) the Hon. Revenue Minister assured the House that he would explain the position when we are in clause 12 (b) (ii). I now request the Hon. Minister to explain the position."

SRI R. V. SWAMINATHAN:—"On a point of order, Sir. Is it right on the part of the Hon. Revenue Minister to say that what I stated was false and a lie. I request you to ask the Hon. Minister to withdraw the remarks."

THE HON. SRI KALA VENKATA RAO:—"I withdraw those words and instead use the words 'terminological inexactitude'."

SRI M. G. NATESA CHETTIYAR:—"What is the reply of the Hon. Minister to the point of information I sought Sir?"

MR. SPEAKER:—"He does not reply to it and I cannot force the Hon. Minister to give a reply."

* SRI M. G. NATESA CHETTIYAR:—"It was on the assurance that he gave yesterday that I withdrew the amendment. The question was why in the case of inamdars he included lands purchased in several sales for patta whereas in the case of zamindars he did not include them, and he assured the House that he would give a reply when this clause comes up for consideration."

MR. SPEAKER:—"Does the Hon. Minister want to say anything on the matter?"

THE HON. SRI KALA VENKATA RAO:—"Nothing, Sir." The amendment was put and lost.

* SRI K. KOTI REDDI:—"Sir, I move the following amendment that stands in my name, namely:—

'For clause 12 (b) (iii) substitute the following retaining the Explanation:—

"(iii) all non-communal lands which are not in the occupation of a tenant provided that the landholder has cultivated such lands himself by his own servants or by hired labour, with his own or hired stock in the ordinary course of husbandry up to the notified date."

"Sir, I should not have attempted to move this amendment but for the encouragement given to me by the Hon. Revenue Minister when he said . . ."

* SRI V. RAGHAVAYYA:—"On a point of order, Sir. My hon. Friend, Mr. Koti Reddi, is not empowered to move this amendment in view of the latest circular which has been issued by our leader to all the members of the party."

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MR. SPEAKER:—"The chair has nothing to do with the whip issued by a party of the House. I would like to inform the House that whatever happened in the party should not be brought in here. The Hon. Mr. Koti Reddi may move his amendment."

* SRI K. KOTI REDDI:—"I do not know anything about the whip."

MR. SPEAKER:—"Whatever it may be, so far as the chair is concerned, it has nothing to do with what happens in the party. It is for the party to obey the whip but the chair is not concerned with it."

SRI K. KOTI REDDI:—"I was just saying that I should not have attempted to move the amendment but for the encouragement given to me, though indirectly, by the Hon. Revenue Minister. He said that he would not like to give patta to people who are going to cultivate in the future and I should be amply satisfied if he makes up his mind to give pattas only to those people who have cultivated their lands after 1st July 1945, i.e., the date mentioned in the Bill; up to the date of the notification, or even if the date of notification is to be a little longer, up to the date till this Act comes into force. Sir, there are so many people who are absolutely ignorant of the Congress manifesto, not only among the inamdars but amongst others also. They have absolutely no knowledge of these things. I can speak of the inamdars in my area, namely, Rayalaseema, most of whom are absolutely ignorant of the English language or even of politics; they do not even read the papers and how can they anticipate that one day the Congress Government would be bringing in a Bill of this type and that they would be deprived of the lands they have so far cultivated by their own labour—there is no absentee landlordism in their case—and which they have been continuously cultivating. It is really a hardship which the people of this country ought not to expect from the Congress Government. I would like to point out, though it may not be necessary, that the Hon. Revenue Minister should consider this aspect of the matter from a different angle but since the time at my disposal is limited, I would only appeal to those hon. Members, who seem to question the position of the inamdar to go through the proceedings of the Legislative Council in 1908 where they will find ample justification—inamdars were included even in 1908—and at that time also there have been a lot of legislators, eminent men, Government officials and others who thought that the position of the inamdars who were included in 1908 Act was different from the position of the zamindars. If to-day some of us are pleading for these men who own only small bits of land, or at the most a village, it is because the position is different from the vast extent of land which the zamindars are having. These poor people are cultivating the land by themselves or by hired labour and nobody knows whether tomorrow legislation will be brought forward even prohibiting these things. When these people have spent so much of money and

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cultivated the lands by themselves or by their own hired labour they should necessarily be given a chance to claim the property, especially in these days of shortage of food. The Hon. Revenue Minister asked me, why did these people not cultivate these lands before. It looks as if it is a curious question. These people have, in fact, been cultivating some land and they did not begin to cultivate the land only after 1st July 1945 and as I said, you cannot expect all people to cultivate all the lands at one time. For instance, certain lands might have been in the possession of the ryot but given up later on, there may be certain lands which are not ordinarily worth cultivating at all but yet may be brought under cultivation recently on account of high prices and these might have been brought under cultivation not only after 1st July 1945 but afterwards also they might have been continuing to cultivate such lands. I would like the Hon. Minister to take into consideration all these aspects of the matter. You know that for the last four or five years there has been so much of demand for food. The prices of foodstuffs have been going up very much. Sir, even during the Advisers' regime, as also subsequent to that time, the Government have been asking people to bring more and more land into cultivation and produce more food to tide over the food crisis. Taking the Government at their word these inamdars have been investing money and bringing more land into cultivation. Now it is cruel to deprive them of their lands. Even the Congress manifesto appealed to the people to produce more food. So I appeal to the Hon. Revenue Minister to accept this amendment. If he cannot accept it, let him think of some other amendment which will benefit these inamdars."

12-30
P.M.

MR. SPEAKER:—"For want of a seconder the amendment falls through."

Sub-clause 12 (b) (iii)—Explanation.

* SRI M. G. NATESA CHETTIYAR:—"Mr. Speaker, Sir, I beg to move that in clause 12, sub-clause (b) (iii), Explanation, delete the words 'but does not include the rearing of topes of spontaneous growth'. Sir, a similar amendment I moved yesterday with regard to clause 11. The Hon. Minister said that if topes of the nature mentioned in the clause are not given a patta, the income from these topes will be included under miscellaneous head and compensation will be paid. I fail to understand his argument. The tope is not a thing on which fair and equitable compensation could be fixed. The income of the tope increases year after year, and with it also the value of the tope, as the trees in the tope grow. So the intrinsic value of the trees and topes cannot be suitably assessed. It is a property which yields something like a recurring income and an increasing recurring income year after year. For the payment for miscellaneous revenue Government have fixed a data; but that data cannot be adopted for fixing compensation in regard to topes. Thus it is absolutely impossible

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to pay fair and equitable compensation to topes under the Bill as it stands. Let me tell the Hon. Revenue Minister, that he is confiscating property straightway if patta is not given and so the legislation will be null and void."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I beg to second the motion."

THE HON. SRI KALA VENKATA RAO:—"Sir, this is a point which was discussed yesterday and it does not merit a repetition of the same thing."

The amendment was put and lost.

THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, I beg to move 'Omit sub-clause (c)'."

The amendment was put and carried.

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I beg to move—

'At the end of clause 12, the following provisos shall be inserted, namely:—

"Provided that the aggregate extent of land to which a landholder shall be entitled to a ryotwari patta under this section shall not exceed three hundred acres of wet land or an extent of dry, wet and garden lands equivalent to that extent derived by calculating one acre of wet land as equal to one and half acres of garden land or two and half acres of dry lands:

Provided further that the landholder shall have the right to select the land or lands to that extent, if more extent is in his possession on the date of the commencement of this Act and the Government shall take possession of the excess land for the benefit of the Nation."

Sir, I shall not take much of your time. The same thing I moved with regard to the ryots and zamindars. I am now moving that with regard to the inamdars, so that no inamdar may get patta for more than 300 acres. Sir, the Hon. Premier has stated yesterday, that though the Bill is passed it will be kept in abeyance. So I request the Hon. Minister to accept this amendment so that people may not enjoy for a long time vast extent of private land. As it is, it will take some time before the other land revenue reform is brought in limiting the extent of ownership of land. Therefore it is better to accept this principle now, so that the Hon. Minister may begin in right earnest the great land tenure reform, of which he has been talking much."

MR. SPEAKER:—"For want of a seconder the amendment falls through."

Clause 12 as amended was put and carried.

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Clause 13.

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I beg to move—

'Omit sub-clauses (a) and (b) and at the end of the clause as thus amended, add the words "section 12".'

Sir, this refers to under-tenure mokhasadars. A distinction is made in the Bill between Pre-Settlement mokhasadars and Post-Settlement mokhasadars. I want that no such distinction be made with regard to the grant of patta to them. I want the Post-Settlement mokhasadars need not be treated like zamindars and the Pre-Settlement mokhasadars to be treated like inamdars. Of course with regard to compensation it is a different matter; there may be some distinction made there. But with regard to the grant of patta, they are only small people, and so they should be treated only like other inamdars. They all became estates only in 1908 and they were excluded in the 1936 legislation. No such distinction is made in the Estates Land Act of 1908 between Post-Settlement under-tenures and Pre-Settlement under-tenures. Only when we pay compensation we are introducing an artificial and new distinction in this Bill. Therefore I request my amendment may be accepted."

* THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, Sir, I have great pleasure in seconding the amendment of Mr. Kaleswara Rao. He has stated that it is just and proper that all the under-tenure holders should be treated in the same way as inamdars. Sir, these mokhasadars are very petty landlords. They own only a few acres, and they entirely depend on their land for their livelihood. If such people are to be treated as zamindars it will hit them hard and their position will be greatly affected. With these remarks I would request the Hon. Revenue Minister to accept the amendment."

THE HON. SRI KALA VENKATA RAO:—"Sir, this is an important clause. We want to see that the concession given to pre-Settlement mokhasadars must remain. Because pre-Settlement mokhasadars carry with them a characteristic which is absent in post-Settlement mokhasadars. Under the Permanent Settlement Regulation of 1802, all post-Settlement mokhasadars partake of the nature of zamindars; they are called dharmilla inams. Therefore, the distinction is brought here and I do not think it is correct to take away the distinction. I am unable to accept the amendment."

The amendment was put and lost.

Clause 13 was put and carried.

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Clause 14, sub-clause (1).

SRIMATHI V. SEETHAMAHALAKSHMAMMA:—"అశ్వయూజి, 14 12-45 p.m.
పట్టాజూహి అన్యాయము జరిగినటువంటి రైతులు settlement officer కు అప్పీలు చేసుకొనేటటువంటి అధికారాన్ని కలుగజేస్తామని ఇదివరలో రెవెన్యూ మంత్రిగారు తెలియజేసారు. ఈ విషయమై వారు తమ అభిప్రాయములను తెలియజేయవలసివచ్చినా
కోరుచున్నాను."

THE HON. SRI KALA VENKATA RAO:—"Sir, the hon. Lady Member asks me this question:—'The other day while speaking on a different clause, you said that if it is necessary, you will examine certain points and also whether there is any provision for an appeal in the case of a dispute between a ryot and a zamindar, as regards clause 14. Have you done anything in that direction?'

"Sir, my answer is this. If there is a ryoti land and if in the matter of grant of patta under section 10 any dispute arises, there is a regular appeal provided under this Act either to a civil court or to the Board of Revenue or to the Tribunal. Even so, in the case of private lands of the zamindar, which comes under a different clause, a similar appeal is provided both for the zamindar as well as the ryot to a Tribunal. The ryot has got as much right as the zamindar to make an appeal to that Tribunal. Therefore there is no difficulty about that matter, and I have got it examined again."

THE HON. SRI KALA VENKATA RAO:—"కకముందు భూములన్నీ రైత్వారీ భూములైతే చేయబడుతాయి కనుక ఏ రైతుకైనా అన్యాయము జరిగినట్లైతే ఆతడు Tribunal కు అప్పీలు చేసుకోవడానికి ఈ clause ప్రకారము, Board of Revenue యొక్క standing order ల ప్రకారము హక్కు ఉన్నది."

SRIMATHI V. SEETHAMAHALAKSHMAMMA:—"ఏ పట్టాజూహి అటువంటి provisions ఉన్నదో తెలియజేస్తారా?"

THE HON. SRI KALA VENKATA RAO:—"10 వ section ప్రకారము రైతుకు వచ్చేది జిరాయితి భూమి. జిరాయితి భూముల విషయంలో అన్యాయాలు జరిగితే రైతులు అప్పీలు చేసుకోవడానికి Board Standing Order ప్రకారము హక్కు ఉన్నది. దానికి వేరే procedure ఉన్నది."

SRIMATHI V. SEETHAMAHALAKSHMAMMA:—"11, 12, 13 పట్టాజూహి జమీందారులయొక్క స్వంత భూములకు ఉత్తీర్ణత కనుక ఈ పట్టాజూహి అటువంటి భూముల విషయములోనే appeal చేసుకొనే హక్కు రైతులకు కలుగజేస్తుంది."

THE HON. SRI KALA VENKATA RAO:—"జమీందారులయొక్క సరే భూమి (స్వంతమతము) విషయంలో అన్యాయము జరిగితే రైతులు Tribunal కు appeal చేసుకొనవచ్చును. ఈ హక్కు ఈ 13 వ clause లో కలుగజేయబడింది. అంతే

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కాకండా జిరాయితి భూముల విషయంలో హడా appeal చేసుకొనే హక్కు Board Standing Order ల ప్రకారము ఉన్నదని మరల తెలియజేస్తున్నాను. కాబట్టి ఫీతా మహులక్ష్మయ్యగారు ఏ విధంగాను భయపడవలసరం లేదు.”

Clause 14 was put and carried.

New Clause 14-A.

THE HON. SRI KALA VENKATA RAO:—“ Mr. Speaker, Sir, I beg to move—

‘ After clause 14, insert the following as new clause 14-A:—

“ 14-A (1) Every person, whether a landholder or a ryot, who becomes entitled to a ryotwari patta under this Act in respect of any land shall, with effect on and from the notified date, be liable to pay to the Government such assessment, as may be lawfully imposed on the lands.

(2) If in respect of any such land, the ryot was liable immediately before the notified date to make any payment to the landholder otherwise than by way of rent, whether preiodically or not, the ryot shall continue to make such payments to the Government, as accrue on or after that date ”.

* THE RAJA OF VENKATAGIRI:—“ Sir, I should like the Hon. Minister for Revenue to explain this point. After abolishing the zamindaris and after the lands have been converted into ryotwari and given under patta to the landholders as well as ryots under these provisions, it is stated that the landholders should pay to the Government the ryotwari assessment as may be lawfully prescribed by the Government. I should like to know whether any provision has been made in this Bill for compensating the landholder for the rent he has to pay to the Government after the notified date. Sir, the object with which I put this query is this. I should like to see that this legislation is as clear and as valid as possible, and that any property or income which is now enjoyed by the zamindar should not be taken away without proper compensation being paid.”

THE HON. SRI KALA VENKATA RAO:—“ Sir, it is only to clarify this position that this clause has been put in, namely, that in the future after the abolition of the zamindaris and after pattas have been granted, every patta-holder must pay some tax to the Government, whatever may be the type of land that is given to the landholder or to the ryot. It is to make that point clear that this clause has been inserted.

“ With regard to the insertion of the second sub-clause 14-A (2), our object is this. There are certain zamindaris, where the ground rent is being paid to the landholder. If the estate is

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abolished, the zamindar should not benefit by taking away the ground rent. Therefore it is made payable to the Government afterwards. This clause is also intended to clarify this position.”

Clause 14-A was put and carried.

Clause 15.

SRIMATHI V. SEETHAMAHALAKSHMAMMA :—“ ఆధ్యక్షా, 15 వ క్లాజును తీసి వేయవలసివచ్చినా రెవిన్యూ మంత్రిగారిని కోరుతూ నేను నా పేరుపై ప్రవరణను move చేస్తున్నాను.”

(Omit the clause and renumber the subsequent clauses.)

* SRI R. V. SWAMINATHAN:—“ Sir, I second this amendment moved by the hon. Lady Member, Srimathi Seethamahalakshamma and in doing so, I wish to say one or two words without taking much of the time of the House. It has been accepted by this House that the zamindars have no right over the land. The Prakasam Committee also decided that the zamindars were only agents of the British Government, that they were only rent-collectors and that they had no right over the land. And even Rajaji, while he was speaking in the Legislative Assembly as Premier of this Province in the other building had endorsed the same view. Therefore only the ryots have got the legal right to the ownership of the land. It is not known how the Select Committee has decided to give half of the ryoti lands situated within a municipal area to the landholders. If a ryot has got two acres of land within a municipal area, and if he has constructed a building and thus if he has used $1\frac{1}{2}$ acres, he is now left with only $\frac{1}{2}$ acre. But according to the provisions of this section, one acre should go to the zamindar. Now the ryot has only half acre left to be given to the zamindar. According to this provision for the balance of half an acre the ryot will have to pay to the zamindar the market value of the land. As you know, Sir, the cost of lands in municipal areas is very high and in certain places, an acre is selling at as much as Rs. 30,000. If the ryot has got to pay his share of Rs. 15,000 to the zamindar, where will he go for the money? Therefore this clause causes very great hardship to the ryots living in municipal areas and must be deleted. I hope, Sir, that the Government will accept this amendment, which seeks to delete this clause.”

* SRI P. KANDASWAMI PILLAI:—“ Mr. Speaker, Sir, this is a very important amendment from the point of view of ryots. The ryots in municipal areas enjoy the full right over the ryoti lands. Now, Sir, every municipality within the zamindari area if it wants to put up a building will have to pay some amount to the zamindar. Then only the zamin ryot in a municipal area can put up a building.” (Interruption.)

MR. SPEAKER:—“ May I know whether the hon. Member is supporting or opposing this amendment? ”

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SRI P. KANDASWAMI PILLAI:—"I am supporting this amendment, Sir."

MR. SPEAKER:—"The Government are going to accept this amendment and therefore I do not think, the hon. Member need make any speech."

SRI P. KANDASWAMI PILLAI:—"This is an essential amendment, Sir, and even if the Government have sponsored it, we want to give expression to our views. (Interruption.) Sir, I shall finish my speech with this one sentence. I am very glad to support this amendment which seeks to omit this clause from the Bill and I am in entire agreement with the Government in this matter."

1 p.m. MAHBOOB ALI BAIG SAHIB BAHADUR:—"Mr. Speaker, Sir, I oppose this amendment and in doing so, I want to point out the correct legal position with regard to this matter. According to the Estates Land Act, the tenant is entitled to continue in possession of his holdings, so long as he cultivates the land. He cannot put the ryoti land to any other use than cultivation, because the tenant is let into its possession mainly for the purpose of cultivation. But, on the other hand, if he constructs any building or puts it to any other use than cultivation, under the law he is liable to be ejected. If such a land is brought within a municipal area, still the tenant might begin to cultivate and continue to cultivate it. Now a peculiar situation is arising. These ryoti lands which are brought within the boundaries of municipal areas are used for building purposes. As has been stated here, buildings have been constructed and where buildings have not been constructed they have been converted into house-sites. Then what is the position? As soon as the tenants construct a building or try to do so or put it to any use other than cultivation, the zamindar will forthwith eject them and he is entitled to eject them. I wish the hon. Members will understand this. In those lands the zamindar has the melwaram rights and the tenants have got the kudiwaram rights only so long as they cultivate the land. He cannot build upon it. As soon as he puts it to some use other than cultivation he is liable to be ejected. That is the law. There is no use saying no. (Interruption.) That is the law on the matter. Zirayati Huqu means the right to cultivate. People do not understand what is meant by Zirayati Huqu. Zirayati means cultivation and Zirayati Huqu means the right to cultivate a land. So long as the tenant cultivates it he is entitled to possession of the land. As soon as he puts it to a use other than cultivation, except for a cattle shed or something like that he will be liable to be ejected. What is now happening is that the municipal limits are extended and such lands are brought within the municipal areas. The sites become valuable and the tenants want to construct buildings and let them on to

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others for rent. They want to make use of that in that way. But they are prevented under the law from doing so. Where some 100 or 200 acres of such lands are situated within the municipal limits the matter is under dispute between the landlord and the tenant. In order to solve that problem this clause was put in after very great thought. If you want to make any changes in this clause you are welcome to do so but the clause should not be omitted altogether.

"It was asked: Why should the landlord get half the extent of the lands and the tenants half. It might be one-third and two-thirds or three-fifths and two-fifths. That may be a reasonable thing. If you do not legislate with regard to these plots of land in the municipal areas there will be a difficult situation and that will be detrimental to the tenant himself. If the tenant has built any building on the ryoti land, to-morrow he is likely to be ejected.

"Further, the second point is that you cannot do away with the rights of the landholder in the land. That is another aspect of the question. Therefore we must solve the problem and we must not leave it in the lurch. My submission is that this deletion will work great hardship in the case of the tenant himself. You must also make provision for payment of compensation to the landholder on the basis of the value of the lands. The Privy Council has clearly held that the landholder has got two-fifths right and the tenant three-fifths in the compensation that may be granted. That is the Privy Council's ruling. You must tackle the question and solve the problem. Or else we will get into very difficult positions."

* THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, certain observations were made by the hon. Member, Sri Swaminathan to the effect that since the zamindar is a mere farmer of revenue and since he has got no rights whatsoever and since he has no proprietary rights, why should any distinction be made between the ryots in other areas and the ryots holding lands in the municipal areas. Sir, I will deal at some length about the proprietary rights afterwards and in deference to the wish of my hon. Friend. I will not deal with it now, except to say that is a wrong position to take. The zamindar has got some rights and the tenant has got some rights. To what extent they are proprietary rights I will deal with at a later stage.

"Now I wish to point out that this section was scrutinised in the Select Committee and we came to some decisions. Of course my sympathies are with my hon. Friend, Mr. Kala Venkata Rao, the Hon. the Minister for Revenue. Having been in politics, I am quite aware of the various influences that would be brought to bear upon the man in position. Still this is a very important clause and I hope that the Ministry would reconsider and go through what happened in the Select Committee and examine the

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pros and cons particularly as it affects very important vital interests. As far as I am concerned I won't be affected excepting to a very very small extent. I therefore say, Sir, that if we accept the amendment we would be departing from a sound principle laid down in the Select Committee, of certain existing rights being recognized and compensation being paid in some form or other, in the form of pattas or in the form of money grants, etc. That is being neglected by this amendment, Sir."

MUHAMMAD RAZA KHAN SAHIB:—"Mr. Speaker, Sir, I do not like to go into the merits of the clause as Mr. Mahboob Ali Baig and the Raja of Venkatagiri have spoken that if this clause were to be deleted it would lead to a certain amount of complication. I find from the amendment given notice of by the Hon. the Revenue Minister, that apart from the amendment of Srimathi Seethamahalakshamma and Mr. Swaminathan, the Government themselves want to delete this clause. If I can go a step further, Sir, I say that this clause is sought to be deleted under pressure, because some people in this Province, particularly people in the Tamilnad want that this clause should be deleted. Therefore the Hon. Minister comes out with a proposal that this clause should be deleted. But he ought to convince the Members of the House as to why he let in the clause in the Select Committee and for what reasons he now wants to delete it, what are the implications, etc. He must state the reasons for the deletion, Sir.

"Another point which I want to bring to the notice of the House is this, Sir. This morning we saw a Press Report that when our Hon. the Premier went to Delhi he had talks with the Central Government and they made our Premier understand that the Central Government were not in a position to finance this acquisition of the zamindaris at the present juncture. (Interruption.) I have got a reason, Sir, and I place it before you. Further it is reported that the Hon. the Premier has told the Press, of course, rightly, that having proceeded with the Bill so much, it may not be possible under the circumstances to withdraw it. It is all right. But at the same time the Hon. the Premier is also reported to have said if I am to take the Press version as correct: 'Well, we may get it through the Assembly and the Council, and if we feel so, we may not put it through.' I only want to raise this question, Sir, to know the mind of the Government in the matter because there are two alternatives. If the Government gets this measure through both the Assembly and the Council but do not practically put it into operation it may lead to a dangerous position in the zamindari estates, Sir, because nobody is going to pay anything to the zamindars . . ."

THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, if I may usefully intervene, I may state that I am as much interested in this aspect of the question, namely, with reference to the interview given by the Hon. Sri O. P. Ramaswami Reddiar to the

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Press, as any other Member of this House. But I would ask my hon. Friend Mr. Raza Khan not to deal with this aspect of it because . . ."

MR. SPEAKER:—"I do not see why the hon. Member should ask another hon. Member not to speak on a particular matter. I do not see why he should intervene in the middle."

THE RAJA OF VENKATAGIRI:—"To economize time, Sir."

MR. SPEAKER:—"It is not the business of the hon. Member. Let the hon. Member Mr. Raza Khan continue his speech."

MUHAMMAD RAZA KHAN SAHIB:—"In the first alternative, Sir, if we accept the proposition of the Hon. the Premier to let this Bill go through the Assembly and also the Council, and if we are not able to pay the necessary compensation to the zamindars, we may not bring this Bill, when it becomes an Act, into effect. That is one aspect of the question. It will have far-reaching effect on the zamindars. If really it is the view of the Hon. Minister that when the Bill passes through he can notify the date in the gazette because the Government are in an advantageous position according to the Bill, and they can take possession of the estates . . ."

THE HON. SRI KALA VENKATA RAO:—"I thought, Sir, he would mention only one or two points and not elaborate on it. I wish to tell the hon. Member, Sir, that this amendment is for the deletion of clause 15. He is speaking on an extraneous point."

MR. SPEAKER:—"May I just explain the point to the Hon. Minister? The hon. Member need not elaborate on this point. If the Hon. Minister gives a reply to this question, a number of hon. Members may not move amendments and we can finish the Bill soon. This is what he wants to impress on the House. The hon. Member should not elaborate on the point."

MUHAMMAD RAZA KHAN SAHIB:—"The one thing, we Members of the House wish to know is where exactly we stand and what is the intention of the Government, Sir."

THE ZAMINDAR OF MIRZAPURAM:—"I oppose the 1-15 amendment for the omission of clause 15, Sir. Sir, this clause was brought in the Select Committee, if I remember aright, at the instance of the Revenue Minister. I do not know the reason why he wants to delete this clause now. As my hon. Friend Mr. Ali Baig already said the landholder has a right over the land. The tenant can only utilize such land for purely agricultural purposes. He has no right to construct houses or use the land for non-agricultural purposes. If this clause is removed, you will be simply increasing litigation, and I am sure any number of suits will be filed against the ryots to evict them from the lands. Also it is

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most unfair on the part of the Congress Government to take away lands without paying any compensation to the landholder although he is entitled to it under the present law. I would request the Hon. Minister and his Government to consider this amendment once again so that the rights of individuals are not taken away without paying sufficient compensation. I am afraid that if such amendments are brought in and properties taken away without any compensation, this legislation may become invalid and it may also be questioned in a court of law which, as far as possible, we should like to avoid. With these observations, I oppose the amendment to clause 15, and request the Hon. Minister to reconsider the position."

* THE HON. SRI KALA VENKATA RAO:—"Sir, Mr. Ali Baig is quite right about one thing, i.e., if an agricultural land is used for non-agricultural purposes, the landholder has got the right to evict that person who has used that land for non-agricultural purposes. But, Sir, this is a case of agricultural lands within the municipal limits. It is only when the party constructs a house without permission that a right accrues to the landholder to evict him. But if one wants to go on cultivating his agricultural land without any building on the land, why should the zamindar get a share in the potential value of the land to himself. If it is agricultural land, Government must pay compensation to the zamindar for that land, and the ryot would continue to enjoy possession of it. Later when the Government get into possession whether the Government have got the right to restrict the person to construct houses or not, is altogether a different matter. To-day as between the zamindar and the tenant that right will be extinguished with the passing of this Act. What we want to give to the zamindar under this Bill, is not the potential value. There is no proposal to give compensation for potential value. Therefore, the right to evict by the zamindar can be exercised only when a positive act takes place on the part of the tenant. In the present instance, no such positive act is alleged. If any tenant did construct a house before the passing of this Act, the zamindar can evict him and he has the law in his favour. But after the passing of this Act, the position would be entirely different. Therefore, the arguments advanced by my hon. Friends in this behalf are not correct. When the arguments are not correct, the threatened litigation will not arise at all, because we are only satisfying the existing law. The misnomer that no compensation will be paid to the zamindar, is not correct. Because, if it is agricultural land, zamindars will get compensation on the general scale provided in the Bill. Now that the 1936 inams are taken out of the purview of this Bill, there is no difficulty at all with reference to those inams. I should like to say one thing more with regard to the point raised by Mr. Raza Khan, namely, that we have done this on account of popular agitation. We thought in the beginning that this would affect a few inams in municipalities. Later on we found that this extended to the case of

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zamindaris also, and that in some towns of this Province this clause would operate very much against the interests of the tenants who owned agricultural land in municipal areas. Because of the fear that houses may be built on this land some time hence, we are not to take away half of his land and pass it on to the zamindar now. That is an incongruity pointed out to us. When a clear mistake is pointed out to Government, Government will certainly correct it. This is one good instance where Government have accepted the mistakes pointed out to them. Therefore, I accept the amendment to delete clause 15.

"With reference to the remarks of Mr. Raza Khan, let me say that he need not be led away by the statements which the Hon. Premier has made. He must have read the word 'IF' in those statements. The word 'IF' is a stumbling block in the way. The hon. Member need not fear anything."

THE ZAMINDAR OF MIRZAPURAM:—"Sir, does the Hon. Revenue Minister know that in several places like Bezwada there are buildings put up on agricultural lands? If so, I would like to know what the Revenue Minister has proposed to do with such lands on which buildings have already been constructed without the consent of the landholder."

THE HON. SRI KALA VENKATA RAO:—"The law of the land will operate until this Bill becomes law, Sir."

MR. SPEAKER:—"If this amendment is accepted, other hon. Members cannot move their amendments, because this amendment is to delete clause 15, and to renumber the subsequent clauses."

The amendment was put and carried.

Clause 16.

THE HON. SRI KALA VENKATA RAO:—"Sir, I beg to move—

'Before this clause insert the heading "Buildings in estates."'

This is only a consequential amendment, Sir."

The amendment was put and carried.

THE RAJA OF VENKATAGIRI:—"Sir, I move—

'Delete the clause'.

Sir, this clause seeks to vest in the Government the building that has been used by the zamindar as his office in connexion with its administration and for no other purpose. This came up for discussion in the Select Committee. We submitted to Government that it was not fair that any property should be taken away from

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the landholder without compensation and that such acts would affect the validity of the Act itself. Of course some change has been made, and now I find the Hon. Minister giving notice of certain other amendments seeking to add office buildings also. It would be very difficult to decide which building has been used for purposes of office. It may be that as an administrative convenience on a particular date, the date specified in the Bill, a building has been set apart for use as office. While I object to taking away a building that has been used primarily and only for office purposes without compensation, I would also submit that this would lead to several difficulties. Therefore, I would ask the Hon. Revenue Minister to make provision for compensation being given to the landholders. These buildings are sought to be taken away by Government after the date of notification. If they are not given compensation, irrespective of the pecuniary loss the zamindars would be put to, this will lead to certain harassments and inconveniences which cannot now be imagined by the landholders. We were told that the cow and calf should go together. I do not know how that analogy could be applied to this. In order to save the time of the House, I would not deal with that aspect of the question, but simply say that I hope Government would make provision for paying compensation when they take over possession of office buildings, even though they do not agree to this amendment which seeks to delete the entire clause. I make this suggestion in order that I may not move my other amendments. I hope the Government would say that they would consider the question of making provision for compensation."

THE ZAMINDAR OF MIRZAPURAM:—"I second the amendment."

THE HON. SRI KALA VENKATA RAO:—"Sir, this point was discussed earlier when I made my remarks with reference to the general discussion. The question is whether the Government should take over the buildings in the estate or not. We have come to the conclusion that we should not take all the buildings in the estate. We want to take only buildings which are used *exclusively* for office purposes. What is wrong with it? We do not concede that the estate is the property of the zamindar. If that is the position, how does this question of compensation for office buildings arise? The estate is a trust entrusted to the zamindar with a right to collect rent. He has to carry on the collection of rent. How can he do that collection work except under a shade or shelter? We have stated that even if half of a building is used as residential quarters and the other half or a room is used as office, we are not taking over that building, causing inconvenience to the zamindar or his people. We only want to take buildings which are exclusively used for the collection of rent. In common language these are called '*thanas*'. In these *thanas* the clerks sit and collect rent. They are not fit for human habitation. They are constructed like every other

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cutchery. It is only those buildings that we want to take over, and I do not see the reason why the zamindars should protest against this."

MR. SPEAKER:—"The Raja of Venkatagiri wants the right of reply. He will speak after lunch."

"The House will now rise for lunch and meet again at 2-30 p.m."

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

THE RAJA OF VENKATAGIRI:—"Sir, I am sorry that the Hon. the Revenue Minister is unable to accept the proposal which I have made. He has assured that only those buildings which have been used primarily for the purpose of accommodating offices would be taken over since these are necessary as taluk kutcheris in various outlying parts of the estates and he says this should not be objected to by the zamindars when the estates are taken over. Sir, I can understand when an estate is acquired the contention made that all lands yielding income are being acquired. But, Sir, superficial structures put up by the zamindars, simply because they happened to be used for accommodating offices cannot form part of the estates. You cannot stretch the law beyond the point of reasonableness and practicability. Sir, I have always been contending for making this law as practical, as just and as effective as possible and it is with this object also that I have made this suggestion. As far as I am personally concerned, it is not merely a question that, when the offices in my taluks are taken over, I require some compensation. But, Sir, the principle involved is that the zamindar should be compensated. One landholder may agree to forego anything that is due to him but that should not be taken as the principle. Simply because a building or a property of a landholder happens to be used for the purpose of accommodating offices, it should not be taken away without any compensation being paid. Sir, the clause has been extended in scope in the Select Committee stage. I hope the Hon. the Revenue Minister even at a later stage would bring in an amendment which would provide compensation for the buildings referred to. Anyhow, Sir, in view of the definite answer given by the Hon. the Revenue Minister, I am afraid, I have to press this amendment for the decision of this House."

MR. SPEAKER:—"Does the Hon. Minister want to say anything?"

THE HON. SRI KALA VENKATA RAO:—"I have already stated my view in the matter."

The amendment was put and lost.

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MR. SPEAKER:—"The Raja of Venkatagiri may move his alternative amendment when we come to sub-clause (3), sub-clause (4) and sub-clause (6) because it relates to those sub-clauses."

* SRI K. BRAHMANANDAM REDDI:—"Sir, I move that in sub-clause (1) *omit* the words 'and for no other purpose'. Sir, in legal enactments of this nature, the terminology used must be precise and it is a long established dictum that the Legislature would be presumed to mean what they have said. I want to know clearly from the Government whether it is their intention to give the landholder a building which might have been used mainly as an office but which subsidiarily is being used for some other purpose. Supposing, Sir, the main building in Fort St. George is being used by a zamindar as an office in connexion with the administration of his estate and supposing a portion of that building somewhere in some nook and corner is being used by him for some other purpose, does it mean, that in spite of the fact that a portion of it is being used for some other purpose, the whole building will be taken as office building and will come under the purview of this clause or will it be excluded from the operation of this clause? Sir, I am certainly fortified in my apprehension as regards the scope of this clause. I can very well understand if the section is worded omitting the words 'and for no other purpose'. As it is, it reads like this:

'Any building situated within the limits of an estate, which immediately before the notified date, belonged to any landholder thereof and was then being used by him as an office in connexion with its administration and for no other purpose, shall vest in the Government, free of all encumbrances, with effect on and from the notified date.'

Sir, I do not see any reason why these words 'and for no other purpose' are necessary. It is clear that the intention of the Government—and it is presumed to be the intention of the Legislature also—is to take over the buildings in zamindaris which are being used as offices. If that is the intention, it is well expressed without these words. Supposing tomorrow a civil court—or it may be the High Court—has to decide whether a particular building comes under the operation of this clause, then, if the Legislature passes this clause including these words, it may mean that if any portion of the building, however small it may be, is being used for a different purpose, the building should be excluded from the operation of this clause. I have no doubt in the matter.

"Then, Sir, the second clause reads:—

'Every building so situated which, immediately before the notified date, belonged to any such landholder and the principal part whereof was then in the occupation of any religious, educational or charitable institution, shall also vest in the Government, free of all encumbrances, with effect on and from the notified date.'

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Sir, the wording of this second clause shows that in cases of buildings where there are charitable, religious and educational institutions, even if a portion of the building is used for some other purpose, so long as the main building is used for these purposes, it shall be called an office. Therefore, Sir, you make a distinction in the second clause, namely, that if the building is used for particular purposes, it shall vest in the Government whereas in the first clause, you say, it shall be used for no other purpose. The result is obvious. The result is that the Government will not be in a position to take over any building if the zamindar uses a very small portion of it for any other purpose. Sir, Government may try to answer my argument by saying that there is sub-clause (6) but, Sir, sub-clause (6) says:

'If any question arises whether any building or land falls or does not fall within the scope of sub-sections (1), (2), (3), (4) or (5), it shall be referred to the Government whose decision shall be final.'

Sir, after all, it does not matter to me whether the Government have power or the civil court has power. Even if the Government were to interpret this clause, they must be guided by the wording used here. If the Legislature were to decide to-day that a building which is used entirely for the office alone can be taken by the Government, it shall not be open to the executive authority, that is, the Ministry or the Minister concerned to say tomorrow that such a building shall be excluded from the operation of this clause. Therefore, my submission is this. Though the power is there under sub-clause (6) that when a question arises tomorrow as to whether a building is an office or not, they must have discretion, still the discretion shall be a judicial discretion and that discretion shall be exercised in accordance with law. Therefore, I request the Hon. the Revenue Minister to say clearly whether the intention is to take over the building, if it is used mainly for the purpose of office and if it is so, he must omit the words 'and for no other purpose.' But, if it is the intention of the Hon. Minister not to take over a building because a portion of it, however small it may be, is used for some other purpose, then, these words may be there. I hope that is not the intention. Therefore, Sir, I appeal to the Hon. the Revenue Minister to consider this point and to accept my amendment."

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I have 2-45
great pleasure in seconding this amendment which has been so p.m.
very ably moved by my hon. Friend Mr. Brahmanandam Reddi. If the words 'and for no other purpose' are there, Government will be precluded from taking charge of that building. Clause 6 gives power to the Government to decide finally but so long as the purpose is there, the Government cannot say that they can take a building even if it is used for any other purpose. Therefore they

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can only restrict the judgment and the decision will depend on whether the zamindar is using the building for office purposes. Therefore, Sir, it is necessary that the words 'and for no other purpose' shall be omitted."

* THE HON. SRI KALA VENKATA RAO:—"Well, Sir, if these words are not used, we shall have to take charge of all the buildings in the estate. More than that, hon. Members must remember that we are not giving any compensation to the zamindar for the buildings proposed to be taken over. You cannot take over other buildings without paying compensation. Further we are not in need of every building that is in the estate except the office building. Therefore you cannot say that we are not leaving such property to the zamindar. If you are prepared to give compensation, you can take only office buildings, but also the residential buildings. (Interruption.) It may not satisfy you, but that is the answer. We do not want more buildings than are required for office purposes in the estate, and Mr. Brahmanandam Reddi's fear is that the zamindar will bring and place four cows and two bulls into some office and say it is used for some other purpose. There we can exercise our discretion and see—in fact anybody could see—and judge for ourselves whether that building was deemed to be intended for such a purpose or not. In the *thana* of Cocanada, the Raja of Pithapur may keep two bulls tomorrow and say that it is no longer a *thana*. It has been a *thana* for nearly half a century, and anybody could easily see it and judge for himself. Therefore, as this clause is restricted in its scope, I do not think there is any necessity to accept this amendment."

* SRI K. BRAHMANANDAM REDDI:—"I am not at all satisfied. On the other hand, I am quite disappointed. My point is that if you take out the words, 'and for no other purpose', Government will have ample discretion to decide whether a certain building is used as an office or not. If the Government feel that the zamindar is using a certain building mainly for the purpose of the office, they can very well take it over, even with the existing words. What I say is that you are only restricting and circumscribing your discretion, by having these words 'and for no other purpose'. If you omit those words, it comes to this. You will have the ample discretion tomorrow to decide whether a certain building is used for office purposes or not. So, I press for my amendment."

The amendment was put and lost.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move that at the end of sub-clause (1) of clause 16, the following sentence be added:—

'Any person holding a mortgage or charge on any such building shall, for the purpose of section 41, be a secured creditor

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and be entitled to priority over any person holding a mortgage or charge subsequently created by the landholder over any part of the estate'."

* THE RAJA OF VENKATAGIRI:—"As I understand it, Sir, Government think, that if an office building has been under a mortgage to a third party, and if that property is taken away by the Government for its office purposes, that amount should be considered as a charge on the estate. Sir, as I was submitting, the Bill takes away the building without compensation. And now the debt owed by the zamindar would continue as a charge on the remainder of the estate. Supposing, Sir, it happens that there is a building on the security of which primarily a loan was raised, and that building happened to accommodate an office on the notification date, the building would vest with the Government, and that loan would have to be paid by the zamindar out of the remaining of the estate. Sir, I submit that in certain cases, the burden of such a loan on the estate may be rather too heavy. As such, Sir, I think in cases of genuine loan transactions, let them be decided by the ordinary process of law. At least if it is proved that the security is the building, some other appropriate arrangement should be made by the Government, for the zamindar, when the building will be taken away from him. This is the submission, I make to the Government. With these few words, I submit, Sir, that I am unable to support this amendment."

* SRI D. V. RAMASWAMI:—"Mr. Speaker Sir, I rise to support the amendment moved by the Government and oppose the plea that has been put in by the Raja of Venkatagiri. This amendment seeks to safeguard the interests of *bona fide* encumbrances, i.e., the mortgagees who have advanced decent amounts in good faith for the betterment or the utility of the building or the securities concerned. In this case, as in the case of other interests created on estates, the Government will be perfectly in order and justified in acting in the manner desired. The mortgagees will look to the Government to safeguard their interests, as they have not been guilty of any encouragement by means of the loans for the landholder or the zamindar to have utilized the buildings for any other purpose than for the purpose for which it has been lent, that is to say, the security of the building, or the development of it, or some other kindred purpose. I therefore feel that this is a very necessary amendment, and that it should be accepted by the House."

THE HON. SRI KALA VENKATA RAO:—"The point is, if there were a mortgage or charge secured on a building taken over by the Government, the creditor may get nothing under clause 41. To be on the safe side, this is necessary. It is the same in principle as amendment No. 229 which has been given notice of by my hon. Friends Sri N. S. Varadachari and Sri A. Vaidyanatha Ayyar. Based on that, it has been put in legal language.

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I think this is the correct position. And I am not prepared to withdraw my amendment."

The amendment was put and carried.

* SRI M. G. NATESA CHETTIYAR:—"Sir, I move that the following proviso shall be added to sub-clause (1) of clause 16:—

'Provided that the building and the site with its appurtenances were not purchased for consideration as a separate entity from the estate before the notified date.'

This is just to safeguard the *bona fide* purchasers of buildings in estates. Sir, in small estates, it is not quite usual to maintain an office and run an office regularly throughout the year. It is very likely that the small landholders, partible zamindars as I call them, may have built a house worth about Rs. 2,000 or Rs. 3,000, and go there once in a year, for a camp of about eight days and make the necessary collections, and then come away. Is this considered to be using a building in an estate for office purposes? The man goes there merely for a camp. He runs his office elsewhere. His office is located elsewhere. He uses that building once in a year, for, say, about eight days, for collection purposes."

MR. SPEAKER:—"I think the Hon. Minister has made it clear. If he has used a portion of the house . . ."

* SRI M. G. NATESA CHETTIYAR:—"Sir, I am not talking of a portion of the house or any such thing. For example, in my own estate, I own a building, I go there once in an year and stay there for about a week, and make my collections; after that I come back home. My regular office for purposes of conducting any litigation or suit, etc., is located in my residence, whereas in my estate, when I go, I stay in this small building. 3 p.m. Is that to be taken by the Government? Sir, I want that this proviso should be in the Bill as the Government may take over some building as a building used for office in the estate.

"There is another point for consideration. The house is used as rest-house only for a few days in a year. The building was put up separately with borrowed money or was purchased. When the building was not purchased along with the estate and when it is not used as an office, are such buildings to be taken over by the Government? I know there are some small partible estate-holders who build small rest-houses in their estates and go there and stay for a few days. Is the estate-holder to lose the building without any compensation? The landholder purchased the building for consideration. It is not built on poramboke land or in the estate land. In such circumstances, should not such buildings be exempted? It seems to me under the present clause the Government may take over such buildings also. I move this proviso and wish that it should be added as part of clause 16 (1)."

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* THE ZAMINDAR OF MIRZAPURAM:—"Sir, I second the amendment of my hon. Friend. I would like to impress once again on the Government that they are making the greatest blunder—if I may say so—in taking over properties without paying any compensation. Properties cannot be taken over by anybody without payment or proper compensation to the person affected. As my hon. Friend put it, the building might have been purchased by the zamindar's own money and used sometimes as rest-house. The Government should not say that they are taking over the building because it was used by the landholder as a rest-house. To do so will be most unfair and unjust. I would again request the Hon. Minister to consider the amendment coolly and sympathetically."

MUHAMMAD RAZA KHAN SAHIB:—"Sir, even if all of us spoke for the whole day, we know that the Hon. Minister is not going to change his mind. Whatever may be your speeches and their duration, whatever position you take up, nothing on earth could change the position of the Hon. Minister. That apart, people, whose interest is being affected, have the impression that what the Hon. Minister is doing is very very unreasonable. Knowing as I do, human psychology, even at this late stage, the Hon. Minister may himself feel that he is doing the greatest injustice. I do not think there any point in speaking further on this amendment after the speeches of my hon. Friends, the Raja of Venkatagiri, Zamindar of Mirzapuram and Mr. Natesa Chettiyar who were very eloquent.

"The point is this; in the zamindari area there are some buildings which are not used for office purposes. The real point for consideration is whether the Government, by virtue of this Bill, is going to take possession of buildings which are not used for office purposes. The building which the Government proposes to take over may be worth Rs. 500 or Rs. 50,000. The only safeguard I can see in the matter is the mercy which the Hon. Minister may have for the zamindars whose interests are very much affected. The Government should take over only buildings used for office purposes. The hon. Member Sri Brahmananda Reddi said, 'why should you show even little mercy to the zamindar, no mercy or quarter should be shown to him.'

"The hon. Member, Mr. Natesa Chettiyar, raised a very important point. The zamindar might have built a small house for his personal use for living there once a year. He might have spent some hundreds or thousands of rupees on that building. When the Government is taking over such a building, naturally the zamindar must be paid compensation. The Government cannot have it both ways. It wants to take over the building; and it is but just that it should pay compensation.

"Our experience has been that arguments, reasons, law, appeals to sense of justice, etc., are not going to change the

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Hon. Minister. He is not influenced by the effect the provisions of the Bill will have on the zamindar. He rejects every amendment without any regard or consideration.

"With these words, I support the amendment moved by my hon. Friend, Mr. Natesa Chettiyar."

THE HON. SRI KALA VENKATA RAO:—"Sir, it has been my misfortune to hear such remarks. For every amendment, there are a number of speeches appealing for justice, equity, etc. They make me more immune. Too much appeal on any particular point will not improve matters. I claim equity and justice in the Bill I have brought forward. I feel that the Bill is all right and I stick to it. No personal appeal should be made to me. If there are arguments on the merits of the question, they appeal to me. I argued my case in the morning. There is nothing more to be added. I need not repeat my arguments. I am sorry I am unable to accept the amendment."

* SRI M. G. NATESA CHETTIYAR:—"Sir, I just want to know whether a building which is used by the landholder for eight days in a year—not used for office purposes—will be acquired by the Government. I am unable to understand the argument of the Hon. Minister. I want only justice. I do not want anything else. I am putting forth the case of a small building of a small landholder who is not even as big as a ryotwari pattadar in his own village. The Hon. Minister does not consider the cases of small estate-holders, because of his obsessed view regarding Andhra zamins and zamindars."

THE HON. SRI KALA VENKATA RAO:—"If my hon. Friend wants information on any particular point, I shall furnish him. If the building is used for the landholder's own purposes, it will not be considered as an office and will not be taken over."

SRI M. G. NATESA CHETTIYAR:—"On the assurance given by the Hon. Minister, I withdraw my amendment."

The amendment was, by leave, withdrawn.

Sub-clause (2).

THE HON. SRI KALA VENKATA RAO:—"Sir, I move the following amendment:—

'For the words "*the principal part whereof*", substitute "*the whole or principal part whereof*".'

The amendment was put and carried.

* SRI K. BRAHMANANDAM REDDI:—"Sir, I move the following amendment:—

'Omit the proviso.'

This is a very small amendment. So far as the proviso goes, it is good reading. But I feel it is beset with difficulties. Suppose,

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after 100 or 200 years hence, charitable and educational institutions mentioned cease to exist, what should happen to them? The second point I wish to raise is this; suppose charitable institutions revert to the landholder after 100 years. In what capacity do they revert? Will the landholder or his heirs or legal representatives have full right to the property or will they have to use it as educational or charitable institution? I wish that these points should be made clear. It is unnecessary to have this proviso. When the property reverts after 100 or 200 years, it will be a cumbersome business. Nobody knows which heir or legal representative will be living then and which Government will be in power."

SRI A. KALESWARA RAO:—"I second the amendment, Sir. It will be a Democles sword hanging over the heads of the Government. The institutions must be used for charitable and educational purposes. If the public purpose for which the institution is intended ceased to exist and if there is no necessity for it, the Government may take it over and use for an equally good purpose. As the Government is a National Government held in public trust, it should use the institutions for public purposes."

* THE RAJA OF VENKATAGIRI:—"Sir, with regard to the provision in the Bill as far as it relates to buildings which accommodate religious, educational or charitable institutions, it allows the Government to take them over from the landholder. Our submission to the Government is that we should not be deprived of facilities to continue those services to God or to the public by these institutions. It was decided in the Select Committee that when those purposes are not served, the buildings should revert to the landholder. I can give you several instances where large amounts of money have been spent on building hospitals, schools, colleges and various other institutions. Supposing to-morrow those buildings are taken away—I hope that they would not be—from our hands and those purposes are not continued to be served by those institutions, it is but fair that these buildings over which large amounts of money were spent by the landholders should revert to them. I do not express the wish that the purpose for which the institutions were dedicated or intended need not be served. Let us hope that for eternity and for all time to come these institutions will continue to serve the purpose for which they were intended. But if they cease to serve that purpose, it is only fair that they should revert to the landholders. I cannot understand why my hon. Friend, Mr. Brahmananda Reddi Garu, has chosen to move this amendment to the proviso which says that the building should revert to the landholder only if the purpose is not continued to be served. So long as it is served, it would not revert to the landholder."

THE HON. SRI KALA VENKATA RAO:—"Sir, there seems to be some slight misapprehension here. If any building was given as an endowment to a particular charitable or religious

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institution it will continue as an endowment. But this will apply only in the case of other buildings which the zamindar has been using for the purpose of a charitable institution but did not give it over as an endowment. Then it is his own building. We cannot take away that building without paying compensation. In order to avoid paying compensation to him, this clause is put. After all, when once the zamindar has started some charitable institution, he would feel the necessity of continuing it, though, on account of the future economic position, he may not be able to continue it in the same manner in which he wanted to do it in the past. In this case, if we take over the building, we will have to pay heavy compensation. We want that these institutions should be continued. Still, for a particular purpose, the clause has been carefully drafted, and I hope it will be accepted."

The amendment was by leave withdrawn.

Clause 16 (3) (b) (ii).

THE HON. SRI KALA VENKATA RAO:—"Sir, I move the following amendment:—

'For the words "*the principal part whereof*", substitute the words "*the whole or principal part thereof*".'

This is only a consequential amendment."

The amendment was put and carried.

Sub-clause (4).

THE HON. SRI KALA VENKATA RAO:—"Sir, I beg to move the following amendment:—

'For the expression "*Every building other than (i) a building referred to in sub-sections (1), (2) and (3), or (ii) a building governed by section 15, shall*", substitute the expression "*Every building other than a building referred to in sub-sections (1), (2) and (3) shall*".'

This is also a consequential amendment, Sir."

The amendment was put and carried.

Sub-clause (6).

THE HON. SRI KALA VENKATA RAO:—"Sir, this amendment has not been circulated to hon. Members. It runs as follows:—

'Add the following words at the end of sub-clause (6):—

"and shall not be liable to be questioned in any Court of law".'

This amendment is moved only for the sake of uniformity of language. This wording has already been used in the other sections."

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THE ZAMINDAR OF MIRZAPURAM:—"On a point of order, can an amendment be discussed without it being circulated to hon. Members?"

MR. SPEAKER:—"This is only a consequential amendment."

THE ZAMINDAR OF MIRZAPURAM:—"It is an important amendment as it takes away the right of certain people."

THE HON. SRI KALA VENKATA RAO:—"These words have been used in many places. In order to have uniformity of language, they are used here also."

* SRI K. BRAHMANANDAM REDDI:—"Sir, the wording of the clause is clear. It says that the decision of the Government is final. By implication, it means that it shall not be questioned in any court of law. The Hon. the Revenue Minister by his amendment is making explicit what is already implicit in the clause."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, unless there is a definite provision in an enactment that the decision of a particular tribunal shall not be questioned in a court of law, it is always held that it is liable to be questioned in a court of law. The enactment should have a positive provision that the jurisdiction of the court is ousted in a particular matter. Therefore if the Government intends that the decision should not be questioned in a court of law, this must be mentioned here. I do not agree with Mr. Brahmanandam Reddi in his interpretation."

THE RAJA OF VENKATAGIRI:—"Sir, with regard to the point of order raised by my hon. Friend, the Zamindar of Mirzapuram, whether an amendment which has not been circulated can be moved . . ."

MR. SPEAKER:—"I shall decide that later on."

THE RAJA OF VENKATAGIRI:—"That was only my preparatory remark, Sir. My Hon. Friend, Mr. Kala Venkata Rao, replied that the amendment was moved for the sake of uniformity of language. But uniformity of language is different from uniformity of certain provisions and their effect in actual application. Therefore, I would request the Hon. Minister to kindly see that such amendments are circulated. But if, at the last moment, the Government find that they are necessary, I think they may be moved during the third reading of the Bill. I suppose I am correct in saying that."

MR. SPEAKER:—"They cannot be moved unless they are verbal amendments."

THE RAJA OF VENKATAGIRI:—"But, if this amendment is of some importance, whether it should be adopted in this case

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is another matter. The Government have stated that since this is adopted in other cases, it should be adopted in this case also. It is a matter for the House to decide. It is not a question of mere uniformity of language."

MUHAMMAD RAZA KHAN SAHIB:—"Sir, I am speaking subject to your ruling, but we cannot accept the interpretation of the Hon. the Revenue Minister that this is a mere verbal amendment. Sub-clause (6) says that it shall be referred to the Government whose decision shall be final. That is, if there is a dispute between the zamindar and another party whether a particular building was used for office purposes or not, the matter will be referred to the Government and, as far as the Government are concerned, their decision is final. At the same time, the parties affected have got a right to go to a court and prove that the decision is not correct. There was a certain possibility, a limited possibility of the parties affected going to a court and getting redress. Now the Hon. Minister wants to take away that small right for the simple reason that in other clauses he has made it a point to oust the jurisdiction of the courts. That is not a valid argument, Sir. Inasmuch as the Hon. Minister has got a right to move amendments at any time, it is but right that he should have circulated it so that we might be in a position to study it and accept it or reject it. But, now, it is but reasonable he should withdraw the amendment."

THE HON. SRI KALA VENKATA RAO:—"It is a simple amendment, Sir. In clause 18 (2) also the same wording has been used. It has been used in many sections. We feel the necessity for it here. I move it for the sake of uniformity of language. I request the House to accept it."

MR. SPEAKER:—"Regarding the point of order raised by the Zamindar of Mirzapuram, first of all, the amendment is within the scope of the Bill. Secondly, the Government can move amendments at any time, provided they are within the scope of the Bill. Thirdly, this amendment is in keeping with the language of the other clauses and it is a consequential amendment. I therefore rule his objection cannot be upheld."

The amendment was put and carried.

New sub-clause (7).

THE ZAMINDAR OF MIRZAPURAM:—"Sir, I beg to move the following amendment:—

'Add the following as new sub-clause (7):—

"(7) *Building sites within the limits of an estate acquired by the landholder by any lawful means whatsoever including purchase, gift, inheritance, succession under a will or adverse possession for a continuous period of not less than twelve years shall, with effect on and*

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from the notified date, vest in the landholder subject to the condition of payment by him to the Government of assessment or ground-rent levied by them."

Sir, several landholders might have purchased building sites in estate villages for consideration. If such lands which are purchased by the landholder and used by him for building sites are to be taken away by the Government without any compensation, simply because unfortunately he happens to be a landholder in that estate, I am really unable to understand where the justice is. Why should the Government take away the property purchased by the landholders for consideration without payment of compensation? Suppose there are three or four landholders in a village and zamindar A purchases a village site from zamindar B for valuable consideration, I want to ask the Hon. the Revenue Minister whether that transaction would be considered invalid or valid. If there are building sites in the estate villages which are either purchased or inherited or have been in adverse possession for more than 12 years, why should not such sites be allowed to be enjoyed by the landholder? Sir, there are several instances in which landholders have purchased several sites at very high cost and spent large sums on the site in the hope of constructing some buildings thereon. If the Government are not going to consider favourably the question of such sites purchased by landholders in their own estates, I do not know how they can take them over without payment of proper and adequate compensation. If Government can take away the private property of persons without payment of compensation—whether such a thing cannot be questioned or will not be questioned in a court of law is a point to be considered—it will be complicating the whole procedure; and so I request the Hon. Minister at least to have sympathy on the landholders who have purchased sites with their own money in their own estate villages either from outsiders or from their co-landholders, and accept this amendment."

3.30
p.m.

MAHBOOB ALI BAIG SAHIB BAILADUR:—"Sir, in seconding this amendment, I would like to invite your attention and the attention of the House to the legal aspect. Under clause 3 of the Bill the entire estate shall stand transferred to the Government and vest in the Government; and in the preamble to that clause it is stated: 'save as otherwise expressly provided in this Act'. Therefore, unless you make a certain provision with regard to the kind of lands mentioned in this amendment, these lands also will become vested in the Government. Is that fair and is it just and legal, I ask? Unless, of course, you say 'we are going to acquire even these sites' we must have a provision such as the one contained in the amendment. If you mean to acquire such sites, should you or should you not pay compensation is the question. The lands referred to in this amendment are lands purchased by the zamindar, for valuable consideration or gifted by relations or inherited or got by adverse possession. Legally, the landholder has got every title to such lands, that is clear. What are you going to do with

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the sites which he has obtained in this way? There are two things open to the Government, viz., the Government may say: 'Even these lands we take away.' In such a case, you will have to pay compensation, not on the basis of two-thirds or one-third and that too after reducing the present income or the value. Or they must be prepared to leave them with the landholders as it is only just and proper to do. Anyway, you must make it clear how you are going to treat these lands. What the amendment says is that a provision may be made that these lands may be allowed to be retained by the landholder, that the title thereto may be recognized by the Government, and that the assessment thereon may be paid by the landholder. There cannot be a clearer and a more legal and a more just amendment than this. Legally speaking, also from the point of view of justice and from the point of view of safeguarding your legislation from being questioned in a court of law as *ultra vires*; it is better that this amendment is accepted. I request my friend, the Revenue Minister, to consider this matter very carefully lest he might fall into an error of rendering this portion of the legislation *ultra vires*."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"There is no quorum, Sir."

(The bell was rung and more Members came into the House.)

* SRI V. RAGHAVAYYA:—"Sir, I wish to oppose this amendment. The tendency seems to be to grab at as much land as one could possibly get. The Bill itself has given the zamindar much more land than what he is entitled to. If it is a matter of having land for building purposes of his own or for any essential purpose, I can understand; but to get at land simply because there is land available, is not proper. I do not think land should be concentrated in the hands of a few.

"Another point to be remembered is that the zamindars have been having something like a semi-feudal relation with the people in the villages. I know of several cases where the zamindars have been utilizing the village common lands for hunting purposes. It would be a dangerous thing to allow even lands got by adverse possession to be kept by the zamindars. The zamindars are leaving us and bidding us good-bye; it is better they do it with good grace without higgling for this and that small concession. It does not go well with the royal grace which they were claiming before.

"Again, the amendment does not prescribe any date by which they should have acquired the sites. Suppose a few days back, scenting the danger ahead, some sort of inheritance or sale or annexation has been entered into, are you going to legalize it? Sir, I am sure if this amendment is accepted, it will create mischief. Therefore, my suggestion is not to be soft to these zamindars. Let

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the zamindars have their say with regard to compensation and be done with it. This is a dangerous provision and should not be accepted."

THE HON. SRI KALA VENKATA RAO:—"I am sorry I am unable to accept this new sub-clause (7). This refers to building sites. The clause is very clear; it only refers to buildings and 'any adjacent premises occupied as an appurtenance thereto.' With reference to building sites that are separate, they do not come under the scope of this clause. Therefore, I am unable to accept the amendment."

THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, Sir. I do not know whether the hon. Minister caught my speech, for I have not got the information I wanted from him. He has stated that he is not prepared to accept the amendment. Of course, even before I moved the amendment, I expected such a reply; but at the same time, I would like him to say whether it is proper in his opinion, that building sites purchased by a landholder for valuable consideration either from tenants or from co-landholders, should be taken away. There are instances where zamindars have purchased sites from co-landholders with good faith and in good intention. Whether such transactions also should not be upheld is the question. I do not mind if a time-limit is fixed. I would like my hon. friend the Minister to give this information."

THE HON. SRI KALA VENKATA RAO:—"Sir, I have stated already what I wanted to say."

The amendment was put and lost.

Clause 16 as amended was put and carried.

Clause 17.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move that before this clause, the words 'Sales and leases of certain lands' be inserted as the heading. This is only a consequential amendment."

The amendment was put and carried.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move: Omit the words and figures 'In cases governed by sections 15 and 16' at the beginning of the clause."

The amendment was put and carried.

THE RAJA OF VENKATAGIRI:—"Sir, in the Bill, clause 17 provides for cases 'where any ryoti or non-ryoti land has been sold by any landholder for a non-agricultural purpose before the 1st day of July 1945, the buyer shall be entitled . . .'. Sir, I moved in the Select Committee that land 'assigned' also should be included in the clause. In this clause, Sir, I was told that the word 'buyer' includes also 'assignee'. I have been advised that it has to be clarified, by the addition of the words 'assigned or

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3-45 transferred' because there are cases where some buildings are
P.M. sought to be constructed, or even factories have been constructed
and there are also cases where the zamindars have assigned such
lands without any consideration whatsoever for these purposes, and
so these cases should be provided for in this clause. Otherwise,
Sir, cases of this kind may not have the validity attached to such
transactions. For this reason, I move the amendment of which
I have given notice of, namely:—

'For the word "sold" after the words "land has been"
and before the words "by any landholder", substitute
the words "assigned or transferred"; and for the word
"buyer" after the words "the 1st day of July 1945 the"
and before the words "shall be entitled", substitute the
words "assignee or transferee".'

THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, Sir,
in seconding the amendment of my hon. Friend, the Raja of
Venkatagiri, I would like to impress on the Hon. Revenue Minister
that in many cases the lands on which factories, cattle-sheds and
other structures are built up, are assigned and not sold and in
most cases they were given by the landholders free of any con-
sideration. If unfortunately the land was assigned and not
actually sold to any party, you want such lands to revert back to
the Government. Sir, this amendment is a very reasonable and
just one and I am sure the Hon. Revenue Minister, as usual will
not say, 'I have considered the Bill but am unable to accept it.'
I would however, tell him that after all it is a very small amend-
ment which will not affect anybody and request that it may be
accepted."

THE HON. SRI KALA VENKATA RAO:—"Well, Sir, here
it is sought to substitute the words 'assigned or transferred' for
the word 'sold', etc. We have examined this question and what
my hon. Friends want to be included in this amendment is covered
by the present drafting of the clause in the Bill. Therefore, I do
not think there is any need to accept the amendment."

The amendment was put and lost.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move that
the words 'by them' in line 7 be omitted."

The amendment was put and carried.

Clause 17 as amended was put and carried.

Clause 18.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move that
in sub-clause (1) the figure '15' be omitted. It is only a
consequential amendment."

The amendment was put and carried.

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SRI A. KALESWARA RAO:—"Sir, I move the following
amendment:—

'In the third proviso omit the words "unless it relates to the
private land of the landholder within the meaning of sec-
tion 3, clause 10 of the Estates Land Act".'

"Here, Sir, the clause deals with leases of mines, forests,
minerals, quarries, etc., given by the landholders. Now those
things, if they are not void or illegal, will be in force, but if they
are only for a period not exceeding one year, the Government must
enforce them. But, if they are for more than one year, the
Government may, if it is in public interest, give notice to the
person concerned and terminate the right with effect from such date
as may be specified in the notice. That is the third proviso to the
section and it is here that I want to introduce my amendment.
The proviso reads like this: Provided also that where such right
was created for a period not exceeding one year, unless it relates
to the private land of the landholder within the meaning of sec-
tion 3, clause (10) of the Estates Land Act, the Government may,
if in their opinion it is in the public interest to do so, by notice
given to the person concerned terminate the right with effect from
such date as may be specified in it, not being earlier than three
months from the date thereof." Here, when the Government
are taking possession of these minerals, forests, mines, etc., can-
celling the existing leases created by the landholders, why should
the question whether they relate to private land or public land
come in, I do not understand. So, what I submit is, even if such
leases were created in private lands, Government should have the
right to terminate those leases or other transactions and take pos-
session if they consider that it is in the public interest to do so. There-
fore, I object to the exception provided here. Hence my amend-
ment. You will find that when the existing right is terminated
and property taken possession of by Government to be dealt with
as they like, compensation also is provided. So, why should they
preclude this notification in the case of interests created in private
land. Therefore, Sir, I submit that my amendment which is very
reasonable may be accepted."

* SRI V. RAGHAVAYYA:—"In seconding the amend-
ment, I would like to say one word, Sir. If Government want to
nationalize mines, this amendment gives the opportunity for them
to do so. Simply because mines are found in private land, it can-
not be an excuse for the zamindar taking possession of them. I
hope Government will accept the amendment of Mr. Kaleswara
Rao."

THE HON. SRI KALA VENKATA RAO:—"Sir, the owner of
private land is entitled to lease his land as any other ryotwari
pattadar is entitled to lease it. I do not see any difference between
the two kinds of ryots. Hence I am unable to accept the amend-
ment. But, when the question of nationalization comes, in that
avalanche everything connected with it will be washed out."

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SRI A. KALESWARA RAO:—"I cannot accept what the Hon. Minister says: It looks as if he is in the moon. Since nationalization is provided in the Bill I am talking in that spirit. The fact that Government want to take possession of land in the interests of the public is what is meant by nationalization. He cannot excuse himself by saying that it will come later on. Therefore I press my amendment, Sir."

The amendment was put and lost.

MR. SPEAKER:—"The hon. Raja of Venkatagiri has given notice of two amendments. If he moves the amendment relating to the new clause, he need not move the other one. I want to know from the hon. Member what he proposes to do."

THE RAJA OF VENKATAGIRI:—"I shall move the new clause, Sir."

MR. SPEAKER:—"In that case he cannot move the alternative clause."

THE RAJA OF VENKATAGIRI:—"Then I will move the alternative clause."

The amendment runs as follows:—

(1) For existing clause 18, substitute the following:—

"18. In cases not governed by sections 15, 16, 17 where before the notified date, a landholder has been working any mine or quarry or has created any rights in any mines or minerals or quarries whether by way of lease or otherwise, the working by the landholder or the transaction entered into by him shall be deemed to be lawful and valid and shall not be disturbed by the Government.

All rights and obligations arising under transactions referred to above on or after the notified date, shall be enforceable by or against the Government:

Provided that where the working by the landholder or the transaction by way of lease or otherwise entered into by him is subsequent to 1st July 1945, the Tribunal appointed under the Act for the purpose shall have power to enquire into the truth or otherwise of the working or the genuineness or otherwise of the transaction entered into by him, and wherever after such enquiry with due notice to the parties concerned and after hearing them, the Tribunal is satisfied with the truth of the actual working by the landholder or with the genuineness of the transaction by way of lease or otherwise entered into by him, such working by the landholder or such transaction entered into by him shall be deemed to be as lawful and valid as working made by the landholder or transaction entered into by him prior to 1st July 1945:

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Provided further that, if the Government should at any time decide in public interest to nationalize any mines or minerals or quarries it will be open to the Government to terminate any working by the landholder or any lease or other transaction entered into by him by notice given to the parties concerned of not less than one year."

"Sir, I would like to mention that there was a discussion over 4 p.m. this clause in the Bill relating to minerals, quarries, etc. I proposed that as in the case of Bihar, leases given by the landholder for working mines, minerals, quarries, etc., should be recognized and that they should be declared valid. Sir, there are several legal points involved in this. The zamindars in whom this right is vested has been recognized as owners by the highest courts of law. I need not take up the time of the House by dealing with case law on the subject. Suffice it to say that the law has recognized that these rights vest in landholders. Sir, the Estates Land Act itself supports my contention. The Government had been good enough to recognize that the leases granted by the landholder for working quarries and mines and minerals are on a statutory basis. My amendment, while retaining the recognition which is already given, seeks to make provision for recognizing the landholder also, who happens to work the quarry or mine or mineral, to continue to do so as a lessee of the Government subject to his payment of the usual royalties and subject to rules and regulations framed for the scientific development of quarries and mines and the safeguarding of labour. Sir, we hear of nationalization. Nationalization has been taken up by the Government of England. They went a very long way in that, and only recently we read in the newspapers that the nationalization of the coal mines has been given up, because they are not prepared to experiment with that. Sir, my amendment provides for the contingency of nationalization also. It seeks that leases given by landholders should be recognized and the landholders should also be recognized where they happen to be working a mine or quarry or mineral, as the lessees of the Government. I do not see why any individual should be deprived of the facility to work the quarry or mine, simply because he happens to be a landholder. Why should there be such a penalty imposed on this class of people? Now in the exercise of their proprietary right they are inspired with zeal to develop their resources, and so why should Government come in and declare that after the notification date the mineral rights vest in some X and not in the landholder. This is unjust.

"Sir, my friend, Mr. Kala Venkata Rao feels tired of hearing the words 'justice' and 'equity' being often used in this House by us. What is the alternative, I ask. What is it we can do? Somebody observed that he has no mercy. It is not mercy that I am pleading for. It is not in any beggarly spirit that I make this appeal to him. It is as a human being to a friend, to one who has been placed in authority and who is expected to hold the scales of justice even, that I make this proposal. Further it is just to

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assert my rights of ownership as an ordinary citizen not to be deprived of facilities in his own property that are conceded to others. Sir, the lessees have been given these rights by the zamindars, and the lessees are allowed to work the quarries and mines, but not the owners thereof. It may be said, in the compensation clause something is provided for the landholder. Sir, it is not that we would like to receive some compensation and be content with it losing facilities to work and thus become as I have once described the prospective position of these landholders as that of lotus eaters. Sir, we fight for these rights in order to become and continue to be useful citizens of this great land, a land which has got a very big and bright future of industrialization, about which so much is being emphasized by all those who are interested in the economic welfare of this country. Sir, it may be said that these landholders might have taken steps to show a semblance of having started work in certain areas with a view to become lessees of the Government."

MR. SPEAKER:—"The hon. Member has exceeded his time limit. He should be brief in his remarks."

THE RAJA OF VENKATAGIRI:—"Sir, I am as brief as possible. As you are aware, Sir . . ."

MR. SPEAKER:—"The hon. Member has an alternative amendment. He can reserve some remarks."

THE RAJA OF VENKATAGIRI:—"It is the alternative amendment that I am moving, Sir."

MR. SPEAKER:—"Is not the hon. Member speaking on the amendment which he has given notice, which begins thus: In cases not governed by sections 15, 16 and 17, etc.?"

THE RAJA OF VENKATAGIRI:—"Yes, Sir, I am speaking on that amendment. I am submitting the effect is the same. That is what I was coming to when I was asked to be brief. I am trying not to take the valuable time of the House, which is hard pressed now. All the same I must do justice to my cause. In the proviso of my alternative amendment I am saying a tribunal should be constituted, or some authority, to which reference can be made as to the genuineness of transactions by way of lease or otherwise."

4-15 p.m. "Sir, I was submitting that these landholders should be treated as any other lessee and it will not be proper for the Government to deprive Peter of his rights and vest them with Paul. So long as the nation's interest or the interests of any other party are not affected adversely, I submit, Sir, that the landholders should not be deprived of their rights and they should continue to be recognized as lessees of the Government. Here is a case where the tenants' interests are not involved. These workings of the mines are in the nature of commercial undertakings. As such we should not be deprived of the facilities which we now enjoy."

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"Mr. Speaker, there is another amendment, which I have proposed along with this. May I move it also, Sir?"

MR. SPEAKER:—"The hon. Member need not move it now. The amendment just now moved, by the hon. Member is perhaps this:—

(1) For existing clause 18, substitute the following:—

'18. In cases not governed by sections 15, 16, 17 where before the notified date, a landholder has been working any mine or quarry or has created any rights in any mines or minerals or quarries whether by way of lease or otherwise, the working by the landholder or the transaction entered into by him shall be deemed to be lawful and valid and shall not be disturbed by the Government.

All rights and obligations arising under transactions referred to above on or after the notified date, shall be enforceable by or against the Government:

Provided that where the working by the landholder or the transaction by way of lease or otherwise entered into by him is subsequent to 1st July 1945, the Tribunal appointed under the Act for the purpose shall have power to enquire into the truth or otherwise of the working or the genuineness or otherwise of the transaction entered into by him, and wherever after such enquiry with due notice to the parties concerned and after hearing them, the Tribunal is satisfied with the truth of the actual working by the landholder or with the genuineness of the transaction by way of lease or otherwise entered into by him, such working by the landholder or such transaction entered into by him shall be deemed to be as lawful and valid as working made by the landholder or transaction entered into by him prior to 1st July 1945:

Provided further that, if the Government should at any time decide in public interest to nationalize any mines or minerals or quarries it will be open to the Government to terminate any working by the landholder or any lease or other transaction entered into by him by notice given to the parties concerned of not less than one year."

"We shall come to the next amendment later, after disposing of this amendment."

THE RAJA OF VENKATAGIRI:—"Therefore, Sir, I hope and trust that the Hon. Minister for Revenue would see his way to accept this amendment. If the Government are unable to accept this amendment as it stands, then at least they should be good enough to recognize those zamindars who happen to be working the mines to be the lessees of the Government until such time as the Government decides to nationalize the mines. Sir, I would not press this amendment if the Government would give an

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assurance like that. But, however, Sir, I hope that the Government will consider the object of this amendment and do the needful. With these words, I move the amendment which I have given notice of."

MUHAMMAD RAZA KHAN SAHIB:—" Mr. Speaker, Sir, I second this amendment and I hope, that the Hon. Minister for Revenue, whom I see is in a reasonable frame of mind, would at least accept this amendment which is a very reasonable one.

" Sir, in this connexion I should like to bring to the notice of the Hon. Minister for Revenue that there are certain mines and quarries which may be in the possession of the landholder or zamindar to-day and some of them might have been leased out already, and as a result of this clause, they will have to be transferred to the Government. To work out such mines and quarries, the zamindars would have naturally spent vast sums of money, because, as the Hon. Minister for Industries knows very well, anybody who has got to work out a new mine, must invest a lot of capital expenditure. So, it is very wrong on the part of the Government to deprive these people of their rights to these mines, which they have worked and on which they have spent a great deal of money, and it is very right and proper that the Government should see that these zamindars get the lease of these quarries and mines, by paying some royalty.

" Sir, very near to Madras we have got quarries for the purpose of excavating blue granite jellies. According to this Bill, in such of the zamindari areas where there are such quarries or mines, the Government take possession of them, unless the Minister is prepared to exclude them from the purview of this Bill. I am sure, Sir, he is not prepared to do so. Simply because these mines and quarries are in zamindari areas, the Government are entitled to take over them for a very small compensation of 25 or 30 per cent according to a later provision in this Bill. On the other hand, as I said, there are mines and quarries of a similar kind belonging either to the Madras Government or the Madras Corporation or the Madras Port Trust, which the Government have simply left untouched. For the simple reason that these mines and quarries are within the zamindari areas, the zamindars are being penalised; and although they have invested large sums to work those mines, they are deprived of the benefits from these mines. You can see how the law differentiates between one type of land and another type and how it is made to work unfairly against one particular set of people. Sir, this is a very reasonable amendment and I would request the Hon. Minister to accept it.

" Sir, in this connexion, I should like to submit, that if there is really any delay in the passing of this Bill, it is only due to the tactics of the hon. Members on the other side. I do not accuse the Hon. Minister that he is making any stage-managed show. This Bill vitally affects the zamindars and any opposition to the various provisions of this Bill must come from them. But on the

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other hand, many of the supporters of the Government who have given notice of a number of amendments, simply stand up and say, 'Oh, you are giving so many concessions to the zamindars; you are very generous towards them' and all sorts of things, knowing full well what is going to be the fate of their own amendments. The result is that even very reasonable and just amendments moved by my zamindar friends, who are the really aggrieved party, share the similar fate. The whole thing appears to me to be a sort of stage-managed affair and that is why a considerable amount of time is taken up in these discussions and the Bill goes through rather very slowly and very tardily. I would, therefore, request my hon. Friends on the other side like Mr. R. V. Swaminathan, to leave the entire thing to the Hon. Minister for Revenue, so that he can do the job."

THE ZAMINDAR OF MIRZAPURAM:—" Mr. Speaker, Sir, in supporting this amendment moved by my hon. Friend, the Raja of Venkatagiri, I have to say that the request of the landholders is a very simple one. When a mine or a quarry is being worked out by a landholder before the notified date, we say, let the quarry or the mine be allowed to be continued to be worked out by the zamindar, as lessee under the Government. If these mines and quarries over which the landholders have invested a lot of capital expenditure on machinery and other things, are to be taken away from them, not only would it entail a great loss and hardship to them, but it would also be unfair and unjust on the part of the Government to do so, because they too will not be able to work them out successfully, as they must incur some more capital expenditure for the purchase of necessary machinery and to get the necessary personnel. But then, my hon. Friend Mr. Kala Venkata Rao might say, 'well, we will acquire your machinery also and other things connected with the working of the mines.' Sir, it is all very easy to say so, but anybody who knows the working of mines would tell you how difficult it is to work out these mines, what risk there is in working them, and how many years it takes for a mine to yield any income. Sometimes a mine may not yield any income at all for a number of years and all the capital expenditure incurred thereon would be a waste. Therefore, it is not such an easy thing to work out a mine successfully. It is a thing which involves hard work, and requires immense patience and long waiting and sometimes it also depends upon the luck of the party working it, because some people may get a return early, while others may not get any return for a number of years. Under these circumstances, Sir, I would request the Hon. Minister for Revenue to consider this aspect of the matter sympathetically and accept the amendment moved by my hon. Friend the Raja of Venkatagiri."

SRI D. V. RAMASWAMI:—" Mr. Speaker, Sir, this section involves a very important principle, the recognition of which can

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be found in the several decisions of the High Court of Madras. It is not an easy thing to deprive old rights or create a new law in respect of mines in permanently settled estates. I am referring to this legal aspect of the matter, with the idea that the Hon. Minister may have this point re-examined, because in respect of mines and quarries, there are several varieties of rights and we cannot pass an enactment like this taking away or encroaching upon such rights which vest with the zamindars under those laws. In some estates, the State may have the full right to take away the mines, but in some others, the State and the zamindar may have equal rights to them, and they will have to share them between themselves. But where the landholder himself is the owner with regard to certain other lands, even the right of occupancy does not create a presumption that anybody else can have a right over the mines or minerals in that land. Such being the position, I think it is very wrong on the part of the Government to negative the rights of the zamindars and give a go-bye to all principles of equity and justice in respect of these matters. I may also mention that various reports and articles on these subjects have appeared in the Press, as also various press comments and decisions of various courts as to the rights of people to such mines and minerals on the land. We have seen that in several places new mines have been discovered and the rights to such mines have been questioned and decided by courts of law. We have also recently discussed about the leasing of the Garbham and Garividi mines in the Chipurupalli taluk of my district. We have also heard about the discovery of manganese mine in certain mokhasa estates in another region. How have they settled the question of the rights of persons to those mines? Sir, all these are important rights and have got to be carefully investigated, before we can incorporate a sweeping section like this in this Bill. I would, therefore, request the Hon. Minister for Revenue, to reconsider this matter in the light of these very important considerations and judicial decisions and see that the legitimate rights of the zamindars and other landholders are recognized in this respect."

4 p.m. SRI M. G. NATESA CHETTIYAR:—"Mr. Speaker, Sir, I very strongly support this amendment. I may say that you have deprived the zamindar of his profession. You do not want him to cultivate; you do not want him to be an industrialist either, which is a matter of national interest to-day in this country. If you do not accept this amendment and you do it at the risk of involving in litigation and at the expense of public money and time to get the reform realized for the benefit of the people."

"It has been curiously said, Sir, that the zamindars are renters and mere revenue officials. From the very beginning it is said that the zamindars are only renters but in the subsequent clauses of the Bill they want to acquire the various interests of rights

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like mineral rights, the soil rights and other specific rights, etc., that are involved and which were and are inherited by the zamindars. They say again in the clause for paying compensation that they are only renters and they say so completely that they are not prepared to pay compensation for every item or every interest of the property mentioned in the body of the Bill. It is all very curious, Sir. The zamindars are a class of people a very large majority of whom have been very good and they have been serving the population of their regions. I stick to that statement very strongly, whatever we may now say for the purposes of paying compensation, or for the purpose of achieving the object and for playing to the mob enthusiasm. I tell you, Sir, that the decrying is not going to help anybody. It is a question of actual administration and conduct of affairs to the progress of the country as a whole. I say once again that . . . (The Hon. Sri Kala Venkata Rao: 'Who voted for you, the mob or the class?') I may be allowed to continue, Sir. I will come to that. I am also a mob man and I know how I conducted my mob. (Interruption.) You can ask yourself: If you go and see what things are, you will understand. Don't pass remarks which are really not pertinent. Excuse me, Sir. If you do not want to continue a class of people and if you want to ruin them as you have intended unnecessarily to do without any reasonable cause, please make them at least industrialists. You know how we cry for the development of industries. You are pursuing so many things. We have got questions and we have answers. We have reports and we have other investigations in respect of mining and the utilization of the mines by the Government of India and other private and corporate institutions for the development of industries. What I say is that the industries that are already there should be allowed to be continued. After all what are you going to give them? Even if you acquire the mines from the zamindars you are going again to lease them out. Why not allow the zamindars to get the lease and allow them to work the mines where they are already working them? I ask: What about the commitments that they might have made relying upon the raw materials available in their estates? They might have made contracts in respect of working the mines or an industry with firms elsewhere say in England or Germany. It will be a great asset to the Province when such a thing is achieved. On these counts at least the zamindars should be given this freedom and right and they ought to be given the lease as proposed by the amendment. With these words, Sir, I request the Hon. Minister to accept the amendment."

MR. SPEAKER:—"This is only a small amendment and I have already allowed enough debate on the matter. The Hon. Minister will now reply."

* THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, I would like to say something on the amendment, Sir. Clause 18

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deals with the mines, forests, fisheries and the rest. It provides, Sir, that leases, if given for less than a year, will be recognized. With reference to leases which exceed one year they will be recognized subject to revision by the Government in the public interest and if the lease has to be terminated the Government are going to give compensation. The compensation is to be subject to appeal to the Board of Revenue. This is the provision here. But the Raja of Venkatagiri is arguing another case, namely, if the zamindar himself is working the mines without leasing it, what would happen? That is the matter under discussion. I would state, Sir, that under the clause as it exists it goes over to the Government. But I may say, Sir, that the Government, till the time of the nationalization of mines, are not going to take over the mines and begin to work them. Therefore, it will be open to the zamindars who are now working the mines just to approach the Government for a lease. If they approach the Government it will be treated as continuous application. If some lakhs of money have been invested there and the mine is worked—instead of giving the lease to some X, Y or Z, the Government will naturally consider these applications sympathetically. But there is no need for a statutory recognition, because there will be a lot of mala fide and bona fide cases. I am not attributing what I am going to say, Sir, to any particular individual. But a few months ago some one might have started working a mine by digging 5 or 6 yards deep into the pit. It is to be considered as a working mine or not, all those questions will crop up. (Interruption.) I have already told you, Sir, the difficulty about defining what is a mala fide case and what is a bona fide case. I do not say, Sir, that every case is mala fide. I have no intention at all of doing so. I can say this much, Sir. I am prepared to state that in those cases where there has been an investment and where there is actual working, etc., the question of the continuation of the lease, will certainly be considered by the Government. This I have already stated, Sir, more than once on the floor of the House and I stick to it. Therefore, Sir, I do not think there is any need for a statutory provision like this."

* THE RAJA OF VENKATAGIRI:—"Sir, anticipating that the point about mala fide transactions would be started by the Hon. Minister I made a provision for a tribunal. If a tribunal is not acceptable let that be left to the Government themselves, but let us provide for it in the statute itself. An hon. Friend of mine in this House pointed out that in this alternative amendment which I have just now dealt with there is no provision for a zamindar to be recognized as a lessee of the Government. He means that if this amendment is accepted there is no provision therein for subjecting this landholder who would continue undisturbed in the working of the mines and quarries, to the rules and regulations of the Government. I would like to point out, Sir, that the other

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part of my amendment shows that I contemplate the landholder becoming a lessee only subject to the rules and regulations and payment of royalties, etc.

"I am thankful to the Hon. the Revenue Minister, Sir, for the assurance he has given. Sir, it is a right which the zamindar now possesses and which is now being exercised. Not for acquiring new rights but it is only for just ascertaining and enjoying the rights which we are now exercising and enjoying that I want this amendment to be accepted. Even pattadars, Sir, in Government areas, when they apply for leases are given preference. Those are cases where the mineral right is vested in the Government and not in the pattadar. But here we own these mineral rights and in the consciousness and in pursuance of legal decisions that we are the owners of the mineral rights we are exercising those rights. I would request the Hon. Minister to have a provision similar to that in the Bihar Act which has left the discretion to the Government. It is one thing for the Hon. Minister to say, Sir: Well, let him apply and we would naturally sympathetically decide. There are several cases where vast amounts have been invested. And just as he rightly suspected, there is also the possibility to a certain extent of some spurious—not mala fide—but bogus enterprises being started, with a view to pegging their claims. Similarly, Sir, could we not have some apprehension in certain cases, unless there is some sort of statutory recognition if the decision vest with the Government themselves, in deciding the genuineness or otherwise of the cases? There is absolutely nothing, Sir, except the oral and verbal assurance of the Hon. the Minister for Revenue. There is no statutory provision at all."

THE HON. SRI KALA VENKATA RAO:—"My assurance goes on record, Sir."

THE RAJA OF VENKATAGIRI:—"I would like to take his assurance, Sir, in the spirit in which it is given and I will not deal with that aspect now. His assurance is really valuable and I know it will be there on the records. Still, Sir, as they have done in the case of the Bihar Act, I would request the Hon. the Revenue Minister to make a provision and nothing more and nothing less. That is to say, Sir, the zamindar wherever he is working a mine or quarry, should be treated as a lessee of the Government, subject to all rules and regulations and if the Government feel any doubt in regard to the bona fides of the transactions, let them decide it themselves. I am leaving it to them to decide. But I would like somewhere in the legislation a provision being made that these people who have been working should be recognized."

The amendment was put and lost.

MR. SPEAKER:—"I am now going to put clause 18 as amended to vote. Afterwards, I am going to take up new clauses 18-A and 18-B to be moved by the Raja of Venkatagiri."

Clause 18, as amended, was put and carried.

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MR. SPEAKER:—"The Raja of Venkatagiri will now move new clauses 18-A and 18-B together."

THE RAJA OF VENKATAGIRI:—"Mr. Speaker, Sir, this is another matter . . ."

MR. SPEAKER:—"If the hon. Member is brief, we can finish off before 5 o'clock."

THE RAJA OF VENKATAGIRI:—"Sir, I feel very embarrassed that in spite of your . . ."

MR. SPEAKER:—"The hon. Member can take his own time. I entirely agree with the hon. Member."

THE RAJA OF VENKATAGIRI:—"If at times I lose the sense of time, I must be excused, because vast interests are involved in this Bill. I may assure you, Sir, that I am one of those who would like to see this legislation disposed of one way or the other as quickly as possible. I move the following amendments:—

'Add as new clause 18-A the following:—

"18-A. Where a landholder has, on the notified date, bona fide reserved any area as a private forest and has preserved it as a forest, the landholder shall be entitled to a patta in respect of such area, but he shall hold it subject to such rules and regulations as may be prescribed by the Government in that behalf."

Add as new clause 18-B the following, retaining the existing provisos in clause 18:—

"18-B. In cases not governed by sections 15, 16, 17 and 18 or 18-A where before the notified date a landholder has created any right in any land (whether by way of lease or otherwise) including right in any forest, fisheries or ferries, the transactions shall be deemed to be valid and all rights and obligations arising thereunder on or after the notified date shall be enforceable by or against the Government."

Sir, the first amendment seeks to give, on patta, to landholder, subject to the regulations as may be prescribed by Government in that behalf, all those areas which he had reserved as private forests. In this connexion, I may submit, Sir, that if I was a little insistent, and if I have placed all the emphasis on the previous amendment, it was because of the principle involved, and not because of my personal interest. Here, Sir, I am directly and personally interested in this amendment which is of vital significance to me as well as to certain others not merely from the economic standpoint, but from the other human standpoints, namely, sufficient facilities should be provided in the Bill to develop their forest resources. Rights in the forests we have got. There is ample case law for this. I would briefly refer to them, thanks to the generous indulgence of the Hon. Speaker, when I

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deal with the compensation clause. Now, suffice it to say that the proprietary rights in these forests are all recognized by courts of law. In spite of what has been said to the contrary, there is law to that effect. It is only courts of law that have to interpret the present law. It is the prerogative of the popular elected ministries to lay down policies and change law. But it is the judiciary that has to interpret law, and not, I submit, the executive, however strong, intensive, and unanimous support there may be behind them. As I have said, they can change law in a just and legal manner. There are zamindars who have developed forests. There are zamindars of whom I am not proud. On another occasion, I expressed my reprehension in regard to those zamindars who have denuded their forests, thereby doing great damage to this asset of great national importance. Even now, as you are aware, Sir, there is the Forest Act which allows zamindars to have the Forests Act applied to their forest areas. This Forest Act gives sufficient protection to the rights of the tenants and it is controlled by the Collectors. I would like that some facility for the development of their forests by the zamindars should be provided by giving a patta to them. I believe there are several private pattadars owning forests in Malabar and other areas. Here also, wherever Government think pattas can be given, the zamindars may be given on patta those forest areas which can be developed to the great benefit of the nation. I claim that I have resisted very tempting offers for making money out of my forests. I have got written applications with me which, if only I had accepted, would have given me about forty to fifty lakhs of rupees. Those applications came from very well established forest contractors. I felt that these forests should be improved, and that they are assets of great national importance. I also claim the proud privilege of owning forests which stand comparison favourably with any Government forests. In this connexion, I may incidentally observe that if at all I had any trouble in my forest areas, it was not because of my denudation, but because of the various steps which I had taken to prevent denudation. Why should I be denied the privilege of developing my forests—to develop the forests under the control and guidance of the Collector and other officers of the Government? Let all those rights and privileges be enjoyed by ryots as they are enjoyed in ryotwari areas now. The compensation provided for these forests is illusory. When I deal with the compensation clause, I would show how compensation benefits the zamindar who has denuded his forests and not one who has worked for the improvement of forests. Sir, I might as well go and address standing on the beach sands . . ."

MR. SPEAKER:—"Order, order."

* THE RAJA OF VENKATAGIRI:—"Sir, I know it is impossible for me to expect acceptance from Government, when such vast rights are taken away with practically little compensation.

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I am deprived of the facility to develop my forests, a right to which I attach very great value. I do not believe in appearing here as a philanthropist. I am pleading for the recognition of certain rights which I possess. It will not only satisfy my desire to develop the resources of the nation but would also bring in some profit to me. These profits would not affect the ryots while securing to the ryots all the facilities enjoyed by others in other areas.

“Sir, the second amendment does not require much elaboration. All the remarks which I have made previously apply to this also. I would not say that I hope the Minister would accept the amendment, because I know his mind. But, as I said, let me pray for a miracle that miracle being the acceptance by the Revenue Minister of this amendment.”

THE ZAMINDAR OF MIRZAPURAM:—“Mr. Speaker, Sir, in seconding the amendment moved by my hon. Friend the Raja of Venkatagiri, I would like to say a few words. If the forests which have been preserved by a landholder and have not been sold even for very high consideration, and if a ryotwari patta is not granted to them, it will mean doing a great injustice to the landholder. The Government propose to pay a very small amount as compensation for these forests. Forests are very valuable. An acre of forests will cost some thousands of rupees, if only it is sold in the open market. The amendment of the Raja of Venkatagiri is very reasonable. It says ‘... the landholder shall be entitled to a patta in respect of such area, but he shall hold it subject to such rules and regulations as may be prescribed by the Government in that behalf.’

“The other amendment also is a simple one. It says that in cases where the landholder has assigned or sold lands to third parties, those transactions should not be questioned.”

MR. SPEAKER:—“The hon. Member will continue his speech tomorrow. I now adjourn the House till tomorrow 11 a.m.”

The House adjourned to meet again at 11 o'clock on the next day.

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 23rd September 1948.

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.

Plague in Palamaner.

* 367-A Q.—SRI R. VENKATA REDDI: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether plague which is prevalent in Palamaner, Chittoor district, in an epidemic form has been brought under control, and if not, what action has been taken by the Government so far; and

(b) what the latest figures relating to attacks and deaths are? ”

THE HON. SRI A. B. SHETTY:—“(a) Plague infection in Palamaner is under control.

“(b) There were 38 attacks and 11 deaths up till 11th September 1948.”

Grievances of Judicial Subordinates in the mufassal courts.

* 368 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Premier be pleased to state—

(a) whether it is a fact that the Judicial Subordinates in the mufassal courts of the lower division category have been directed by G.O. No. 3525, Home, dated 12th September 1947, to be discharged on their failure to pass the Account Test and Civil Judicial Test;

(b) the number of those that have not passed these tests so far in this Province;

(c) what is the test prescribed in the Government Order;

(d) whether it is a fact that this does not obtain in the High Court for lower division clerks;

(e) whether the Government have received any representation in this behalf from the subordinate services of the Non-Gazetted Government Officers' Association;

(f) what the remarks of the High Court on this proposal are; and

(g) what action the Government have taken?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—“(a) In G.O. No. 3526, Home, dated 12th September 1947, the special rules for the Madras Judicial Ministerial Service were amended in consultation with the High

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Court to the effect that a directly recruited lower division clerk who failed to pass the prescribed special tests within a period of three years from the date of appointment or before the expiry of the period of probation or where the probation had been extended the extended period of probation, whichever was later, should be discharged from his service.

“(b) 241.

“(c) The Civil Judicial Test and the Account Test for Subordinate Officers, Part I.

“(d) No special tests have been prescribed for the posts of lower division clerks in the High Court Service which is under the rule-making control of the Hon. the Chief Justice. The question of their discharge for failure to pass the tests does not therefore arise.

“(e) to (g) A representation on this matter has been received from the Non-Gazetted Government Officers' Association. The question is under examination in consultation with the High Court.”

SRI V. RAGHAVAYYA:—“Are the Government aware in other departments than Judicial if a clerk does not pass his examination he does not lose his job, and if he passes he is entitled to promotion. Under no circumstances he loses his job. In Departments like Revenue and other departments a man who does not pass the test does not lose his job, but only does not get promotion. Is it not the case?”

THE HON. SRI B. GOPALA REDDI:—“That is why the matter is under examination. We are considering whether we can keep in service even those who do not pass.”

SRI K. BRAHMANANDAM REDDI:—“In answer to (a) the recommendation of the High Court is referred to. May I know what the recommendation is?”

THE HON. SRI B. GOPALA REDDI:—“Sir, the recommendation of the High Court some time ago was in one direction. Now it is in another direction. That is why it is under the consideration of the Government.”

SRI V. RAGHAVAYYA:—“In view of the fact such a large number as 241 gentlemen are involved in this matter may I know, whether the Government will issue orders to stay proceedings by the Government or the High Court?”

THE HON. SRI B. GOPALA REDDI:—“I do not think, Sir, we can give an instruction of the kind in this matter. It is engaging the attention of the Government and we will be passing early orders. When a candidate gets six chances and does not pass I do not know what useful purpose he can serve in the High Court or the mufassal.”

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SRI K. BRAHMANANDAM REDDI:—“Supposing it is decided to retain this particular Government Order will the Government think it advisable to apply it only to the future appointees and not to the existing people?”

THE HON. SRI B. GOPALA REDDI:—“As it is it applies to the existing appointees. It was issued in 1943 and the order has to be reconsidered in 1947. I do not think the question arises.”

SRI V. RAGHAVAYYA:—“Since the High Court does not observe such a rule, I do not know why the Lower Court should insist on this. What is sauce to the gander must be sauce also to the goose.”

THE HON. SRI B. GOPALA REDDI:—“That is a very pertinent question. I could not get an answer for it in the files. I had my own doubts. The High Court is in the hands of the Chief Justice and I do not know why he has not taken the matter, but with regard to the mufassal courts the Government have taken it up.”

Syllabuses based on the new education scheme.

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

(a) whether it is a fact that syllabuses based on the new education scheme have not yet been finalized; and

(b) what steps the Government are taking to remedy matters?

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

“(a) & (b) The syllabuses have been finalized in the light of public opinion by the Board of Secondary Education in its meeting on the 13th and 14th of August. But it is open to the Board to make such further amendments as may be necessary in the light of the experience gained in the working of the syllabuses.”

* 370 Q. was withdrawn.

Persons authorized to give poverty certificates.

* 371 Q.—SRI K. RAGHAVAN (on behalf of Sri V. Ponnuswami Gounder): Will the Hon. the Minister for Education be pleased to state the authority from whom poverty certificate should be produced for admission in schools and colleges for Harijan students?

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

“Harijan students claiming fee concessions in schools and colleges should produce a certificate of income of their parents or guardians from a Gazetted Officer or an Inspector of Police or a non-gazetted officer of the Revenue Department not lower in rank than that of a Tahsildar or Sub-Magistrate or a District Labour Officer.”

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SRI K. BRAHMANANDAM REDDI:—"Inasmuch as certificate is for a poor man what is the point in asking the poor man to go to a Gazetted Officer or some other high officer and obtain the poverty certificate?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Somebody must be given the power to give certificate and these people are given the power."

SRI V. I. MUNISWAMI PILLAY:—"Are the Government aware that the Harijan students are put to a lot of inconvenience in getting the poverty certificate from these officers and will they consider the desirability of M.L.As. and M.L.Cs. issuing such certificates?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"If the hon. Member makes any constructive suggestion it will be considered."

SRI K. BRAHMANANDAM REDDI:—"Would not the Government think it more just and reasonable if these certificates are obtained from respectable people of whatever category they may be?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"It will be agreed that there must be some rules to be followed. Here certain people are given the power to issue the certificates. If the hon. Member suggests an alternative method we will consider it."

SRI D. V. RAMASWAMI:—"In the case of Harijans is it not desirable to do away with the necessity of poverty certificates?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Among Harijans also, there are some rich people."

SRI V. I. MUNISWAMI PILLAY:—"As many of the District Harijan Welfare Committees have resolved about this matter and communicated their decisions that various M.L.As. and M.L.Cs. may be authorized to issue the poverty certificates may I know if the suggestion will be accepted?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"This was found, in the municipality, to lead to various confusion. They are very obliging to their electorate. In many cases well-to-do people are given such certificates. Constructive suggestions will be considered."

SRI A. VEDARATNAM PILLAI:—"The village officers are competent authorities to give certificates as on their reports, certificates are being granted by Tahsildars and others. Why is it that they should not be empowered to grant them?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Village officers certainly will not do."

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SRI V. RAGHAVAYYA:—"The criterion for the grant of the certificates is inability to pay his school fees and since the karnam or the village munsif can give such certificate why should not these people be allowed to grant these certificates?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"It has been found that they have not been responsible in certain cases."

SRI P. KAKKAN:—"Is it a fact, Sir, that the village munsifs are demanding bribes for giving certificates to the Harijan boys?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"That answers the question of my hon. Friend, Mr. Raghavayya."

SRI K. BRAHMANANDAM REDDI:—"Would not the Government think that to ask the Harijan to go to a Gazetted Officer will be more difficult and the benefit he may so derive will be proportionately much less than the profit he may get in getting the certificate?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"I would like to invite constructive suggestions as to what may be done."

SRI K. RAGHAVAN:—"May I know why this poverty certificate system should be for Harijans when this Government have decided to exempt the payment of school fees for Harijans?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"There are some rich people among Harijans."

Deputation by the Provincial Lawyers' Federation.

* 372 Q.—SRI D. V. RAMASWAMI (on behalf Sri T. Viswanatham): Will the Hon. the Premier be pleased to state—

(a) whether it is a fact that he recently received a deputation by the Provincial Lawyers' Federation and the Bar Council;

(b) whether on the question of separation of the Judiciary from the Executive he told them that the Government find difficulties in implementing the scheme; and

(c) what the difficulties are?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) Yes.

" (b) The deputationists were told that the question of Separation of the Judiciary from the Executive, was under consideration and they were invited to consider whether in the present difficult times it would be possible to put the scheme into effect completely.

" (c) Does not arise."

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SRI D. V. RAMASWAMI:—“ Is it not a fact, Sir, that this question of implementing the scheme has been engaging the active attention of the Government for the past eight months and will they expedite implementing the scheme? ”

THE HON. SRI B. GOPALA REDDI:—“ I think it was for more than eight months under the consideration of the Government.”

SRI B. S. MURTHI:—“ Arising out of the answer, will not the separation of the Judiciary from the Executive facilitate the Government to tide over difficult times? ”

THE HON. SRI B. GOPALA REDDI:—“ The Government do not think so.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ Is it a fact that the Government promised on the floor of the House that they are going to implement the separation of the Judiciary from the Executive in a couple of months, about a month ago and whether the Government have since changed their attitude? ”

THE HON. SRI B. GOPALA REDDI:—“ Last two months are pregnant with difficulties and we have tided over these difficult times.”

SRI V. RAGHAVAYYA:—“ Was not this important question had been decided by the Prakasam Ministry, and if so, what are the fresh difficulties that this Government wants to solve? ”

THE HON. SRI B. GOPALA REDDI:—“ I do not think that Ministry ever took any definite step. It went into the question and reported the matter. It is very difficult now because of the political uneasiness in the country.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ The ex-Minister Hon. Dr. Subbarayan said that the matter was under active consideration, now it is said that the matter is under consideration. What is the difference between the two? ”

THE HON. SRI B. GOPALA REDDI:—“ I have no objection to add the word ‘ active ’.”

SRI B. S. MURTHI:—“ May I know, Sir, whether the departmental investigation of the question submitted by the Committee was over or is it still going on or whether the Government have put it in cold storage? ”

11-15 a.m. THE HON. SRI B. GOPALA REDDI:—“ The question of implementation has got to be considered by the Cabinet. Departmental details have been worked out and the final decision has to be taken by the Cabinet.”

SRI K. BRAHMANANDAM REDDI:—“ In order to allay the misunderstanding in the public, would not the Government think it proper to take the public into confidence and tell them what precisely the difficulties are, instead of taking shelter under an omnibus phrase like ‘ difficult times ’? ”

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THE HON. SRI B. GOPALA REDDI:—“ The difficulties are inherent ones. That is why even though the question was for the last fifty years before the Indian National Congress it was not given effect to by the Government. That shows that there are some inherent difficulties in the matter.”

SRI A. KALESWARA RAO:—“ Apart from that, Sir, in the light of recent developments and since the Hyderabad question is settled, at least now, will not the Government put this scheme into effect or whether they want to simply say that there are some inherent difficulties and give up the scheme? ”

THE HON. SRI B. GOPALA REDDI:—“ In view of the fluidity of the situation in the country, it is very difficult to specify the time-table for the actual implementation of the scheme.”

SRI A. KALESWARA RAO:—“ May I ask the Hon. Minister whether the difficulties are political or financial? ”

THE HON. SRI B. GOPALA REDDI:—“ It is not at all a financial difficulty. Hon. Members may remember that I have once told the House that the scheme involves an expenditure of only three or five lakhs and therefore, it is not a financial difficulty. But, there are certain other considerations for implementing the scheme.”

SRI D. V. RAMASWAMI:—“ Arising out of the answer of the Hon. the Minister referring to the fluidity of the present situation, is it the fluidity which exists only in India or which exists in the world situation also that affects the implementation of this scheme at an early date? ”

THE HON. SRI B. GOPALA REDDI:—“ The world situation also, as far as Far-East is concerned.”

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—“ Will the Hon. the Leader of the House tell us whether this Government also feel with the British Government that the Magistracy should still continue to be directly under their orders? ”

THE HON. SRI B. GOPALA REDDI:—“ Had we thought so, we would not have taken up this matter at all.”

MAHBOOB ALI BAIG SAHIB BAHADUR:—“ Can we have an assurance from the Hon. Minister that the Government will not give up this scheme of separation? ”

THE HON. SRI B. GOPALA REDDI:—“ The very fact that it is under active consideration shows that we are not giving it up altogether.”

MOHAMED ABDUL SALAM SAHIB BAHADUR:—“ May I know, Sir, whether there is any dispute between the High Court and the Government in the matter of recruitment of officers for the implementation of this scheme? ”

MR. SPEAKER:—“ The question of recruitment does not arise. This question relates to the separation of Judiciary from the Executive.”

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MUHAMMAD RAZA KHAN SAHIB:—"Is it a fact that Mr. Alagiriswami, ex-Private Secretary to the Hon. the Premier, is appointed Additional Deputy Secretary (Law), only to implement this scheme?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know whether the definite acceptance of the principle of separation of the Judiciary from the Executive still stands or do the Government still think that the principle may not be adopted finally?"

THE HON. SRI B. GOPALA REDDI:—"All the accepted principles will stand."

SRI V. M. RAMASWAMI MUDALIYAR:—"Shorn of all this verbiage, will the Government mean business in this matter?"

THE HON. SRI B. GOPALA REDDI:—"To suggest that the Government do not mean business is really not proper."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"May I know definitely whether the Government have accepted the principle of separation of Judiciary from the Executive, Sir?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Am I correct in assuming that the inherent difficulty referred to by the Hon. Leader of the House is that the Government in power always require the assistance and support of the Magistrates to buttress its authority?"

THE HON. SRI B. GOPALA REDDI:—"The hon. Member is not right."

SRI V. RAGHAVAYYA:—"Has it been found that there will be a saving of a lakh and a half rupees every year by separating them rather than by combining both?"

THE HON. SRI B. GOPALA REDDI:—"It is so, Sir."

SRI V. M. RAMASWAMI MUDALIYAR:—"In view of the fact that this Province is one of the ordered Provinces and in view of the fact that the Hyderabad situation has been considerably eased, if not settled, may I ask whether the Hon. Minister can give us any time-table as to when this proposal will be put into effect?"

THE HON. SRI B. GOPALA REDDI:—"I am unable to give any time-table. It is under the active consideration of the Government and very soon we expect to pass orders."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Arising out of the answer of the Hon. the Leader of the House to a previous question, may I know what is the inherent difficulty which the Government are not prepared to tell this House?"

THE HON. SRI B. GOPALA REDDI:—"Turbulent factors in the country and they must be put under check."

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MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Will the Hon. the Leader of the House give an opportunity to the House to discuss the matter before the scheme is implemented?"

THE HON. SRI B. GOPALA REDDI:—"When the financial statement is presented to the House in February, the House will have ample opportunities to discuss the question."

Publication of the results of the S.S.L.C. examination.

* 373 Q.—MOHAMED ABDUL SALAM SAHIB BAHADUR: Will the Hon. the Minister for Education be pleased to state the number of instalments (Supplementary lists) in which the S.S.L.C. result will be published?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"The eligibility list is published early in the month of June every year. In respect of Secondary School-Leaving Certificates which are held under objection, as soon as required particulars or sanctions are received, the certificates are completed and supplementary lists are issued then and there. Every year about 400 certificates are held up for one defect or another and supplementary lists have necessarily to be published. The number of supplementary lists issued in 1947 was 66 and that in the current year was 94."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Is it not a fact that the second list was published three months after the first list and by that time, there was no seat in the colleges?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"I am glad to see the hon. Member back in his place. I do not think it is so."

Number of thefts in Salem town.

* 374 Q.—SRI A. SUBRAHMANYAM: Will the Hon. the Premier be pleased to state—

(a) the number of house-breaking thefts investigated in the town of Salem for the period from 1st September 1947 to 30th April 1948;

(b) the value of properties involved therein; and

(c) the number of persons arrested in this connexion?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Premier):—" (a) Ninety-nine.

" (b) Rs. 25,784-1-0.

" (c) Twenty-seven."

SRI A. SUBRAHMANYAM:—"Sir, சேலம் டவுனில் அதிகமாக திருட்டுகள்—வீட்டில் கண்ணம் போடுவதும், பூட்டை உடைப்பதும்—நடந்து கொண்டிருக்கிறது. அதனால் ஏராளமான சொத்துக்கள் பறிமுதலாகிறது. அதற்குத் தக்கபடி திறமையுள்ள போலீஸ்காரர்களைப்போட்டு கவனிக்கக் கூடாது என்று கேட்கிறேன்."

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MR. SPEAKER:—"There are a number of thefts and the amounts involved are also very large. Why should not the Government appoint efficient policemen there? That is the question of the hon. Member."

THE HON. SRI B. GOPALA REDDI:—"Efficient policemen may not be able to detect all the cases. There are undetected cases and there are also frivolous complaints, etc."

M. S. ABDUL MAJID SAHIB BAHADUR:—"May I know from the Hon. Minister whether in the districts there are secret conclaves for stealing, pickpocketing, burglary, etc., and if it is so, whether the Government have discovered such secret conclaves?"

MR. SPEAKER:—"Is it in the City or in the Salem district?"

M. S. ABDUL MAJID SAHIB BAHADUR:—"In the Salem district also."

THE HON. SRI B. GOPALA REDDI:—"I do not know whether there are conclaves of any secret nature. Of course, we have heard reports that there are a large number of burglaries in the City and we are taking all possible steps to detect these culprits."

SRI A. SUBRAHMANYAM:—"Sir, சேலம் டவுன் 16-வது வார்டில் வாரத்திற்கு இரண்டு முறைகள் திருட்டுகள் நடந்தும் அதைக் கண்டுபிடிக்க முடியாமல் இருக்கிறது என்று போலீஸ் இலாகா அறிவிக்கப்பட்டுள்ளது. அதற்கு என்ன நடவடிக்கை எடுத்துக்கொண்டு அவை களைக்கண்டு பிடிக்க ஏற்பாடு செய்யப்போகிறார்கள்?"

MR. SPEAKER:—"In the sixteenth ward of Salem every week there are many thefts. Even though the people of that ward have informed the Police, they are not able to detect these cases. What steps the Government do take to detect these cases? That is the question of the hon. Member."

THE HON. SRI B. GOPALA REDDI:—"We will certainly go into that question."

MUHAMMAD RAZA KHAN SAHIB:—"Is it a fact that these thieves have formed themselves into inter-district gangs operating from one district to another and if that is so, what extra steps the Government have taken to put an end to these gangs?"

THE HON. SRI B. GOPALA REDDI:—"The Criminal Investigation Department is very active in trying to detect these gangsters."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—"Since my district, North Arcot, is adjacent to Salem, may I ask the Government to take steps to see that the disease does not spread to my district?" (Laughter.)

THE HON. SRI B. GOPALA REDDI:—"Perhaps the disease is already there."

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M. S. ABDUL MAJID SAHIB BAHADUR:—"If the increase in thefts and burglary is due to the downward trend of the earning capacity and the upward trend of the rising cost of living, may I know how the Government are going to tackle this problem?"

THE HON. SRI B. GOPALA REDDI:—"It is quite probable that the high cost of living has led to a number of burglaries and thefts. We are taking all steps to detect these culprits."

V. M. RAMASWAMI MUDALIYAR:—"Arising out of the answer to the supplementary question, may I know what steps the Government propose to take to increase the Police force in order to check these burglaries and thefts?"

THE HON. SRI B. GOPALA REDDI:—"We are taking all possible steps. Regarding more people, we have now the special armed units and also the Home Guards. When the recruitment to these is completed, they will be able to stem the tide."

SRI V. I. MUNISWAMI PILLAY:—"As the number of thefts in Ootacamund is now greatly reduced, will the Government consider the question of transferring some of the Police staff from that place to Salem?"

THE HON. SRI B. GOPALA REDDI:—"If we transfer these efficient people from Ootacamund, then Ootacamund also will get the disease."

SRI A. KALESWARA RAO:—"May I ask the Government whether the increase in crime is due to the increase in corruption of the Police and if so, what steps the Government are taking to check it?"

THE HON. SRI B. GOPALA REDDI:—"I do not think so."

SRI A. KAMESWARA RAO:—"Arising out of the answer given by the Hon. Minister, I can only understand that the Criminal Investigation Department is quite inefficient. If so, will the Government reorganize the whole department and provincialize the service and perfect it by appointing able men and whether they will send them to Poona or some other place for training?"

THE HON. SRI B. GOPALA REDDI:—"The Criminal Investigation Department is organized on a provincial basis. I do not think our Criminal Investigation Officers are inefficient and there is no need to send them to Poona or any other place for training."

SRI V. I. MUNISWAMI PILLAY:—"My question is that since the number of thefts in Salem has increased and they want able men to deal with the situation properly, cannot the Government send some staff from Ootacamund to the Salem district to detect these cases because there are efficient people in Ootacamund?"

THE HON. SRI B. GOPALA REDDI:—"If they are transferred, I do not know what will be the position in Ootacamund."

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SRI A. KAMESWARA RAO:—"If the Criminal Investigation Department is efficient, may I know why there are a number of thefts not only in the Salem district but in every district in spite of the activities of this department? I may say that there were about ten thefts within one week in my own place, Guntur."

Basic training school for women.

* 375 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state whether any basic training school is opened for women?

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

SRI A. VEDARATNAM PILLAI:—"May I know whether the Government have got any proposal of opening new basic training schools for women in the next year and if so, how many schools they want to open?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"It will be considered along with the Part II Schemes for next year."

SRI R. V. SWAMINATHAN:—"May I ask the Government why they should have separate training schools for women when agitation is there in the country that women must be given equal treatment with men?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Because it is convenient for instruction."

11-30 a.m. * SRI A. KALESWARA RAO:—"May I know, Sir, whether there is a basic school for women in Tiruvur—Krishna district?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"There is an aided training school, Sir."

SRI A. KAMESWARA RAO:—"Is the Hon. Minister aware of the fact that women teachers are the best to handle the students of both sexes rather than the men teachers?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Yes, Sir. Generally for elementary schools and secondary schools, women teachers are more suitable than men teachers."

SRI S. PARAMANANDA RAYAR:—"May I know, Sir, whether the Government will consider the desirability of having a separate basic training school for women in Keelamangudi in Chidambaram?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"There is a basic training school in the place, aided by Government."

SRI D. V. RAMASWAMI:—"Will the Government consider the desirability of opening a basic training school for women at Vizagapatam?"

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"I am unable to answer these individual questions, Sir. They will be considered as part of our schemes for the next year."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, whether it will be possible for the Government to encourage co-education in those schools which are going to be opened by the Government next year?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"It is not the policy of the Government to have co-education in training schools in this Province."

SRI V. I. MUNISWAMI PILLAY:—"May I know, Sir, the strength which it is proposed to have in each training school?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Usually, the strength for a class in a training school is 35."

SRI R. V. SWAMINATHAN:—"Arising out of the answer of the Hon. Minister that they are having separate training schools for women, as a matter of convenience, may I ask whether there is any difference in the syllabus followed in these training schools for men and women?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"So far as the higher grade training schools are concerned, there is not any material difference. But so far as the secondary grade training schools are concerned, there is a difference."

MUHAMMAD RAZA KHAN SAHIB:—"May I ask whether these basic training schools for women are staffed by men, women or both combined?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"Mostly by women, Sir."

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

II.—ADJOURNMENT MOTION *RE* ECONOMIC CRISIS.

MR. SPEAKER:—"The hon. Raja Sir Muthiah Chettiyar of Chettinad has given notice of an adjournment motion. The motion reads like this:

"To discuss a definite matter of urgent public importance, to wit, the serious economic crisis that is now threatening the Province by the policy of the Government in spite of the advice given by the Central Government."

"I wish to know from the Hon. the Leader of the House what he wants to say on this matter, and whether he is accepting it. As far as the Chair is concerned, I give my consent to it."

THE HON. SRI B. GOPALA REDDI:—"We have no objection, Sir."

MR. SPEAKER:—"Then it will be taken up at 4 o'clock, to-day."

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THE HON. SRI B. GOPALA REDDI:—"We have an important engagement this evening at 6 o'clock, when His Excellency the Governor takes the salute from Troops that will be presented to him in the Marina opposite the Senate House. I would request you to see whether the debate can be concluded at 5-30 p.m."

MR. SPEAKER:—"That can be done by mutual agreement."

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"May I know, Sir, whether it is not possible to take it up to-morrow?"

THE HON. SRI B. GOPALA REDDI:—"Sir, we can finish it at 5-30 p.m., to-day. To-morrow, there is a function; we shall be very busy to-morrow also."

MR. SPEAKER:—"The only thing I can do is to waive the urgency provided we can take it up on Saturday. I have no objection to waiving the urgency."

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"If it is not possible to-morrow let it be taken up to-day. Only we shall have to lose about half an hour."

THE HON. SRI B. GOPALA REDDI:—"I would like to have about 30 minutes' time for reply, Sir. Let it be taken up at 4 o'clock to-day, and we shall finish it at 5-30 p.m. But I would like to be called upon to speak at 5 o'clock."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I submit, Sir, this is a very very important and big and vast subject, and one and half hour's time will be most insufficient? I shall submit to you, Sir, and request the Hon. the Leader of the House to see whether a day could be allotted as soon as possible, so that there can be a discussion of the whole subject?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir, we can have a discussion for 90 minutes to-day, and in the light of the discussion if it is found necessary to have another day for the purpose, we may have a day in the next session of the assembly."

MR. SPEAKER:—"Are we going to have it this session?"

THE HON. SRI B. GOPALA REDDI:—"No, Sir, in the next session."

MR. SPEAKER:—"As far as the Chair has power, I can only waive the urgency of the matter, but I cannot take it up earlier. We can take it up on Saturday and have the debate."

THE HON. SRI B. GOPALA REDDI:—"I feel that it will be all right if we discuss it this evening for about 90 minutes; and for one hour, various hon. Members may speak on the matter, and give about half an hour for the Government to reply."

MUHAMMAD RAZA KHAN SAHIB:—"No one from the Congress side should speak."

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GOVERNMENT MOTION.

III.—MOTION UNDER RULE 17 OF THE MADRAS ASSEMBLY RULES.

THE HON. SRI B. GOPALA REDDI:—"Sir, I move that rule 17 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 23rd September 1948."

The motion was put and carried.

GOVERNMENT BILL.

IV.—THE MADRAS ESTATES (REPEAL OF PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947
(L.A. BILL No. 37 OF 1947)—*cont.*

THE HON. SRI KALA VENKATA RAO:—"Sir, both the hon. Gentlemen who moved and seconded the amendments are not present."

MR. SPEAKER:—"Unless the hon. Members who have given notice of amendments are here, I have no other option but to regard those amendments as having been withdrawn."

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"On a point of order, Sir. For future guidance, I am raising this, Sir. I am not doing anything by way of obstructing the Government from proceeding with their Bill. Sir, the motion by the Hon. the Leader of the House asking that to-day the House shall take up official business has come as a surprise, and hon. Members who have given notice of amendments to this Bill might have been under the genuine impression that to-day there will be non-official business. Will you give the liberty to the hon. Members who have not been here to move their amendments, if they come in the course of to-day?"

MR. SPEAKER:—"Every hon. Member is expected to be here at 11 o'clock, whenever we are having a session."

* SRI V. I. MUNISWAMI PILLAY:—"Mr. Speaker, Sir, I rise to oppose the amendment moved by the hon. the Raja of Venkatagiri. Sir, he wants that these private forests must be given to the landholders so that they can maintain them and use them for their own purposes. Sir, it may be within the knowledge of most of the hon. Members of this House that some time back, some zamindars have taken upon themselves this right, and evicted the Harijans who have been enjoying the forest facilities by getting free fuel, etc. This has worked great hardship on those Harijans who have been living in the zamindari areas. The zamindars took upon themselves to take this question to the law court, finally reaching the High Court and got a judgment in their favour and thereby the Harijans were the victims in the hands of the zamindars in the matter of getting dry fuel and such other facilities required for their domestic purposes. So I think, Sir, any land that is being taken up by the Government, whether it is the ordinary agricultural land or forests or the tanks that are

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used for fisheries must be vested in the hands of the Government. So I feel, Sir, in the interests of the common man, the under-dog, that these forests must be under the control of the Government."

THE HON. SRI KALA VENKATA RAO:—"Sir, I am not accepting this amendment, for the reasons I have already mentioned in my reply to the debate."

MR. SPEAKER:—"The rule is that when the hon. Member is not here, the amendment is supposed to have been withdrawn unless some other hon. Member presses that it should be put to the vote of the House."

The amendment to add new clauses 18-A and 18-B were deemed withdrawn, as the mover of the amendments was absent.

Clause 19.

THE HON. SRI KALA VENKATA RAO:—"Sir, I move that the heading to clause 19 be omitted."

The amendment was put and carried.

* SRI A. KALESWARA RAO:—"Sir, I move that—

(i) In sub-clause (1) (a), after the words "to the landholder", insert the words "other than the deity of a temple or a religious, charitable or educational institution", and after the words "the holder of such land", insert the words "where it consists of only a portion of a village".

(ii) At the end of sub-clause (1) (a), insert the words "but if such land consists of one or more villages, the land shall be treated as an estate within the meaning of section 3 (2) (d) of the Estates Land Act for all the purposes of this Act, including grant of ryotwari pattas for the cultivable lands in the estate to ryots under section 10 and to the inamdar landholder under section 12".

(iii) Omit the proviso to sub-clause (1).

(iv) Omit sub-clause (1) (b).'

"Mr. Speaker, Sir, a new clause has been introduced in the Select Committee with regard to service tenure lands. Under section 3, clause 16, sub-clause (c) of the Estates Land Act, 1908, 'lands granted on service tenure either free of rent or on favourable rates of rent if granted before the passing of this Act or free of rent if granted after that date, so long as the service tenure subsists', do not fall within the category of 'ryoti lands'. It is for that reason that the Government want now to make a provision separately in regard to them. Sir, two kinds of things are here referred to—individual lands which are service tenures or villages which are service tenures, villages granted by either the State or the zamindar before the Permanent Settlement or by zamindars after the Permanent Settlement; either before the passing of this Act, or afterwards. Now that the Government are taking

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possession of the estates, what should be done with regard to these service tenures? Now, Sir, what the Government have stated is that 'Where any land granted on service-tenure, whether to an individual or institution falls under section 3, clause 16 (c) of the Estates Land Act, then irrespective of whether such land consists of only a portion of a village or of one or more villages—(a) if the service to be rendered is personal or private service to the landholders, the land shall be discharged from the condition of such service and the holder of such land shall be entitled to a ryotwari patta in respect of the land with effect on and from the notified date.' So, in such cases, the lands shall be discharged from the rendering of such service, and the inamdar, whether a major or a minor, will be given a patta for all those lands. I want to introduce an amendment to the effect that the service rendered to a temple, religious, charitable or educational institution, should not be discontinued. There is no meaning if the Government remove the liability of the inamdar to perform service to the public institution. That is one of the amendments I am moving. I am told that the Government are willing to accept that amendment of mine. They may have their own wording. I have no objection. With regard to the service rendered by the inamdar—whether he is a holder of an individual land or village—the service rendered to the public institution should be continued, and clause 19 should not apply to such cases.

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a.m.

"With regard to personal or private services rendered by individual landholders of minor inams, I have no objection if they are exempted from the discharge of their services and pattas are given. So, I am not moving any amendment with regard to that point. With regard to the villages granted to individuals for rendering service to private persons, the services may go but pattas should be given to ryots where they are in possession of lands in these villages.

"I have examined the whole law on the point. There is some misapprehension by the Hon. Revenue Minister. There are decisions to show that, in spite of the fact that they are service inam villages and in spite of the fact that the service rendered may be terminated by the original grantor, even if the villages are resumed, the ryots under those inamdars possess occupancy rights. That nobody could refuse. Of course the Government seem to have relied upon one decision. But my point is that that decision does not go far enough. The Government seem to have relied on 62 M.L.J. 598. The service inam village was resumed by the zamindar. The Zamindar of Nuzvid who gave the land resumed it with the consent of the inamdars, and he gave pattas to all the lands in the villages to inamdars themselves. When the ryots sued in the civil court, the Court held that they were not ryoti lands. They were out of court only on that point. The Court found that the grant was one made in lieu of wages. The lands were resumable. I also found that some of the defendants were

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landholders within the meaning of the Estates Land Act and that the village was an estate also within the meaning of the same Act. The ryots pleaded that the lands were ryoti lands, they had occupancy rights *prima facie* and that they should be given possession of the land. The Court held they were not ryoti lands. When they wanted to go into the origin of the land whether land revenue was given, the Court said it was too late. The appellant sought to raise the other question, whether the grant was of the land or of the melwaram. It was too late; therefore they did not go into the other question. In the other case—in 46 M.L.J. 515—they clearly held that service inams were not ryoti lands; yet, in service inams occupancy rights can be created for tenants. That is the decision. They were of course minor inams. There is a stronger case for inam villages. Porambokes, communal lands and all the characteristics of villages are apparently there. At page 523 Justice Ayling said that the acquisition of permanent rights would not prevent the resumption of lands if the service was not rendered. The payment of a fixed rent on perpetual tenure by a serviceholder has no doubt some serious effect on the discharge of his duties as a drummer in a temple. He must render his service. If the service is not rendered, the land can be resumed. I am not therefore prepared to say that permanent rights of occupancy cannot be acquired in the case of a temple service inams. They can resume the land but the man in cultivation has permanent rights of occupancy.

“ Now I am referring to 1945 M.L.J. second volume, page 89. The case concerned a village itself. The village was resumed. The Court held that though the village was a service inam village, the ryots in the village had permanent rights of occupancy and it cannot be disturbed. This is a decision clearly in favour of the tenants. There are clear decisions of courts on this point. Not only from the point of law but also from the point of view of a Congress Government, I submit that, when inam villages are resumed, existing rights of ryots that are there should not be disturbed. After all, it is a moot question in all the decisions. What was the original grant—whether it was waste land or forest land—was it only the collection of land revenue? Particularly in the case of zamindars, it is only collection of land revenue. Whatever they possessed they could give. That presumption is there. Therefore my submission is that with regard to villages, the ryots should not be disturbed. They should be treated well when the Government are resuming the lands. When the Government are resuming and taking possession of the village for the first time, what should be done? They should give patta to the ryots. The sections that we have already passed—namely, section 10 with regard to giving pattas to the ryots and section 12 with regard to giving pattas to inamdars—must apply. Therefore I submit that it is time that the Government should reconsider the whole position and not disturb the rights that are existing already. Otherwise it

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would be worse than the Justice Party Government of 1936. Though they were not estates, they called them estates and gave pattas. Now we are seeking to deny occupancy rights. A popular Congress Government should not do so. I have studied fully the law on the point and I have explained it. From the point of view of policy also, when the village is an inam estate all the sections that we have passed should apply. With these words I move my amendment.”

SRI V. RAGHAVAYYA:—“ Sir, I second the amendment. The language of clause 19 (1) (a) is as follows:—‘ The land shall be discharged from the conditions of such service and the holder of such land shall be entitled to a ryotwari patta in respect of the land.’ The wording is a bit ambiguous really. It may mean landholder. The landholder is equivalent to the holder of such land. My suggestion is that the following wording may be used. The man in whose occupation the land is at the time of the passing of this Act, shall be entitled to a ryotwari patta. This suggestion might be considered by the Hon. Minister, if he thinks it is better. It will avoid ambiguity. The Government should see that the land does not go either to the zamindar or inamdar.

“ My hon. Friend Mr. Kaleswara Rao referred to services rendered by educational institutions. Sir, the services though personally rendered to the deity or to a religious, charitable or educational institution should continue to be preserved. A man may be enjoying a garden where flowers are raised for the worship of the deity. There is no good of the Government saying, ‘ We confer a patta on him; we discontinue his service; let the deity think of some other way of getting a supply of flowers.’ These services are very hoary and are held to be sacred. There should be continuity. A patta may be given to the occupier or the possessor of the land, but at the same time the service should be tacked on to the land. By discontinuing the service they will be doing disservice to the various institutions.”

SRI A. KALESWARA RAO:—“ Sir, I have moved only the alternative amendment and not the first one.”

* SRI K. BHASHYAM:—“ Mr. Speaker, I want some matters to be made clear. Is the clause to be applied to all inams whether they are 1936 inams or not? Is it to be applied to all such grants irrespective of the fact whether it is a whole village or only a part of a village, say even if it is one acre of land? There is also an ambiguity with regard to the words ‘ holder ’. It must be either a person who occupies the land or a person who is entitled to the land. Again the proviso to sub-clause (b) speaks of ‘ land in such village which is forest or falls under section 3, clause (16), sub-clause (a) or (b), of the Estates Land Act.’ To whom is it to go? Does it mean that under the General Clauses Act all these lands will vest in the zamindar or the Government? Are the words used

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here sufficient for the purpose of vesting these lands in the Government? I would like the Government to examine these things and give us a reply."

THE HON. SRI KALA VENKATA RAO:—"Sir, the law quoted by Mr. Kaleswara Rao is not the final shape of the thing. He quoted a judgment in which occur the words:

'I am not therefore prepared to hold that permanent rights of occupancy cannot be acquired in temple service inams.'

It is an *obiter dicta*. It is not concerned with the point raised in the main case he quoted. Further, Sir, in a subsequent judgment in 1932—A.I.R., 1932 Madras, 289—it has been held like this:

'A village which was granted on service tenure and at a favourable rate of rent is excluded from the category of the ryoti land as defined in section 3 (16), until the zamindar resumes the grant. Land which cannot be ryoti land as between the grantor and the service tenure holder cannot become ryoti land as between the latter and his tenants.'

Therefore, Sir, even assuming that there is some right, there is some fluidity about the matter. We have examined the thing to the best of our information and there is only one village involved in the whole presidency. When the law is doubtful, there is no use of altering the provision for the sake of one village. If what I have quoted against Mr. Kaleswara Rao is the law, then even that one village will be covered. I am very glad that he accepts the other portion of the clause which the Government also have agreed to, namely the exclusion of charitable and other things. I will move an amendment just now for that purpose. But with regard to the other matter, the Government do not see their way to accept it."

* SRI A. KALESWARA RAO:—"I am sorry, Sir that the Hon. the Revenue Minister has misquoted the law. I took great pains to see all these decisions. There is no over-ruling. This 1932 decision, 1945 decision and 62 M.L.J. decision are all there and 1945 decision is the latest. It has been held that even though the village is resumable, the occupancy rights are still with the ryots and they cannot be disturbed. As between the inamdar and the tenants the relationship is one of occupancy, but between the inamdar and the original grantor, the original grantor may resume. Though the character of the holding is changed, the ryots cannot be disturbed. I do not know whether the department is properly advising him. I have put forward all my cases before the department which is advising him. I hope the department will go through them more carefully, and if it feels that I am right, I hope it will give better advice at least now."

MR. SPEAKER:—"I presume that Mr. Kaleswara Rao has not moved the first portion of his amendment, but has moved only the alternative. Then he cannot say that the first portion should be put to the vote."

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SRI A. KALESWARA RAO:—"No, Sir."

The amendment was put and lost.

Clause 19.

Sub-clause (1) (a).

THE HON. SRI KALA VENKATA RAO:—"Sir, I move the following amendment:—

'After the words "service to the landholder" insert the words "not being a religious, educational or charitable institution".'

This has been accepted by Mr. Kaleswara Rao, or rather he has given a hint. So I am moving this amendment and I hope it will be accepted."

The amendment was put and carried.

THE HON. SRI KALA VENKATA RAO:—"I beg to move the following amendments:—

(i) *Renumber* this clause as clause 16.

(ii) *Renumber* the existing clauses 16 to 18 as 17 to 19 respectively.

(iii) In clause 19 (i) as so renumbered, for the expression "16 and 17" in the first line, *substitute* "17 and 18". This is a consequential amendment."

The amendments were put and carried.

* SRI V. I. MUNISWAMI PILLAY:—"Sir, I move the following amendment:—

'In line 2 of sub-clause (1) (a), after the word "service" insert the words "including cultivating land".'

Clause 19 (1) (a) contemplates the recognition of the services of all the servants—personal or private—of the landholder. I know the Hon. Minister has in mind the dhobi and the barber and such other people. There are the gardeners who look to flower gardens, fruit gardens and topes and the conservancy staff who remove the rubbish and manure the land and help in the process of cultivating the land, the topes and other things. It is for the purpose of recognizing their services also I have given notice of this amendment. I want the Hon. Minister to make it clear that all these people who are engaged in the conservancy, in the maintenance of the flower garden, the vegetable garden stables and other things are also included in this."

The amendment was duly seconded.

THE HON. SRI KALA VENKATA RAO:—"Sir, if these people enjoy any service inam, they will get a patta whether they are cleaners, gardeners or anybody else. But if they simply cultivate the land without having any inam right in it, they will not

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come under this clause. If a man has got an inam for supplying flowers, for gardening or for anything, wherever there is an inam, his right is protected in this clause. Therefore I would request the hon. Member to withdraw the amendment."

The amendment was by leave withdrawn.

Sub-clause (1)—Proviso.

THE HON. SRI KALA VENKATA RAO:—"I beg to move the following amendment:—

In sub-clause (1), proviso, for the words "which is forest or falls under", substitute "which is forest or which falls under".

This is only better drafting, Sir."

The amendment was put and carried.

Clause 19 as amended was put and carried.

Clause 20.

Sub-clause (1)—New proviso.

* SRI M. G. NATESA CHETTIYAR:—"Sir, I move the following amendment:—

Add the following as a new proviso:—

"Provided further that the dispossessed landholder of the estate will also be given notice of such survey and settlement and will also be at liberty to send a representative during the said period and take notes and present informations as are found essential and file statements, etc., under section 21 of this Act".

This is a very simple amendment, Sir. The landholder is in possession of much more information about the estate than the Survey department. Even at the outset if all the information is exchanged when the survey is in progress, there may not be much work to be done by the Survey department later. Unnecessary objections and delays in respect of assessment and settlement will not occur. It is just to avoid delay that I want this proviso.

"It is quite true that the Survey and Settlement Act may give certain rights and privileges regarding notice and all these things. That means more time. Even when the survey takes place in a particular estate, if the zamindar sends his representative, the rights and wrongs may be decided then and there. Further, in some places the ryots have encroached on permanent porambokes like tanks and public paths and other unassignable wastes. These things also can be kept intact for the enjoyment of the ryotwari tenants of the village. It is only to facilitate the Government and the Survey department that this proviso is sought to be included and I trust it will be accepted by the Government."

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H. S. HUSSAIN SAHIB BAHADUR:—"I second this very simple and reasonable amendment."

THE HON. SRI KALA VENKATA RAO:—"What is asked for here is already in the existing law. All this will have to be done in the process of settlement. There is no need to include this clause here. The reasonableness of the thing asked for is accepted and I hope the hon. Member will be reasonable enough to withdraw his amendment."

* SRI M. G. NATESA CHETTIYAR:—"With very great pleasure I would certainly have withdrawn this amendment. I know there are such provisions in the Survey and other Acts. But would it not be better to have an agent of the landholder also when there is a ryot there, so that all the disputes may be settled then and there and there may be no future trouble? I never meant that this thing is not provided for in the regular Survey Acts. It is provided there. But I wanted to avoid the loss of time involved. I wanted the thing to be settled in a reasonable manner. I wanted to have the human touch and the personal touch. That is why I wanted this proviso to be added. The object of the Bill not defeated. There will be no difficulty in making the provision according to the Survey Act. The landholder has already the right. But what I say is, the reasonable objections can be got over during the survey itself if the landholder or his agent is there along with the surveyor who is making the survey. That is my point. Under these circumstances, I could once again request the Hon. Minister to reconsider the matter. I have seen the subsequent clauses, and no such provision has been made. I want a human touch in all these things. As a matter of fact, my suggestion will help the Government and it will be advantageous to the ryot and to the zamindar and also minimize the work involved in the Survey department."

12-15
p.m.

THE HON. SRI KALA VENKATA RAO:—"I have nothing more to add to what I have said, Sir."

The amendment was put and lost.

Sub-clause (2).

THE HON. SRI KALA VENKATA RAO:—"Sir, I move that or the words 'except so much of such cost', the words 'except so much thereof' be substituted. This is only a drafting amendment."

The amendment was put and carried.

* THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, Sir, I want that the words 'except so much of such cost as is payable by the ryots or the landholder under the provisions of section 8 of the Madras Survey and Boundaries Act, 1923' be

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omitted. The idea underlying this amendment is: we want the Government to bear the survey and re-survey charges instead of putting the burden either on the landholder or on the ryot."

THE HON. SRI KALA VENKATA RAO:—"This sub-clause simply implies that the zamindar who gets patta or the ryot who continues in his present place has only to pay the cost of the stones, etc. No charge for survey and settlement is being levied either on the ryot or on the zamindar. That is the thing we follow in ryotwari areas."

THE ZAMINDAR OF MIRZAPURAM:—"Then I am not moving my amendment, Sir."

Clause 20 as amended was put and carried.

Clause 21.

Sub-clause (1).

THE HON. SRI KALA VENKATA RAO:—"I move, Sir, that for the words 'the ryotwari settlement,' the words 'a ryotwari settlement' be substituted. It is only a change in the article."

The amendment was put and carried.

THE RAJA OF VENKATAGIRI:—"Mr. Speaker, I have given notice of this amendment . . ."

THE HON. SRI KALA VENKATA RAO:—"I think, Sir, this amendment is practically the same as the provision contained in the clause itself except for some minor details."

THE RAJA OF VENKATAGIRI:—"Sir, I gave notice of this amendment because I felt that what I have suggested would be much better. My hon. Friend, Sri Kala Venkata Rao, observed something which I could not quite catch. He seemed to ask me whether my amendment is not similar to the provision already in the Bill except in regard to the mention of the rates of assessment prevailing in the neighbouring ryotwari areas for similar lands. I may submit that I feel my amendment is much better because it would provide for appeals to the Board of Revenue. The settlement requires elaborate care and the procedure adopted should be such as would not cause any harm not intended by the law. I think the procedure should be clarified beyond all possibility of doubt. Therefore, though the idea of the amendment is the same as that of the sub-clause in the Bill, my amendment is much more clear. Since the Hon. Minister has said that both are practically the same in their object, I would request him to point out to me where my draft falls short or where there is a departure from the provision in the Bill. The amendment is quite clear and states what is intended to be achieved, and it is for the

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Hon. Minister to say whether the same object could be achieved by the provisions in the Bill. Sir, I move my amendment, viz.:—

'(1) For the existing sub-clause (2) (a) and (b) of clause 21 substitute the following:—

"the rates of assessment prevailing in the neighbouring ryotwari areas for similar lands with similar advantages, on the date of the passing of this Act."

(2) Renumber the existing sub-clause (3) as sub-clause (4) and insert the following as sub-clause (3):—

"(3) When a settlement has been completed, the Settlement Officer shall cause a record thereof to be made showing the name of the landholder and the ryot, the extent of the holding and such other particulars as the Provincial Government may direct and the amount of the rent settled therefor and shall cause a copy thereof to be published in the prescribed manner and for the prescribed period and shall receive and consider any objection made to any entry in such record or omission therefrom during the period of publication, and shall dispose of such objections according to such rules as the Provincial Government may prescribe."

(3) Renumber the existing sub-clause (4) as sub-clause (5) and insert the following as sub-clause (4):—

"(4) When objections have been disposed of under subsection (3) the Settlement Officer shall submit the settlement record to the Board of Revenue for confirmation with a full statement of the grounds of his proposals and a summary of the objections, if any, which he has received. The Board of Revenue, thereupon, may sanction the settlement with or without amendments or may return it for revision, provided that no entry shall be amended or omission supplied until reasonable notice has been given to the parties concerned to appeal and be heard in the matter.

After it has been finally sanctioned by the Board of Revenue, the settlement record as finally sanctioned shall be finally republished in the prescribed manner and such publication shall be conclusive evidence that the settlement has been duly made."

THE ZAMINDAR OF MIRZAPURAM:—"I second the amendment."

THE HON. SRI KALA VENKATA RAO:—"Sir, there are standing instructions regarding settlements and what the Raja Sahib of Venkatagiri has stated here is covered by the instructions under which we want to carry on the settlement. There is no use burdening the Zamindari Abolition Bill with such elaborate instructions which are already in existence. I therefore request the hon. Member to withdraw his amendment."

THE RAJA OF VENKATAGIRI:—"Sir, since we have been told that all that is intended to be secured by this amendment is

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already there in the Board's Standing Orders and since he does not like the law itself to contain all those instructions, I withdraw my amendment; but still, let me hope that the Government will review the position. If any representations are made that the present Standing Orders do not serve the purpose, I hope they will be modified. With these words, I withdraw my amendment."

The amendment was, by leave, withdrawn.

THE HON. SRI KALA VENKATA RAO:—"Sir, I find Mr. Bhashyam has given notice of the same amendment. The amendment is that in sub-clause (2) (a) for the words 'date of passing of this Act,' the words 'date of the passing of this Act' shall be substituted. This is only a drafting amendment, Sir, and I am thankful to Mr. Bhashyam for making the suggestion."

The amendment was put and carried.

* SRI A. KALESWARA RAO:—"Sir, I want a new proviso to be added at the end of sub-clause (2), namely:—

'Provided that the existing rents paid by the ryots in any village in an estate, if lower than the neighbouring ryotwari rates, shall not be enhanced in any way.'

Sir, this is a very important amendment from the point of view of the ryots. The whole object and scope of this legislation is to give relief to the millions of ryots who are groaning under the rackrenting system of the landholders. The rents have to be reduced; and we came to some sort of understanding over that. It is a rough-and-ready understanding. Mr. Prakasam and Mr. Karanth wanted that the existing high rents should be reduced to the level of the 1801 and 1802 rates. Really, the landholders had no business to enhance any of the rates; they were the customary rates. Ryots were paying some rates in money and some in kind. The Prakasam report said that whatever was paid in kind should be commuted into money rates according to the prices prevailing in 1801 and 1802. Somehow, we thought, when the Government are going to get these rates and when the villages are going to come under the Government, why should not the Government lose in those cases where rents have been enhanced by the zamindars. In certain areas, the ryots are paying at the rate of Rs. 30, Rs. 40 and Rs. 60, many times more than the ryotwari rates; in such areas, we thought the ryotwari rates would be quite all right. That was our general attitude. Even though the Prakasam report said that the 1801 rate could not be enhanced by any Government which was successor to the East India Company because of the regulation of 1822 which said that the then existing rates vested in the ryots or village communities and could not be altered, and although it was legally correct, we thought—we here are not an interpreting body, we are simply making the law—that the Government might lose the money, so

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that the ryots who were being much rackrented might pay the ryotwari rates prevailing in the neighbouring ryotwari villages. And now to say that the rates which are lower than the ryotwari rates should be enhanced to the ryotwari rates has no meaning at all; it is no argument, it is not reason, except perhaps that like all other arbitrary things which are being introduced by the Hon. Revenue Minister, this will be one of the most arbitrary things done by the Government. I know that not only in the southern estates but even in some of the northern estates here and there, either because the ryots were powerful or for whatever reason, they did not enhance the rents that were prevailing in 1801-02. If at all they had increased it, they increased it only a little and they did not rackrent the ryot. Therefore, the public ought to be thankful to such zamindars. Now, Sir, even though it was pointed out to the Hon. Revenue Minister that it was wrong, unjust, unpopular and un-Congress, still he is stubborn and says, no, I shall raise it for the sake of uniformity as if he is going to make everything uniform. He has been saying from every platform that a new land revenue law is coming from heaven or earth and that there is going to be a graded agricultural taxation. Of course, when that comes, it will not fall upon the poor ryots and they need not pay so much per acre. Lower income groups will be exempted and higher income groups alone will have to pay and it is only when the income increases one has to pay more taxes. But, what is the meaning of increasing the existing rates of rent which are lower than the ryotwari rates. It is understandable and meaningless. I submit that my amendment would be a very useful one and it would be in the interests of the millions of ryots. It may be at least some lakhs that come under this provision though I cannot say exactly how many.

"The Prakasam Report dealt with this question at great length. What Mr. Prakasam wanted to do was that rackrents of even northern estates should be reduced to the level of rents prevailing in the southern districts, because he thought that it would be equitable. Somehow since it was feared that it would result in a loss of revenue and that something had to be done in this temporary period, we accepted it. Now to raise those rents is abominable. I therefore submit that a proviso should be added to the clause. Though the Hon. Revenue Minister says it is not a Rent Reduction Act, yet I say it is technically speaking rent reduction in an equitable and proper manner. Therefore, I think, my amendment is quite essential, though I do not expect that the Hon. Minister will accept it. Of course, he may say, 'I am sorry I cannot accept it.' He will give some lame excuse. In spite of all that, with all the earnestness I can command I move the amendment, Sir."

* SRI R. V. SWAMINATHAN:—"Sir, I have great pleasure in seconding the amendment because it involves an important question of principle. According to this Bill, it is proposed to

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enhance the rackrents which are prevailing to-day in certain inam and zamin villages. The idea of having brought forward this Bill is to give relief to the poor ryot and when that is so, I do not see any necessity for enhancing the rents and there is no use wasting the time of the House and sitting here for more than a month if we are not really going to give any relief to the ryots. At present the ryots pay rents to the zamindars and inamdars which they cannot bear. According to this provision, I am afraid even those ryots who have been paying rents lower than the ryotwari level will be asked to pay more. I cannot really imagine how you can ask a ryot to pay more than what he is actually paying to-day. If you want to give relief to the people of some villages it is not proper to ask other people to pay more. But, the idea of the Hon. Revenue Minister is, he wants to follow a uniform policy and that is why he wants to enhance the rent. Sir, when the Rent Reduction Bill was discussed in this House, the hon. Mr. Prakasam and some other hon. Members including myself supported the idea of going to 1802 rate, because according to the 1802 rate we thought that the rent would go down even by 50 per cent of the existing ryotwari rate. The hon. Mr. Prakasam really wanted to give relief to the ryots. Suppose a ryot who pays a rent of Rs. 20 is asked by one man to pay Rs. 10 and another Rs. 5, naturally Rs. 5 would seem to him to be more advantageous to pay than Rs. 10. Of course, the Hon. Revenue Minister while replying to the amendment, may come forward and say, "No, no, we want to have a uniform rate in this province and that is why we are enhancing the rate in certain villages." If you want to have a uniform rate, it is open to you to bring forward a comprehensive legislation for the purpose. Sir, there is already a feeling in the country that even the present ryotwari rate is higher and that they are not able to pay and they want the rate to be reduced even from the existing ryotwari level. Of course, it is left to the Government to bring forward legislation to that effect. The Hon. Revenue Minister has promised this House and he has also stated it outside that he is going to bring in another legislation regarding the ryotwari rates of rent. I am only making a reasonable request. This is a reasonable amendment and I hope he will accept it, especially in view of the fact that it is going to help the interests of the ryots a good deal. Moreover, Sir, now that we have reached about 250 amendments and out of these amendments this is a very reasonable one, especially because it involves a certain principle. I request the Hon. Minister to accept it."

MUHAMMAD RAZA KHAN SAHIB:—"Sir, I oppose the amendment in spite of what my hon. Friend, Mr. Swaminathan has said, because what my hon. Friend considers reasonable may be unreasonable to others. If really he feels that the amendment of my hon. Friend is reasonable perhaps there may be some difficulty on the part of the Hon. Revenue Minister in accepting

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it for he may think it unreasonable. I leave it at that. If I oppose the amendment, Sir, it should not be thought that my sympathy for the poor ryot is in any way less than that of others, even including the Hon. the Revenue Minister. But I am opposing it on principle. You may remember, Sir, that at the time the Rent Reduction Bill was discussed, this particular clause came in for a good deal of discussion. I do not remember the number of that clause. It was specifically stated therein that wherever the rents in zamindari areas or other areas were higher than the ryotwari rents in adjacent areas, there would be a reduction. It was no doubt reasonable because we do not want that the ryots in zamindari areas should pay more than those ryots in the adjacent ryotwari areas. Supposing the ryots in zamindari areas are paying less than the rents prevailing in the adjacent ryotwari areas, it is but fair that either the zamindar or the landholder should have the benefit of such rents, because the idea is to give relief wherever it is found necessary. It stands to reason that wherever the rents are more they should be reduced to the level of rents obtaining in the adjacent ryotwari area. But the Hon. Minister without much of argument said, "Whatever it is at is my decision that wherever it is more, it will be brought down to the adjacent level and wherever it is less, I am not going to touch it." He was adamant and I do not want to repeat what he has stated, except to say that justice and equity demand it. (The Hon. Sri Kala Venkata Rao: 'I leave it to you.') After all, Sir, the Hon. Revenue Minister is a very clever man; I mean he is a reasonable man. His whole idea is, he wants to finish the whole thing and he wants to finish it completely, because if he gives a benefit by this clause, it will after all help about a few thousand people but it will be a loss to Government. Being a far-sighted man, he thought he could not accept the amendment. When such a position has been accepted by the Hon. Revenue Minister and the Members of this House under the Rent Reduction Bill, we should not exhibit any inconsistency but we should follow the same principle here also. I have every regard for the views expressed by my hon. Friend, Mr. Kaleswara Rao—even now perhaps the zamindars and the landholders may get better compensation—in regard to this matter, but on principle I do not like to go into the matter, since the Hon. Revenue Minister said that after taking possession of the zamindaris he was going to bring forward a comprehensive legislation. I do not therefore see any reason why when once we have accepted a principle in respect of the previous Act, we should go back upon that principle and ask the Hon. Revenue Minister to accept the amendment. I therefore oppose the amendment."

SRI T. PRAKASAM:—"Sir, I feel compelled to say a few words in this connection, not with the hope that the Government would accept any suggestion, but in the desire that those Members who have been pledged to support the Government under any circumstance might also have an opportunity to hear that what they

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are doing is not the right thing. I have been protesting from the very beginning against doing anything to damage the interests of the ryot or to put him in a more difficult position. That was the principle that was enunciated by Dr. Rajendra Prasad, the President of the Congress and who is considered to be the High Command. He said in express terms that in the course of this legislation nothing should be done which would cause harm to the ryots' interests. Of course, this Government was saying that they were going according to the wishes of the High Command whenever they suited them and whenever they did not suit them this Government have been trying to explain away by saying that the Congress High Command's direction could not be complied with. I do not press the point that the Government should pledge itself to be tied down to the Congress High Command's instruction or decision. I would be very glad if this House, and every Member of this House should know the subject and exercise their judgment in a proper manner to support the interests of the people whom they represent here. Here it is a provision under which the rate which the tenant has to pay will be enhanced. In order to give relief to him, Mr. Kaleswara Rao has given notice of an amendment which is only an apology. He simply states here, 'I provide that the existing rents paid by the ryots in any village in an estate, if lower than the neighbouring ryotwari rates, shall not be enhanced in any way.' This comes under the general rule that the rents of the tenants should not be enhanced so as to put them in a more difficult situation. It has been my point that it was a wrong basis on which the whole Bill was framed stating that the ryotwari rates would be adopted. It was brought out in the course of discussion on the floor of the House to what extent the rent was enhanced in the Northern Circars from 1802 rates until the date of this Bill. It was stated that the rent the tenants were paying was to the extent of four lakhs, and it was raised to the level of nine lakhs. But this, as per the current existing ryotwari rate would be only one or two lakhs less. That is the rate which this Government are going to fix rents on estate tenants. It is wrong to do so. For, the rate of rent was fixed in 1802 as unalterable, permanent and so, that must be allowed to continue, and it is on that basis any reasonable Government should proceed to make laws. The southern zamindars have not increased their rates of rent since 1802; and now it is said their rates also will be enhanced, even though in the beginning it was said once, twice and thrice that their rent would not be increased. This was said so when the Rent Reduction Act was passed. Now we have come to the main Bill. In fact this measure should have come first. Even when this was pointed out it was not heeded. Now, what do we see. We see the rent in the southern zamindaris, which is lower than the neighbouring ryotwari rate, is to be raised to the level of the ryotwari rate. Sir, there is nothing sacred about the ryotwari rate of rent. That itself has to be reduced. The Hon. Revenue Minister himself has sworn over and over again that he is going to reform the ryotwari rate. I have told him several

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times that the ryotwari rate is not the proper rate. In fact the Marjoribanks Committee reduced the rate. When I pointed this out to the Hon. Revenue Minister, he argued, 'When you were in power, why did you not do it; because you omitted it, I am not going to do it.' That is not the way of continuing in office."

THE HON. SRI KALA VENKATA RAO:—"This has nothing to do with competency to continue in office."

SRI T. PRAKASAM:—"About competency we shall discuss on a different occasion. I am saying that the ryotwari rate of rent is unfair. The Marjoribanks Committee have reported what should be the proper ryotwari rate of rent. But the Hon. Revenue Minister will have his way whatever we may say. As the Yuvarajah of Pithapuram said instead of all this farce of legislation Government may as well issue an ordinance containing provisions to their wish. The Marjoribanks Committee Report recommended a reduction of 75 lakhs in rent. It was to be put into force for the benefit of the ryots. It is cruel not to give effect to it. But the Hon. Minister says 'I am not going to budge an inch; I will stick to my position'. (Interruption.) So, I say the ryotwari rent should not be adopted. The rent in the southern zamindari areas has continued the same from 1802, and it should not be enhanced in any sense. Finally I warn all those Members who are pledged to support this Government under all circumstances that they will be compelled to account for their conduct sooner or later outside this House." (Hear, hear.)

SRI ROKKAM RAMAMURTHY:—"అధ్యక్షా, శ్రీ కాశ్యపరా రాజ గారు తెచ్చినట్లుంటుంది amendment ను బలపరచుచున్న విషయములను మనవిచేయ దలచుకొన్నాను. జమీందారీలలో రైతులు అనేక బంజరు భూములను జమీందారులవద్ద నుంచి చాలా స్వల్ప శిస్తులకు తీసుకొని, ఎంతోకష్ట పట్టములతోపాటి వాటిని వాగుచేసి యిప్పుడు సాగుచేసుకొనుటకు ఆనువగు పరిస్థితులలోనికి తీసుకొనివచ్చినారు. వీటి మీద రైతులు యిచ్చుకొనవలసిన శిస్తు చాలా స్వల్పముగా ఎకరానికి ఆ 4 లు, ఆ 8 లు మాత్రమే వుంటుంది. ఈ భూములు రైతులకిచ్చినప్పుడు చాలా సీని పరిస్థితులలోను, బంజరుగాను వుండుటచేతనే జమీందారులు యింత స్వల్ప శిస్తుల కిచ్చినారు. కాని ఈ నాడు రైతులు వీటిని వాగుచేసి అభివృద్ధి పరచినారు. కాని యిటువంటి భూములకు ఈనాడు రైత్యారి రేట్లను విధించినట్లైతే రైతులకు చాలా అన్యాయము జరుగుతుంది. బంజరు భూమిని వాగుచేసి, సాగుకు వీలైన పరిస్థితుల లోనికి తీసుకొనివచ్చినందులకు నిజముగా రైతులకు compensation ఇవ్వవలసివున్నది. ఆ విధంగా కాకుండా వారు యెంతో కాలమునుంచి యిచ్చుచున్న యిటువంటి స్వల్ప శిస్తు లను రైత్యారి రేట్లకు పెంచు చేయడం ధర్మంగాలేదు. ముఖ్యంగా మా విశాఖ పట్టణం జిల్లాలో చాలా గ్రామాలలో యిటువంటి దరిమిలా సాగులోనికి తేబడిన బంజరు భూములు ఉన్నాయి. వాటిపన్నింటిని రైతులు ఎంతో కష్టపడినట్లుపడి ఈ నాటికి నేర్పూం చేసుకొంటున్నారు. వీటి స్వల్ప శిస్తులు ఆ 4 లు, ఆ 8 లు మాత్రమేగా ఉన్నాయి. వాటి శిస్తును ఈనాడు విజిది రూపాయలలోచేస్తే రైతు 480వ

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లేదు. అంతేకాకుండా జమీందారులకు హక్కు compensation ఇవ్వవలసివస్తుంది. కాబట్టి ఈ విషయములను గురించి గవర్నరు మెంటువారే ఒక సవరణను తీసుకొని వచ్చినట్లైతే చాలా సంతోషిస్తాను.”

* THE RAJA OF VENKATAGIRI:—“ Mr. Speaker, Sir, this Bill has got as its object the abolition of the zamindari system; and for paying compensation to the owners of the estate, the Ministry has sought to find a basis. And they have thought that the ryotwari rents, as they are called, that is, the rent prevailing to-day in the ryotwari areas, should be taken as the basis for calculating compensation. Sir, even to take the ryotwari rates as the basis for compensation is not correct, either from the point of view of justice or of law. I shall deal with it when I come to the other amendment. Sir, when you seek to have something as the basis, that basis should be adopted fully. You cannot have exceptions; you cannot lay down that there should be levelling down only and no levelling up.

1 p.m. “ It does not represent either justice or law. If the Hon. Minister wants to take the ryotwari rates as basis for calculating compensation, he should also have made provision for levelling up of the rents. Otherwise it would not be proper. Although I do not agree that the ryotwari rates should be adopted as the basis for compensation, but that only the present net income of the zamindar should be taken for the purpose, inasmuch as the Hon. Minister has chosen to adopt that as the basis, I think, Sir, he should necessarily make provision for levelling up the rent.

“ Sir, I want to make another observation with regard to the Report of the Committee of which my hon. Friend Sri Prakasam was the Chairman. We submitted our replies with reference to the findings of the Committee, to the Ministry, to the public and to the legislature also. We contended that the position taken up by the Committee, in respect of zamindars, was not a right one. We contended that the absence of the word tenant in the relevant sections could not by any stretch of imagination support the contention that the rates were fixed permanently and that the rates so fixed formed part of a tripartite agreement. Sir, I do not propose to deal with that aspect of the question at any great length. Hard pressed as we are for time, and tired as we are over these discussions, I would not venture to go into those details, nor do I venture to cross swords with such eminent and elderly statesman as Mr. Prakasam. Sir, I would only say that I am surprised that these contentions should be made again and again that we have raised the rates in northern zamins, that there we have rack-rented the tenants and that the embodiment of mercy was represented only in the zamindars of the south who are alleged not to have raised them. I am really proud, Sir, that at least one section of our class is considered as human. While I resent such accusations being levelled against us, that we have rack-rented the tenants, I cannot agree that these rents should be taken as the basis for payment of compensation. I would only submit, as we have

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done on previous occasions that what was due to the zamindar was his share of the produce. That was borne out by the various decisions of courts and it was also recently upheld by a Privy Council decision. Sir, in the face of all these things, now to raise the same old bogey that something had been fixed unalterably at that time and that it was the zamindars who had altered it from time to time and thus discredit them and call them as rack-renters and as people who had abused their powers and privileges, is, I submit Sir, not what I expect from people who ought to know better and who are expected to weigh the pros and cons, before giving expression to such views. I would not have touched on this topic, Sir, but as it has been raised I am forced to deal with it, though somewhat briefly. It has been said that these 1802 rates would be a panacea for all the ills of the tenant. Sir, we are quite prepared to accept here and now, this 1802 basis and I may assure my Hon. Friend that the zamindars would not also suffer by accepting those rates if properly and legally applied. Though this is not directly connected with the amendment under discussion, I have been forced to make such observations, in order to remove the misconception that we have not acted properly and that we have not discharged our duties properly.

“ Sir, just now my hon. Friend from Vizagapatam said that very low rents have been fixed for certain zamin lands in that district and that if these rents are to be raised, the ryots would suffer. I am thankful for what he has said. This is one of those statements which contradicts the accusation that the zamindar in the northern areas have ruined the ryots by rack-renting. I quite understand the feelings of the hon. Members of this House, because if there is to be a levelling up, many of the ryots would feel the additional burden. It is for the Hon. Minister for Revenue to decide whether he should continue to adopt this ryotwari rate as the basis for compensation, because this levelling up would become necessary if that is adopted for calculating the compensation to be paid. It may perhaps take a long time—about eight years at least—before compensation could be finally settled and paid up and till then some basis will have to be adopted. But if he adopts some other basis for assessing compensation, say for instance, the basis of the net income which I have already mentioned above, perhaps this delay may be avoided. After payment he may adopt the rates which he proposes to fix under the comprehensive reform of land tenures which he is contemplating to introduce shortly.”

* SRI D. V. RAMASWAMI:—“ Mr. Speaker, Sir, taking a superficial view of things, it looks as if the hon. Member, the Raja of Venkatagiri, has put forth his case clearly and argued it in a very logical manner. But the position taken by the Hon. Minister for Revenue is different. If the Hon. Minister for Revenue adopts the basis of the ryotwari rates as the practical *modus operandi*, certainly there seems to be some justification for the Raja Sahib's

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asking that there should be a levelling up also where the rents in estates were lower than the corresponding ryotwari rates. But the point is surely not this at all. The main question is, is it or is it not a fact that in zamin areas at the time of various resettlements during the last 30 or 40 years there have been regular enhancements of rents while *peshkash* remained static and if so, whether there is any justification for altering the rates in the estates. If there is no justification, then there is no point in swearing by the ryotwari rates. That is exactly the point which my hon. leader, Mr. Prakasam, has been trying to put forward."

MR. SPEAKER:—"As many hon. Members desire to take part in the debate on this amendment, let the hon. Member be very brief."

* SRI D. V. RAMASWAMI:—"Sir, I suggest that the Government must issue an order to the effect that the Settlement officers should not fix on any land or estate a rent higher than that payable therefor, at the time this Act comes into force. I want to impress upon the Hon. Minister for Revenue the justice of fixing such a rent. Mr. Kaleswara Rao is insisting that because the present Bill, which has been introduced by the Hon. Minister for Revenue, is only the first step in the scheme of various other reforms which he is going to bring forward in the future, after the Agrarian Reforms Enquiry Committee has made its report. The existing rents in any zamin villages, if lower than the neighbouring ryotwari rates, should not be enhanced in any way under this clause. I submit, Sir, that the proviso, which my hon. Friend, Mr. Kaleswara Rao, wants to insert under this clause, is absolutely necessary and hence I strongly support his amendment."

SRI P. KANDASWAMI PILLAI:—"Mr. Speaker, Sir, I have great pleasure in supporting the amendment moved by my hon. Friend, Mr. Kaleswara Rao, because this House has agreed to the passing of the Rent Reduction Act, the object of which is to reduce the land revenue to the level of the ryotwari rates in all zamin areas, which will be taken over by the Government. At the same time we should not forget that we are here looking after the interests of the ryots who are not capable of standing against the wealthy and influential zamindars and inamdars. Therefore we had taken every precaution when we passed that Act to see that the rent was reduced to the level of the ryotwari rates. Now we are faced with this proposition that wherever the zamin rent is less than the corresponding ryotwari rate, it should not be raised to the level of the ryotwari rate. That is the amendment. Very rightly the amendment says that we should not enhance the rent in zamin areas which will be acquired by the Government, simply because they pay less rent than the ryotwari tenants. Well, Sir, it is a well known fact that India is the only country in the world in which people pay the highest tax on land. Therefore we cannot agree that the ryotwari rates alone are equitable and reasonable. Our land-tax is the highest as compared

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with other countries, and that is why the Government are contemplating to introduce a separate reform of land tenures, reducing the ryotwari assessment to a fair, equitable and scientific basis. We cannot take the present ryotwari rate as the standard and enhance the rent which the zamindari or inam tenant is paying now. We should not under the circumstances take away the privilege enjoyed by the zamin ryots now by passing this Act. Therefore I would request the House to take every care to protect the interests of the ryots. I request the Hon. the Minister for Revenue to accept the amendment and not to increase the land revenue wherever it is less than the ryotwari level."

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p.m.

* SRI ALLURI SATYANARAYANA RAJU:—"Mr. Speaker, Sir, I have great pleasure in supporting the amendment moved by Mr. Kaleswara Rao. The clause in the Bill as brought forward by the Hon. the Revenue Minister says that if the rent which is collected by the zamindar is lower than that of the rent in ryotwari areas, then it should be raised to the ryotwari level. Mr. Kaleswara Rao's amendment definitely says that the rent should never be raised at this stage. I definitely feel, Sir, that the amendment is in favour of the ryots. If this rent is enhanced, then the compensation payable to the zamindars on these lands would be calculated on the basis of the enhanced rent. In that way Government money also will be spent in favour of the zamindars. This definitely hits the money bag of the Government and it will also hit the poor man. If we do not accept the amendment it will be tantamount to encouraging the zamindars who have been collecting rent unfairly and unjustly and casting an aspersion against the zamindars who have been collecting lesser rent. In this way we will be weakening the cause of the ryots. I definitely feel, Sir, that the amendment of Mr. Kaleswara Rao must be supported by every fair-minded Member of this Legislature. The Hon. Minister for Revenue may say that we are anyhow bringing the rate of rent throughout the Presidency to the same level. The Hon. Minister has been making statements in the press and on the platform that a reform about the collection of rent would be brought soon. If that is the case, Sir, he can definitely accept the amendment of the hon. Member, Mr. Kaleswara Rao and when he later on brings a reform in the collection of rent, he can include these lands also along with others. Hence I plead through you, Sir, with the Hon. Revenue Minister to accept the amendment and I also appeal to my colleagues through you, Sir, to support the amendment without any hesitation whatsoever taking into consideration the interests of those innocent and voiceless people outside this Assembly."

* SRI K. BHASHIAM:—"Mr. Speaker, Sir, I think in dealing with this clause there are two points of view to be kept in view. One is the question of the compensation to the zamindars and the other is the question as to what rent the ryot has to pay. It is true that for a long time, say from 1802 or perhaps a little

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later, the rent paid by the ryot has been lower than the ryotwari rate. It has been there for a long time and if he is asked to pay a little more now there is some difficulty. So far as the zamindars are concerned the rate of compensation to be paid to them is on the basis of the basic value, which is itself based upon the ryotwari rates. From the zamindar's point of view the raising of the rent is certainly beneficial to him. From the point of view of the tenant it is certainly not beneficial. We are now committed, whether it is right or wrong, for introducing a uniform system of tenure all over the Presidency that is, the ryotwari tenure. Even the Bill is called: "The Abolition of the Zamindaris and Conversion into Ryotwari Bill." So we are committed to this measure—that the ryotwari rate must be introduced all over. When we once have accepted that principle, I think we cannot question what the Government have done in the present case. It may be that they have done it all wrong, but the House was also wrong in accepting the position that the ryotwari rate must be introduced, and if so, we should not have committed the mistake in the initial stages. I do not see, Sir, how we can go back now and say that where the ryots are now affected adversely, we must keep the rent going as it was going before. We should not look at individual cases and the cases of a few persons who are paying less than the ryotwari rate. It is not as if in every zamindari it is so. It is notorious, whatever people might say on the floor of the House, the rates in the zamindaris are much higher than the rates prevailing in the ryotwari areas. Therefore this will affect only a few ryots. I ask, Sir, why in the interests of the general body, a few ryots should not make the sacrifice, for the purpose of introducing a uniform rate all over the Presidency. I would submit, Sir, that I am agreeable to all that was said about the innocent ryot and the voiceless ryot. But they must also come forward in the interests of making a uniform tenure all over the Presidency to make a little sacrifice. After all we do not ask very much of them. The difference between the ryotwari rate and these rates is very little. Besides I am also told, Sir, that in the present case, there is no command or direction from the High Command, that we should not raise the rate. On the other hand, the direction is the other way about. If that is so, I think the High Command has seen the logic and the reasonableness of introducing such a uniform rate all over the Province. I do not think this amendment as sought to be moved now, though it may be in the interests of a few, is in the interests of the general welfare of the community at large."

THE ZAMINDAR OF MIRZAPURAM:—"Mr. Speaker, Sir, in opposing the amendment moved by my hon. Friend, Mr. A. Kaleswara Rao, I have to say that the spirit of the Bill itself is, that the ryotwari settlement should be established; that is, there should be a levelling up and a levelling down. As pointed out by my friend, Mr. Bhashyam, when once the Assembly has accepted the principle of the Bill. I do not know how an amendment of

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this kind can be moved now, which is not in accordance with the spirit of the Bill. Also, I do not agree with the arguments put forward by the various hon. Members of the House that the levelling up should not be done but it should be only down to the ryotwari level. Mr. Speaker, when once you have agreed that the rates could be levelled down, I do not see any reason why the rates should not be levelled up. I should like to say one thing, Sir. We are only concerned with the payment of compensation. Our request was that the compensation to be paid to us should be on the basis of our present net income. But now, according to the Bill or according to the arrangement made by the Government, they are to pay the compensation on the ryotwari basis, which itself is illegal and unjust. We, the zamindars, cannot accept such an arbitrary arrangement which the Government now propose to adopt. It is most unfair and unjust and illegal—if I can put it so—to reduce the present rate of rent to the ryotwari level with a view to reduce the compensation payable to the landholders, instead of paying them compensation on their present net income, in the various estates. I would have welcomed the reduction of rent to the ryotwari level, Sir, if the Government had no idea of paying compensation on the basis of the reduced rents. I would again put it to the Hon. the Minister for Revenue, Sir, that it is unjust and unfair and he will be doing a great injustice to the landholders by reducing the rates first to the level of the Government areas and then trying to pay compensation on the reduced rent, which itself, we are advised by several eminent people, will make the measure illegal. It is very unfair for the Government to adopt such a highhanded course with a view to destroy a particular class of people in the country."

SRI N. S. VARADACHARI:—"I have to take some time, Sir, . . ."

MR. SPEAKER:—"The hon. Member can begin his speech, now and continue after lunch."

SRI N. S. VARADACHARI:—"For the sake of continuity of argument, Sir, I should prefer to talk after lunch."

* SRI R. SUBBA AYYAR:—"Mr. Speaker, Sir, I wholeheartedly support the amendment of Mr. A. Kaleswara Rao. Much has been said, Sir, by no less a person than Mr. Bhashyam, an eminent lawyer indeed, and all others that somehow we are committed to pay compensation to the zamindars on the basis of the ryotwari assessment and that if we accept the amendment, we will be committing some inconsistency and therefore this amendment cannot be accepted. That seems to be the argument. I would like to point out, Sir, that neither the basis of compensation nor the uniformity which is aimed at by this Bill will ever be affected by the acceptance of this amendment, because everyone knows that even the ryotwari basis, or system, consists of at least four different classifications of land assessment, tarams as they are

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called, the first taram, the second taram and so on. The tarams are based on the classification of the soil. When that is so, I do not see any reason why in cases where the present assessment in the zamindari areas is lower than the lowest ryotwari assessment, another classification should not be added to the ryotwari rules. When we have four tarams, we can as well add one more, the fifth taram, namely, the zamindari area where the rate is lower than the lowest ryotwari area, the lower rate will continue. You can modify the Ryotwari Assessment Rules and have one more classification."

MR. SPEAKER:—"The Hon. Member can continue his speech after lunch. I now adjourn the House to meet again at 2-30 p.m."

The House adjourned.

(After lunch—2-30 p.m.)

MR. SPEAKER:—"The hon. Member, Mr. Subba Ayyar, will continue his speech."

* SRI R. SUBBA AYYAR:—"Mr. Speaker, Sir, I was saying that by a simple amendment to the ryotwari rules of assessment all the difficulties pointed out by many learned Members on the floor of the House with regard to any inconsistency or lack of uniformity may be obviated. I submit that we take it that the main purpose of this Bill is not only to purchase the rights of the zamindar but also to confer certain benefits on the zamindari ryots. This Bill is intended to reduce the burden of rents in zamindari areas as also to bring those zamindari ryots to the level of ryots in ryotwari areas. That being so, I do not see how in places where zamindari ryots are already paying lower rates of rent than those prevailing in the neighbouring ryotwari areas those rents could be levelled up to the ryotwari rates. There is another aspect of this question. Government have been all solicitous to compensate the zamindar in respect of his various rights claimed or unclaimed. This is a question in which the rights of tenants, who are already paying a lower rate of rent, will be adversely affected. As such, having regard to the principle of the Bill, it is but just, right and logical that they should also be compensated for the loss that they would be sustaining by the levelling up of the rent to the ryotwari rate. No such solicitude is forthcoming in their case. It is said that in order that rents may be uniform in every respect and in every place, we are adopting this method, i.e., where rents are lower we will level them up to the rates prevailing in adjoining ryotwari villages. I submit that this Bill does not contemplate or ought not to contemplate the levelling up of the rents wherever they are lower now, because such a course will interfere with the rights of the zamindari ryots. The zamindari ryots also will not be compensated in any manner for the loss of the privilege of paying lower rates of rent. In order that the ryotwari rates

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may be uniform in every respect, as I suggested already. Government should adopt another basis of classification in respect of the rates of the ryotwari assessment, and achieve the desired result, and thus save the ryots from the burden which will be imposed upon them by the levelling up of the rents. Even with respect to the payment of compensation to zamindars, my zamindar friends have said that if this amendment is not accepted, they will be getting good compensation in respect of some of their villages. If the Government are prepared to accept the suggestion that I made, namely, that of adding one more classification to the ryotwari rules, this difficulty could be obviated. Government will have another rate of assessment, and on that basis the zamindar could certainly be compensated. There will be no inconsistency. There will be uniformity, and the object of the Bill will also be achieved. Much has been said about the inconsistency of accepting this amendment at this stage, because while passing the Rent Reduction Act, we have accepted the principle of levelling up rents also. (The Hon. Sri Kala Venkata Rao: 'No.') I say, Sir, that, that was the mistake committed by us—putting the cart before the horse."

THE HON. SRI KALA VENKATA RAO:—"Sir, the hon. Member is incorrect because we did not think of levelling up rents in the Rent Reduction Bill. We do it for the first time now. Therefore, the hon. Member need not argue that point."

* SRI R. SUBBA AYYAR:—"Sir, I am sorry my memory failed me. If that is so, there will be nothing inconsistent with the Act that is already passed. Because some hon. Members pointed out an inconsistency, I had to say that there would be no inconsistency whatever if my suggestion is accepted. Viewing it from any aspect, I submit, Sir, that this amendment is reasonable and ought to be accepted. Sir, we have been saying consistently from Congress platforms that there is nothing sacrosanct about ryotwari rates, and that it should be reformed and put on a statutory basis. The Hon. Minister for Revenue has been promising time and again that he is going to bring in a comprehensive legislation with regard to that. While I agree that there is time enough to bring in a comprehensive legislation, I ask, when you are passing legislation with respect to a particular class of tenants in zamindari areas, why not you settle here and now wherever the ryots are enjoying lower rates of rent,—and why should you interfere with it and increase it to the ryotwari level? Viewed from other points also, this amendment is necessary and logical. So, I say, Sir, that this amendment must be accepted."

* SRI M. G. NATESA CHETTIYAR:—"Mr. Speaker, Sir, it looks for the Government as if it is very reasonable to enhance the lower rents to higher rents so that higher compensation may be paid to zamindars. It looks thus that the very tenure is changed for payment of compensation. If it is so, Sir, I say it is wrong."

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The Permanent Settlement Regulation must be kept intact and no enhancement of rent must be levied on ryots either levelling down or levelling up. Still, the basis of compensation may be fixed on the ryotwari level. For the purpose of paying higher compensation, should you levy the higher ryotwari assessment on the ryots? It is not necessary that you have to levy that enhanced rent on the ryot and collect it. For the purpose of compensation, you can calculate on the basis of the ryotwari rate. You need not change the tenure that had been permanently settled under Regulation XXV of 1802. So soon after the Rent Reduction Bill had been passed by this House, it will be very unreasonable to enhance the rent on the ryot. The ryot would certainly say 'what is this Congress Government; what are these people, who have been fighting for our rights; these people said so many things for our development, and why should they change their minds so soon and so suddenly?'. It will be a grave charge. (Muhammad Raza Khan Sahib: 'Hear, hear.' There will be no doubt about it. For the purpose of payment of enhanced compensation, Government say that they are enhancing the rent. What I say is, so far as I know, regarding partible estates the compensation which would be paid after enhancement of rent to the ryotwari level would be much less than what would otherwise be if you stick on to the Permanent Settlement Regulation and pay compensation on the net income which they receive. As I told you the other day, the tenure in respect of partible zamindari is different from other tenures. Other tenures stand on a different footing altogether. After the Permanent Settlement, there were certain agreements made in the subsequent enactments. I now refer to enactment I of 1908, the Madras Estates Land Act. There was a specific agreement there. The tenure that was in existence in the North is not the same as in the South. The tenure in those parts are more or less on a different footing and calculation of peshkash was also different altogether. In those circumstances to view the entire position on the same level would be wrong. When Act I of 1908 was passed, there was actually an agreement between the zamindars and Government on one side followed by one between zamindars and ryots. Before 1908, the system that prevailed mostly and invariably in the North was the leasehold system. The zamindars there exercised soil rights on the specific understanding between the zamindar and the ryot, on a lease deed to share the produce in kind. In 1908 there was an agreement between the Government—rather the gentleman who piloted that Bill—and the zamindars. Government said that whatever it might be, they were not prepared to go beyond the Permanent Settlement. They said 'we take it as it is; your present agreement will be respected as it stands to-day; old kind rents will be commuted into money value; that rate will be considered as fair and equitable and that will prevail'. Sir, it was not as if the tenure was changed in 1908 by that agreement. What rates prevailed then were conceded by Government. In the South, as a matter of fact, the tenure was different. Vast areas of

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lands were lying fallow. They wanted to utilize them economically. Government also wanted to get their fair share of the rent. Government wanted to give encouragement to cultivators and small landholders. They wanted some others to come in and said that they would give a sort of incentive to bring the vast acreage lying fallow under cultivation. Under those circumstances, these 2.45 tenures were brought in actually between 1803 and 1805 and the p.m. various revenue divisions were carved out and were sold in public auction as if they were one piece of land. Sir, it looks as if I am repeating the argument which I advanced the other day but in this matter, Sir, it is very very relevant. If we are going to change the tenureship all the trouble arises. If you change it, as it suits you to-day, all the trouble will arise. For the purpose of compensation, please do not change the tenure. It is very unreasonable to enhance the rent for this purpose. What I would request the Hon. the Revenue Minister is if I am paid according to the prevailing rate deducting the actual peshkash there would be nothing wrong and in fact the compensation will be adequate with certain changes. Government is wrong if they levy peshkash on the extended cultivation. All these one hundred and forty years, brought many people into my estate, brought vast acres of land under cultivation and thus got the present greater income. As an instance let me state the figures in respect of one of my estates. I pay Rs. 677 as peshkash and I pay cess alone to the extent of Rs. 1,477 in respect of that particular estate. Cess is levied on the rent roll. The Government can understand the amount of capital that we have invested to bring these vast area of jungle lands under cultivation. One cultivated land yielded Rs. 1,000 in 1803. Now the rent roll is Rs. 3,000. I will be paid now under the present proposal thirty times multiplying Rs. 800 or so when I ought to get on Rs. 2,000 and odd as the basic sum. Is this higher or lower compensation? Is the device for compensation by adopting ryotwari level and also assessing peshkash on the extended cultivation either fair or equitable? Sir, it is not difficult to understand the motive of the Government in converting the tenure to ryotwari level and paying compensation. It is definitely to reduce the equitable compensation, the Government have resorted to this unjustified method. Sir, with these words I support the amendment."

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, this is one of those occasions in which I find myself in entire agreement with the policy of the Government though I have several differences with them. I shall only deal with this question to the extent the amendment seeks to amend section 21. Sir, the amendment is not really based on scientific lines for the future land reform of this Province. Sir, I shall have to say a few words later as to how discussions on this Bill are carried on day after day and also about the manner in which they are put forth in this House. But, now I will confine myself to the main argument. Considering from the

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point of view of the ryot, it is best to have a uniform settlement of all land. Settlement having already been made for ryotwari land an extension on the same principles should be applied to lands now sought to be brought within the range of this Bill. There is a relentless logic in this position. I do not rely on mere logic. For the present, it must be understood by everybody including those who have come forward to support this amendment, that the rents will stand at a lower level than the ryotwari level in areas where the Rent Reduction Act is now in force. It is not going to be changed overnight. It is a settlement operation that is contemplated under this Bill. This settlement operation seeks to modernize and remove all the archaic and wrong assumptions made in the vast unsettled areas in zamindari estates. For instance, even the tarams of land will have to be determined on the basis of the notification now in force in the district or districts. One clause goes further and says that if the zamindari estate is situated in more than one district it is open to the Government to choose what would be the appropriate rate. A part of the estate may lie in one district and another part in another district. There is no question of getting away from this position. I know there are several people who hold the opposite view. I respect hon. Mr. Prakasam's view because I know he has been opposed to settlement on the ryotwari basis in the zamin areas and he sticks to his original position that we must go back to the rates that prevailed in 1802. I do not propose to go into the merits of that question. 1802 is not 1948 and 1948 may not be 1952 by which time, even this settlement may not have been completed in all the areas. If hon. Members are desirous of revising the entire land revenue system, there would be enough time for us to consider this question in the next four years when the enhancement will not operate to the disadvantage of the ryot and we will be free to frame a revised policy.

"Sir, I am one of those who believe that the original assessment which is being got for the present in cash is not a heavy assessment. Sir, the only thing that has not changed amidst all this inflation is the land revenue of this Province. The two things that have not changed in the entire country are the insurance premia in insurance companies and the land revenue in the Provinces. You examine anything else, the railway rates, the postal rates, the traffic charges, wages for labour, everything in the country including the prices that we pay for our food have undergone tremendous increases. Amidst all this change only these two things, insurance premia and the land revenue of the Provinces, have remained solidly stationary. I look at the one from the businessman's point of view and the other from the Government point of view. Therefore, you cannot in justice contend that the rates are heavy and should not be applied as cash rents in zamindari areas. I am also pleading for the ryot. But, I would tell the Members moving the amendment one thing. Unless you are ready to levy the sales tax on the primary produce sold by the

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cultivator, you cannot touch the land revenue of the Province, as you seek to do to-day by an amendment which really does not affect the position to-day but seeks some other advantage four years after.

"Now, Sir, there is also another matter to be considered. We want a scientific system to be prevalent throughout the country in respect of the ryots. Under the definition of the zamindari ryot which the Government has given, there may really be a number of middlemen in the position of the ryot. I do for the most part expect that those who cultivate or acquire ryotwari rights can well afford to say to Government that they have secured great advantages under this Bill. What is it that they pay for the rights which they have acquired? Is it not a fact that you are giving away rights of ownership without seeking even a penny from them and without expecting any contribution to Government which is going to dole out twelve crores of compensation? That is most unfair. The Hon. Minister may say that he is acting on the advice of the High Command. But, he does not really go to the root of the matter. The reason behind the advice of the High Command is this. They have asked the Hon. Minister to levy if possible a betterment tax for this purpose." (Interruption.)

MR. SPEAKER:—"Let not the hon. Member bring in High Command here."

SRI N. S. VARADACHARI:—"I have brought it only to show the soundness of the proposition in my own independent judgment."

"Now, Sir, I have one thing to say as to the discussions that are being carried on here. I do not blame any Member for it. I wish, Sir, on some occasions, we had debated vital questions like this from the point of view of reason and not from the point of view as to how many votes it will get for us in the future. It is a very very sad thing and I must enter my emphatic protest as a representative of this Assembly that questions should not be debated in this spirit. ('Question.') You might question me but I am free to say publicly in this House that it is not the way that we should carry on the business in this House and as representatives of the people, we must not throw away our independent judgment on these matters. Sir, I plead for the ryot; I plead for the sinking of wells; I plead for giving him every other assistance. (Interruption.) I am not one of those who believe that Government will be run without taxes. I know some hon. Members will say that we can run a Government without taxes. We must increase taxation where necessary. But, I want more public expenditure and that expenditure to be wisely spent. Have the Government set some standards in the course of the discussions? No; to-day when we find Member after Member moving amendments and Government not accepting any of them and also not giving any reason for not accepting any of them, I say, Sir,

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it is because our discussions are now based on lines of possible advantages which may accrue to individuals in the country in the future and not from the nobler point of view, namely, the test of the soundness of our own judgment on the basis of arguments and arguments alone. That alone will enable a Government to run on sound lines. It will enable us not to distract our discussions by unthought-out assumptions like the one, that the Government can run without taxes and so on. Therefore, we should not try to lug in some amendment somewhere in this Bill because it will get us some future advantage. I will have something to say on this when we come to the third reading stage of the Bill and then I shall point out how many amendments have been given without reason and how many of them have been accepted by the Government reversing their original position."

MR. SPEAKER:—"There are still seven members who want to speak on this amendment. Therefore, I fix five minutes for each speaker."

SRI K. BRAHMANANDAM REDDI:—"Mr. Speaker, Sir, the hon. Sri N. S. Varadachari ran amuck. As usual, he ran amuck." (Laughter.)

THE RAJA OF VENKATAGIRI:—"On a point of order, Sir, I want to know whether any hon. Member of this House can describe the conduct of any other hon. Member of this House as running amuck."

MR. SPEAKER:—"That is not the way. Hon. Member should not say that he has run amuck."

SRI N. S. VARADACHARI:—"I wish to say, Sir, that hon. Members in this House use words without meaning what they say. Therefore, Sir, I do not mind it."

MR. SPEAKER:—"It is not a question of hon. Member, Sri N. S. Varadachari, minding it or not. As far as the Chair is concerned, if any hon. Member uses any unparliamentary language in the course of his debate, the Chair should give protection in order to maintain the dignity of the House. It is not a question of Sri N. S. Varadachari being offended or not. So, let the hon. Member, Sri Brahmanandam Reddi, withdraw it."

3 p.m. SRI K. BRAHMANANDAM REDDI:—"Mr. Speaker, Sir, may I, in all humility, submit to the Chair that the words 'run amuck' only mean . . ."

MR. SPEAKER:—"Order, order. The hon. Member must withdraw those words and then proceed further."

SRI K. BRAHMANANDAM REDDI:—"I withdraw it. I only wanted to submit that to say that an hon. Member has 'run amuck' . . ."

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MR. SPEAKER:—"The hon. Member is repeating the same words once again. He must withdraw them. I have allowed him only five minutes. If he goes on in this way, he will lose three minutes."

* SRI K. BRAHMANANDAM REDDI:—"I drop it there. It does not surprise many of us, to see hon. Mr. Varadachari opposing this amendment. We did not expect anything better. It is one of the rare occasions wherein he saw eye to eye with the Government. And it is also one of the very rare occasions where I differ from the Government, and I have legitimate and very reasonable grounds to do so. Sir, it is very easy to say for Mr. Varadachari or any other gentleman that Members supporting this amendment are playing to the gallery. It is not so. If I stand here to-day, I speak for the ryot; it does not mean that other hon. Members of this House are not for the ryot. It only means that I press for the cause of the ryot because I believe it is a just cause. I need not point out that there is enough of dynamic force in this amendment. What I wish to state is that whereas the whole Bill is conceived with the primary idea of bettering the lot of the ryot, this is a provision which goes against that conception. I can quite see your trying to decrease the rent or the burden that is already heavy on the ryot, but if a ryot is already paying, at a particular rate, I do not see any reason at all why that particular rate should be enhanced. You may say that it is for the sake of uniformity. Sir, I do not understand this word 'uniformity'. Uniformity in what, I ask. It is not uniformity in tenure. We know that in the ryotwari tracts and other tracts under the control of the Government, the rates differ from place to place, according to the *tharams* and the settlement. I do not quite understand what the hon. Member means by the word 'uniformity'. Even if you want to have uniformity, Sir, I do not want to sacrifice principles, equity and justice merely for the sake of a thing called 'uniformity'. I suspect something in the very fact that both the zamindars and the hon. Mr. Varadachari and Mr. Raza Khan Sahib opposed this amendment. I have good reason to support it, for my part. Here is a case where not only the ryot will be burdened heavily, but the compensation that is payable to a zamindar or an inamdar will also become more if you increase the burden on the ryot here. We have to take note of that fact also. It is not as if hon. Members—the zamindar Members of this Assembly—have opposed this amendment because you are going to create or impose a burden on the ryot, but because in another section, if you increase the rate here, they stand to benefit in the matter of compensation. That is why, Sir, I think the Government would see their way to accept this amendment, and if they do not do so, I can only say that I will be sorry."

SRI A. KAMESWARA RAO:—"అక్షయ, కి వరదాచారి . . ."

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SRI K. VARADACHARI:—"On a point of order, Sir. The hon. Member is using the ambiguous name Varadachari simply, several times. He must say Mr. N. S. Varadachari."

3-8 p.m. SRI A. KAMESWARA RAO:—"నా. శ్రీ ఎ.కె. ఎస్. వరదాచారిగారు ఈ ప్రపంచములోని తెలివంత వారికే వున్నదని, నిజానికి ఈ బిల్లులో వుండేటటువంటి బోలెడనే పాల్పాల్పాల్పాల్పాల్పా వారు అర్థము చేసుకొనినట్లు ఇతరులకేమీ తెలియనట్లు అనుకొనడము వారికి అలవాటు. తాను సట్టి కుందేబుకు మూడే కాళ్ళనడం వారి సహజ గుణము."

"శ్రీ కాశ్యపరా రావు పంతులుగారు ప్రతిపాదించిన amendment చాలా న్యాయముగాను, ధర్మముగాను వున్నది. వారు ఇప్పుడు రైల్వారి పన్నులకు తక్కువ పన్నులను చెల్లించిన జమీందారి రైతులవద్దనుంచి హెచ్చు పన్ను వసూలుచేయరాదని అన్నారు. కాని శ్రీ వరదాచారిగారు అందరను ఒకే విధంగా చూడాలని ఈ level. lining up విధానమును ఒకరిచినారు. మంచి భూమి, చెడ్డ భూమి అనేటటువంటి తారతమ్యములను పాటించకుండా పన్ను విధించవలెనని వారి ఉద్దేశము కాబోలు. వారి అభిప్రాయములనుబట్టి చూచినట్లైతే వారికి బోడిగుండు. నాకు crop ఉన్నాయి కనుక, నా crop ను తీసివేయమని అడిగేటట్లు వున్నది. ఈ వాదనను ఏ మాత్రము సమర్థించగూడదు. భూములలో అనేక రకములైనవి వున్నవి. కొన్ని భూములు సారవంతమైనటువంటివి. కొన్ని బంజరులు కొన్నిటికి చక్కటి నీటి వనరులంటాయి. కొన్నిటికి నీటి సదుపాయాలుండవు. సాధారణంగా ఈ తక్కువ శిస్తు కలిగినటువంటి భూములన్నీ కూడా మొదట బంజరులుగా వుండడమువలననే జమీందారులు వాటిని ఇంత స్వల్ప పన్నులకు రైతులకిచ్చారు. వీటివలన ఉత్పత్తి తక్కువ. రైతుకుచ్చే ఆదాయము తక్కువ. అందువలననే అతడు చాలా స్వల్ప శిస్తు కడుతున్నాడు. కాని ఈ బిల్లువల్ల అతనిమీద హెచ్చు పన్ను విధిస్తానంటే ఏమి న్యాయము. 'మూలిగే నక్క మీద తాటిపండు పడ్డట్లు వుంటుంది.' అసలు ఈ జమీందారి రద్దు బిల్లుయొక్క అంతర్భుము రైతులవద్దనుంచి తక్కువ పన్ను వసూలు చేయవలెననేగాని పన్నును హెచ్చు చేయవలెనని మాత్రము కాదు. కాని పన్నులను హెచ్చు చేసేటటువంటి నిబంధనలని బిల్లులో పెడితే ఇది రైతు రక్షణ పట్లనే అనిపించుకోదు. న్యాయమాలాచించినట్లైతే అనేక సార్లు రెవిన్యూ మంత్రిగారు చెప్పినట్లుగా మన రాష్ట్రంలో ఆదాయాని బట్టి భూమి శిస్తును విధించేటటువంటి progressive taxation policy ని అమలు చేయాలి. అంతేనే కాని యిప్పుడు మీద రైతులవద్దనుంచి ఎక్కువ పన్నును వసూలుచేస్తా మనడం మాత్రం చాలా అన్యాయమని మంత్రిగారికి మనవి చేస్తున్నాను. Compensation నిర్ణయించే యిప్పుడు కష్టముచేసుకుండా ఒకే విధమైనటువంటి rate లను అమలు చేయాలని అందరు రైతులకు ఒకే రకపు పన్నును విధించడము బాగుండలేదు. ఈ విషయము మంత్రిగారికి తెలియనటువంటిది కాదు. కాని ఏ కారణముచేతనో నాకు తెలియదుగాని ఇట్లాంటి అక్రమ విధానాన్ని అమలుచేయడం చాలా మనము రైతులతో పన్నులను తక్కువచేస్తామని చెప్పాము. కాని ఈ విధంగా ఎక్కువచేస్తే ప్రజల మనలను ఏ విధంగా విశ్వసేస్తారు. ఇటువంటి మీద భూములు ప్రతి గ్రామంలోను వుంటాయి. వీటి మీద ఇప్పుడు ఆ. 7, 8 లో, ఆ. 10 లో పన్ను ఉన్నది. కాని ఈ పన్నును రూ. 10 లకు హెచ్చించి వారి పాఖములను ఏ విధంగా మనము చూడగలము. మనము ఈ విధంగా చేసినట్లైతే ప్రజలలో, రైతులలో కాంగ్రెస్ పై ఎటువంటి అభిప్రాయము కలుగుతుంది. నిజానికి ఈ పన్నులను హెచ్చించకపోతే నష్టమేమున్నది. ఇందులో హామీతోక

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రేఖ ఒక్క compensation ఇవ్వడానికి అవసరమైతే ఈ rate ను అధారముచేసుకొని ఇవ్వటానికి ఎవ్వరికి అభ్యంతరము వుండదు. కాని రైతుల వద్దనుంచి మాత్రం హెచ్చు పన్ను వసూలుచేయడము మంచి పనికాదు. ఈ విధంగా శ్రీ నటేశ శర్మ యారుగారు సహా ఇచ్చారు. దీనిని నేను హృదయ పూర్వకంగా ఆమోదిస్తున్నాను. కాబట్టి ఆటు జమీందారుకుగాని, ఇటు రైతుకుగాని డండక, నష్టము కలుగజేయ నటువంటి ఈ విధానాన్ని అమలు చేయవలసిందిగా రెవిన్యూ మంత్రిగారిని కోరుచున్నాను."

Mr. SPEAKER:—"I must inform the House that seven hon. Members wanted to take part in the debate. Now the number has increased to ten. I think I have allowed enough time for the debate on this clause. So, now the Hon. Minister will reply."

* THE HON. SRI KALA VENKATA RAO:—"Well, Sir, I think, I am in strange company to-day. Certain of my hon. Friends have on a misconception risen to heights of eloquence in condemning in some cases the Government and the unfortunate Revenue Minister who is in charge of the Bill. Unfortunately, Sir, though I am an individual, I am not an individual in the real sense of the term. I stand here not only for myself, but for my party and my Government. And therefore even if any particular member of my party differs from me, it is not open to him nor to me to gainsay out allegiance to the party to which we belong. After all, Sir, there are known rules of procedure in which parties behave in Assemblies and I do not think my hon. Friends can go off at a tangent, as regards these matters."

SRI T. VISWANATHAM:—"Can we also speak about the party, Sir?"

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"On a point of order, Sir. Is an hon. Member of this House right in reminding the other hon. Members of the House, that he and they belong to a certain party which is outside the House, and as such irrespective of the arguments advanced in the House, they should vote in a particular way?"

Mr. SPEAKER:—"It is not about the vote that the hon. Member said anything. He might have said that they belong to a particular party. They would have said in their election manifesto certain things. The hon. Member would have uttered those words for his own party, but it would not affect the others. There is nothing wrong in it."

SRI V. RAGHAVAYYA:—"I raise this question, on the basis of the privileges of the hon. Members of this House. So far as the voting is concerned, in this House, the House is not expected to have any extraneous considerations than those which are guided by the discussion here. For any Member of this House to say that certain people belong to a particular party and as such they should remember the party mandate, and therefore

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shall not vote against, is a breach of the privileges of the Members of this House. I may repeat again that the Hon. Minister for Revenue has said these words: 'These members who belong to my party, are bound by the party discipline, let them remember this when they come to a decision on this matter.' It is clearly an indication that the party members will be taken to task, and there is the reprimand to them, not only reprimand, but an interference with their freedom to vote. I would like to have your ruling."

3-15
p.m.

MR. SPEAKER:—"If the Hon. Minister had said that hon. Members would have to vote in a particular way, it is wrong. Let us have explanation from the Hon. Minister himself."

THE HON. SRI KALA VENKATA RAO:—"I never said any such thing."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Words have got a meaning. He might not have exactly said that hon. Members must vote in a particular way. But the words he used have that meaning. You, Sir, may give your ruling. To whatever party hon. Members belong, it should not be referred to here to canvass support of hon. Members for a certain measure."

MR. SPEAKER:—"I agree with the hon. Member, the Leader of the Opposition. The Hon. Minister says that he did not say any such thing. Let us take what he says."

THE HON. SRI KALA VENKATA RAO:—"Sir, we always use the words, party in power, the party behind Government, etc. I do not think there is anything wrong in using such words, as long as I do not say 'you, people, you have no freedom of vote; you should back me up.' I should not use such words. I did not mean it and I never said so. If the impression is there, I cannot help it. Hon. Members can read what they like."

"The question is this. I am not one of those who believe that the present ryotwari system is in any way good. It is not *sanctum sanctorum*, as one hon. Member said. I want to bring estates under the present ryotwari system, until we have a reformed ryotwari system based on progressive taxation, as proposed by me, if my party allows me and if my hon. Friends who take extreme views—left views—would support me. That is a different question. To-day the decision is to bring land under the ryotwari system throughout the Presidency. Then we can modify it or change it. We can change the system itself. I have to tell hon. Members of the House that we have to stick up to the ryotwari level whether the rates are low or high."

"Now, Sir, the criticism is this: 'You bring down rents which are high; why should you level up rents that are low?' That is the main object with which hon. Members have spoken. Now you have to consider two things. One thing is what is the total area in which low rents will have to be levelled up. In the

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luncheon interval I tried to pick up some cases which are now ready for notification for rent reduction. In about 1,000 cases six cases only there can be anything like enhancement of rent. Even that increase will be in annas but not in rupees. That is the position. There must be some principle on which we have to proceed. So I cannot accept the amendment. I tell hon. Members that the number of cases involved is very few. My hon. Friend, Mr. Kaleswara Rao was haranguing that the ryots are being sacrificed at some altar or other and that neither he nor I can face the villagers. I tell him that there will not be many villager—not thousands and lakhs—whose rents will have to be enhanced. This kind of argument need not have been introduced now. Levelling up of a taram will be only by 2 annas but not 2 rupees. Even the taram in ryotwari areas varies considerably, from Rs. 14 right down to 4 annas or so—the lowest rate. Perhaps in a few zamindari areas, in the case of some dry lands which may not be under cultivation, the rate per acre may be 2 annas or 3 annas. The difference in the rates will not be very much. We may have to answer criticism in a court of law. This is a Bill for the abolition of the zamindaris and conversion into ryotwari lands. There is a Telugu saying:

'సుప్రసిద్ధి చియ్యము లే, నేను ఉపకరించుకొన్నాను. మనము అన్నము
కందుకొని తింటాము.'

It means: you bring rice and I shall bring chaff; we will mix them; we will clean it by blowing by our mouth and then eat it. Our difficulty will be to defend the Act in the Courts. You don't forget that gentlemen are threatening us that they will go to a court of law."

SRI K. BHASHYAM:—"There is no reference to the civil court at all in the Bill but only to tribunals."

THE HON. SRI KALA VENKATA RAO:—"There are very intelligent advocates who can find lacunas in everything. Such advocates are not lacking even in this very House."

"I would like to refer to one more point. Unnecessarily, the opinion of the Congress President has been referred to in this House. I have already stated that I am not prepared to discuss in this House what the Congress President or the High Command said on this matter. What has been stated is incorrect. For what I am doing, I have got proper sanction in writing. As I have said in the beginning, perhaps I would have reacted differently if I were free like the back-benchers. Now I am in a different position. This is a ryotwari Conversion Bill and you cannot have different kinds of ryotwari systems in the same Bill. The total effect of the amendment will not be such a great loss to the tenant. Millions of ryots, poor ryots and voiceless ryots are not going to be affected by this amendment. Therefore, I am sorry I am unable to accept the amendment."

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* SRI R. V. SWAMINATHAN:—"Sir, may I ask the Hon. Minister two questions? One is whether the principle of not enhancing the existing rent was accepted in the Rent Reduction Act that was passed. Another point is this; suppose in a particular estate—a small estate—where in all the villages the rate is lower than the ryotwari rate and the ryots and the zamindar come forward and ask the Government not to abolish the zamindari and that they are prepared to be under the zamindar—what will the Government do in that case?"

THE HON. SRI KALA VENKATA RAO:—"Regarding the second point, I wish to say that they will have to live with us. If they wish to do so, they have to enjoy or suffer as we do. With regard to the Rent Reduction Act we have decided that it is a temporary measure. As I stated at that time, we wanted to finish rent reduction in a few months. There was no time to go into details. This point does not arise at all with regard to the present Bill. It is entirely different."

* SRI A. KALESWARA RAO:—"Sir, it is a matter of commonsense and equity that rents in the cases I mentioned, should not be increased. That is a simple principle. The legal and scientific arguments advanced by the hon. Member, Mr. Varadachari, are ununderstandable to people of our calibre and understanding. What we want by this legislation is rent reduction. This Bill is intended to give relief to the ryots. If we go to the village and the ryots refuse to pay rents, there will be lot of trouble to the Government, and to the party which he claims to be behind him. In the Rent Reduction Act, it was specifically provided that no rent should be enhanced. If the same principle is provided in this Bill, there will be nothing wrong. Even the ryotwari rates are not uniform in all districts. They depend upon circumstances and local conditions in various districts. The rates vary. You think of a uniform system advocated or enunciated by the Hon. Revenue Minister—a great scientific system enunciated by scientists and financiers. These are all mere words which we cannot understand. What really happens is there are many uneconomic holdings. They suffer. If 2 annas are increased to a rupee, the poor man suffers much more than a rich man who pays Rs. 25 or Rs. 30. He would struggle for his livelihood, maintenance and his very existence. My hon. Friend says that the percentage of such cases will be only 6. If so, let him accept my amendment. Even if it is more, he would not accept it. Anyhow he is not prepared to accept any amendments. I am accustomed to his reply. We cannot expect anything more from him. If it is not unparliamentary, I wish to say that he is stubborn and he sticks up to the exact position he has taken on somebody's advice. He is impervious to any advice given to him. He goes on according to his own notions and inclinations. It is useless on our part to try to influence him. I am very sorry that the Hon. Minister is impervious to all equity and good sense in the matter of helping poor ryots."

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THE HON. SRI KALA VENKATA RAO:—"Sir, if I have no good sense, etc., the hon. Gentleman is also to blame. I was Assistant Secretary in his organization for a long time and he has not trained me not to be impervious, etc. Whatever that be, I feel that I am reasonable enough in my assumptions as well as in regard to the Bill. If it falls short of the expectations of my hon. Friend, I cannot help it. There is no use of accusing me of want of commonsense or lack of sense and so on. Sir, I am unable to accept this amendment."

The amendment was put and lost.

* SRI K. BHASHYAM:—"Sir, I beg to move the following amendment:—

'Add at the end of sub-clause (2), a new clause (c) as follows:—

"(c) Such a notification shall be published as soon as possible after the passing of the Act and shall be submitted to the Legislature for approval."

Sir, it is laid down in the section that the notification should embody the principles adopted in making ryotwari settlements in ryotwari areas. The principles they are going to adopt are a vital matter both to the ryot and the landholder. The ryot should know what he is going to pay and the landholder should know what he is going to get by way of compensation based on the basic value. Therefore, these principles should be made widely known and also submitted to the House. In olden days, we have always been complaining against the survey and settlement operations and one of the resolutions of the Congress in the olden days related to the abolition of the periodical survey and settlement operations. But there was a foreign government then. Now if the assessments are revised, it is only our Government which will benefit. Therefore we need not fight against resettlements. In the olden days, it was notorious that every resettlement meant a rise in the rates. The Government used to issue instructions to their settlement officers to increase the rates by 12½ or 25 per cent. The Survey and Settlement Officers had their own principles and instructions to adopt. There has not been one survey and settlement operation in the Presidency in which the rates had not been enhanced. Therefore, the principles to be adopted are very important and they raise in my mind various apprehensions. I do not know whether they will take into account the fertility of the soil, and if so, to what extent, how many tarans there will be and so on. There is already a Survey and Settlement Manual which gives the necessary instructions. What other principles are the Government going to notify now? Evidently, the Government have got some principles up their sleeves. By all means, let them have them. But let them be published and then let them be settled by this legislature. They should not be left to the sweet will and pleasure of the Government. This is

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merely a procedural matter. If the amendment is reasonable and if it is according to commonsense, it will be accepted by this House where the Government have got a majority in their favour. It is a very modest amendment. The Government have been fighting shy of civil courts. I do not think they will take everything away from the legislature also. If the legislature gives its approval to the principles, the Government can go on with a clean conscience and they will not be troubled with the idea that they have been partial or unnecessarily restrictive in these matters."

* SRI T. VISWANATHAM:—"Mr. Speaker, I have great pleasure in seconding the amendment moved by Sri K. Bhashyam who has put the case with his characteristic clearness. The Government have been saying that they have got a proposal to codify the land revenue laws and bring them before the legislature. Therefore, it is quite clear that they will not fight shy of the legislature. If that inference of mine is correct, then my further inference that they would accept this amendment would also be right. If they do not accept this amendment, it shows that, though their mind and will are for the amendment, they do not want for particular reasons to accept any amendment. I do not want my Hon. Friend, Mr. Kala Venkata Rao, who has now raised the temperature of this House to a particular degree, to cast away this amendment. There is great force in what Sri Bhashyam has said, namely, that we do not know the principles. When we are going to bring 128 lakhs of acres of land barring certain forests and hills under a ryotwari settlement, this House should know the principles. It might be said that we already know the principles of the ryotwari settlement, but things are going on in a very different way, and nobody knows how these principles would be applied.

"Sir, I shall just give one instance about the application of the Rent Reduction Act which was recently adopted by the Assembly at the instance of the Hon. the Revenue Minister. For a small village, the estate-holder was paying a peshkash of Rs. 180. The Rent Reduction Officer has reduced the rent to Rs. 160 or so. In another estate, the income was Rs. 36,000. It is in the hands of a Receiver appointed by the court. The Receiver is the Revenue Divisional Officer. The peshkash and cess for the estate come to more than Rs. 7,400. Now the Rent Reduction Officer has reduced the income to Rs. 9,000. There is no allowance for establishment and irrigation charges. Things are going on like this. Yesterday, I was absent from here. I was at another place where rent reduction operations are going on and these two concrete cases were brought to my notice. The matter was not privately brought to my notice, but I saw a petition by the Receiver before the District Judge asking for instructions as to how he should manage the estate, whether he might abandon the estate or whether the court itself will manage the estate, because the peshkash and the cess were just about equal to the rent

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after the rent reduction. He further said in his affidavit that he had already made an application to the Rent Reduction Officer, the Deputy Collector, to compare the resettlement rates of Palaconda and Yellamanchili which are Government taluks before fixing the rent. He further alleged that the Rent Reduction Deputy Collector did not consider the application but suddenly issued a notification. I submit, Sir, that this particular case only strengthens the argument of Sri K. Bhashyam that we have got a right to know what is happening in the country by way of rent reduction and settlements and resettlements. When you want to bring an entire Province under one settlement operation, we want to know the principles under which it will take place. Sri Bhashyam has said that we cannot be certain whether the officers will stick to the present settlement rules. We do not know whether the Government will change their mind all of a sudden and issue fresh instructions. They have got a right to do so, but the people and their representatives in the legislature have a right to know what is going to be done when long established principles are being changed. When nearly one-third of the Province is going to be brought under a new settlement, it is only proper that the principles should be brought before the House and clearly discussed and approved by the House. Therefore, I have great pleasure in seconding the amendment of Sri K. Bhashyam."

SRI V. RAGHAVAYYA:—"Sir, I have great pleasure in supporting the amendment of Mr. Bhashyam, particularly when the Government have taken ample powers under sub-clause (4) of clause 21 and provided that neither the settlement notification nor any order passed in pursuance thereof shall be liable to be questioned in any court of law. When they have got this drastic safeguard, it will be better if the Government bring the notifications that are to be issued under this Bill before this House. Further, Sir, the application of the settlement principles has been very arbitrary. No settlement has ever been resettled afterwards. In sub-clause (3) it has been said that the rates of assessment shall be liable to revision from time to time, but to my knowledge or memory I do not think there has been any settlement once made which has been revised till now. From past experience we know that it is only the Revenue Divisional Officer who is going to decide the fate of the ryots. He fixes some rate arbitrarily and no court of law can question it. The Government are too busy to look into it. If everything is left to the Revenue Divisional Officer to settle, the fate of the ryot for the next 30 years is determined. Once the settlement is made, it is not possible to question it, because the tendency of the Government is to enhance the rates if possible and not to lose the revenues. My suggestion therefore is that these broad principles which are not known to us and which have been always based upon arbitrary orders ought to be brought before the House for approval. I accordingly support Mr. Bhashyam's amendment and request the Hon. Revenue Minister to accept it."

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THE HON. SRI KALA VENKATA RAO:—"Mr. Speaker, Sir, if this were a request to discuss the principles of settlement in this House on some day irrespective of this Bill, I would have said 'yes'; but this is a demand to bring before the House all the 5,810 notifications. The House will hardly have any time to discuss all these notifications, nor is it just that such a demand should be made by hon. Members of this House. The question has become somewhat archaic, because settlements have been abandoned from the year 1934 onwards, and I do not think there will be any resettlement any more because, as I have already said, we are going to modify the land revenue law, and perhaps under the new law, any change in the taxation of the land will be subject to the approval of the Legislatures. That Bill will have to be considered by this House on a later date and if that becomes law, we will abandon the present form of settlement and would apply the new Bill to the zamindaris after that event. Therefore, if you want to have the rules, I shall arrange to get those rules of settlement printed and supplied to all the Members. If necessary, we will later see about the discussion; but as far as this amendment is concerned, I do not think there is any need to incorporate it in the present Bill."

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, the very arguments advanced by my hon. Friend go to support my amendment. My friend says there are as many as 5,810 notifications in respect of this matter. I think on that ground it is necessary that such a stupendous task he is going to undertake should be shared by all of us; let the Legislature take a portion of his burden and thereby lighten his task."

"Secondly, Sir, we must know what are the principles to be incorporated in these 5,810 notifications? Are not survey and settlement operations going on to-day? Is there not a Survey and Settlement Manual containing 600 or 700 pages and what does that contain, if not the principles? I respectfully ask the Hon. Minister whether he knows there were settlement operations prior to 1934 periodically and what was being done then was naturally done according to certain principles. Therefore, I ask what are the new principles that are now going to be incorporated in respect of this matter? I respectfully request the Hon. Minister if there is any principle which he is going to adopt; if so, it ought to be placed before this House. In such an important matter as this, which may take five, ten or even more years—unless you are going to abolish the land tax altogether and put in something like a progressive tax in its place—which will affect a large number of landholders and also millions of ryots, the whole thing should necessarily be placed before the House. The Revenue Minister is a great friend of the ryot, he eats for him, he drinks for him, he pleads for him and he lives for him and yet such a man to say like this, I am not able to understand at all. So, I respectfully

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ask the Hon. Minister to accept this amendment which is a very simple one. If the notifications are placed before the House, everybody is not going to discuss them; if the principles are all reasonable, they will not be discussed at all; but if they are unreasonable, of course there must be discussion; and criticism there will be. And why should you be afraid of criticism? You ought to make the whole thing public; allow public opinion to play upon it for the purpose of arriving at the right and proper thing. If anybody says, 'I am not going to do so' I must necessarily say that I suspect there is something behind it all."

THE HON. SRI KALA VENKATA RAO:—"Sir, Mr. Bhashyam need not have any suspicion about it. No member who knows the procedure in this House would like that all the 5,810 notifications should be brought before the House. We all know how for discussing a Bill of less than 500 amendments we have already taken so many days; and if we begin to discuss all the 5,810 notifications, and then think of taking up the settlement, well, I may say it can be done not in this generation but only in the next generation. I promised my friend that the rules would be laid on the table of the House; and even if necessary, we shall circulate them to the Members of the House so that they may go through them. If there is any difficulty, of course they may tell us and we shall modify anything that may be necessary. Therefore, Sir, I am unable to accept the amendment."

The amendment was put and lost.

Sub-clause (3).

THE HON. SRI KALA VENKATA RAO:—"Sir, I beg to move that in sub-clause (3), after the words 'all rates of assessment', the words 'imposed at a ryotwari settlement' be inserted. This is only to make the matter very clear."

The amendment was put and carried.

MR. SPEAKER:—"Clause 21 as amended is now for the vote of the House."

* SRI K. BHASHYAM:—"Sir, now that my amendment has been lost—the amendment saying that the principles should be discussed on the floor of this House—the Hon. Minister must have at least the goodness and the kindness to agree that it is not fair to say that anything done by the settlement officer should not be subjected to the scrutiny of the court. No doubt I have not given notice of such an amendment, but I am criticising the clause itself as a whole. As a matter of fact, you want some authority to check the action of the settlement officer. It is not as if you can take it upon yourself by laying down a principle; as after all, the principle has to be worked out by thousands of officers under you. Whether they are applying the principle properly or not has got to be checked. In respect of some other matters, some tribunal can be approached at least; but even that is

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not to be had here. In respect of many acts and decisions of the survey and settlement officer, there is an appeal to the District Judge and again to the High Court; but so far as these survey and settlement operations are concerned, you have no such safeguards. And why should not the settlement operations in this case be subjected to the ordinary rules obtaining in the survey and settlement department? Why should we say that those safeguards should have nothing to do with these operations? This is a dangerous thing, and I am afraid it would give liberty to all the officers of Government to act as they please and arbitrarily too and perhaps not with that amount of care which is necessary and will be bestowed in case there is an appeal."

* SRI R. V. SWAMINATHAN:—"Sir, I want to make an appeal and a request to the Hon. Minister. The amendment moved by Mr. Kaleswara Rao and seconded by me has been lost. The Hon. Minister should have noted what the Members of the Opposition said so vehemently and seen how Members of the Congress Party were supporting them and how they were expressing their feelings in the matter. Though the amendment has not been accepted, at least when framing the rules he must see that justice is done to the ryots. If there is a small estate in which the rate is lower than the ryotwari rate, he must see to it that that estate is not affected and thus help the poor ryots in that area. I only wanted to make this appeal to the Hon. Minister, Sir."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, the Hon. Minister said that 5,810 notifications have to be issued—a big number—and he asked 'will it be humanly possible to bring all these notifications before the House?' It is not a correct statement of what is going to happen. What the amendment asks for is that the notifications should embody the principles. (The Hon. Sri Kala Venkata Rao stood up to speak.) I am very sorry the hon. Minister is anticipating what I am going to say. One may be very intelligent, but one should not be too intelligent. I do not think all the 5,000 odd notifications will be debated upon by all the members; the representatives of the people in this House want to know the principles and approve them, that is all we ask. He also said, Sir, 'if it came in the form of a request, I would have said "yes"'. That expression which dropped out from the mouth of the Hon. Minister does not augur well for all of us. He thinks we must go to him only with a request and not with amendments here; I would appeal to him not to adopt that attitude hereafter. I think a Minister should not demoralise the nation by standing up in this House and saying 'let it come to me in the form of a request.' I do not know, Sir, whether he fully understood the implications of what he said; it certainly hurts all of us when he says 'let it come by way of request and then I will accede to it.' Of course I will be glad to be told that I have not correctly understood the Minister; and if that is not what he meant, I shall not pursue the matter further. As I said, we want to know the

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principles and I submit that the Hon. Minister, with or without this amendment, with or without this Bill, must bring forward the principles of ryotwari settlement before this House."

THE HON. SRI KALA VENKATA RAO:—"The amendment of Mr. Bhashyam was 'such a notification,' i.e., in the singular; it does not say that the principles should be brought before the House for discussion. Mr. Viswanatham has unnecessarily worked himself up to a frenzy when there was no need for it. What I said was that it was a matter of bringing 5,810 notifications before the House but if the House desired to discuss any principles at any stage, it would be open to them to do so and that meanwhile I would circulate them. I think that was a fair offer over which one need not get angry. Anyhow, Sir, I move that the clause as amended may now be put."

SRI K. BHASHYAM:—"Clause 21 itself refers only to 'notification', and so my amendment 'such a notification' is quite all right."

Clause 21 as amended was put and carried.

II.—ADJOURNMENT MOTION *RE* ECONOMIC CRISIS.

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, Sir, I beg to move that this House do stand adjourned to discuss a definite matter of urgent public importance, namely, the serious economic crisis that is now threatening the Province by the policy of the Government in spite of the advice given by the Central Government. 4p.m.

"Sir, in my view, since the assumption of office by the popular Ministers in 1946, there has never been a time more anxious than to-day, not only for the Government of the country but for the entire people. Sir, to any average citizen, the situation in the country, the general unrest in several parts of the country, the travail and tribulations of the millions of our countrymen in many other parts of India and the economic deterioration in the country, should be evident. We, in South India who have so far been saved from the horrors of mass evacuation, and the troubles and unrest, have had other kinds of troubles. We have gone through the food crisis on several occasions during the last few years and we are thankful to Providence that with the good-will and co-operation of every section of the public we have been able to get through so far. (At this stage the Deputy Speaker occupied the Chair.)

"Madam Deputy Speaker, I can confidently say that even the stoutest of hearts would have weakened on such occasions. The silver-lining in the cloud should be the courage, wisdom and vision which some of our leaders still seem to display. That is our good fortune and we only want that kind of leadership to prevail in all other parts of India. Our responsibilities on matters like this have become very serious and onerous ever since the birth

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of freedom. Formerly, it would be easy for us and convenient for many to blame the third party, the Imperialist British ruler, but to-day he is not here for us to charge him. Therefore, it behoves us to take stock of the situation in the country and assess the position from time to time.

“ Madam Deputy Speaker, apart from the copious newspaper reports that are coming to us about the activities of the Government of India, and more than the activities, the anxiety of the Government of India, to the recently deteriorating economic situation in the country, the Hon. Ministers of the Government who have had occasions to visit the Centre in the recent past should have had a real inkling into the whole situation at first hand. I can only say that this is a great new danger that is threatening us and it will require the strength and co-operation of everyone of us to overcome this. Political unity, we have not yet achieved in full and we are trying to achieve it. Some will say, we have already achieved it, but we can confidently say, we have not achieved that amount of economic stability and financial stability which a big country like this should have. The Presidency of Madras is not a small territory in the Union and if a big part like this gets weakened financially, I should say it is a bad augury for the entire structure of our country and a serious threat to the economic stability of our country.

“ Madam, while I am fortified in the belief that the new danger will be overcome with courage and vision by our leaders, I am distressed, at the same time, to find that our Provincial Government are not able to appraise aright the suggestions of the Central Government. It is very rarely that the Central Government comes in time with proper advice; it is only on golden occasions like this that the Central Government have come forward boldly to give advice to the Provincial Government and it is to be hoped that the advice on this occasion will be heeded. We have had reports of the Premiers' Conferences and the Food Ministers' Conference. Madam, let me not devote much time to-day to the food situation, for the question of the food situation has been discussed from time to time in this House, but suffice it for the occasion to say, that our stocks are meagre and the prospect is bad. Burma, as you all know, is completely in disorder and it is not possible to expect that Burma will produce its normal quota of paddy and much less will be in a position to export any quantity or even the usual quota which she has been sending us all along. To our bad luck, in North India we have had bad floods and that will reduce the food-stock in that part of the country. And these, Madam, I submit, will not help to bring down the high price level but will tend to make prices go up still further and this is the biggest problem that is facing the politician of to-day. It is because we are anxious to bring down the price-level that we are thinking in terms of many proposals, of control, more stock, movement and all sorts of things.

“ On this occasion, I should say that if we have reserve funds, they should all be used for good purposes. But, I believe they are

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dwindling and they will have to dwindle still further. If they should be useful they should be useful for good work. I should like the reserve fund to be used for constructive work and it should be useful for subsidizing food for the poor people. When food is there people will get it, but when there is a shortage of food and people require more, they will even stealthily obtain it at high cost, unless you subsidize food and give a reasonable quantity by spending whatever amount is needed from the reserve fund for the purpose. Why I am thinking of the use of the reserve fund for food will be presently seen when I refer to Zamindari Abolition Bill and the amount the Government have to pay by way of compensation. Though I welcome it, I should say it should not be the only objective of the Government. They should consider deeply whether they are wasting money in other channels. The Finance Minister should see that he has an enormous amount to give to the several departments for constructive development works. It is already a notorious fact that many schemes are already being shelved. I have been told that many useful schemes for building colleges and schools which have been sanctioned, are likely to be stopped and new schemes thought of seriously will not be coming—I am referring to the abandonment of development schemes.

“ Madam, this is an occasion which demands bold and strong statesmanship. It has become a common bogey to say that people in the country will not like if we do that. I am honestly convinced that if a particular action is right it will have the support of the country. I can say honestly that this Government should not proceed with socio-political experiments like Prohibition. On that issue they will go to the country and get re-elected in large numbers. I can give them that hope. I am sincere in suggesting this to them for the country is really fed up with the Government's method of wasting money and not serving the country. Nobody is against Prohibition and I can say that I am one who is strongly in favour of Prohibition. I have supported the policy of the Government on the floor of this House, but I am one of those who have been and who have felt that Prohibition is not a success and it is an open secret that the Government have not been able to enforce it. Apart from this you have to spend enormous amount for its effective enforcement. It is said that the great Prime Minister of India when he visited this Province last did an act of real service to the Madras Government, but it is a great pity that the Madras Government did not avail themselves of the advice given by the Prime Minister of India. The Prime Minister of India is supposed to have advised this Government to go slow in the Prohibition plan. Of course, nobody wants Government to drop Prohibition, but the only question is, whether it would not be wise to put it off by a few months, because there is a lot to gain by putting it off for a few months. You will get a lot of money, which in turn will go to the poor man in the Province. I think there is no sense of shame attached to this and I should honestly say, there is no question of prestige involved in this and there is

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also no question of going back on it. Of course, the Government have to deal with situations that may arise from day to day; for instance, whenever there is a police firing, they have to go into the question of police excesses and things of that sort. I say it will be really manly on the part of the Government to make a decision or unmake a decision, but they have already made a decision with regard to the extension of Prohibition. I would only say that this is a case where we cannot afford to lose so much of revenue. I will be untrue to myself, Madam Deputy Speaker, if I do not utter a grave warning to the Members of the Government who have the opportunity to shape the destinies of this Province for the moment. Madam, I can speak for a long time about the necessity of the financial stability of the Province and the good that will follow from it and if it is not financially strong, in what way our Province will be hampered, but since everybody knows this subject, I do not want to take up the time of this House. But, let me once again say on the floor of this House, as I have repeatedly stated before, that if the financial stability of the Province is affected, it will not only cause the abandonment of many useful schemes, but will also endanger the loan policy of the Government. I challenge the Madras Government that they will not be able to raise a loan in the public market to-day. Let the Hon. Finance Minister, apart from replying to the debate to-day, go to the market to-morrow morning or the day after to-morrow for a five-crore loan—it is only a very small loan compared to the twenty-crore loan which the Government of India have announced this morning—at 2½ per cent and I can say he will not get even this five crores.”

4-15 p.m. THE HON. SRI B. GOPALA REDDI:—“ Question. Suppose I offer 3½ per cent interest? ”

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—“ I am glad to hear it. I see the Reuter's Correspondent is here and I am sure he will be noting down what the Hon. Finance Minister has been saying, and it will reach Delhi to-morrow morning and the Finance Minister there and the whole world will be shocked to hear the statement made by the Hon. Finance Minister of Madras. Investors like me will be jubilant over it and people will rush in to invest their money. I am one of those people who have been saying that to check inflation, the State should offer high rates of interest, and then cheap money will rush into the coffers of the Government. If you offer 3½ per cent interest, insurance companies will invest their money in Government loan. But, why do not the Government do this? For they believe sincerely it will not stop there. It will go on in a vicious circle, and they will not be able to repay existing loans. I do not say this is a new idea of mine; it is the old idea of every economist. If the Hon. Finance Minister will float a loan at 3½ per cent, I am prepared to underwrite it straightaway without any commission. (Laughter.) I shall not claim any commission for underwriting the loan.”

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THE HON. SRI B. GOPALA REDDI:—“ That is only a hypothetical interruption, Madam.” (Laughter.)

RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—“ Any way the Hon. Finance Minister has brought this forward to continue the proceedings so long. Anyhow the proceedings of this House cannot be expunged easily, and so what he has said will be there on record.

“ Madam, many schemes of this Government have come to a standstill for want of funds. They cannot start them unless a loan is floated. They cannot invoke the confidence of the people by socio-political experiments, which have proved to be a failure financially. So I would urge on the Government in the interest of taxation policy and loan policy, that it is wise to go slow without giving up the ideal of Prohibition. Madam, what the country needs most to-day is not speeches on the floor of this House. The people want food, clothing and shelter. The Hon. Food Minister is here; he has done his best in a hard job; and he has a hard job in the coming few months; if only he had a few more crores of rupees, he could do it easily; and he hopes to get subsidy from the Centre. As regards cloth, unless you put in the country cheap utility cloth, the problem cannot be solved. As for shelter, it is a notorious fact that Government are not able to put any scheme into operation. The less said about shelter it is better.

“ Madam, this is not doing service to the country. With all the pious wish of mine and of those who may speak after me, this is left to those who have an opportunity to do good. It is for them to choose to do or not. I do not want to fish in troubled waters. I am not concerned with their party affairs and party politics. I hope the party will rise to the occasion and give support to my motion. It is openly said that the party is not willing to give a free hand to the Ministry with regard to Prohibition; the party is insistent on extension of Prohibition. The party is intertwined with those in authority, who really have to explain and convince the party about the futility of extension of Prohibition. Unless the party gives freedom to Government in this, they will not be doing a real service to the country at this juncture.

“ Madam, last but not least, I wish to refer to the great agrarian reform like the measure which this House has been dealing with during the last two weeks. Madam, this country has been engaged in discussing the legislation for the last thirty to forty years; and we have had enough of it. To-day, more than others, the zamindars are very anxious about it, even more than the ryots. That being so, there should be no delay in passing it. We have said often on the floor of this House that we shall not hamper the progress of the Bill. But it is said, though the Zamindari Bill may be passed, it will not be given effect to; compensation will not be paid. Madam, this does not augur well for the future of this country. It is known clearly that the ryot, who is not happy with his present position, will not be enthused to produce more

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food. We should give him encouragement for that; and how can that be done unless we make him feel he is the real owner of the land? I fail to see any reason why the Zamindari Bill should be delayed in its operation. If you do not mean business, and if you do not mean to pay compensation immediately, please do not proceed with the Bill after 5-30 p.m. to-day; please announce it will not be taken up to-morrow; for it will be useless and waste of time and money to do so. There is no purpose in proceeding with the Zamindari Bill any further, if you cannot pay compensation. If you cannot pay compensation, proceed with the Rent Reduction Act, which you have passed already. Give effect to it; reduce the rent; collect the rent; deduct peshkash and establishment charges and give something to the zamindar till the day when you are in a position to pay him in full.—When I say all this, I should not be understood as though I am for delaying the passing of the Zamindari Bill; or that I want that it should not be passed. Let it be understood that not one of us here stand against that Bill being into Law. I am only saying, in case Government are not able to proceed with the Zamindari Bill in effect, let them proceed with the application of the Rent Reduction Act and give relief to all concerned. I have heard that the Revenue Reserve Fund will be tapped for payment of compensation. I hope it is large enough for that. But while attempting to give compensation from Revenue Reserve Fund it should not be part-payment or a small portion now and the balance later on. If you are not able to pay full compensation, do not proceed with the Bill now. That is the correct position Government should take. In this, the Central Government has given proper advice and also timely advice. If only you pay heed to the timely advice of the Government of India, it will be all right. It is very rarely one gets timely advice, and it will be a sad thing if the Government do not listen to it in spite of strong reminders to it on the floor of the House. I am an optimist, and I do hope it will be possible for the Government of Madras to listen to the advice of the Centre. Madam, it will be, no doubt, a grand sight to see the entire Province go dry on the 80th birthday of Gandhiji, but I should be permitted to say it will be a sad thing to undertake it if it should land us in financial difficulty. Therefore, I say, do not do things in haste and repent at leisure.”

* THE RAJA OF VENKATAGIRI:—“Madam, I have pleasure in rising immediately after my friend, the Raja Sahib of Chettinad who has made a very lucid and convincing speech, in which he made certain suggestions, and also dealt with at some length the economic position of this Province. Madam, I was one of those who dreamt to see the day of our independence, when, I expected the economic conditions to improve and the standard of living of our countrymen raised to a satisfactory and appreciable extent. On the eve of attainment of independence

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there were several planning committees formed and they submitted their reports. Great industrial and business magnates prepared plans about our future. If only even a hundredth part of those plans had been carried out, it would have ushered in an era of economic prosperity and abundance. But there were several obstacles which our revered leaders had to overcome, and it is really unfortunate that such things should follow the attainment of independence. We are really grateful to Providence that things are now improving. And let us hope and trust that there would be planning on well-conceived scientific lines which would result in the economic regeneration of this country.

“Madam, living as we do in the south, which is industrially backward, and contrary to the general impression that we are well off agriculturally, to-day we are suffering from want of food and cloth, and we cannot view with equanimity the prospects that are before us. Every year the economic drain on our Province is to the tune of about 30 crores. And this, if allowed to be continued, without some efforts being taken to check it by larger production and increased manufactures in our Province, I am afraid will make our future indeed rather gloomy.

“Madam, we are advised now that we should put off Prohibition till such time as our finances improve and our economic position gets better. But I hope and trust that it would be possible for the Ministry to review the position as suggested by my hon. Friend the Raja Sahib of Chettinad and see whether the Government cannot put off Prohibition and utilize those available funds for other more urgent and immediately productive purposes. 4-30 p.m.

“Now, Madam, I advert to the question of the Zamindari Abolition Bill. It was well-known to all of us that the Centre has advised the Provinces not to proceed with the Zamindari Abolition Bill without making themselves certain that they would be in a position to finance the scheme. Now after we have got to this stage, the Ministry has been advised by the Centre to put off this Bill also till this Government is in a position to finance this scheme. I understand from the Press interview given by the Hon. Sri O. P. Ramaswami Reddiar the other day that it seems he told the Central Government that the Provincial Government would be in a position to finance the scheme and that since they have progressed so far, it would not be possible for them to retrace their steps or put off this legislation any longer. Madam, though I am opposed to this Bill, it is not with a view to merely put it off that I suggested this. I do not want that after this Bill becomes law, its validity should be questioned because of non-payment of compensation. I have with me the opinion of one of the most prominent lawyers in Britain to the effect that there should be payment of compensation as property is acquired, that it should not be an illusory payment and unless it is paid to the satisfaction of the other party, for the property that is taken over, this Zamindari Abolition Bill will not be valid legally. Madam, to pass a legislation without the wherewithal to finance it and getting it invalidated on that account is a thing which I cannot look upon without

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alarm. It is not only disturbing to the zamindar, but it is equally disturbing to the tenant as well. As was rightly suggested by my hon. Friend, the Raja Sahib of Chettinad, let us defer this legislation for the present, if the Government are not in a position to make immediate and valid payment. Let us adopt some other method after consultation with the representatives of the tenants and landholders to tide over the present situation. It would not be difficult for us to devise a scheme by which we can temporarily put off the legislation and run the ordinary course of administration without any serious detriment either to the landholder or to the tenant. Otherwise, on behalf of the zamindars, we say that the present Ministry has been very hasty and has subjected us to unnecessary hardship and injury, which is not consistent with the principle for which they stand. Madam, for this reason, I would ask the Government to withdraw or put off this Bill till such time as the Government are able to satisfy themselves that they have got the necessary funds to proceed with the Bill. It may be that they may say that they have got the money, but in the interview given to the Press representatives by the Hon. Premier, there is one sentence, which appeared in the papers and which is rather disturbing. He is reported to have said, 'if it became inevitable, the Madras Government might postpone giving effect to this Bill, after it came to be passed into law.' Madam, I would briefly refer to the great harmful consequences that would follow if the Bill is passed into law and not given effect to. This would raise great expectations in the minds of the tenants and if it is not given effect to after it is passed into law, it would not be wrong to assume that they would withhold payment of their rents and thereby a stalemate would be created. For that reason I would appeal to the Ministry—and I say this not with a view to put off this Bill—that if you can pay us, well, by all means pay and take over our estates and proceed with this Abolition Bill, but if you cannot pay us, then for Heaven's sake, do not pass this Bill and create a chaotic state of things which all of us would deplore, because it will then be too difficult and too late to repair the damage that will be caused thereby.

"With these words, Madam, and with the hope that this Bill would be put off and that Prohibition would also be put off, and that economies would be effected in all directions, and that the finances of this Province would be placed on a sound and satisfactory basis, I support the adjournment motion. Let the Government now act with Himalayan courage and revise their policies and utilize those savings in the proper direction and see that both agricultural and industrial production is improved. I make this appeal, not because drink has any attraction to me or simply to put off zamindari abolition, but because the economic future of the Province is so threatening and because I am interested in the future economic prosperity of this Province, that I wish to make this appeal to my Hon. Friend, Mr. Gopala Reddi."

MUHAMMAD RAZA KHAN SAHIB:—"Madam, Deputy Speaker, I feel that this is an occasion when I should speak

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frankly what I consider best in the interests of this Province and of this Government. This is an occasion when I feel that people should not exploit the difficulties of the Government for a small party or political advantage. I have therefore proposed to express what I do feel in my heart.

"Madam, in the first place, no doubt the motion for adjournment has been admitted by the Hon. Speaker, but I cannot understand the propriety and the necessity for an adjournment motion of this kind. An adjournment motion should be for the purpose of discussing a definite matter of urgent public importance and it should deal with one particular matter, or one particular incident and it should be a specific matter of recent occurrence. But the speeches that have been made and the arguments that have been adduced by the Raja of Chettinad and others, covered a very wide field and dealt with a number of subjects. They have talked about food, they have talked about inflation, about prohibition, about the Zamindari Abolition Bill and so on—thank God, the list is not exhaustive by itself—and I am not sure how many more subjects are likely to follow. Madam, I know my hon. Friend, Mr. Gopala Reddi is a very very reasonable man, is a very very considerate man and a very very accommodating gentleman, but I do not know what has made him so accommodating as to admit this adjournment motion. I should like to speak for a minute or two on one or two points which have been raised.

"First, take the question of inflation. I maintain, Madam, that our discussion this evening on this subject is nothing but a sheer waste of time and energy. Whatever we may do or whatever suggestions we may make on this subject of checking inflation, or whatever may be our criticism, they are nothing but a small reflection on the Government of India. I know, Madam, that greatest consideration and greatest attention are being given to this question by the Hon. Prime Minister of India, Pandit Jawaharlal Nehru, and he has again and again been saying that the question of inflation is the most important and urgent of all questions that is confronting the Government of India and this country, to-day. He has been saying that that question is even more important than the question of Hyderabad or the question of Kashmir and the Government of India are doing their best to tackle it. They are doing what is humanly possible in the matter. They have invited economists, industrialists, capitalists, and labour leaders from all over India to make their suggestions in this matter and they have been holding conferences and consultations with the Provincial Governments and other expert bodies and they are going to formulate a scheme to check inflation, not only at the Centre but also in the various Provinces and after that plan is ready, they are going to say to the Provinces, 'well, here is a plan, please act upon it.' When that plan comes up to the Provincial Government, it will then be time and it will then stand to reason for us to insist on a debate like this, and then we shall have an opportunity to express our views on it and to make our suggestions as to how we should fit in with that plan.

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That will be the time for us to demand a discussion and that will be the time for the Hon. Minister to act according to our suggestions and in the light of the criticisms which may be offered by hon. Members of this House. I cannot understand what the Hon. Minister is going to state with regard to the steps he has taken to fight inflation in this Province. We know that inflation is a matter not of to-day or yesterday, but it has been there for the last so many years. It is not a question affecting the Madras Province alone, or one Province only, but it is in existence in all Provinces and it is an all-India question. In fact, it is affecting the whole world and it is therefore a world question. Therefore, it is not a matter entirely for us, a single Province by itself cannot do anything to arrest or check inflation and I do not know what the Hon. Minister is going to reply, and whether his reply will be of any real help to fight this inflation.

"Then, Madam, with regard to prohibition, you know the history and the circumstances under which the Government have launched upon the policy of prohibition and how the whole House has voted in favour of it. Of course some money may now like to vote against it, but these are questions of principle and we cannot go back upon our word, having once supported the Government in their policy of total prohibition, whatever may be our party considerations. This House accepted the prohibition policy about three years ago. The question of prohibition was not a matter of party politics. It was not a matter of religious sentiment. All of us, whether Congressmen or non-Congressmen, whether Hindus or Muslims or Christians, and people belonging to all parties and all schools of thought all agreed upon that policy and voted for it. Then what is wrong with the Provincial Government in going ahead with that policy and extending the scheme to the rest of the Province by October 1948? The Government have already promised that they would make the whole Province dry by October 1948 and we have accepted it and they have provided the necessary alternative taxation to make up for the loss of revenue involved. I say, 'all honour to this Province and all honour to this Government'. I congratulate them for their bold step. In spite of all that has happened behind the scenes, in spite of all that has happened outside this House, in the party meetings or elsewhere, and in spite of the advice that came from Delhi, the Government are prepared to implement the scheme and I say, I have to congratulate the Hon. Premier and the Ministry for their courage in going ahead with that policy and saying, 'when once we have decided upon our stand, we are not going to trace back, whatever the consequences may be' and I once again congratulate them because they have been perfectly right.

"Then, Madam, with regard to the financial difficulties. No doubt, the financial difficulties are there. I am not oblivious to that fact. That has been discussed here on the floor of this House, not once, but a hundred times. It is too late in the day for anyone on this side or on that, to call upon the Government and say, 'You are faced with a financial crisis, why don't you postpone all these schemes?'. Madam, this is not the first time we have been

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offering this advice. The Government are aware of it and it is their business to find out the necessary finance and it is not for us to give advice to the Government in regard to these matters. That is my personal view.

"Then Madam, with regard to the food problem, I am not going to be as nervous as some other Members of this House are. One thing I must say to the credit of the Hon. Dr. T.S.S. Rajan. He has always been obliging so far as this House is concerned and whenever we put questions, whether they are short notice or long notice, he was always prepared to give us full and detailed information with regard to the food situation. Whenever we ask for a debate, he has always been obliging us and we have had very many debates on the food situation and we have no complaints against him. We have made enough suggestions already and I do not know what new suggestions we are going to make to-day, and what purpose is going to be served by a debate on it. The Hon. Minister for Food has been doing his best to tide over this crisis. He has been going to Delhi; he has been making representations to the Government of India; he has had conference with the Ministers of the Government of India and the Government of India also have given out their minds as to the overall food position, and he has finally given an interview to the Press representatives and explained the food situation in the Province. He has also promised us that he is ready to tour throughout the Province and see what he can do increase production as well as procurement and he has assured us that he would be able to meet the situation with confidence. What more do we want? What is it we have got to discuss about the food situation on this adjournment motion? Therefore, Madam, the food situation is not a matter of any immediate importance to the subject-matter of this motion.

"Then, Madam, there is the other important matter, and that is the Zamindari Abolition Bill. I do not like to go into it at any very great length, because the Government already know their actual financial position and they can take a decision upon this question. No doubt the Hon. Premier has said something with regard to the advice tendered by the Central Government and more particularly upon the financial aspect of it. If really the Madras Government feel that they could pilot the Bill through and that they will be able to pay the compensation in some manner or other, it is all right. I have no complaint against that. The only complaint is, that it would have been much better and it would have been of some grace and it would have added to the dignity of this House, when the Hon. the Premier has to say something important about a particular matter which has been the subject of discussion in the House, if he or the Hon. the Revenue Minister had told the House as to what exactly they felt in the matter. Therefore barring that, I do not think I have anything to attack or charge this Government with and particularly the Hon. the Premier, in this matter, except to say what I have stated would have been better and of some grace to this

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House. Matters regarding the food problem, inflation, prohibition and the Zamindari Abolition Bill have been touched upon. I should think, all our discussion to-day is not taking us anywhere. The Hon. the Finance Minister may feel that he has got a lot to reply. I ask him: What is there for him to reply? What are the points which we are giving him? What are the suggestions we are giving him? The problem of inflation is not within the purview of this Government. It is entirely a matter for the Central Government. It is the Government at the Centre that has got to decide as to how best they could fight the inflation and not the Members of this House, Madam."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Madam, Deputy Speaker, if I rise to speak on this important adjournment motion I do so on behalf of the poor people of the Province. I say this because it is just possible that when my Leader, the Raja of Chettinad has moved the motion and another great Raja, the Raja of Venkatagiri has seconded the motion, it may be wrongly assumed that this is a motion which is in the interests of the capitalists. (At this stage the Hon. Speaker resumed the Chair.) It will be wrong, Sir, if that view is taken of this motion. I wish to make it perfectly clear that if anybody in this House, much less any Hon. Minister, takes the view that this is a motion which is not in the interests of the common man and that this is a motion which has been brought forward not in the interests of the masses of the people who are suffering in the Province, it would certainly be wrong for him to take that view. We in this Province must look ahead and take stock of the situation. The inflation has been there as a result of the war economy. As my Friend, the Hon. the Finance Minister, interjected, the inflation is there all over the world. We in this Province have also been affected by the inflated prices. Whatever might have been the nature and extent of the inflation it cannot be forgotten that it is not everybody who is benefited from this state of economic situation in the country. A certain percentage of our people might be benefited by inflation. But the vast masses of our people are suffering on account of this artificial inflation which has been resorted to. Therefore every possible means must be adopted by the Government of India as well as by our Provincial Government in order to bring down inflation. That ought to be the policy of the Government. If we do not do that we won't be helping the vast masses of the people who have not been benefited at all by inflation and on account of the rise in the prices of the essential commodities. Let us examine what the Provincial Government have done to bring down inflation. Can we say that we in the Province are producing enough food which will suffice for the people of the province and which will help us to make both ends meet. Our masses of the people are suffering for want of food, want of cloth and want of other essentials and necessities of life. We are not producing enough to bring down inflation and we are not producing enough to make the province richer and self-sufficient in essential respects. So far as food is concerned we are in no way making our Province

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self-sufficient because we are not producing enough food in our Province. We are mostly depending upon other provinces and other countries for our food. Under the existing conditions we are called upon to pay more and more for import of food from other countries. That is the position so far as food situation is concerned. It is true that my Hon. Friend, the Minister for Food has tried to ease the situation from time to time. He has also given up his case when he found that he had no other alternative but to expose his hand, when practically it became impossible for him on account of conditions over which he had no control in order to find enough food for our Province. In spite of his pilgrimages to Delhi to find food from time to time he has failed miserably in that respect.

"And so far as our cloth situation is concerned, I must say it is worse. There also we have to depend upon the other provinces. We are not producing all the cloth that we need in spite of the fact that we have been depending so much upon the khadi and khaddar. Even khadi and khaddar are not produced to such an extent as to make our cloth position easy. If we produce enough cloth in our Province, if we produce enough food in our Province and if we produce enough of other essential commodities in our Province, to that extent we could bring down inflation, and make our economic position secure. We are not in a position to do so now and we have put our hands up by saying that we are helpless.

"The Government on account of their financial position are not able to give all the essential requirements of the people of the Province. What is it that we see even with regard to the pet scheme of the Government, namely, the Firka Development Scheme? On the other day the Hon. the Minister for Firka Development was telling us that it would take from two to ten years to develop a firka or to make it self-sufficient. From this we can realize, that it is only on account of the slender finances, the empty finances and the financial poverty and bankruptcy of our Province that we are not in a position to develop the firkas to such an extent as to make them self-sufficient.

"The other thing is about education. Can the Government come forward and say that they have done everything for the education of our boys and girls in the Province. Certainly they cannot say anything to that effect. Our education is suffering for want of money. We cannot have any scheme for the removal of illiteracy or to help education being spread, or even elementary education being given on a large scale to the boys and girls of the Province. If the Government exist, Sir, it must exist for the good of the country and particularly the masses of the country. What do we find here to-day? The Government are not able to help and give the essential requirements of the people. On the other hand they put up their hands and say: 'We can't help you, can't help the poor people, can't help the Harijans. We have allotted one crore of rupees for the Harijans but where is that one crore of rupees. What is it that we have done for the Harijans? Of course the amount is there in the budget. How is it

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useful for the people for whom this money has been allotted? Some of our friends might say that it is not our duty to find fault with the Government or to say that the Government are not doing this or that. We are here, Sir, not to attack the Government for the sake of attacking the Government. And we are not here to please the Government simply for the sake of pleasing the Government either. We are here to tell the Government where they go wrong if they go wrong, for we are all interested in the well-being of the masses of the people. If the Government have one view on a subject and if we feel that they are not doing the best thing by the people, we ought to tell them that they are not doing the right thing and that it is not the way of if they really mean to help the people and that it is the other way about, and that they must cry halt to their activities and see that things are dealt with properly."

Mr. SPEAKER:—"The hon. Member Mr. Salam, should finish his speech in three minutes."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"Mr. Speaker, Sir, I rise to support the adjournment motion so ably moved by my Leader, the Raja of Chettinad. Mr. Raza Khan doubted, Sir, whether there is any definite point in this matter. I think it is a reflection on the Chair, Sir, because the Chair has stated that it is a fit motion to be discussed by the House and the Government have no objection. It is a good thing, Sir, that the Hon. the Finance Minister is here and we do not have the awkward position, which we have had so many times, of one Hon. Minister replying on behalf of another. Mr. Raza Khan stated that it is not an exclusive matter for the Province and therefore it is not right that there should be an adjournment motion. With regard to that, Sir, I say we agree that there is inflation in the world, in India and in the Province but it is aggravated here by this Government experimenting on their fads and pet ideas laying their hands on the valuable money reserved by the Advisers' Regime. Can the Hon. the Finance Minister tell us whether he will be able to experiment with the schemes but for those poor people who were criticised, namely, the Advisers, and if they had not kept that money in the Revenue Reserve. Was he not going from district to district and from municipality to municipality saying, 'we do not have money because of Prohibition; even those very good things for which we are trying to take compliments are being done because we had money left to us in reserve'. There is inflation. Are this Government trying to maintain that little reserve that ought to be there? This morning or yesterday morning the Ministers have returned from Delhi. Three contradictory statements have been issued on the food situation. The Premier says one thing about food crisis; the Food Minister says some other thing, and the Food Secretary says a third. I ask the Food Minister whether they are not contradictory to one another. You know, Sir, with what haste the Revenue Minister is pushing on the Zamindari Abolition Bill. You want to have guillotine or 'kangaroo closure' to dispose of this Bill quickly.

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Where is the money for paying compensation to zamindars? In this morning paper it is clearly said 'We do not have the money; the Central Government have no money, and therefore we are not going to finance these schemes'. I know the Finance Minister will reply to this point. But, let me ask him whether he knows how much this Province has to pay for the zamindars as compensation. What are his calculations; when and wherefrom is he going to get the money? Is it proper for the Finance Minister and the Revenue Minister without knowing how much they will have to pay as compensation . . ."

Mr. SPEAKER:—"Order, order. This morning we came to the conclusion that the debate should conclude at 5-30 p.m. Two Hon. Ministers want to take part in the debate, and they are the Hon. Ministers for Food and the Hon. Minister for Finance. The hon. the Leader of the Opposition also wants to have his say. I want to know from him how many minutes he will require. (Interruption.) We came to the conclusion that the debate should conclude at 5-30. Having come to that conclusion, we should not go back on our words."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"There is the statutory limit that the debate can go on till 6 o'clock."

Mr. SPEAKER:—"Even if there is a statutory rule, if the whole House agrees to rise at 5 o'clock, it can do so, and it can have only one hour's debate."

"The hon. the Leader of the Opposition will now tell me how many minutes he requires."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"I want fifteen minutes, Sir."

Mr. SPEAKER:—"No, it is not possible. I shall give the hon. the Leader of the Opposition ten minutes. Let him finish his speech within that time."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Mr. Speaker, Sir, may I remind you in the first instance that it was rather a rough understanding arrived at that we may conclude this debate by 5-30 to-day. It was not a vote of this House. If I may remind you, Sir . . ."

Mr. SPEAKER:—"The hon. Member could have told me that."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"But I understood that it was some rough understanding."

Mr. SPEAKER:—"No; it was the understanding of the whole House."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"On a point of order, Sir. The point of order is that the right given to this House by statutory rules to debate till 6 o'clock cannot be taken away in this manner."

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MR. SPEAKER:—"I must give a ruling on this matter. No doubt the rule says that the debate will continue till 6 o'clock, if not terminated earlier, but if the House says that it can rise at 5-30 it can do so."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"It has not done it, Sir."

MR. SPEAKER:—"It has done it. The hon. Member did not raise his voice then."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"If it is your ruling, I scrupulously submit to it, Sir. Certain words were said about the very nature of this motion. It is with reference to that I thought it proper and my duty to intervene in this debate. I have been hearing all the speakers who dealt with the contents of this motion. I thought that it was a matter of urgent public importance. I thought that any such matter would do harm to public interests if postponed even by a single day. I thought that a case will be made out in that way and I was listening and listening. The speakers were dealing all the same with important topics. Those topics cannot be dealt with in one hour or one day. As a matter of fact, days and days should have been allotted to the subjects mentioned by the speakers but the motion itself is not on those subjects. Several speakers spoke about food crisis, or the food position, cloth position and the housing position, and educational facilities. I do not know, Sir, how they form subjects of an adjournment motion which if not debated now would harm the interests of this Province. A case must be made out to show that the interests of the Province would be harmed if the business of the House is not adjourned for discussing that purpose. That is what my friend, Mr. Raza Khan meant when he said what he said. No member has made out any case that matters are so very urgent. The food crisis has been there for months and months. The cloth position is there and prohibition programme is there. The only case is with reference to what the Hon. Premier seems to have said outside this House. If it is the position of the Government that they could not find ways and means of giving effect to a measure which is being debated here, and which the House is being persuaded to pass. Government should take the earliest opportunity of putting a stop to the expenditure of time and energy of the House on such a measure. Nobody emphasized that point at all in connexion with the adjournment motion. Sir, the question of education, prohibition are important and inflation is a terrible thing. The Government have to put every ounce of their energy to solve these questions. I do not think the Government, particularly our Provincial Government, appreciate the tremendousness of the problem of inflation. This inflation may cost our Province anything. Nobody has said anything about it. Neither the mover of the motion, nor the seconder, nor the supporter has said anything in support of the contention that this inflation must be dealt with immediately. I think sufficient emphasis has not been laid on the point that it is primarily the increase in production, agricultural

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as well as industrial, that is going to cure the country of inflation in a permanent and effective manner. All these things may have been urged, or even they need not have been urged in an adjournment motion."

MR. SPEAKER:—"Who is responsible for that?"

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"The Hon. the Leader of the House has agreed to this motion: perhaps he has got something important to impart to us. It is for that statement we are waiting, and I also agreed to waive my right of speech. Apart from that, I wonder how it is really in the nature of an adjournment motion."

MR. SPEAKER:—"Whether it is an adjournment motion or not, having given a ruling that it is an adjournment motion, the Hon. the Leader of the Opposition is not right in saying whether it is an adjournment motion at all. He must speak on its merits."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Even on the merits, Sir, . . . (Interruption.) You are perfectly right and you are generous in allowing the motion."

MR. SPEAKER:—"Whether there is an economic crisis or not is what I want the Hon. the Leader of the Opposition to impress on the House."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"It is not at all a criticism of the ruling which you have given. As a matter of fact, you know, Sir, that I am not the person to question any of your rulings."

MR. SPEAKER:—"But unconsciously the hon. Member is criticising."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Therefore, I request you to understand me clearly when I say that the Leader of the House also made you think that it is . . ."

MR. SPEAKER:—"It is not he: I have got my independent judgment."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—"Therefore, I say that he has got something important to impart to us. We are awaiting that, and we are very thankful to you on that account for enabling him to impart that information to us."

* THE HON. DR. T. S. S. RAJAN:—"Mr. Speaker, Sir, there has been a certain amount of misunderstanding right through this debate. I want to clear this misunderstanding and make the position of the Government in relation to this particular discussion perfectly clear. The idea of the debate seems to me, according to the adjournment motion, that this Government have been warned by the Central Government to do or not to do certain acts,

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and that they should pay heed to that warning and act in a suitable manner. I am sure that is all what is meant according to the speeches of the Mover, Seconder and Supporter of the Motion. I want to tell the House that the purpose of our mission to Delhi has been in response to a call from the Government of India. The Government of India asked us to go to Delhi to lay their plans before us for a general discussion and also to have a heart to heart talk on the situation that we are faced with, and to give us what they thought to be good suggestions and good advice. We were also asked to state what we had to say. In this exchange of opinion we were greatly benefited both in the matter of the action that we have to take and the advice which we have got to follow.

“ Sir, coming to the food position, I am not making a pronouncement now on that. It cannot be done in reply to an adjournment debate. There will be ample opportunities when I will have time to go through the subject and formulate a policy consistent with the needs of this Province and with the experience we have gained in working it out for the last three or four years, and lay that policy and scheme before this House which, I think, would serve our Province best. Before the House is in possession of those facts, it is next to useless talking about it. In talking about the food situation with the Government of India, the Government of India made us understand the international position, their difficulties in responding to our call for help, and also the limitations that are imposed on us. Perfectly it is a natural thing for any responsible Government to do. So long as our food position is irrevocably connected with the food position of the Government of India, it was the duty of the Government of India to tell us of the difficulties they are faced with, which they have done very clearly. So, we are aware of the limited resources of the Government of India with regard to food. After having had that information, it is our duty to come back here and consider the whole position in relation to our Province. That is what I said by ‘we shall be doing it.’ We are not committed to any plan of action as yet, but I am sure that having regard to the interval between now and the next kharif crop, there is enough time for us to formulate a plan, take public opinion, and see how far we can effectively put into operation the scheme which has been formulated by the Government of India. The Government of India have also told us their views and their plan of action. To that extent we are well informed. We are well advised to proceed upon the information we have secured. This is all with regard to food.

“ Now, I come to prohibition. I am afraid that there has been a lot of talk about this. Sir, it is not as if the Government of India asked us to stop Prohibition. They did not do anything of that sort. They asked us whether we could not go on with our Prohibition programme a bit slowly, in view of the financial commitment that it involved. They gave us the warning that it would be well if we could otherwise manage it. It all depends on the people of this Province. The Government of India gave their

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advice for what it is worth. Sir, this question of Prohibition has been an issue peculiar to this Province. It is not an issue with any other Province that constitutes the Indian Union, to-day. (An hon. Member: Why?) I will tell you why. It is because Prohibition was taken up by this Province years ahead of other Provinces. Secondly, Prohibition has been consistently taken up by this Province, and no other Province has done so, because this sales-tax which we are now asking the people to pay and which we are increasing year by year is primarily for the purpose of implementing Prohibition. I want to remind the House that the then Premier and the present Governor-General in his speech in introducing the sales-tax clearly stated that it was intended to implement the policy of Prohibition. Sir, we are still going on with that tax and there is an increase in yield of revenue under this head. Therefore, there will be no justification for us if we now conveniently back out. The whole electorate and the whole party stand committed to it. Therefore, it is that we are going to put it through deliberately after taking the full opinion of the party concerned. We stand committed to this. Having made up our mind on this question, we sought the opinion of the Government of India for what it is worth. We took their advice and we took their warning with regard to the position of our finances. We brought in such adjustments as we found necessary. Therefore, Sir, we cannot give up the Prohibition programme, unless we withdraw the sales-tax altogether. Now, the more there is enhancement of this sales-tax, the more it will mean that this Government stand committed to it. The Congress Party and the Government stand irrevocably committed to the policy of Prohibition. Unless that position is completely wiped out and until this tax continues, we must get through this Prohibition and there is no escape from it.

“ Then, Sir, apart from a political and economic point of view, we must view this Prohibition from an ethical point of view and the benefits the poor man gets thereby. If we view it from that point of view, we can know how we are fleecing money from the poor man and have been mercilessly taking it for the last so many years in order to enrich our resources. It is quite an unjustifiable revenue and a revenue which we ought not to raise and knowing that it is tainted money, we should end it as soon as possible and if we continue it, we will not be justified in holding this Government.

“ Then, about the question of the zamindari abolition, we have to make provision with regard to finances. We have raised the tax and we must find out other sources of revenue. I am greatly convinced that we are perfectly right in the step that we have taken and that we should take the responsibility to carry on the Prohibition programme in spite of the warning given to us by the Government of India. You will understand that we have done it deliberately and we should get through this Prohibition programme right through. Therefore, let me make the position of the Government perfectly clear. It is not as if the Government of India asked us to stop Prohibition. They have only asked this

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Government to go with the Prohibition programme slowly without expecting any financial help from them on this account. Of course, the Leader of the House will deal with the financial aspect of the question but I am saying this as far as I am asked to answer as part of the Government. Let me assure hon. Members that our finances are not in such desperate situation as compared with the finances of the rest of India. With regard to the raising of loans, it is a matter which is engaging the attention of the Government. It must be remembered that we, as a Provincial Government, are not committed to any uncontrollable expenditure which the Government of India, has, of necessity to incur with regard to wars and such other things, whereby the finances of the Government of India are strained terribly. The only justification the Government of India can have in giving us this warning is this. They say, our finances are very much strained; therefore, do not bring your burden also to be added to it. They are perfectly right to say so. That is what has happened. But, we shall go on with the zamindari abolition also after hearing from the Government of India and then we will give effect to it. We have to meet that responsibility because we, as a Government, declared that there should be the abolition of the zamindaris. The Congress High Command has said that there should be adequate compensation paid to the zamindars and this Government has already accepted that liability of compensation. After having done so, you must be a little more patient to see what is going to happen, instead of saying, "first of all, I must know why this zamindari legislation is going on in spite of the Centre's inability to help us, because the scheme may cost 10, 15 or 20 crores." Sir, whatever it may be, we have to find that money from the Provincial finances. It is the duty of this Government to raise such taxes as are necessary and also with the finances at our disposal, try to satisfy the zamindars by paying them compensation on the abolition of the zamindaris under the Act that we are going to pass. Sir, we are not unaware of our commitments. Well, Sir, the Government of India is overburdened with its own commitments and therefore, we, as a Province, interested in this legislation, have to find out the finances for the purpose. We are not unaware of the responsibility that we are undertaking. Therefore, let me assure hon. Members that this Government will not try to escape out of this commitment arising as a result of this legislation and we shall find the necessary finances for it. I would also say that we are not unaware of the position of the Provincial finances. Hon. Members may take it for certain that under this zamindari legislation, while we take away lands from the zamindars, we shall see that the zamindars are duly compensated. At the same time, we must also see how the lands which we are going to take from the zamindars can best be utilized. It is not as if we are taking a few acres. We are taking away large estates which will constitute the property of the Government of Madras and a property which will get revenue which will go to increase the general finances in future. Now, to implement this scheme, we have to find resources. We have

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reserve of thirty-three crores and this can be used for the purpose of regulating our finances. We shall see how it can be done when we come to the Budget discussions. Then it is time to formulate that policy and to answer that question. But, Sir, the Revenue Reserve Fund which we have now should not be recklessly liquidated because it will stand us in good stead. Raja Sir Muthiah Chettiar asked us to go into the loan market. We shall go into the loan market when the necessity comes and then, the Raja will himself be the first man to come to the help the Government to tide over the difficulty. I am not at all afraid of taking loans—I am not saying this as a piece of dialectics—I am not afraid of taking loans when it comes to that. I may say without fear of contradiction that our financial position is such that anybody including the Raja himself will come forward to give us the money that we want. I am almost certain about it.

"Now, Sir, because the subject has been raised and the picture has been put before us that we are heading towards a catastrophe, I must discuss that point. Sir, I do not think we are heading towards any catastrophe. I must tell this House that the food question is one which I am sure, we could manage. Perhaps we may not manage it gloriously because, I must remind the House that we are a deficit Province. We do not produce enough. We have been running this Government for the last three years without any serious food scarcity and we hope to continue to do so provided we have got the co-operation of this House and also the people in the country. The people should rise to the occasion and they should see that they will not do anything that would reduce the food position in this Province to a speculative level. If only I get the food that I am looking forward to in the coming season, and I hope this monsoon will help us, then I am sure I can go on without anybody's help. In fact, Sir, the year before last, we got no help from the Government of India and they gave us barely a lakh of tons as against the promised four lakhs. We, all of us, and every member of the Government went about from village to village and made appeals to the people. They responded splendidly and gave us the four lakhs of tons from their own resources and we were able to tide over the difficulty. After having that experience, I have absolutely no fear with regard to food. Given the time to strengthen our hands, we will be able to do much. We will even beg on behalf of the poor people of this Province and try to feed almost every hungry stomach. I may not now be in a position to tell you what I am going to do. I will do so at the proper time. It may be statutory rationing; it may be informal rationing or rationing in some other form. Rationing simply means this. You have got a certain quantity of food and you should get it divided equally. That is the way in which we have got to carry on. Is it absolutely easy for me to say that I can give only two ounces and so on? Not at all. After all, considering our food position, we have got enough food to go on till the first week of November. I can easily say that. Between that time and the next crop, there would be a period of about two

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or three weeks and we have to tide over that period of struggle even by appealing for help from the Government of India. I would also appeal to nature to send us some more rain from the north-east monsoon. Then, we would be able to go on without anybody's help. So, let us not raise the bogey of a serious food position unnecessarily. We have done so far very well all these years. We went about begging for help and our food position has been fairly satisfactory in spite of the fact that we are a deficit Province. Our imports have not also been progressively high. Therefore, I say this in respect of this debate that we have got enough data to formulate a good food programme for our Province and we shall do so. There is no use getting panicky and raising a ghost which does not exist. In regard to the finances, there is absolutely nothing to worry about. I would say, Sir, that this Prohibition even though it does not bring in revenues directly to the coffers of the Government, yet it certainly puts enough money in the hands of the drunkards and saves their families, wives and children. It also improves the economic condition of the poor man. Therefore, it benefits the nation as a whole. If we are not taking that money, that money goes to the pocket of the poor man. That is why we thought it was necessary to continue this Prohibition programme and, God willing, we hope to complete this scheme by 2nd October. I am sure all the hon. Members of this House, as well as every citizen of this land, will support this scheme. I can say with complete confidence that the Province of Madras has got to be proud of this scheme of Prohibition. We, as a Province, shall manage it as best as we can. I would like to know whether there has been any failure in this scheme till now. I agree that comparative success may not be there in all places, human nature being what it is; but I do claim that our success in this scheme of Prohibition is no small achievement. We can certainly feel proud of what we have achieved and we shall certainly go forward with our past experience and make the whole Province go dry. Let it be understood that every Congressman and every citizen of this Province, man or woman, must share that pride and share in the success of that achievement and help this Government. Otherwise, this Government has no place and it cannot be called a Popular Government. With that hope, I think the programme of Prohibition will be carried through and those hon. Gentlemen who have some apprehension may feel assured about it. With these words, I request the mover of the adjournment motion to withdraw the motion."

* SRI T. VISWANATHAM:—"Can we not have the privilege of hearing the Leader of the House replying to this debate?"

THE HON. SRI B. GOPALA REDDI:—"Sir, as I said in the morning, I told the Hon. Speaker that I would require half an hour and because the time was taken up by the Leader of the Opposition and the Hon. the Food Minister, I am not going to make any elaborate speech at this stage. I have requested the

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Hon. the Food Minister to reply to the points on behalf of the Government which he has done very ably. Therefore, I need not again reply to this debate."

* RAJA SIR MUTHIAH CHETTIYAR OF CHETTINAD:—"As the purpose of this motion has been served, there will be no use in pressing it. I therefore beg leave of the House to withdraw it."

The adjournment motion was by leave of the House withdrawn.

MR. SPEAKER:—"The House will now adjourn till tomorrow 11 o'clock."

The House then adjourned to meet again at 11 o'clock on Friday, the 24th September 1948.

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