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MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

SATURDAY, 2ND SEPTEMBER 1950

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THE MADRAS LEGISLATIVE COUNCIL.

Saturday, the 2nd September 1950.

The House met in the Council Chamber, Fort St. George, at 2-30 p.m., Mr. Chairman (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Constitution of a Committee to study the working of the Annamalai University Act.

*18 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Education be pleased to state—

(*a*) whether a Committee has been constituted to study the working of the Annamalai University Act;

(*b*) who the members of the Committee and its terms of reference are; and

(*c*) whether the Committee is required to examine the financial position of the University, the conditions of service of the teaching staff and other cognate matters?

THE HON. SRI K. MADHAVA MENON:—"(*a*) Yes.

"(*b*) The Committee consists of the following gentlemen:—

(1) Hon. Sri K. Madhava Menon, Minister for Education and Law (Chairman).

(2) Hon. Sri B. Gopala Reddi, Minister for Finance.

(3) Hon. Sri M. Bhaktavatsalam, Minister for Public Works.

(4) Sri T. S. Avinashilingam Chettiar, M.L.A.

(5) Sri M. A. Muthiah Chettiar, Rajah of Chettinad.

(6) The Hon. Mr. Justice K. Subba Rao (since resigned).

(7) Dr. S. G. Manavala Ramanujam, Vice-Chancellor, Annamalai University; and

(8) Sri S. Govindarajulu Naidu, Principal, Law College, Madras, *Convenor*.

"The Committee has been constituted for considering the question of what amendments are necessary in the Annamalai University Act, 1928 (Madras Act No. I of 1929), in the light of the experience gained in the working of the Act so far.

"(*c*) Though the Committee has not been specifically asked to examine the financial position of the University and other matters referred to in the question, it is likely to consider these matters while reviewing the relevant provisions of the Act."

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Proposals to solve the housing problem in urban and semi-urban areas.

* 19 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Prohibition be pleased to state what effective measures are proposed to solve the problem of housing in urban and semi-urban areas besides the organization of the house building societies and whether the recommendations of the Provincial Housing Committee have been considered in that regard?

THE HON. SRI N. SANJEEVA REDDI:—"Besides the organization of house building societies, the following measures have been taken by Government to solve the problem of housing in the Madras City:—

(1) The Government have sanctioned five schemes of the Madras City Improvement Trust for providing houses and house-sites to the poor, and middle class people. Four more schemes are pending sanction of Government.

(2) The Collector of Madras has been instructed to examine the question of putting more than one family in big houses taken over and allotted under the Madras Buildings (Lease and Rent Control) Act, 1949.

(3) The Government are considering a proposal to move out of Madras City some of the offices which have no Presidency or regional jurisdiction with Madras as a central point. As regards the action taken on the recommendations of the Housing Committee, the attention of the hon. Member is invited to the statement laid on the table of the House in reply to the hon. Member's own Unstarred Question No. 1 of 17th November 1949. The Government are taking such action as is feasible in respect of the various recommendations of the Housing Committee."

SRI R. SURYANARAYANA RAO:—"Is the question of the removal of the offices of the Central Government also under the consideration of the Government, Sir?"

THE HON. SRI N. SANJEEVA REDDI:—"Yes, Sir."

JANAB ABDUL LATIF FAROOKHI:—"May I know, Sir, what is the number of houses actually built by the Government, or with the help of the Government finance to relieve the housing shortage?"

THE HON. SRI N. SANJEEVA REDDI:—"A separate question may be put, Sir."

SRI R. SURYANARAYANA RAO:—"Is it not a fact, Sir, that the Government are requisitioning buildings which were once used for residential purposes, for locating their offices or for other non-residential purposes?"

THE HON. SRI N. SANJEEVA REDDI:—"When it is absolutely necessary, Sir, we shall have to convert residential into non-residential buildings."

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SRI R. SURYANARAYANA RAO:—"Are the Government aware that this is one of the causes for the present housing shortage?"

THE HON. SRI N. SANJEEVA REDDI:—"We cannot help it, Sir. When it is absolutely necessary that we must have some office in a particular locality, say for instance, for the location of a ration office, we cannot but requisition private buildings and convert them into non-residential buildings. But such cases are very rare, Sir."

SRI R. SURYANARAYANA RAO:—"Will the Government examine again how many residential houses have been converted for non-residential purposes, and whether it would not be possible for the Government to release such houses for residential accommodation again?"

THE HON. SRI N. SANJEEVA REDDI:—"I can assure the hon. Member, Sir, that such houses will be only very small in number, and wherever it is possible to release them for residential purposes, we shall certainly do so."

Allegations against the agent for import of sugar.

* 20 *Q.*—JANAB ABDUL LATIF FAROOKHI: Will the Hon. the Minister for Food be pleased to state—

(*a*) whether it is a fact that the Government are allowing sugar to be imported and sold in excess of the ration, at a very high price, by an agent;

(*b*) if so, who the agent is; and

(*c*) the reasons that prompted the Government to appoint him as agent?

THE HON. SRI J. L. P. ROCHE VICTORIA:—"(*a*) No.

"(*b*) & (*c*) Do not arise."

Opening of High Schools in Penukonda taluk, Anantapur district.

* 21 *Q.*—SRI R. SURYANARAYANA RAO (on behalf of Sri B. Bhima Rao): Will the Hon. the Minister for Education be pleased to state—

(*a*) whether the Director of Public Instruction issued orders for the opening of high schools both at Kothacheruvu and Bukkapatnam in Penukonda taluk of Anantapur district; and

(*b*) whether the Government have cancelled the said orders and, if so, for what reasons?

THE HON. SRI K. MADHAVA MENON:—"(*a*) The Director accorded permission for the opening of a high school at Bukkapatnam subject to conditions and informed the President, District Board, that the Director would have no objection to a school at Kothacheruvu also if the District Board's finances would permit it.

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" (*b*) The Government have asked the Director to permit the opening of two high schools, one at Bukkapatnam and the other at Kothacheruvu in the current year as the District Board requested for it."

Allegations against certain Prohibition officials of the West Godavari district.

* 22 *Q.*—SRI P. VEERABHADRASWAMI (on behalf of Sri A. Govindacharyulu) : Will the Hon. the Minister for Prohibition be pleased to state—

(*a*) whether the Government have received any petitions containing serious allegations against any Prohibition officials of the West Godavari district;

(*b*) if so, when, from whom, the number of petitions and the nature of the complaint; and

(*c*) whether the Government have taken any action on those petitions and, if so, what the action taken is and if not, why not?

THE HON. SRI N. SANJEEVA REDDI :—" (*a*) *to* (*c*) The Government have received some petitions containing allegations against certain Prohibition officials in the West Godavari district and they are in various stages of disposal.

" As the correspondence and the investigation connected with these petitions are treated as strictly confidential, the Government consider that it is not in the public interest to furnish the further particulars asked for."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether the cases in which investigations have been conducted will be enquired into, and if so, whether it will be an open enquiry? "

THE HON. SRI N. SANJEEVA REDDI :—" If there is sufficient material, we will refer it to the Tribunal and there will be an enquiry by the Tribunal, if necessary, Sir."

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

II.—MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN :—" I have to announce to the House that I have received a message from the Hon. Speaker of the Madras Legislative Assembly, dated 1st September 1950 :—

' In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras Elementary Education (Amendment) Bill, 1950 (L.A. Bill No. 12 of 1950), as passed by the Assembly on the 1st September 1950 and signed by me for the concurrence of the Council '."

III.—DISCUSSION ON THE FOOD SITUATION IN THE STATE.

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Mr. Chairman, Sir, I beg to move—

' *that the food situation in the State be taken into consideration.* '

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" Sir, since the last debate in the Legislative Assembly on the same question, there has been some improvement in the situation and with a view to inform hon. Members about the present position, a supplementary note [a] has been prepared and circulated to all hon. Members of this House."

JANAB K. UPPI :—" I want to know what supplemental information has been supplied to hon. Members, Sir. Many of us have not received the supplementary note referred to by the Hon. Minister for Food."

MR. CHAIRMAN :—" I was told that it has already been circulated to all hon. Members of this House. I learn that the supplementary note was circulated among all hon. Members through a special messenger. If any of the hon. Members have not received it, they will be supplied with copies now."

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Sir, now that the statement has been placed in the hands of all hon. Members, I would invite them, in the light of the facts and figures given therein, to offer their suggestions and advice with a view to see how best we can tackle the present food situation and tide over the immediate crisis. Though, of course, Sir, the position has somewhat improved since the last debate in the Assembly, still we have got to get over the present difficult period of food-shortage in this State. The Central Government's supplies are also now coming in and as far as our procurement is concerned, we have tightened it up as best as we can and we hope to tide over the situation until the next harvest, when we hope that sufficient quantity of food would be available for ensuring a regular supply thereafter.

" Sir, I need hardly say anything more at this stage, and I would request hon. Members to give their consideration to this note and offer their suggestions to help the Government in tiding over the present food crises in this State."

MR. CHAIRMAN :—" The hon. Member Mr. B. Narayanaswami Naidu has given notice of a number of amendments. I should like to know whether he would like to speak first. If he wants, let him move his amendments one by one and speak on them or let him move them all at once."

SRI B. NARAYANASWAMI NAYUDU :—" Mr. Chairman, Sir, I should like to move them all at once so that they might have a cumulative effect.

" Sir, I beg to move the first amendment standing in my name, which runs as follows :—

' *and on such consideration this Council resolves*

(i) that the Government should dissociate itself so far as Madras State is concerned with the Basic Plan for 1950 *of the Government of India as originally laid down or*

[a] Printed as Appendix on pages 348-353 *infra*.

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revived in April or as it exists to-day and that the Government of Madras State should get the Government of India to secure immediately by import or otherwise a minimum of 1 lakh of tons of rice, broken rice, and millets excluding wheat altogether failing which the control over distribution and the prices of foodgrains assumed by the Central Government in 1948 should be terminated and the Madras State Government be allowed to import itself the foodgrains required;

(ii) that the Government of Madras State should before participating or consenting to any basic plan for 1951 or subsequent years consult the legislatures of the State and obtain its views on the quotas to be obtained by the Madras State both as regards quantity and variety of foodgrains and the Government of the State after the basic plan for 1951 is finalized should place the same before the Legislature of the Madras State for its consideration and action thereon, if any'.

2-45 p.m. "Again and again the Hon. the Food Minister says 'I cannot do anything; it is the Government of India that has asked us to do so.' The whole question is when this Council first discussed this question of food. Is it when practically the year was out, or is it January when the basic plan was evolved in Delhi, or is it when it was reviewed in April or subsequently? The whole question is what is the deficiency and how to meet it. It is pre-eminently a question for this State. Therefore, with regard to the basic plan, they should have the views of the Legislature. We have got the Government of India plan. What is it they have done? They say that according to present estimates, despite the deficiency due to seasonal conditions—reference to this includes failure due to monsoons—the production in 1949–50 is better than last year by 2 million tons. In spite of the failure of monsoon and in spite of cyclone, they want to say that the all-India situation is better. May I ask the Hon. Minister for Food to say what is the estimate of procurement which this Government placed before the Central Government in Delhi in January 1950 in order to get our quota? This is a fundamental question, and, if necessary, I shall sit down to get an answer. What is the quota that was placed before the Central Government in Delhi? What is the figure that was given as the procurement figure in this State? Upon that will depend the decision of the Government of India. Upon that will depend our discussion on this debate. I daresay no answer will be given. Probably it will never be given. The figures must be available with the Food Secretary."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"When we prepared our estimate of requirements for this State, we placed before the Government of India the figure of 8 lakhs of tons to meet the deficit in food this year. This proposal was put before the Government of India as early as January or early February when there was the Food Ministers' Conference in Delhi. Immediately after that, the Government of India said that they were able to allot

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us only 3 lakhs of tons, and they left over the balance to be allotted at a later date. We were assured of more supplies at a later date. It was not until June 1950 a definite quota of another 2½ lakhs was given to us. On the whole out of our request for 8 lakhs of tons, we have so far been allotted a quantity of 5½ lakhs of tons of rice, wheat and other foodgrains. Our requirement was put at 8 lakhs of tons. After this, conditions in our State also deteriorated. Our requirements have increased because the south-west monsoon did not arrive in time. Because of the failure of the monsoon, in several places even the ordinary dry crops failed. Naturally our requirement of food increased as the year advanced until we reached the critical period in July this year."

SRI B. NARAYANASWAMI NAYUDU:—"I am much obliged to the Hon. Minister for Food who had given me the figures. He stated that they demanded 8 lakhs of tons. I have no doubt that they would have demanded so much. What I want to know is, what is the estimated procurement in this State that was placed before the Central Government in Delhi? How much was expected to be procured in this State? The Government of India must know first how much this State expected to procure. What is the figure given to them by the Hon. the Food Minister? What has happened to the 8 lakhs of tons placed before the Central Government? The Government of India stated 'we will give you 3 lakhs of tons'. What is the position of the Government of Madras then? Is it the position of 'Do Do Basavanna'? (What is it?) Hon. Members would have seen the man in the streets holding a bull. Whatever the man says, the bull will simply nod its head. That is 'Do Do Basavanna'. Should the Government of Madras say 'Do Do Basavanna' to whatever the Government of India says? When we want 8 lakhs of tons, and when the Government of India say that they will allot 3 lakhs of tons, this 'Do Do Basavanna' would not do. Another question I want to put to this Government. How much rice did they ask the Government of India to supply? What is the policy of the Government of India with regard to it? (Hon. Members: 'No, No, Basavanna'.) (Laughter.) That is exactly the point."

THE HON. SRI K. MADHAVA MENON:—"Sir, the estimated procurement for this year is 12 lakhs of tons of rice and 1 lakh ton of millets. Last year, the actual procurement was 13·66 lakhs tons of rice and 0·76 lakh ton of millets."

SRI B. NARAYANASWAMI NAYUDU:—"I am going to say that the Government estimate is far below the mark, and has been falsified by the results. Three days ago I wanted this information. Now, I am extremely grateful to the Government for having supplied me with this information. Three days before when I desired the Leader of the Opposition to get this information, this information could not be got. Now, I am very grateful to the Hon. Minister, Mr. Madhava Menon, for the information. Anyhow, this Government estimated that 12 lakhs tons of rice could be procured. The procurement is only 8 lakhs of tons so far. Even according to

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the food note given by the Government of Madras, it cannot exceed 10 lakhs tons of rice. Who is responsible for this procurement estimate? Is it Delhi? The next point is: what did the Government of India say? They said 'no more rice'. Another major decision they took was 'rice is more expensive than other foodgrains', and therefore there should be no imports of rice for the purpose of this decision. Is this what the Government of Madras agreed to on behalf of the people of this State? If the Government of India say 'no more rice', should our Government act like 'Do, Do, Basavanna' and say 'yes'?"

MR. CHAIRMAN :—"I request the hon. Member to maintain the prestige and dignity of this House. Once in a way he can use the term 'Do, Do, Basavanna' but not often. I do not personally like it."

SRI B. NARAYANASWAMI NAYUDU :—"I shall not say any more 'Do, Do, Basavanna.' But it is, what may be called acquiescence or submission to the dictates of the dictators at Delhi What did this Government say when the Government of India said 'We shall not import rice from 1950 onwards'? Did this Government say 'Yes' or did they say 'No'? Why that matter was not brought before the Legislature? The decision was taken in January. Why was this not brought before the Legislature? There is another decision with regard to millets. Hon. Members are aware that millets are the mainstay in rural areas. What has the Government of India said in this matter? They have already indicated that they do not propose to import millets from foreign countries, and hence they cannot accept any allotment of millets under the basic plan. So, it comes to this, that is, no more millets, and no rice. That is the position to which this Government of Madras have brought this State. Is this right? Is it to be approved by this Legislature? Are the Government going to say to the people, 'We shall have no rice' and we shall have no millets and that we shall live only on wheat'? Or are they going to say to the Government of India that we want more rice and more millets? The Government of India say that we shall not have millets or milo, but that we should have only wheat. This wheat is not being used at all in rural parts. Therefore, my amendment really means that before a decision is taken in January or April, the Legislatures should be consulted and their views taken. The matter should be placed before the Legislature after the basic plan for 1951 is finalized. I ask whether the Government of Madras acquiesce in the position that we shall not have rice and that we shall not have millets, but shall have only wheat and milo. What is the economic structure of the Madras Government? Are the Government going to turn this State into a wheat State? I do not propose to go into that question at all now. I ask, is it right on the part of this State Government to say 'Yes' or 'ditto' to the Government at Delhi? The Government of Madras should, before participating or consenting to any basic plan for 1951 or subsequent years, consult the Legislatures of the State and obtain their views on the quotas to be

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obtained by the Madras State both as regards quantity and variety of foodgrains and the Government of the State, after the basic plan for 1951 is finalized, should place the same before the Legislatures of the Madras State for their consideration and action thereon, if any. I submit that this is the minimum that has to be assured. It is not at all derogatory to the prestige of this Government, if they agree to this proposal. On the other hand, it will arm them with necessary powers to impress on the Government of India that we require more allotments of rice and millets. It is a very curious position that plans have been evolved by an authority who is not subject to this Legislature at all. But all the same we are asked to submit to that plan. Therefore, I say that the second part of the amendment is necessary. It says that hereafter the Legislature should be consulted.

"The first part of the amendment refers to the immediate shortage. I wish the hon. Members realize the gravity of the situation. So far as short-term plan is concerned, there is no question of self-sufficiency or attainment of self-sufficiency. They are all goals to be reached. But they cannot be put forward as an immediate solution of the problem. What should be the objective of this Government is the problem. How are we to manage next year? The year 1946–47 is considered a normal year when monsoons did not fail and production was at the ordinary level. The year 1947–48 was a lean year in which monsoons failed, and we had been suffering from famine conditions. The only difference between the years 1948–49 and 1949–50 is that in 1949–50 there was cyclone in the Circars, in the delta areas. Then, what about the 3 p.m
year 1946–47? It was a normal year. The requirements of the Presidency in that year to be imported from outside was about 16 lakhs of tons of rice, about 1 lakh tons of millets and a few thousands of tons of wheat, making a total of about 18 lakhs. In that year, there was no failure of monsoon, no failure of rains and there was no cyclone in the country. Even then, the country had to import large quantities of foodgrains. What is the position with regard to last year? Last year was a lean year and we had procured, according to the figures given in the statement, about 1,366,000 tons of rice, and about 76,000 tons of millets. So, it will be clear that in order to live on the 12 ounces ration, we have necessarily to import at least 18 lakhs of tons of rice. If you give a lesser quantity, there will certainly be more trouble. In this connexion, I may be permitted to read a statement prepared by the Government for the Food Council. It says, 'the shortage of foodgrains is mainly due to the cyclone in the Circars in October 1949, which according to estimates has caused loss of about 3·32 lakhs of tons of rice'. According to the Government statement, the cyclone has caused the diminution in the procurement figures to the extent of 3·32 lakhs of tons. Therefore the estimated output of foodgrains in the State somewhere in January was not at all 12 lakhs but something in the neighbourhood of 10 or 9 lakhs of tons. Again, from a perusal of the figures relating to procurement even in the cyclone-affected districts of East Godavari and Guntur

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it would be clear that procurement has not at all been slack. If more has not been procured, the reason for the same is that there is only very little of stock available. That is the first point which should be noted. A reference to this has been made even in the note circulated by the Food Department, dated 14th/15th June 1950. When there is only very little quantity available, what will be there to procure? As I have said, even in a normal year, we need about 18 lakhs of tons to be imported. So far as this year is concerned, we have procured only 843,000 tons and the Government say that they will not be able to procure more than 2·3 lakhs. Even when we take the wheat and milo, if given, the total will come to about only 13·96 or about 14 lakhs. So, with all your procurement, imports, Government grants and everything else, you will be able to get only 14 lakhs of tons. In the year 1946–47 the figure was about 18 lakhs of tons. Now you have got only 14 lakhs. Thus, there is a deficit of about 4 lakhs of tons. How are you going to meet this deficit? I already mentioned to you that the Government themselves have agreed that there is no slackness in procurement. Then what is the remedy and what is the alternative open to this Government to meet the situation? Are we not to say, as I have mentioned in my amendment, that the Madras Government should get the Government of India to secure immediately by import or otherwise a minimum of 1 lakh of tons of rice, broken rice and millets excluding wheat altogether failing which the control over distribution and the prices of foodgrains assured by the Central Government in 1948 should be terminated and the Madras State Government be allowed to import itself the foodgrains required? I ask what is the other remedy. What else can this Government do to meet the situation and to make up the deficit of four lakhs of tons of foodgrains? In my opinion, the amendment suggested by me is the only alternative open to this Government. We must definitely tell the Government of India that they should somehow or other get us by imports the necessary quota of foodgrains. Otherwise they will be failing in their duty to respond to the requirements of the States in the matter of distribution of foodgrains to the people. If for any reason they could not help us in the matter, we should also suggest to them a way to get out of our difficulty. That is why I have said . . . 'failing which the control over distribution and the prcies of foodgrains assumed by the Central Government in 1948 should be terminated and the Madras State Government be allowed to import itself the foodgrains required'. There is no other alternative. If you fail to help the people, I am afraid there will be serious repurcussions. This should not be lost sight of. When we are facing such a serious situation as the present one and when we are face-to-face with a huge deficit of several lakhs of tons of foodgrains, I want to ask the hon. Members of this House whether it is not our duty to tell the Government of India that we cannot carry on unless they immediately secure by import the full quota of our food requirements? Unless we do this, I feel we cannot successfully meet the present crisis. Therefore I commend my amendment for the acceptance of the House."

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MR. CHAIRMAN :—" What is the idea of the hon. Member with regard to his amendments? Does he want to move each amendment separately and have a discussion on each of them or is he agreeable to move all the amendments so that the House could have a discussion on the whole subject? "

SRI B. NARAYANASWAMI NAYUDU :—" Sir, my submission is that the first amendment which stands in my name relates to what may be called the 'basic plan' and so it stands on a different footing from the rest of the amendments. So, I would like to move by amendments one after another."

MR. CHAIRMAN :—" I have no objection. But I am inclined to think that if each amendment is taken separately, there will not be enough time left to move the other amendments. Anyway, I have no objection."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" I would like to know the procedure, Sir. Are we to have discussion on the general food situation or are we to speak on any particular amendment that is moved here? "

MR. CHAIRMAN :—" The amendment is there. If you like, you can speak for or against it or you can speak on the general food situation. I am not going to restrict the hon. Members' speeches. Each Member can speak as he likes."

* SRI R. SURYANARAYANA RAO :—" Mr. Chairman, Sir, in all the discussions on food, we are always thinking of procurement and the obligations of the statutorily rationed areas only. I would like the Legislature as well as the Government to think of the whole of the population of this State and the obligation which this State has in securing for them a reasonable amount of foodgrains to maintain themselves. According to the statement which the Hon. Minister has presented to the Assembly, our normal production of rice was 49 lakhs of tons and 26½ lakhs of tons of millet. Even then, we were importing 5 lakhs of tons of rice. This year, the deficit in the production is estimated to be 10 lakhs of tons of rice.—these are all the figures given by the Hon. Minister for Food—and 3 lakhs of tons of millet., making a total of about 13 lakhs of tons. Together with the 5 lakhs of tons, viz., the deficit during pre-war years, the overall deficit comes to about 18 lakhs of tons, taking it for granted that since 1939 our population has not increased. If that is so, the targets fixed are not unreasonable and even if we reach our targets, I do not think we will be able to feed the population of this Province. I do not know on what basis the Government of India agreed to give three lakhs of tons and what figures were presented by this Government to them to enable them to come to a decision that 3 lakhs of tons would suffice. Later on, when this Government pleaded hard with the Government of India, they have increased it to 5½ lakhs. Therefore, taking the normal requirements of the Province without the 6 ounces or 7 ounces or 12 ounces of ration and taking the normal requirements of this State on the pre-war population

basis, we require 12½ lakhs of tons more even if we secure 5½ lakhs from the Government of India. I would like the hon. Members of this House to have in mind the overall off-take and not the off-take of the rationed areas only. The Government of India through their Regional Food Commissioner evidently seem to be engaged in doing a sort of propaganda—not against the Madras Government—in trying to convince the public of the State of Madras that they have been very concerned about the state of things in this State and that they have been doing their best. Yesterday morning, a communique was issued by the Regional Food Commissioner representing the Government of India in this State that out of the 5½ lakhs of tons allotted, we had already secured 2·93 lakhs of tons. He says in that communique that some quantities are in transit. Until they are received, I am not sure whether they are meant for Madras or for Travancore or Cochin or Hyderabad. So far as we are concerned, we have received about 3 lakhs of tons. Sir, when the Government of India know that our normal requirements in this year is about 18 lakhs, how could they think that we would be satisfied with the 5½ lakhs of tons of foodgrains. My hon. Friend Mr. Narayanaswami Nayudu wanted this State Government to tell us whether they represented the true facts of the situation in this State to the Government of India and demanded that we need 18 lakhs of tons more. The Government of India must get the grains from somewhere, from other States in India or import them from outside the country. Or else, they should allow us to get the foodgrains that we need from any source that we like. That is the main point. Are we to be tied down to the Government of India which seem to be not at all convinced about our requirements? At any rate from the statements that the Ministers and other officials of the Central Government make, it appears that they seem to think that we can get along with 3 ounces or 6 ounces of rice ration for any length of time. Is it possible, Sir, for any citizen to go on with this 6 ounces rice ration and an overall ration of 12 ounces for any length of time even if this ration is assured?

"Is not the population being slowly emasculated? What do the Government of India show so much concern for? What have they done for us? With great difficulty they agreed to give 3 lakhs of tons more after giving 2½ lakhs of tons first. If the Government of India stick to their allotment of 5½ lakhs of tons, I submit that we may need much more to meet the requirements of this State. In spite of our best efforts to obtain all the surpluses possible in order to feed the deficit districts, we have not been very successful. As my hon. Friend, Mr. Narayanaswami Nayudu, said there are no surpluses in many districts owing to causes beyond the control of the ryots. Therefore, I feel a strong case there is for us to present to the Government of India that they have not taken into account all the facts that affect the interests of this State. The complacency of the Central Government amounts almost to cruelty. To ask us to go on with 5½ lakhs of tons of foodgrains when our needs according to normal estimates are 18 lakhs, is to ask us to continue

long on starvation diet. Is it fair on the part of any Government—whether it is the Madras Government, whether we are ruled by our own people or by outsiders—to ask us to be satisfied with 5½ lakhs? Much is made of procurement. We may be able to procure but if we procure that goes to feed to a certain extent only the deficit districts on reduced rations. When the overall production is less, when the overall off-take cannot be met, it is a crisis which no Government can look upon with equanimity. What my hon. Friend, Mr. Narayanaswami Nayudu, says is 'stand up for your State, tell the Government of India "we are not going to be satisfied with the small quantities you are giving"; tell them that it is their duty, their bounden duty, when they have taken us into their so-called basic plan, to provide us with food'. Sir, the Government of India do not supply us food at their own cost. Every pie they pay for the foodgrains is taken back from us and they must, therefore, supply as much quantity as we need in order to be able to carry on our work, the Government, especially, to carry on the administration and see that law and order are maintained without causing disaffection.

"Then, Sir, I take up the other side. What is to be our future policy? What have the Government to speak of about the future? When we take up the question of future food production in this State, we have to look into what is called 'intensive production schemes'. It is worthwhile examining how far these schemes are likely to increase our production so that to a greater extent we may not be required to rely on the Government of India or help from outside. One of the suggestions which has been made in connection with these schemes is to increase the price of foodgrains so that it may prove an incentive for the ryot to grow more food. It may be asked, 'where is the money to come from; we cannot charge the consumer any more; already we have reached the limit'. Yes, I quite agree. But, Sir, the Government of India have been giving what are called bonuses in respect of food procured. What have we done with these bonuses? They must have been used for the benefit of the producer as well as the consumer. On the other hand, we find that the bonuses have not been utilized for that purpose. Yesterday I elicited from the Hon. the Food Minister in answer to an interpellation certain information which goes to show that these bonuses have accumulated so much as to amount to crores. What have we done with that amount? Why not we allow a portion of it to go back to the producer? I plead, Sir, in that direction there is great scope for increased production. It will afford sufficient incentive to the producer and if the Government of India have to be consulted in the matter, let them be told that we are using the bonuses in a way directly to produce more food by giving encouragement to the ryots. I do not want to quote figures here as they were given only yesterday but I would like the Hon. the Food Minister to examine this aspect of the question. Even a little increase in the price may prove a great encouragement to the food-grower.

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"We are talking of extensive and intensive cultivation. I am told that intensive cultivation is advocated as it is likely to produce results much more quickly than extensive cultivation and the various long-term irrigation and other projects. Again, yesterday, Sir, I put a question which you were pleased to convert into an unstarred question—and it is god because I got a lot of information—to find out how far the hydro and thermal electricity produced in this State is being used for purposes of irrigation. Here I have got the answer. While the production of hydro-thermal energy is increasing, the amount given for irrigation purposes is decreasing though the number of pump sets is increasing! In the year 1948–49, 13·6 per cent—12·5 per cent of the hydro-electric energy and 1·1 per cent of thermal energy—was being used for irrigation purposes and in 1949–50, the total consumption came down o 13·3 per cent. Let us take the number of pump sets. The number of pump sets was 2,212 in 1948–49 and it rose to 2,607 in 1949–50. What I am pleading is unless more energy and more pump sets are made available to the ryots, the prospect of increasing food production is remote.

"Then I come to the distribution of chemical manures. I also put a similar question about it and the Government were pleased to give an answer to that unstarred question. The quantity of chemical manure, imported and indigenous, was 156,000 tons in 1949–50 excluding the 40 per cent of the production of the Fertilizers and Chemicals of Travancore. Let me add this 40 per cent; in that case the total quantity may go up to 166,000 or 170,000 tons. Out of this, it is stated in the appendix to the answer, about one lakh tons have been allotted to the different districts of the State. I ask, what has happened to the remaining quantity, about 60,000 tons? If it is given to what are called the manure mixture firms, for what purpose they are using these manures? Secondly in 1949–50, only 25,758 tons were distributed through the agricultural depots. I do not know what the exact allotment to the depots was. Anyway it must be about 64,000 tons. I want to know whether the remaining quantity was distributed through the distributing firms. If that is so, how much quantity has been distributed straight as fertilizers for purposes of increasing production? What is happening to-day is most of the stuff is going into the hands of those who use it not for food production but for other crops. (An hon. Member: 'Commercial crops'. Commercial crops as an hon. Member suggests. Is it not possible to see that sufficient quantities of sulphate are put into the hands of the ryots so that food may be grown in greater quantities? That will help us to tide over the situation we face at present as far as possible without the help of the Central Government by way of imports and doles. For the year 1950–51 through which we are passing now, the Government have made some arrangements for the distribution of fertilizers. May I know, Sir, whether the Government would see now at least, having seen how the distribution has taken place in the past, that these chemical manures

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which are so badly needed for food production are distributed among food producers only? I am glad that the Hon. the Minister for Agriculture is present in the House and I would beg of him to concentrate and see that every particle of ammonium sulphate that is available is utilized for this purpose. Such demands as of planters and others may be met to the extent that is absolutely necessary.

"I know, Sir, the Hon. the Minister for Agriculture is paying visits to different parts of the State to see how far this intensive scheme that has been introduced in nine districts is being pursued with the zeal and energy necessary. I would like more visits not only by the Hon. the Minister for Agriculture but by the Food Minister and others being made in order that they may sit tight on the staff to execute the scheme quickly so that there may be no complaints from the ryots that the manures they want are not available for them, or the pump sets they require are not supplied. Unless this is done, there is no prospect, as I have said, of this State ever becoming independent of the Government of India or for that matter of any other State. We will always be going abegging and if we have to import foodgrains on our own account, perhaps we may have to spend much more than we can afford. Yesterday, I drew the attention of the Government to this state of things. It might be that the figures supplied to me were revealing to the Hon. the Ministers themselves when they were placed before them. What is past is past. See that in future every effort is made to increase food production . . ."

MR. CHAIRMAN:—"As there are a number of hon. Members to speak on this motion, I would like the hon. Member to be brief."

SRI R. SURYANARAYANA RAO:—"I have nothing more to say, Sir. I second the amendment moved by my hon. Friend, Mr. Narayanaswami Nayudu."

JANAB K. T. M. AHMED IBRAHIM:—"Mr. Chairman, we get periodical reports and periodical statistics about the food situation, but the common man is not concerned with reports and statistics; he only wants food. I shall deal with the question from the point of view of the common man. Sir, this Government have given some statistics and the Central Government also have given some statistics. Last time when the Assembly met, the Hon. the Food Minister issued a statement giving certain statistics. The refrain of the whole statement was that this State did not receive the promissed allotments from the Central Government and hence there was distress in the State. But soon after, the Central Food Minister said that the scarcity in this Province was a myth and that there was enough food here and that the so-called starvation deaths about which there was much talk in the other House and even tears were shed, were a myth. Then our Chief Minister and the Food Minister went to Delhi to acquaint the Government of India with the situation here and get us more food. What happened afterwards? The Hon. the Food Minister said that our State 3-30 p.m.

has turned the corner. Within a few days of his stating that there is distress in this State, he has stated that we have turned the corner. How we have turned the corner, I do not know. At the same time he admitted that not a single grain more was allotted by the Central Government. How then could we have turned the corner? The common man is in the same position as before, because he is not getting more than what he was getting. The rural population is not getting even the 6 ounces; it is only allotted and promised 6 ounces. I do not know whether the rural population actually get the 6 ounces of rice and overall ration of 12 ounces. I am yet to see whether in any part of the State people get 12 ounces including rice and millets. When these people go to the ration shops, they are told that there is rice only and not wheat or millets. They are asked to take whatever is available. There have been many complaints about it. The Government have not remedied the situation.

"Now, Sir, what is the real position in the State? The statistics show that the grains procured and the stocks in the districts at present do not meet the needs of the population. We are concentrating only on the statutorily rationed areas. What about the informal rationing areas and about areas where there is not even informal rationing? The Government take away the rice from the producers and ask them to shift for themselves. There is no free trade in rice and wherefrom are the people to get the rice they want? The Government say they are not bound to supply rice to the informal rationing areas, but wherefrom are they to get rice if the Government take away the rice produced in those areas for feeding the urban population? They cannot get rice from outside the State. How are they to get rice and how are they to live? In statutorily rationed areas in some places, only 2 ounces are given. I am not very much concerned with the figures. Mr. Narayanaswami Nayudu has dealt with the figures as he always does. But what is the present position of the State? Do people get what they want? Are they properly fed? The Government speak of self-sufficiency by 1951. They must aim at a thing which is possible and practicable. There is no use of saying that we must have self-sufficiency by 1951. Is it possible so far as this State is concerned? The Government estimate the deficit at 8 lakhs of tons. It is an under-estimate. Year before last it was estimated at 12 lakhs of tons. Now when the monsoon has failed and when there are so many other difficulties, it is still estimated at 8 lakhs of tons. When you say that you do not give an imaginary figure, you go on the statistics and estimate your deficit at 8 lakhs of tons. But when you ask the Central Government to give 8 lakhs of tons, they agree to give only 3 lakhs of tons. On what basis do they say that? Do they not trust you and your figures? You submit your demands but they do not take you at your word. The Central Food Minister comes here to examine the whole question on the spot. He goes to certain villages and the villagers are asked, 'Have you got food?' They show their ration cards and say that they have ration cards only but no food. He turns round to

the Chief Minister and he in turn asks the Commissioner of Civil Supplies. The Commissioner says that it is all they could give. I saw this in the Press. The Commissioner of Civil Supplies said that that was the only thing they could give them. Now what are they to do with the ration cards? After seeing this state of affairs the Central Food Minister goes to Delhi and says there is enough stock in Madras and there is no difficulty there. Till to-day I have not seen the reply of this Government to the statement of the Central Minister for Food that there is enough stock in Madras and there is no difficulty. If there is enough stock in Madras why is it not given to the people? Why do they suffer? Do they suffer wantonly? Do they refuse to purchase foodgrains even though they are available in ration shops? Have you not heard stories of ration shops being closed for days and weeks? Are they all false? Still the Hon. the Food Minister of the Central Government says in Parliament that there is enough food in Madras and that the stories of distress and starvation deaths are all false. Have not this Government enquired into them? The difficulties were stated by responsible members of the Legislature on the floor of the other House. When the Central Government Food Minister says that it is all a myth, is it not the duty of this Government to vindicate the honour of the legislators? If they find that it is false, let them issue a statement. They ought to have said that on the floor of the House.

"Sir our Ministers go to Delhi and return empty handed. But they say that we have turned the corner. Have we turned the corner, Sir? Do the people receive enough foodgrains? Do they have one square meal a day? I am not speaking of the rural population. Let us take at least the people in the statutorily rationed areas. The whole thing seems to be this: the Central Government are not prepared to believe this State Government. After elaborate work, the Government estimate the requirements here. They even under-estimate the requirements and say that they want 8 lakhs of tons. But the Central Government say that they would give only 3 lakhs of tons. What is this bargaining for? Is it not the duty of the Central Government to trust the words of the State Governments? Why should they send their Food Minister here first and then their officers to examine the veracity of the statements of the State Government? That is how you are being treated. In the end we get two lakhs or one lakh of tons. What about the rest? How are the people to live in this State? With all that you take things lying down and say that everything is all right and there is nothing wrong with the Central Government. How are you going to meet the situation? Whatever the Government may say, the distress is there. Every day we are receiving reports of distress in the villages and the towns. Even the statistics given by the Food Secretary do not show that the stock position is such that even the statutorily rationed areas will have enough stock for a number of weeks. At best, they have stocks only for a few days. Are you doing to get something from the Central Government to meet the deficit or are

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you going to allow the people to do what they like? Even then you do not allow them to keep what they produce. That is taken away from them. They cannot get anything internally. Sir, even a small island like Ceylon has been able to give us a loan of 10,000 tons. It is not a producer country, but it has been able to anticipate the winter and secure sufficient quantity in advance. That small island is able to lend us 10,000 tons. I am really ashamed to see that we must go a begging with the beggar's bowl in hand even to such a small island as Ceylon. If we had only anticipated these difficulties, could we not have secured sufficient quantities already? You have been thinking of some fictitious self-sufficiency in 1951. You have been simply repeating the mantra of self-sufficiency, that you should have enough food in the country and that there should be no necessity to import food from elsewhere. By all means concentrate on it. But you must look to the immediate needs of the people and see that the people do not starve. You must not wait until there are starvation deaths. People do not die of starvation at once. As a matter of fact, the population is being emaciated on account of malnutrition and under-nourishment. In course of time people will die a premature death, because you have not been able to give them sufficient foodgrains.

" Sir, we have been urging from the beginning about the price of foodgrains. Everyone knows that the prices of all commodities except rice have increased enormously."

MR. CHAIRMAN :—" The hon. Member may give his suggestions as to how the Government should meet the situation."

JANAB K. T. M. AHMED IBRAHIM :—" My first suggestion is about the price of foodgrains. When the prices of all commodities have terribly increased, there must be a proportionate increase in the price of rice also. That alone will induce the ryot to part with the surplus grains, because from the income he gets from his land, he has to buy all the other necessaries of life. When he is not able to do that, he has no incentive to cultivate and part with the surplus grains at controlled rates. Hence there is black-market. The other day I was informally talking to an officer of the Government and he said that the price of rice varied from State to State. We paid Rs. 108 lakhs more for the rice we got from Uttar Pradesh, and that was justified by the Central Government as that was the ruling price in Uttar Pradesh. The ruling price in Uttar Pradesh is higher than the price in Madras. I ask, Sir: Why not give the same price to the ryot in Madras? When you import rice from some country outside the Indian Union you pay much more.

" If the ryot in other States is receiving more money for the rice he produces, why not you give the same price to our own people and thus induce them to cultivate more? Because of necessity he has to spend all his money on cultivation and then lose as a result of his cultivation; that is a matter which this Government has to look into.

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" Sir, it is agreed that people must anyhow be fed. You should not always be thinking of self-sufficiency; if there is the necessity you must be prepared to import from outside. There is no question of our people being made to starve for want of food; our people are accustomed only to rice; you cannot dump wheat on them. No doubt, some people may take wheat, but so far as the general population is concerned, they are accustomed to eating only rice, and it is your duty to make rice available to them in time. If you wait till the last minute and want to purchase rice from other countries later on, perhaps you may not be able to get the necessary quantity, or if you get it, you will have to pay a higher price for it than what you will have to pay if you buy now, and the result will be that we will be losers to a great extent. I would therefore appeal to the Government not to be always thinking of self-sufficiency; let them think of the immediate needs also and get our requirements from outside the country. We must even compel the Central Government to import whatever quantity is necessary from outside the country.

" As regards the long-range plan, you have of course so many projects. I should like to draw the attention of Government to the recent statement made by our President, the hon. Babu Rajendra Prasad. He has given a timely warning to this and the other State Governments. We have been speaking of chemical manures; he said that if chemical manures are used, the soil will become exhausted and therefore we must pay due consideration to the views of the ryots who have developed, through centuries of hard experience, a particular method of cultivation. You should try to supplement that method and not replace that method. True it is that the yield in other countries is three or four times the yield in our country, and it is high time our Government think of finding out methods which would make the ryots cultivate and produce more, adopting scientific methods which would result in a higher yield. But your method should be such as to supplement their present method and not make them adopt the methods followed in other countries, which according to the statement of our President, would exhaust the soil in a short time and would be disastrous to the productive capacity of the land. I appeal to the Government to think of the entire population of the country, not only urban but also rural, and see that the quantity of foodgrains which they get from outside and also as a result of procurement internally, is distributed among all. Very often it is said that we must speed up and intensify procurement; but the officers coming from the Central Government have repeatedly said that procurement in this State is the best in the whole country. You have adopted all sorts of methods here. The other day the hon. Mr. Gopala Reddi said that since procurement has become chronic, you should not complain of hardships, police zoolum, etc. Procurement has therefore gone to that extent, and you have been making the maximum procurement in this State. In spite of all that, how can you expect sufficient foodgrains to cover the deficit which is sufficiently a large one? "

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MR. CHAIRMAN :—" There are a number of hon. Members who wish to speak; I request the hon. Member to close."

JANAB K. T. M. IBRAHIM :—" I shall try to be short, Sir."

MR. CHAIRMAN :—" I see from the proceedings of the other day that there was a suggestion that the House might sit even after five o'clock to-day. I should like to know the wishes of the Members, whether we should sit beyond five."

THE HON. SRI K. MADHAVA MENON :—" It is true, Sir, that when the request for a debate was made, the Government said there was hardly time for it and that we would have to take it up, if necessary, after lunch to-day; incidentally it was also stated that if it was found necessary, we might sit for some time after five to-day. But I find that most of our members are going away to-day because there may not be a meeting again for a short time to come. Therefore, Sir, I am afraid it will be inconvenient to sit beyond five. Moreover, we did not at that time, anticipate some of the engagements we have had to fix for this evening. I would suggest, Sir, if that is possible, it would be better to finish at the usual time."

SRI B. NARAYANASWAMI NAYUDU :—" May I suggest that if the debate is left unfinished by five o'clock, we may take it over to the next day when the Council meets? "

MR. CHAIRMAN :—" The question is whether we should rise to-day at 5 o'clock or afterwards."

JANAB K. UPPI :—" Mr. Chairman, this day we have asked for and we have remained here only to discuss the food situation. We were made to understand that we would get some time more than the usual 2½ hours of the afternoon. The food position is a special problem; I would like the House to sit an hour or two more, as many of us here would like to give vent to our feelings in the matter."

MR. CHAIRMAN :—" Let us see which is better, whether to finish at 5 or to sit afterwards. I thought it would be better to fix a time. I would certainly like to give as much time as hon. Members want, but if we are to sit till 7 or 7-30, it may not be quite convenient. That is why I wanted to know when we should rise. Perhaps if each member takes not more than ten minutes, we may be able to finish. I have got before me the names of three members who wish to speak. May I know how many more members want to speak? If Mr. Lakshmanaswami Mudaliyar is going to speak, may I know how long he would take? "

DR. A. LAKSHMANASWAMI MUDALIYAR :—" About fifteen minutes, Sir."

JANAB K. UPPI :—" I would speak only for about ten minutes, Sir; I do not make long speeches."

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JANAB ABDUL LATIF FAROOKHI :—" I would also speak for about fifteen minutes, Sir."

MR. CHAIRMAN :—" I think it is better to fix ten minutes as the maximum for each speaker. Mr. Ibrahim may now resume his seat at any rate he need not rise again." (Laughter.)

JANAB K. T. M. AHMED IBRAHM :—" I do not remember, Sir, where I left. Therefore, I would appeal to the Government again not to concentrate on the so-called self-sufficiency plan, but try to influence the Central Government to import the necessary quantity of rice for us and not to make this rice scarcity a bargaining counter for the people—whether they will take rice or wheat or other things. The people must have what they want. Without a sufficient supply of food, the country cannot progress and ultimately only disaster will overtake the country and its people."

SRI MOTHEY NARAYANA RAO :—" Mr. Chairman, Sir I am glad to hear that the Food Minister is not so pessimistic as he was at the time he made his last statement in the Assembly; but I do not know if he is optimistic now. From pessimism, he has come to optimism now. I would like to hear, if he is optimistic, whether he would raise the rice ration from 6 oz. to 10 oz. shortly. Sir, the tale of woe is uniform throughout the State. Even a district like the West Godavari district which is supposed to be a surplus district from which we export some lakhs of tons of rice every year to deficit districts, is not excluded from the difficulties. The Hon. Minister for Food some time ago made a statement that in all surplus districts, 10 oz. of ration will be retained for the people and the surplus alone will be taken outside the district. But what we see to-day is that we also get 6 oz. and no more; that is the case in a surplus district like West Godavari which ordinarily exports rice to other districts. And what kind of rice? Sometimes very bad rice; it may be 6 oz. of rice, but the actual contents would be only 3 to 4 oz. We have seen some samples that have been supplied by the ration shops. In the last Food Committee meeting, my hon. friend Mr. Govindachari produced a sample and had shown it to the Collector. It contained 40 to 50 per cent of dust and husk. So, this 6 oz. ration is only a myth; we actually get only 3 to 4 oz. and not 6 oz. Even then, the ration shops are not open throughout the week; they are open only for two or three days of the week. In the rural areas especially, in some of the upland taluks, where there is informal rationing, rice is not supplied regularly. For three or four days in the week ration shops are closed because there is no stock. That is the case in a surplus district. What is it all due to? The District Collector says we have plenty of stock; but still, we don't get the needs supplied through the ration shops, although we have the ration cards. I do not know how the Hon. Minister is going to account for these things. Perhaps he will attribute it to the inefficiency or callousness of the officials concerned. But whatever it is, it is a tale of woe. It may be said, Sir, that there is no danger of starvation of the people. I know, Sir, that people have not died of starvation, but I know there have been cases of

starvation. Recently, the Hon. Food Minister toured some of our districts and procured about 70,000 bags of paddy from rich cultivators and influential people. But I would like to know if the Hon. Minister cared to go to the villages and ask the opinion of the illiterate masses whether they have been getting their food. The illiterate people there would have told him, I am sure, that they have been starving at least once a week, because they are not able to get sufficient quantity of rice. This is the state of things existing in our district, in the rural areas. I would appeal to the Hon. Food Minister to see that at least in the surplus districts he gives 10 oz. of rice for the people according to the statement he made some time ago and take only the balance to the other districts. I agree there are deficit districts and we have to help them to the maximum extent possible, even if we go against the proverb 'charity begins at home'; we have to make some sacrifice in order to help our brethren in the other districts. That is one side of the question, but as I said, that sacrifice should not be by making the people actually starve after giving whatever they have.

" Various suggestions have been made, Sir, as to how to get over the situation. We have had practical suggestions, impractical suggestions, theoretical suggestions, etc., as to how we should get over the crisis in the State. The Government, I believe, are examining every one of them. Some people say that by giving more facilities to the ryots, by improving tanks and giving greater irrigation facilities and also by supplying more manure, the situation can be got over. Some other people say that by intensive cultivation, that is, by making the ryots produce eleven bags of paddy where they produce only ten bags now, the situation can be got over, and you will not be feeling much food difficulty at all. Whether we should follow the method of giving more irrigation facilities, digging more tanks and more wells for the ryots for irrigation purposes, and infuse greater enthusiasm in the ryots to grow more food or whether we should encourage them to take to intensive cultivation is a matter which I leave it to the Government to decide. For my part, I think both these methods can be examined and adopted simultaneously. But which is to be taken up first is the question? My own view is that by intensive cultivation, things would improve a great deal. The ryot must be given greater encouragement, he must be given all the facilities; all his needs must be met promptly and quickly. Then only he
p.m. will be able to produce more food. Now, the ryot is most dissatisfied with the present system of Government, because he is not able to get his demands fulfilled from the hands of the officials of the Government.

" There is also another thing in regard to this matter. The ryot must have some interest in the land so that he may be able to produce more food. As we stand to-day, we have got the agricultural labourer and the tenant that takes the land on tenure who cultivates the land for the sake of another man. A larger proportion of the people are agricultural labourers and also tenants who take the land on lease and these people do not have much

interest in the land as we stand to-day. For instance, a person who owns lands in Ellore and lives in Madras, gives his land on lease to somebody, and he cultivates the land, puts a lot of money, ploughs the land and goes through all the agricultural operations and what is the return that he gets for all his labour and money? Two-thirds or sometimes three-fourths is taken away by the person who owns the land, and only one-third or one-fourth is left to the man who actually tills the soil with the sweat of the brow and puts all his investment on that land. So, where is the enthusiasm for the person who actually tills the land? I am sorry to note that even the Congress Ministry which has been in office for over four years, have not been able to protect the man that tills the soil. The Great Mahatma said, that whoever toils at the sweat of his brow must get the benefit of this effort. But, where are we to-day? Land has not been distributed accordingly. I still believe there should be a redistribution of land; this capitalist mentality should go. But, at least till that is done, can they not protect the man that takes the land on lease? Can they not by one piece of legislation say that the man who really toils and works hard and produces more food, gets at least half the produce. I think the real basis of distribution should be that the man that really toils should get the whole benefit of his labour. If we cannot do it all at a time, can we not at least see that the person who actually tills the land shall be in possession of the land for, say, five or ten years at least, so that he need not be at the mercy of anybody. The point is, he should not be asked to go away the next year leaving the land, after doing such hard work, to the landlord. Also what proportion of the produce he should be entitled to get should also be fixed. If this Government cannot do even such a small thing as that, where is the enthusiasm for the ryot, I ask? Having put in all his labour, he gets only one-third which is hardly sufficient to meet his expenses. Because the man is poor, he is satisfied with what little he gets. I know there are cases where the ryots are satisfied with two bandy-loads of grass. For the labour he puts in for cultivating the land, what is the return? Two bandy-loads of grass. That is all he gets for his labour. This state of things is really very deplorable. So, I would request the Government to take up this question immediately, because they have been promising to do it for a very long time. If they cannot do it all in one day, if they cannot pass a legislation to that effect, they can at least by an Ordinance protect the man who works on the land.

" Again, Sir, there is the rich landlord who is afraid of the legislation that may be coming up some time afterwards in regard to agrarian reform. He thinks his home farm land will not be disturbed and wants to cultivate it himself, because if he does not cultivate it himself it would be taken away from him and distributed. Suppose, I own some lands given to me by my great grandfather, say hundred acres of land. I do not know how to cultivate or how to plough the land. In fact, I do not know how to handle the plough. All of a sudden thinking that, if I do not cultivate all the land, the land will be taken away from me, I engage

servants and begin to cultivate the land with hired labour. Because I am not a practical agriculturist, surely the produce will not be much, but it will go down. Unless a man is an agriculturist, he will not be able to command an agricultural labourer. Simply because one is afraid that if he does not cultivate the land himself, he will be deprived of the land, even though he is having his big business in Bombay, wants to take possession of the land and begins to cultivate it, it will only result in a loss to him. I know of many people owning hundreds of acres and who have taken to such cultivation have lost. I say, it is not only a loss to the persons concerned, but it is a loss to the State and to the actual labourer. That is why, the labourer has become very indifferent and he has become more indifferent after the preachings of the Communists. I think, my hon. Friend has put it plainly when he said that he does not work hard but wants more. That is why the yield per acre is deteriorating. That is why I say, this state of things should not be allowed to continue for long. There must be some drastic remedy. If really you want to solve the food problem, you must take courage in your hands and see that proper disfribution of land is made.

" Sir, let us see what Mahatma Gandhi has said. He said that the land belongs to God and whoever toils should have the benefit of it. That is what the Mahatma has said. He has won freedom for us. What for? It does not mean that we should occupy positions of advantage and sit here. He wanted that the villages should be made self-sufficient. Not only that, but that every individual should be clothed and fed. What is it that is happening? The villager does not have even a morsel of food. But there is the Congress at the head of the administration and yet you give the villager only so much of food. If you ask him, why not produce food and help the Government; he can do that only if you give him land so that he can become self-sufficient. You must therefore make every village self-sufficient. You must tell them, you are responsible to feed your people. Mother nature is devised in such a way that every part of the country will be self-sufficient in food. You must insist on the people and tell them that every part of the country should be self-sufficient in food, so that commercial and money crops should go. The basis of society as envisaged by the Great Mahatma is self-sufficiency in food and clothing. So, every individual must work, toil and produce; otherwise he has no business to eat and live at the mercy of another. That is the idea of the classless society aimed at by the Congress. I would like to ask the Ministry whether they have got that motto of the Congress before them. If so, I ask, what have they done for classless society? I ask, do you not stand for a classless society according to the manifesto issued by the Congress to the people? If you do, what have you done? I say you have not done anything except sitting idle. I say you are not acting up to the ideal. According to the manifesto which you placed before the country, redistribution of land is the first thing. Burma has done it; Kashmir has done it and let Madras start it. That is the only remedy to solve the food situation in the country. I would therefore appeal to the Government to take up the question of agrarian reform which they have been promising for such a long time and act boldly and quickly and see that land is distributed."

MR. CHAIRMAN :—" I hope the hon. Member will finish soon."

SRI MOTHEY NARAYANA RAO :—" Yes, Sir. I think that begging the Central Government and doing things like procurement should go. If you want to improve the State you should see that every individual is made self-sufficient; every village should be made self-sufficient and every district should be made self-sufficient. If that motto is worked out, I think the food situation will be solved; otherwise there will be trouble everywhere and the food situation can never be solved."

JANAB ABDUL LATIF FAROOKHI :—" Sir, I may point out that we have come to an understanding . . ."

MR. CHAIRMAN :—" Only on this side?"

JANAB ABDUL LATIF FAROOKHI :—" No, Sir, on both sides, that the discussion on this subject should be continued on the next day also."

THE HON. SRI K. MADHAVA MENON :—" I am agreeable to Mr. Narayanaswami Nayudu's suggestion that it may be continued the next day, but since we are sitting and discussing it for two or three hours, I think, we may be able to finish the discussion; if not, it can continue on the next day on which the Council meets."

JANAB ABDUL LATIF FAROOKHI :—" In that case, Sir, I request more time may be allowed to members to speak."

MR. CHAIRMAN :—" I have no objection. But, from the discussion I see that not much time is necessary because the same points are raised over and over again. I think what the Government want from the hon. Members is a remedy for the present situation. I do not think the Government are so dense as not to know what is happening in the country, but what they would like to have is, suggestions or counter-suggestions as to how the situation can be met. I hope, it should be possible for every member to finish his speech in ten minutes. I think the hon. Mr. Uppi Sahib gave notice of an adjournment motion the other day about this. He may now go on."

JANAB K. UPPI :—" Mr. Chairman, Sir, the present food situation in the country demands the attention of each and every one of us. The food position in the country is bad; it is very bad I say, it is on the brink of collapse. In the villages, the situation is very deplorable and it is really heart-rending. Many of the members of this House are from towns where there is statutory rationing and they get at least 6 oz. of rice and some other food materials, but in villages the position is very deplorable. In Malabar, for instance, in many of the villages for the last three weeks or so, they have been getting only 3 or 4 days ration at 6 oz.

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of course they might be getting 3 oz. of wheat also. But most of the poor people do not know how to use wheat. They say, continuous use of wheat brings stomach-ache and other difficulties for them. If I tell you some of the scenes I have seen—it is really heart-rending . . ."

MR. CHAIRMAN :—" I hope the hon. Member will spare us that ordeal."

JANAB K. UPPI :—" I wish I could. I am putting it before those who can concentrate their attention so that they can put their shoulders to the wheel and do what they can to solve the problem. That is all I want. What I suggest is this. The hon. Mr. Suryanarayana Rao was telling that there was a shortage of 18 lakhs tons of foodstuffs in the country even from normal days If that was the only shortage in respect of rice, paddy or millets, I say we are not short of it now, because in those days rice, paddy and cereals were used for feeding the cattle, whereas we are using them now. Now each one of us is restricting our food because we are getting only 6 oz.

4-15 p.m. " So in that way the 18 lakhs of tons must have been made up and based on that calculation, we must not be short of food materials in this country. But somehow or other, the country is actually short of food. I say, Sir, that it is not because of increase in population. But somewhere there is some defect in the supply of food and I do not know whether the policy of the Government lies at the root of it or whether it is the policy of the people. I should say that it is the policy of the Government. Mr. Chairman, Sir, you asked me what we are to do to immediately tide over the difficult situation and what my suggestion was. So far as the immediate steps are concerned, I would suggest to the Government to modify their control policy in a realistic way and not in an idealistic manner. The Government are saying : The people shall eat only so much; the people shall part with their produce for so much and we shall not pay a pie more than that. But I ask them : Get from them at the price at which you are selling in the ration shops or even a little more and induce the producer and encourage the producer to part with his produce. The producer has domestic needs and social needs to meet and you are asking him to sell to the Government at a price which is very un-attractive to him. The wages of his coolie, the cost of things essential for his existence have all risen and so the price that the Government pay is not sufficient for him. Besides this, there is this human psychology working in his mind. You take at Rs. 20 from him and just under his very nose you sell the same thing to his neighbour at the rate of Rs. 27-8-0. He is a human being and he sees that the things taken from him at Rs. 20 are sold to a next door neighbour for Rs. 27-8-0 when he has every chance of selling it to him at the same rate without the intervention of the Government. You also use force and try to get the grains from him. Just ponder over it and say what his feelings would be. In Switzerland, they give more to their own cultivators than they pay for their imported grains and the State bears the loss. You may ask how the State can afford to go on like that. I say,

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Sir, ultimately that will not be a loss as the cultivator will put all his energy, his enthusiasm and diligence into his work of producing more and he will produce more. Tomorrow you pay him an economic price and I assure you, Sir, that within a week all the rice that is lying in the country will come out. It has been said that if the price of rice and paddy were increased, the price of other things necessary for human existence will also increase. But, Sir, the price of other articles have risen in spite of all your preventive efforts and the cultivator is not able to stand it and what is his next step? He puts it under and sells it in the black-market. If you want a substantial quantity of foodgrains to come to you, I suggest you declare that instead of the bonus, which is actually given to 5 per cent of the people who do not know how to utilize it and it actually lapses to the Government, you will give the producer an economic price and you will be able to see the effect in a short time. Another thing that I wish to bring to the notice of the Government is that the Government are using force to procure rice and paddy from the people. I feel, Sir, it is a dangerous thing. For obvious reasons with a certain section of the people, namely criminals, the Police are not very popular. Recently Police force was used, I do not know at whose instance it was done; if it is with the consent of the Government, I must say that they stand self-condemned. The Government appealed to the people and their response has been handsome. Recently the Hon. Minister for Food went to the Northern districts and as a result of his appeal to the producers, we obtained a large quantity of foodgrains and also when the Hon. Mr. Bhaktavatsalam went to Tanjore, he appealed to the mirasdars and they parted with a large quantity of foodstuffs. If you use force, so long as human psychology is what it is, the more you use force the worse will be the food position in the State. You are spending crores of money for increasing production for your anicuts and canals; you must also spend crores on the only great factor which is human co-operation. Your anicuts, your irrigation schemes and pump sets are not going to yield results and give you food unless the co-operation of the people is there. You do not seem to want human co-operation but you are trying to force human beings to co-operate with you. Forcing people is not co-operation. On the other hand, you must induce the people, encourage the people to produce more. Their co-operation is absolutely essential to make all these investments fruitful; otherwise it will be a waste of public funds. These are schemes which will yield results in 1953, 62 or 72 for our successors; successors there will be only if we outlive the present difficult position. Therefore, it is necessary that all our energies must be utilized towards self-preservation and along with starting the Malampuzha scheme and other schemes in the land, a portion of that money must be used to pay the cultivators so that it will induce them to produce more, to put more manure, more energy and bring more waste lands under the plough. Instead of doing that, what is the use of making profit in these transactions? You should give them substantially more than what you are selling at. Instead of that we see you are turning out to be merchants, not full-blown ones but half merchants, trying to make profit and

calling it a profit what has been justly due to the cultivator. I can say for certain that such a thing is obtaining in Malabar; for every twenty rupees worth of foodgrains that they are purchasing, they clear a profit of Rs. 7½. Why not you pay him Rs. 30 and get the grains from him; that will induce him, I am sure, not only to part with whatever is possible for him but also he will co-operate with you and produce more and more in the years to come. That is what I would submit to the Government to tide over the present position.

"I would like to bring to the notice of the Government the fact that force and coercion is used and harassment is resorted to by the officers in charge of procurement."

MR. CHAIRMAN :—"The hon. Member has already referred to it."

JANAB K. UPPI :—"I did not refer to what actually happened, Sir. The Police force went and surrounded a village. I read in the papers that the Hon. the Minister for Finance said in the other House that there was no harassment. Surrounding the whole village from 6 o'clock in the morning to 7 o'clock in the night and searching the houses, is it not harassment, Sir? Is it not keeping all the people in the village terror-stricken for the whole day? Is it not harassment? If it is not harassment, I do not know what else can it be? Probably what he meant was that they were not beaten with lathis; there was no lathi charge and according to him harassment means lathi charge. I must say, Sir, that it ill becomes any Government to use the Police force for these purposes. It must be used when there is a dangerous breach of peace. In conclusion, Sir, I would urge upon the Government to give more to the actual cultivator and induce him to cultivate more."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"Mr. Chairman, Sir, during the past few years, time and again we have had to debate in this House the question of food supply in the Province. I realize that there have been in recent years many disastrous consequences due to nature which has affected the food position. The failure of rains, the cyclone havoc and floods have been responsible for the short supply of the expected or anticipated supply of foodgrains in the Province. But I am afraid, Sir, that we have not taken hold of the fundamental position as it were. There was no such scarcity even during the war years and it may be asked why is it that now when there is no war and things should have settled, every time and every year, or even twice a year sometimes, we have debated this question of food. Sir, from the Report which was presented to the Government of India by the Famine Enquiry Commission, it will be abundantly clear that the Madras State was always a deficit State in point of food and what they had been doing was that they imported foodgrains from Burma which was the chief country from which we imported. Of course there were other countries from which we could import when necessary. That policy is the policy which saved Madras from many of the disastrous consequences whether it was due to nature's unfriendly acts or due to the fact that Madras was not in a position

to do so. The food question has to be looked at from two points of view, the immediate point of view how to tide over the present difficulty this year—I won't say the long term policy—because we are going to be pursued with the same difficulties and the same disastrous consequence in the coming year also and let not hon. Members think that there is any miracle that is going to happen even with the best of Nature's conditions by which the State will have an abundant supply of all the foodgrains that it requires. This is a deficit State and will require foodgrains to be supplied from other quarters. That is a point which people have got to realize. I come to the immediate question. In a debate that took place on the 13th August 1948, the Hon. the Food Minister gave the following figures. He said—

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'Then, Sir, doubts have been expressed about our stock position. I want to assure hon. Members that our stock position is satisfactory. Remarks have been made that this report was made a month ago. Naturally, I cannot be expected to publish reports every day. It has been stated in the other House and I have stated the facts to this House also now. I would like to point out that our stock on 31—7—1948, that is, from the beginning of August, has been 341, 902 tons of rice, wheat 16,838 tons, maida 2,767 tons, maize 27,527 tons and other grains 12,786 tons. So, on the whole, you will find that on the 1st August our stock position was 401,820 tons. Then, what we except from the Government of India is this 57,447 tons of rice from what has been promised is yet to come : wheat 18,224 tons; maize 1,335 tons and other grains 46,648 tons. So, we are expecting a total of 123,654 tons and if we add that to our stock on hand, our stock would be 525,474 tons.'

That, Sir, was the position in the beginning of August 1948.

Then, the Hon. Minister goes on to say—

'At the present rate of offtake referred to by Mr. Suryanarayana Rao on account of the number of relief shops, our stock position will last till the end of October 1948.'

Now, let us remember, that with 525 thousand and odd tons on hand, we expected our stock position will last till the end of October 1948. Now, I turn to another statement presented by Government to the Assembly, I think, about the end of last month, in which it was stated—

'The scale of rice ration, therefore, still stands at 7 ounces in the towns'

That was a long time back. Much water has flown down the bridge since then; and now it is six ounces. The statement goes on to say—

'but it would be impossible to maintain this scale any longer. The stock of rice on 29th July 1950 was only 114,785 tons. Adding to them, 150,000 tons likely to be procured before the end of October and 60,000 tons which we might receive under the Basic plan, our total availabilities will amount to about 325,000 tons. Out of this, about a lakh of tons at least should be kept as buffer at the end of October. The balance available for distribution during the interval is only about 2·25 lakhs of tons . . .'

Sir, this is against the 525,474 tons in 1948, and yet we are asked to believe, this year, the food situation is not bad and we have tided over the situation, with facts such as this facing at us! On this particular occasion, compared to two years ago, we have only half the stock, and if we are going to have ration still reduced, I can only say that those responsible hardly realise the disastrous consequences of limiting the quantity that is to be distributed for the people everywhere. Now, it is no use blaming this Government

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or that Government this person or that person, least of all Ministers, for they have all been victims of preconceived ideas of things without any knowledge of the scientific data. There is an old proverb, that one should not change horses in midstream. But the Food horse (laughter) here as well as in the Centre has been changed in the last few years not once, not twice but thrice. Let everybody understand that this is responsible for the disastrous things which have happened.

"Now, what is the policy to be adopted? If I were inclined to be a little more critical, I would ask, we are all talking of food, for whom? There is no mention anywhere whatsoever of the most important part of the population that has to be served with food, namely, children. I was in Britain in 1948 when that country was faced with an acute food crisis. I know what the British Food Ministry did then. They took up first the problem of food for children, then the question of food for pregnant women, then the question of food for recently confined women and then they took up the question of food for the general public. Now, here, in this country, we have not given any thought whatsoever to the question of supplying food for children. I say that, because the most important food for children is milk; and may I ask, what we have done for them? It is well-known that milch cattle are becoming diseased and a number of them die because there is no fodder available. We have no time to think of the animal kingdom as we have no sufficient time to think of the human kingdom. I am glad one paper in this State brought this matter of the milch cattle to the notice of Government, and we are all indebted to it for that, and I am glad to note that the Food Minister has acknowledged the fact, after he had verified it.

"Now, I want to say this: if the Food Minister and Government owe a duty to the people, as I feel they undoubtedly do, then, the only question they should consider now is, not how to reduce the rice ration every time, but to see, discarding slogans of preconceived ideas, how to bring the food necessary to prevent people from starvation. Sir, there has been an attempt made to justify the reduction in ration by saying that although the rice content of ration has been reduced to six ounces, they are giving six ounces of subsidiary food by way of wheat, milo, maida and so on. Sir, nobody knows what the effect of this diet will be on the population accustomed to rice diet entirely. Has anybody considered that? I think not. Has the opinion of nutrition expert been taken on that point. Have Government really convinced themselves that the people to whom wheat is given are in a position to utilise it properly? I know the value of wheat. It is a most nutritious food. For the last forty years I am taking wheat and I have succeeded in compelling all the members of my family to take wheat. What is the use of Government giving wheat to a labourer, who does not know how to utilise it; and even if he does know, has he the necessary ingredients to make it a complete food? The labourer has all along been accustomed to a rice diet; and even there, it is bulk that counts with him. He does not care

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for quality; his stomach has been accustomed all along to take food in large quantity; his consumption is, what may be called, not six ounces, but fourteen ounces or sixteen ounces per *puta* for one meal. I know how much rice a labourer consumes as food. Anyone who has a servant under him will also know it. It is quantity that counts with him, not quality. There is, what is called, 'chintachetti chiruvu', that is, green tender leaves of the tamarind tree, in Chittoor, Kurnool and other districts in that part of the province. With that a paste-like preparation is made by the labourer, and he takes it as food along with a large quantity of rice. It is to that man, Government give wheat, maida or milo as food. I cannot believe any nutrition expert could have recommended it. When we talk of food shortage, it is not as if we ask food for the middle classes and the rich. We are not asking for the food requirements of the members of this House. In fact, looking around this House, I feel there is no food shortage in this State (laughter) judging from the features of the persons here. It is the poor man's food requirements that the Government are now called upon to meet. He has been accustomed to rice, cholam, ragi, etc., and these things have to be given to him. There is no use in attempting to give him something instead. Government cannot expect people to change overnight their food habits to suit the preconceived ideas of Government.

"The other day, if I may reveal a little of my personal experience, it was my barber who told me, 'you are in the Council, you go and talk there; what is the use of your talking there; what is the use of people going there and debating; I cannot get my rice in my ration shop.' The real truth is what little rice is available in the country is allowed to get smudgy by being exposed to sun and rain at rail heads. I have seen bags and bags of rice stocked in railway platforms for days and days together exposed to sun and rain and getting spoiled, and it is this that is eventually sold to people as food. The only explanation from the Minister for this is, that it is all due to transport difficulty. May I know why it should be so? If this had occurred when a foreign power was in power, Congressmen would have set afoot an agitation and demonstrated it in such a manner that it would have shaken the very foundation of their empire! And yet, when that very Congress is in power, on the slender plea of transport difficulty, it is allowing for thirty and forty days the very food of the people to get stuck up at rail heads, exposed to sun and rain and get smudgy! This state of affairs should never be allowed to continue. This Government should, here and now, so far as the immediate requirements of the State are concerned, whether it is a question of imports or not, should take up this question with the Central Government. Mr. Uppi Sahib says that procurement will be easy if people are paid better prices. But I may state on the basis of report by responsible authorities that in Madras State alone the best form of procurement was available. I am saying this from a report made by the Ministry of Food of the Government of India entitled Report of the Work of the Ministry of Food during the year 1949 and Policy and Proposals for 1950, a copy of which I

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purloined from my neighbour here (laughter) who, perhaps in his turn, has stealthily taken it from somewhere (laughter), for we are not supplied with such useful publications and yet we are supposed to debate intelligently here! But that is another matter to which I shall refer later. Here is what that report says—

'Madras is the only State where the best form of food procurement is available. On the eve of food drive, with the re-imposition of control, procurement operations have been extended to the districts of the State where surplus or deficit according to the system of procurement prevails.' The production and requirements of each individual producer are assessed and the whole of the surplus is procured by the Government at fixed prices.'

What more does one want? The rich landlord and his cultivator, each gets his proper requirement; and Government then take away the whole surplus. And they have taken it by not paying adequate prices! So what could Government expect a landholder to do for it when the whole of his surplus has been procured by Government without adequate payment? Recently this Government, whether of its own volition or not, paid a crore and twenty lakhs of rupees to a sister State in the north of India for a small quantity of forty thousand tons supplied. In this transaction this Government had to pay 108 lakhs of rupees more. They had no voice in fixing the price. Why did they pay 108 lakhs of rupees more? Why should they import food from that sister State by paying more price? Who was responsible? If such a thing had happened under any other form of Government, that particular individual or ministry would have had to face an inquisition. There is no question about it whatsoever. Explanations have been offered in another place that it is a superior sort of rice and that the price paid for was the same as it was in the State from which it was purchased. If that is so, we do not want such a superior sort. We will be glad to leave that superior rice to the people of that State to enjoy. That 108 lakhs of rupees could have been spent on importing from Burma not 40,000 tons of rice, but even double that quantity and that would have saved the situation.

"Next let me think of what we are going to do next year and the year next to that. It is certainly not wise to speak of a long-term policy when we are still in the midstream. A policy of self-sufficiency in food by the end of 1951 was announced and accepted with alacrity. I suppose a great deal of claps were heard in that Assembly when that announcement was made. What is the meaning of that self-sufficiency? It means that we will have sufficient rice and other foodgrains to meet our requirements. This reminds me of the gentleman, five feet six inches tall, who tried to wade through a river whose average depth was four and a half feet. Needless to say, he was drowned in the midstream. Our assumption that we must be self-sufficient by 1951 is exactly similar. Have this Government protested to the Government of India that it is not possible to be self-sufficient so far as Madras is concerned? Have they got any promise from the Government of India—not the kind of promise that we get on the floor of the legislatures—but promise in writing to definitely bind them to make good our deficit after 1951? Are not the Government aware

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that even according to their own admission it will not be possible for this State to be self-sufficient by 1951? Let me quote from the speech of the then Food Minister, the Hon. Dr. Rajan, in the Legislative Council on that ill-fated day—13th August 1948—I am glad that to-day at least it is not the thirteenth and I hope we will have better luck—

'According to the Grow More Food Campaign, the target for increased production which this Government intends to produce is 6·5 lakh tons of rice and it is proposed to be attained by well subsidy scheme, construction of new private tanks, launching of 298 public works minor irrigation projects to command 2,250,000 acres, progressive manuring with sulphate of ammonia, reaching up to 100,000 tons in the fifth year, manuring with phosphate plus oil cakes or green manure reaching up to 180,000 tons in the fifth year, multiplication . . .'

There is no subtraction here; it is all multiplication and increase—

'and distribution of improved seeds for 7,100,000 by the fifth year, cultivation through mechanical means extending up to 75,000 acres in the fifth year and increased yield through contour ridging and levelling 50,000 acres in the fifth yeer. These are plans worked out and the House may see it is a plan for expansion through a number of years. With the resources at the disposal of the Government of Madras and the help the Government of India is giving for the Grow More Food Campaign, the result aimed at is so much.'

Mark the words that it is a plan for expansion through a number of years. According to this statement, taking it at its face value and not at its exaggerated value, it will take five years from 13th August 1948 for Madras to become self-sufficient, that is to say, Madras will be self-sufficient somewhere towards the end of 1953 or the beginning of 1954. Two years have passed by. Will the Government be pleased to tell me how many acres of fallow land have been brought under cultivation, how many wells have been sunk, how many private tanks and minor irrigation projects have been constructed, in how many places improved methods of cultivation have been adopted and how much of manure and chemical fertilisers have been distributed during these two years? I know that a certain amount of work has been done. I admit that the Government have been doing their best to sink more wells and so on. I have not got the time to go into the well subsidy scheme. In the course of the discussion on the food situation in this House on the very same 13th of August 1948, the late Sri C. N. Muthuranga Mudaliyar made a very salutary suggestion that it would be wiser for the Government to sink the wells themselves than giving a subsidy to others for sinking wells. In some cases at any rate, the wells existed only in the imagination of the individuals concerned. In the face of the declaration of the Food Minister himself that Madras is not likely to become self-sufficient till 1953 even after all these schemes are put into effect completely, what was the note that this Government sent to the Government of India with regard to their—I was almost going to say 'slogan' but I will not use that word—plan for self-sufficiency by 1951?

"I want to raise another question. Why is it that we want self-sufficiency in food only? Are we self-sufficient in our other requirements? Are we self-sufficient in cosmetics, hair dye, and moustache dye which are being imported to-day from dollar countries? I take a fundamental objection to this self-sufficiency

[Dr. A. Lakshmanaswami Mudaliyar] [2nd September 1950

so far as the Madras State is concerned. Our chief exporting country was Burma and our chief importing country also was Burma. The other day an article appeared in a daily newspaper which was a revelation to most of us. If we do not take something from another country, we cannot export something to that country. Our lungis and many other commodities were exported to Burma and the result was that we got some food import from that country. By such an arrangement, not only the cloth exporters benefit; the Government also can save some money or at any rate minimise the loss on food import. Now we want to stop import. In fact, it has already been stopped and the result is that we have to pay 108 lakhs of rupees to a neighbouring State for the magnanimity of supplying 40,000 tons of rice!

"There is another point on which I wish to dwell. So far as imports and exports are concerned, other countries who know their position and who are a little bit more practical than we seem to be, have realized that by entering into forward contracts with other countries, they stand to gain a great deal. When other countries know our plight and when we beg of them to give us their foodgrains, they are prepared to give only at an increased cost. By our unfortunate fetish of restricting import, we are in a very difficult position now. Why is it that forward contracts to cover the next three or four years are not made with other countries? Is it not possible for the Government to consider this aspect, bargain for favourable terms and enter into forward contracts with rice-producing countries? It seems to me there has been no clear thinking on this question of food supply with the result that we are beset with disastrous consequences at every stop.

"I wish to say a few words about our own food supply position. I have been credibly informed that, since the Government took over the zamindaris, the food production in them has gone down. Formerly the zamindars were supplying cattle, manure and seeds and making cash advances. To-day that help is not forthcoming and the cultivator is not in a position to cultivate the land. We were told by the then Revenue Minister that the Zamindari Abolition Bill would be panacea for all the ills of this world and probably of the other world too. Let me not be misunderstood. I am not raising the question of zamindari abolition. I am referring to the effect on food production, because the Government are going to take over more and more of zamindaris. There is no correlation between the different departments, much less between the different Ministers themselves. Let me have a categorical answer with facts and figures, instead of a plain denial whether it is a fact that food production in the zamindaris has preceptibly decreased consequent upon the Government suddenly taking them over without the necessary machinery or resources to derive the maximum benefit from the land.

"I am sorry I have taken more time. If the Hon. Chairman will permit me, I shall conclude in about five minutes."

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MR. CHAIRMAN :—"Yes."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"I have heard it before and to-day also the same sentiment has been voiced forth by my esteemed Friend Sri Mothey Narayana Rao that agrarian reform is a panacea for all the ills. He has quoted a very great authority for whom we have great reverence. Mahatma Gandhi, I see, is not often quoted nowadays. I am glad that Mr. Mothey Narayana Rao quoted him to-day. When we speak of Mahatma Gandhi's advice, let us not confine ourselves only to those matters in which his advice suits us. Let us take his whole outlook on life. If we are honest to ourselves and if we do not want to be self-deceptive, let us accept his mode of life. If we can go back to the villages, if we can manage with one shawl and one veshti, if we can travel in the stone-wheeled double-bullock carts to which we were accustomed fifty or sixty years ago in the district of Kurnool, if we can live without all the modern luxuries or whatever we may call them—why should we think of extending electricity, Machkund Project and Ramapadasagar Project? Why should we not go down to the level of our ancestors three hundred years ago, not to speak of the Vedic age—if that is the way in which we should live, I tell you sincerely that I am one with you. But let us not just for the nonce take up some particular thing.

"Mr. Mothey Narayana Rao said that the cultivator should get the benefit. I am all for looking into the question of how much the actual tiller of the soil should get out of the produce. This again is a camouflage and a slogan that the tiller of the soil alone should get all the benefit. There is no person who is the actual tiller of the soil. If I have got one acre, my wife and I cannot till the land with the help of a pair of bulls. I must have the assistance of either labour or co-operation. There has been too much loose talk about the tiller of the soil. It is said that the tiller of the soil should get more benefit and that the absentee landlord should part with more and more of his rights. If we parcel out an extensive land into bits of one acre and two acres and let them to an army of people, they will not find it self-supporting and the land will lie fallow within three years."

SRI MOTHEY NARAYANA RAO :—"There must be collective or co-operative farming."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"The hon. Member suggests that there must be collective or co-operative farming as there is in Denmark, Sweden and Switzerland. If the resources are pooled and co-operative societies are formed, certainly they can do much. But co-operative societies have got to turn a new leaf in many cases before they can take up this item of work, judging from the experience of a co-operative society which is within a distance of twenty-five miles from Madras.

"We see from reports appearing in the Press that unorthodox methods are being adopted in the Tanjore district to terminate the mirasdars. There are no zamindars now and I do not know when

[Dr. A. Lakshmanaswami Mudaliyar] [2nd September 1950

the orthodox method will be adopted to put an end to mirasdars. The mirasdars are not in a position to look after the cultivation of their own lands. A mirasdar told me—he has no reason to give a false account and I have no reason to disbelieve his version—that he dared not go to his village to look after his lands for fear of being not merely thrashed but finished off. That is the position in several taluks of the Tanjore district. I should like to know whether the representative from Tanjore, who is present here, is going to contradict me. That fear must go. The Government must not make loose statements about the rights of agriculturists and mirasdars. Let them not create the impression which unfortunately they have created in the past that something dreadful is happening, that the mirasdar is the villain of the piece and that he is treating the agricultural labour badly. Instead of saying all these things, let the Government do something practical to help agricultural labourers.

"Food supply is a very difficult problem and we can tackle it only by facing facts. I believe it is not possible to collect more by procurement even with the aid of the whole police force of the Madras State including the Malabar Special Police if my Hon. Friend, the Home Minister will allow their services to be utilized. To tide over the difficulty, there is only one way and that is to press the Government of India to import more rice, not wheat, not milo. When we pay for milo from far-off America, should we not pay for rice from Burma which is nearer home? We are thinking of getting rice from Madhya Pradesh and Utter Pradesh. Do the Government know that transport of rice by railway is very difficult and costly and that transport by steamer is cheaper? We can bring Burma rice by steamer and thereby save some money in the cost of transport. I hope this at least will tempt the Government to try this alternative method. But we must get rice at any cost.

"Much has been said about the fact that there have been no starvation deaths. Are an enlightened Government going to look into starvation deaths and then revise their food policy? I think the Government ought to be aware—their experts in the Medical and Health Departments will at least tell them—that the system of a person who has not got at least the minimum sustenance will deteriorate and be liable to fall an easy victim to any disease that passes by. Such a person may contract even new diseases.

"On all these grounds, I feel that the Government must revise their food policy. They must make their views known clearly, logically and in a determined voice to those who dictate the policy. I am all for following an All-India policy, provided it does not mean that Madras should go on tightening its belt and reducing its rice ration. I read in the newspaper that in some place only three ounces of rice are given and that the remaining portion of the ration is given in the shape of millets. That is a wrong policy. The Government speak of Communism. Let me tell them that Communism thrives when the stomach is empty. When the people have enough food to eat, they will not turn to Communism. The greatest asset to Communism is starvation. I therefore hope that the Madras Government will revise their food policy."

2nd September 1950]

MR. CHAIRMAN :—"Is it the sense of the House that we should continue the debate on another day?"

THE HON. SRI K. MADHAVA MENON :—"I think, Sir, that 5 p.m. we can continue this debate on the next day when the Council meets again, because there are five or six more Hon. Members to speak and we would require at least two more hours. I think it is better that we adjourn the House now and continue the debate on the next day when we meet again."

MR. CHAIRMAN :—"Can the Hon. Minister tell us when we are likely to meet again?"

THE HON. SRI K. MADHAVA MENON :—"I cannot immediately tell you, Sir, when we will be meeting again, because there is only one Bill that has been passed in the Lower House and another Bill is under discussion and it will take two or three days more for its being passed in that House. I cannot therefore say exactly when we shall have sufficient work to call for a meeting of the Council."

MR. CHAIRMAN :—"What about the Hindu Religious Endowments Bill?"

THE HON. SRI K. MADHAVA MENON :—"I do not know, Sir, when it will be taken up and how long it is likely to be discussed in the other House. There are some other Bills besides that and I think it will take some more time, so that by the end of this month we may be able to meet again when we will have enough work for the Council."

MR. CHAIRMAN :—"The object of this debate is to tell the Government about the impressions of hon. Members. That has been done to some extent. There is no question of any more motions or amendments being carried. The idea is that the Government ought to know what is going on in the country with regard to the food situation. May I know what the hon. Leader of the Opposition has to say on this matter."

JANAB ABDUL LATIF FAROOKHI :—"Judging from the sense of hon. Members on this side of the House, and of the importance of this subject, I submit, Sir, that the debate may be continued for another day instead of sitting for some more time, say, half an hour or one hour to-day and finishing it. Let hon. Members express their views fully so that we may strengthen the hands of the Madras Government to make better representations to the Central Government and try to get as much of foodgrains as possible. In that view, Sir, it is better to continue the debate on the next day also."

MR. CHAIRMAN :—"The House will now adjourn *sine die*."

APPENDIX.

[Vide item III on page 314 supra.]

Supplemental Note circulated to the Hon. Members of the Legislative Council for the food debate on 2nd September 1950.

A copy of the statement on the present food situation in the State which was prepared in connexion with the debate on the food position, in the Legislative Assembly on the 10th August, has already been circulated to all the Hon. Members of this House. In that note, rather pessimistic picture was given of the situation which necessitated the reduction of the rice ration to six ounces, in the case of rice-eaters. The prospects have brightened up a bit since then. In the first place, we have had some widespread rainfall though a little late, in the several districts of the State, particularly in the predominantly dry districts where the rainfall is very badly needed and this has helped to give employment to the unemployed and also to start agricultural operations. Secondly, due to our repeated representations and also in their anxiety to come to the help of this State to the maximum extent possible, the Government of India have increased the allotments for the month of August and have also allotted substantial quotas for the month of September. They have also directed that these quotas will move on topmost priority. The total quantities of foodgrains originally allotted for the month of August by the Government of India and the quantity actually supplied by them are as shown below :—

	Allotted.	Actually supplied.
		TONS.
Rice	..	4,000 [a]
Wheat	18,447	21,000
Millets	31,104	32,440

[a] This is in addition to 11,316 tons received from sources in India out of allotments already made by the Centre. Beside this, the Government of India made an increased allotment of 20,000 tons of rice from Madhya Pradesh and 3,000 tons from Uttar Pradesh.

For the current month, the original and increased allotment intimated by India is as follows :—

	Original allotment.	Allotment as now increased.
Rice	7,000	30,000
Wheat	35,000	35,195
Millets	42,000	44,855

The increased allotment of rice includes 10,000 tons of Burma rice which is intended for Ceylon and which the Government of India have been able to obtain as a loan from the Ceylon Government and divert to Madras. All the 10,000 tons will be received at

Madras in a day or two. Apart from this, the State has yet to receive 39,211 tons of rice (as on 30th August 1950) from the other States within India, details for which are as follows :—

	TONS.		TONS.
Orissa	10,638	Uttar Pradesh ..	3,500
Vindhya Pradesh ..	5,354	West Bengal ..	1,567
Madhya Pradesh ..	17,484	Delhi	668
		Total ..	39,211

A Special Officer has been appointed by this Government and posted to North India to specially arrange for the despatch of these balances by means of special trains as far as possible. His latest report is to the following effect :—

Out of the 22,300 tons to be supplied by the Madhya Pradesh, the Madhya Pradesh Government have promised to give 5,000 tons immediately. Forty waggons per day have been promised by the Chief Director of Movements for moving this quantity. The movement is now going on and the despatch of the 5,000 tons was expected to be completed by the end of August. As regards the balance of 5,000 tons due from the Uttar Pradesh, it is reported that owing to floods in the State, the quantity is not immediately available, but that the Uttar Pradesh Government have promised to send 1,726 tons immediately. Twenty waggons per day have been allotted for the purpose and movement has already commenced. Against the 6,200 tons due from the Vindhya Pradesh, 3,500 tons will be completely moved by the first week of September. The despatch of the quota of 1,300 tons of rice from Delhi will be completed by the 4th of September.

The Special Officer has also contacted the officers of the Government of India who have promised to help him to obtain the balances still due from the other States as quickly as possible and to give necessary facilities for the movement by allotting adequate number of waggons.

The stock position of foodgrains in the State on 19th August 1950 was as follows :—

	TONS.
Rice	81,508
Wheat and Maida	17,865
Millets	13,210

At the rate of issue for the week-ending 19th August, these stocks are expected to last as follows :—

	WEEKS.
Rice	4
Wheat and Maida	1½
Millets	1½

The statement of stocks given above does not, however, include fairly large quantities that are actually in transit by rail. The following quantities of foodgrains are scheduled to arrive by sea in the first week of September :—

	TONS.
Rice	10,000
Milo	28,090
Wheat	17,195

The stock position will improve with the receipt of these quantities and of the balance of allotments still remaining to be received for the month of September.

A copy of the latest daily statement showing the stock position in the deficit districts, how long the present stocks will last and the quantities in transit to these districts is appended. Hon. Members will notice by comparing this statement with the one appended to the Printed Note that has been circulated to them already that the position in these districts has generally improved since then and with the receipt of the quotas for September already allotted by the Government of India, the position will improve still further.

With regard to procurement, also there has been a slight improvement since the 29th July when the weekly procurement of rice went down to 6,647 tons. The procurement during the succeeding weeks was as follows :—

Week ending 5th August 1950	6,964
,, 12th August 1950	7,517
,, 19th August 1950	7,076

The Government have impressed on all the officers concerned the necessity to procure the balances out of the surpluses not yet delivered by the ryots and special steps in this direction are being taken. However, nothing appreciable can be expected till the next crop comes to harvest. Harvest of paddy crop on a limited scale has commenced in Tirunelveli, Tiruchirappalli, Mathurai, and one or two more districts. In the current month, there will be an appreciable harvest of paddy crop in the Malabar and South Kanara districts. Kuruvai crop will come to harvest in the Cauvery Delta area in October and the Rasangi and Basangi crops in the Circars at about the same time. The harvest of ragi has commenced in nine districts. The situation is bound to improve with these harvests and the Government are confident that they can see that there is no deterioration in the situation till then.

M. A. KUTTALALINGAM PILLAI,
Secretary to Government.

Appendix.

Statement showing the stock position of rice and other foodgrains in several districts in the State as on 30th August 1950.

Districts. (1)	Stock on date of report. (2)	Number of days for which the stock will last. (3)	Total undespatched quotas (from internal Area Provincial and overseas sources). (4)	Stocks that arrived on the previous day. (5)	Quantities in Transit. (6)
Bellary.					
Rice	560	19	757	Nil.	160
Wheat	90	4	Nil.	Nil.	Nil.
Millets	900	45	..	Nil.	Nil.
	1,550				
Chingleput.					
Rice	990	18	4,292	140	105
Wheat	49	2	Nil.	Nil.	Nil.
Millets	252	7	239	277	209 A
	1,291				
Coimbatore.					
Rice	2,216	6	6,876	Nil.	2,488
Wheat	1,619	6	Nil.	Nil.	Nil.
Millets	2,494	9	4,701	Nil.	4,701
	6,329				
Kurnool.					
Rice	635	24	750	Nil.	60
Wheat	216	8	Nil.	7	Nil.
Millets	650	16	Nil.	Nil.	Nil.
	1,501				
Mathurai.					
Rice	670	5	3,613	Nil.	774
Wheat	179	1	Nil.	Nil.	Nil.
Millets	1,299	18	Nil.	Nil.	Nil.
	2,148				
Malabar.					
Rice	4,111	6	27,933	214	5,428
Wheat	789	3	Nil.	Nil.	Nil.
Millets	2,661	5	468	181	468
	7,561				
Chittoor.					
Rice	452	7	870	Nil.	360
Wheat	55	6	Nil.	Nil.	Nil.
Millets	90	9	460	40	420
	597				

Districts.		(2) Stock on date of report.	(3) Number of days for which the stock will last.	(4) Total undespatched quotas (from Internal Extra Provincial and overseas sources).	(5) Stocks that arrived on the previous day.	(6) Quantities in transit.
			North Arcot.			
Rice	.. ..	1,233	8	1,721	26	588
Wheat	.. ..	110	1	Nil.	Nil.	..
Millets	.. ..	477	3	1,545	360	1,515
		1,820				
			Ramanathapuram.			
Rice	.. ..	522	5½	6,214	15	1,230
Wheat	.. ..	319	6	Nil.	50	..
Millets	.. ..	2,007	20	Nil.	110	..
		2,848				
			Salem.			
Rice	.. ..	732	6	7,507	238	850
Wheat	.. ..	159	3	Nil.	Nil.	Nil.
Millets	.. ..	1,768	11	1,016	Nil.	1,016
		2,659				
			South Kanara.			
Rice	.. ..	1,321	8	2,625	260	2,527
Wheat	.. ..	40	1	Nil.	Nil.	..
Millets	.. ..	360	7	220	360	220
		1,721				
			The Nilgiris.			
Rice	.. ..	530	10	1,224	20	691
Wheat	.. ..	566	17	..	Nil.	..
Millets	.. ..	834	55	443	154	443
		1,930				
			Tiruchirappalli.			
Rice	.. ..	1,938	20	800	Nil.	Nil.
Wheat	.. ..	492	7	..	Nil.	..
Millets	.. ..	618	5	50	Nil.	50
		3,048				
			Tirunelveli.			
Rice	.. ..	649	3	7,290	20	1,721
Wheat	.. ..	1,482	21	..	20	..
Millets	.. ..	2,482	17½	1,102	360	..
		4,613				

2nd September 1950]

RICE.

Malabar district.—The District Supply Officers of Kakinada and Tadepalligudem have been instructed to accelerate despatches on topmost priority. Five thousand tons have also been allotted from Madhya Pradesh and the Assistant Marketing Officer instructed to despatch the quotas on highest priority.

One steamer carrying 6,053 tons of locally procured rice arrived at Tuticorin port from Kakinada on 29th August 1950 and the stocks are under movement to Tirunelveli, Ramanathapuram, Mathurai and Tiruchirappalli districts.

WHEAT.

The 4,500 tons of wheat which were received from two ships at Madras Port on 30th August 1950 are being taken delivery of and despatched to the various deficit areas. The despatches are expected to be completed in about four days time.

K. SUBBA RAO,
Joint Secretary.

Board of Revenue (Civil Supplies),
Chepauk, Madras.

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THE MADRAS LEGISLATIVE COUNCIL.

Saturday, the 7th October 1950.

The House met in the Council Chamber, Fort St. George, at half past two of the clock, the Deputy Chairman (SRI K. VENKATASWAMI NAYUDU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Superior posts in the I.A.S. Cadre.

*23 *Q.*—SRI. R. SURYANARAYANA RAO: Will the Hon. the Chief Minister be pleased to state—

(*a*) the number of superior posts in the Indian Civil Service to be filled up by promotion from among the Provincial Service officers prior to 1948;

(*b*) whether in fixing the Indian Administrative Service Cadre Strength in 1948, the number of posts referred to in (*a*) was increased and if so, to what extent;

(*c*) whether in 1950 this number has again been altered and if so, to what extent;

(*d*) the number of Provincial Service officers now holding superior posts in the Indian Administrative Service;

(*e*) how many among those referred to in (*d*) are temporary,

(*f*) how many permanent vacancies have occurred in the superior posts in the Administrative Service since 1948 and how many have been allotted to the Provincial Service officers;

(*g*) what the principle governing such allotment is;

(*h*) whether it is a fact that in filling up permanent vacancies in superior posts, preference is given to the members of the Indian Administrative Service irrespective of their period of service;

(*i*) whether the Government have at any time reviewed the whole question *vis-a-vis* the Provincial Service;

(*j*) whether the Government will place on the table of the House a statement giving the number of vacancies in superior posts in the Indian Administrative Service since 1948, the number filled up by the Provincial Service officers and the number allotted to the Indian Administrative Service; and

(*k*) whether the Government will lay on the table of the House all the relevant papers relating to the Indian Administrative Service with special reference to the matters referred to in this question?

THE HON. DR. T. S. S. RAJAN (on behalf of the Hon. the Chief Minister):—"(*a*) Ten posts.

"(*b*) The number of posts was increased from 10 to 18.

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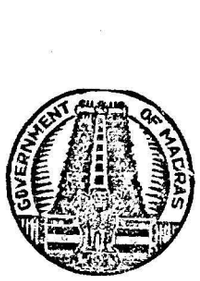
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MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

SATURDAY, 7TH OCTOBER 1950

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[7th October 1950

"(c) Yes. From 18 to 27.

"(d) Thirty-five.

"(e) Ten.

"(f) & (g) A statement* is laid on the table of the House. As the I.C.S. or I.A.S. officers are confirmed only in the vacancies among the 61 superior posts reserved for them and as the P.C.S. officers are confirmed only in the vacancies among the 27 superior posts set apart for them, the question of allotting the permanent I.A.S. vacancies occurred since 1948, to P.C.S. officers does not arise.

"(h) No.

"(i) Yes.

"(j) A statement* is laid on the table of the House.

"(k) The Government consider that it would not be advisable in the public interest to place the papers on the table of the House."

SRI R. SURYANARAYANA RAO:—"Sir, may I know whether the Provincial Service officers promoted to listed posts are to be first confirmed as Sub-Collectors (first grade) before they are made permanent as Collectors?"

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

SRI R. SURYANARAYANA RAO:—"Sir, in view of the fact that the number of Sub-Collectors (first grade) is limited and as a certain number is reserved for I.C.S. officers, are the Government aware that the number of vacancies occurring will always be few?"

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

SRI R. SURYANARAYANA RAO:—"In consequence of this, are the Government aware that at no time 27 posts can be given to P.C.S. officers?"

THE HON. DR. T. S. S. RAJAN:—"There is no reservation for the I.C.S. officers of the first grade."

SRI R. SURYANARAYANA RAO:—"Sir, in view of the fact that it would be difficult to give these 27 reserved posts to P.C.S. officers at no time owing to certain reservations made for Sub-Collectors (first grade), will the Government consider waiving this insistence on confirmation as Sub-Collectors (first grade) before the officers are promoted as Collectors?"

THE HON. DR. T. S. S. RAJAN:—"The procedure is such that it has to be followed and you cannot confirm straightway without a certain period of probation."

SRI R. SURYANARAYANA RAO:—"Are not the Government satisfied, Sir, that the period spent as Deputy Collectors and they have earned promotion on that account is sufficient to expect them to act as Collectors without being confirmed as Sub-Collectors (first grade)?"

* Printed as Appendix I on page 400 infra.

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THE HON. DR. T. S. S. RAJAN:—"None of those people in that grade can expect to be confirmed as Collectors straightway without a certain period of training and a certain amount of duties which they have to perform as Collectors."

SRI R. SURYANARAYANA RAO:—"Sir, are the Government aware that a large number of officers who held listed posts and served for a number of years, have retired without confirmation, and thereby forced to draw pension on their substantive pay?"

THE HON. DR. T. S. S. RAJAN:—"It is true, for want of vacancies, they had not had the opportunity."

SRI R. SURYANARAYANA RAO:—"May I again point out, Sir, that it is not due to want of vacancies, but due to the system by which confirmation is made. Will the Government, therefore, examine and see that this kind of thing does not happen and people who deserve to be promoted and who have been chosen to hold listed posts are confirmed?"

THE HON. DR. T. S. S. RAJAN:—"These cases have very often been examined and wherever necessary, action has been taken and so far as it prevails to-day, every attention has been paid to the question raised by the hon. Member while appointing these officers."

Recruitment for the posts reserved for the Indian Administrative Service.

*24 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Chief Minister be pleased to state—

(*a*) whether there are any posts in the Departments of Government other than the Madras Executive Service which are reserved for the members of the Indian Administrative Service including the old Indian Civil Service;

(*b*) whether recruitment to services other than the Indian Administrative and the Indian Police Services is now on a Provincial basis;

(*c*) if the answer to (*b*) is in the affirmative, whether the Government have considered the necessity to dereserve posts in other departments which were in the old order of things reserved either for the Indian Civil Service and the All-India Cadre of such services; and

(*d*) whether the posts of the Commissioner of Labour, the Registrar of Co-operative Societies and the Director of Agriculture continue to be reserved for the members of the All-India Services including the Indian Administrative Service?

THE HON. DR. T. S. S. RAJAN (on behalf of the Hon. the Chief Minister):—"(*a*) Yes.

"(*b*) Yes.

"(*c*) On grounds of administrative efficiency, the Government do not consider it necessary to dereserve the posts in other departments which have been reserved for I.C.S. or I.A.S. or listed post-holders.

"(*d*) Yes. The posts of Registrar of Co-operative Societies and Commissioner of Labour are, however, at present held by Provincial Service officers of those departments. Their appointments have been reported to the Government of India under rule 5 (2) of the Indian Civil Administrative Cadre Rules, 1950. The post of Director of Agriculture is held by an I.C.S. officer."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, what were the superior posts under the Provincial Government that were reserved for the I.C.S. prior to 1948?"

THE HON. DR. T. S. S. RAJAN:—"I would like to have notice for gathering the information required."

SRI R. SURYANARAYANA RAO:—"At least, Sir, are the Government aware whether in fixing the I.A.S. Cadre in 1948, even the posts of heads of departments reserved for I.C.S. were dereserved?"

THE HON. DR. T. S. S. RAJAN:—"It was dereserved in 1947. It has now been cancelled and again reserved."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether it is a fact that in refixing the I.A.S. Cadre in 1949, almost all heads of departments, as also some fresh posts have been added to the reserved list?"

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

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether it is a fact that heads of departments of other services were open only to those recruited from those services prior to this reservation for I.A.S.?"

THE HON. DR. T. S. S. RAJAN:—"May I know the service to which the hon. Member refers?"

SRI R. SURYANARAYANA RAO:—"I refer, for example, to the Director of Fisheries, a post which was held by officer of that department."

THE HON. DR. T. S. S. RAJAN:—"There was no separate post of the Director of Fisheries. It was in existence in 1943–44 and in 1944 the Director of Industries was holding the post."

Railway accidents in the State.

*25 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government have at any time addressed the Government of India on the large number of accidents besides the inconvenience caused to the passengers at a large number of railway stations in the Madras State served by different railway systems, which have no raised platforms; and

(*b*) whether any assurance, if any, has been received from the Government of India?

THE HON. SRI M. BHAKTAVATSALAM:—"(*a*) No.

"(*b*) The question does not arise."

SRI R. SURYANARAYANA RAO:—"Sir, are the Government aware that as there are a large number of stations where there are no raised platforms and passengers find great difficulty and have not the number of accidents that have occurred come to the notice of the Government?"

THE HON. SRI M. BHAKTAVATSALAM:—"Accidents have not come to the notice of the Government as such, but Government are aware of such low platforms. I have no doubt the Railway management is taking necessary steps. I know there is a programme of re-modelling stations which the Government of India are taking up subject to limita- of their finance."

SRI R. SURYANARAYANA RAO:—"Sir, can there be any objection to this Government bringing to the notice of the Government of India the necessity for accelerating this programme of raising the platforms?"

THE HON. SRI M. BHAKTAVATSALAM:—"I think we might as well leave it to the Railway Advisory Committee on which the Legislature is represented and they might deal with the question."

Regional Transport Authority, Bellary.

*26 *Q.*—SRI S. K. SATAGOPA MUDALIYAR (on behalf of Sri B. Bhima Rao): Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether three non official members had been appointed to the Regional Transport Authority, Bellary, for the year 1949–50;

(*b*) what the term of appointment of those members were;

(*c*) the reasons as to why a similar number has not since been appointed; and

(*d*) whether the same rule has been applied to all the districts?

THE HON. SRI B. GOPALA REDDI:—"(*a*) The answer is in the affirmative.

"(*b*) One year from the date of publication of the notification appointing them in the *Fort St. George Gazette* or until a later date on which the appointment of his successor is notified.

"(c) The constitution of the Road Traffic Boards has been amended recently providing for the appointment of such number of non-official members as the Government think fit. As a matter of policy, it was considered desirable to limit the number of non-official members to one in all Regional Transport Authorities.

"(d) The answer is in the affirmative."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether the term of office of this re-constituted Board will also be one year?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir."

Assistant Directress of Maternity and Public Health.

*27 *Q.*—MRS. M. N. CLUBWALA: Will the Hon. the Minister for Health be pleased to state whether the post of the Assistant Directress of Maternity and Public Health has been abolished since April 1950?

THE HON. DR. T. S. S. RAJAN:—"The answer is in the negative. In view of the provisions of the Constitution, under which there can be no discrimination or distinction on grounds of sex, in the matter of appointments to the same classes of posts, and in order to provide for a greater measure of elasticity in the matter of the supervision of Public Health work generally in the districts, the post of Assistant Directress, Maternity & Child Welfare, has been redesignated as a post of Assistant Director and added to the general class of posts of Assistant Director of which it formed part."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether there is anything to prevent the Government from appointing all the Assistant Directors of Health from among women doctors?"

THE HON. DR. T. S. S. RAJAN:—"There is nothing to prevent it, particularly in view of the fact that under the new Constitution this distinction has been wiped out."

Grants to different Universities in the State.

*28 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Education be pleased to state—

(a) what the grants made to different Universities in the States are since 1945–46 (yearwar) and the purposes for which the grants were made;

(b) whether the grants, recurring and non-recurring, are in addition to block grants provided in statutes governing the Universities;

(c) what the block grants provided in the various statutes are;

(d) whether the statutory grants are given without reference to the financial position of each University;

(e) whether all or any of the Universities have investment funds for general purposes or earmarked for particular items of work, and if so, how the investment funds stand in each University;

(f) whether any or all of the Universities are required to carry forward towards investment funds a certain percentage of their recurring income;

(g) whether the Government have under consideration any proposal to have the financial position of the Universities examined with a view to alter the basis on which grants are made for general or specific purposes including the statutory grants;

(h) whether there is any proposal to revive the University Grants Committee with duties such as those entrusted to similar bodies elsewhere; and

(i) whether there is any proposal to make University education wholly a Central subject?

THE HON. SRI K. MADHAVA MENON.—"(a) A statement[a] showing the grants (recurring and non-recurring) sanctioned to the three Universities in the State since 1945–46, together with the purposes for which they were sanctioned, is laid on the table of the House. These figures do not include the amounts sanctioned by the Director of Public Instruction towards the loss sustained by the Universities on account of grant of concessions to children and dependants of soldiers. These amounts vary from Rs. 2,000 to Rs. 7,000 for a year.

"(b) & (c) The non-recurring grants shown in the statement are in addition to the recurring grants referred to. Soon after the establishment of the Andhra and the Annamalai Universities, a non-recurring grant of Rs. 7½ lakhs for buildings and equipment and a similar grant of Rs. 27 lakhs for the Foundation Fund of each of these Universities were made to those Universities, besides the annual recurring grants. The attention of the Member is invited to Sections 44 of the Madras University Act, 37 (2) of the Andhra University Act, and 43 of the Annamalai University Act. Except in the case of the Annamalai University Act, which makes mention of a contribution of Rs. 1½ lakhs to the General Fund of the University by the State Government, the provisions of the Acts do not specifically lay down any figures in respect of recurring block grants. The three Acts, however, specifically provide for the payment of contributions to the Universities from time to time for the general purposes of the Universities. The grants which are now provided for with reference to these statutory provisions are—

Madras University, Rs. 5,09,700.

Andhra University, Rs. 3,49,400.

Annamalai University, Rs. 6,49,000.

[a] Printed as Appendix II on pages 401–402 infra.

" (*d*) The financial position of the University and its requirements are taken into account when the amounts are fixed.

" (*e*) & (*f*) Universities are autonomous bodies. The Syndicate of each University is empowered to administer the funds of the University and effect transfers from one budget head to another. The Senate is competent to review the action of the Syndicate. The accounts are audited by the Local Fund Audit Department. Up-to-date details of the funds are not available.

" (*g*) No.

" (*h*) No.

" (*i*) The Government are not aware of any such proposal."

SRI R. SURYANARAYANA RAO:—" In view of the great responsibility borne by the University of Madras, will not the Government think of revising the basis of the grant; the Madras University gets about Rs. 5 lakhs odd while the Annamalai University gets Rs. 6 lakhs odd."

THE HON. SRI K. MADHAVA MENON:—" The increase for the Annamalai University is because of the Engineering College started there and there is no necessity for revising it. If, however, the Madras University applies for it, we will certainly consider and examine its request and give as much as possible."

Grant to Swadeshi Steamship Company, Limited.

*29 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Public Works be pleased to state with reference to the answers given on 14th November 1949, to the main question No. 3 and the supplementary questions thereon—

(*a*) whether the grant of loan to the Swadeshi Steamship Company, Limited, from the Provincial Minor Ports Fund to aid the Company to run the Tuticorin-Colombo Steamer Service is in accordance with the purposes for which the Fund has been constituted;

(*b*) why the loan was not given out of the Tuticorin Port Fund;

(*c*) whether the Government have at any time in the past granted loans out of either Minor Ports Fund or the Landing and Shipping Funds and Pilotage Funds for purposes outside the purview of the objects of these funds and if so, when and for what purposes such loans were given;

(*d*) whether in giving loans out of these Funds, the question of applying the procedure laid down in the State Aid to Industries Act and the Rules framed under it, was considered by the Government;

(*e*) whether in regard to the loan for the Swadeshi Steamship Company, the Government considered the application of the provisions of the State Aid to Industries Act and the rules framed under it, before sanctioning the loan;

(*f*) whether the Company has other assets besides the paid-up share capital which has been invested in business;

(*g*) whether the Company has collected share capital equal to the loan obtained;

(*h*) whether the Company obtained the prior consent of the Government before they purchased the steamer;

(*i*) whether the Government took steps to satisfy themselves that the vessel purchased was sea-worthy and the price fixed was reasonable;

(*j*) whether the Company has been regularly running steamer service between Tuticorin and Colombo;

(*k*) whether the Government have any idea of the earnings of the Company since the service was started;

(*l*) whether the representative of the Government on the Directorate of the Company submits regular reports on the working of the Company and obtains necessary instructions of Government on questions of policy coming before the Board of Directors; and

(*m*) whether the Government propose to take further action to safeguard their interests by obtaining additional security, etc., as is required under the State Aid to Industries Act?

THE HON. SRI M. BHAKTAVATSALAM:—" (*a*) *to* (*m*) Attention is invited to the paper* placed on the table of the House."

SRI R. SURYANARAYANA RAO:—" With reference to the answer to clause (*e*) placed on the table of the House, may I know, Sir, if the Government are aware that the amendments to the provisions of the Madras State Aid to Industries Act refer only to enterprises with paid-up share capital of Rs. 30 lakhs and above and it does not refer to institutions with small capital like the Swadeshi Steamship Company. May I know, Sir, whether the Government took all possible care to see that the provisions of the Act were applied ?"

THE HON. SRI M. BHAKTAVATSALAM:—" The British Steamship Company that was running the service was to stop from the first January of that year and the idea was that this Company should be enabled to start the service on that day without a break. It was found that under the State Aid to Industries Act, it would not be possible to secure the necessary loan to enable the concern to purchase and run the service and therefore, the loan was given from the Minor Ports Fund."

JANAB K. T. M. AHAMED IBRAHIM:—" May I know, Sir, if the Government is fulfilling the objects of the Minor Ports Fund by giving this aid to the Steamship Company and whether the grant of such a loan is consistent with the objects of the Fund ?"

* Printed as Appendix III on page 403 infra.

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THE HON. SRI M. BHAKTAVATSALAM:—"There is a provision in the Minor Ports Fund Act which enables the Government to give loans for this purpose from the Minor Ports Fund."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether the Government have, before giving this loan, taken all steps to secure the return of this loan?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir. The Government have taken all steps and precautions for the repayment of the loan."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether there is a regular steamer service from Tuticorin to Colombo by this steamship company?"

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

SRI S. B. ADITYAN:—"Are the Government satisfied, Sir, that the concern is running at a profit?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir. Last year they declared a dividend of 3 per cent to the shareholders and also paid interest at the rate of 3 per cent to the Government."

Assistant Provincial Motor Transport Controller.

* 30 *Q.*—JANAB ABDUL LATIF FAROOKHI: Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether the attention of the Government has been drawn to the judgment of the Third Presidency Magistrate, dated 12th June 1950, in which he had convicted the General Manager of Messrs. Lakshman Prasad and Sons, Madras, to pay a fine of Rs. 750 on charges of having sold three Hindustan-10 cars above the controlled price in January 1948;

(*b*) whether the attention of the Government has been also drawn to a reference in that judgment of two letters written by the Assistant Provincial Motor Transport Controller, on behalf of the Provincial Controller, authorizing the accused to sell the cars at the price at which they were sold; and

(*c*) what action the Government have taken or propose to take against the Assistant Provincial Motor Transport Controller for writing those letters?

THE HON. SRI B. GOPALA REDDI:—"(*a*) & (*b*) The answer is in the affirmative.

"(*c*) Suitable disciplinary action has already been taken against the Assistant Provincial Motor Transport Controller."

JANAB ABDUL LATIF FAROOKHI:—"May I know, Sir, when a competent officer of the Government has written to a particular concern or its authorized agent, what crime it is that that man has committed when he merely acted upon the orders of Government or that particular officer?"

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THE HON. SRI B. GOPALA REDDI:—"It is only the Government that is competent to pass such orders and any order passed by a subordinate officer in the name of the Government cannot legally be sustained. Further, Sir, the matter is subjudice just now."

Admission to Medical Colleges.

* 31 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Health be pleased to place on the table of the House the number of students admitted into the medical colleges in 1950 district-war and communal-war and also state whether merit, community and language were all considered in making the admissions and whether any directions other than those contained in the rules prescribed were given to the Selection Committee?

THE HON. DR. T. S. S. RAJAN:—"A statement [a] showing the admissions made to the Medical Colleges in 1950 is placed on the table. In making the admissions, merit, community and language regions were considered. No directions were issued by Government to the Selection Committee, involving a deviation from the rules prescribed for the selection of candidates; but, the members of the Committee were asked to ensure that the selections were made strictly in accordance with the rules and that if, in any extraordinary case any deviation was made from the rules, the reasons for such deviation and the cases in which such deviations were made should be reported to Government. The Committee was also asked not to announce the selections before they had been approved by Government after scrutiny. No deviations were made by the Committee."

JANAB K. T. M. AHAMED IBRAHIM:—"May I know whether in view of the paucity of Muslim women medical graduates, it would not have been better for the Government to have selected more Muslim women for admission to the medical colleges? Only one girl has been selected now."

THE HON. DR. T. S. S. RAJAN:—"Unless the rules are changed that we can take men candidates in the place of women, it cannot be done."

JANAB K. T. M. AHAMED IBRAHIM:—"That is not what I wanted; I wanted more Muslim women to be selected as there is only one Muslim girl who has been selected, I know there were more applicants from among Muslim women."

THE HON. DR. T. S. S. RAJAN:—"The same is the difficulty whether it is more men or women that have to be selected. When the rules say so many women shall be taken for a particular place, we cannot ask anybody else to be taken. That is the difficulty."

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[a] Printed as Appendix IV on pages 404–405 infra.

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether the same standards have been applied in regard to admission to medical colleges for men and women candidates?"

THE HON. DR. T. S. S. RAJAN:—"Yes, Sir; the same standard applies."

Re-organization of the Presidency College.

*32 Q.—SRI M. GOVINDACHARYULU (on behalf of Sri B. Bhima Rao): Will the Hon. the Minister for Education be pleased to lay on the table of the House—

(a) the report of Professor C. V. Raman as to the reorganization of the Presidency College, Madras;

(b) whether the Government have accepted all the recommendations proposed by the said Professor in his report;

(c) if not, what the recommendations are which the Government have accepted; and what recommendations have not been accepted by the Government; and

(d) whether the Government have issued any instruction to the Principal of the Presidency College to make admissions in the present academic year on the basis of the recommendations accepted by the Government?

THE HON. SRI K. MADHAVA MENON:—"(a) Copies of the report* are placed on the table of the House.

"(b) & (c) The recommendations of the Committee are under the consideration of the Government.

"(d) The question does not arise."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether in pursuance of the recommendations of the Committee the Government invited applications for the posts of certain heads of departments in the Presidency College?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir, the Public Service Commission invited applications."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether the Public Service Commission have made their recommendations or have they been asked not to proceed with the selection?"

THE HON. SRI K. MADHAVA MENON:—"They have been asked to defer the selection as the Government considered that further examination was required about the scales of pay."

* Printed as Appendix V on pages 406–423 infra.

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

II.—MESSAGE FROM THE ASSEMBLY.

THE DEPUTY CHAIRMAN:—"I have to announce to the House that I have received the following messages from the Hon. the Speaker of the Madras Legislative Assembly:—

'(1) I transmit a copy of the Madras Consolidated Fund (Charged Expenditure) Bill, 1950 (L.A. Bill No. 25 of 1950), as passed by the Assembly on the 9th September 1950, and signed by me for the recommendations of the Council.

2. I certify that this is a Money Bill within the meaning of Article 199 of the Constitution of India.'

'(2) I transmit a copy of the Madras City Improvement Trust Bill, 1950 (L.A. Bill No. 11 of 1950), as passed by the Assembly on the 9th September 1950, and signed by me for the concurrence of the Council.'

"I have also received a message transmitting a copy of the Madras Animal and Bird Sacrifices Abolition Bill, 1947 (L.C. Bill No. 2 of 1947), as passed by the Assembly with amendments and signed by him for the concurrence of the Council. The amendments have already been circulated to the members.

"II. I have also to announce that I have received a message from His Excellency the Governor of Madras, dated the 26th March 1950:—

'In pursuance of Article 207, clause (3) of the Constitution of India, I, Krishna Kumarsinhji Bhavsinhji, Governor of Madras, hereby recommend to the Madras Legislative Council, the consideration of the Madras City Improvement Trust Bill, 1950.'"

JANAB K. T. M. AHAMED IBRAHIM:—"May I request the Leader of the House to arrange to instal a mike for the Chair as we are very often unable to follow the remarks falling from the Chair?"

JANAB ABDUL LATIF FAROOKHI:—"Before we proceed with the business, I would request the Government through you, Sir, to allot us a day for discussing the delimitation proposals of the Government."

THE HON. SRI B. GOPALA REDDI:—"May I know, Sir, if it will suit hon. Members if we have a discussion on the 9th; I have already given notice of it to the Secretary, and if 9th suits hon. Members, it can be taken up."

JANAB ABDUL LATIF FAROOKHI:—"I suppose a full day will be available."

THE HON. SRI B. GOPALA REDDI:—"As you like."

III.—SUPPLEMENTARY ESTIMATES OF EXPENDITURE FOR 1950-51.

THE HON. SRI B. GOPALA REDDI:—"Sir, I present the first Supplementary Statement of Demands for Grants for further expenditure in the year 1950-51 and detailed estimates thereof. Copies of the Statement of Demands and Estimates have been laid on the table of the House.

"This is the first Supplementary Statement to be presented in accordance with the procedure prescribed under the new Constitution. The position is explained in detail in the Introductory Memorandum to the Statement of Demands.

"I also invite the attention of the hon. Members to the abstract of the Detailed Estimates which is given on page 3 of the statement. Hon. Members will notice that the Supplementary Estimates cover 61 new schemes spread over 19 demands. The estimated ultimate cost of all the schemes is about Rs. 16 lakhs recurring and Rs. 10·75 lakhs non-recurring. Over 90 per cent of the expenditure will be on Capital Account. Most of this capital expenditure pertains to Electricity schemes—Tunghabadra Electricity Scheme estimated to cost nearly Rs. 8 crores, scheme for the purchase of electric power from Mysore for use in South Kanara district (Rs. 62 lakhs), other electricity extension schemes including rural extensions (Rs. 60 lakhs). There are also 15 irrigation schemes connected with the Grow More Food Campaign involving an ultimate cost of about Rs. 40 lakhs which will count against the lump sum provision already made for the purpose in the budget for the current year. There is also a scheme for the sinking of 101 artesian wells in the South Arcot district with a view to augmenting the existing irrigation facilities estimated to cost over Rs. 8 lakhs which is shown under the demand for the capital outlay on industrial development.

"In the Revenue Account, the important items are Grants for Municipal Water-supply schemes for Srivilliputtur, Guntur and Srirangam (Rs. 62 lakhs), acquisition of house-sites for agricultural labourers in the Tanjore district (Rs. 5 lakhs), Improvements to the Madras Medical College and Stanley Medical College (including additional staff and equipment) (about Rs. 4 lakhs non-recurring and Rs. 1 lakh recurring), Grants to the Madras Corporation in connexion with the construction of a second conduit from Red Hills to Kilpauk (Rs. 2·44 lakhs) and for the maintenance of the Ashok Vihar Health and Recreation Centre (Rs. 10,000 per annum), scheme for the improvement of fishing crafts and tackles (Rs. 1 lakh), and grants to non-official agencies in connexion with the Rural Welfare scheme (Rs. 1,25,000).

"Other new schemes which deserve special mention are—the expenditure on the Land Revenue Reforms Enquiry Committee (Rs. 32,500), Reorganization of the Legislature Secretariat including employment of additional reporters and revision of scales of pay of the officers and staff (Rs. 15,000), bifurcation of the Visakhapatnam district (Rs. 33,000 per annum), and special survey of the Agency areas for formulating schemes for their development

(Rs. 31,000). There are also schemes relating to the Police Department and buildings for the Secretariat, Connemara Public Library and the Government Hospital for Women and Children, Madras.

"Under Loans and Advances, the approval of the Legislature is sought through a token Demand, for the special loan given by the Government to the distressed workers of the Meenakshi Mills, Mathurai, during the lock-out of the mills in May last.

"As indicated in the abstract of the detailed estimates, the expenditure expected to be incurred during this year on all the new schemes is relatively small (Rs. 46 lakhs on Revenue Account and Rs. 69 lakhs on Capital Account). Most of this expenditure will be met from the savings anticipated under the respective grants as a consequence of the special economy drive recently decided upon by the Government or from the lump sum provision already made in the budget for specified purposes, e.g., Grow More Food, Irrigation schemes. Hence only token sums are included in the Supplementary Statement under most of the grants. As a result the total of all the supplementary demands to be actually voted by the Legislature is only Rs. 15·54 lakhs."

IV.—GOVERNMENT MOTION.

FOOD SITUATION IN THE MADRAS STATE—DISCUSSION.—*cont.*

THE DEPUTY CHAIRMAN:—"Now, we proceed to debate 3 p.m. the Food situation in the State."

* SRI P. VEERABHADRASWAMI:—"Mr. Deputy Chairman, Sir, Pandit Nehru, in one of his speeches, said that the popularity of a Government in China depended upon the price of rice. Sir, in our Province, the popularity of our Government appears to depend in the quantity of rice that our Government can supply. The low ration of rice that is being given to our people is telling upon their health. Even the well-to-do are not able to adjust themselves to the variation in the rice content of our ration. Sir, I come from the Visakhapatnam district, which has now become a heavy deficit district after the formation of the Srikakulam district from the old Visakhapatnam district. Srikakulam district may be said to be a surplus district, with a small surplus of six thousand tons. After the rice producing tracts have been given to the Srikakulam district, the Visakhapatnam district has to-day become very poor. The cultivators in the district have all along for some time past been growing jute and groundnut and they have been getting very good price; and prior to that they were producing millets on the same land. Sir, now the price of paddy or millets has to be increased to some extent to give an incentive to the ryots to produce foodgrains. Sir, the people in the villages have not been getting six ounces of rice regularly for the last so many days. Sometimes, it is being reduced to two ounces or three ounces; and in some places no rice is given at all. In some villages people are obliged to

live on roots and leaves, and that is telling upon their health. So, Sir, it is high time that we revised our procurement and ration policy. It is essential that the whole country should have one system of procurement and one system of rationing. The surplus Provinces have got enough of stock and they are not exporting their surplus stock to the deficit Provinces as much as they can. If procurement is very effective in the surplus Provinces also, there will be a better supply of rice, or wheat or millets in the deficit Provinces also. It is essential if controls are to be continued and if rationing is to be continued, at least, the people should be given more ration, at least eight to twelve ounces of rice and four to six ounces of other foodgrains. The agitation that is going on now throughout the whole Province about the abolition of controls and rationing will then to a great extent minimize. We find that the health of the people has been greatly impaired, and consequently there are more admissions in hospitals during the last two or three years than in the previous years. We are spending large amounts on Grow More Food scheme, but so far no appreciable improvement has been found in this scheme. In our Visakhapatnam district, the Vizianagram zamindari has been taken over by Government, and in a large number of villages, the water sources of tanks and channels have not been repaired for years and years together, and if the Government would spend only a few lakhs of rupees, many of these water sources could be repaired, and there will be a good supply of water to many of these tanks and then thousands of acres will be cultivated and paddy grown. I would just like to give an example. There is the Denkada channel in Bimlipatam taluk in our district. Now, that is silted up. In some places the sluices have been closed up by silt and water would not enter into the channel. If only Government see that that channel is repaired, spending about a lakh of rupees, there will be a very good supply of water and thousands of acres can be irrigated. A second channel can be dug up by the side of the same channel, and thereby, hundreds of villages will be benefited. People have all along been expecting that when the zamindaris have been abolished repairs would be made to tanks and plenty of water would be available for cultivation and they would be able to raise more and more foodgrains. Now, since that has not been done, they are now resorting to growing of groundnut and jute. Jute has now become an essential commodity to our place after the partition of India. But just at present, foodgrains have to be given preference and commercial crops have to be limited to a great extent. So also in the case of tobacco, though our district is a dry district and though it is possible to raise millets, cultivators have been raising tobacco crop only. Sir, there must be a good distribution of these crops, giving preference to foodgrains, and then only the deficit in several districts, and in our Province as a whole, could be made up. So, I would request Government to take up irrigation schemes at once. In fact, there are not any big schemes in my district; they are only small schemes, mostly by way of repairs to irrigation sources. If money

is wanted, people will be ready to contribute money; they will subscribe to any loan that Government may wish to raise in this behalf, in my district."

* DR. S. GURUBATHAM:—"Deputy Chairman, Sir, this question of food has been creating a good deal of stir in the country. Here, I would like to place some of the facts, as I have understood it. It is not that I want to criticize anybody or to put the blame on the Government or lay the blame on anybody. Sir, the situation is acute and serious to-day out in the country. Collectors and officers are quite interested to see that the statutory ration areas are able to get their ration. They have unfortunately excluded rural parts. Now, I would like to draw a picture before the House, based on my experience, of what is happening in the rural parts. In the district to which I belong, several of the ration shops have not been opened for several days; one of the ration shops in my place has not been opened for several weeks together; and yet the ration shops are shown as functioning there on record! In spite of the fact that I have drawn the attention of the Government to this fact, nobody has cared to look into the matter. Ration cards were not issued to most of the people. But after some difficulty, ration cards were issued. Again, when rations are issued from the supply depot, they disappear on the way, and they do not reach the ration shop at all. Sir, people see ration moving from the ration supply depot to the ration shops, and the next day, when they go to the ration shops expecting ration to be given to them, they see the rations have all disappeared in the blackmarket. I have drawn the attention of the officers to this fact and have asked them whether the Government have changed the procedure to supply the blackmarketers instead of to the people. It looks as if that is the purpose of procurement from the way in which things are going on in the country. People in the village do not get anything, not even two ounces of rice. Though sometimes it is on record that two ounces of rice are given, they do not get even that. So, that is the situation in the country, and no wonder that people are getting desperate. Sir, I daresay, now the people know that the Government cannot supply the rations which they have promised to supply, and the agency which is operating this control, procurement and supply of food, they, also definitely and clearly know that they cannot satisfy the demand in the country. The Government also know it. When that is so, why should the Government say everything is going on well in the country, when that is not true. And then, there is the other great factor; why this control, which has completely failed. It is a fact that it has failed. In spite of the fact that Government themselves are aware of this failure, why should they say, it is a success? I will give just one example. It is a well-known fact that China is in the hands of Communists. There is no national government in that country. The U.N.O. is not prepared to recognize the present Chinese Government in spite of the fact that our Prime Minister drew the attention of the world governments to that. An exactly similar thing is happening in our country. Our

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Prime Minister and the Government are not prepared to understand the situation in the country because they are committed to a certain policy and the Government have let us down. The agency which is controlling the supply of food is not a trustworthy agency. There has been much talk of corruption. Corruption is increasing. The more the control, the more the corruption. There is corruption among the officers who procure and supply and the village officers who issue ration cards. Right from the bottom—I am not prepared to say to the top—there is plenty of corruption. Corruption is eating into the vitals of the country and the country is rapidly losing its moral character. That is why Gandhiji advocated the abolition of controls. I would say that good character is even more important than food. The Government are not able to supply the food that the people want. They are very careful to prove that there is no starvation-death. I am not prepared to say that there has been any starvation-death. If there is no starvation-death, it is not because the Government agency is working satisfactorily but because people buy food in the blackmarket. Last month, myself and the Provincial Firka Development Officer went to the shandy in Pallipat, the constituency from which our Chairman hails. Just at the entrance, a prominent place where everybody was passing through, we found several gunny bags full of rice, ragi and cumbu. These foodgrains were being sold at blackmarket prices in the open market. A friend told me that in Madras rice was being hawked in the streets of Madras. The quality of the rice that is being hawked in the streets of Madras and the rice that I saw in Pallipat is far superior to the quality of the rationed rice. Why are not the Government able to procure rice of good quality? Why is the quality of the rationed rice so bad, when first-class rice is available in the blackmarket? There is something fundamentally wrong with the whole system of control, procurement and supply. People are not straving because they buy foodgrains at exorbitant prices in the blackmarket and live on them. The agencies that have to supply do not supply but give reports that the people are quite satisfied with the supply. The producers cannot produce paddy and other foodgrains for sale to the Government at the price that they have fixed. In the 'Hindu' of yesterday, I read a question put by a Member of the Legislative Assembly asking why the Government were purchasing from Uttar Pradesh at Rs. 25 per kalam whereas they were prepared to pay only Rs. 8 per kalam for the paddy procured in the Tanjore district. The crux of the problem is that the Government are prepared to buy paddy only at double the pre-war price. Compared with pre-war level, the price of pepper has gone up to forty times, of groundnut twenty times and of sugarcane, cotton and jute four to five times. But the foodgrains produced by the producer are taken away by the Government at practically double the pre-war price. It costs me nearly thirty rupees to produce one bag of paddy with an oil engine to pump out water from a deep well and with all the difficulties of irrigation and labour. The Government want to take those bags from me at twenty rupees, and I incur a loss of ten rupees. I am stating a stark

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reality. In spite of the low price, we are giving to the Government what they demand, and we are not prepared to give them the remaining stock. There are big merchants who have become millionaires in the course of the last ten years by indulging in blackmarket. There is no Government agency to detect and draw out the blackmarket money and use it on public utility services. The only person whom the Government can control is the poor ryot. Herein is a practical application of the Tamil proverb : ஊருக்கு இளைத்தவன் பள்ளையார் கோவில் ஆண்டி. Government are not able to control blackmarketers. A ryot, who produces ten kalams of paddy, out of fear gives two or three kalams to the Government at the controlled rate and sells the remainder in the blackmarket. Nobody is prepared to accept it officially, though everybody is prepared to accept it non-officially. I daresay the Government should change this policy. It is no use of the Madras Government taking shelter behind the Government of India and saying that the Government of India want them to adopt a certain policy. We have a representative Government whose duty it is to represent to the Centre the feelings of the people here. They are not here simply to carry out the directives of the Centre. If a fair price is given for the produce, the ryot is prepared to produce more. Unless we give a fair price for foodgrains, all attempts at Grow More Food will be a total failure. I am not giving predictions like an astrologer. I am only stating a stark reality. If the present control price continues, five years hence the people will find that they have been let down very miserably, and perhaps this Government may not be there to answer our questions then. The psychology of the ryot to-day is not for producing more food. I myself have gone to the village to grow more food. With all my goodwill, I am not prepared to produce more food, only for handing it over to the Government at the rate at which they want it. I am not philanthrophically disposed towards the Government, though I may be philanthrophically disposed towards the poor man."

SRI S. B. ADITYAN:—"If a higher price is paid, will not the price of food increase?"

DR. S. GURUBATHAM:—"It will. When the price of cloth, pepper, chillies, tamarind and every other essential article has gone up, why should not the price of paddy go up a little more? Look at this contradiction of the Government! While the country is suffering from shortage of food, the Government are concentrating on cotton. They increased the price of cotton by Rs. 125 per candy very recently. The same Agricultural Department that has been parading before the country to produce more food are now conducting a compaign for producing more cotton. What is the use of my cloth if I do not have enough food? The whole country admits that food is a fundamental and primary necessity. As such, food production must be placed on a war-footing. When the price of cotton has already increased very much, the Government have raised its ceiling price by another Rs. 125. But they are not prepared to raise the ceiling

price of paddy and do justice to the ryot. My hon. Friend, Sri S. B. Adityan asks: Will not the price of food increase, if a higher price is given. It will increase. The Government will have to increase the salary of their menial staff and the industrial concerns will have to increase the pay of their labourers. Because other people want to live comfortably, the poor ryot is asked to hand over his produce at a low price. Is this the concern that the country has got for the poor ryot about whom there is so much talk? There is much talk about rural uplift and rural welfare. All these things have no meaning unless the difficulties of the ryots are realized and remedied. The Government need not dole out any money. Let them allow the poor ryot to make some money when he can. When the cotton merchant, the iron merchant and the pepper merchant can make considerably more money, why should not the poor ryot make some more money, improve his economic condition and make his life a little more comfortable? Instead of spending money on the several agencies for trying to help him, let him be allowed to help himself to a decent price. Let the Government calculate how much it costs to produce paddy at the rate of 840 pounds per acre. The Government say that the average production is 850 pounds per acre. In Japan it is 3,000 pounds and in Holland and other countries it is 4,000 or 5,000 pounds. Let the Government allow that margin of profit on the cost of production which they are now allowing to cloth merchants and fix the procurement price at that level. (Interruption by Sri N. Venkatachalamaji.) My remarks apply to whoever is benefited. It has been calculated that our country is exporting pepper to the tune of four crores worth of rupees. What is the number of people benefited by the pepper trade or production? So I strongly urge the Government to face the realities of the situation and withdraw control. Let the foodgrains take their own prices. Either guarantee proper prices to the producer or allow him to get the price that he wants. Then the Government will find that they have achieved a miracle. People will produce more food than what they are producing to-day. If one acre of sugarcane can fetch two thousand rupees, why should the people grow paddy which will fetch only two hundred rupees? That is the position to-day. If the Government are serious about the food problem, let them concentrate upon foodgrains until the country is able to produce enough food and not upon sugarcane, jute or cotton, or even groundnut. Why should the Government buy rice from Burma, Congo, Nile and America at a high price and why are they not prepared to pay the same price in India? If the 140 crores of rupees spent in foreign countries are spent in India, that will improve the economic condition of the ryot and give him an incentive to produce more and that will solve the food problem. Unless the price is attractive enough for the producer to produce, the food problem can never be solved either in 1951 or even later. I feel that the plea of want of timely rain is only a mask to hide the real issue. The real issue is the low price. I am not prophesying like a panchangiyar. I am stating a fundamental proposition as a practical agriculturist.

" Sir, in this connexion, I should like to say a few words on the grow-more-food campaign of this Government. Sir, I am not here to blame the Government for all that they have done under this campaign. But I should like to ask them this simple question. What is the amount that is spent so far on this grow-more-food campaign and what is the increaesd quantity of food-grains produced? Is the extra production commensurate with the amount spent? Will the Government place a detailed statement on the table of the House showing the amount of money spent in the various villages and the increased production there for? Unless we have got some idea about these things, we cannot say that this scheme has in any way succeeded. Sir, I have not the time to discuss at length on the floor of the House some of the things that are being done in the name of the grow-more-food campaign. But I would just say this much, that the Government are most ill-advised in having put a number of high-paid officials in charge of this scheme, who simply read what is written in books and who simply copy the facts and figures contained therein. This is what I would call 'எட்டிச்சாரைக்காய் கறிக்குதவாது.' This is exactly what is happening now. All these high-paid officials who are put in charge of this campaign have learnt certain things from what they had seen in western countries and they want to import those things here in our villages and are telling our ryots that they should also be able to do those things. But they forget the fundamental basis, whether such things could be related to the man-power of this country. Sir, if we want to solve this food problem on a fundamental basis, we should see whether the methods we adopt are suitable and could be related to the man-power of our country. We have got about 300 million people in this country. It is not by the mere introduction of tractor cultivation and the use of mechanical appliances or the displacing of the human element, that you can solve the problem. If you start doing so, you will have to come to a period when you should be forced to follow the Russian practice of castrating the people of our country or adopt some artificial methods of reducing our population either by birth-control or by other means. Perhaps you may have to adopt Hitler's method of reducing the number of people in order that mechanised agriculture can exist in this country. I submit, Sir, that if we really want to tackle the food problem, it is not by machinery or mechanical appliances that we can do it successfully. It must be solved by the human element and by the man-power in our State. We must make our ryots take greater interest in the land, by providing them all facilities for increased production and make agriculture a more attractive and a more lucrative profession. It is only then that the grow-more-food campaign will show better results. In this grow-more-food campaign, the Government are trying to introduce chemical manures and artificial fertilizers which are injurious to the natural fertility of the soil in the longrun. We must be able to improve the fertility of the soil by our farm-yard manure which is the cheapest and the only thing that will keep up the

fertility of the land for a long time to come. Now a great campaign is being carried on for the import of chemical fertilizers from foreign countries and for the production of more chemical fertilizers in the country itself. If the Government spend the money that is now spent on the imported chemical manures from foreign countires, on the production of farm-yard manure, the results will be equally beneficial and more lasting. That way lies the solution of the food problem.

"Sir, what I want to plead to-day with the Government is that they should tell the Government of India that controls in this State have not produced results which were expected of them, that the controls over foodgrains should be lifted and that its price should be allowed to find its own level in proportion to the level of prices prevailing for other necessities of life. Sir, there are certain areas and districts in this State where there is chronic famine, whether there are rains or not. Such tracts are to be found in districts like Ramanathapuram, Coimbatore, Salem, South Arcot and North Arcot in the south and a greater part of the Rayalaseema districts in the Andhra. These places have been famine-striken not only during the last ten years from which we are suffering from this food crisis, but they had been so even before. It is those areas that will have to be specially looked after and we must carry food stocks to them in particular. I have no objection to the present procurement policy adopted by the Government, but they should pay better prices for the foodgrains procured from the ryots, which should be in proportion to the cost of living and other necessities of life. The Government should open fair-price shops in these deficit areas as they had done before the control was re-introduced. These fair-price shops did of course satisfy the needs of these people and they were not entirely dependant upon the Government as at present. The Government should therefore re-introduce these fair-price shops in these areas and supply foodgrains through them.

"Sir, if the Government want to continue the system of statutory rationing in urban areas, I have no objection if proper procurement and adequate supply is ensured to the people in those areas. These statutory rationed areas are now confined to municipal towns and cities. Villages and panchayat areas are now completely ignored. The Collectors are satisfied if these statutory rationed areas are served. They think that they have done their job, if they look after them. That should not be the case. The Government should try to feed all the people and should make foodgrains available to all at a proper price. If they cannot satisfactorily work these controls, I say, let them lift the controls altogether, establish fair-price shops in places where there is famine, fix the price of other articles and do not allow it to go beyond a certain stage, and allow the food prices to find their own level and encourage ryots to produce more by the various incentives which they have proposed. Then the situation will be eased and thus we can tide over the present crisis.

"Sir, I have many other things to say on this subject, but as there are other hon. Members to speak, I shall leave it at this. I thank you, Sir, for the opportunity you have given me to speak on this occasion and the time you have allowed for me."

THE DEPUTY CHAIRMAN:—"As hon. Members know, the hon. Sri B. Narayanaswami Naidu has given notice of three amendments and the first amendment has been discussed. Now, before I put the first amendment to the vote of the House, I should like to know whether we shall take up all the three amendments together, in which case, the Hon. Minister for Food will make a single reply at the end; or whether we shall discuss the amendments one by one, in which case the Hon. Minister will now reply to the first amendment."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Sir, let us discuss all the amendments together and then I shall reply at the end of the debate to all of them."

SRI B. NARAYANASWAMI NAYUDU:—"Mr. Deputy Chairman, I have already moved and spoken on my first amendment and I have not moved or spoken on the other two amendments. After the first amendment is replied to and disposed of, I shall move the other two amendments and speak on them, because they are different amendments altogether. Now, Sir, I shall read my first amendment for the benefit of the House, because it is so many days ago since it was moved. The amendment reads as follows:—

'(i) and on such consideration this Council resolves that the Government should dissociate itself so far as Madras State is concerned with the basic plan for 1950 of the Government of India as originally laid down or revived in April or as it exists to-day and that the Government of Madras State should get the Government of India to secure immediately by import or otherwise a minimum of one lakh of tons of rice, broken rice and millets excluding wheat altogether failing which the control over distribution and the prices of foodgrains assured by the Central Government in 1948 should be terminated and the Madras State Government be allowed to import the foodgrains required;

'(ii) that the Government of Madras State should before participating or consenting to any basic plan for 1951 or subsequent years consult the Legislatures of the State and obtain its views on the quotas to be obtained by the Madras State both as regards quantity and variety of foodgrains and the Government of the State after the basic plan for 1951 is finalized should place the same before the Legislatures of the Madras State for its consideration and action thereon, if any.'"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Mr. Deputy Chairman, Sir, the basic plan of the Government of India has been in existence since 1943. The purpose of these plans is to determine the net deficits of the deficit States and the surpluses of the surplus States within India and to import and distribute to the deficit States, the quantity available for distribution in proportion to the deficit of each State. Under this basic plan, the Government of India have been allotting to us the quantities of foodgrains as shown in the statement already circulated to hon. Members.

"The amendment will imply that we refuse the substantial quotas offered by the Government of India and look after ourselves. Further, there is an inconsistency in this amendment in

that while the hon. Sri B. Narayanaswami Nayudu wants that 'we should dissociate ourselves from the basic plan', we should at the same time request India to secure one lakh tons of rice, broken rice and millets, but excluding wheat. It is simply out of the question to cut ourselves adrift from the Government of India's policies with regard to food procurement and distribution. The threat at the end of the amendment that if the Government of India do not supply the quantities required, the Madras Government would 'terminate the control over distribution and prices of foodgrains and import itself the necessary quantity of foodgrains required' while cutting no ice with the Government of India, will do much harm to this State. It has to be remembered that control over exports and imports is a central subject and imports of foodgrains involve outlay of currency. Thus, if Madras Government says that it will import its own requirements and will not need any help from India Government then the latter may very well agree to do so, but on account of India's policy relating to imports and conservation of currency, the sum to be allotted for such imports will be restricted. It has also to be remembered that if one State sets up a rebellious attitude against the basic plan, the other States are also likely to follow suit with the result that not only will it be impossible for any one of them to go and purchase in foreign countries, but they will at the same time, lose the benefit of the unified system of procurement and distribution which is now vouchsafed in the Government of India's basic plan. It has also to be further remembered that trade in rice in Burma appears to have been centralised in the hands of the Government of Burma and in view of the present unsatisfactory world conditions, the negotiating power of small States or individuals must be very little, when compared with that of big countries which will be competing in the Burma market for rice. The suggestion in the amendment that no wheat should be obtained for the State could not also be accepted because the Government of India find that it is cheaper to purchase wheat than rice in foreign markets, and wheat is definitely superior in nutritive value to rice and the people of this State have already become greatly accustomed to it. Therefore, Sir, in view of all these facts, I cannot accept the amendment of my hon. Friend, Sri B. Narayanaswami Nayudu."

THE DEPUTY CHAIRMAN:—"I shall now put the first amendment of Sri B. Narayanaswami Nayudu to the vote of the House. The amendmenet reads as follows:—

'(i) and on such consideration this Council resolves that the Government should dissociate itself so far as Madras State is concerned with the basic plan for 1950 of the Government of India as originally laid down or revived in April or as it exists to-day and the Government of Madras State should get the Government of India to secure immediately by import or otherwise a minimum of one lakh tons of rice, broken rice and millets excluding wheat altogether failing which the control over distribution and the prices of foodgrains assured by the Central Government in 1948 should be terminated and the Madras State Government be allowed to import itself the foodgrains required.

'(ii) that the Government of Madras State should before participating or consenting to any basic plan for 1951 or subsequent years consult the Legislatures of the State and obtain its views on the quotas to be obtained by the Madras State both as regards quantity and variety of foodgrains and the Government of the State after the basic plan for 1951 is finalized should place the same before the Legislatures of the Madras State for its consideration and action thereon, if any."

The amendment was put and *lost*.

SRI B. NARAYANASWAMI NAYUDU:—"Mr. Deputy Chairman, I shall now move my second amendment which runs as follows:—

'and on such consideration this Council resolves that the system of foodgrains procurement as now obtaining should be abolished and levy system should be introduced and procurement with the aid of police or military should not be resorted to except where necessary with the consent and on the lines to be laid down in writing of the District Magistrate where there is separation of Judiciary or the District Judge and District Magistrate where the separation is not in force.'

"Sir, the main and operative portion of this amendment is that the present system of procurement should be abolished. The question is, 'Are we going to tolerate this system of procurement that is now going on in the districts and allow the people of this State to suffer?' Sir, I gave notice of this amendment in the month of September or some time earlier. We are now in the month of November. The new crop is to be harvested in November.

"Sir, I addressed a letter to the Government of Madras somewhere about the 12th of September 1950 for certain information regarding this matter, but until this day no reply has been received to it. Even today I asked the Hon. Minister whether the report of the Tirumal Rao Committee has been published and if so whether it has been placed on the table of Library of the Legislature. No answer has been given, but on reminding him again, the Hon. Minister was kind enough to send for a copy of it and placed it before me. The dignity of the Treasury Bench is above the clouds and therefore they dare not say anything. I asked the Hon. Minister for certain information and whether the report of the Foodgrains Committee has been printed. It is printed on the Report 'for official use only.' In ancient times, I have heard that the Vedas were locked up like that, but here the same thing happens, and this report is also locked up like the Vedas of old. The other day, my hon. Friend, Dr. Lakshmanaswami Mudaliyar, referred to certain publications of the Ministry of Food. Are they placed on the Table of the State Legislature and are they available to members of the Legislature? Let them not be locked up, until after their attention is drawn. I went again today to the Library of the Legislature and asked whether those publications were available. What are these books for, if they are not made available to members? Are they intended merely to lie on the table of the Food Secretary and not made available to us? I submit, Sir, this is callous. There was not even a reply to a letter from a member asking for certain information and asking for a certain book. I had to remind the Hon. Minister about it and then the book is sent for and given to me now when the debate is going on. 3-45 p.m.

[Sri B. Narayanaswami Nayudu] [7th October 1950

"With regard to the procurement business, the Government can procure but we cannot procure and it is the monopoly and the right of the Government. What is this procurement business for? I am asking in all seriousness the Hon. Food Minister, the Food Secretary and the Food Commissioner, what is it that they want to procure? Is there anything for them to bring to Madras from towns and villages? In this connexion, I would like to read certain information which was furnished to me at the time of the Food Committee meeting in June 1950. This information was furnished, I think, by the Secretary to Government, Food and Agricultural Department. It is this: 'This undoubtedly shows that this year's procurement is not at all slack and if more has not been procured, it is because there is very little available for procurement, the main cause being cyclone.' I ask, what is this fun? What is this drama that is going on in the rural parts? The Government have empowered certain officials to intensify procurement. When there is very little to procure, you are putting such a pressure on the officials. Does it not show that it is merely in response to the pressure put on you by the Government of India that you are doing so? What are you asking them to procure? Is it merely plundering the homes of the ryots in order to get what you want on pain of prosecution? I want to ask, whether this note that I have read is correct or is not correct? Can you multiply stocks in October while there was no procurement in June? Then, what is the meaning of this intensive procurement? What does the Foodgrains Committee say with regard to procurement in Madras? Of course, Madras is complimented on their intensive procurement programme. On page 146 of the Report of the Food Grains Committee, it is said under the heading 'Intensive procurement' as follows:—

> 'The basic procurement system for rice and millets in Madras is the intensive procurement system which aims at securing the entire surplus from producers and at rationing the entire deficit population. There are at present variations from this system in particular areas . . .'
>
> 'The intensive procurement scheme is based upon the collection of the entire surplus with individual cultivators and upon a monopoly in respect of such surplus quantities as may be incidentally left over with the producer or landlord after the Government demand is complied with . . .'

"As I pointed out above, the entire surplus in June is practically known and what is it you are now doing? I ask hon. Members coming from the Circars, Nellore, Guntur, Krishna, West and East Godavari to tell me, what is the meaning of this procurement drive? Is it not robbing the village population of those districts in order to provide food for the people of other districts? Are you entitled to loot those districts, especially when you can import food from other places like Burma? What is the self-sufficiency drive for? Your idea in doing all this is because, you want to make the people half-starved giving room for Communism to thrive. When you can get on with imports from other countries why don't you do so? It looks as though that without importing you want to see people starve. I saw a caption in the *Mail* 'Nobody is to be starved. On the other hand, I would like that caption to be 'Everybody should be starved.' The real meaning of supplying 6 oz. is everybody should starve until we are able to get food not in one, two or three days, but until we are able to grow more food. That is the meaning of this 6 oz. rice ration. Nobody should be starved to death is one thing and everybody should half-starve is another thing. What the Madras Government and the Central Government mean is that everybody should starve until you produce your own food. I heard a story of a gentleman kicking up a row. He told his wife about this ration when his wife complained about it. He said, 'what am I to do; I went and told the Food Minister, I went and told the Food Secretary, the Collector and the Revenue Inspector that I must have more; but they gave only 6 oz. and told me I must eat only 6 oz.' But, what does the stomach say? Does it listen to the pacification of the Collector or the Food Minister? The stomach is an inexorable thing.

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"What about the ration for children? For two years' children nothing is being given. It means that everything should be scraped and scraped to the bottom, in order to feed the town-people and the producer is left to lead a semi-starved life. That is the result of the procurement system. Therefore, when I appeal to this House that the procurement system should be abolished, you say you do not want to import in order to be self-sufficient, and allow people to starve for years to come. This is the result of the procurement policy that is deliberately pursued by the Government. To crown all this, there is a recent order issued by the Ministry of Food that if any officer says that the producer of paddy should produce his paddy, he must produce it before him. Such is the extreme power. Napoleon said that even the army marches on its stomach. Even Napoleon if he were alive, might not have resorted to such powers and said disgorge all your stock and belch it to the army. So, Sir, this 6 oz. ration is meaningless and the procurement for supplying this 6 oz. is impossible. Half starvation is no better than full starvation. I, therefore, oppose this procurement system. The only remedy is to import at all cost and keep the nation going in order to see that people do not lose their vitality and manly responsibility. With these words, I move my amendment, Sir."

* JANAB ABDUL LATIF FAROOKHI:—"Deputy Chairman, Sir, in seconding this amendment, I should like to be enlightened on one or two points with regard to the food problem. It recently appeared in the press that the South Indian Chamber of Commerce requested the Government of India to allow the merchants to import rice from Burma and it was also stated after some time that the Chief Minister and the Food Minister were in favour of the proposition and their recommendation was sent to the Government of India. Another recent report in the press was to the effect that 300,000 tons of rice was ready for sale in Burma and if only the Government of India permitted the merchants to purchase that rice, it could be had. I want to know whether that information is correct. If that is so, then is it not the duty of

this Government, also of the Government of India, not only by the people of this State, but by the people of the whole of the Indian Union, particularly when this State is in a very disturbed condition so far as the food situation is concerned, to give up for a while their policy of self-sufficiency.' While I am not against self-sufficiency, I must point out that our country is a vast one, we have a vast population and also looking at the question from the point of view of the large area of land that can be cultivated, it is certainly proper that any Government should try to stand on its own legs with regard to food and the Government of India are quite right in their policy. But, there is a time when we can think about it. Now, that we are faced with a grave crisis so far as food is concerned, I think it is necessary for us to say we shall consider this self-sufficiency question later, because we cannot achieve self-sufficiency within a year or two or even in the near subsequent years. That the food problem is urgent nobody can deny and there can be no two opinions about it. The urgency did not arise only today, it has been continuing for some time and it will continue until the food situation is eased. Such being the case, when there is a large surplus of rice is available in Burma and when there are merchants in Madras and other places to purchase that surplus, why not the Government of India give such people a chance. I can understand the Hon. Food Minister saying that the question is one which can be settled at Government level, but the Government of India can correspond with the Government of Burma and come to an agreement with regard to the purchase of rice. That is a question which can be understood. But, when private merchants think they can purchase rice from Burma through their private agencies, why not the Government of India allow them to do so and give them a chance. What harm is there in giving them permits? Why should the Government of India be adament? Why should they say, we are not going to allow them to do so, whatever may happen to the people of Madras or this Union. Therefore, this is a humanitarian aspect of the question. This is a Government of the people. When the people are starving and the food position is serious and if the Government of India are not prepared or are not able to bring foodgrains from Burma and at the same time, other people are prepared to bring grains from Burma, it is well worth a fair trial being given."

SRI S. B. ADITYAN:—"Are they prepared to bring the grains and sell them at controlled price?"

SRI B. NARAYANASWAMI NAYUDU:—"While the Government can make a margin of profits what the hon. Member means is that perhaps such persons must sell at cheaper rates than what they actually purchased for!"

* JANAB ABDUL LATIF FAROOKHI:—"My experience is that, Sir, what is purchased by means of private agency can be definitely sold at cheaper rates than what the Government are doing even if the purchase price of both is equal. The reason is

that the Government have got a huge machinery, a white elephant machinery, if I may say so, a number of officers through whom all things should pass in the name of red-tapism. Private agencies can do things much easier than what the Government can do; their machinery is simple and not so cumbersome or elaborate like the Government machinery; they can procure at cheaper rates and bring down the foodgrains from Burma or from other countries at a cost much less than what it will be if it were done by the Government. I can understand my hon. Friend Mr. Adityan putting the question if people bringing rice from Burma will be prepared to sell at controlled rates."

SRI L. SUBBARAMA REDDI:—"I want to know what the price per Bengal maund of rice will be if it is brought from Burma?"

SRI B. NARAYANASWAMI NAYUDU:—"It will any day be much cheaper than the United Provinces rates."

* JANAB ABDUL LATIF FAROOKHI:—"That question of the hon. Member will be answered by the Hon. Minister for Food or by officials of the Food Department. I am not in the know of things and I am unable to answer the question. If the Government of India is serious, let them find out but let it not be simply said that the price will be higher and therefore, we could not do it; the whole thing must be tackled in a serious manner. I would request the Hon. Minister for Food and the Hon. Chief Minister, who is not here at present, to lay strong emphasis on this point and give it a fair trial though by that means those people may be earning some profits. But it is always within the competence of the Government to impose such conditions as they think fit; they may say that the price should not be higher than what the Government would be fixing from time to time.

"Another factor to be considered is the question of price. My hon. Friend Mr. Narayanaswami Nayudu was quite right when he said that people were not prepared to part with grains when the Government agents went to them for procurement. Let us honestly consider whether anybody in this State lives merely on the 6 ounces of rice rations provided by the Government; I do not think anybody can say so. So, why should there by any talk of black-marketing? The food position is serious and people are not able to get food under the system followed by the Government; if blackmarket is there, it only shows that there are foodgrains in the country which the people are not able to get through the Government agency and they procure it by paying more money. As a matter of fact, it is of better quality as the hon. Gentleman Dr. Gurubatham suggested and if good dishes have to be prepared for a dozon guests, it is better than going in for the other kind of rice though it is sold at some higher price. It shows that there is rice in the country which the procurement system has not been able to tap. The officials say that the food situation is not so serious but the whole thing is that we are not able to tackle the situation and we have mismanaged and bungled in this matter.

If we are not prepared to pay more price to the agriculturist, how will we be able to get out of the blackmarket? Afterall, why do people sell in the blackmarket ? It is because they get more money by means of which they can produce more food. Have the Government ever calculated and found out what is the actual amount that is spent for producing paddy on one acre of land ? Have they ever found out what it is that he is able to get out of it and is that commensurate with the money and the labour he has put upon it ? It has to be seen whether he suffers a loss or gains; if it is found that he suffers a loss, then give him a better price and people also will be prepared to pay more for this rice instead of paying in the blackmarket. These are the fundamental points to which serious attention should be paid. One of which is whether foodgrains be purchased from outside countries through private agencies and the Government should try to find out whether it is possible or not; let us give people a chance and it is only then that we will be able to understand whether that is possible and the other is the question of paying better prices. So, Sir, I feel that the amendment of my hon. Friend Mr. Narayanaswami Nayudu is perfectly justified and I second the amendment."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Mr. Deputy Chairman, Sir, it has been said that there is nothing to be procured in the State and so everything has to be imported from outside and on the other hand, it has also been stated that there is sufficient grain in the country but the procurement methods and the efficiency of procurement have not been up to the mark. Between these two contentions, Sir, I would like to point out that the procurement scheme is not a new thing; it has been in force for several years now and just because at present we are facing a very difficult situation, naturally procurement has become very unpopular among the people. Alternative systems have been suggested namely the levy system. We are trying it in Coimbatore district and it is yet in an experimental stage and we have not yet had full satisfaction of the working of the scheme in the district. Until we are satisfied that the levy system would be a definite improvement over the intensive procurement system, I do not think it will serve any useful purpose to introduce it wholesale in the State. Having said that all the imports will have to be done through the Government of India and having also made previous statements I am even now prepared to state that all the requirements of this State have been put before the Government of India and though they have been working on a definite plan of self-sufficiency before a certain date and still feeling that conditions in the State and the country have reduced the food available to a very considerable extent, they have not hesitated to import further quantities from other countries like Burma. Even now, we are getting shipments from other countries which were not formerly ordered by the Government of India, shipments ordered in response to the request of this State with regard to our requirements. Much, Sir, has been said about the question of imports from Burma both in this House and in the other House to the effect that the Government of India should allow persons to

import rice from Burma when there is so much of rice available in that country for import into this country. The real position was recognized by the Southern India Chamber of Commerce the other day when they presented an address to the Hon. Mr. Tirumal Rao, the Deputy Minister for Food for the Government of India. They said that for reasons beyond the control of merchants, it was not possible for private merchants to import rice from Burma and they said that the Government alone should do it and they urged the Government to do it. Private merchants might give some information about stocks available in Burma and they might even offer but offers have been examined and the Government found that the prices quoted were not competitive and the Government was in a better position to get rice at competitive rates. The address therefore disposes of the contention that private merchants, if allowed, would be able to get large quantities of rice from Burma; that is not the correct position and that has been recognized by the Southern India Chamber of Commerce. The Government of India have not, as I said, been sitting quiet over our appeals for more foodgrains. They have recently entered into a contract with the Government of Burma for the import of 170,000 tons of rice, of which probably Madras will get a fair share. Hon. Members are also aware from reports appearing in the papers that we have unloaded some steamers bringing rice from Egypt and ships from Siam are also expected. Therefore, Sir, when we ask for additional quantities of rice from the Government of India, is it not also our duty to try our best to procure as much as possible from within the State ? We have, therefore, not changed the system and it is there."

JANAB K. T. M. AHAMED IBRAHIM:—"Has the Hon. Minister's attention been drawn to certain news item to the effect that 300,000 tons of rice are available in Burma for private sale and they are willing to negotiate with private trade for sale. May I know whether the Government have any information about it ?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The Government have no information except what appeared in the papers. The Hon. Minister for Food of the Government of India has stated that if there is any definite information or any proposal in that regard, the Government would be only too glad to give consideration to it. It is not the policy of the Government to refuse to get supplies where they can get supplies, but the difficulty has been that they could not get any supplies in time and in sufficient quantities from other places in view of the fact that other countries, especially after the outbreak of war in Korea have also been trying to take a share from the countries where rice is available. On account of that the difficulty has been increased and that is why the Government have not been able to get all the supply they wanted to get.

"Now, coming to the question of procurement, I have to say, that the present scarcity makes it absolutely necessary to get as much as possible from the people. But by several circulars and instructions to the officers in districts, they have been asked not

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to harass unnecessarily people on that score, especially small landholders. But in spite of all that, from personal knowledge and also from actual facts which have been revealed, it has been found that even small landholders are trying to hoard here and there and sell in blackmarket; and so, Government should not shut their eyes to this kind of hoarding and blackmarketing, at a time when our State is facing a great deficit. Sir, whenever, Hon. Members talk of no ration or of two ounces of ration, they forget they only talk about rice ration; they should remember there are also other foodgrains available in the rural parts, especially recently, for we have received a fairly large quantity of wheat and milo. I have visited half a dozen districts; I have personally gone into several rural ration shops and I found invariably they had some stock of at least wheat and milo, though the rice portion was reduced, or sometimes was not available. So, when Hon. Members discuss about food situation, they completely forget the fact that there are other foodgrains available, which, people are taking to more and more. It may be surprising to hon. Members to know that ever since we reduced the rice portion of ration from eight ounces to six ounces, the general consumption of foodgrains has risen from 36,000 tons to 40,000 tons, that is, of all foodgrains put together, namely, rice, wheat, milo and so on. So, the general supply of foodgrains has actually increased ever since the eight ounces of rice was reduced to six ounces. That is because people are now taking to other foodgrains, wherever that is available and wherever rice is not quite sufficient for their food. So, Sir, it is not easy at a moment's notice to change the system of procurement. As I said before, I may assure hon. Members that all possible steps have been taken to see that people who really contribute their quota under procurement are not harassed. Only people who hoard and sell in blackmarket will be dealt with.

"Then, Sir, the question of using force in certain areas was also mentioned. The same thing was referred to on a previous occasion as well. That allegation was looked into, and it has been found that there is no ground for such a complaint. Where physical resistence was apprehended, we had the assurance of help from Police; but it was found not necessary to use any Police help anywhere, though a great noise was raised over some supposed raid in the North Arcot district some time ago. As I have already said, a press communiqué has been issued on it; there was no force used; no armed Police surrounded the village and asked the people to come out with their surplus grains. The Government are satisfied that it is not a fact. The Collectors have instructed the officers not to use force but only catch hold of people who actually try to cheat or try to hide something which is required for procurement."

* JANAB K. T. M. AHAMED IBRAHIM:—"May I ask whether the Hon. Minister is aware that even after the cultivators have surrendered the quantity required of them to be given up to procurement officers as per rules, that is, as per D list prepared by the karnam, their houses are being entered, as a rule to-day,

in my district, and whatever is available is taken away. Is this not harassment? Last week I was there in my place and this thing happened there."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It may be, there was found some quantity, which was still required as per rules, but was not properly procured before, and so steps would have been taken to get the full quota from the producer; or there would have been some complaint against the very gentleman who has already given his quota that he is still hoarding, which he is not entitled to hold, and so in that case the officers would have asked him to part with the extra quantity in his possession."

JANAB K. T. M. AHAMED IBRAHIM:—"May I know whether a cultivator who has surrendered to the officers his full quota to procurement cannot keep the rest of his produce for his family for the whole year to meet his expenses? Now what right have Government to say that that is surplus stock?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"When he has surrendered what is laid down as his quota as per rules, nobody is going to interfere with the balance of his produce. Only when it is found that he is holding over much more than what is allowed to be kept by him, the officers will interfere. Sir, each question has to be examined on its merits. There is no use of quoting instances here and there and saying 'Oh, there is harassment.'

"So, Sir, under these circumstances I do not think I would be able to accept the amendment of Mr. Narayanaswami Nayudu; and I oppose his amendment."

* SRI S. JAYARAM REDDI:—"My friend, Mr. Nagappa Chettiyar says that he offered to Government that he would bring ten thousand tons from Burma. Is it a fact, Sir, whether that offer was made. I want to know from the Hon. Minister whether that offer was really made and whether the Government considered his request. Again, the Hon. Minister was saying that he visited six or seven ration shops in the rural areas. Did he visit them after giving previous notice, or did he pay surprise visits?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Both."

SRI S. JAYARAM REDDI:—"Day before yesterday, in the night a lorry-load of rice ration was brought to my place just to show to the Deputy Commissioner of Civil Supplies, who was visiting that place the next day, that there was rice available in the ration shops, while, as a matter of fact, for the last two weeks there was no supply of rice at all. The whole thing is so manipulated by the local officers that when higher officials visited the place they found foodgrains stored in ration shops, while at other times there were no grains at all in the shops. If things are going to be camouflaged like this, there is no use of debating on food scarcity, in season and out of season, when the disease is said to be chronic."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The offer said to have been made by Mr. Nagappa Chettiyar was also forwarded along with so many other offers to the Government of India. As I said before, if the Government of India did not accept such offers, it is because, the prices offered are not up to the mark. Also, the Government of Burma will not agree to these private persons being sent there, independent of the Government of India to purchase rice there."

JANAB K. T. M. AHAMED IBRAHIM:—"Sir, is the Hon. Minister aware that the Agricultural Board of Burma was agreeable to sell rice to these private purchasers. Sir, what is the use of the Government of India repeating its old story that prices offered are high and so it cannot be purchased on Government level. There is no use of repeating it. Why not give an opportunity to private traders to go and purchase rice there. It does not matter even if we are forced to pay a higher price as that would be better than allowing people to starve. Why should the Government of India stand in the way of other people going and purchasing there. I cannot understand it at all."

SRI R. SURYANARAYANA RAO:—"May I suggest to the Hon. Minister for Food not to publish in future his programme of tour. (Laughter.) Nor carry a national flag in his car (Laughter), as such things put the officers on their guard. I think the facts disclosed by Mr. Jayaram Reddi, if only the Hon. Minister inquires, he will find them to be correct. He is not at all exaggerating, for he is not at all prone to exaggeration. I am sure, on inquiry the Minister would find his statement to be correct."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"If the Minister does not publish his tour programme, who will safeguard him in his tour?" (Laughter.)

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Sir, in spite of the risk we are running in going out without notice, I did so in two districts, and I found, when I did so, not merely for the particular day on which I visited the ration shop, but even for the months of July and August, the stock on hand tallied with the stocks found in the books. If at a particular time there was absolutely no grains available in the ration shop, the books also will show that. With regard to the suggestion that I should visit districts without notice, you say, it would be better; I agree; but I think it is better I visit with notice, as I see it improves the food position! (Laughter.) For when people know that the Minister is visiting, that makes the people to be careful, and so that also has some effect."

THE DEPUTY CHAIRMAN:—"I shall now put the amendment of Mr. Narayanaswami Nayudu to the vote of the House, which is as follows:—

'and on such consideration this Council resolves that the system of foodgrains procurement as now obtaining should be abolished and levy system should be introduced and procurement with the aid of Police or military should not be resorted to except where necessity with the consent and on the lines to be laid down in writing of the District Magistrate where there is separation of Judiciary or the District Judge and District Magistrate where the separation is not in force.'"

The amendment was declared lost.

Sri B. Narayanaswami Nayudu demanded a poll.

The House divided as follows:—

Ayes.

1 Janab Abdul Latif Farookhi.	5 Sri A. Gopalakishnayya.
2 Sri M. D. T. Kumaraswami Mudaliar.	6 Janab K. Uppi.
3 Dr. A. Lakshmanaswami Mudaliar.	7 ,, K. T. M. Ahmed Ibrahim.
4 Sri B. Narayanaswami Nayudu.	

Noes.

1 The Hon. Dr. T. S. S. Rajan.	8 Sri S. K. Sadagopa Mudaliyar.
2 The Hon. Sri K. Madhava Menon.	9 ,, N. Venkatachalamaji.
3 The Hon. Sri C. Perumalswami Reddiyar.	10 ,, N. Ramabhadra Raju.
	11 ,, M. K. Sundarama Iyer.
4 The Hon. Sri J. L. P. Roche Victoria.	12 ,, S. Jayarama Reddiar.
	13 ,, P. R. K. Sarma.
5 Sri S. B. Adityan.	14 ,, N. Ranga Reddi.
6 ,, M. Narayana Menon.	15 ,, A. S. T. F. Rodriguez.
7 ,, L. Subbarama Reddi.	16 Dr. P. S. Srinivasa Ayyar.

Neutral.

1 Sri N. Sankara Reddi.	3 Dr. S. Gurubatham.
2 ,, R. Suryanarayana Rao.	

Ayes 7; Noes 16; Neutral 3.

The amendment was lost.

SRI B. NARAYANASWAMI NAYUDU:—"Mr. Deputy Chairman, Sir, I move—

'and on such consideration this Council resolves that the Government of the State should not reduce the procurement prices of foodgrains any further and recommends further that the Government should guarantee a fixed minimum price for rice and millets.'

Several hon. Members of this House complained about the low price at which paddy was procured. In reply we got general lectures on procurement. The direct question is: what is the price that the Government are paying for purchases from Burma and other places outside the State and the price that they are paying to the ryots in this State. The Hon. Minister for Food might have the figures in his pocket or the Food Secretary may have them in his shelf. In my letter of 12th September, I asked for the publication of the local procurement price and the price paid for imported paddy. The answer has been given to me 'No'. The purchase of rice from Uttar Pradesh and the loss of one crore of rupees on that account has become a public scandal."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The price of Burma rice is about Rs. 22 or 23 per imperial maund of Burma."

SRI B. NARAYANASWAMI NAYUDU:—"In our State it works out to Rs. 13. What is the price in Uttar Pradesh and

other States? Sri S. B. Adityan wants the Government to buy rice from Burma at forty rupees and sell it here at thirty rupees. Can he expect any private trader to do that? What is the price that the cultivator is getting for his produce in the other States of India? What is the price in Orissa? Is the price in Uttar Pradesh higher or lower than the Madras price? The price here is Rs. 13. May I know who the blackmarketeer is? Is it the U.P. or the Government of India or the Government of Madras ? I have asked for the prices in other States several times. But the Government have not given the answer, but they swear by their rules and regulations. Then what is the quality of the rationed rice ? I ask the Members of East Godavari, West Godavari, Krishna, Guntur and Nellore—never mind about Tanjore—whether they are going to vote against my amendment and thereby say that the present procurement price is just and adequate. Have they got the moral right to say that? In the Circars, what is the position? Even a three-acre ryot is asked to part with all his foodgrains. What is the latest order? The Government have permitted the procurement officials even to enter the houses and procure every particle of grain in them. Is it not procurement with a vengeance? What is the practice in Madhya Bharat? A report about Madhya Bharat says: 'The cultivators have a rough idea of the rate of demand and as open market prices are low, they automatically bring this demand plus any further surplus that they may have to the purchasing centres of procurement.' That is the practice obtaining in Madhya Bharat. The procurement price is so fixed that it is higher than the market price. The result is that the ryots automatically bring the stock that they have to the purchasing centres of procurement. Then there is no need for a host of procurement officials. The whole mechanism depends upon the price system.

"What is blackmarketing? Blackmarketing is nothing but doing a service to the urban population. We see unfortunate women carrying headloads of rice. They are not consuming all that rice. They are giving it to the urban areas and satisfying a natural demand. If the procurement price is higher than the market price, the Government will get all the rice. The Government must understand this fact. Solomon prayed to God to give him an understanding heart. I wish that this Government also pray to God to give them an understanding heart. What is it that they want? Procurement. Well and good. In the month of January the ryot says that here is his paddy and asks the Government to give him the price and take it. Do the Government take it then and there and pay him the price at once? Please let me have a categorical answer. The Government want to procure paddy from the ryot at the rate of Rs. 16 per bag. It is uneconomical to the ryot to produce and sell at that rate. The Government do not take the paddy when offered and pay the money. What right have such a Government to say that the cultivator shall not sell in the open market? What is the procurement system based upon? It is based upon the fundamental fact that the Government will buy, store and distribute and not leave the ryot to the

mercy of the millers in the Circars and to private traders in other districts. Madhya Bharat has allotted seven crores of rupees in order to purchase foodgrains from the ryots. How many crores have this Government allotted? They simply send the Revenue Inspector, the Firka Supply Officer and a host of other procurement officials, terrorise the people and procure. This is a police State. A police State should precede a welfare State is the Statement made by the topmost Congressmen. The Government have not set apart any money. They have left the ryots in the Circars entirely to the mercy of the miller. The Government have fixed the control price at 16 rupees per bag. The millers combine together and say that they will purchase only if it is given at 14 rupees and that otherwise they will not purchase. What is this price fixation business and procurement? Is there any justification for a procurement system under which the Government say that they will procure foodgrains whenever they please and pay whatever price they like? A fundamental necessity is to create a fund for the purpose, if the Government want to proceed with procurement, and make the purchase compulsory as and when foodgrains are offered. The hon. Member from Cuddapah said that he once made this suggestion before the Food Council. It has no ears and perhaps no head also. Don't sell in the open market, no immediate purchase and payment and be at the mercy of the miller even though he is prepared to purchase only at less than the controlled price! Is this really protection of private property or a tartaric invasion of private property? I submit we cannot subscribe to such a system.'

"I commend my amendment for the acceptance of the House."

4-45 p.m. * JANAB K. T. M. AHMED IBRAHIM:—"Mr. Deputy Chairman, I second the amendment of my hon. Friend, Sri B. Narayanaswami Nayudu. Coming from an area wherein the harvest is going on and having seen the way in which the Government are carrying on their intensive procurement programme, I can give firsthand information about the procurement policy of the Government that is being enforced. Sir, we have been complaining for the last three years about fixation of the paddy prices and have been urging upon the Government that they must fix a price for paddy which must correspond to the prices of other commodities and other necessaries of life which the ryots have to purchase from the income which they get from their lands. Now the price of paddy has been fixed at such a low rate that it is out of all proportion to the prevailing prices of other necessities of life about which almost every Member of this House has dealt with elaborately and I do not think there is any need for me to dilate upon it now. But even with regard to the price which the Government have fixed for paddy in this Province, it has no relation to the price of paddy ruling in other States in this very Country. Why should there be such difference in prices between one State and another, when it is the Central Government who are regulating procurement and distribution? We all know the sorry story about our having paid Rs. 108 lakhs more for the paddy we got from the Uttar Pradesh which we could have saved if we had

purchased it from anywhere else. We were told that the price of that paddy was fixed at the price which was ruling in 1939 in the various provinces of this country. Why cannot the Central Government fix a uniform rate throughout India? We were also told that in Uttar Pradesh the 1939 price of paddy was higher than the Madras price in that year, and that therefore the difference must be preserved on all account. I cannot understand the logic of this argument. But, on the other hand, the price we pay to the ryots in this State under the present procurement policy of the Government is far below the price that we pay for the paddy imported not only from other States of this country, but also from other countries outside India. Why should our ryots be penalized like this? Is it because they are helpless and poor? Whenever we raise this question of prices, the Government trot out their stock argument that if food prices are raised, there would be currency inflation and there would be a corresponding increase in the price level of all other commodities and that the cost of living would increase. Do these ryots really have inflated currency with them? Who has got the inflated currency at present? This argument of inflated currency is being advanced *ad nauseam* whenever we plead for an increase in the price for paddy for the ryots. I do not know what relation this theory of currency inflation has got to the condition of these poor cultivators who have to buy everything that they require from out of the margin of their savings. If only we pay them the proper price for their paddy, I do not think there will be any temptation at all for them to keep back any surplus paddy with them and sell it at the black-market for a higher price in order to buy their other actual necessities of life at the prevailing high prices. It is only this necessity that forces them to resort to black-market. It is only for this purpose that they are tempted to secrete some quantity of paddy with them and therefore I suggest that one of the best solutions for getting out these hoarded stocks is to pay the proper price for the paddy which is procured from them.

"Secondly, Sir, it is said that people do not surrender the extra quantity of paddy in their hands. As a matter of fact, in my district of Tirunelveli, the procurement officers have prepared what is called a 'D-List' according to which they expect every ryot to surrender an extra quantity of paddy over and above their regular quota. What they generally do is this. They work out what each landholder would produce out of his holdings, and after taking this and the requirements of his family they fix a quota for each ryot, which he should surrender to Government compulsorily at the price fixed by them. Even after this they think that the ryots would have some more surplus in their hands and so they harass these poor ryots to surrender this quantity also. The supply officers of my district said recently that certain ryots had actually purchased paddy from the black-market in order to complete their quota according to the D-List prepared by the procurement officers. In spite of this, their houses are being searched and they are subject to all sorts of harassment by the procurement staff. Whenever the procurement officers enter a village,

there is generally panic and alarm created throughout the village and there is pandemonium everywhere. I want to know what is the meaning of preparing this D-List. After the ryots have surrendered their quota according to the D-List, why should there be any further harassment? Is there no limit to this kind of harassment under the present procurement system?

"Then, Sir, how is this procurement going on? I have got definite information that procurement is being made, not by the officials of the department, but by private wholesale merchants. They take away the paddy from the ryots and do not issue receipts on the spot and the price is paid to them a week later, probably after the paddy is sold. This is the case in almost every village in my district. No receipt is given on the spot for the paddy that is measured and no money is paid to the ryots on the spot. It is given only after a week or so and the ryots will have to depend on the honesty of these wholesalers. Another thing that is generally found in my district is this. There, every bag of paddy ought to measure 56 Madras measures. Of these, two measures are taken away from the bag by the wholesalers on the spot. The retail dealer takes away two more measures and when the bag ultimately goes to the retailer, it contains only 50 measures and these are sold to the card-holders as 56 measures. Therefore the card-holders receive only less than what they are entitled to. Let the Hon. Minister for Food pay a surprise visit to any of the co-operative societies or ration shops in my district and he will know the accuracy of my statement. Therefore, Sir, I support this amendment of my hon. Friend Sri B. Narayanaswami Nayudu, although I have been all along pleading for controls being continued so long as there is shortage of food in this Province.

"Sir, there is another point which I forgot to mention. I would request the Hon. Minister to see whether people in any of the villages in the Tirunelveli district are given the overall ration of 12 oz. For the last two or three weeks, not more than 3 or 4 oz. ration was given. The talk of 12 oz. overall ration being issued to the people in the villages is all a myth and there is no truth whatever in this statement which says that the 12 oz. overall ration is being maintained in all informal rationing areas.

"Sir, I wanted to say something more on this subject, but in view of the shortness of the time, I shall stop with this."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"Mr. Deputy Chairman, Sir, I did not intend to speak to-day, but I have just had the privilege of reading the Report of the Foodgrains Procurement Committee, 1950, under the Chairmanship of Mr. Tirumala Rao, the present Deputy Minister for Food of the Government of India, by the courtesy of my hon. Friend Sri B. Narayanaswami Nayudu and the Hon. Minister for Food. I think, Sir, that some of the points that are raised in this Report are well worth considering. Our main complaints and criticisms, so far as the present procurement policy of the Government is concerned,

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are that the procurement officers are forcing the ryots to surrender a greater portion of their produce, firstly without giving them an adequate price for it, secondly without giving them any particular price for the produce surrendered at the time when procurement is made, thirdly that the ryots are being asked to keep the stocks with them until such time as the procurement officers are pleased to procure them after some months, fourthly that even after the required quantity is surrendered by the ryots, their houses are searched and the little stocks that remain with them for their own use are sought to be taken away, and lastly that procurement is made without any scientific basis as to the quantity that ought to be procured.

" Sir, I have been listening to complaints of this sort and so far, the answer given by the Hon. Minister for Food has not been satisfactory even to a person like me, who is not intimately connected with the procurement policy of the Government or who has seen the difficulties of the ryots in person.

" Sir, a great deal has been stated as to how the position could be improved and how the present crisis could be tided over. It was stated by an hon. Member that some people wanted to import rice from Burma and that a proposal to that effect was placed before the Deputy Minister for Food of the Government of India when he was in Madras recently and that he retorted by saying, 'Who is to pay for it ?' I ask him, who is paying for them now, when you import so many other articles from other countries. When you get all these films for cinemas, who is paying for them ? When you get all other things which are used merely as luxuries, who is paying for them now? When you get imports like lipsticks and things of that kind, who is paying for them? Is it the Government who are paying for these things? The Government of India must understand and appreciate the reasons why some people here ask them to permit the private import of Burma rice and not go on repeating their policy of self-sufficiency and doing things in the manner in which they have been doing all along, because, I know—and I have said it before and I repeat it with the full knowledge of the gravity of the statement I make,—that people from outside our country are more sympathetic than our own people here, and they are prepared to help us at any time. Only the other day we were told that the United States of America was giving us some millions of tons of milo at a price which was much less than the ruling price in that particular State, and that on account of this, the Government of India would gain some millions, not of rupees, but of dollars and I can tell you, Sir, that a dollar to-day is worth much more than what we imagine. When that is the case, why should we not press for a change in the policy of the Government of India and ask them to procure from other countries? Reference has been made to the internal purchase and distribution of foodgrains within this country and also to an instance of supply of rice to this State from one of the sister States in India, namely Uttar Pradesh. There, not only we had to pay something like

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Rs. 108 lakhs more for the food that was obtained for this State, but the same state of affairs are still continuing and a recent article in the Mail amply proved and supported the statement that the rice we got from Uttar Pradesh was costlier than the rice we got from any other part of the world, practically for the same quality of rice.

" Mr. Deputy Chairman, let me here, in this connexion, read a few sentences from the Report of the Foodgrains Procurement Committee of which the present Deputy Minister of the Government of India, Mr. Thirumal Rao was the Chairman. In making certain recommendations about prices in Uttar Pradesh, the Committee says:

'In respect of rice, the present procurement prices are—

Grade I—Rs. 28 to Rs. 30.
Do. II—Rs. 21 to Rs. 26.
Do. III—Rs. 18 to Rs. 19-8-0.
Do. IV—Rs. 14 to Rs. 15.
Do. V—Rs. 12.

The principal variety produced is Grade III, which is largely exported. In every area visited by the Committee where Uttar Pradesh rice had been received there was intense and bitter criticism about its price. On a superficial examination, Grade III rice is ordinary coarse rice of the kind which is procured in Madhya Pradesh, Orissa and West Bengal at about Rs. 11 to Rs. 12 per maund. We suggest that the whole question of the pricing of Uttar Pradesh rice should be re-examined by the Central Government and that the rates should be fixed in parity with corresponding types in Bengal, Madhya Pradesh, Orissa and Bombay. It should be possible for a technical expert, deputed by the Centre, to equate the various types of Uttar Pradesh rice with corresponding types in the provinces mentioned above. An examination of normal parities in the pre-controlled period between the prices prevailing in Uttar Pradesh and in the other States chosen for comparison would give a fairly accurate idea of the parity price which should be fixed. The main grievance is in regard to Grade III rice, and the re-fixation of its price is, therefore, most important, but as a result of such re-fixation, some changes in the prices of other grades may be necessary. We would, however, recommend that the prices fixed for the best varieties of Uttar Pradesh rice, which are unique in India, should, in the interest of rice production in the country, be equitably and even generously fixed after taking into consideration their excellent quality, provided of course, such quality is in fact permitted and enforced.'

" Sir, the main point is that the rice that we got from Uttar Pradesh is Grade III rice and here the recommendation of the Committee is—

'If the Centre cannot lower the price of Uttar Pradesh Grade III rice—mark the words " If the Centre—which is all-powerful—cannot lower the price of Uttar Pradesh Grade III rice—

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and I assure you they cannot, because Uttar Pradesh is Uttar Pradesh and Madras is Madras,—we feel that there is an excellent case for subsidizing it on the same basis as imported foodgrains'' . . .'

"The idea of the Committee, therefore, is that the Central Government should pay to the Uttar Pradesh whatever price they want and distribute that rice to other States at the same price. Our contention is that the rice that we can get by way of import from other countries is at least of the same quality as the Uttar Pradesh rice and that we can import it at a much cheaper rate. Not only can we get it at a cheaper price, but I venture to repeat what I have said on a previous occasion, that we have a considerable advantage in importing rice from Burma, because we can export certain commodities to Burma which Burma needs and which we alone can manufacture in this State and which no other State can do. So, Sir, in the face of this advantage, is it just for anybody seriously to suggest that Madras should not import rice from Burma and taunt us by asking 'Who pays for it?' Who pays for everything that we import? Are the Government of India paying for all those things? It is only a question of every State robbing Peter to pay Paul. It is the Peter who pays for all these things and the Peter is the common man, the citizen of the Madras State, who is asked ultimately to foot the bill. It is he who pays for the head of the Government here. It is he who pays for all our bills when we sit here and put up our claim for travelling allowance. It is he who pays for the officers of the State Government and for the administration of the State and for everything and for everybody that comes here. Then what is the point in asking 'Who pays for it?' It is not the Government of India that pays out of its pocket."

SRI M. NARAYANA MENON:—"May I ask my hon. Friend 'Who pays for the Uttar Pradesh rice that was supplied to this State?'"

p.m. DR. A. LAKSHMANASWAMI MUDALIYAR:—"You and I are paying for it through the Central Government. We are paying our taxes, we are paying the super-tax—and these taxes are increasing—you and I are paying these taxes to the Central Government to subsidize the Uttar Pradesh rice . . ."

SRI B. NARAYANASWAMI NAYUDU:—"It is mentioned that it has been passed on to the consumer and my hon. Friend knows it."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Certainly, the consumer has got to pay. Is he not paying? So, would it not be far better to give him what he wants at a fair price rather than give him something which is absolutely indescribable, something non-existent and then ask him to supplement it by black-marketing or whatever it is. Therefore, the best thing for this Government to say to the Government of India is we cannot bear this sort of treatment, we cannot have our

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money scattered like this and so it would be better to import from other countries to the extent that is necessary till such time as we can say we are self-reliant and notice a change of heart in our State. The fact that a particular State charges one crore eight lakhs more than any other State has not been refuted, but all sorts of apologies are given. Therefore, the statement is indisputable that we must pay for our own rice and what we are paying is much more than three times as much for the Uttar Pradesh rice. I do not say that Uttar Pradesh rice should not be paid at the rate they demand. But, if we can afford it, we can pay. Certainly we cannot afford to pay more for it. So, what is the good of saying, simply because the price of this rice has not been controlled, we have to take it. Sir, this is a thing which we at one time condemned. For instance, if any ryot were to go to a court of law and claim his rights under the Fundamental Rights. I wonder whether the policy of the Government can be substantiated in a court of law. Every day, in some court or other we are reading judgments throwing a flood of light dealing with the Acts passed by State Legislatures in relation to the Constitution that has been recently passed. I would like to warn every Government that there is a method of approaching this question and they should not aim at power simply because there is a necessity, because that necessity knows no law. With these words, I strongly support the amendment."

THE DEPUTY CHAIRMAN:—"It is now 5 o'clock. I think we can close the debate to-day after the Hon. Minister replies and the amendment is put to vote."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I find that the whole question of control and procurement has been repeated over and over again in one form or another by hon. Member who moved the amendment and those who supported him, whereas this particular amendment refers only to prices. It is true that the price which is now ruling in the State is considered low and if it is raised it is said that people will come forward with their foodgrains much more willingly than they are doing at present. They forget the fact that by raising the price of foodgrains, it is the working class which is hit most, because their major item of expenditure is only for the purchase of foodgrains. Not only that, when the price of foodgrains is increased, there is a raise in the prices of other articles also. That is why the Government of India have adopted the policy of keeping down the price of foodgrains as much as possible and that is the price which we are now having. But, anyhow the question of fixation of prices is now being considered by the Government of India and the Madras Government and wherever it is necessary we will see that it will not adversely affect the existing economic situation. So, there is no possibility of increasing the prices at present.

"Regarding payment also, it is true that in some cases where sufficient funds were not available either with the co-operative

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societies which are entrusted with procurement or with private merchants who are asked to procure, there has been some grains left over and they find their way to the black-market. So, the question of Government themselves investing some amount and doing procurement work themselves is also under consideration. That is also one of the proposals made in the report of the Committee which has just now been read to us and it is also under examination now.

"With regard to the other points raised by hon. Members, I have nothing more to say except the fact that it is not possible at present to increase the prices and that when we definitely fix prices at certain levels so many other things have to be taken into consideration and if necessary Government will do them when necessary."

SRI R. SURYANARAYANA RAO:—"What objection can the Government have in accepting this innocuous amendment?"

THE DEPUTY CHAIRMAN:—"I now put the following amendment of Mr. Narayanaswami Nayudu to vote:—

'and on such consideration this Council resolves that the Government of the State should not reduce the procurement prices of foodgrains any further and recommends further that the Government should guarantee a fixed minimum price for rice and millets.'"

The amendment was declared lost.

Sri B. Narayanaswami Nayudu demanded a poll and the House divided thus:

Ayes.

1 Janab Abdul Latif Farookhi.
2 Sri M. D. T. Kumaraswami Mudaliyar.
3 Dr. A. Lakshmanaswami Mudaliyar.
4 Sri B. Narayanaswami Nayudu.
5 Sri A. Gopalakrishnayya.
6 „ R. Suryanarayana Rao.
7 Janab K. Uppi.
8 „ K. T. M. Ahmed Ibrahim.

Noes.

1 The Hon. Dr. T. S. S. Rajan.
2 The Hon. Sri K. Madhava Menon.
3 The Hon. Sri C. Perumalswamy Reddiyar.
4 The Hon. Sri J. L. P. Roche Victoria.
5 Sri S. B. Adityan.
6 „ M. Narayana Menon.
7 „ L. Subbarama Reddi.
8 Sri S. K. Satagopa Mudaliyar.
9 „ N. Venkatachalamaji.
10 „ N. Ramabhadra Raju.
11 „ M. K. Sundarama Ayyar.
12 „ S. Jayaram Reddiyar.
13 Dr. P. S. Srinivasa Ayyar.
14 Sri N. Ranga Reddi.
15 Mr. A. S. T. F. Rodriguez.

Ayes 8; Noes 15.

The amendment was lost.

THE DEPUTY CHAIRMAN:—"Now the food debate is over."

SRI B. NARAYANASWAMI NAYUDU:—"There is another amendment of mine and so the debate may continue on the 9th instant, Sir."

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THE DEPUTY CHAIRMAN:—"I have already told the House that after the above amendment was put to vote the debate would close."

SRI B. NARAYANASWAMI NAYUDU:—"But, Sir, there is another amendment of mine on the agenda paper. The question whether I withdraw it or do not move it, is a different matter. I want to know whether the amendment is in order and if so whether it would not be allowed to be moved. Simply because the Deputy Chairman said that the debate would close, it should not be closed."

THE DEPUTY CHAIRMAN:—"I have already told the House that the food debate would be over. So, the food debate is now over and the House will now adjourn and meet again at 11 a.m. on the 9th instant."

APPENDIX I.

[Vide answer to starred question No. 23 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 7th October 1950, pages 355-356 supra.]

Statement I.

Superior posts in the I.A.S. cadre reserved for I.C.S. or I.A.S. officers under this Government.

Number of superior posts in the I.A.S. cadre reserved for I.C.S. or I.A.S. officers (excluding posts to be filled by promotion of Provincial Service officers).	Number of permanent I.C.S. officers holding superior posts in 1948.	Number of vacancies in superior posts occurred since 1948 to be filled by I.C.S. or I.A.S. officers.	Number of vacancies in superior posts filled up by I.C.S. officers since 1948.	Number of vacancies in superior posts yet to be filled up by I.C.S. or I.A.S. officers.
(1)	(2)	(3)	(4)	(5)
61	20	41	18	23

Statement II.

Superior posts in the I.A.S. cadre reserved for P.C.S. officers.

Number of superior posts in the I.A.S. cadre reserved for P.C.S. officers.	Number of permanent P.C.S. officers holding superior posts in the I.A.S. in 1948.	Number of vacancies in superior posts occurred since 1948 to be filled by P.C.S. officers.	Number of vacancies in superior posts filled up by P.C.S. officers since 1948.	Number of vacancies in superior posts yet to be filled up by P.C.S. officers.
(1)	(2)	(3)	(4)	(5)
27	3	24	2	22

APPENDIX II.

[Vide answer to starred question No. 28 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 7th October 1950, pages 361-362 supra.]

Statement showing the grants sanctioned to the three Universities in the Province, since 1945-46.

A. MADRAS UNIVERSITY.

Year of sanction of grant.	Recurring grant.							Non-recurring grant—Alagappa Chettiar's College of Technology.	Total—(Recurring and non-recurring).
						Institution of a Professorship and Readership in the Oriental section.	Total—Recurring grant.		
	General.	Alagappa Chettiar's College of Technology.	Institution of a Professorship in Tamil.	Erskine Buildings and equipment.	Hope Chancellorship.				
				College—					
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1945-46	3,15,500	85,000	..	..	..	..	4,00,500	2,00,000	6,00,500
1946-47	3,15,500	85,000	..	..	..	..	4,00,500	Nil.	4,00,500
1947-48	3,15,500	85,000	..	..	..	..	4,00,500	1,00,000	5,00,500
1948-49	3,15,500	85,000	2,500	..	..	..	4,03,000	2,00,000	6,03,000
1949-50	3,15,500	85,000	2,500	..	..	* 7,200	4,10,200	1,50,000	5,60,200

* This amount will be raised to Rs. 8,700 from 1950-51, when grant for full year will be paid.

B. ANDHRA UNIVERSITY.

Year.	Recurring.								Non-recurring.						Total—Recurring and non-recurring.
	General.	Maths, Physics and Natural Sciences.	Revision of scales of pay of teachers.	Opening of M.Sc. courses in Geophysics.	Total.	Total—Recurring and non-recurring.	Construction of a hostel for 200 boys.	Transcription of Telugu manuscripts from the Saraswathi Mahal Library.	Gas plant for the Erskine College.	J. V. D. College of Science and Technology.	Total.				
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1945-46	1,50,000	26,400	59,783	..	2,36,183	2,36,183	..	..	..	..	..	1,50,000	75,000	73,777	4,57,000
1946-47	1,50,000	39,600	1,17,400	..	3,07,000	4,57,000	..	..	..	..	..				3,82,000
1947-48	1,50,000	39,600	1,17,400	..	3,07,000	3,82,000	..	..	..	..	..				3,86,024
1948-49	1,50,000	39,600	1,17,400	5,247	3,12,247	3,86,024	..	..	..	..	..				10,77,065
1949-50	1,50,000	39,600	1,17,400	42,400	3,49,400	10,77,065	3,30,000	1,100	30,000	20,000	7,27,665				

NOTE.—The Government have sanctioned a grant of Rs. 2·5 lakhs to the university for the construction of a Convocation and Assembly Hall. This amount has been disbursed in May 1950. This grant is not shown in the statement.

C. ANNAMALAI UNIVERSITY.

| | Recurring grant. | | | | | | | | Non-recurring grant. | | | | | | | |

APPENDIX IV.

[Vide answer to starred question No. 31 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 7th October 1950, page 365 supra.]

Statement showing the consolidated selection by region, district, community and sex to the Government Medical Colleges in 1950.

	Non-Brahmans, including backward.			Brahmans.			Indian Christians.			Muslims.			Harijans.			Grand total.
	Men.	Women.	Total.	Men.	Women.	Total.	Men.	Women.	Total.	Men.	Women.	Total.	Men.	Women.	Total.	
Region No. I—Rayalaseema.																
Bellary	2	1	3	1	2	3	..	..	..	..	..	..	..	..	..	6
Cuddapah	7	..	7	..	..	..	1	1	2	..	..	..	1	..	1	10
Anantapur	7	..	7	1	..	1	1	..	1	2	..	2	2	..	2	13
Chittoor	2	2	4	1	1	2	..	..	..	1	..	1	..	..	..	7
Kurnool	..	1	1	..	..	..	..	..	..	..	..	..	2	..	2	3
	18	4	22	3	3	6	2	1	3	3	..	3	5	..	5	39
Region No. II—Other Telugu districts.																
Krishna	5	3	8	3	2	5	1	..	1	..	..	..	..	..	..	14
Guntur	9	2	11	2	..	2	1	..	1	5	..	5	3	..	3	22
East Godavari	6	1	7	5	..	5	..	..	..	..	..	..	1	..	1	13
West Godavari	4	..	4	1	..	1	1	1	2	..	..	..	..	..	..	7
Visakhapatnam	11	3	14	6	1	7	..	1	1	..	..	..	..	..	..	22
Nellore	..	..	..	1	..	1	..	..	..	..	..	..	..	..	..	1
	35	9	44	18	3	21	3	2	5	5	..	5	4	..	4	79
Region No. III—Tamil districts.																
Madras	11	4	15	10	3	13	2	1	3	4	..	4	2	1	3	38
Tirunelveli	6	2	8	3	..	3	1	..	1	2	..	2	..	..	..	14
Mathurai	8	3	11	1	..	1	1	1	2	..	..	..	..	..	..	14
Salem	2	2	4	1	..	1	1	1	2	..	..	..	..	1	1	8
North Arcot	2	3	5	3	..	3	..	..	..	..	..	..	1	..	1	9
South Arcot	4	1	5	1	..	1	..	..	..	1	1	2	..	..	..	8
Chingleput	9	1	10	2	1	3	..	..	..	1	..	1	..	..	..	14
Coimbatore	8	1	9	2	1	3	1	..	1	..	..	..	..	..	..	13
Ramanathapuram	6	2	8	3	..	3	..	..	..	1	..	1	1	..	1	13
Tanjore	8	2	10	5	1	6	1	..	1	1	..	1	..	1	1	19
Nilgiris	1	..	1	..	..	..	1	..	1	..	..	..	..	..	..	2
Tiruchirappalli	1	2	3	3	1	4	1	..	1	..	..	..	..	..	..	8
	66	23	89	34	7	41	9	3	12	10	1	11	4	3	7	160
Region No. IV—West Coast districts.																
South Kanara	4	4	8	4	2	6	..	1	1	1	..	1	..	..	..	16
Malabar	10	3	13	3	..	3	1	..	1	1	..	1	1	..	1	19
	14	7	21	7	2	9	1	1	2	2	..	2	1	..	1	35

TOTAL NUMBER OF MEN AND WOMEN CANDIDATES SELECTED BY REGION AND COMMUNITY.

	Non-Brahmans including Backward.		Brahmans.		Indian Christians.		Muslims.		Harijans.		Total.
	Men.	Women.	Men.	Women.	Men.	Women.	Men.	Women.	Men.	Women.	
Rayalaseema	18	4	3	3	2	1	3	..	5	..	39
Other Telugu districts	35	9	18	3	3	2	5	..	4	..	79
Tamil area	66	23	34	7	9	3	10	1	4	3	160
West Coast area	14	7	7	2	1	1	2	..	1	..	35
	133	43	62	15	15	7	20	1	14	3	313

LIST OF MEN AND WOMEN CANDIDATES SELECTED BY REGION.

	Men.	Women.	Total.
Rayalaseema	31	8	39
Other Telugu area	65	14	79
Tamil area	123	37	160
West Coast area	25	10	35
	244	69	313

APPENDIX V.

[Vide answer to starred question No. 32 asked by Sri M. Govindacharyulu (on behalf of Sri B. Bhima Rao) at the meeting of the Legislative Council held on 7th October 195 , page 366 supra].

REPORT OF THE PRESIDENCY COLLEGE REORGANIZATION COMMITTEE.

I. PREAMBLE.

The Government of Madras, when appointing the committee for the reorganization of the Presidency College gave the terms of reference as follows :—

(i) To report on the possibility of developing the College as an institution for higher teaching and research;

(ii) To suggest ways and means that may be followed to achieve that end.

In a subsequent memorandum the following item was added to the terms of reference :—

(iii) To suggest the qualifications to be prescribed for the person appointed as Principal of the College.

2. In addition to these terms of reference, the Principal of the College has been kind enough to supply us in advance with particulars regarding the running of the College, and details regarding equipment and staff, in the various departments. He has also supplied us with the confidential Government Order of the Government of Madras sanctioning 6 posts of Chief Professors in the Madras Educational Service on a scale of pay of Rs. 300—50/2—700—75/2—1,000 for the current year. During our deliberations we visited the various departments and discussed with the heads of those departments about the possibilities of development in their respective subjects.

3. The terms of reference are wide enough to include all aspects of the problem of reorganization, namely, administrative, academic as well as financial, and we have therefore considered the problem in all those aspects, keeping in mind the history and traditions of the College as an educational institution.

4. The Presidency College is over a hundred years old, and in the course of its long history has rendered great services to the cause of education in the Province of Madras. Amongst its alumni are to be found many who have gained distinction in different walks of life, and helped to sustain the reputation of the College as a centre of learning and culture. In particular, there have been not a few who have achieved high reputations in the fields of scholarship and of scientific research. Nevertheless, it must be admitted that research has not in the past played as

prominent a part in the activities of the College as was desirable, and that in recent years research has dropped out from the programme of work of several of its departments of study. This is a situation which clearly cannot be considered as satisfactory. In the context of the present time, the most useful purpose which the College could serve in the larger interests of the country is to produce in reasonable numbers highly trained men in various branches of knowledge, including the humanities, as are now needed for national development. We are, therefore, in entire sympathy with the idea expressed in our terms of reference of developing the College mainly as an institution for higher teaching and research. Madras badly needs an institution with such aims. At the same time, we feel that the century-old function of the College as an institution for general education cannot be wholly abrogated. While, therefore, we welcome the decision of the Government to abolish the teaching of Intermediate classes in the College, we are of opinion that a similar step need not be taken with respect to the B.A. and B.Sc. classes. We feel, however, that only such students as can benefit by the superior type of opportunities now contemplated should be admitted to these courses, and not in such large numbers as to form a burden to the staff engaged in higher teaching and research.

5. The success of any scheme of reorganization depends on the possibility of the College securing the services of highly competent teachers and of providing such opportunities for work as will enable them to function usefully. We have devoted much time and thought to those questions, and worked out a scheme by which we hope that the aims in view will be realized in due course of time. However, at present, there is a great demand for qualified men and in particular a serious shortage of scientific man-power in the country. Hence, we do not think it at all likely that our scheme could be implemented in its entirety forthwith, even if the necessary funds be made available at once. The scheme, therefore, would have to be implemented in stages as and when teachers of the right type become available. Meanwhile, the work of the College will have to go on and it will therefore be necessary during an interim period to utilize the service of the existing staff in the best manner possible.

II. THE GOVERNING BODY OF THE COLLEGE.

6. The aim which we have held in view in drafting a scheme of reorganization is that of developing the Presidency College into an institution where the quality and the standard of higher teaching are comparable with those in any institution of a similar nature in any part of the world and to encourage original research of a high order. The practical achievement of these aims involves the solution of many difficult problems, academic, administrative and financial, requiring much thought and close attention. Some of these problems have already been indicated in the foregoing paragraphs, namely, that of selecting teachers having the requisite character and ability and of fitting them

into the existing framework of the College. Numerous other problems will also arise from time to time, the nature of which will be apparent from the later parts of the present report. After careful consideration we are unanimously of opinion that in these circumstances and in order to fulfil the aims and objectives set forth above, a fundamental change is necessary in the administrative set-up of the College. In this connexion, our recommendation is that the Government should constitute a Governing Body for the College, and that this should be the first step towards the reorganization of the College.

7. In order to fulfil the aims and objectives set forth above, the Governing Body which we have proposed will administer the College on behalf of the Government, will apply for and receive grants, distribute them to the various departments, will initiate reforms and development schemes and be generally responsible for the maintenance of the College. If the College continues to be a branch of the Education department like other Government Colleges in the Province, we are of the opinion that the College will not receive that special consideration and attention which are essential if the College is to develop into an institution of the kind we have in mind. A Governing Body, composed of men of high distinction, will be able to speak on behalf of the College and command the respect of the public. They will have the interests of the institution they serve at heart and will give it continuity of development and constant vigilance. They will be in a position to initiate the expansion schemes in the different branches of study and to investigate recommendations made by the Professors and the Principal and take necessary action. Hence we consider the constitution of the Governing Body as the first help in reorganization.

8. We suggest that the Governing Body of the Presidency College be constituted on the following lines :—

(i) *The Vice-Chancellor, University of Madras.*—As the Presidency College is a constituent College of the Madras University, we are of the opinion that the Vice-Chancellor should be on the Governing Body.

(ii) *The President of the Indian Academy of Sciences.*—As the head of an organization devoted to the promotion of scientific research, the President of the Academy will be in a position to give useful advice on matters concerning scientific research.

(iii) *The President of the Presidency College Old Students' Association.*—As a distinguished citizen and old student of the College, he will have the interests of the College at heart.

(iv) *The Principal of the College.*—As the head of the College, the Principal should be a member of the Governing Body. He will be able to explain administrative matters to the Governing Body and translate their resolutions into action more effectively.

(v) *The Director of Public Instruction.*

(vi) *A representative of the Southern India Mill Owners' Association.*—In view of the close relationship between industry and research, we are of the view that a representative of organized industry in the Province should be on the Governing Body.

(vii) to (x) Four persons of outstanding position in their respective fields, one from each of the following subjects to be nominated by the Government:—

(*a*) Physical Sciences.

(*b*) Natural Sciences.

(*c*) Linguistics.

(*d*) Other Humanities (Sociological Sciences, Economics, History, etc.).

(xi) One person who has rendered eminent services to the cause of education to be nominated by the Government.

Nominated members will serve for a period of three years. The Chairman of the Governing Body would be nominated by the Government from amongst these eleven members.

We are convinced that the Governing Body, constituted as above, representing all branches of knowledge and educational administration would be able to develop the College as a first-class institution for higher teaching and research.

9. Meetings of the Governing Body—

(1) The Governing Body will ordinarily meet once per term.

(2) Other meetings can be called either by the Chairman or by a requisition sent to the Chairman by three or more members.

(3) Five members shall form a quorum for its meetings.

(4) The Secretary to the College will also act as Secretary to the Governing Body but will not be a member.

10. Powers of the Governing Body—

(i) The Governing Body will have full powers with regard to the general administration of the College.

(ii) It will apply for and receive grants from the Government on the block system and allot them to the various departments.

(iii) the Governing Body will receive and administer endowments from private individuals and public bodies for the purposes of the College.

(iv) It will have powers to advertise for the posts of Principal, Professors, Assistant Professors, etc., appoint Selection Committees to choose the cost suitable candidates, and appoint them with the concurrence of the Government.

(v) It will have powers to establish new Chairs for new branches of study, put up buildings, buy capital equipment, etc., out of the grants received from the Government.

(vi) The Governing Body will award Research Fellowships on the recommendation of the Senatus.

(vii) The Governing Body will prepare an annual report on the activities of the College for the preceding twelve months which will be forwarded to the Government.

11. We are of the view that every effort should be made to create a tradition whereby the Governing Body will have wide powers with regard to the College and the Government would not ordinarily interfere in its work. The approval of the Government for confirming appointments, etc., should be of a formal nature.

III. The Senatus.

12. In order to co-ordinate the work of various departments of the College, the heads of departments should be formed into a body to be known as the Senatus with the Principal as Chairman. The Secretary to the College will act as Secretary to the Senatus but will not be a member.

13. *Powers of the Senatus*—

(i) The heads of the various departments will submit their annual budget to the Senatus who will examine them and pass them on to the Governing Body with their recommendations.

(ii) The Senatus will also examine any new proposals and forward them to the Governing Body for consideration.

(iii) The Senatus will award research scholarships on the recommendation of the heads of departments.

(iv) The minutes of every meeting of the Senatus will be forwarded immediately to the Governing Body and will be brought before the next meeting of the Governing Body for record, comment or action as may be needed.

(v) On the basis of material furnished by the heads of departments and consolidated by the Principal, the Senatus will prepare and forward to the Governing Body for information at each of its ordinary meetings, a brief report on the activities of the College in the interval, including especially progress in research work and its publication.

14. We consider it essential that, in course of time, certain conventions should be developed between the Senatus and the Governing Body so that the Senatus will act in an advisory capacity on all matters concerning the College and the Governing Body will be able to act on that advice. Since the Principal will be Chairman of the Senatus and also a member of the Governing Body, he will be in a position to act as a co-ordinating link between those two bodies.

IV. The Principal of the College.

15. The Principal would be the academic, administrative and financial head of the College.

16. The Principal should have qualifications similar to those which we have indicated as necessary for a Professor and have a

teaching experience of at least ten years. He must be a person of academic eminence and should preferably have some administrative experience.

While ordinarily the claims of the Professors should be considered for the principalship, it should also be open for the Governing Body to recruit directly from outside.

17. He should act as a unifying and co-ordinating influence on the various departments so that the College will be a properly integrated educational unit instead of just being composed of individual departments. He should be a man of high distinction in the educational sphere in some branch of study that is being taught in the College and should be given opportunities for research in that branch if he so desires. He should not, however, be the head of any department.

18. In order that the Principal may effectively carry out his duties, we are of opinion that he must be relieved of much of the routine work that is attached to the post at present. To achieve this, a Secretary to the College should be appointed. He would be in charge of such routine matters as preparing time-tables, checking accounts, etc. The Principal may also delegate other matters to the Secretary with the permission of the Governing Body in order that he might concentrate on matters of vital importance to the College.

19. We would recommend that the salary of the Principal be Rs. 1,250—50—1,500 plus an entertainment allowance of Rs. 250 per mensem. This allowance is suggested since we feel that, in order to promote a friendly atmosphere in the College and to act as an adviser, the Principal should entertain both students and staff periodically in small batches, and thus have opportunities of meeting every student and member of the staff informally.

V. The Secretary to the College.

20. The Secretary to the College will be selected by the Governing Body after due advertisement and consideration of the applications received. He will then be appointed with the concurrence of the Government. We would recommend that the scale of pay of the appointment be fixed at Rs. 500—25—750.

21. *Duties of the Secretary.*—(i) The Secretary of the College will be in charge of all routine matters connected with the College.

(ii) He will also perform such other duties as may be assigned to him and generally assist the Principal in the administration of the College.

(iii) He will keep records of the proceedings of the Senatus and of the Governing Body and act as Secretary to these bodies but will not be a member of either body.

(iv) It will also be his duty to assist the heads of various departments to get equipment, stores, etc., with the least possible delay and provide them with clerical assistance whenever necessary.

VI. Professors.

22. We are of the opinion that the special scale of pay announced by the Government for the Chief Professors, namely, Rs. 800—50/2—700—75/2—1,000 is not such as would suffice to attract to-day persons having the requisite qualifications. It is most essential that men who are appointed Professors under the reorganization scheme should be men of real distinction capable of a high standard of teaching and of directing research. The success of the scheme will depend ultimately on the type of men appointed as Professors, and, therefore, most careful consideration should be given to the qualifications of those who are to be chosen. We, therefore, recommend a scale of pay of Rs. 500—50—1,000, the initial salary being fixed suitably to the circumstances of the case at any stage in the scale. The minimum of the grade that we have recommended is not so high as to rule out a young man who might be considered fit for appointment as a Professor by virtue of his brilliant work and qualifications. The maximum of the grade, on the other hand, is high enough, we hope, to attract persons of experience and proved worth.

23. *Selection of Professors.*—The Governing Body will advertise the posts of Professors and after the last date for receiving applications, will constitute a selection committee for each branch of study as follows :—

(i) One member of the Governing Body to act as Chairman for all selection committees for a period of three years.

(ii) The Principal of the College.

(iii), (iv), (v) & (vi) Four experts chosen on an all-India basis, two from the same branch of study and two from the same or an allied branch of the subject.

The experts, of course, will be different for the selection of Professors for the different departments, but the Chairman and the Principal of the College will be members of all the Committees.

24. In making their recommendations, the selection committee will have before them a statement regarding the nature of the work expected of the Professors and of the qualifications regarded as desirable in the persons to be chosen for the appointment. While we recognize the advantage to be derived by a person of the requisite capacity having spent a certain period abroad in higher study and research, we would not consider this to be a *sine-qua-non* for the appointment of a Professor in the College as this might result in the exclusion of highly qualified candidates.

The Selection Committee will meet, consider the applications, call for interviews if necessary and submit a panel of names in order of merit, of one name if there is only one suitable applicant,

or no name at all if there is no suitable candidate. The selection committee will also be free to suggest names of people suitable for the post even if they have not applied. The Governing Body will then appoint the Professor with the concurrence of the Government.

25. We shall consider later the details of the organization of teaching and research in the College. It will suffice here briefly to indicate that we propose the ultimate abolition of the existing posts of additional Professors and the creation of a number of independent departments, each having a Professor at its head with Assistant Professors, research Fellows, and senior and junior research scholars to assist him and to carry on higher teaching and research in the department.

26. *Duties of the Professors.*—(i) The Professor will be the head of the department of study in his subject.

(ii) He will actively engage in research work and also take upon himself a substantial share of the regular teaching work of the department, especially that of the highest grades.

(iii) He will allot the rest of the teaching work amongst the Assistant Professors, Fellows and research scholars.

(iv) He will direct research in the department.

(v) He will have powers to place orders for stores, equipment, etc., for his department up to the limit of the sanctioned yearly budget through the Principal.

(vi) He will be responsible for the successful conduct of the department and especially for the organization of teaching and research.

(vii) He will co-operate with the heads of other departments effectively in the promotion of the above objects.

Note.—The duties of the Professor should be specified in his contract of appointment.

VII. Assistant Professors.

27. The qualifications for Assistant Professors should, in our opinion, be of the same general nature as those to be expected of Professors, except that in the majority of cases they would be younger men. But nonetheless, as far as possible, the selection should be equally strict and made in the same formal manner, except that the Professor who is the head of that particular department should be one of the experts on the selection committee. In view of the high qualifications expected, we recommend the scale of pay of Rs. 250—25—500.

28. *Duties of Assistant Professors.*—The Assistant Professors will be expected to take part in the teaching work of the department and to engage themselves actively in research.

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To ensure the smooth working of every department, all Assistant Professors should be asked to sign a contract promising loyal co-operation in carrying out the work of the department as directed by the Professor.

VIII. Scholarships and Fellowships.

20. In order to encourage research of a high order, we recommend that a sufficient number of research scholarships and fellowships be endowed so that young men of talent can avail themselves of them and stay on in the College to do research work and at the same time take some part in teaching also. We feel the institution of these scholarships and fellowships to be vitally important to an institution of the kind we envisage, because these men after gaining experience in research and teaching will go out to staff other research institutions that are being started in many parts of the country or as Professors and Assistant Professors in other Colleges.

30. We recommend the institution of the following types of award :—

(*a*) Junior scholarships at Rs. 100 per mensem for a maximum period of two years.

(*b*) Senior scholarships at Rs. 150 per mensem for a maximum period of three years.

(*c*) Research fellowships at Rs. 250 per mensem for a maximum period of five years.

These should be made renewable every year.

31. Ordinarily, a student who has taken an Honours or a Master's degree, will be eligible for a junior scholarship, one who has takeu M. Litt., M.Sc., or Ph.D., will be eligible for a senior scholarship and one who has taken Ph.D., or D.Sc., will be eligible for a research fellowship. These scholarships are intended to enable students of talent to prosecute research work under the direction of the Professor. In this connexion, we recommend that the posts of Demonstrators and Tutors be abolished and that the work being done by them at present is distributed among the Research scholars and fellows.

32. *Award of Scholarships and Fellowships.*—The head of the department will receive applications for scholarships and fellowships and forward them to the Senatus with his remarks and recommendations.

The Senatus after consideration of the recommendations of the head of the department will in the case of the junior and senior scholarships award them and in respect of the research fellowships forward their recommendations to the Governing Body for final

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IX. The Organization of Teaching and Research.

33. At present, the College is organized into a number of departments, each having usually a Professor, an Additional Professor, Assistant Professors, Tutors and Demonstrators. This organization of teaching is directed mainly towards enabling the students to pass their examinations and take their degrees. Many of the subjects dealt within these departments are of such vast proportions that it is not possible for any person, however eminent, to undertake effectively the organization of teaching or the supervision of research in the whole subject. One may mention, as an example, the case of Chemistry which to-day is divided into several branches such as Inorganic Chemistry, Organic Chemistry, Bio-Chemistry, and so forth. It becomes necessary in these circumstances, for the effective organization of teaching and research, to divide the subject into such distinct branches, and organize them as independent departments of study. The difficulty of the handling by one Professor of the whole subject is already recognized in the College by the appointment of the so-called Additional Professor. We feel that this arrangement is not conducive to the effective conduct of higher teaching and research. We accordingly propose that the academic structure of the College be re-organized on the basis of a number of distinct branches of study, each of which is headed by a Professor who is a specialist in it. We give below a list of the departments of study, which, we feel, should ultimately find a place in the work of the College. In drawing up this list, we have been guided principally by the consideration of the intrinsic importance of each subject.

34. It would, of course, be necessary for the head of each department to have the assistance of an adequate staff. With regard to the strength of this staff, we feel that there should be some measure of uniformity. After careful consideration, we are of the opinion, that two Assistant Professors, one Research Fellow, one senior research scholar and two junior research scholars would afford a reasonable measure of assistance to the Professor in teaching and research. As the College is to be developed into an institution for higher teaching and research, we feel that in future the number of lectures should be reduced, and that those that are delivered should be of higher standard and more vitalising. This would demand the admission of more self-reliant students who would be able to benefit by such advanced teaching, and might involve a certain limitation of the number of students, especially in the Pass Courses. It is quite possible that in certain cases, as for instance, in the teaching of English, the character and extent of the work would demand a larger staff or a re-arrangement amongst the different categories of staff. However, we feel that our proposals regarding the strength of staff as indicated above, would, in general, prove adequate.

35. We suggest that the following branches of study should find a place in higher teaching and research at the College, and that when the reorganization is complete, each of them would

form an independent department with a Professor, two Assistant Professors, one Research Fellow, one senior scholar, and two junior scholars :—

Mathematical Studies ..	(1) Mathematical Analysis. (2) Higher Geometry. (3) Statistics. (4) Theoretical Physics.
Physical Sciences ..	(5) General Physics. (6) Chemical Physics. (7) Organic Chemistry. (8) Inorganic Chemistry. (9) Eigh Polymer Chemistry.
Natural Sciences ..	(10) Plant Morphology. (11) Plant Physiology. (12) Comparative Anatomy. (13) Embryology and Genetics. (14) Mineralogy. (15) General Geology.
Social Studies ..	(16) Psychology. (17) History. (18) Politics (19) Economic Theory. (20 Applied Economics.
Linguistics	(21) English Language and Literature. (22) Sanskrit. (23) Tamil. (24) Telugu.

36. By way of explanation we may add that the subjects listed as (1) and (2) together constitute the field of pure Mathematics which is too vast to be supervised by one Professor. We have proposed a Chair in Statistics in view of its Practical importance. We may also explain that the subject of Theoretical Physics would be essentially mathematical. While it would include the topics hitherto variously designated as Applied Mathematics, Mixed Mathematics or Mathematical Physics, it would also cover other subjects of great importance such as the Theory of Electro-magnetism, the Quantum Theory, Relativity, etc. The establishment of this Chair would serve as a much-needed link in the College between Mathematics and Physics. The Chair of Chemical Physics proposed would include many topics usually listed under the title of Physical Chemistry, but it would also cover many others of growing interest. The Chair of High Polymer Chemistry relates to a new subject of great and growing importance, with many practical applications. Each of the three subjects of Botany, Geology and Zoology is represented in our list by two Chairs; these deal with widely different aspects of the respective subjects and are of equal intrinsic importance. We have allowed two Chairs to the subject of Economics, dividing it into (i) Economic Theory and (ii) Applied Economics. Each of these covers a large and

important range of studies. We have proposed a Chair of Psychology in view of the manifest importance of the subject in relation to education, labour problems and sociology in general.

X. The Implementation of the Scheme.

37. It would clearly not be practicable to give immediate effect to the proposed reorganization of the College into 24 distinct departments of studies listed earlier in our report. The process would necessarily have to be spread over a period of years, and we would suggest that it should be carried out in three successive stages, respectively, at the beginning of each academic year.

38. After a preliminary survey of the problems involved in the reorganization, the Chairman of our Committee wrote to the Hon. the Minister for Education suggesting that funds be provided in the current year's budget for the creation of 8 new professorships, as also for the provision of a sum of rupees two lakhs for the cost of additional equipment. We understand that this has been done. We suggest that as soon as the Governing Body is set up all the Chairs in the foregoing list dealing with the following subjects be advertised :—

(*a*) Mathematics.
(*b*) Physics.
(*c*) Chemistry.
(*d*) Botany.
(*e*) Zoology.
(*f*) Geology.
(*g*) Economics.

The advertisements should specify the branches of study comprised by the Chairs, and the special qualifications expected of the candidates. It should be open for the present members of the staff of the College to apply. On receipt of the applications, the Governing Body would proceed to constitute the Selection Committees in the manner mentioned earlier. The Governing Body would decide, having regard to the qualifications of the candidates recommended by the Selection Committees, and the relative needs of the different branches of study, which of the Chairs may be filled up. They would then make the appointments with the concurrence of Government. A similar procedure would be followed well before the commencement of each succeeding academic year, the number of Chairs to be filled up each year depending on the availability of suitable candidates.

39. The appointment of Assistant Professors in each department recommended in the scheme should, in our opinion, be made only after the Professor of the department concerned has been appointed and taken charge and has had some time to take stock of the situation. These appointments would, therefore, have effect from the commencement of the College year following that

in which the Professor concerned is appointed. It would be desirable that a similar procedure is followed also in the case of Research Fellows, as the selection of these would have to be made with considerable circumspection. We see, however, no objection to the award of research scholarships as soon as the Professor appointed is in a position to make recommendations and finds himself able to undertake their supervision.

40. It is possible that, during the successive stages of the reorganization, a substantial proportion of the present higher staff of the College may find themselves selected for the positions in the reorganization scheme. Those who are not thus absorbed would, we earnestly hope be found positions elsewhere by Government. We see no objection to such of the members of the staff as are disposed to co-operate with the new heads of the departments being retained as supernumeraries until they can be provided for elsewhere by the Government.

41. We foresee that as our scheme is progressively implemented, numerous problems will arise requiring careful consideration by the Governing Body. The most urgent of them would be the provision of adequate facilities for the work of the newly appointed Professors. The College has for many years devoted itself almost exclusively to routine teaching and examination. As research work develops much additional equipment will naturally become necessary. It was for this reason that the Chairman of the Committee requested the Hon. Minister to provide a sum of rupees two lakhs in the budget for 1949–1950. The distribution of this sum amongst the different departments for the purchase of research equipment would be a matter for decision by the Governing Body, and as it would depend upon the particular professorships actually filled during the first year, we do not think that any useful purpose would be served by our making detailed recommendations on the subject. It would be for the Governing Body to take the speediest possible action in the matter.

42. It is likely also that as the reorganization proceeds, the accommodation provided by the existing laboratories would be found inadequate to house the various new activities proposed. It has been brought to our notice that even at present several of the existing departments are cramped for space. When the new departments contemplated by us are brought into existence, and also as the result of the division of the major subjects of study into distinct departments, the provision of additional accommodation and even the building of new laboratories may become necessary. This again, is a matter which would require careful consideration and action by the Governing Body.

43. During our inspection of the College, it became evident to us that the facilities provided for library work leave much to be desired. There is no Science Library as such, the books and journals being spread out amongst several departmental libraries, the arrangement of which appeared to us distinctly unsatisfactory. Many of the books on subjects relating to the humanities are also

similarly scattered over a number of departmental libraries. The main arts library and reading room of the College is badly lighted. As it would be difficult to organize higher teaching and research properly under such adverse conditions, the provision of a well-arranged library with reading rooms for the staff and students should in our opinion be given a high priority.

44. Another matter of importance is the provision of residential accommodation for the research fellows and Research Scholars contemplated in our scheme. We feel it to be essential that these workers are lodged near the College, so that they could carry on their work for necessary number of hours every day. Amongst other needs of the re-organized College would be the provision of a Central Research Workshop where the needs of all the departments can be attended to. Such a workshop would also provide for the production of liquid air, the fabrication of blown glass apparatus and various other requirements of all the departments. It would also provide opportunities of learning the general techniques with which every research worker should be familiar, usefully supplementing the training in special techniques given in the individual departments. It would probably also be useful for the College to organise a Central Stores for the supply of such articles as are needed by all the Science departments.

We are submitting a separate memorandum dealing with various matters arising out of the foregoing report, but which, we felt, need not find a place in our main recommendations.

(Signed) C. V. RAMAN.
(,,) A. L. MUDALIYAR.
(,,) B. B. DEY.
(,,) M. O. PARTHASARATHY AYYANGAR.
(,,) T. VIJAYARAGHAVAN.
(,,) C. PITCHUMUTHU.
(,,) B. NATARAJAN.
(,,) K. SRINIVASAN.
(,,) S. G. MANAVALA RAMANUJAM.
(,,) M. ABDUL HAQ.
(Absent) A. RAMAMURTHI.

* (See separate note.)

PRESIDENCY COLLEGE, MADRAS,
12*th February* 1949.

MEMORANDA SUPPLEMENTING THE MAIN REPORT.

ESTABLISHMENT OF A CONTRIBUTORY PROVIDENT FUND.

The Professors and Assistant Professors recruited by the Governing Body under the scheme of reorganization proposed by us would form the regular staff of the Presidency College and

would naturally therefore not be liable to transfer to positions elsewhere. For various reasons, it appears to us desirable that these appointments should be on a non-pensionable basis, but that they should have the benefit of a contributory provident fund scheme. When, however, the person chosen by the Governing Body for appointment as Professor or Assistant Professor is already in pensionable Government service—whether at the College itself or elsewhere—and desires to retain his claim to pension, the Governing Body should, we think, be permitted to make the appointment on a pensionable basis. In such a case, naturally, the person appointed would not be eligible for the benefits of the contributory provident fund schemes of the College.

Leave rules for Professors and Assistant Professors.

2. Under the existing arrangements, the Presidency College has a long academic vacation and there are also numerous holidays which cut into the available working time. We feel that the sustained effort necessary for significant achievements in research is not possible under such conditions. It would also be difficult for an institution intended for higher study and research to make any real progress if the time and energy of the staff are frequently diverted to other activities however praiseworthy or important they might be in themselves. For these reasons, the rules regarding vacation and leave of absence for the staff require modification. We recommend that—

(*a*) The College should be completely closed for the hot weather during the period from the 1st May to the 15th of June in each year.

(*b*) The College would also be closed on Sundays and on public holidays declared as such under the Negotiable Instruments Act.

(*c*) The College would be fully open on all other days, and all facilities should be available for those engaged in research or advanced studies.

(*d*) Professors and Assistant Professors may, in addition, be allowed one month's leave of absence on full pay during each year. This may be taken at any time subject to the exigencies of work and may be accumulated up to a maximum of eight months.

(*e*) Casual leave up to a maximum of ten days in a year may also be granted.

(*f*) Absence on work of academic importance may be treated as duty leave, but all such cases should be reported to the Governing Body for scrutiny and approval.

REGULATION OF ADMISSIONS TO THE COLLEGE.

3. It is obvious that the efforts of teachers, however capable or eminent, would not result in raising the general level of the academic life of the College unless the alumni selected for admission into it are *prima facie* capable of benefiting from the advanced type of instruction proposed to be offered to them. Further, if

students who are not of the requisite calibre are admitted in large numbers to the College, the whole scheme of reorganization proposed by us would fail to achieve the aims in view. The regulation of the admission of new students to the College, both in respect of their numbers and of their quality, is therefore a matter which requires attention and should come under periodic review by the Senatus of the College. Since the responsibility for the successful organization of teaching and research lies, in the first instance, on the heads of departments concerned, it follows that they should have a voice in determining the selection of the students for all the higher courses of study at the College, namely, those for the Honours and Master's degrees, and that in respect of the selection of students for research work, the initiative should come from the Professors who would guide and supervise such work. So far as admission to the Pass course is concerned, however, practical considerations indicate that the selection should be in the hands of the Principal of the College.

A BUILDING PROGRAMME FOR THE COLLEGE.

4. As indicated in our report, we foresee that the reorganization proposed by us will necessitate an increase in the accommodation available for the activities of the College. Some of the more urgent needs in this direction have already been mentioned by us. It seems to us important that such expansion is effected on a systematic and carefully thought-out plan which takes into account both the immediate requirements and those that are likely to arise in the course of years. In this connection, we note that there is a fairly large area of land available to the west of the Natural Sciences Block of the College which has not been built upon, except for the house formerly occupied as a residence by the Principal of the College. We would recommend that a site plan for the whole of this area may be drawn up in which the location of the buildings likely to be needed are indicated, so that development may proceed in an orderly fashion. High priority should, in our opinion, be given to the construction of a properly designed library for the whole College, as this is a vital necessity for an institution devoted to higher studies and research. A suitable location for it would be in the space between the older and newer parts of the College, but a little to the rear, so as not to interfere with the admission of light and air into the existing laboratories. There should be ample provision on the ground-floor of the building for the stacks of books and bound volumes of journals, while on the first floor, the reading rooms would be located and the current reviews and scientific journals and the latest books would be displayed to advantage. Possibly, even a second-floor might be provided which could be used as common rooms for extra curricular activities.

CO-OPERATION WITH THE UNIVERSITY AND WITH OTHER COLLEGES.

5. The Presidency College is a constituent College of the Madras University, and the level of the activities carried on by it cannot remain uninfluenced by the general level of the activities elsewhere in the Universities and the other Colleges in Madras.

[7th October 1950

It follows that the Presidency College should give its heartiest co-operation and support to every movement which promises to raise the standards of academic work in the University. Amongst these, we would mention particularly, the arrangements being made to undertake systematic teaching leading up to the M.A. and M.Sc. degrees on the basis of co-operation between the staff of the University and of its constituent Colleges in the Madras area. The Presidency College should, we feel, give the warmest support to this move, since it is calculated to place University teaching on the highest level possible with the existing personnel. We would suggest also that in appropriate cases, the Governing Body of the Presidency College might find it of advantage to secure the services of teachers of other Colleges in the Madras area, on a part-time salaried basis, for participation in higher teaching and research in its own departments of study. This would naturally require the consent of the management of those Colleges, but we are confident that such consent would be forthcoming, since the results would be of benefit to all concerned.

(Signed) C. V. RAMAN.
(,,) A. L. MUDALIYAR.
(,,) M. O. PARTHASARATHY AYYANGAR.
(,,) C. PITCHUMUTHU.
(,,) T. VIJAYARAGHAVAN.
(,,) K. SRINIVASAN.
(,,) S. G. MANAVALA RAMANUJAM.

PRESIDENCY COLLEGE, MADRAS,
14th February 1949.

I am very definitely of opinion that the three branches of Chemistry should be—

Organic Chemistry.

Physical Chemistry.

Inorganic Chemistry.

High Polymer Chemistry as a very specialised branch, should not be included in an institution like the Presidency College the main object of which is the teaching of the fundamental sciences leading on to fundamental research.

For the same reasons, I would suggest that the subject of "Chemical Physics" be named "Atomic Physics".

(Signed) B. B. DEY,
12-2-1949.

The Committee have carefully considered Dr. Dey's remarks and are unable to agree with them for the following reasons :—

(i) The designations of Chemical Physics is a well-recognized one which describes correctly a very large and actively growing

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branch of Physical science. The Committee, therefore, are convinced that in the interest of higher teaching and research, there should be a distinct department of Chemical Physics at the College and that the work of such a department would not be correctly described by the term 'Atomic Physics' suggested by Dr. Dey.

(ii) A separate department of Physical Chemistry is, in the opinion of the Committee, unnecessary, and would also be a duplication, inasmuch as the greater part of it would fall under Chemical Physics and the rest would be covered in the activities of the three departments of Chemistry listed in the report.

(iii) High Polymer Chemistry is at the present time an extremely active and growing branch of knowledge of fundamental importance and also of great interest in view of its application in numerous industries. We feel that the institution of a department of High Polymer Chemistry is necessary for the proper development of chemical studies at the Presidency College. It would give a strong fillip to fundamental research and also prepare the alumni of the College for participation in the development of numerous industries in India, viz., textiles, rayon, rubber, glass, wood-working and plastics in general.

(Signed) C. V. RAMAN.
14-2-1949.
(,,) A. L. MUDALIYAR.
(,,) M. O. PARHTHASARATHY AYYANGAR.
(,,) C. PITCHUMUTHU.
(,,) T. VIJAYARAGHAVAN.
(,,) K. SRINIVASAN.
(,,) S. G. MANAVALA RAMANUJAM.

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THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 9th October 1950.

The House met in the Council Chamber, Fort. St. George, at eleven of the clock, Mr. Chairman (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Rules governing the Madras Police Service.

*33 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Chief Minister be pleased to state—

(*a*) whether rules governing the Madras Police Service and the Indian Police Service have been amended;

(*b*) what the number of superior posts in the Indian Police Service reserved for the officers of the Madras Police Service were and what the number will be under the altered rules;

(*c*) the procedure to be adopted in making promotions from the Madras Police Service to the Indian Police Service;

(*d*) what the strength of the Indian Police Service in the State was and what it will be in the new set up; and

(*e*) what the scales of pay were for the Indian Police Service and the Madras Police Service and what they will be under the altered conditions?

THE HON. DR. T. S. S. RAJAN (on behalf of the Hon. the Chief Minister) :—" (*a*) There have been no substantial alterations made in the Special Rules for the Madras Police Service recently. As regards the Indian Police Service which came into existence on the 21st October 1946, the Government of India have issued so far only the following rules :—

(1) The Indian Police Service (Probationary Service) Rules, 1949.

(2) The Indian Administrative and Police Service (Pay) Rules, 1950.

(3) The Indian Police Cadre Rules, 1950.

" (*b*) The number of superior posts reserved for promotion of Madras Police Service Officers in the Madras Cadre of the *Indian Police* was 8; the number of promotion posts in the *Indian Police Service* is 13.

" (*c*) The question of framing rules for the promotion of State Police Service Officers to the promotion quota of posts in the Indian Police Service is under the consideration of the Government of India.

" (*d*) The number of *Indian Police* posts borne on the cadre of this State was 40 senior posts and 14 junior posts. The

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MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

MONDAY, 9TH OCTOBER 1950

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[9th October 1950

number of *Indian Police Service* posts borne on the cadre of this State in the new set up is 50 senior posts and 22 junior posts.

" (*e*) A statement* showing the scales of pay of the Indian Police, the Indian Police Service and the Madras Police Service is placed on the Table of the House."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether the rules governing the promotion of State Police Service Officers to the Indian Police Service have been framed by the State Government subject to the approval of the Federal Public Service Commission? "

THE HON. DR. T. S. S. RAJAN :—" The Government of India is the authority that decides it."

SRI R. SURYANARAYANA RAO :—" May I invite the Hon. the Minister's attention to the notification published in the *Fort St. George Gazette* regarding the promotion of State Police Service Officers to the Indian Police Service in which it is stated that the rules governing such promotion shall be framed by the State Government concerned in consultation with the Federal Public Service Commission? I want to know whether the Government have attempted to frame those rules."

THE HON. DR. T. S. S. RAJAN :—" They have framed rules whenever there was occasion to do so."

Shooting of Communists.

* 34 *Q.*—SRI A. GOVINDACHARYULU (on behalf of Sri B. Bhima Rao) : Will the Hon. the Chief Minister be pleased to state—

(*a*) whether any instructions have been issued to the Police as well as to other officers concerned with regard to shooting when any wanted Communist is apprehended;

(*b*) if so, whether the Government will lay on the table of the House the said instructions and if not, to state the circumstances in which they have been authorized to shoot; and

(*c*) whether the Government have issued instructions as to who should be deemed a Communist?

THE HON. DR. T. S. S. RAJAN (on behalf of the Hon. the Chief Minister) :—" (*a*) No.

" (*b*) Does not arise.

" (*c*) No."

SRI A. GOVINDACHARYULU :—" Will the Hon. the Chief Minister be pleased to enquire into each case of shooting? "

THE HON. DR. T. S. S. RAJAN :—" Each case is being enquired into."

* Printed as Appendix I on page 501 infra.

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Superior posts under Provincial Government.

* 35 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Chief Minister be pleased to state—

(*a*) whether it is a fact that the Indian Administrative Service Cadre strength for Madras State was fixed in 1948;

(*b*) if the answer to (*a*) is in the affirmative, what posts were reserved for the Indian Administrative Service;

(*c*) whether since then the Indian Administrative Service Cadre Rules have been promulgated;

(*d*) if the answer to (*c*) is in the affirmative, in what respects the strength of the Indian Administrative Cadre has been affected compared to that of 1948;

(*e*) whether in these rules the number of reserved posts has been increased;

(*f*) if the answer to (*e*) is in the affirmative, what those Reserved Posts are;

(*g*) whether the Madras Government were consulted before the Reserved Posts were notified;

(*h*) whether the Reserved Posts include posts which could be ordinarily filled up by promotion in various services;

(*i*) whether in respect of certain posts now reserved even Service Rules have been framed and published;

(*j*) whether such reservation is not contrary to and in violation of Service Rules framed by the Government;

(*k*) whether the Government have at any time looked into these anomalies and have made representation to the Central Government to de-reserve such posts; and

(*l*) whether de-reservation cannot be made without reference to the Central Government?

THE HON. DR. T. S. S. RAJAN (on behalf of the Hon. the Chief Minister) :—" (*a*) Yes.

" (*b*) A Statement I* is laid on the table of the House.

" (*c*) Yes. The rules have since been published in the *Fort St. George Gazette*, dated 11th July 1950.

" (*d*) The superior posts included in the I.A.S. cadre under this Government were increased from 55 to 88.

" (*e*) Yes.

" (*f*) A Statement II* is laid on the table of the House.

" (*g*) Yes.

" (*h*) Some of the posts of Heads of departments are included in the Reserved Posts and it may be considered that these can be filled by promotion of Provincial Service officers of the corresponding Services. On administrative considerations, however, it was decided that these posts should be reserved for I.C.S. or I.A.S. officers.

* Printed as Appendix II on page 502 infra.

"(*i*) Yes.

"(*j*) No.

"(*k*) There are no anomalies and the question of making representations, does not therefore arise.

"(*l*) No."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, what were the over-riding considerations that compelled the Government to increase the number of reserved posts? "

THE HON. DR. T. S. S. RAJAN :—" Administrative considerations, Sir."

SRI R. SURYANARAYANA RAO :—" Does the increased number of reserved posts include those which have been in the past filled up by promoting the officers in those Services? "

THE HON. DR. T. S. S. RAJAN :—" No, Sir."

SRI R. SURYANARAYANA RAO :—" May I draw the attention of the Government to the fact that it is so? Are the Government not aware that there are already separate Service Rules for the Co-operative and Agricultural Services framed by the Government and published which entitle the officers serving in those departments to become Registrar of Co-operative Societies and Director of Agriculture respectively? "

THE HON. DR. T. S. S. RAJAN :—" That position is now changed and the posts have become reserved posts."

Major road bridges.

* 36 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Public Works be pleased to state the number of major road bridges (1) built or (2) sanctioned since 1946 (yearwar), the original estimate, and the revised estimate, if any, for each bridge, the present stage of the construction and whether they are carried out departmentally or by contractors after obtaining tenders?

THE HON. SRI M. BHAKTAVATSALAM :—" Four major bridges were built in 1946 and one in 1948. The number of such bridges sanctioned since 1946 is 27 in 1948, 43 in 1949 and 6 in 1950. They are in different stages of execution. The detailed information* asked for is given in the paper placed on the table of the House."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, for information, when it is decided by the Government that work should be carried out departmentally and when it is decided that a work should be done by calling for tenders? "

THE HON. SRI M. BHAKTAVATSALAM :—" When the lowest tender is found to be much higher than the estimated cost and when it is not possible to negotiate successfully with any of the tenderers the Government decide to do the work departmentally."

* Printed as Appendix III on pages 503–511 infra.

New electric connections.

* 37 *Q.*—JANAB ABDUL LATIF FAROOKHI : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) what the procedure is for granting new electric connections to the general public in the City of Madras; and

(*b*) whether it is in accordance with the order of priority in which the applications are received and registered?

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) & (*b*) Attention is invited to the paper * placed on the table."

JANAB ABDUL LATIF FAROOKHI :—" Is the Hon. the Minister for Public Works aware of the general complaint that people who apply for current late get supply first while the earlier applicants do not get any? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have not heard any such complaints. But if the hon. Member brings to the notice of the Government any specific case of delay, certainly it will be looked into."

Labour Advisory Board.

* 38 *Q.*—SRI P. R. K. SARMA : Will the Hon. the Minister for Land Revenue be pleased to state—

(*a*) whether any Labour Advisory Board has been created in the Madras State under the directions of the Central Government;

(*b*) if so, when it was constituted;

(*c*) what its objects, constitution, aims and rules are;

(*d*) who the members and other functionaries of the said Board are and what institutions and interests are represented by them;

(*e*) the number of meetings of the Board that have been held so far since its constitution;

(*f*) what the subjects discussed, decisions reached and results achieved are;

(*g*) what the expenditure incurred for holding meetings of the Board so far is; and

(*h*) whether there is any proposal for reconstituting the Board?

THE HON. SRI H. SITARAMA REDDI :—" (*a*) *to* (*c*) The Industries Conference held in December 1947 at Delhi considered that increase in industrial production cannot be achieved without the fullest co-operation between labour and management and stable and friendly relations between them. To achieve this the conference recommended among other things the setting up of various committees. With a view to give effect to the recommendations, the Government of India

* Printed as Appendix IV on pages 512–513 infra.

suggested the constitution of a Provincial Labour Advisory Board. The Government of Madras agreed with the suggestion of the Government of India and ordered in October 1948 the constitution of a Provincial Labour Advisory Board.

" (*d*) A statement* containing the information is placed on the table of the House.

" (*e*) Three meetings of the Board have been held, the first on 9th March 1949, the second on 2nd December 1949 and the third on 11th August 1950.

" (*f*) Copies of the proceedings of the meetings are placed on the table of the House.

" (*g*) Travelling allowance was paid to give members for attending the first meeting and to five members for attending the second meeting. Details of travelling allowance paid are not readily available. No other expenditure was incurred.

" (*h*) No Sir."

SRI P. R. K. SARMA :—" May I know, Sir, how many of the labour representatives belong to the Congress group of labour and how many to the various other groups of labour in the State? "

THE HON. SRI H. SITARAMA REDDI :—" There is no such thing as the Congress group of labour."

SRI P. R. K. SARMA :—" Against the names of representatives in the list the organizations which those representatives represent are mentioned while I have the honour of being also a ' labour leader '. I want to know why the Indian National Trade Union Contress, Tamil Nad was not given sufficient representation at first. While there is separate representation for the Tamil Nad Congress Labour Sub-Committee, I ask why there is no representation for the Andhra or the Kerala Congress Labour Sub-Committees on a similar basis? "

THE HON. SRI H. SITARAMA REDDI :—" That is a different question altogether. The question of adequate representation for the Andhra and Kerala areas was taken note of and I would invite the hon. Member's attention to Nos. 14 and 15 under ' Members '."

Sri P. R. K. Sarma rose to speak.

MR. CHAIRMAN :—" The hon. Member has evidently got all the information in his possession." (Laughter.)

THE HON. SRI B. GOPALA REDDI :—" But he wants confirmation, Sir." (Laughter.)

SRI P. R. K. SARMA :—" May I know, Sir, whether the representatives of Andhra and Kerala were recommended by the Indian National Trade Union Congress? "

THE HON. SRI H. SITARAMA REDDI :—" I do not know what the hon. Member is driving at. If he contends that Unions other than the I.N.T.U.C. are not represented, I would like a specific question to be put to that effect."

* Printed as Appendix V on pages 514-530 infra.

SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether the Andhra and Kerala Congress Committees have a labour sub-committee as the Tamil Nad Congress? "

THE HON. SRI H. SITARAMA REDDI :—" I have no information, Sir. I may inform the House that the names of representatives were furnished by the Commissioner of Labour who has information pertaining to the various organizations that should get representation on a Board like this."

SRI P. R. K. SARMA :—" May I know, of the Members of the Assembly nominated to the Board, how many represent the labour sub-committee? "

THE HON. SRI H. SITARAMA REDDI :—" The hon. Member can get the information from the list supplied to him."

SRI P. R. K. SARMA :—" The representatives of labour in the Assembly have been adopted as members of the Labour Advisory Board. But here—I should not point it out since it concerns me—is a representative nominated to this House in the interests of labour whose case has been left out. While the names of other members of the Board are shown along with the organizations they represent, may I know under what circumstances, my name alone is mentioned? "

THE HON. SRI H. SITARAMA REDDI :—" Nominations were not made on the basis of Upper House or Lower House. It was not a question of choice between the Lower House or the Upper House. It is a question of representation of labour interests and there has been so far no complaint of inadequate representation. If, however, the hon. Member feels that the representation is not adequate, a specific question may be put and it will be considered."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, at one time the labour representative in this House was a Member of the Labour Advisory Board, till at least 11th August 1950? " 11-15 a.m.

MR. CHAIRMAN :—" You may give the name also."

SRI R. SURYANARAYANA RAO :—" Mr. Sarma."

THE HON. SRI H. SITARAMA REDDI :—" The Board was reconstituted . . ."

Sri P. R. K. Sarma rose.

MR. CHAIRMAN :—" The Hon. Minister has not yet answered."

THE HON. SRI H. SITARAMA REDDI :—" As I have already said, Sir, the whole basis was the adequacy of representing the interest of the employees. If it is felt by any Member of this House that it is necessary that there should be a member on the Board from this House, I said, the Government have no objection to consider the question."

[9th October 1950

SRI R. SURYANARAYANA RAO :—" That is not the answer to my question, Sir. Whether it is a fact that till 11th August 1950 the labour representative in this House, Mr. Sarma was a Member of the Labour Advisory Board, and whether his name was dropped since then was my question. Whether you provide a Member from this House on the Board again is not my question."

THE HON. SRI H. SITARAMA REDDI :—" It seems to be so, Sir. Evidently the hon. Member has got the information from the list that I have already submitted and there is nothing more that I can add to the knowledge of the hon. Member." (Laughter.)

SRI P. R. K. SARMA :—" On a point of information, Sir. The question was put so long ago. Originally no Member of this House was there. But when the Board was reconstituted my name was added and I still continue to be there. I attended the last meeting of the Board. My question is this . . ."

MR. CHAIRMAN :—" You are still a Member there. What is your complaint? "

SRI P. R. K. SARMA :—" When it was reconstituted I was put in. When the Members of the Assembly elected from the Labour Constituencies have been put in there and almost all of them represent the Congress group, there is no need for the Congress labour sub-committee or any other sub-committee being provided for there because four of the six Members of the Assembly are Congressmen duly elected. (Interruption.) My point is this. For example there is the Trade Union Congress, there is the Socialists Mazdoor and the Indian National Trade Union Congress which is Congress minded and pro-Congress. There is no representative of the Socialist Mazdoor on the Labour Advisory Committee and there is not sufficient representation for the Trade Union Congress. Almost all the members of the Board including me are of the Congress labour persuasion. That is my complaint and it is to elicit that information that I put the question long long ago."

THE HON. SRI H. SITARAMA REDDI :—" I draw the attention of the hon. Member to the list. Sri V. Chakkarai Chettiar is on the Board."

SRI P. R. K. SARMA :—" Only one Member, Sir. When there is representation for the Tamil Nadu Labour Committee may I know, Sir, why . . ."

MR. CHAIRMAN :—" Sri Suryanarayana Rao has given you the answer for that question. Evidently the Andhra and the Kerala Congress Committees have no separate labour committees under them."

THE HON. SRI H. SITARAMA REDDI :—" It is not a question of a particular place, or a particular group of people. The whole question revolves round the adequacy of representation of the employees' interest on the Labour Advisory Board to advise the Government."

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MR. CHAIRMAN :—" The complaint seems to be, why when the Tamil Nadu Committee by name should have been given representation on the Board whereas the Andhra and the Kerala Committees have not been given representation on the Board. That is the complaint. Perhaps the answer to that is furnished by Sri Suryanarayana Rao. Perhaps there are no separate labour committees under Andhra and Kerala Congress Committees."

THE HON. SRI H. SITARAMA REDDI :—" There is no such thing as giving representation in the name of any body."

Non-official co-operative institutions.

* 39 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether conditions of service and emoluments, leave rules, etc., regulating the service of employees in non-official co-operative institutions have been framed;

(*b*) whether the non-official co-operative institutions are required to adopt them with or without modifications;

(*c*) whether modifications, if any, suggested are subject to the approval of the Government;

(*d*) whether there are still non-official co-operative institutions which have not cared to adopt these model by-laws regulating the service conditions of their employees;

(*e*) what steps the Government propose to take to ensure the employees of non-official co-operative institutions are justly treated;

(*f*) whether the Registrar of Co-operative Societies has suggested to Government to arm themselves with power to compel recalcitrant bodies to observe the regulations laid down; and

(*g*) whether the Government have come to any decision in the matter?

THE HON. SRI K. CHANDRAMOULI :—" (*a*) *to* (*g*) The answer[a] is printed and placed on the table of the House."

Enforcement of Prohibition.

* 40 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Prohibition be pleased to state when it is proposed to transfer the work of enforcement of Prohibition to the Police and whether those who underwent training in the Prohibition Staff College will be absorbed in the Police department?

THE HON. SRI N. SANJEEVA REDDI :—" The question of drawing up a programme for the transfer of enforcement work in the Excise Prohibition districts also to the Police department is under consideration. Persons who underwent training in the Prohibition Staff College, Madras, will be absorbed in the Police department if they are found suitable, and if they fulfil the educational and physical qualifications

[a] Printed as Appendix VI on page 531 infra.

prescribed in the Madras Police Subordinate Service Rules. Relaxation of relevent service rules will also be considered in deserving cases, if necessary."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, when the candidates were recruited for the Prohibition Staff College whether all the conditions governing those admitted into the Police Training Class were not observed? "

THE HON. SRI N. SANJEEVA REDDI :—" No, Sir. Even matriculates were taken in the Prohibition Staff College while they were not taken in the Police."

SRI R. SURYANARAYANA RAO :—" What is to happen, Sir, to those people who will not be considered fit for the Police department? "

THE HON. SRI N. SANJEEVA REDDI :—" They will continue in the Prohibition department."

SRI R. SURYANARAYANA RAO :—" Sir, when the whole Prohibition enforcement is handed over to the Police, what is to happen to those in the Prohibition department. Will the Government consider their cases and absorb them in some other suitable departments? "

THE HON. SRI N. SANJEEVA REDDI :—" There are a few thousands in the Prohibition department. When we consider the case of these men those people will also come under consideration."

Power alcohol.

* 41 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Industries be pleased to state with reference to answer to question No. 90 given on 7th January 1950—

(*a*) at what stage the proposals for the production of power alcohol are;

(*b*) whether the Government have come to some decisions on the points raised by the South Indian Sugar Mills Association and if so, what the decisions are;

(*c*) whether all or any of the sugar factories in the State have completed arrangements for the production of power alcohol and if so, when they expect to go into production;

(*d*) what active steps are proposed to achieve the production of power alcohol expeditiously; and

(*e*) whether the Government have obtained reports of the use of power alcohol as a substitute either wholly or in certain proportion in place of petrol for running motor transport and if so, what such reports are?

THE HON. SRI C. PERUMALSWAMI REDDI :—" (*a*) & (*b*) Certain points raised by the South Indian Sugar Mills Association have been referred to the Government of India for decision.

(*c*) No, Sir.

" (*d*) The decision of the Government of India in the matter is awaited.

" (*e*) The Committee on power alcohol appointed by Government in November 1938 has reported that power alcohol mixed with petrol can be used as motor fuel in ordinary cars without any alteration or intricate adjustments being necessary. Recently certain tests on the use of power alcohol were made in the College of Engineering, Guindy, but no conclusive results have been obtained."

SRI R. SURYANARAYANA RAO :—" Is the Government aware, Sir, that the Uttar Pradesh Government is going to introduce legislation compelling the use of power alcohol as a part of petrol."

THE HON. SRI C. PERUMALSWAMI REDDI :—" I do not know, Sir, I will call for a report from the Uttar Pradesh Government and that will be considered by this Government."

Striking Force at Eluru.

* 42 *Q.*—SRI A. GOVINDACHARYULU : Will the Hon. the Minister for Prohibition be pleased to state—

(*a*) whether any written representations have been made on behalf of one P. G. M. Martin, attached to the Striking Force at Eluru, and if so, what the nature of the representations is;

(*b*) whether the Government have taken any action on those representations; and

(*c*) if so, what action was taken, and, if not, why not?

THE HON. SRI N. SANJEEVA REDDI :—" (*a*) to (*c*) The answer is in the negative."

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

II.—MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN :—" I have to announce to the House that I have received the following messages, dated 7th October 1950 from the Hon. the Speaker of the Madras Legislative Assembly :— 11-30 a.m.

' (1) I transmit a copy of the Madras Stamp (Second Amendment) Bill, 1950 (L.A. Bill No. 26 of 1950), as passed by the Assembly on the 7th October 1950, and signed by me for the recommendations of the Council.

I certify that this is a Money Bill within the meaning of Article 199 of the Constitution of India.

(2) I transmit a copy of the Madras Hereditary Village-offices (Amendment) Bill, 1950 (L.A. Bill No. 27 of 1950), as passed by the Assembly on the 7th October 1950, and signed by me for the concurrence of the Council.

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(3) I transmit a copy of the Madras Aided Institutions (Prohibition of Transfer of Property) Amendment Bill, 1950 (L.A. Bill No. 28 of 1950), as passed by the Assembly on the 7th October 1950, and signed by me for the concurrence of the Council.' "

III.—PROCEDURE TO BE ADOPTED ON MONEY BILLS IN THE LEGISLATIVE COUNCIL—CHAIRMAN'S RULING.

MR. CHAIRMAN :—" The Madras City Municipal, District Municipalities and Local Boards (Amendment) Bill, 1950 (L.A. Bill No. 5 of 1950), was passed by the Legislative Assembly on 29th March 1950 and sent to the Council, with a certificate by Hon. the Speaker that it was a Money Bill. It came up for consideration before the Council on 4th April 1950. The Hon. Minister for Local Administration moved, ' that the Bill be taken into consideration at once '. That motion was allowed and the various clauses of the Bill were considered one after another and passed. Thereafter, the Hon. Minister did not wish to make any further motion about the Bill, though he wanted that the Bill should become an Act. My reaction to this was, that it was not correct and that a motion for a third reading of the Bill as a whole ought to be made and the final opinion of the Council on the Bill ought to be taken by the Government, if they wanted it to become an Act. I was told, that the Government was acting under the advice given by the Legal Department to the effect that if any motion for a third reading was made, the Bill would necessarily have to go again, to the Legislative Assembly and since the Assembly was not then sitting, it would mean some delay in the Bill becoming an Act and that if the Bill were left in that condition, Article 198 (5) of the Constitution would operate and that the Bill would be deemed to have been not returned to the Legislative Assembly and so, shall be deemed to have been passed by both Houses. I studied the matter further, framed the following questions and sent them on to the Presiding Officers of the various Legislatures including the Speaker of the Indian Parliament, with a note and asked for their opinions :—

What is the procedure to be adopted in the Legislative Council on Money Bills received from the Assembly?

(1) Is it not necessary that the Bill be read thrice, as in the case of any other Bill?

(2) Is it open to the Government to say that they will not make the necessary motions for such a reading and try to take shelter under Article 198 (5), and thus make it a normal procedure?

(3) What is the proper form of motion for a third reading and whether a motion ' that the Bill be passed without recommendations ', is not appropriate?

(4) At that stage, is it not open to any Member to oppose the said motion or move an amendment to the said motion, proposing a certain suitable recommendation, with which the Bill should be returned to the Assembly?

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The opinions received from them as well as the discussions on this question at the recent Speakers' Conference in Delhi on the 21st, 22nd and 23rd of August, have fortified me in my opinion and I am, therefore, giving my ruling on the subject.

" The question is—

' Whether Article 198 is the only article that should apply to Money Bills, whether it is complete and exhaustive in itself and whether other provisions in the Constitution do not apply to the Bill.'

" Now, Article 198 says—

(1) That a Money Bill should not be introduced in a Legislative Council.

This is not new and has been always the accepted procedure.

(2) That the Money Bill, after its receipt from the Legislative Assembly, shall be returned to the Assembly within fourteen days with the Council's recommendations.

(3) If the Legislative Assembly accepts any of the recommendations, the Money Bill shall be deemed to have been passed by both Houses with the accepted amendments.

(4) If the Assembly does not accept any of the recommendations then also the Bill shall be deemed to have been passed by both Houses in the form in which it was passed by the Assembly.

(5) If the Bill is not returned to the Legislative Assembly within fourteen days, it shall be deemed to have been passed by both Houses at the expiration of fourteen days.

" It will be seen from this article, that this provides only for the position, when the Council makes some recommendations to the Assembly. These recommendations are in the nature of amendments though they are not so called, and these recommendations can only be made at the time of the second reading of the Bill, when clause by clause is put to the House and opinions thereon taken. After such recommendations are approved by the Council, the Bill has to be sent back to the Assembly with the said recommendations. Article 198 (2) says : ' *The Legislative Council* shall return the Bill to the Assembly '. It is clear from this, that the returning of the Bill must be an act of the Council as a whole and *not* a mere report by the Presiding Officer of the Council to the Presiding Officer of the Legislative Assembly. So, even when recommendations are approved by the Council, it is clear that a motion, for the return of the Bill with the recommendations to the Assembly, has to be made by the member-in-charge of the Bill and approved by the Council. The Presiding Officer carries out the opinion of the Council and sends a formal message embodying the Resolution of the Council to the Speaker of the Assembly. Thus, it is clear, a third reading is necessary.

" What is to be done, if there are no recommendations made by the Council, is the question to be considered next. Article 198 does not provide for such a contingency. It only says, what should

be done when definite recommendations are made by the Council. The point to be decided is, in such a contingency, is the Bill to be left in the air as it were, after a second reading without a final opinion being taken from the Council or whether the Council can say, since it has no recommendations to make, it also passes the Bill. In short, the question is, whether under no circumstances, the Council should have an opportunity of saying, whether it passes or rejects the Bill as a whole.

" Article 198 (3) says : ' that if the Assembly accepts any of the recommendations of the Council, *the Bill shall be deemed to have been passed by both Houses.*'

" Similarly, Article 198 (4) says that even if the assembly does not accept any of the recommendations of the Council, *the Bill shall be deemed to have been passed by both Houses*:

" So also, Article 198 (5) says that if the Bill is not returned within fourteen days, it shall be ' *deemed to have been passed by both Houses.*' The words ' *deemed to have been passed by both Houses* ', used in these three sub-sections are, in my opinion, very significant. If it is the idea that, under no circumstances, the Council can say : ' it has passed the Bill ', why should a provision be made in these three sub-sections to the effect, ' *that the Bill shall be deemed to have been passed by both Houses* '. To my mind, these words clearly imply that the Money Bill also has to be passed by both Houses and if, for some reason or other, it is not or could not be passed by the Council, a deadlock should not arise, Article 197 providing for three months' time should not apply, the Money Bill should be disposed of expeditiously by the Council within fourteen days at the maximum and so, provision is made for deeming the Bill ' *to have been passed by both Houses* '. The necessity for the Money Bill also being passed by both Houses, becomes very important and necessary, if we refer to Article 200 of the Constitution. The said Article says *that when a Bill has been passed by both Houses of the Legislature of the State*, it shall be presented to the Governor for his assent. On the face of it, this Article applies to Money Bills also. No doubt the phrase ' has been passed by both Houses ' should, necessarily include ' deemed to have been passed by both Houses ' also.

" Now turning to Article 196, it does not say, it does not apply to Money Bills. It only says that, subject to Article 198, all Bills should be passed by both Houses. As I pointed out above, Article 198 only refers to cases, when recommendations are made or the Bill is not returned to the Council. This only means that subject to the procedure laid down in Article 198 when recommendations are made or the Bill is not returned to the Assembly, Money Bill also should be passed by both the Houses. This is all the subjection to Article 198. It does not provide for a contingency when the Council has no recommendations to make. Obviously, in such a case, Article 196 should apply and the Council should pass the Bill, if further steps are to be taken to make it law. If it is contended that Money Bills should not be treated as other Bills, that all the

power given to the Council is only to discuss and not to express a final opinion on them and that the said discussion should be analogous only to a Budget discussion, nothing would have been easier than to have said that Articles 196 and 200 should not apply to Money Bills and to have omitted the words ' deemed to have been passed by both Houses ' in Article 198 and to have said therein that, after receipt of recommendations, the Assembly could do what it liked and send the Bill to the Governor for his assent. A reading of these three provisions together, leads one to the inevitable conclusion that, that is not the intention and that a Money Bill should either be passed by both Houses or under certain circumstances, be deemed to have been passed by both the Houses.

" This procedure also becomes necessary, when we realise that there is no other provision anywhere, as to what should happen when the Council has no recommendations to make. Obviously, Article 198 (5) is only a penal provision. It only warns the Council of the consequences, if it does not come to a decision expeditiously, in 14 days. It can never be made the normal procedure. There is no provision which says that when there are no recommendations, the Bill should be deemed to have been passed by both the Houses. It is not at all consistent with the dignity or usefulness of the House to say that, even when it is actually in possession of the Bill and is ready and willing to give its final opinion thereon, no suitable motion therefor should be made. When the House is ready to say that it does or does not return the Bill to the Assembly, to deny it an opportunity of doing so and resort to a fiction that the House does not return the Bill and canvass the aid of Article 198 (5) is to reduce the whole procedure in the House to a farce and the House will never countenance such a procedure. If the Government should have such an option, there is nothing preventing the Government from refusing to make any earlier motion either and always fall back on Article 198 (5). It is, therefore, clear that Money Bills should go through all the three stages with appropriate motions and, what they should be, I shall state later.

" It is next contended if, after all the clauses are approved at the second reading stage, a motion is made, that the Bill be passed, what should happen if the Council rejects the Bill. Ordinarily, such a thing can never happen but, admitting for argument's sake that, under some extraordinary circumstances, such a thing does happen it is nothing peculiar to a third reading stage only. It can happen on a motion for a second reading as well. If the Bill is to be considered by the Council, a motion ought to be made by the Member-in-charge, ' that the Bill be taken into consideration ' and it is quite open to the House to reject such a motion. Under those circumstances, when the Council rejects the motion or the Bill, it means that it does not return the Bill to the Assembly and Article 198 (5) automatically applies. So, it is clear on the examination of the various Articles, that all possible contingencies are provided for, if Articles 196, 198 and 200 are read together. In short, if there are recommendations, Article 198 (2), (3) and (4) apply. If the Bill is rejected or not returned, then

sub-clause (5) of Article 198 applies. If there are no recommendations the Bill has to be passed by the Council to attract the provisions of Article 200. If this is not done, I have no doubt, it will be competent for the Governor to say, that the Bill was not properly considered by both Houses and should not be deemed to have been passed by both Houses and, as such, he could not give his assent thereto. This opinion of mine is also approved by the Hon. Speaker of the Indian Parliament and his opinion is given hereunder :—

" After consulting the Ministry of Law, the Hon. Speaker is of the opinion that, as these matters are not expressly provided for in the Constitution, it may be assumed that they were left to be dealt with by the Rules of Business to be made by the respective Upper Chambers. For a guidance, as to what the Rules should be under which the procedure in the matter should be regulated, it may be worthwhile to refer to the Parliament Act of 1911 and the Irish Constitution, as the law regarding Money Bills under the said Act, in the House of Lords, and in the Irish Senate under the Irish Constitution and in India under its Constitution, is more or less the same in all the three cases. Under the Parliament Act of 1911, a Financial Bill has to be passed by the House of Lords according to the procedure laid down for the passing of any other Bill. It must, of course, be noted that Section 1 of the Parliament Act speaks of the House of Lords " passing " the Bill, but the language of the Irish Constitution, like that of the Indian Constitution, does not speak of the Upper Chamber " passing " the Finance Bill. But from the Standing Orders of the Irish Senate, it is clear that a Money Bill is dealt with in the Irish Senate in the same way as an ordinary Bill, and that the recommendations to be made by the Senate to a Money Bill are really amendments and like all amendments must be moved, debated and carried and the Bill so amended be passed. Notwithstanding the fact that the Irish Constitution does not speak of the Senate passing it, it is clear that the Senate, as a matter of fact, does pass a Finance Bill. The language of the Indian Constitution is the same as the language used in the Irish Constitution in regard to Money Bills. Consequently, the same must be the procedure which should be followed under the Indian Constitution. The procedure set out in the Standing Orders of the Irish Senate seems to be the only appropriate procedure.

" 2. The recommendation by the Upper House can take the form either of a Resolution or a motion to amend the Bill, but a Resolution cannot be the most appropriate course. It is not the intention of the Constitution that the proposal made by the Upper Chamber may be ignored. The Lower House is not bound to agree, but it is *bound* to consider it.

" 3. If a Bill is presented to the Governor, in the passing of which the Upper Chamber is denied an opportunity to have its say, the Governor may well refuse his assent on the ground that the procedure contemplated by the Constitution for the passing of Money Bills has not been followed.

" 4. In the view exrpessed above, the answers to the questions set out to the annexure to your letter under reply are as follows :—

(1) Yes.

(2) No.

(3) The proper form, as in the case of any other Bill, should be that the Bill as passed by the . . . Assembly (or as passed by . . . . Assembly and as amended by the . . . Council, as the case may be) be passed.

(4) At the appropriate stage, it is open to any member to move any amendment to any part of the Bill or to oppose the passing of the Bill.'

" That is the opinion expressed by the Hon'ble Speaker of the Indian Parliament. Let us, now, consider the procedure adopted by the various Parliaments of other countries in the World. In Britain, the Parliament Act itself lays down that Money Bills also should be passed by the House of Lords and all Money Bills, including Appropriation Bills, are read thrice in the House of Lords and passed, as can be seen from the Proceedings of the House of Lords in the ' Hansard '. The procedure adopted in Ireland is dealt with elaborately by the Hon. Speaker of the Indian Parliament.

In the United States, Article I, Section 7 of the Constitution states :—

' All Bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills, and every Bill which shall have passed the House of Representatives and the Senate shall before it became law, be presented to the President, etc.'

It will be seen from a study of the procedure adopted in the Senate that, except the above provision that " Taxation Bills shall originate in the House of Representatives ", there is no further restriction on the powers of the Senate in dealing with Money Bills. Mr. Claudius O. Johnson, in his book ' The Government of the United States ' (page 388) says :—

' It is true that the Constitution requires that all revenue bills shall originate in the House, but the power of the Senate to amend such Bills beyond all recognition, operates to deprive the House of a large part of this advantage . . . '

' Dr. F. M. Riddick, PH.D., in his book ' The United States Congress Organization and Procedure,' says—

' The Constitution definitely states that all revenue measures must arise in the House of Representatives and practice has extended this to appropriation measures. The Senate, however, seldom fails to use its prerogative of amending. It uses this right to such a great extent that, on certain occasions, a complete Senate Bill, is substituted for the House Bill by way of amendment.'

Further, the Constitution does not provide any special method of resolving deadlocks between two Houses over Money Bills. The only method adopted in all Bills, in the case of deadlocks, is a reference to Conference Committees consisting of important members of Standing Committees in charge of the Bill in each House, and Money Bills are also passed by the Senate before they are submitted to the President.

" In the Constitution of the Australian Commonwealth by John Quick, LL.D. (1901), page 671, Article 250, it is stated—

' Under this Law, the Senate could suggest amendments in the ordinary annual Appropriation Bills, and in tax bills. If the suggestions thus made, were not entertained by the House of Representatives, the Senate would have to pass or reject those Bills, as sent from the House.'

And in the case of deadlocks, there is a common procedure for all Bills, namely, a joint sitting of both the Houses.

" In Canada also, except the provision that ' Money Bills ' shall originate in the House of Commons, there is no further restriction on the powers of the Senate over Money Bills—*vide* ' The Constitution of Canada ' by Robert MacGregor Dawson. It will thus be seen that the Parliaments of important countries in the world, do recognize the right of the Upper House either to suggest amendments or to pass the Bill or reject the same. While so, it cannot be said that the makers of the Indian Constitution alone were anxious that the Money Bills should not be treated as Bills at all and that the Legislative Council should not have the right of either passing the Bill or even rejecting the same. As I pointed out above, the Constitution does not warrant any such conclusion. On the other hand, there are definite indications that such power is given to the Legislative Councils in India. It is a well-established Parliamentary procedure all over the world, that all Bills should be read thrice in every House, before the House can be considered to have expressed its final opinion thereon. Not to provide an opportunity therefor, tantamounts to a refusal of this well-recognized right.

" It should also be noted there is no question of any natural antagonism between the one House and the other. It is a sheer piece of historic tradition if such a feeling exists in England. Under the Constitution in India there is no reason to expect any such development. Both the Houses should function as component parts of one whole and if the Council should seek to differ from the Assembly, it can only be according to its opinion, in the best interests of the country and in the due and conscientious discharge of its duties. The procedure suggested by me gives no room for an unresolvable deadlock between the two Houses. The rights of the Assembly with respect to money bills are amply and properly safeguarded and the Council is not treading on the privileges or rights of the Assembly, if it should say that it either passess the Bill as passed by the Assembly or even rejects the same. It is clear the Assembly has the final say and this right is not taken away or curtailed to any extent.

" I therefore rule that— 11-45 a.m.

(1) In the case of Money Bills also as in the case of other Bills, there ought to be three readings.

(2) If at the stage of second reading any recommendations or amendments to various clauses are approved by the House, the appropriate motion for the third reading will be as follows :—

" I move that the Bill be returned to the Legislative Assembly with the following recommendations :— . . . . . "

(3) If there are no recommendations, the appropriate motion for the third reading will be ' that the Bill be read a third time and passed.'

(4) It is incumbent on the Government to take the Bill through all the three stages and make the appropriate motions if they want to proceed with the Bill. It will not be open to them to refuse to make the appropriate motion."

SRI S. B. ADITYAN :—" Then, Sir, what happens to Bills which were not read for the third time the other day."

MR. CHAIRMAN :—" What has been done is done."

SRI S. B. ADITYAN :—" I take it, Sir, that as a result of your ruling, hereafter the form of the motion for the third reading will be merely ' that the Bill be passed '. The words ' be returned to the Assembly ' are not necessary."

MR. CHAIRMAN :—" If the House has some recommendations to make then the Bill will be sent back to the Assembly with those recommendations."

THE HON. SRI B. GOPALA REDDI :—" Is it not necessary to say, Sir, that the ' Bill be passed without any recommendations '? "

MR. CHAIRMAN :—" Simply say that ' the Bill be passed '. It means no recommendations."

SRI S. JAYARAM REDDI :—" We would like to have copies of the ruling of the Hon. Chairman, Sir."

MR. CHAIRMAN :—" I have asked the office to prepare roneo copies and if hon. Members want them, I can circulate copies. I did not think it necessary to give it so much advertisement, but hon. Members can have copies if they want."

THE HON. SRI B. GOPALA REDDI :—" It will go into the proceedings of the Council."

MR. CHAIRMAN :—" Evidently they do not want to wait so long."

IV.—GOVERNMENT MOTION.

DELIMITATION PROPOSALS OF THE STATE GOVERNMENT.

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

'That the proposals of the Government for the delimitation under the New Constitution of the constituencies into which this State shall be divided—

(a) for purposes of election to its Legislative Assembly;

(b) for purposes of election to its Legislative Council; and

(c) for purposes of election to the seats assigned to this State in the House of the People

be taken into consideration.'

" I need not speak on the question at this stage. I think I have spoken enough on this matter of delimitation last time when there was a debate in August or so. I shall wait for the comments made by hon. Members. If I have anything to say at the end of the debate, I shall take the opportunity to do so. I move the motion, Sir."

MR. CHAIRMAN :—" The Hon. the Finance Minister spoke to me about the adjournment of the House at 1 p.m. to-day."

THE HON. SRI B. GOPALA REDDI :—" Yes, Sir. I have some urgent engagement at 1-15 p.m. As I am in charge of the subject, I would request you, if it suits hon. Members, to allow us to rise for lunch at 1 p.m. and reassemble at 2-30 p.m."

JANAB ABDUL LATIF FAROOKHI :—" We have no objection, Sir."

MR. CHAIRMAN :—" The House will rise for lunch at 1 p.m. to-day. Now the motion before the House is—

'That the proposals of the Government for the delimitation under the New Constitution of the constituencies into which this State shall be divided—

(*a*) for purposes of election to its Legislative Assembly;

(*b*) for purposes of election to its Legislative Council; and

(*c*) for purposes of election to the seats assigned to this State in the House of the People be taken into consideration.' "

* SRI R. SURYANARAYANA RAO :—" Mr. Chairman, Sir, when the Hon. the Minister for Finance opened the discussion on the delimitation proposals last time, there were no definite proposals regarding the Legislative Council. Now the advantage we have is that the tentative proposals—I do not say they are the final proposals; they are only tentative proposals—are before us to examine how far the method of delimitation of constituencies for this House is in accordance with the principles to which some of us referred last time.

" First of all, Sir, let me repeat once again that in order that varied and varying political opinions and large minorities may be represented, it is desirable and necessary to have multi-member constituencies. Sir, replying to the debate in the Assembly, the Hon. Minister for Finance is reported to have stated that the creation of single-member contituencies is a directive from the Election Commissioner. I beg leave to say that the Election Commissioner is not competent to give such directions. I wish to draw the attention of the Hon. Minister to the People's Representation Act in which sections 6 (2) (*c*) and 9 clearly mention the number of seats allotted to the constituencies. The intention of the Act is that wherever necessary and desirable there should be multi-member constituencies. At any rate, it does not rule out the creation of multi-member constituencies. Therefore, Sir, if the Election Commissioner has given that directive, I do not think he was competent to do so. It is for us to frame proposals in accordance with the principles which we accept, and it is for him to advise the Hon. the President to accept or alter them as he likes. So, the Hon. the Minister for Finance need not quote the Election Commissioner in support of the position for which he feels strongly and thinks that he should not yield on the question of multi-member constituencies.

" Then Sir, the integrity of the boundaries of the taluk, the district and the firka should be maintained. The Hon. the Finance Minister does not think that they are so sacrosanct that we should not violate them. It is necessary for us to realise that the voters, a large number of whom will be exercising the franchise for the first time, are already intimately aware of the boundaries of the taluk, the firka and the district. In fact, they are more aware of the boundaries of the taluk and the district because they have to go to the district headquarters and the taluk headquarters to get their business transacted. Therefore, Sir, in any scheme of delimitation, every attempt should be made to see that the district and the taluk boundaries are not violated. I shall presently show, when I come to deal with the districts with which I am connected, how they have been ruthlessly violated. But my reference is to this general principle. Then, Sir, this violation of the district boundaries and taluk boundaries with regard to the Assembly and the House of the People will not be necessary if multi-member constituencies are adopted. That is one of the methods of avoiding the violation of the boundaries of taluks. The Hon. the Finance Minister is reported to have said in the other House, referring to the proposals of Uttar Pradesh, that they are not likely to be accepted."

THE HON. SRI B. GOPALA REDDI :—" I did not say in so many words that they are not likely to be accepted."

SRI R. SURYANARAYANA RAO :—" I would like the Hon. the Finance Minister, if possible, to get a report from that Government and examine for what purpose they have made their proposals."

THE HON. SRI B. GOPALA REDDI :—" They have been sent to the Election Commissioner and it is up to him to accept them or reject them. It is no use of our addressing the Uttar Pradesh Government hereafter."

* SRI R. SURYANARAYANA RAO :—" I would request the Hon. Minister to find out for what purpose the Uttar Pradesh Government adopted the system of multi-member constituencies in some cases. We have all read about it in the newspapers. The problems are fortunately or unfortunately similar in some parts of our province. In any case, I plead once more, without repeating the arguments that were advanced last time, that in order to provide adequate representation to minority political opinions and also, if necessary to respectable minority communities, it is necessary to have multi-member constituencies.

" Then Sir, I do not want to speak again about the distributive system and the cumulative system of voting, because it depends on whether the constituencies are single-member constituencies or multi-member constituencies. As long as there are only single-member constituencies, there is no question of cumulative voting. This question of cumulative voting or distributive voting arises only if the principle of multi-member constituencies is accepetd. Once again, I plead, Sir, as some hon. Members in the other House have pleaded that there is nothing wrong in giving separate representation to urban areas wherever there is need for it."

THE HON. SRI B. GOPALA REDDI :—" Then why not for Muslims also? "

* SRI R. SURYANARAYANA RAO :—" The Hon. the Finance Minister confuses territorial representation with communal representation. I have never pleaded for communal representation. What I say is, certain urban areas have peculiar problems."

THE HON. SRI B. GOPALA REDDI :—" So also have Muslims."

SRI R. SURYANARAYANA RAO :—" They have no peculiar problems in a secular State."

THE HON. SRI B. GOPALA REDDI :—" Urban constituencies also have no peculiar problems in a secular State."

* SRI R. SURYANARAYANA RAO :—" Why not we then have the whole State into a constituency for the Council. There is no use of arguing. There are certain considerations and wherever there is a case for urban representation, it should not be completely ruled out. What I say is, either group the urban area in such a way that urban representation will be ensured or, if it is a sufficiently big town or city, give it separate representation in a single-member constituency, because you stand for single-member

constituencies, though I plead for multi-member constituencies. That is a point which I would like to urge on the attention of the Hon. Minister.

" Coming to the Upper House, we have been given the proposals for delimitation and we are grateful to the Hon. the Finance Minister for making them so explanatory that we need not worry him with questions. But I would plead once again as I have pleaded that the whole province may be treated as a constituency for graduates and teachers. If he is anxious that North Madras and South Madras should get representation, I am anxious that different regions may be ensured representation by reservation of seats in the whole constituency. I would like to take a little more time, Sir.

" Sir, six seats are given to the whole State of Madras for the representation of graduates. Treat the whole Madras State as one constituency, reserve one seat for Circars, one for Rayalaseema, three for Tamil districts and one for the West Coast."

THE HON. SRI B. GOPALA REDDI :—" I do not think that territorial reservations are possible. The Act does not contemplate reservation on a territorial basis."

SRI R. SURYANARAYANA RAO :—" I am talking of the Council, Sir. There is already territorial reservation by carving out North Madras and South Madras."

THE HON. SRI B. GOPALA REDDI :—" It is delimitation."

SRI R. SURYANARAYANA RAO :—" For the six seats, make the whole Madras State a constituency for the election of six graduates, and reserve seats on territorial basis."

MR. CHAIRMAN :—" That is what exactly the Hon. Minister says you cannot do."

THE HON. SRI B. GOPALA REDDI :—" Proportional representation ensures that sort of thing for communal or territorial representation."

SRI R. SURYANARAYANA RAO :—" As the Hon. Minister is anxious that North Madras should secure a certain number of seats, I am anxious that Rayalaseema should secure a certain number of seats."

THE HON. SRI P. S. KUMARASWAMI RAJA :—" Which you would never get."

THE HON. SRI B. GOPALA REDDI :—" You should produce more graduates."

SRI R. SURYANARAYANA RAO :—" Sir, I would like the Hon. Minister to examine and see whether he approves of it or not . . . ." 12 noon.

MR. CHAIRMAN :—" Then why not the hon. Member move, if he feels that Rayalaseema will not be treated fairly, that Rayalaseema shall have one seat and Northern Circars one."

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* SRI R. SURYANARAYANA RAO :—" Unfortunately, Sir, we seem to offend Article 171 (4) where the system of proportional representation by means of the single transferable vote is advocated and it is not possible unless the constituency is plural, though in regard to the election of the Congress President, I do not know how they adopted proportional representation for one seat. But, if that is possible without violating that Article, I would like the Hon. Minister for Finance to examine, as the Chairman has suggested, whether we cannot have one seat for Rayalaseema and adopt the procedure that has been adopted in the case of the election of the Congress President.

" Then, Sir, I come to the representation of Rayalaseema as a whole. It is recognized by the Government and it is recognized by all that a good deal of encouragement should be given to backward areas in order that the people of those areas should be enabled to play their part in the affairs of the State. The Hon. Finance Minister accepted 1·25 lakhs as the lower limit and 1·65 lakhs as the upper limit, but in applying that principle he has applied it as rigorously as possible to our districts."

THE HON. SRI B. GOPALA REDDI :—" First of all we took the districts into consideration and based strictly on poulation, gave Bellary eight seats, Anantapur nine seats and then we tried to divide the districts into units."

* SRI R. SURYANARAYANA RAO :—" But, Sir, the population of Kurnool is 12 lakhs 23 thousands, Cuddapah 12 lakhs 9 thousands, Anantapur 12 lakhs 92 thousands, Bellary 11 lakhs 10 thousands and Chittoor 17 lakhs 68 thousands; the total comes to about 66 lakhs."

MR. CHAIRMAN :—" What is the number of seats? "

SRI R. SURYANARAYANA RAO :—" Kurnool gets 7 plus 1 or Scheduled Castes, Cuddapah gets 7 plus 1, Anantapur 8 plus 1, Bellary 7 plus 1, Chittoor 10 plus 2, altogether 39 plus 6. If the principle of one seat for 1·25 lakhs is adopted as the basis, we shall get 54 seats, that means 39 plus 6 plus 9 seats. I plead Sir, that he should adopt this yard-stick instead of adopting the yard-stick he has adopted and give a little more consideration to these districts, in view of the backwardness of the districts, as he has recognized and gvien consideration to Scheduled Castes."

" Then Sir, the Hon. Finance Minister is a protoganist of the Andhra Province, and as a matter of fact the whole Treasury Bench was a party to the creation of the Andhra Province. Therefore, I would like the members of the Treasury Bench to carry out at least one of the terms of the Sri Bagh pact and here is an opportunity to these who plead for linguistic provinces . . . "

THE HON. SRI B. GOPALA REDDI :—" Then why not you favour the Andhra Province? "

* SRI R. SURYANARAYANA RAO :—" You should show that you are earnest in satisfying the just claims of Rayalaseema.

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Of course, I do not hold the Hon. Finance Member only responsible for it, because the whole of the Treasury Bench was responsible . . . "

THE HON. SRI P. S. KUMARASWAMI RAJA :—" As a Madras nt we are not concerned with it."

to have R. SURYANARAYANA RAO :—" You may not be Minister , but the Dhar Committee referred to it. When you were

THE us for the creation of the Andhra Province, you should represent us to give equal representation to the Rayalaseema. This

* SR sion to show . . . "

more th CHAIRMAN :—" Why should the hon. Member restrict work fo the Andhra Province, why not ask southern districts also Ministe some seats."

greater

the De R. SURYANARAYANA RAO :—" It is for the southern sayana to fight and get more seats, but so far as we are concerned, Rayala assured of equal representation with the Circars in the Pact. Why not give effect to it now? The agreement

THE dated November 1937 states that Rayalaseema has a right Mr. R and equal number of seats in the Legislature. Then why

* S give an equal number of seats? Now, here is an there nity for the Hon. Finance Minister who was so anxious for dhra Province—and also the Treasury Bench—to show their M ill towards Rayalaseema if they want to secure their support some So, Sir, why not they give a few more seats on this basis not and thereby give effect statutorily one of the terms of the Pact. It is said that the terms of the Pact cannot be fitted into the draft Constitution and are unlikely to be enforceable under the new Constitution. But, I now find that it is possible to include at least one of the terms of the Pact and show how Government are anxious that the interests of Rayalaseema would be safeguarded. What I fear is that as soon as the new Assembly is constituted, I am sure a resoultion will be moved for the formation of an Andhra Province and our fate is sealed. Now, if they show by their generosity that they want to honour the terms of the Pact at least to this extent, I tell them their path would be much more smooth. Otherwise, it gives people like me who are against the Andhra Province, a handle to say how insincere these Andhra friends are because they are not able to give effect to a small condition laid down in the Pact. Without infringing the Constitution and without doing anything, why not they generously give a few more seats on the lines laid down in the Pact. Unfortunately, we are more prone to be very profuse in making promises, but very slow in fulfilling them, perhaps not in honouring them at all.

" Then, Sir, as regards re-allocation for the State Assembly, so far as Bellary district is concerned, my Hon. Friend, has taken, for instance, one firka Peddatumbalam, put half of it for one seat and another seat for the other half. People do not understand why it has been done so. All that they understand is, it has been done, so for a certain purpose. Please do not give room for that. All of you are my good friends, though I do not always agree with you,

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but do not give room for such an impression. I have a scheme which I propose to present to the Delimitation Committee. I want you to see if it is possible to give effect to that scheme. Of course, it will be possible only if you give up the single-member constituency throughout. You can have single or double-member constituencies without violating the boundaries of distri But, or firkas. I think it should be possible to do that. Aft the all juggling with figures: For instance, take the has district . . . ."

and

THE HON. SRI B. GOPALA REDDI :—" Please g elec- scheme as to how to do it with single-member constitue as Bellary is concerned and we shall do it."

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* SRI R. SURYANARAYANA RAO :—" I think it is ack- and feasible, only if you accept the principle of multi be constituency wherever necessary. Take for instance, An on. Why have you denied a seat for Tadpatri taluk? It has and population and why have you tacked on to it some mor has I say, Sir, Tadpatri taluk warrants a seat for itself."

MR. CHAIRMAN :—" What is the population of the ook

* SRI R. SURYANARAYANA RAO :—" I think it ion, one lakh forty-two thousand or so. I will work it out and to copy of my scheme . . ."

THE HON. SRI B. GOPALA REDDI :—" The hon. Mhe may give an alternative scheme with single-member constitue 12

SRI R. SURYANARAYANA RAO :—" That is the difficulty, as I said, but I shall try. I have a map here of Rayalaseema, but I do not know why they have jumped from Alur to Peddatumbalam over Adoni municipality."

THE HON. SRI B. GOPALA REDDI :—" Kannada and Andhra."

* SRI R. SURYANARAYANA RAO :—" Sir, I have nothing more to say except to request once again the Hon. Finance Minister to examine whether it is not possible to be a little more generous to Rayalaseema.

" Now, in respect of the Council, the teachers and graduates in the whole State should have one constituency and if you want reservation for a particular region reserve it so that it does not violate the principle of proportional representation by means of the single transferable vote. After all the first three, if they are Tamils they will get the first three seats and even if the fourth is a Tamil, he will not get it, because his votes will be transferred to the fifth candidate whether he is an Andhra or one who belongs to Rayalaseema. It is also a nuisance to have so many constituencies . . ."

THE HON. SRI B. GOPALA REDDI :—" Will the teachers accept one State-wide constituency without territorial reservation?"

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THE HON. SRI P. S. KUMARASWAMI RAJA :—" Then all the six will go to the south."

* SRI R. SURYANARAYANA RAO :—" It is you, the north Madras people that will not accept it. South Madras will surely accept it. I know the purpose with which you have created North Madras and South Madras. It is for the same purpose, I ask you to have a separate seat for Rayalaseema. As the Hon. Chief Minister says all the six seats will go to the south."

THE HON. SRI B. GOPALA REDDI :—" Under proportional representation they cannot go."

* SRI R. SURYANARAYANA RAO :—" As you have said more than once, it depends on the enthusiasm with which people work for the election. However, I would like the Hon. Finance Minister to consider the question once again and see whether greater representation cannot be given to Rayalaseema. I am sure the Delimitation Committee will be very glad with Mr. Anantasayanam Ayyangar as the Chairman, if you allot more seats to Rayalaseema in order to give effect to the Sri Bagh Pact."

THE HON. SRI B. GOPALA REDDI :—" What about Mr. Raja? "

* SRI R. SURYANARAYANA RAO :—" He will not be there."

MR. M. HENSMAN :—" Mr. Chairman, Sir, as we remember some of the arguments brought up last month on the subject, I do not propose to repeat them. But I do feel that as the speaker who preceded me has pleaded the cause of Rayalaseema, I should also put forward one or two points concerning the constituency which I represent namely the interests of women. I shall not go into the question of whether the single-member constituency or the multi-member constituency is suitable or whether one is better than the other because I am just reminded at this moment of one of Aesop's fables; a man and his son set out on a journey and they tried to please everybody on the way; each rode on the ass and sometimes both rode on the poor animal and sometimes neither rode and in the end they succeeded in pleasing nobody, neither the son was pleased nor even the ass. The Government have to make up their mind as to what they are going to adopt and they have made up their mind already and therefore, we should make the best of it. 12-15 p.m.

" Now, Sir, under the system of adult franchise—which I trust, we are going to work most successfully—you will find it is the women who are interested in multiplying their votes; there have been adult literacy courses for these 10 or 12 years in order to make the women literate, at least able to read and write in their own hand and sign their names and hon. Members will find that there will be a greater proportion of women voters now over the number in 1937. We have just been discussing the fact that this is going to be treated on a provincial basis. I would as the Hon. Minister not to restrict the representation of women to the seats at the disposal of the Government for nomination but women should

be straightaway represented in the forthcoming Council, House of the People and the Assembly and other legislative bodies. There is a great danger, Mr. Chairman, when men are ready and are anxious to serve their country in a Legislature, mostly they do not think of the wives and mothers and sisters. Therefore, I would lay great stress on what has been said by my hon. Friend Mr. Suryanarayana Rao but in quite another connection, namely, for 'Andhra or Rayalaseema' in his remarks read 'women'. We are all that; we are a backward community and we should have been given special representation. Therefore, adopt the yardstick of the minimum instead of the maximum. My hon. Friend spoke of a population of 6,632,000 being represented by 45 seats and those 66 lakhs odd people consist of as many women as men."

MR. CHAIRMAN :—" Once I saw a play where a demand was made for 'womenistan' excluding all men because they happened to be fifty per cent of the population!"

MRS. M. HENSMAN :—" That may work as a future experiment, Sir. Mr. Suryanarayana Rao said that the Hon. Minister for Finance is a protagonist of the Andhra Province; I ask, Sir, if he is not also a protagonist of the interests of women. I think it is true beyond doubt that they have got the interests of all the population at heart and I will therefore, put their case before them. The hon. Member said that the fate of Rayalaseema was sealed if Rayalaseema were not given greater representation. Women will not yield in matters concerning their interests and they will support the Government in any way. But it is for the Government to ensure that the distribution of seats is such that there should be a large representation of women who are fit to come forward and help men in shouldering the burden and the responsibility of the Government of the future. I believe this would in a large measure release seats for those who are not represented by means of the elections."

THE HON. SRI B. GOPALA REDDI :—" Might I ask, Sir, what it is that the hon. Member wants the Government to do? It is the political parties which adopt the candidates and the Government as such cannot do anything in the matter of selection of candidates."

MRS. M. HENSMAN :—" If, I may say so, Sir, the Government's point of view is adopted by political parties and the political party now in power has shown that men and women have worked together for a common cause and I am sure that political parties can keep this aim of independence and equality of women in future."

* SRI S. B. ADITYAN :—" Mr. Chairman, Sir, the proposals now placed before us relate to the division of constituencies for the Assembly, Council and for the House of the People. As regards the Assembly, there has been a full discussion in the Assembly and some detailed proposals have already been placed before the Committee. As regards the Council, we have recognized the fact that the constituencies must be multi-member constituencies because it is provided in the Constitution that the election should be by means

of the single transferable system of voting and that postulates multi-member constituencies. It is also agreed, I believe, that theoretically the single-member constituency is the best. But multi-member constituencies have been forced on us and so, let them be kept at a minimum. If it is an evil, then let the evil be minimized by keeping it to say two seats for each constituency. Because the smaller the territorial area, the lesser will be the difficulty for candidates to cover the constituency. Supposing the whole State is treated as one constituency, the candidate will have to travel from Visakhapatnam to Tiruchendur to meet his voters. It is proposed to give two seats to Madras North consisting of Rayalaseema and Circars and four seats to the other districts. I submit it would be desirable to divide the southern constituency into two, each to return two members."

MR. CHAIRMAN :—" Then you are supporting the proposition of Mr. Suryanarayana Rao? "

* SRI S. B. ADITYAN :—" No, Sir. I do not agree to the division of the Northern districts into Circars and Rayalaseema. If we give one seat to the Circars and one to the Rayalaseema, we are forced to the system of single-member constituencies which is not allowed under the Constitution. Rayalaseema and Circars with a voting strength of 6,400 graduates return two representatives and Madras, Tamil districts and West Coast account for 17,700 voters and they return four representatives. I suggest that the voters in the City of Madras numbering 7,000, which is more than 6,400 for North Madras, may be allowed two members and the rest of the districts may be allowed to elect two members. Independently of the number of voters, it will be an equitable measure and viewed from the convenience of the candidates, it will not be necessary for them to travel 500 miles to the south to contact their voters."

MR. CHAIRMAN :—" What is the total including Madras? "

SRI S. B. ADITYAN :—" 15,400 for Tamil districts including Madras and 2,300 for the West Coast.

" Madras alone accounts for a little less than 7,000 voters. I make the suggestion also from a theoretical angle, because it is always best to keep the number of multi-member constituencies to the minimum, I have already suggested to the Committee and also to the Government to examine it again in that view.

" Another thing which I notice is that the same person can vote twice or thrice. If his name is in the graduate constituency and he is also a teacher, he will have two votes."

THE HON. SRI B. GOPALA REDDI :—" And if he is also a member of a Municipal Council or the Corporation, he will have three votes."

* SRI S. B. ADITYAN :—" Such a thing is neither correct nor equitable under democracy and therefore, the matter should be looked into to avoid plural voting."

THE HON. SRI B. GOPALA REDDI :—" If he is also a Member of the Assembly, he will have four votes."

SRI R. SURYANARAYANA RAO :—" May I invite your attention, Sir, to Section 17 of the Representation of Peoples Act which does not prevent any person from getting into a number of constituencies and therefore, plural voting cannot be avoided."

* SRI S. B. ADITYAN :—" In such a case, he must be allowed to choose which constituency he would vote in."

MR. CHAIRMAN :—" Under what provision will you restrict it? "

* SRI S. B. ADITYAN :—" In an ordinary territorial constituency if a man lives for 180 days in one constituency and 180 days in another constituency he is entitled to have his name in two constituencies, but he has to choose one of them."

THE HON. SRI B. GOPALA REDDI :—" But there is a definite rule against it."

* SRI S. B. ADITYAN :—" I have not examined it, Sir, but I dare say that it is wrong that a man should be able to vote in four constituencies.

" Another question is the qualification of the candidates. Supposing a person wants to be elected from the teachers' constituency, his name must find a place in the list of voters of that constituency."

THE HON. SRI B. GOPALA REDDI :—" Except for the Assembly, that is the position."

* SRI S. B. ADITYAN :—" In the Assembly if a person's name is in the voters' list anywhere, he can stand anywhere in the State. Similarly for the Council I suggest that if a person's name is found in the list of voters for teachers, graduates or local authority constituency, he must be permitted to stand for election for any constituency. That is my suggestion."

MR. CHAIRMAN :—" Your suggestion is that a non-teacher can be elected from a teachers' constituency, and a non-graduate from a graduate constituency."

SRI S. B. ADITYAN :—" Yes, Sir. Otherwise, it will mean placing undue restrictions upon them. It is better that there is no qualifications at all for a person to be in this House as in the House of the People. I suppose however we must proceed on the basis of the Constitution and I am sure it does not say that the candidate must be a voter of the particular constituency. From what I know, the question of qualifications is going to be taken up later."

THE HON. SRI B. GOPALA REDDI :—" When a person is a Graduate or a non-Graduate, whether he can get himself elected to the Graduate Constituency as well as to the Teachers' Constituency, is all that is perhaps under consideration."

SRI S. B. ADITYAN :—" Anyway I have made my suggestion; if that has not been provided, suitable amendment may be made for that."

THE HON. SRI B. GOPALA REDDI :—" The other day I attended the debate there and I do not think they have arrived at any conclusion. Perhaps that subject may be taken up later."

* SRI S. B. ADITYAN :—" Regarding delimitation of constituencies for the Council or the Assembly or House of the People, I say that certain principles must be enunciated and we must stick to them. I suggest that in forming constituencies we should not have in view, the persons who are likely to be candidates in the coming elections. We are now forming constituencies which may exist for decades or a hundred years. So we must forget the personalities who are likely to stand in the next elections and form constituencies. In so doing, we should have in mind facility of communications which now exist and other economic factors."

THE HON. SRI B. GOPALA REDDI :—" To-morrow the communications may come into being. So why should you presume that there will be no communications for all time to come."

* SRI S. B. ADITYAN :—" We must take areas and club those which have easy means of communication. I will mention one instance. In the Tirunelveli district, there is the Tiruchendur taluk. It is tacked on to Srivaikuntam Constituency. There is no communication between the two areas. There is a river between them. There is no bridge or causeway to cross the river; and there is no likelihood of a bridge being constructed there in the near future. So, when Tiruchendur taluk is clubbed with Srivaikuntam taluk, where is the facility of communication between the different parts of the same constituency?

" Places like Athoor and Karumbur are on that side of the river, while other places like Yeral and Korkai are on this side of the river. Though in the map, it looks as though the villages are all close to each other they are many miles apart as there is no bridge across the river. I suggest it would be right if Tiruchendur is clubbed with Nanguneri, with which it is associated economically; the nature of the soil in both places is of the same kind; and the people of both have to depend upon palmyrah for livelihood."

THE HON. SRI B. GOPALA REDDI :—" So you want us to have a soil survey made before forming a constituency? " (Laughter.)

* SRI S. B. ADITYAN :—" I am only saying that you should club together places where there is homogeneity of population, the same soil and other similar economic factors. I did not say on the ground purely of soil. The occupation of people in both the places is the same; they are eking out their living from palmyrah, so that the problems of the people are similar. I mention this only as an instance. There may be several instances like this. My suggestion is that we should enunciate certain principles with regard to the forming of constituencies on the basis of the occupation of the people, economic factors of the localities, communication facility and natural boundaries. I do not know whether there is any other constituency which is cut across by a river, which has neither a bridge nor a causeway."

THE HON. SRI B. GOPALA REDDI :—" When a member is returned he may plead for a bridge across the river! " (Laughter.)

MR. CHAIRMAN :—" We do not want to deprive him of this privilege! "

* SRI S. B. ADITYAN :—" If he pleads for a bridge in his constituency, he will be only doing his duty to his constituency. But, Sir, the easier thing to do is to divide the constituency in such a way that there will be no necessity to construct a bridge, by taking into consideration natural boundaries, existing divisions of districts, economic factors common to particular areas and homogeneity of the population. In many of the present proposals, districts have been mutilated. Take for example the district of Tiruchirappalli. What have the Government done with regard to it ? It has been mutilated. A portion of it is attached to Tanjore district; a second portion has been attached to Salem district and a third portion to South Arcot district. Thus it has been mutilated beyond recognition."

MR. CHAIRMAN :—" That is for the House of the People? "

* SRI S. B. ADITYAN :—" I am now dealing with the House of the People. Why should the district of Tiruchirappalli be so mutilated? There are enough people in it to constitute it into self-contained constituencies. Instead of doing that, why should it be divided into three bits, each bit being attached to another district. Why should there be this mutilation? "

SRI B. NARAYANASWAMI NAYUDU :—" What do you suggest? "

* SRI S. B. ADITYAN :—" I say, if it comes to a question of dividing a district for the sake of forming a constituency, divide it only to the minimum extent. For instance, take the case of the Tirunelveli district. Now to that district is attached a portion of Ramnad district. I do not quarrel with it. The population of Tirunelveli justifies three constituencies being formed. But after forming the three constituencies, there is some population remaining over. And that remainder is attached to Ramnad district. But in the case of Tiruchirappalli district, what justification is there to attach one part of it to Tanjore, a second part to South Arcot and a third part to Salem. Why should not each entity be kept up as far as possible? If each entity is kept up, it will help the candidates in their election campaign to approach the voters. Now, people are accustomed to know 'who is who' in their district better than in the neighbouring districts. They come into contact in their ordinary affairs with the people of their own districts. Now, if a district is to be split up into three parts and attached to three other districts, all this convenience is lost. Further it will also bring in complications. We have an organization for the Congress Party for each district. I think the Muslim League also has a party organization in each district. Now, in setting up candidates for the constituencies, the Congress Party in Tiruchirappalli district will have to consult the district party organizations in the other three districts, and the possibility is that there will be conflicts between the several district organizations. I am sure the Muslim League also will feel the same difficulty."

THE HON. SRI B. GOPALA REDDI :—" You will get better representatives, as the candidates are set up after mutual consultation."

* SRI S. B. ADITYAN :—" But in practice it will lead to several difficulties. There will be claims put up by one district organization; there will be counter claims put up by another district organization; there will be so many rival claims put forward for each selection of candidate; there will be splits and rivalries. I am sure the Socialist Party also will feel the same thing. So I urge Government to keep the entity of the districts intact as far as possible. I have put up this suggestion before the Delimitation Committee which sat here and I think they agreed to my suggestion. I drew their attention to this question with special reference to Tiruchendur being clubbed to Srivaikuntam; and I suggested that it may be attached to Nangueri on grounds of communication, economic factors and homogeneity of population. I hope the Committee will bear in mind all these points before finally settling the delimitation question."

* SRI A. GOVINDACHARYULU :—" Mr. Chairman, Sir."

MR. CHAIRMAN :—" I request the Hon. Finance Minister to have a look at the formidable file the hon. Member has in his hands! " (Laughter.)

* SRI A. GOVINDACHARYULU :—" There is not much for me to say, Sir. With regard to the Council constituency I have no quarrel."

THE HON. SRI B. GOPALA REDDI :—" But Mr. Suryanarayana Rao took much objection to it."

* SRI A. GOVINDACHARYULU :—" He is fed up with the poor representation given to the Rayalaseema constituency. The only point I would like to say to the Hon. Finance Minister here is, while he is agreeable to form multi-member constituencies for the Council, why does he not think it suitable to the Assembly constituencies also? Three seats are allotted to West Godavari, Krishna and Guntur. He thought it advisable to have three seats combined for the three districts, instead of having the three seats separately for the three districts. Likewise why not we have multi-member constituencies for the Assembly."

MR. CHAIRMAN :—" That is all for local boards? "

* SRI A. GOVINDACHARYULU :—" Yes. As for the teachers' constituency, he has done his best to form a proper constituency. That is a welcome feature. Then as regards the constituency carved out for the House of the People, I must draw his attention to the Amalapuram constituency; and in this connection I must say that West Godavari district has been treated just like an orphan boy. (Laughter.) He has bisected and vivisected the

district. I do not know why he thought fit to do so. West Godavari district has about sixteen lakhs of people and we are entitled to two seats for the House of the People. Now, what is done is, a middle portion, namely, Polavaram, Kovvur, Tadepalligudem, and a part of Bhimavaram have been constituted into a constituency and given one seat."

THE HON. SRI B. GOPALA REDDI :—" You want Amalapuram constituency to be given two seats?"

* SRI A. GOVINDACHARYULU :—" I want West Godavari to be formed into two distinct constituencies."

THE HON. SRI B. GOPALA REDDI :—" Then what about the area where there is a higher percentage of Harijans? How are they to be represented? Do you want a double constituency to be formed for the Harijans one for East Godavari and another for West Godavari district? The area we have selected is having a higher percentage of Harijans without doing any injustice to East Godavari or West Godavari."

* SRI A. GOVINDACHARYULU :—" The same thing can be done by clubbing Kovvur and Polavaram side or Amalapuram side with Kakinada division. In forming constituencies, the Government should look to not merely administrative convenience but also the convenience of the candidates. They can club Polavaram and Kovvur on to Rajahmundry and Bhadrachalam. Nobody can cover the Amalapuram constituency in less than three days. To go to Amalapuram from Narasapur, one has to cross three Godavaris. The other way is to go to Nidadavole after crossing so many constituencies, take train for Rajahmundry or change train at Chamarlakota to go to Kakinada and from Kakinada go to Amalapuram. There is no other way even to go by cart. (The Hon. Sri B. Gopala Reddi : ' One can go in an aeroplane '.). There is no landing place for aeroplane as there are a number of canals in the area. (Mr. Chairman : ' Water plane may be used '.) Without canvassing and propaganda, no candidate, however great he may be, can succeed. I do not know who will stand as candidates and whether the Government have anybody in view."

THE HON. SRI B. GOPALA REDDI :—" We are not the selecting authorities."

SRI A. GOVINDACHARYULU :—" I also wish you should not be." (Laughter.)

" It is not a question of your selection. Human nature being what it is, if a concession is shown to your friend like A. Govindacharyulu, that does not mean that you should show the same concession to everybody else. As one of the hon. Members said, we should not decide on the basis of helping this or that probable candidate or our whims and fancies. I am satisfied with the delimitation proposals in respect of most of the constituencies in West Godavari district though here and there, the delimitation could have been done in a better manner. As far as this constituency is concerned, I would like to suggest an alternative to the Hon. Minister.

The Kovvur constituency consisting of Kovvur and Polavaram taluks is a double-member constituency with one general and one reserved seat. This constituency can be tacked on to Bhadrachalam-Burugupodi-Rajahmundry constituency to form one House of the People constituency. This alternative may be taken into consideration if it is impossible to give two seats to West Godavari on a districtwar basis without clubbing any portion of it with either East Godavari or Krishna. The non-deltaic portion of the district, Kovvur and Polavaram taluks, may be clubbed with Bhadrachalam-Burugupudi-Rajahmundry constituency. That will make a homogeneous constituency of backward classes living in forests. The grievances or interests of the people will be common and one candidate can faithfully represent their cause. Anyway, to tack on these three taluks Narasapuram, Tanuku and Bhimavaram to Amalapuram, when there are no proper means of communication for a candidate to go and do propaganda, is not proper. Likewise, the western portion of West Godavari district is bifurcated and tacked on to areas up to Kankipadu and the taluks of Eluru and Chintalapudi are tacked on to Nuzvid and Gannavaram up to the Kankipadu lock. That constituency is like the Chandra vanka. Thus the western portion of the district is cut off and added to Krishna, the eastern portion is cut off and added to East Godavari and the middle portion is carved out into one constituency. (The Hon. Sri B. Gopala Reddi : ' The heart is sound '.) Whether the heart is sound or fails after all these operations remains to be seen. I hope that the heart will be sound even after this vivisection.

" So far as the House of the People constituencies are concerned, from Cape Comorin to Visakhapatnam, a portion of each district is tacked to some other district. Of course, I realize the difficulty in arranging the constituencies having regard to the population limit. But even after adhering to the population limit, I think it is possible to minimize the disadvantages by a re-arrangement of the constituencies. I hope the Hon. Minister in charge of elections will look into the matter once again. The Hon. Finance Minister is, if I may say so, a friend of all political parties in West Godavari and a friend of all the Congress Party members themselves. He is a good friend and does not give room for anybody to think ill of him. I claim to be one of his friends. I do not attribute any motives to him in the delimitation of constituencies. Yet I have to say that the proposed arrangement of some of the constituencies deserve to be reviewed.

" Chintalapudi Constituency has got a population of 146 thousands and the Eluru Constituency has got a population of 137 thousands. The disparity in population between them is 9 thousands. Chintalapudi is a backward area with no proper communications. Why should that constituency have so much more population than the educated urban constituency of Eluru? In West Godavari, the disparity between constituencies varies from 2 thousands to 25 thousands. The lowest disparity is 2 thousands and that is between the Undi and Bhimavaram constituencies. The highest disparity is 25 thousands and that is between Penugonda and Tanuku constituencies of our taluk. To minimize the disparity,

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some more firkas in the district may be split up, if necessary. Already two firkas have been split up, one in the Bhimavaram taluk and the other in the Tadepalligudem taluk.

" In the Chintalapudi constituency, the Danduluru Firka of the Eluru taluk has been included. Can any candidate visit Pothanuru, Dosapadu, etc., in the Danduluru Firka from Chintalapudi constituency unless he crosses the Eluru Constituency at Vijayarayi which is at a distance of about eight miles from Eluru? My suggestion is to take away those villages which are at a distance of 30 miles from Chintalapudi and tack them on to Eluru which is only 4 miles distant. Then, the disparity will be less than 9 thousands. If you want to add some more villages to the Chintalapudi constituency, you can add the villages on the Chintalapudi-Eluru road from Vijayarayi. A simple addition and a simple substraction will equalize the population. If this is done, it will be easy for a candidate to carry on election campaign.

" As regards the Tadepalligudem taluk, there is not much disparity and I see no objection to the delimitation proposed. If the Government make any change to add the 5 thousands population to reach the average of 145 thousands per constituency, I have no objection. The Undi and Bhimavaram constituencies also are all right. I would like the Hon. Finance Minister to review the Tanuku constituency. It consists of Tanuku and Prevali firkas with a population of 132 thousands. Penugonda constituency consists of the firkas of Penugonda, Penumantra and Attili with a population of 157 thousands. There is a disparity of 25 thousands. The Attili Firka can be added on to the Tanuku constituency. If the population of Penugonda and Penumantra firkas is not enough to make up one constituency, villages in the Peravali firka on the western side of the Narasapur canal may be included in the Tanuku constituency and the villages on the eastern side of the canal may be added to the Penugonda constituency. Then both the constituencies will be of the same area and population with no political or communal complexion.

" We are not given copies of the maps of the constituencies as carved out though they were published in the Press. I do not know how they crept into the Press but printed copies of them were not supplied to us."

THE HON. SRI B. GOPALA REDDI :—" The ' Mail ' applied for permission to take photographs and we gave them the permission."

MR. CHAIRMAN :—" It is time for the House to rise. Is the hon. Member concluding or going to continue his speech? "

* SRI A. GOVINDACHARYULU :—" Sir, I will continue after the lunch interval."

(After lunch—2-30 p.m.)

* SRI A. GOVINDACHARYULU :—" Mr. Chairman, Sir, it may be said that the alternative proposals which I have suggested in respect of certain constituencies in these delimitation proposals would cause the splitting up of firkas and therefore would not be acceptable to the Government. But in the Explanatory Memorandum . . ."

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MR. CHAIRMAN :—" May I know how many hon. Members are willing to speak on this motion. (About six hon. Members stood up.) In that case, I think, I must restrict the time-limit of each speaker to not more than 10 minutes."

THE HON. SRI B. GOPALA REDDI :—" We may carry on the discussions till 7 o'clock, Sir."

* SRI A. GOVINDACHARYULU :—" In paragraph 4 of the Explanatory Memorandum, the Government have said that the districts and the taluks and the firkas should not be split up unless there are compelling reasons for them to do so. But in fact they have split up even districts also to carve out certain constituencies as, for instance, the Wynaad constituency. For instance, many taluks have been split up in the West Godavari district, in order to form constituencies, and this is in itself a monumental example of the splitting up of taluks. In the matter of the splitting of firkas, if you examine these proposals, you will find that in every district, almost invariably two or three firkas are split up and formed into certain constituencies for the State Assembly. Only when we, Members of the House, suggest certain improvements or make some alternative proposals, we are accused of being selfish or that we make them with a particular motive. We have no such motives, Sir."

THE HON. SRI B. GOPALA REDDI :—" Sure."

* SRI A. GOVINDACHARYULU :—" Surely and certainly, Sir, we have no personal motives. By all means, we can even prove them before a judicial body. After all, Sir, are you going to keep up these two constituencies of Eluru and Chintalapudi as East and West Pakistan, because it involves the splitting up of firkas? In fact, you have split up taluks in certain cases to carve out constituencies. I would therefore beg of the Hon. Finance Minister to see that justice is done to these taluks by taking away Danduluru, Potunuru, etc., from Chintalapudi constituency. The present arrangement cannot be maintained on any other ground except by saying that it involves the splitting up of firkas. In fact, Sir, neither on administrative grounds nor for electioneering convenience, can the present constituencies in these two taluks be justified. I hope, Sir, that the Hon. Finance Minister will give his earnest consideration to it.

" Let me now come to Tanuku constituency, Sir. I think, Sir, it is unjust to keep a disparity of 25,000 people between Tanuku and Penugonda in the same taluk.

" As regards the Amalapuram constituency for the House of the People, I should like to make another alternative suggestion without touching any other constituency or the splitting up of any firkas, and it is like this that Pamarru, Amalapuram, Razole, Kakinada and Ramachandrapur divisions may comprise the Amalapuram

constituency. That would mean, that there are ten constituencies with three Harijan seats for the State Assembly and the principle that the Government are putting forth, namely, that where there are more Harijans, more seats should be given to them, will be satisfied here. The Harijan seat in the House of People may be transferred from West Godavari district to East Godavari and clubbed with the general seat there. The general seat may be given to East Godavari and West Godavari may be divided into two constituencies like Narasapur plus Kovvur Revenue divisions and Eluru plus Bhimavaram Revenue divisions."

THE HON. SRI B. GOPALA REDDI :—" Then what about the Harijan seat in West Godavari for Parliament? Why not West Godavari have one instead of East Godavari? "

* SRI A. GOVINDACHARYULU :—" That is exactly the point I am going to answer. Now, Sir, East Godavari has got three general seats whereas West Godavari has got only one general seat for 16 lakhs of people for the House of Parliament. I want to transfer one Harijan seat to East Godavari, because there also the ' More Harijans ' condition is satisfied. I want you to give one more general seat for West Godavari making it 2 for 16 lakhs of people. The present arrangements are a clear case of injustice to West Godavari. According to my above proposals, the Government need not split up the firkas or taluks or districts. There will thus be one set of constituencies on the one side of the Godavari and another set on the other side of the river and it will be easy for the candidates to canvass votes from the electorate without crossing the river. Sir, then Krishna district may be given two seats without a portion of it being tacked on to Guntur over and above the Krishna river. These are my suggestions for modifying these delimitation proposals, so far as the East and West Godavari districts are concerned, both as regards the constituencies for the State Assembly and for the House of Parliament, which will not do any violence to the principles laid down by the Government, but at the same time would do justice to both the two districts and Krishna district also."

MR. CHAIRMAN :—" The hon. Member has already taken up too much time. I think he must finish his speech now."

* JANAB K. T. M. AHAMED IBRAHIM :—" Mr. Chairman, Sir, I beg to move the amendment standing in my name, namely—

' Add *the following at the end* :—

" and on such consideration this Council is of opinion that wide variation of the population in respect of the various constituencies should be avoided to ensure uniformity and equality in the exercise of the franchise and that the areas in which any minority is living in a substantial number should not be split up and assigned to more than one constituency but should be included as far as possible in one constituency and that areas in which any minority

lives in substantial numbers may be constituted into one constituency relaxing the principles relating to geographical proximity, contiguity and continuity." ' "

MR. CHAIRMAN :—" I give the hon. Member twenty minutes."

JANAB K. T. M. AHAMED IBRAHIM :—" Now, Sir, with regard to the first aspect of my amendment, I wish to refer to the Explanatory Memorandum circulated to hon. Members. It is stated there that the average quota for one seat in terms of population so far as the State Assembly is concerned, works out to 1·45 lakhs but on a cursory glance over the various constituencies according to these proposals, we find that there are certain constituencies where the population is 119,000 while there are certain others with 165,000. Thus there is a very wide variation in the population of the different constituencies. I submit, Sir, it is unjust to provide one candidate to represent 119,000 people in one constituency, while another candidate in another constituency is asked to represent 165,000 people, in the State Assembly. It is unjust both for the constituencies and for the candidates who stand for elections in such constituencies, that there should be such wide variations in population."

MR. CHAIRMAN :—" I should like to inform the hon. Member that I am going to be very strict in the matter of enforcing the time-limit allotted for each speaker and so the hon. Member may kindly keep up to his time and finish his speech within that time."

* JANAB K. T. M. AHAMED IBRAHIM :—" Sir, in the one case I have just mentioned, the candidate has to seek the suffrage of 119,000 people while the other candidate has to canvass and seek votes from 165,000 people. And this variation is even wider in the case of a constituency where a scheduled caste seat is reserved. A candidate who wants to stand for the elections to the State Assembly for the general seat in a double-member constituency has to go round and canvass votes from about 330,000 people whereas if he stands for election in a single-member constituency, it is enough if he canvasses votes from 150,000 people. I would therefore submit that we should find out some means by which we should avoid such wide variations of population in respect of the various constituencies and ensure uniformity and equality in the matter of the population so as not to put any burden on the candidates who stand for elections for the general seats.

" Then Sir, with regard to the second aspect in my amendment, I wish to deal with it in some detail. Before doing so I should like to refer to one thing in the Explanatory Memorandum that is circulated to us. In paragraph 4 of that Memorandum dealing with Local Authorities' Constituencies, it is stated that on the basis of population, the Circars-cum-Rayalaseema would get ten seats in the Legislative Councils, while West Coast and Tamil districts would get only 14 seats. The exact number of seats on the basis of population for the Circars and the Rayalaseema are

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6·43 and 2·93 making a total of 9·36, whereas West Coast on the same basis would get 2·48 seats and Tamil-Nad 12·16 seats. I should like to point out that while ten seats are given to Circars-cum-Rayalaseema, when they are only entitled to 9·36 seats, is it not just and proper that we should give at least three seats for West Coast, when it is entitled according to its population basis to 2·48 seats because ·48 is greater than ·36? "

THE HON. SRI B. GOPALA REDDI :—" But with regard to teachers and graduates, of the 12 seats, the Northern Circars and the Rayalaseema districts are given only 4 seats and the rest 8 seats. What does the hon. Member say to this? "

* JANAB K. T. M. AHAMED IBRAHIM :—" Why not strictly go on the basis on which you are proceeding. I want to know on what basis you have allotted one more seat to the Circars, taking one from the West Coast. That is the point that I want to raise here.

" Sir, with regard to the second aspect of my amendment, we have already explained the necessity to give adequate representation to minorities in the Legislatures of the country and the Hon. Minister has already conceded that principle, not only during the discussions in the other House on a similar amendment moved in that House, but also at the time of the discussion of the motion for the adoption of multi-member constituencies for the coming election, in this very House itself on a previous occasion. In his reply to the debate in the other House, the other day, the Hon. Minister said that it was but right that the legislatures should reflect the views of all people including the minorities. Sir, India has been proclaimed as a democratic Republic and we have the Constitution, Rules and Political institutions of democracy in full panoply. But at the same time, we must remember that these very institutions of democracy can be made to subserve the objects which are the very opposite of those of democracy. Take for example, Germany and Italy under the regime of Hitler and Mussolini. There, these very democratic institutions were made to subserve Nazism and Fascism. Therefore in order to make democracy in India successful everything possible should be done to ensure that all the institutions to be formed under the Constitution are really democratic and reflect the opinions of all the sections of the people. This is the time for us to lay the true and essential foundation of democracy. It is admitted that democracy should be built upon the principle of Parliamentary Government and for that party system is absolutely necessary and indispensable and without party system, no democratic institution will work. Under the party system, there must be an opposition. Without opposition parliamentary institutions and responsible Government cannot function effectively. It has been pointed out in this House and in the other House also, on both the occasions when this subject was discussed, that according to these delimitation proposals of the Government, only one party will be returned to the legislatures of the State and also to the Central Parliament.

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" Opposition, Sir, is necessary to soften the rigours of the majority rule in any form of democracy. I want to know whether these delimitation proposals contain any method by which the rigours of the majority rule will be softened. The Hon. the Minister for Elections has conceded that the House should reflect the views of all sections of the people. That is absolutely necessary to bring home to the majority party the views, the needs and requirements of the minorities in the land. He has also conceded that ' it is very difficult for a political party to set up a Muslim candidate in a predominantly Hindu constituency and get him elected. Even for a big organization like the Congress it may be difficult in certain areas.' Then, Sir, what is the remedy? He says that the single-member constituency in the present tension and atmosphere is really a bold experiment '. The remedy he has provided is to appeal to the political parties to set up candidates from the various communities. Is this sufficient, I should like to ask. The Hon. Mr. Gopala Reddi may be flowing with the milk of human kindness. I know he wants to be very kind to minorities. But will he be there for all time? Will Pandit Jawaharlal Nehru be the Prime Minister of India for all time? He, of course, wishes to be just to the minorities, but can we leave this to the tender mercies of the party in power or to the tender mercies or the goodwill of those who are at the helm of affairs? Has the Hon. Mr. Gopala Reddi provided anything in these proposals to give effect to the purposes which he has in view? I must say, Sir, that no such thing had been done. The other day we pointed out that one of the methods of giving effect to that desire is to have plural-member constituencies. But unfortunately he has to deny us that privilege because, as he stated already, he had no alternative. The Government had received a directive from the Chief Election Commissioner, Mr. Sen, not to accede to plural-member constituencies. The Hon. the Minister for Elections went even to the extent of saying that the Uttar Pradesh scheme of multi-member constituencies would not be accepted by the Government of India. It is reported in the papers . . . " 2-45 p.m.

THE HON. SRI B. GOPALA REDDI :—" It may not have been accepted by the Government of India."

* JANAB K. T. M. AHAMED IBRAHIM :—" For drawing such an inference, he may have inside knowledge of things. But we are not in that position. Any how, because of the directive received from the Chief Election Commissioner, the Government have no alternative in the matter. In this connexion, I would like to point out that the other day in the Pacific Relations Conference that is being held in Lucknow, which was attended by about one hundred groups of representatives, it was pointed out that single-member constituencies for the Indian general elections would give a dominant position to the Congress in the Legislatures; and in multi-member constituencies the small groups would have better prospects. This is what was stated in that conference. What we have been urging has received good support in that conference, which was attended by representatives of about 100 groups of people."

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THE HON. SRI B. GOPALA REDDI :—" Any resolutions passed by the conference to this effect? "

JANAB K. T. M. AHAMED IBRAHIM :—" Not that I am aware of."

THE HON. SRI B. GOPALA REDDI :—" Somebody might have said that, and it might have appeared in the papers."

* JANAB K. T. M. AHAMED IBRAHIM :—" Anyhow, that is the trend of the discussion. Even though the Hon. the Finance Minister has been desirous of giving representation to the Muslims, he has not been able to do so, and also he has not been able to accept our amendments. I do not know whether, in this connexion, he has received any directive from above. One passage in the speech delivered the other day in Hyderabad by the Hon. the Deputy Prime Minister of India is revealing. He said :

' Some say that in a democracy you must have an opposition. That is true when democracy has become firmly established, but when democracy itself has a rather unsteady existence, opposition also becomes a drag and a draw-back . . . . After five years or so, when we are firmly established and we have brought about better standards of administration and of living we can afford to think of opposition '.

I do not know, Sir, whether this forms the basis for the persistent and sustained refusal of the Hon. the Minister for Elections to give us any kind of representation in the Legislatures of this State and the Centre. After all what do we want? We want some method, plural-member constituencies or any other method, by which the minorities can send their representatives to the Legislatures. We are not going to convert the majority into a minority at all. Nor will we be able to convert the minority into a majority. We want our true representatives to represent to the majority party the needs, the requirements and the views of the minorities. As the Hon. the Minister has stated we want that all sections of the population should be reflected in the Legislatures and Parliament. This is a very modest request, and I do not know why the party in power and the Government should be reluctant to grant this request of ours. My amendment reads : ' the areas in which any minority is living in a substantial number should not be split up and assigned to more than one constituency but should be included as far as possible in one constituency and that areas in which any minority lives in substantial numbers may be constituted into one constituency relaxing the principles relating to geographical proximity, contiguity and continuity.' Why should the Hon. the Minister insist on contiguity, I cannot understand. I can quote instances of urban constituencies where contiguity is not taken into consideration. Have not the Government clubbed together areas which are not contiguous? (The Hon. Sri B. Gopala Reddi : ' No.') Take for instance, Malabar. The municipalities of Tellicherry, Calicut and Cannanore were constituted into one constituency."

SRI N. RANGA REDDI :—" That is under the Government of India Act, 1935."

THE HON. SRI B. GOPALA REDDI :—" That is why we opposed that."

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* JANAB K. T. M. AHAMED IBRAHIM :—" How it is against y principle of franchise, I want to know. The Government may oppose it when it happens to benefit a minority. The feeling is whenever any method or any proposition happens to benefit the minorities including Muslims it should be tabooed. That kind of feeling seems to dominate the party in power. After all we are all members of this State and we want our proper share in the administration of this country. Why should you fight shy of that? It has been working all along. Why should the Government now go against it? In the formation of urban constituencies, areas which are far removed from each other by hundreds of miles, had been clubbed together."

SRI N. RANGA REDDI :—" This was so when there were separate electorates."

* JANAB K. T. M. AHAMED IBRAHIM :—" What is the sanctity in geographical contiguity, I cannot understand. With regard to the population, it has been stated by the Government that they do not want to divide firkas, taluks and districts. The quota of population for each constituency is fixed at 1·45 lakhs. The Government could have drawn straight lines at the rate of 1·45 lakhs population per constituency and formed the constituencies. But they have not done so. What is the sanctity about these districts, taluks and firkas, I cannot understand. These have been formed for certain administrative purposes in those days. Why should we fight shy of splitting up firkas and taluks? As a matter of fact in certain constituencies the population is 125,000 and in certain others it is 165,000. There is so much variation in population."

(At this stage Mr. Chairman rang the bell to indicate to the member that his time was up.)

JANAB K. T. M. AHAMED IBRAHIM :—"Am I to finish my speech now, Sir? "

MR. CHAIRMAN :—" I suppose the hon. Member knows what the bell means. The hon. Member has been warned more than once of the time-limit. I have given him 20 minutes. I shall give him five minutes more. He must finish his speech exactly at 3."

* JANAB K. T. M. AHAMED IBRAHIM :—" Sir, in Malabar, areas in which Muslims form a substantial number, have been split up and assigned to various other constituencies so that they have now become minorities in the constituencies. Where is the possibility of Muslims forming a substantial portion of the constituency if they are clubbed with other constituencies where they do not form a substantial portion? For example, in my district of Tirunelveli, Kadayanallur, Vasudevanallur, Sankaranayanarkovil and Pazhankottai firkas are clubbed together to form a constituency. Tenkasi, Pambuli and Kilapavur firkas form another constituency. If Tenkasi, Pambuli and Kadayanallur are clubbed together, there is the possibility of that constituency having a substantial portion

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of Muslims. There are ever so many areas like that where there is a substantial number of Muslims. If proper statistics are taken, one can find where Muslims are in substantial numbers. We are not able to give concrete suggestions because we do not possess the necessary statistics. The census report does not give the population on firka basis. It gives the population on the basis of districts, taluks and village. Hence, we are very much handicapped in giving concrete suggestions. We can give only our impressions. The Government have all the facilities to find out the population according to firkas. Therefore, they can try to help the minorities to get representation in the Legislatures of the country. Is there any possibility of the Muslims getting even one seat in the Council? In the House of the People they are entitled to seven seats on the basis of their population. Will they get even one seat now? There is no possibility at present. Are we to depend on the goodwill of the party in power? The Hon. Mr. Gopala Reddi is there now and he wants that all sections of the people are represented in the Legislatures. But will he be there for all time? That is why I urge that there should be some method by which the minorities should be able to get representation in the Legislatures of this State and in the Centre, and that the minorities should not be left to the tender mercies of the party in power or the leaders of the majority community in office, however eminent they may be."

* SRI N. RANGA REDDI :—" Mr. Chairman, Sir, till now half a dozen speakers have participated in the debate, but no one has given a word of praise to the Hon. the Minister for Finance. I am really sorry that the Hon. the Minister has been placed in this unpleasant situation. I really sympathize with him. It is not possible . . ."

MR. CHAIRMAN :—" Why do you sympathize with him if he does not deserve praise? "

* SRI N. RANGA REDDI :—" I really sympathize with his lot. It is not possible to please one and all with these delimitation proposals. A candidate who is at present a member of the Legislature is thinking of his future prospects. He is thinking if he is likely to be returned or his future blocked, if the constituency is arranged in a particular manner. An expectant candidate thinks that his chances of election will not be bright if the constituencies are retained in the manner proposed by the Government. Therefore, he wants to have these constituencies altered. But the Constitution lays down that the number of seats should be on the basis of population. If it is agreed that there should be single-member constituencies, I do not know what other proposals can be put forward as alternatives to the present proposal that has been sponsored by the Government. As a matter of fact, the Hon. the Finance Minister has challenged the members of this House who criticise his proposals in respect of various districts as to bifurcation, vivisection, etc., to suggest any possible alternative proposals which, if they are reasonable, he would be willing to accept. I am not competent to speak about

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the proposals that have been sponsored with regard to the Circars or the districts in the south. But I want to talk about the Ceded districts. I know it is very difficult to delimit constituencies which will be agreeable to the members if you want to stick to the ratio mentioned in the Constitution. The Constitution lays down allotment of one seat for a certain population limit. No doubt people have had their own loyalties to their districts. This is a sentiment which ought to be respected. I know in 1923 or 1924 when Cuddapah district was proposed to be dismembered, there was a lot of agitation and criticism against the then member, the late Sri Narasimhachari, that, being a Tamilian, he did not take any interest at all in the Cuddapah district and that he wanted to have it bifurcated. That sentiment ought to be respected. That sentiment comes in because a number of people are associated together for a long time and have contracted some alliances and friendship. But these are all accidental aspects. As the Hon. Minister has put it, they are not sacrosanct. The way in which these districts have been formed is only accidental. I do not know why so much sanctity should be attached to the district border or taluk border. To-day if a village is taken from one district, another village is taken from another district. Thus Visakhapatnam has been divided into two parts. My point is that there is not much sanctity in saying that the district or taluk should not be bifurcated. If the people want that the district or taluk should not be bifurcated, why did they not ask the representatives who were sent up to the Constituent Assembly or the Dominion Parliament to put forward the view that districts or taluks should not be bifurcated in allotting the seats? Why did they not ask them not to lay down the ratio of population for allotment of seats? My request as well as the request of Sri Suryanarayana Rao has been that so far as the Andhra area is concerned, seats should not be allotted on the basis of population but on the basis of districts. That is a basis which has been accepted not by this party or by that party, but by the Andhra Provincial Congress Committee and ratified solemnly in open session that the five districts of Rayalaseema would have parity with the Circars. What happened to that resolution? Why should they now say that these districts should not be bifurcated? Is there any justification for their cry? When it does not suit them, they say that the districts should not be bifurcated.

" Sir, as was said by an hon. Member, the Hon. Sri Gopala Reddi is a friend of all the political parties in the West Godavari district. I would also claim him to be a friend of Rayalaseema, but having been a friend, he has not translated his sympathy into action."

MR. CHAIRMAN :—" He has done equal justice to all."

* SRI N. RANGA REDDI :—" He has not done equal justice, Sir. He has proclaimed his sympathy on many occasions but . . ."

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MR. CHAIRMAN :—" I know of a case where a lawyer who had to appear in a number of cases on a particular day refrained from attending any court and when he was questioned, he said, ' I am doing equal justice to all '."

* SRI N. RANGA REDDI :—" He has not done equal justice, Sir. If he had done so, I would have congratulated him. On the other hand, he has done an injustice. In allotting seats for the teachers" and graduates' constituencies, he has given figures of population and number of voters for the Circars, Rayalaseema, West Coast and the Tamil districts. It is rather unfortunate that the constituencies, though they are of different kinds, should be delimited on the basis of population, for the Council. When once you have allotted seats in the State Assembly on the basis of population, I do not see any reason why you should adopt the same basis for the seats in the Legislative Council also. May I remind the Hon. Minister that the composition of the Legislative Council is entirely different from that of the State Assembly? For the Assembly, election is held mainly on the basis of single-member constituencies. The system of direct election is adopted. There is no question of occupational or functional representation. There is no question of nomination also so far as the Assembly is concerned. When you come to the State Council, you find the whole thing different. The composition of the Legislative Council is entirely different—one-third graduates' constituency, one-third local authorities' constituencies, one-third teachers' constituencies and one-third nomination."

MR. CHAIRMAN :—" There are only three one-thirds." (Laughter.)

* SRI N. RANGA REDDI :—" One-twelfth, Sir, subject to correction. I am not an expert in Mathematics.

" What I am saying is that it is not proper to adopt the same basis for the Legislative Council also. They want to proceed on the basis of population. I do not know if they have taken the number of graduates or the number of teachers in the area. You say there are the Circars, Rayalaseema, West Coast and the Tamil districts. So, you want to distribute the seats not on the basis of population but on the basis of linguistic areas. You say that there will be so many seats for the Telugu area, so many for the Tamil area and so on. For instance, if it is the idea of the Government to allot the seats in accordance with the population alone, they need not have bifurcated or divided the Madras State into two units and allotted 2 and 4 seats. Article 171 (4) of the Constitution lays down only that elections from the graduates' constituencies should be held in accordance with the system of proportional representation. When that is so, the whole State could have been one single unit. But the Government have divided the Madras State into ' Madras North ' and ' Madras South ' and then brought in the system of proportional representation. When they have thus divided the Madras State, why have they not divided the Andhra area into two units and made Rayalaseema a separate unit? "

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THE HON. SRI B. GOPALA REDDI :—" Then, for the teachers' and graduates' constituencies, you will have only one seat."

* SRI N. RANGA REDDI :—" We will get that one seat. As the hon. Gentleman Janab Ahamed Ibrahim said, we will have now to depend upon the goodwill of our friends. Till now I have not known . . . "

MR. CHAIRMAN :—" The hon. Member may understand what the objection is. The idea is that the Constitution says that elections from graduates' and teachers' constituencies should be by means of single transferable vote, which cannot be had unless you have more than one member."

* SRI N. RANGA REDDI :—" Very good; I agree, Sir."

MR. CHAIRMAN :—" Nobody is asking the hon. Member to agree. Let him listen to me. If he wants the Andhra area to be divided into two, that means there must be two seats for the Ceded districts and two for the Circars. That will amount to four seats."

* SRI N. RANGA REDDI :—" My point is, you divide, for the purpose of convenience, Madras State into two or three units. That will facilitate the easy election of some candidates. Why should you proceed on the basis of linguistic areas? So far as the graduates' and teachers' constituencies are concerned, it is not a case where the voter actually goes and puts his paper into the ballot box. What does it matter if four districts in the North Madras State and South Madras State are kept together and made a separate constituency? "

MR. CHAIRMAN :—" What is the advantage? "

SRI N. RANGA REDDI :—" What is the advantage in having the whole of Telugu area as one unit? You are recognizing a thing which has not been recognized by the Constitution. When you have given separate figures for Rayalaseema, it means you want to treat it as a separate entity. I can understand if separate figures are given for the Telugu area and the Tamil area. But when you go further and give figures for the Circars, Rayalaseema, etc., it means that you are treating Rayalaseema as a separate entity. But still in action, that is, in allotting a separate representative, you have not shown it. That sort of sympathy I would expect from the Hon. Minister."

MR. CHAIRMAN :—" What is the suggestion of the hon. Member? "

SRI N. RANGA REDDI :—" My suggestion is, if you want, you can take some districts from the south and see that . . . "

MR. CHAIRMAN :—" Who? "

SRI N. RANGA REDDI :—" We."

MR. CHAIRMAN :—" The hon. Member wants Tirunelveli to be taken."

SRI N. RANGA REDDI :—" Not Tirunelveli, one or two districts as Chingleput, North Arcot. Let that be a separate constituency."

THE HON. SRI B. GOPALA REDDI :—" Even then the hon. Member would not get the advantage.".

MR. CHAIRMAN :—" What is the suggestion of the hon. Member? "

SRI N. RANGA REDDI :—" The point is that what has not been recognized by the Constitution, you want to recognize. You want to bring it by the back door.

" The next point is . . ."

MR. CHAIRMAN :—" My next point is ' time '."

* SRI N. RANGA REDDI ;—" Just 5 more minutes, Sir. If they had taken the basis of population for the other constituencies, I could have appreciated the Government; but when they come to the local authorities' constituencies, they do not base the number of seats on the number of panchayats that are functioning in the particular districts. It has been said from the very beginning that they have taken the population basis. But they want to give representation to various areas on the linguistic basis. I would respectfully submit that that is why they could not have honoured at least in regard to the election to the Legislative Council the terms of the Sree Bagh Pact.

" I would like to say a few words in regard to the criticism made by Janab Ahamed Ibrahim. His point seems to be that there is no protection at all for the minorities so far as the present electoral machinery is concerned. Personally I would very much like multi-member constituencies. It gives protection to more than one. But as I have already said, every person has got some influence in his own firka where he is thinking of contesting, but if the constituency is bigger and wider such people may not be willing to contest at all. This means that there will be room for better qualified people. As a matter of fact, no qualifications have been prescribed for a person who wants to stand as a contesting candidate. Though it might give room for a lot of criticism, I would suggest that the sooner some qualifications are prescribed for these candidates the better it will be for all.

" When for every walk of life, qualifications have been prescribed, I do not see any reason why some qualifications should not be prescribed in the case of politicians. You have mentioned only disqualifications."

THE HON. SRI B. GOPALA REDDI :—" The only qualification is acceptability to the electors. That itself is a due qualification."

* SRI N. RANGA REDDI :—" The point is, when you have prescribed disqualifications, in the same manner, qualifications could also have been prescribed. If the whole thing depends upon the electors' choice, there is no need to mention disqualification.

We can tell the electors that such and such a person should have at least some qualification and then only he can effectively discharge his duties. This is certainly possible, especially when you have taken care to prescribe disqualifications. From experience, we have found that it is very necessary that some qualifications should be prescribed for those who stand for election.

" My friend was talking about plural-member constituencies and proportional representation. It was also suggested that the single-member constituency system was designed to suit the party in power. I do not know whether he is correct in saying that the single-member constituency system has given rise to one-party system. It is not so. On the other hand, it is the influence of the Congress in the whole of the Indian Union that has given rise to the one-party system and not because we have been having the single-member constituency. I wish to add that if the single-member constituency system is perpetuated, there is a possibility of the minority converting the majority to its point of view, at least at some distant date; it might be quite possible for the minority to sit on the Treasury Benches in the future. But, if you want to have the plural-member constituency, there may not be much scope for different shades of opinion and it may not be possible for the minority to convert the majority to its points of view. I may inform the hon. Member that in other countries, it is felt that if only the single-member constituency system had been introduced there, it would have been better and that there would be a stable and stronger Government and law and order could be properly maintained. It is felt elsewhere that by the introduction of proportional representation, there will be only coalition Governments which would be very weak. So I wish to congratulate the Hon. Finance Minister for having introduced the single-member constituency system."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" Mr. Chairman, Sir, on the last occasion, I ventured to express some ideas as to the method by which this question of delimitation of constituencies had been tackled in other countries when Legislatures were formed for the first time. The discussions that have been going on for the last few days both in the other House as well as in this House amply warrant my statement that in the consideration of these proposals for delimitation of constituencies, unfortunately those that were responsible for framing these proposals had not understood or had not taken into consideration the well-established precedents from other advanced countries. I ventured to suggest then that there were three methods that were adopted in fixing the personnel who will deal with the delimitation of constituencies. The first method was that those who were absolutely unconnected with either House or with any House and those who had held judicial positions or are holding judicial positions were generally called upon to consider the method in which delimitation of constituencies should be framed taking into consideration all shades of opinion. The second method that was adopted was that the party in power and those who were in opposition and all the other parties who do not belong to that

party form into two groups and select some personnel by mutual understanding, which will be left entirely to study and consider this question of delimitation of constituencies. The third method was that those who were not connected with any political party and who may be described as elder-statesmen were called upon to discuss these questions in consultation and consideration of the wishes of the State or the country concerned and propose methods of delimitation. The discussion that has taken place during the whole of this session in this House as well as the other House amply bears out the truth of the statement that if the party in power were to be asked to put up these proposals and if politicians were to sit in judgment over these proposals, there can be no question whatsoever of any amount of criticism from all over. Such criticisms may be justified or may not be justified. It was unfortunate that when the People's Representation Act was passed, there was nobody in the Parliament to voice forth a different shade of opinion. If there had been any such person, the position would have been made abundantly clear. Now a few persons, representatives of the people in the Parliament—who are the last persons to be entrusted with this job—are entrusted with the task of going through the delimitation proposals formulated by the different States, in the name of Delimitation Advisory Committees. I mean no reflection on the personnel of that body, but I should tell that it is certainly not warranted by the Constitution of other countries.

"Sir, a good deal of discussion has taken place on the question whether there should be single-member constituencies or plural-member constituencies. I had a little trepidation when I had to cross swords with the Hon. Minister last time, on this question. I hoped that he would at least consider my suggestion. But, I see from the present proposals that have been made by the Government that they have sticked to the single-member constituency system. I venture to suggest that in some of the countries where constitution-making was done more seriously and where there were experienced legal advisers, certain number of constituencies were declared as plural-member constituencies. Take the case of the neighbouring State of Ceylon where a similar Constitution has been framed. It has been definitely stated there that a few constituencies should be multi-member constituencies. Mr. Ivor Jenkins has stated that in the delimitation of constituencies, care should be taken to see that certain elements which are important in particular areas should be given an opportunity to unitedly give expression to their views. In Ceylon, there is the problem of Sinhalese and the Tamilians. It is not a new problem and it has been a much accentuated problem. In spite of that accentuated problem, the person who is advising the Government of Ceylon in framing these rules, who has been a great constitutional lawyer and who for sometime was a Professor in London University, has deliberately put forward the suggestion that in the matter of delimitation of constituencies, there should be plural-member constituencies for some of the people who may not otherwise have a fair chance of successfully going through the electorate. It is not a question of manipulating the elections. By delimiting in such a manner that a particular group may not be available in

the numbers in which they might be available, you may change the chances of such persons coming in. The whole truth about it is that we have been so much obsessed with this communal question as it were and Parliament was so much obsessed at the time with the communal situation, probably with some justification, that they could not think of other reasons why such proposals for plural-member constituencies should be given some amount of thought and consideration by the powers that be. It is not a question of whether Muslims will find representation, or Christians will find representation or whether any other community will find representation, but it is a question of whether the necessity has been realized for different shades of political opinion to find, as far as possible, some voice in the Legislature, not to control the Legislature, but only to give certain points of view which may not strike the people in power, I mean the majority party that may be in power for the time being. If democracy is to be understood at its true face value, the necessity for different shades of opinion being represented in the Legislature should be recognized. It is for that reason that the suggestion was made that here and there there may be a plural-member constituency with the possibility of cumulative voting to enable certain shades of opinion to be represented, and I think there is nothing contrary to the principle of democracy for anybody to fight shy of that particular position. Let us not immediately jump to the conclusion that because we ask for plural-member constituency, it is to perpetuate communalism and communal considerations will begin to weigh. Let us face the matter frankly. Are you sure that communal considerations are not going to weigh? Are you sure that in South Arcot for instance, the Vanniakula Kshatriyas are not going to sweep the polls irrespective of any political ideology? I can tell you this much and I am prepared to give facts and figures to show that when the next elections take place, in South Arcot and in some parts of North Arcot and Chingleput, Vanniakula Kshatriyas are sure to win under whatever political ticket they may be returned. Similarly, with regard to the Guntur and Krishna districts, it will be a question of Kamma versus Telaga. So, let us not pretend to ignore what is so obvious to everybody who studies political problems in this country. The same is the case with every other State. We can take off all communal appellations and we can even introduce a Bill to that effect. But I may tell you that you are not going to change the heart of the people in that way. You will have to be careful and you will have to adopt proper methods to change the people's hearts.

"Now coming to the fixation of numbers in a constituency, let me state that the Act does not provide that 75,000 voters must form a constituency. It says 'as far as practicable.' The words 'practicable' has certainly very important significance in regard to delimitation of constituencies. Whether it is in regard to delimitation of constituencies for the People's Chamber or whether it is in regard to delimitation of constituencies for the Legislative Assembly, there can be no doubt whatsoever that the geographical area is fundamental. What is the virtue in 75,000 voters being grouped together

when you do not take distance into consideration? 75,000 in the City of Madras is entirely different from 75,000 in your district, Sir, about which I know something; similarly, it is very much different from 75,000 voters in my friend's district, i.e., Ramnad. Therefore they have not proposed the delimitation of constituencies on a scientific basis. I venture to think that not only the number of voters but also the geographical area which has to be covered in a particular constituency should have been taken into consideration. I am not surprised that these were not taken into consideration, because there was very little time for such detailed scientific considerations to be given to these proposals. Unfortunately, this question of delimitation of constituencies is more or less permanent. When once we delimit the constituencies for the first elections, let me tell you that it is going to be a Herculean task to change these constituencies subsequently, as Parliament only can change the constituencies. You may take it from me that Parliament will be far too busy with so many other important matters that it will not worry itself about delimitation of constituencies in the Madras State.

"With regard to the Legislative Council, the system of proportional representation has been adopted. My Friend, Mr. Adityan wanted to know why the Graduates constituency should not be further subdivided. I may tell him that the essence of proportional representation is, the larger the number of candidates, the better that system will work. If you want proportional representation and if the Act provides for proportional representation, it is not to give representation to this area or that area, but it is to give representation to certain interests. When the Madras University Act was first amended in 1923, I had some little share in pressing the Government of the day to give proportional representation to the registered graduates. I pleaded this *in camera* giving my own reasons. Till that date ten graduate representatives were returned from the Graduates constituency. Except in the case of the Rt. Hon. V. S. Srinivasa Sastri, in every election, my friends from the legal profession dominated and nobody had a chance. I hope I will not be criticized for this statement. I felt at that time that medical men may also sometimes blunder into giving some points of view in the University debates and if I may say so, with that selfish opinion I put forward the suggestion that thirty seats should be by proportional representation. Right from 1923 I was returned and continued to be returned successfully for the last 25 years till I became the Vice-Chancellor of the University. This is not a question of general constituencies and Graduates constituencies. You are not going to preach to them from house tops, visiting their houses. As a matter of fact, I would like to say that the old methods were to climb up very inconvenient upstairs and pay homage to particular voters. I know in many elections, some of the voters used to say that they were not going to vote for a particular candidate, because he had not come to their house.

"We appeal not by the physical performance we are capable of, but by the mental equipment, we think, we may be able to place before our voters. That is the position. The Graduates

constituency which is perhaps the most enlightened—which is considered at least most enlightened—would not require any peripatetic ventures on the part of any candidate that may seek election.

"Sir, there is another thing that I want to refer to. I invite attention to Section 17 of the Act. It says:

'No person shall be entitled to be registered in the electoral roll for more than one constituency.'

That is, in the case of the Council, a person can be registered (1) for a Graduate constituency, (2) for a local board constituency, (3) for a teachers' constituency and (4) probably later on, for the Assembly constituency. I would like to know from the Hon. the Minister for Finance how he proposes to limit the right of voting to one particular constituency in the case of such a person . . . ."

THE HON. SRI B. GOPALA REDDI:—"I do not restrict at all."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"Is it suggested, Sir, that a graduate, teacher and local board member can vote for three people? (The Hon. Sri B. Gopala Reddi: 'Yes'.) But the Act says that no person shall be entitled to be registered in the electoral roll for more than one constituency . . ."

MR. CHAIRMAN:—"Perhaps it is meant 'in the same electoral area'."

THE HON. SRI B. GOPALA REDDI:—"Sir, they represent different interests. A zamindar could vote as a zamindar and also as a commoner, according to . . . ."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"But this provision was not there."

THE HON. SRI B. GOPALA REDDI:—"Even then it was there."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"If that is the case, as the hon. Member, Mr. Adityan has said, a person will have right to vote in three or four constituencies. It certainly does not seem to be fair to provide for such a method of voting whether it is the Legislative Assembly or the Legislative Council . . ."

MR. CHAIRMAN:—"It relates to the Legislative Council only."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"Whatever our discussion, it is more or less, if I may say so without disrespect, theoretical and academic and nothing is going to happen by way of change to the proposals placed before the House. My Friend, Mr. Govindacharyulu, I am sorry to say, will have to wade through rivers (laughter) and often ride roughshod through other constituencies to get into touch with his constituents and I hope

he will, while doing so, canvass for some friends in those constituencies also (laughter). Though the proposals were brought forward in a great hurry and have been subject to a great deal of criticism, I still wish them well and hope that when the elections come, there will be smooth sailing.

"Then, Sir, with regard to qualifications, as the hon. Member, Mr. Ranga Reddi has stated, those who have been crying hoarse, have been considered to be undemocratic. But democracy will come as it has come with regard to other conditions of life in our very methods of thinking. Everybody will agree that a day will come when it will be seen that those who cried hoarse were hoping for the millennium to dawn with adult suffrage."

Janab K. Uppi rose to speak.

MR. CHAIRMAN :—"I hope the hon. Member is seconding the amendment though late."

JANAB K. UPPI :—"Yes, Sir, I rise to second the amendment. As regards my party's opinion about the proposals, it has been already placed before the House. All that I wish to point out and emphasise is that the proposals of the Government have spoiled the chances of a candidate to influence the electorate—I do not mean any party and I make this clear—as many of the firkas have been divided so as to form two or three constituencies with other areas. Sir, this is a secular State and those who were responsible for the framing of our Constitution wished that all shades of opinion and all interests should be represented in the future legislature of the State. But these proposals have flouted that principle and I take this opportunity of requesting the Hon. the Minister in charge to rectify the defects contained therein. Our discussion is not to be treated as a mere post-mortem examination if there should be real representation of the people's interests, especially so far as Muslims in our area are concerned.

"The second point I want to make is with regard to plural-member constituencies. In Malabar I find there is provision for a seat for Harijans and in this case the number voters is double that of a single-member constituency. It is indeed a misfortune that the candidate in such a constituency will have to canvass votes in a place where he need not otherwise canvass but for the reservation of seats for the Harijans. In a single-member constituency, one man is to represent 145,000 people but in the area where there is reservation of a seat for the Harijan candidate, canvassing will extend over double the area. For instance, let us take the Ponnani constituency where there is reservation for Harijans. The candidates there will have to cover a population of 292,000 whereas in the neighbouring constituency Nattika, it would suffice to cover 145,000 people. Then there is the Alathur constituency with a population of 307,000. Here also the candidate for the general seat as well as the candidate for the reserved seat will have to cover double the population of a single-member constituency. I hope the Hon. the Minister for Finance will enlighten us as to the principle involved in such a provision. These are the

points, Sir, which I want to place before the House for the consideration of the Government and all other points which I thought I should place before the Government have already been covered by my hon. Friend, Mr. Ibrahim."

* JANAB ABDUL LATIF FAROOKHI :—"Mr. Chairman, Sir, you will remember that when there was a discussion on delimitation some time ago in this House, I moved an amendment to the Government proposals in favour of plural-member constituencies. As I pointed out then, the initial mistake committed by the Government was that before the Legislature could have a chance to consider the proposals, the Government forwarded them to the Election Commissioner and later on now they have come before us for the ratification of the same. If they had only taken this House and the other House into their confidence before submitting their proposals to the Election Commissioner, they could have very well avoided these criticisms . . ."

MR. CHAIRMAN :—"There must be something on which to have discussion. Without any proposals for delimitation, how can we have discussion on the question? I think the discussion in the other House has had some effect and I understand—that is what the newspapers say—that the Government are going to modify their proposals with reference to the views expressed by the Members."

JANAB ABDUL LATIF FAROOKHI :—"If the Government are now prepared to yield to reason, if wisdom has dawned upon them, it is good for all of us. The Government have now come forward with proposals for delimitation at the fag end of the term of the Legislature and in doing so they have not kept in view various interests that are affected by their proposals. The one particular interest which the Government have ignored is the interest of minorties. I do not think that if a certain number of Muslims or Christians or any other persons representing religious minorities are returned to the Legislature, that will bring about a change in the Government. I do not mean that we should be communal-minded but what I mean is that if such minorities are allowed to have representation in the Legislature, they will be in a position to influence the other political parties there from a purely political angle of vision and not from a communal angle. After all, we are not so blind to realities as to feel that by getting representation in the Legislature we can upset the whole system of administration or we can oust the party in power from office. If we can join the minority parties in the opposition then we will be able to influence the decisions of the Government effectively and that is what I am anxious about. In any democratic form of Government, there should be opposition without which there cannot be a healthy administration. The other day, the Deputy Prime Minister of India said in Hyderabad—I do not know in what connection he made that statement—that we were in an infant stage of democracy and democracy in an infant stage could not brook any opposition. I quite agree that criticism or opposition without the power to influence the majority party is of no

use. But that position cannot sustain for a long time. In any democracy there must be opposition whether it is infant or otherwise, whether it is under five years of age or fifty years old. I am sure the Deputy Prime Minister, a man who can understand things in their proper setting, would not have visualised the possibility of there being no opposition party against the Congress.

"Then, Sir, there is another point to which I would like to refer. You will remember, Sir, that before the Constitution was framed, there was reservation of seats as well as separate electorate for certain minority communities. The framers of the Constitution decided that this should be given a go-by, the reason perhaps being that the secular State they contemplated warranted it or at that time feelings in the country ran high. The leaders, therefore, felt that such a thing should be nipped in the bud and reservation of seats except for Harijans must go right from the beginning.

"Having given up reservation of seats for the minorities do they contemplate that the minorities should not at all have a scope or a chance to come into the elections? If you want the minority communities to come into the elections then the best possible thing that can be done is that the constituencies should be so arranged that the members of the minority communities could get themselves elected. Have you done that in your delimitation proposals? I ask the Hon. Minister for Finance honestly to keep his hand on his heart and say whether he had seen to it that the constituencies were so delimited as to give an opportunity to minorities to get themselves elected. That has not been done. Therefore my submission is, there is still time for the Government to do it. Wherever you find constituencies, places or areas where a particular minority community predominates, such places or localities in the State might be clubbed together to enable a member from that particular minority to get himself elected. He need not necessarily be purely elected on a communal ticket or communal basis. There may be members of the majority community also in that particular locality. But give the minority community in that particular area a chance. Supposing in that particular area even if there are 40 per cent of Muslims and 60 per cent non-Muslims, it is possible for a Muslim candidate standing in the constituency, to win the confidence of the non-Muslims there. If that be the case you will give an opportunity to a member of the minority community to get himself elected and the minority community will feel that you have not neglected its claim.

"Now, Sir, as I said, while you have scrapped the opportunity for the minority communities to get themselves elected by abolishing the reservation of seats you can through this means give an opportunity to them to get themselves elected. By doing so you will be creating healthy precedents. You will be creating opportunities for them, not only for them but members of other minority communities will place confidence in you. I really appreciate the point that was placed before the House by the hon. Member Mr. Lakshmanaswami Mudaliyar. Once I went to South Arcot district in connection with the District Food Committee meeting

of which I happened to be a Member. I went there during the municipal elections. I found several Congress candidates were defeated and members of other parties were elected even though all of them happened to belong to the same community. It was not a question of community, Hindu or Muslim. Even among other communities there are sub-communities and sub-communities, wheels within wheels in the caste system. So, Sir, we cannot altogether ignore all these factors and simply jump to the conclusion that if we have framed a Constitution it is all non-communal, it is national and that people should look at it only from a national point of view. Gradually we have to accustom people to that way of thinking. Ours is a new democracy. Ours is a new independence. We are under a Constitution in which we have entered from a different situation altogether. We cannot completely ignore and forget our past. The past is reminding us. You have to make us forget the past. If you want to do that you must create conditions in which people should feel secure in your regime. I, therefore, feel that it is necessary that the Government should revise the delimitation proposals and see to it that opportunities are given to members of all communities, to members of all political parties, not only communities but political parties also, to get themselves elected. I need not mention names of parties here; political parties which may be feeling that on account of certain limitations that you have placed, on account of certain barriers and obstacles you have created by these delimitation proposals, they will not be in a position to get themselves elected. I, therefore, submit that the Government will take into consideration the views expressed by both the Houses of Legislature and will see to it that all reasonable suggestions made by the Members of both the Houses are taken into consideration and given effect to."

* SRI M. NARAYANA MENON :—"Sir, I want to make certain statements so far as Malabar is concerned in the first place. As I went through the proposals of the Delimitation Committee I thought there was only one defect so far as Malabar was concerned and that was in respect of the number of seats allotted. Now, I understand that as a result of the discussion in the Assembly that difficulty has been removed and one more seat has been given to Malabar so far as the Assembly is concerned. (Interruption.) If I am not so sure of it then I must express my opinion that so far as the number of seats go by population and not merely by area or extent, then you have certainly omitted to show the necessary fairness so far as Malabar is concerned. I do not want to dwell upon it at great length. I was referring to the number of seats allotted to the Assembly and not to the Council. I remember we are given ten minutes time. I do not want to ask for more.

"Then with reference to this amendment placed before this House, I am surprised that at this juncture, after the 26th January 1950, an amendment is placed before this House so as to revive the old feuds which we are trying to forget. We had previously separate representation for Muslims and so on. Now that

representation is gone. Now we are getting the general election in which any member of any community may stand and win. In these elections persons belonging to various parties are chosen, the best of them, and placed before the electorate. In the election somebody wins. It may be a Christian, a Hindu, a Muslim or a member of the Buddhist community, and so on. An election takes place and the proper man is chosen whatever may be his community, caste or creed. Such a position we wanted to have. We had it. But somehow or other by the Statutes of the British Government we lost our original rights and now we reap the result of it. I need not mention the bitter fruits we had eaten and we do not want to eat them any more. Therefore, I strongly oppose what is mentioned in the amendment before this House, because if a certain area occupied by a minority community is taken aloof and constituted into a separate constituency the result would be, the members of the other community may not have any chance. This ought not to happen especially in Malabar. We had so many Hindu-Muslim quarrels and riots. In 1921 we had a quarrel or a rebellion, whatever it is. Some of us may not be able to forget it. We are compelled to forget it. Hereafter we do not want it. Now, therefore, if the Hindu and the Muslim communities have to live together, they must mingle together and with sympathy for each other. I am sure every Muslim will show as much sympathy to the Hindu as the Hindu shows to the Muslim. Thus in course of time the two communities would remove the acrimony in their life and behave as brothers. We will thus evolve a community, which will be a community each one of us want to have, not on the basis of religion, not on the basis of caste and so on. That is the community we want. (Interruption: 'Indian Community.') Therefore what I say is that the Malabar Muslims need not be sorry for the delimitation proposals, that they are not separated and kept aloof and given separate seats for the Council or the Assembly. What I would tell these minorities is that they should not remain aloof or remain adamantine. They should be generous and sympathetic to all the people and thus evolve that community which we want. Then the persistence even now observed in our Legislatures of discussing on the basis of the minorities, I think, should be avoided. All these minority communities should forget that they are different from the other communities. We are not going to have any religious discussion here at all. You may be a Hindu, I may be a Muslim, Christian or whatever it is. We shall not discuss religious questions here. We discuss politics, economics, and so many other things here which have nothing to do with religion. So the minorities are not going to lose anything by not having a separate constituency from the rest. (Interruption.) We are going to forget minorities and majorities so far as religion is concerned. That is our object. On the other hand what you want to emphasise is that there should be separate constituencies for the Hindu community, or the Buddhist community or the Christian community. We want to forget it altogether. Your religion may be anything and my religion may be anything. But when we come to politics, the Government of the country, education and so many other

things, we are all one, not having anything to do with religion in all these matters. Therefore, I say this amendment is not proper. It is not a question of religion. Every man must live well and fare well. That is our view. Therefore we do not want the thin end of the wedge leading to a future claim for a separate representation, in a manner not openly expressed but secretly contemplated. I, therefore, oppose the amendment.

"Then there are one or two matters like the qualification of the candidates. Now we are going to have adult franchise comprising all those people who know and those who do not know. All will be there giving the vote. That is a different matter. But those who conduct the administration in the Legislatures, those who do business in the Legislatures, the law-makers, they must be people who are well educated and men of eminence. Such men must come here. Therefore, with a view to the fair, good, effective and efficient administration of the country through the Legislatures you must always choose the best men available whatever may be the creed, caste and so on. It is only then that you will have proper administration. Otherwise you are bound to suffer. Therefore qualifications are certainly necessary for candidates and I very much agree with the hon. Members who expressed the view that qualifications for candidates must be prescribed. It is our duty to recommend it."

THE HON. SRI B. GOPALA REDDI:—"What are your views about qualifications?"

* SRI M. NARAYANA MENON:—"I want that qualifications for candidates must be prescribed." 4 p.m.

THE HON. SRI B. GOPALA REDDI:—"Must they be graduates?"

* SRI M. NARAYANA MENON:—"We must have men of knowledge and men of study, men who can do efficient work in the Legislature."

THE HON. SRI B. GOPALA REDDI:—"How will you put it in the law?"

* SRI M. NARAYANA MENON:—"The better way in the circumstances is to say that he must be a graduate. That is my point. Generally they will be able to put in efficient work."

AN HON. MEMBER:—"Honesty?"

* SRI M. NARAYANA MENON:—"There is no way to find it out. There may be dishonesty behind what appears to be polite and there may be considerable honesty behind what appears to be crude. Anyhow, we will take it that every man is honest. But it is not the case that every man is a graduate. That is why I say he must be a graduate.

"Sir, there is one other matter which ought to be carefully considered, and that is with regard to the voting for the seats in the Council. One gentleman may have three or four votes. It may

[Sri M. Narayana Menon] [9th October 1950

appear at the outset to be a little unfair, but we cannot avoid it, because in a graduates' constituency a man may have vote as a graduate. The member elected represents the group of graduates. You go to the district boards and municipalities and there the member represents the district boards and municipalities. That is a different group having different functions. There is another group of teachers also. These various groups have to be represented. All those belonging to the various groups will have to be given the right to vote. Though at the very outset it may look unfair, when we consider the matter with reference to the work they are to do, namely, the representation of the various groups, we may say fairly well that the position given is correct.

"Another thing with regard to which there has been much discussion is the single-member constituency versus plural-member constituency. I think the discussion will go on for ever so long as democracy remains. In both there are certain virtues and in both there are certain vices. As the hon. Member has put it, sometimes it is better to have some constituencies as plural-member constituencies and some constituencies as single-member constituencies. We may mix them up."

SRI S. A. S. RM. RAMANATHAM CHETTIYAR:—"கனம் தலைவர் அவர்களே! தொகுதி நிர்ணய திட்டத்தை சர்க்கார் தயாரித்திருக்கிறார்கள். அதில் தஞ்சாவூர், திருச்சிராப்பள்ளி, தென் ஆற்காடு ஆகிய இந்த மூன்று ஜில்லாக்களுக்குமாகச்சேர்ந்து ஆசிரியர்களுக்காக மூன்று ஸ்தானங்கள் கொடுக்கப்பட்டிருக்கிறது. இந்த ஜில்லாக்களுக்குமாகச்சேர்ந்து 3 வாத்தியார் ஸ்தானங்கள் கொடுக்கப்பட்டிருப்பதை ஒவ்வொரு ஜில்லாவிற்கும் தனித் தனியாக ஒரோரு ஸ்தானம் கொடுத்துவிடவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். எனென்றால் இப்போது மூன்று ஜில்லாக்களுக்கும் சேர்ந்து மூன்று ஸ்தானங்கள் என்னும்போது அது ஒவ்வொரு ஜில்லாவிற்கும் ஒரேஒரு ஸ்தானம் என்றுதான் அர்த்தமோ என்னமோ, எனக்கு சந்தேகமாக இருக்கிறது. அது இன்னும் விளக்கமாகவே இருந்துவிட்டால் நல்லது அப்படி இல்லாவிட்டால் இந்த மூன்று ஜில்லாக்களுக்குமாகச்சேர்ந்து ஓட்டு சேகரிப்பதற்குள் மிகுந்த கஷ்டம் ஏற்படும். இப்போது அந்தந்த ஜில்லாக்களிலேயே ஓட்டு சேகரிப்பதற்குள் 5 ஆயிரம் ரூபாய், 6 ஆயிரம் ரூபாய் தேர்தலில் நிற்பவனுக்கு செலவழிந்துவிடுகிறது. ஆதலால் இந்த வாத்தியார் ஸ்தானங்களைச் ஜில்லாவுக்கு ஒன்றுசச் செய்துவிடவேண்டுமெனக் கேட்டுக்கொள்ளுகிறேன்.

"இரண்டாவதாக இந்த தொகுதி நிர்ணய திட்டத்தில் மைனாரிடிகளாகிய முஸ்லீம்களுக்கு ஏதோ தீங்கு இழைக்கப்பட்டுவிட்டதாகக்கூறுகிறார்கள். அது மொட்டையும் தவறு. நமது தேசத்தில் மைனாரிடிகள் நிம்மதியாகவும், எல்லாவித உரிமைகளுடனேகூட வாழ்ந்துவருகிறார்கள். ஆனால் நேற்று பாகிஸ்தானின் மந்திரி சபையிலிருந்து விலகிய ஸ்ரீ. மண்டேலுடைய அறிக்கையைப்பார்க்கும்போது பாகிஸ்தானில் மைனாரிடிகள் ஹிந்துக்கள் அடையும் கஷ்டம் கொஞ்ச நஞ்சமல்ல ஹிந்துக்கள் பலவந்தமாக மதம் மாற்றப்படுகிறார்கள். இல்லாதுபோனால் அவர்கள் அழிக்கப்படுகிறார்கள். ஆனால் இங்கேயுள்ள மைனாரிடிகளாகிய முஸ்லீம்களுக்கு நாம் எல்லாவித சலுகையும் கொடுத்திருக்கும் போது அவர்கள் அப்படி செய்வது சரியல்ல. இதைச் எதற்காகச் சொல்லுகின்றேன் என்றால் நமது ஆங்கிலபேப்பர்கள் எல்லாம் இதை பிரசுரிப்பதால் அவர்கள் இந்த பேப்பர்களைப் படிக்கும்போது இங்கே மைனாரிடிகளுக்குக் கொடுக்கும் சலுகைகளைக்கண்டு அவர்களும் மனமாற்றம் அடையலாம் என்பதற்காகத்தான் சொல்லுகின்றேன். இதை ஆங்கிலப் பத்திரிகை ஒன்றுவிடாது பிரசுரிக்கவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன். மேலும் அங்கேயுள்ள ஹிந்து மைனாரிடிகளே நமது அதிகாரிகளும், மற்றவர்களும் காப்பாற்ற முடிந்தால் சொம்பவும் பிரயோசனமாய்

9th October 1950] [Sri S. A. S. RM. Ramanatham Chettiyar]

இருக்கும். எனென்றால் ஸ்ரீ. ஜோகேந்திரநாத் மண்டலுடைய அறிக்கையைப்படிக்கும் போது மிகதுக்கரமாக இருக்கிறது. எப்படியாவது மிக்க துன்பத்திற்குள்ளாகும் நமது ஹிந்துக்களைக் காப்பாற்ற நமது தலைவர்களும், அதிகாரிகளும் முயற்சிசெய்தால் அவர்களுக்குப் பலகோடி புண்ணியம் உண்டு என்று சொல்லிக்கொண்டு முடித்துக்கொள்ளுகிறேன்."

* SRI S. JAYARAM REDDI:—"Mr. Chairman, I want to stress one point. The hon. Member Mr. Narayana Menon said that the question of single-member constituency versus plural-member constituency will go on endlessly without any solution. My views are these. I have been telling the Hon. the Finance Minister that single-member constituencies will bring ruin to the State. So long as the community feeling is there, it is not going to work successfully. But he has been saying that in no constituency there is one single community predominating. Even in the highest quarters where the responsibility for the setting up of the candidates is going to be vested, they have been thinking in terms of setting up candidates of a particular community only in certain constituencies. That fact is there. We will have to take it into account. As Dr. Lakshmanaswami Mudaliyar said, in South Arcot, with all the strength of the Congress, we will not be able to defeat a candidate set up by the Vanniakula Kshatriya organization. That is a fact and such things will have to be taken into consideration when we carve out constituencies. If you want to develop well-defined political parties, my feeling is that the larger the area, the larger the constituencies, the better it is. Therefore there must be multi-member constituencies."

THE HON. SRI B. GOPALA REDDI:—"Also cumulative voting?"

SRI S. JAYARAM REDDI:—"Cumulative voting to safeguard the interests of the minorities. In our district of Ramanathapuram, we have been thinking of giving representation to Muslims. The difficulty is where to fix it. Already that problem has arisen in our district. We want to fix it in Ramanathapuram taluk, but a Caste Hindu gentleman is very anxious to come in there. He is filing his claim. He has gone to jail. He asks why it should not be done in another constituency. How are we to solve all these problems? That has become a problem for our leaders. I am simply saying this so that our Finance Minister will take into consideration all these things when he finalises the proposals. That is my submission, Sir."

THE HON. SRI B. GOPALA REDDI:—"Sir, we have had a sort of second reading discussion on the delimitation proposals of the Government. We had a fairly long discussion some time ago and I think what has happened to-day is more or less a repetition of the past discussions, though of course, as the actual delimitation proposals with regard to the districts were not available to the members on the former occasion, they had to confine themselves then to the general principles. This time, the general principles as well as the actual delimitation proposals have been before the House and hon. Members have expressed their views once again. Sir, though we have had an interesting debate and

various shades of opinion have been expressed, yet each member is sticking to his own views. I have not been able to convince the hon. Members on the Opposition, Mr. Ibrahim and Dr. Lakshmanaswami Mudaliyar, that single-member constituencies will usher in a new era of political sagacity, nor have they been able to convince me that, whatever might be the feelings in the country and whatever might be going on in other States, multi-member constituencies and cumulative voting will be desirable, especially to safeguard the interests of minorities. Each one is steadfastly sticking to his own views. That is but right. And we are trying to canvass support to our own views. The question of single-member constituency versus multiple-member constituency and distributive voting versus cumulative voting has been discussed at length and threadbare. It is not as though opinion is unanimous on this point. Large sections of the people of course are in favour of multi-member constituencies and cumulative voting. Even some important newspapers have been advocating that line of action. But what is happening around us in various other countries has to be taken into consideration. I know that what was done at Delhi or by the Election Commissioner is not mandatory and we will not be going against the provisions of the Representation of the People Act, if we adopt multi-member constituencies. They have only suggested, and they have every right to suggest, that particular line of action, that single-member-constituencies may be desirable and advisable and that we may therefore prepare a scheme on this basis. Perhaps it is open to the Government of any State to deviate from that usual procedure and suggest their own procedure. Whether it will be ultimately acceptable to the Government of India and the President, is not known to us. I did not say that the Uttar Pradesh proposal of having some single-member constituencies and some multi-member constituencies would not be acceptable to the Government of India. It may be accepted as a sort of experiment, because it is out of the run of the other delimitation proposals. Or it may be that Uttar Pradesh may be asked to fall in line with the other States and have single-member constituencies. As far as the Chief Election Commissioner goes, his information is that the Part A States of Travancore, Mysore, Saurashtra, Vindhya Pradesh, etc., have formulated proposals on the basis of single-member constituencies. Also the Part A States of Bihar, Bengal, Assam, Orissa, etc., have also adopted single-member constituencies. Uttar Pradesh alone has devised a new formula of having certain single-member constituencies and certain plural-member constituencies. It may be accepted or it may not be accepted by the Government of India. I do not know. But even there it is not cumulative voting, but distributive voting. The Hon. Sri G. B. Pant thought that even by adopting the distributing voting he would be able to see that a general candidate and a minority candidate were returned to the Assembly. That was the basis on which he formulated the proposals. But when he was asked specifically whether he would stand guarantee to the return of a minimum number of Muslims and Christians by that method to the Assembly, he said that he could not stand guarantee and that

it was up to the people to elect them; every effort would of course be made, but if the people still thought that they must vote only for Caste-Hindu candidates, he would not be able to get a certain number of Muslims and Christians returned to the Assembly. Therefore if you are only going to try an experiment by which you are not sure you will be able to get a decent number of Muslims returned to the Assembly, you do not achieve your objective by having some single-member and some multi-member constituencies. Therefore it was I thought that the Uttar Pradesh proposal was a real departure and I do not know what is going to happen to that. 4-15 p.m.

"Then again, Sir, we have been accustomed to the single-member constituency for some time now and though there are six or seven double-member constituencies, right from 1937 we have been accustomed to think in terms of single-member constituencies and the entire present Assembly, barring a few exceptions, is based on the single-member constituency system. Most of the proposals contained in the Constitution Act, have been modelled either on the British pattern or on the United States pattern and I am told that even in Soviet Russia they have now come back to the single-member constituency. We can leave alone Russia for the time being, but the British and United States model has been copiously copied in the Constitution Act. There is therefore no reason why we should not learn a lesson from what has happened in Britain and in the United States on this question. Of course, things are different here and we have the question of minorities. In the United States also there is the question of minorities, because there are a number of Germans, French, Spaniards and others and they have acclimatised themselves to new conditions and in one or two generations they have taken English as their mother-tongue. Yet, there are some people who think they have hailed from France, Switzerland, Spain and so on and they think in terms of their own interests. Therefore, it is not as though America is free from minority questions. Likewise, there is the question of Catholics and Protestants in some of the States, because Catholics come from certain States and Protestants come from other States and they have their own problems. In England also, though there is no question of minorities, there is the question of capital and labour and it may be they could have adopted multi-member constituencies, where a seat for labour is reserved in some industrial centres, but they did not think in terms of reserving seats either for political minorities, or religious minorities, or even for labour or any other interests. There, the general rule was that they should have single-member constituencies, so that the candidates might be in close touch with public opinion in those constituencies and can speak with a single voice with regard to the feelings and aspirations of the people concerned.

"Then, in other Commonwealth countries—we are also a Commonwealth country—in Australia for instance, or even in Canada, I think, the general rule is single-member constituency. So, there is a great advantage in the single-member constituency system; otherwise these advanced countries would not have tried

this experiment for such a long time. Even in France, I understand, they have come back again to the single-member constituency. Except, I think, Ireland—which was also previously in the Commonwealth—in no other country there is the system of proportional representation. (Dr. A. Lakshmanaswami Mudaliyar: 'What about Ceylon?') Ceylon has now a new Constitution and I do not know about the system there. But, under the Donoughmore Constitution, I know it was to be under the single-member constituency. And, after that country attained Dominion Status, they are formulating a new proposal under the new Constitution, according to which they have allotted single-member and plural-member constituencies. But, Sir, in all the other countries, they would not have adopted the single-member constituency system had there been no proportionate advantage.

"Now, Sir, under the multi-member constituency with cumulative voting, as I said on the previous occasion, the tendency for the candidate is to appeal on something else than on economic or political questions. For instance, a Muslim candidate will say to his voters, 'I am the only Muslim candidate, you have two, three or four votes, I want you to plump all your votes in my favour'. Is it desirable to continue in that strain, I ask? The hon. Leader of the Opposition said: 'We cannot forget the past; we are a new born State, a new born democracy and yet we cannot forget the past'. I say, Sir, is it necessary to remember the past which is replete with bitter feelings and which brought ruin to the country on the question of representation of minorities, or is it necessary to begin a new chapter by thinking of a new method of representation altogether? That is the point I want to ask the hon. Leader of the Opposition."

JANAB ABDUL LATIF FAROOKHI:—"I said we cannot forget the past, but we must try to forget it and in order to forget it, we must create conditions in which we may not again remember the past where people were not trusted by the majority community."

THE HON. SRI B. GOPALA REDDI:—"As far as I am concerned, I think, in our country there are many minorities and there is no majority community in the Hindu community, because the Hindu community is not a homogeneous community as such but a conglomoration of various homogeneous communities having been divided under the caste system. Therefore, there will be no constituency where there will be a majority of any community. Neither the Kapus, nor the Kammas nor the Reddies, will be in a majority in any particular constituency. So, it is a question of numerous minorities in the country. For instance, there are the Muslims, the Christians, the Brahmans and again there are in the Hindu community ever so many folds; and so we cannot be creating separate constituencies for each of them and sometimes it will be impossible to get all these people in the Houses of the Legislature. Therefore, Sir, there is no question of majority or minority here, but only the question of majority public opinion or minority public opinion. For the rest of it, I think, the sooner we forget it the better for us. You cannot altogether say, forget

the past. I may plead with the Hon. Leader of the Opposition and tell him, the sooner we forget the recent political past, the better for us all and it will also be safer to look to the surety and safety of the unborn future. Then, I think, everything will be well. Otherwise, you will be repeating what happened in the country since 1920 onwards and we will be seeing so many Hindu-Muslim riots everywhere and we will not forget the past. Therefore, Sir, we want to create a new era, a new psychology, so that people will not think in terms of Muslims, Christians, or in terms of majority or minority, except political majorities and political minorities. We cannot be creating separate constituencies to suit Vanniyakula Kshatriyas, or Kammas, Kapus or Reddies or separate constituencies for the Muslims in Malabar, or the Christians in Mangalore. It is impossible to do that. I think, we cannot be creating or devising systems to suit such minorities. As I said, there are no minorities under the scheme except political minorities. Therefore, it is better to concentrate on the single-member constituency, instead of saying, I am a Muslim, I am a Protestant and won't you return me. Another candidate will say, I come from Rayalaseema, or the Tamilnad or the West Coast and therefore, return me from the Graduates' or Teachers' constituency. I think, Sir, these are all things you must forget and rise above all such small things and concentrate on bigger issues. Shall we repeat the whole process of thinking from our own angle or from the sectional or sub-sectional angle or should be rise up and say, here is a State, we want to safeguard the interests of the State and the down-trodden and we shall not bother about anything else. That is the question you have to ask yourselves.

"Then, Sir, Dr. Lakshmanaswami Mudaliyar said, do what you like, but you cannot defeat the Vanniyakula Kshatriyas in South Arcot. It may be true. It may be that a Congress candidate in South Arcot can be defeated by the Vanniyakula Kshatriya candidate. But, that cannot be the criterion. Shall we not make an attempt in regard to the single-member constituency and ask people to take to a new method, or shall we allow them to think in the old groove and get into a sort of muddle? Therefore it is a question of opening up a new chapter in which they have given up all these weightages; otherwise they would have reserved some seats for women, for instance. They are not a communal organisation and they are not doing anything injurious to the interests of the country, but they themselves said, we do not want reservation. Then, labour also said—labour is still in its infancy in this country and they could have asked for reservation—they wanted no reservation for labour. Likewise, Muslims or Christians, no reservation for them also. The idea is that everybody can stand in any constituency he likes and be returned to the Assembly or the Council, provided he stands for the people, provided he endears himself to the people and provided he safeguards the interests of the people in the Legislative Chambers. So, that is the manner in which we will have to think. Otherwise, the hang-over of the past will be still on us and we will be victims of the past without being released from the tentacles of the past. I plead, Sir, let us go on with this experiment of single-member

constituencies. I know there are also difficulties in that system. Suppose, for instance, in the Madras Legislative Assembly, no Muslim or Christian gets elected and every one of the seats is captured by the Hindus, whether Congressmen or non-Congressmen—or majority or minority, except political majorities and political even a Congress Muslim is defeated by a non-Congress Hindu—and all the 375 seats are captured by the Hindus. What will happen is, immediately it will create a reaction. Every man, whether he be a Hindu or not, all advanced-thinking men will stop for a while and say, 'what is it you have done; you have formulated a Constitution and the whole thing is a secular State, you say,' you want to safeguard everybody's interests, but in the 1951 elections, what is it that has happened. In certain places, the Congress set up candidates, Muslims, Christians, very good people, well-qualified people and people who have done good service to the country, but because they happened to be Muslims or Christians they were defeated by the communal-minded Hindus. Therefore, something ought to be done. So, Sir, everybody will cry halt, and take a retrospect of the situation and then think alike. If such a contingency should happen and I do not believe it will happen—if necessary, they might amend the Constitution. After all, nothing precludes the leaders from changing the Constitution if such a thing is going to happen. Now it is a question of political parties; it may be the Socialist party; it may be the Hindu Mahasabhaites or any other party. Now that the Hindu Mahasabha has thrown open its doors to Muslims and Christians, my hon. Friend, Mr. Ibrahim, if he wants to contest, can join the Hindu Mahasabha. But, whatever it is, Sir, should not the political parties take courage in their hands to see that well-qualified people of whatever community who have endeared themselves to every community and not merely sectional interests are allowed a chance to exercise their influence on the electorate? Then, what is the interest you hold on the people if you adopt either a Kapu, or Kamma or a Reddi, in his own constituency. I do not want that political parties should be so narrow-minded as that; they should take courage in their hands and stand in any constituency under the single-member system. For instance, a Nellore candidate can stand in a Tirunelveli constituency, and it does not matter to which place he belongs. So also a Rayalaseema candidate may be set up for a Godavari constituency. Then only they can say that the Congress has influence over the masses. But the man in whom people have trust should be chosen. Therefore, I want the political parties, the Congress party, or the Socialist party or whatever the party may be, to adopt candidates from other places also. Then the question will arise whether a man in Madras can stand in a South Arcot or Coimbatore constituency. Coimbatore cannot say, 'you belong to Mylapore or Triplicane, why do you invade my constituency,' and so on. That is the way in which British electors set up candidates for their elections. I say that Dr. Lakshmanaswami Mudaliyar will be a jewel in any constituency in the State and he will be able to safeguard the interests of any constituency well and protect its interests. So, why not people from other places be asked to stand

as candidates in some constituencies. It may be a Madras man who may belong to some place like Purasawalkam or Vepery, but he can very well represent and safeguard the interests of the people of Malabar, or even the Muslims of Malabar, provided they have confidence in him. It does not mean that he should be localised to his own place or his own majority community. I think it is all a hang-over of the past, but I want the political parties to function in a different manner. Of course, I do not claim infallibility to this scheme; I do not say it is faultless; and I do not say there are no advantages in the other systems. I understand there was a system in Germany before Hitler came to power by which everything was allowed to function in a particular manner. But, here is a system which is well-known to all countries and it has been tried successfully in various countries like the United Kingdom and the United States. So, shall we not make an experiment with that and if you fail completely and if it is found that it has embittered the feelings of every section or a large section of the people, it is for the leaders to think of a new method or devise other methods. I think democracy can grow only by allowing people to commit mistakes, but I am convinced that our democracy in this country can only grow and it does not matter if mistakes are committed because people will learn only by their own mistakes. If they commit mistakes, they will be creating certain reactions and they are answerable to those reactions. Therefore, if no Muslim is returned to the Madras Legislature, it creates a reaction and then every thinking man will apply his mind and in the next elections they will take particular care to see that a certain number of Muslims are returned. I am sure, in the long run, with a long lease of life to democracy in this country, by allowing people to commit mistakes if necessary, we will be giving a surer chance to work democracy than these short-cuts and devices which are not real. I was thinking from that point of view. I still think that this is an experiment worthwhile trying and if it fails, as I suggested, we can devise new methods. 4-30 p.m.

"There are seven Muslims in this House including Mr. Ibrahim. I wish to ask what would have happened to the Muslim masses if they were not in this House. Nothing; their interests would have been safe in the hands of the majority. Hereafter under a system of joint electorate, I am going to say to every voter: 'I shall champion your cause' and I shall have to go and meet all voters, the Christian voters, the Muslim voters or even the Jew voters as I represent all sections of the people though I may be a Hindu. So, if the seven Muslim members were not here, nothing would have happened to the Muslim masses, so far as the Muslim masses are concerned. But Mr. Ibrahim's friends may be aggrieved that he is not here and he may not be coming to Madras very often and somebody else may not be calling himself an M.L.C. or M.L.A."

MR. CHAIRMAN:—"Then there will be no Wakf Bill either."

THE HON. SRI B. GOPALA REDDI:—"I would have then sponsored the Bill because I represent the Muslims also and I canvassed Muslim opinion on my side."

JANAB K. T. M. AHAMED IBRAHIM :—" He may have the mind, Sir. But he must be able to understand the view point of the minorities."

THE HON. SRI B. GOPALA REDDI :—" It is not merely by listening to the speeches that I understand the mentality and the views of Muslims; it is by endearing myself to the Muslims when I go and canvass and contact my constituency. It does not matter if Mr. Ibrahim is sitting here or not, provided Muslim interests which are paramount are safeguarded. I do not think the Muslim interests, even though they are not adequately represented in the House will be sacrificed or will be lost sight of. Every candidate who is going to stand for election will have to go and canvass support from one and all in that constituency and he is answerable to the enlightened people in the constituency irrespective of their caste, creed or religion and he will safeguard all their interests and even if he is not a Muslim, the Muslims will certainly go to their representative whether he be Hindu or Muslim and represent matters to him asking him to speak to the Ministers about their grievances or to speak to the Deputy Collector about certain things and get their grievances redressed and see that things are not done against their interests. That ought to be the manner in which people's interests should be safeguarded and not merely by Hindus representing Hindus, Muslims representing Muslims and Christians representing Christians and so on. That is not the way in which democracy is to be nourished and looked after. As observed by Mr. Narayana Menon, discussions can go on, volumes can be written, conferences may be called and committees may go into the question but every man, I think, will stick to, his own view. If the system of single-member constituency fails and if people commit the mistake of not returning minorities, it will certainly have a reaction in the minds of the people that they cannot leave large sections of the people aggrieved. In that view of the matter, it is better to allow democracy to run its course so that it will carry with it its own mistakes and its own remedies and it is only a question of time and that time must be allowed for the successful functioning of democracy.

" Mr. Chairman, Sir, if I answer the points raised by my hon. Friends Mr. Suryanarayana Rao and Mr. Ibrahim, I suppose I would have covered almost every point that has been raised in the debate."

MR. CHAIRMAN :—" What about the points raised by Mr. Govindacharyulu; are you not answering them?"

THE HON. SRI B. GOPALA REDDI :—" Mr. Govindacharyulu has gone into meticulous details and these may be looked after by the Committee and I shall only address myself to the general issues.

" District, taluk and firka boundaries should be kept intact; that is the point that was raised by my hon. Friend Mr. Suryanarayana Rao. We have kept intact the district boundaries in the case of the State Legislature constituencies but out of 1,200 odd firkas we were obliged to split up about 42 only; we tried to

minimise it as far as possible but we could not avoid it. Taluk was not taken into consideration at all, firka as far as possible was tried and the district was to be kept up. That was the position.

" Mr. Ibrahim's contention was: why this variation; you go down to 125 and sometimes you go up to 165; why not restrict yourself to 145 thousands? And there is the other point of view that the firkas should be kept up. Sri S. B. Adityan suggested that delimitation should be done on the basis of homogeneity of the people, note should be taken of economic factors, the nature of the soil and other things. What did he say?"

MR. CHAIRMAN :—" Fertility of the soil."

THE HON. SRI B. GOPALA REDDI :—" I think we cannot take all those things into consideration. Also Dr. Lakshmanaswami Mudaliyar was trying to make out that 75,000 in the City may mean one thing but 75,000 in Ramanathapuram may mean another thing. But how can you take all those things into consideration? Shall we take distances into consideration and say that irrespective of the population an area of 60 miles by 30 miles or 40 miles shall form a constituency? That is one way of doing it. As a matter of fact, I thought that Mr. Ranga Reddi would have done better if he had gone on the square mile basis: that would have got him more seats. I do not see any objection to it. Madras has an area of 27 square miles; it does not matter; it may come into another constituency of 60 miles by 40 miles; that is one way of doing things. But we cannot go into homogeneity of the population. I do not think there are any Burmans, Russians or Japs here; after all we are all Indians, we are the same people, the same Dravidians or whatever it is and so, we cannot go into the question of homogeneity nor into economic factors. One man is rich but another is poor; One is a zamindar and another an under-tenant and thus, economic factors vary from individual to individual and so, I do not think we can take that into consideration. Likewise communications. Wherever there are proper communications, we try to put a firka as a constituency in the particular Tahsil. But I should say, Sir, that communication is not a very difficult matter. If at all, it is not the public that will be put to any sort of inconvenience but it will be the candidate. People are not going to travel from Narasapur to Amalapuram to cast their votes; each village with a population of 1,000 will have a booth and people need not cross four or five rivers and they need not swim, sail or sink. It is the candidate that will be put to convenience. He may have certain facilities in the City but in some other places, in Wynaad or the Nilgiris, the areas are forest and jungle areas and he will have to travel long distances to meet his electors. Therefore, Sir, ultimately our criterion is the people and not the area in square miles or economic factors or other considerations. That is the safest method of delimiting constituencies.

" Two views have been expressed regarding population. One view has it that we must stick to 145,000. Yes, it is possible

and I can do it. If hon. Members want me to have no variations at all, to split up firkas—it does not matter to split up even villages but give a constituency with a population of 145,000, it can be done. But having regard to how it could be accomplished, we thought why we should be so meticulous about the maximum of 145,000 and therefore, we wanted that the variations should not be more than 20,000 (twenty thousands) both ways so that the difference in between will be 40,000. While we fix the number of district seats, we take the district population into consideration; sometimes, it comes to 88·6 seats and then we give it 9 seats; supposing it came to 9·4, we gave it nine seats. Then the number of the population for one seat is worked out and that accounts for the variations and so, Sir, these things are inevitable. While some may get 150, 155 or 160 thousands there may be others which may get 125, 130 or 140 thousands. But if you want that without any consideration for villages or firkas, these being liable to be split in order to make one seat possible for 145,000, we can do it but we thought it was not desirable. In the State Legislature Constituencies, we tried to keep the district and the firkas. For the House of the people, the range is from 625,000 to 750,000 and Mr. Sen will not allow us to have it even at 751,000 and it will have to be reduced to 749,000 or 750,000 and taking that as the maximum and clubbing five constituencies of the State Assembly into one, the parliamentary constituency has been formed; it is not for the purpose of suiting anybody; it is not as though we wanted to split up firkas or taluks or murder or ravage them. Just we wanted to conform to rules and we did that in that manner. Taking the question of firkas, might it not be possible, Sir, that a firka might go to another taluk; it might be so arranged by the Board of Revenue and they may change it even without consulting this House; there is no sanctity or sacredness about firkas, which are after all units of administration. It is true, however, that we develop our own loyalties and people from the same taluk in the same State very often devise methods of doing good work for the people with the firka or the taluk as the basis. But I think that should not be made the paramount consideration. In regard to the delimitation of constituencies, what I plead is that the interests of the people must be protected and other things must follow and not take supremacy over them.

"Then, Sir, regarding urban constituencies, it has been asked: why urban constituencies should be kept apart and what is the sacredness in contiguity and why not club some municipalities and give them a seat? Mr. Ibrahim put forth this view. But Mr. Suryanarayana pleaded that urban constituencies should be kept apart because their interests are separate and they must be able to return some candidates. But I submit, Sir, that we went by Article 170 (3) which says—

'The ratio between the number of members to be allotted to each territorial constituency in a state and the population of that constituency as ascertained at the last preceding census . . . shall so far as practicable, be the same throughout the State'.

Having this in view, namely, the words 'as far as practicable', if we go outside 125,000 and 165,000, there will be very big and very small constituencies and it will not be desirable. Further the ratio must be uniform and we cannot have one ratio for Rayalaseema and another for the Circars and quite another for the Tamilnad or the West Coast. It must be uniform and what is good for Malabar must be good for Rayalaseema or the Circars and we cannot deviate from this rule. It is a mandatory provision and there is no escape from it. Some people said: Why not 5 lakhs for the House of the People and 75,000 for the State Assembly? I must submit, Sir, that this article stands in the way of such a course being followed. It was amply discussed in the other House whether the Sri Bagh Pact could not be honoured and whether Rayalaseema should be given a little weightage. Let me point out, Sir, that Article 170 (3) has been put in after very deep consideration; they did not recognize any backwardness or forwardness, political, educational or economic backwardness; it does not matter; it is the people that count and whether they are backward or forward, the same rule must be applied.

"Now if you want the population basis to be altered; if you want representation for every five hundred of population, or for every six hundred or seven hundred or even eight hundred of the population, then, I am afraid you will be asking for 500 seats in the Assembly. For it is that figure that will be come to if that population basis is adopted. But what have we got in the Act for the State Assembly? We have got only 375 seats. So when that number alone is available, how can we ask for five hundred seats. We cannot but adopt that rule of having one seat for every 145,000 people. When the Constitution Act has given that basis, we have only to adopt that basis. We cannot adopt any other basis. Now, it is on that basis the Nilgiris has been given representation; it is on that basis the Rayalaseema districts have been given representation, and it is on that basis the Agency area also has been given representation. Now, the House should remember hat even for the Agency area we have got the same population basis as obtains for the other districts in the presidency though its area is large, though it is geographically more extensive than the other districts in the province. All the same we have kept up the principle of contiguity. In the case of urban areas we shall try in certain individual areas to take this principle of contiguity to the extreme logical end, wherever a large population exists. In the proposed revision of these proposals wherever possible we see that such big constituencies like Coimbatore and Mathurai are given separate representation. But all the same, in all these cases, the population ratio should be uniform as fixed by Article 170 (3) of the Constitution Act. But, where it is not possible to give them separate representation, we shall try to attach to them a contiguous rural population and thus try to give them separate representation. 4-45 p.m.

"Then, Sir, Mr. Ibrahim and Mr. Uppi Sahib suggested that a separate constituency might be delimited for the Reserved Harijans or Scheduled Tribes instead of making their constituency extend to more than one general constituency. I think that is

what they said, and I hope they would correct me if I am wrong. (Mr. Ibrahim and Uppi Sahib nodded their head in the affirmative.) Yes, they said why not create a constituency for them separately instead of putting them to the disadvantage of canvassing in a double area, by having to go long distances to canvass votes, They said, 'why not you reserve a constituency for them?' Now, Sir, what is contemplated in the Constitution Act is reservation of seats and not reservation of constituencies for Harijans and Scheduled Tribes. I shall explain that point in detail a little bit. Now, Anantapur taluk is a single-member constituency. It is a general seat. If it is reserved for Scheduled Tribes, all the other people in that constituency cannot stand for election; only Harijans and Scheduled Tribes people can stand for election in that area. The Muslims, Christians and Hindus cannot stand for election. They will have therefore no representation at all. They may be able to participate in the election by voting for whichever Harijan candidate they like; but will not be able to choose a candidate for the general seat. In fact, the general seat will be denied to that constituency. Thus, under this arrangement a non-Harijan or non-Scheduled Tribes man cannot stand for election in that Anantapur constituency. Now, if you want to give them also representation, you shall have to give another seat to them."

JANAB K. T. M. AHAMED IBRAHIM:—"Why not have that constituency for a population of 150,000."

THE HON. SRI B. GOPALA REDDI:—"Yes, in that case, I take it, 20 per cent of the population would be Harijans and the remaining 80 per cent would be non-Harijans, and what will happen is, that twenty per cent of the population will get one seat, and the remaining eighty per cent of the non-Harijan population cannot stand for election, though both Harijans and non-Harijans are entitled to take part in the election?"

JANAB K. T. M. AHAMED IBRAHIM:—"Why not a double constituency?"

THE HON. SRI B. GOPALA REDDI:—"That again is wrong. When you concede one seat for every 145,000 population, now, if you are going to have a double constituency, what will happen is, you are going to give two seats for that constituency, and that means you are giving a representation of two seats for 290,000 population, and that constituency will have a double weightage at the cost of other constituencies. Now, why should that particular constituency have such a weightage? If you want to reserve a seat for the Harijans you will have to take 290,000 of the population as the basis. But, suppose in a single-member constituency of 145,000 population, if you give a double seat, a general seat and a reserved seat, it will mean that particular constituency will have two seats while the neighbouring constituency will have only one seat, and that would be deemed to be a sort of weightage."

"Now, regarding the graduates and teachers' constituency for Rayalaseema, the Hon. Member, Sri Suryanarayana Rao said that he had some correspondence with me asking me to give more representation to the Rayalaseema districts. Even though I wanted to help Rayalaseema in any way, I could not do it, as the Constitution Act stood in the way. There was the other criticism made, 'why not have the whole State as one large constituency for democracy to function.' But Government have considered it desirable to split this State into two areas constituting the Telugu speaking areas into one constituency. That is, the Circars and Rayalaseema will have their own people. Instead of having one constituency from Srikakulam to Tiruchendur, this State has been split into two constituencies. Otherwise the candidates will have to travel the whole State to canvass votes. Now, the Tamil districts can choose their candidate and the Telugu districts their candidate. Now, in what I am doing, irrespective of the fact that the Rayalaseema may be in a minority in respect of population, under the system of proportional representation fifty per cent of the seats they will get, while otherwise they will get only slightly over one-third of the seats. Even if the Circars people have got 67 per cent of the population, the Rayalaseema candidate is bound to succeed. I have every belief that under the Teachers' and Graduates' Constituencies ultimately one Rayalaseema and one Circars candidate cannot but be elected under this proportional representation with single transferable vote. Otherwise both the seats will go to the Circars. In this connection it was asked why the Sri Bagh Pact was not given effect to. Sir, the Sri Bagh Pact was discussed at length by the Congress members of the Constituent Assembly. Dr. Pattabhiramayya did his best to canvass support for it. He explained to the members the circumstances that led to that pact. He argued in detail the case of the Rayalaseema; he showed to the members by facts and figures how Rayalaseema would suffer if the terms of the Sri Bagh Pact were not carried out. He pleaded for special consideration being shown to Rayalaseema. I was present during this discussion. But Pandit Nehru and certain others would not agree to give effect to that pact. For they said, it was against the principle of 'equal opportunities being offered to all.' It was feared that if Rayalaseema's claim is conceded to-day, perhaps, to-morrow the Himalayan areas may claim weightage, and the next day the Agency areas may claim weightage on the ground of backwardness. So, Sir, they refused to give weightage on the ground of backwardness or forwardness. Article 170 (3) is definitely against the Sri Bagh Pact. Otherwise, Sir, we would have given more seats to Rayalaseema. But I think it is fair they should not claim weightage that because they are backward, because their area is malaria-ridden, therefore five more seats should be given to them. So, Sir, let us not talk in terms of weightage. If they have more voters, if they have more population, then they can claim a greater proportion of representation. So, here is an opportunity for them to increase their population. (Laughter.)

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

Bills as passed by the Assembly and received therefrom in the Council—

1. *The Madras Stamp (Second Amendment) Bill*, 1950 (*L.A. Bill No.* 26 *of* 1950).

2. *The Madras Hereditary Village-offices (Amendment) Bill*, 1950 (*L.A. Bill No.* 27 *of* 1950).

3. *The Madras Aided Institutions (Prohibition of Transfer of Property) Amendment Bill*, 1950 (*L.A. Bill No.* 28 *of* 1950).

APPENDIX I.

[Vide answer to starred question No. 33 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 9th October 1950, page 426 supra.]

SCALES OF PAY OF THE INDIAN POLICE, INDIAN POLICE SERVICE AND MADRAS POLICE SERVICE.

I. Indian Police.

Junior scale—Rs. 350—25—700 *plus* Overseas pay Rs. 100—125 in the fourth year, Rs. 150 or £15 from fifth year, Rs. 250 or £25 from ninth year, Rs. 300 or £30 from fifteenth year.

Senior scale—Rs. 650—25—750—50—800—25—850—50—900—25—950—50—1,000—E.B.—1,050—1,050—1,100—1,100—50—1,350 *plus* Overseas pay Rs. 150 or £15 from fifth year, Rs. 250 or £25 from ninth year, Rs. 300 or £30 from fifteenth year.

Selection grade—Rs. 1,450 *plus* Overseas pay Rs. 300 or £30.

Deputy Inspector-General of Police—Rs. 1,950—50—2,150 *plus* Overseas pay £13-6-8.

Inspector-General of Police—Rs. 2,500—125—3,000.

II. Indian Police Service.

Junior scale—Rs. 350—350—380—380—30—590—E.B.—30—770—40—850 (nineteen years).

Senior scale—Rs. 600 (sixth year or under)—40—1,000—1,000—1,050—1,050—1,100—1,100—1,150 (in the twenty-second year).

Selection grade—Pay Rs. 1,250.

The Government of India's orders regarding the scales of pay for the Deputy Inspector-General of Police and Inspector-General of Police in the Indian Police Service have not yet been received.

III. Madras Police Service.

The scale of pay prior to the general revision of the scales of pay of the Provincial and Subordinate Services with effect from 1st January 1947—

Rs. 220—30/2—310—40/2—350—50/2—600.

Probationers in the Police Training College, Rs. 150.

Probationers in the district, Rs. 175.

The existing scale—

Rs. 250—30/2—310—40/2—350—50/2—600.

Probationers in the Police Training College, Rs. 175.

Probationers in the district, Rs. 225.

DR. A. LAKSHMANASWAMI MUDALIYAR :—" How to increase the population?

MR. CHAIRMAN :—" That is for doctors to suggest." (Laughter.)

JANAB K. T. M. AHAMED IBRAHIM :—" But, on other grounds I may ask to delimit."

THE HON. SRI B. GOPALA REDDI :—" Then, Sir, I think, it was Mr. Ibrahim who asked, ' what is the sanctity attached to contiguity of areas? ' Sir, a constituency should cover as far as possible only contiguous areas. Suppose it consisted of, say, the towns of Bezwada and Chittoor, how can a candidate canvass votes? He will have to be going from place to place most of his time. So, Sir, a contiguous constituency, a homogeneous constituency, a managable constituency is a necessity for the candidate and for the proper working of democracy."

MR. CHAIRMAN :—" According to the recent theory of production perhaps a person in Rayalaseema does not eat as much rice as one in the Circars? "

THE HON. SRI B. GOPALA REDDI :—" We cannot be quite sure of that, for, there too we see sturdy people, if I may say so.

" Then Sir, I was asked to do something to see that a proper number of women are represented in this House. Every Hon. Member including myself will be too happy to have more women here advocating the cause of women. The larger interests of our country also demand that there should be a fair representation, if not equal representation of women and of the various interests in our legislative bodies."

MR. CHAIRMAN :—" Did you say fair women! " (Laughter.)

THE HON. SRI B. GOPALA REDDI :—" I said fair representation of women. If they are fair, so much the better to the Chairman; he can put them in the House Committee, and they would be able to man that House Committee better perhaps than others. Sir, it is necessary to give them all opportunities to come in. We have not been doing anything all along to keep them back. We have allowed them to come into this House. Therefore it is but right that the political parties should bestow great attention to see that a large number of women are represented in the future legislature. We have not followed the French experiment; we have not followed the Quebec experiment in this matter, where they said that women should not come in. It is not democratic. We have followed the British model in this. Even in the United Kingdom, it was only in 1928 it was laid down that women of 21 years of age could vote. Previous to it, only women of thirty years of age could vote. Here, we have begun it democratically. We have told them not to ask for reserved seats. They have agreed to it. They are confident that their interests will be safeguarded by the political parties. I am sorry Government as

such cannot do anything for them. There are no reserved seats except the twelve seats in this House. Those seats are intended to be filled up by His Excellency the Governor according to his discretion."

MR. CHAIRMAN :—" Are you giving all these twelve seats to women? " (Laughter.)

THE HON. SRI B. GOPALA REDDI :—" No, I said, His Excellency the Governor alone has power to fill these seats in his discretion, without distinction of caste, creed or class. Therefore, Sir, Government, as such, cannot do anything in the matter. I join in the appeal made by Mrs. Hensman to the political parties to see that a large number of women are sent to the legislature. Likewise, I wish labour is also well represented. We must see that labour is represented in both the chambers, for, otherwise there will be trouble. Political parties should have an eye on all these matters. They should see that the minority people also come in, they should see that Muslims, Christians and women, all come in, as also labour, in the various legislatures; otherwise it would not be democracy. In a real democracy, everybody should feel that it is his democracy, everybody should feel that he really goes to constitute democracy. Therefore, from that point of view, I want every section of the people should be represented. I want this experiment to be made; and let us see how far it succeeds. I am glad we have had a debate about this subject in the two Houses. I do not minimize the importance of the points of view presented; I do not wish to say that anything that members have said is out of selfishness. I realize their difficulties; I appreciate their views against having single-member constituencies. I appreciate their apprehension. But let us see how it works, and rectify the mistakes, if any, in its actual working. Hon. Members may send their proposals to the Election Commissioner, and they will certainly be considered by Government, when they present alternative proposals to the Delimitation Advisory Committee. Sri A. Govindacharyulu will do well to send his points also. So, I request Mr. Ahamed Ibrahim to withdraw his amendment.

JANAB K. T. M. AHAMED IBRAHIM :—" Sir, I am only anxious to impress on the Government the fact that they should consider the vital points I have indicated in my amendment. If that is done, my purpose will be served. So, I beg to withdraw my amendment."

The amendment was, by leave of the House, withdrawn.

MR. CHAIRMAN :—" The motion of the Hon. Minister is that the proposals of the Government for the delimitation, under the new Constitution, of the constituencies into which his State shall be divided be taken into consideration. The proposals have been considered."

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

[9th October 1950

APPENDIX II.

[Vide answer to starred question No. 35 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 9th October 1950, page 427 supra.]

Statement I.

List of superior posts under Provincial Government in the year 1948.

Madras—	
Members, Board of Revenue	3
Secretary, Board of Revenue	1
Joint Secretary, Board of Revenue	1
Chief Secretary to Government	1
Secretary to the Hon. Premier	1
Secretaries to Government	7
Deputy Secretary	1
Collectors	24
Collector, Madras	1
Sub-Collectors, Grade I	15
Total	55

Statement II.

Senior posts under the Provincial Government.

Madras—	
Members, Board of Revenue	3
Secretary, Board of Revenue	1
Joint Secretary, Board of Revenue	1
Joint Secretary, Board of Revenue for dealing with Commercial Taxes	1
Chief Secretary to Government	1
Secretary to the Hon'ble Premier	1
Secretaries to Government	10
Deputy Secretaries to Government	6
Collectors	25
Collector, Madras	1
Sub-Collectors, Grade I	25
Inspector of Municipal Councils and Local Boards	1
Registrar of Co-operative Societies	1
Commissioner of Labour	1
Director of Industries and Commerce	1
Director of Agriculture	1
Director of Fisheries	1
Officers of Transport Department	3
Deputy Commissioner for Commercial Taxes	1
Miscellaneous unspecified posts	3
Total	88

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APPENDIX III.

[Vide answer to starred question No. 36 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 9th October 1950, page 428 supra.]

Statement showing the major bridges (costing Rs. 1 lakh and above) built or sanctioned since 1946.

Serial number, name of the district and name of the work.	*Estimate amount.*	*Present stage.*	*Whether tenders called for.*	*Whether the work was executed departmentally or entrusted to contractor, etc.*
(1)	(2)	(3)	(4)	(5)
	Rs.			
1946.				
Anantapur—				
1 Bridge near Tadpatri across the Pennar river in Cuddapah-Bellary road.	4,76 600 (original estimate) 4,97,600 (revised estimate)	Completed	Yes	Entrusted to contractor.
South Arcot—				
2 Reconstructing Manimukthanadi bridge at M. 132/1-2 of Grand Southern Trunk Road.	1,69,730	Do.	Yes	Do.
East Godavari—				
3 Forming a roadway of 20 feet width over the four vents of the Gannavaram aqueduct.	1,25,000	Do.	Yes	Do.
Ramanathapuram—				
4 Constructing a bridge at M. 6/1 of Kallal-Manjiri road across Manimuthar at Kallal.	99,400 (original estimate) 2,14,450 (revised estimate)	Do.	—	Do.

Serial number, name of the district and name of the work.	*Estimate amount.*	*Present stage.*	*Whether tenders called for.*	*Whether the work was executed departmentally or entrusted to contractor, etc.*
(1)	(2) Rs.	(3)	(4)	(5)
1948.				
North Arcot—				
1 Constructing an undervented dam across Ponnai river at M. 14/2–8 of Chittoor-Tiruttani road.	1,75,000	Proposed to be deferred ..	....	....
South Arcot—				
2 Extending Sankaraparni bridge in M. 37/8 of Tindivanam-Gingee road.	1,75,000	Work in progress	Yes ..	Departmental execution.
3 Constructing a bridge across Pombai on Villupuram-Gingee road.	1,10,000	Tenders called for. Results awaited.	Yes ..	....
4 Constructing Tondiar bridge at M. 31/2 of Merkanam-Tindivanam-Gingee road.	1,30,000	Work in progress	Yes ..	Departmental execution.
Bellary—				
5 Constructing a causeway across Hagari river at M. 32/2 of Bellary-Kalyandrug road.	1,09,000 (original estimate) 1,65,000 (revised estimate).	Tenders being invited ..	.. ..	....
6 Constructing a causeway at M. 26/3 across Hagari river on Adoni-Siruguppa road.	2,12,800	Do.	..	....
7 Constructing a causeway at M. 15/8 of Bellary-Kalyandrug road.	1,60,000	Do.	..	....
Cuddapah—				
8 Constructing a bridge at M. 13/8 of Rajampet-Kadiri road ..	1,50,000	Tender schedules under consideration by Superintending Engineer.	..	....
East Godavari—				
9 Forming of a roadway over the remaining 45 vents of Gannavaram aqueduct.	12,74,300	Completed	Yes ..	Entrusted to contractor.
Guntur—				
10 Metalling Adamaladevi VR—including construction of a bridge ..	3,50,000	Work in progress	Yes. ..	Entrusted to contractor.
South Kanara—				
11 Reconstructing Poochamogur bridge at M. 5/5 of Mudibidri-Buntwal road.	2,64,000	Detailed estimate under preparation.	..	....
12 Bridge over Payasami river at Tekkil at M. 52/8 of Kalladaka-Kanhangad road.	5,50,000 (original estimate) 10,10,000 (revised estimate)	Work in progress	Yes ..	Entrusted to contractor.
Krishna—				
13 Bridge across Budameru on Vijayavada-Nuzvid road	1,75,000	Work in progress	Yes. ..	Entrusted to contractor.
14 Bridge over Upputeru on Gudivada-Bhimavaram road	2,64,000 (original estimate) 3,55,000 (revised estimate)	Quotations under consideration by Superintending Engineer.	Do. ..	Proposed to be taken up departmentally.
15 Bridge across the Muniyeru on Jaggampet-Bonacallu Railway station road.	2,20,000	Detailed estimate awaited.	..	....
Kurnool—				
16 Bridge across Paleru at M. 7/1 of Koilkuntla-Nossam road ..	1,50,000	Work in progress	Yes ..	Entrusted to contractor.
Malabar—				
17 Bridge across Bharatapuzha river in M. 18/2 of Angadipuram-Kuttipuram-Cochin frontier road.	11,35,000	Work in progress	Yes. ..	Entursted to contractor.
18 Bridge across Kuppam on Taliparamba-Payyanur section of Cape Comorin-Bombay road.	3,80,000 (original estimate) 7,70,000 (revised estimate)	Detailed estimate awaited.	..	....
19 Reconstructing weak bridge at M. 4/8 of Kozhikode-Balusseri road ..	1,10,000	Estimate awaited..		....

Serial number, name of the district and name of the work.	Estimate amount.	Present stage.	Whether tenders called for.	Whether the work was executed departmentally or entrusted to contractor, etc.
(1)	(2)	(3)	(4)	(5)
	Rs			
	1948—*cont.*			
Nellore—				
20 Constructing a bridge at M. 34/1-2 of Kanigiri-Badvel road ..	1,80,000	Work in progress	Yes ..	Entrusted to contractor.
Ramanathapuram—				
21 Bridge at M. 7/1 of Ramanathapuram-Kilakarai road	1,75,000	Detailed estimate under scrutiny.	..	....
Salem—				
22 Remodelling girder bridge at M. 41/8 of Salem-Cuddalore road ..	1,71,000	Work in progress	Yes ..	Entrusted to contractor.
Tanjore—				
23 Bridge across Coleroon on Perambalur-Manamadura road ..	28,00,000	Under investigation	..	....
24 Causeway across Agniar river at M. 6/4-5 of Pattukkottai-Arantangi road.	2,50,000 (original estimate) 4,10,000 (revised estimate)	Do.		....
25 Bridge across Coleroon at Anaikaran Chattram on Chidambaram-Sirkali road.	26,00,000	Work in progress	Yes ..	Entrusted to contractor up to foundations and substructure on piece-work basis.
Tirunelveli—				
26 Reconstructing bridge across Soleserri at M. 45/5 of Tirunelveli-Sankarankoil road.	1,31,000	Work in progress ..	Yes ..	Entrusted to contractor.
Tiruchirappalli—				
27 Constructing a bridge across Nandiyar at M. 18/4-5 of Tiruchirappalli-Jayacondan-Chidambarm road	2,C0,000	Work in progress ..	Yes ..	Do.
Visakhapatnam—				
28 Bridge across Gosthanadhi at M. 6/3-5 of Vizianagaram-Kothavalasa road.	3,37,000	Detailed estimate under preparation.		

	1949.			
Anantapur—				
1 Bridge at M. 216/5 of Anantapur-Chittoor road	2,00,000	Work proposed to be deferred.	..	....
2 Causeway across Pennar at M. 13/6-7 of Penukonda-Madakasira road.	1,12,000	Estimate ready and tenders to be invited.	..	....
3 Masonry arched bridge across the river Pennar near Kalavalapalli village in M. 19/8 of Anantapur-Kalyandrug road ..	75,000 (original estimate) 2,70,000 (revised estimate)	Revised estimate pending technical sanction.	..	....
North Arcot—				
4 Bridge across Cheyyar at M. 25/2-4 of Tiruvottiyur-Wandiwash road.	8,00,000	Detailed estimate awaited.	..	....
South Arcot—				
5 Reconstructing bridge at M. 1/1 of Merkanam-Tindivanam-Ginjee road.	2,75,000	Detailed estimate under examination with reference to fresh proposals.	..	....
6 Reconstructing submersible bridge at M. 14/2 of Cuddalore-Chidambaram road.	1,40,000	Detailed estimate under preparation.	..	....
Bellary—				
7 Constructing a bridge across Garjikonda in M. 11/7 of Adoni-Siruguppa road.	1,86,000	Detailed estimate under preparation.	..	....
8 Constructing a bridge across Narahalli vanka at M. 23/2 of Tornagal-Sandur road.	1,00,000	Do.	..	....
Chingleput—				
9 Constructing a bridge near Kadur at M. 6/6 of Kalahasti-Satyavedu road.	3,10,000	Deferring the work to be considered after improving the existing one.	..	....
10 Constructing a bridge across the Cooum river at M. 27/5 of Tirumushiti-Satyavedu road.	2,60,000	Detailed estimate under preparation.	..	....
Chittoor—				
11 Constructing a bridge across the Santhapet river in Chittoor Municipal limits.	1,60,000	Work in progress	Yes ..	Entrusted to contractor.

Serial number, name of the district and name of the work.	Estimate amount.	Present stage.	Whether tenders called for.	Whether the work was executed departmentally or entrusted to contractor, etc.
(1)	(2) Rs.	(3)	(4)	(5)
1949—*cont.*				
Cuddapah—				
12 Constructing a causeway over the Pennar at M. 6/8 to 7/3 of Cuddapah-Siddavattam road.	99,850 (original estimate) 4,00,000 (revised estimate)	Work in progress	Yes ..	Entrusted to contractor.
13 Constructing a causeway across the Pennar at M. 10/4 to 11/2 of Jammalamadugu-Muddanur road.	61,450 (original estimate) 1,62,000. (revised estimate)	Settlement of fresh contract under examination.	..	....
14 Constructing a causeway across the Papagini river at M. 27/4-5 of Rayachoti-Vempalli road.	1,75,000	Detailed estimate under preparation.	..	....
East Godavari—				
15 Improvements to bridges and culverts on Rajahmundry-Kakinada road.	1,22,700	Estimates under revision.	..	....
16 Preliminary work in connexion with the work of constructing a bridge across Godavari river at Alamur.	2,50,000	Foundation stone laid ..	..	....
West Godavari—				
17 Constructing a bridge across Narasapur Channel near Dammennu.	2,00,000	Detailed estimate under preparation.	..	....
South Kanara—				
18 Bridge over Gurupur river near Kulur at M. 4/7-8 of Manjeswar-Baindur road.	5,40,000	Work in progress ..	Yes.	Entrusted to contractor.
19 Bridge across Swarnanadhi near Puttigi in M. 9/6 of-Malpe-Hebri-Agumbe-Shimoga road.	4,00,000	Tenders invited, results awaited.	Do.	....

20 Bridges at M. 50/2 and 52/8 of Kanhangad-Cheruvuthur road across Nileshwar and Ariad Kaduva Hole.	9,30,000	Technical sanction to estimate awaited.	.. ..	....
21 Bridges at M. (i) 49/3 and (ii) 52/8 of Mangalore-Agumbe road.	1,54,000	Technical sanction awaited.	..	....
22 Constructing a bridge at Perambatta.	3,00,000	Do.	..	....
23 Reconstructing bridge at M. 0/4 of Malpe-Udipi-Karkal road ..	1,80,000	Do.	..	....
24 Constructing the Yekkar bridge at M. 14/6 of Mangalore-Kinigole road.	69,000 (original estimate) 1,30,000. (revised estimate)	Tender results are awaited.	Yes.	....
Kurnool—				
25 Bridge at M. 45/7 of Kurnool-Guntur road	1,35,000	Tenders called for ..	Yes.	....
26 Do. M. 28/4-6 do.	2,50,000	Detailed estimate sanctioned for a causeway. Tender to be called for.	..	....
Mathurai—				
27 Improvements to causeway across Vaigai in Mathurai Municipal limits.	1,50,000	Works in progress ..	Yes.	Entrusted to contractor.
Malabar—				
28 Constructing a bridge across Perimpuzha at Payyanur at M. 75/3 of Cape Comorin-Bombay road.	5,70,000	Detailed estimate awaited.	..	....
29 Constructing a bridge at Panamaram at M. 10/2 of Manantoddy-Panamaram road.	4,50,000	Do.	..	....
30 Providing re-decking and footpath planking over the girders of Baliapatnam bridge, between Azhikal and Taliparamba road.	4,92,077 (original estimate) 5,96,774 (revised estimate)	Work being executed by the South Indian Railway.	..	....
31 Bridge at M. 15/3 of Tirur-Malapuram road, reconstruction ..	1,85,000	Detailed estimate under preparation.	..	....
32 Constructing Pantavoor bridge at M. 25/1 of Edapal-Kanhur road.	1,08 000	Work in progress	Yes.	Entrusted to contractor.
33 Constructing a bridge at M. 19/8 of Taliparamba-Iritty road across Kottur river near Sri Kantapuram.	1,80,000	Work proposed to be deferred.	..	....

APPENDIX IV.

[Vide answer to starred question No. 37 asked by Janab Abdul Latif Farookhi at the meeting of the Legislative Council held on 9th October 1950, page 429 supra.]

(*a*) *What the procedure is for granting new electric connections to the general public in the City of Madras.*—Applications for new electric connections to the general public in the City of Madras are dealt with as follows :—

Domestic supply.—As soon as an application is received in departmental form duly filled in, the same is registered, assigned a number prefixed by R, and the party is intimated of the register number while acknowledging the application. The applicant is informed at the same time (*a*) that supply of electricity will be permitted in the chronological order of registration only, subject to *feasibility* and will be intimated in due course, (*b*) that every effort will be made to effect supply as early as possible, and (*c*) that due to overloaded conditions in D.C. areas, D.C. supply may not ordinarily be given. The applicant is also given particulars of tariff. Abstract of the register numbers is then sent to the concerned Divisional Engineers and Assistant Engineers for taking necessary action to effect supply strictly in the chronological order of registration. Ranges of working register numbers are readily available in the Superintending Engineer's office and in the subdivision offices of the Madras System and the consumers can at any time get information when approximately supply to their premises can be expected. Cases of applications for supply covered by the categories eligible for special priority are given priority then and there and field officers are intimated to take necessary action. A list of cases eligible for special priority is given below :—

Clinics, hospitals, dispensaries, chemists' and druggists' establishments.

Government buildings, post office, etc.

Gazetted Officers requiring to do office work at home.

Non-Gazetted Officers drawing a *basic salary* of Rs. 250 or more per mensem supported by a certificate from the Head of the Office in which they are working, regarding the necessity to do office work at home.

Superintendents and Senior Superintendents who are doing important office work at home.

Non-Government officers, doing essential business work or engaged in service of public utility and drawing a salary of Rs. 500 or more per mensem (not income).

Editors and sub-editors of important dailies—*Hindu, Mail, Indian Express, Dinamani, Andhra Patrika, Andhra Prabha*, etc.

Headmasters of High Schools who are to do office work at home.

Retired Government Officers drawing a pension of Rs. 250 and over per mensem.

Newly constructed building, wherein it is wholly or partially occupied for domestic purpose.

Educational institutions.

Hostels and charitable institutions.

Temples, mosques, churches and similar places of public worship.

Bona fide refugees from Pakistan who set up business of their own without depending on financial assistance from Government. Before such a priority is given the fact whether the party concerned is a bona fide refugee or not deserving the concession asked for will be ascertained from and certified by the Secretary, Refugee Relief Committee, Madras.

Any other special cases.

Industrial and agricultural loads.—The registration of applications for supply to industrial and agricultural loads is the same as for applications for lighting supply. In these cases register numbers are prefixed by I No. Extract of register numbers with full details are sent to the field officers for investigating the feasibility of supply to the loads in the strict order of registration. On receipt of field reports regarding *feasibility* of supply, permit is issued under a number prefixed by P-1 if load is 10 H.P. and below. If load is above 10 H.P., the case is put up to the Departmental Committee consisting of the Chief Operation Engineer (North), Superintending Engineer, Madras Electricity System, and the Chief Electrical Inspector to Government for consideration and sanction, and on receipt of the Committee's sanction, permit is issued and supply is effected as early as possible. Applications for supply to printing presses for printing of electoral rolls recommended by the Collector of Madras are given priority.

The Madras City Distribution System is divided into (1) Mambalam, (2) Mylapore, (3) Central and (4) North. Applications from the respective subdivisions are dealt with on a regional priority basis. Even in the above regional priority, overhead and underground services are dealt with independently. Due to paucity of U.G. Cable, U.G. Services are lagging behind O.H. Services.

(*b*) *Whether it is in accordance with the order of priority in which the applications are received and registered.*—Strict priority is being observed in connecting new services, except in special cases, subject to feasibility.

	Estimate amount.	*Present stage.*	*Whether tenders called for.*	*Whether the work was executed departmentally or entrusted to contractor, etc.*
	(2)	(3)	(4)	(5)
	Rs.			
1949—*cont.*				
Nellore—				
34 Bridge at M. 35/5-6 of Nellore-Dornal section of Nellore-Bombay road.	3,15,000	Detailed estimate under scrutiny.	..	....
35 Bridge across Pennar near Nellore on N.H. No. 5 Madras-Calcutta road.	23,00,000	Work in progress	Yes.	Departmental execution.
Salem—				
36 Bridge across river Cauvery at Pugalur on N. H. No. 7 Benares-Cape Comorin road.	26,00,000	Work in progress	Yes.	Entrusted to contractor.
37 Strengthening and widening Cauverypatnam bridge at M. 166/4 of Benares-Cape Comorin road.	2,45,000	Do. ..	Do.	Do.
38 Constructing a causeway at M. 4/1 of Krishnagiri-Rayakotta road.	1,05,000	Proposed by the President, District Board, Salem, to be deferred.	..	....
Tanjore—				
39 Bridge across the Kodumurti at M. 1/1 of Ullikkadai village road.	1,50,000	Detailed estimate sanctioned.	..	....
Tirunelveli—				
40 Constructing bridge across odais in M. 13/6 and 16/1 of Koilpatti-Sankarankoil road.	1,50,000	Tenders settled but alternate proposals under consideration.	..	....
41 Constructing a bridge across Gatana river on Ambasamudram-Alangulam road.	1,85,000	Draft tender schedules under consideration by Superintending Engineer.	Yes.	....
Tiruchirappalli—				
42 Bridge across Noyyal river at M. 27/1 of Karur-Kodumudi-Erode road.	1,60,000	Detailed estimate awaited.	..	....
Visakhapatnam—				
43 Bridge over Gosthanadhi at M. 14/6 of Vizianagaram-Boudara road.	2,00,000	Detailed estimate awaited.		....
1950.				
Madurai—				
1 Constructing a bridge at M. 6/2 across river Kodavanar of Dindigul-Aravakurichi road.	1,55,000	Detailed estimate sanctioned.		....
Malabar—				
2 Strengthening the Karimpuzha at M. 47/6 of Kozhicode-Nilambur road.	1,00,000	Detailed estimate under preparation.		....
South Kanara—				
3 Constructing a causeway at M. 15/1 of Biselyghat road at Hosmeta.	1,10,000	Detailed estimate under preparation.		....
Visakhapatnam—				
4 Constructing a bridge over Nagavalli river in M. 41/3-4 of Vizianagaram-Palaconda road.	18,00,000	Detailed estimate under scrutiny.		....
Visakhapatnam, South—				
5 Constructing a bridge over the Champavathi river at M. 520/3-6 of N.H. No. 5, Madras-Kozhicode road.	8,47,000	Tenders are called for ..		....
Chingleput—				
6 Constructing a bridge at M. 38 3-5 of N.H. No. 45, Madras-Tiruchirappalli-Dindigul road.	19,00,000	Detailed estimate under scrutiny.		....

APPENDIX V.

[Vide answer to starred question No. 38 asked by Sri P. R. K. Sarma at the meeting of the Legislative Council held on 9th October 1950, pages 429–430 supra.]

Members of the Provincial Labour Advisory Board.

1 Hon. Minister in charge of Labour—*Ex officio Chairman.*

2 Secretary to the Government of Madras in charge of Labour—*Ex officio Secretary.*

3 Commissioner of Labour, Madras	Representatives of Government.
4 Director of Controlled Commodities, Madras ..	
5 Mr. J. R. Marshall, Madura Mills Company, Limited, Mathurai	Representatives of Employers.
6 Mr. B. W. Batchelor, B. & C. Mills Company, Limited, Madras..	
7 Sri K. A. Shanmuga Mudaliar, Thirumagal Mills, Gudiyattam	
8 Sri R. Muthuswami, Sri Venkatesa Mills, Udamalpet	
9 Sri C. Samuel Aaron, West Coast Industrialists Association, Kozhikode	
10 Sri R. Ve kataraman, Tamilnad Congress Labour Sub-Committee	Representatives of Labour.
11 Sri G. Ramanujam, Indian National Trade Union Congress, Mathurai	
12 Sri V. Chakkarai Chettiar, Madras Provincial Trade Union Congress, Madras	
13 Sri V. Jagannathan, Coimbatore District Textile Workers' Union	
14 Sri K. Satyanarayana, Indian National Trade Union Congress (Andhra Branch)	
15 Sri C. E. Bharathan, Indian National Trade Union Congress (Kerala Branch)	
16 Sri K. Anandan Nambiar	Members of Legislature representing Trade Unions, Planters, Chambers of Commerce and Labour.
17 Sri N. Govindaswami Naidu	
18 Sri K. Kanniappan	
19 Sri C. M. Kothari	
20 Sri R. Kuppuswami	
21 Sri Latchanna, Guthu	
22 Mr. D. G. Leonard	
23 Sri P. Natesan	
24 Sri P. Venkateswarulu	
25 Mr. H. I. Cormach	
26 Sri P. R. K. Sarma	

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Proceedings of the Provincial Labour Advisory Board held on 9th March 1949.

PRESENT:

(1) Hon. Sri H. Sitarama Reddi—*Chairman.*
(2) Sri K. G. Menon, I.C.S.
(3) Sri C. G. Reddi.
(4) Sri R. Venkataraman.
(5) Sri G. Ramanujam.
(6) Sri C. M. Kothari, M.L.A.
(7) Sri V. Chakkarai Chettiar.
(8) Sri G. Latchanna, M.L.A.
(9) Mr. B. W. Batchelor, M.L.A.
(10) Mr. J. R. Marshall.
(11) Sri P. Natesan, M.L.A.
(12) Sri N. Govindaswami Naidu, M.L.A.
(13) Sri R. Kuppuswami, M.L.A.
(14) Sri V. Jagannathan.
(15) Sri R. Muthuswami.
(16 Sri K. A. Shanmugha Mudaliar.
(17) Mr. E. A. Watson, M.L.A.
(18) Mr. D. G. Leonard, M.L.A.

Chairman's Speech.

Gentlemen,

I am glad to welcome you to this first meeting of the Advisory Committee. On account of various practical difficulties, we were unable till now to constitute such a committee or call a meeting. But on the principle of better late than never, I hope you would appreciate this move and make use of this tripartite machinery to the fullest extent possible.

Before I proceed to indicate to you some subjects we might consider, I should like to make a few general observations. It is necessary that the attitude to tripartite meetings must be modified in such a way that these meetings are viewed as forums for resolving intricate problems that affect labour and management and help to produce more and increase the National wealth. I do not like to see these meetings made the forum for the expression of ideological differences nor for mere demagogic displays. Though it is but natural that the various interests should look at the problems from the viewpoint of their rights, it is necessary that there must be greater emphasis on their obligations and duties and also their overall effect on society. Let labour be treated as the vast mass of nation-builders, working hard to raise the standard of our country here and abroad and not to be used as pawns in any personal or selfish games. Let capital not be shunned because some may dislike the same capitalists. They serve this country no less than labour or I. Let us eschew all acidity from our discussions and create a fund of goodwill that will not only facilitate discussions and decisions in this meeting, but will also flow out and make for healthier relations among all of us outside. Thirdly, do not complain unnecessarily. If you want any policy to be discussed, bring it forward. If you want to discuss details there are the Government officers with whom you can discuss. Let us not clog our path with matters that could be disposed of more expeditiously by individual discussions.

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Now, let me suggest a few subjects on which I would like your views. I have already had the report of the profit sharing committee circulated to you. I would like to have your views. The suggestion is not novel, but the experiment is. I have heard some employers prepared to try it out while others fear that unequal distribution of profits might create unhappy situations. Workers also are divided in their views on this subject. On the first occasion this question was raised by the Government of India, many workers opposed it tooth and nail. But others are willing to give the experiment a trial. I do not want to obtrude my views on you, as I am willing to be guided by you, if you can agree on a solution.

The second subject I would like to place before you is that of the situation arising out of the resort to law by certain employers to defeat decisions of tribunals. I do not wish to complain against anyone, but I would like to appeal to all of you to realize that tribunals are necessary evils, if evils they are and that since they are constituted only where the parties cannot agree, it would tend to greater industrial peace if employers and workers abide by these decisions instead of trying to exploit possible lacunae in the law. If anyone chooses to exploit such lacunae, there is no alternative left to the Government than filling up the lacunae and giving full effect to the intention of the legislature. Does any one desire to postpone the inevitable and contribute to the exacerbation of ill-feeling ?

Then, there is the problem of works committees. You cannot escape them. They are essential cogs in the wheels we have put on the new industrial machinery with a view to facilitate better employer-employee relations. Please therefore hurry up and help one another to set them up immediately.

Next, I would take up the question of retrenchment. Some concerns have retrenched staff on a large scale in recent months. Some of them had good reasons. Others were more arbitrary. But the problem is there and if we have to face another slump, how are we to deal with unemployment ? Would you like to consider this problem in all aspects and suggest a comprehensive and practicable scheme to prevent or alleviate unemployment ?

These are only some suggestions regarding industrial labour. If you have any other subjects for discussion, we would try, in the time available, to discuss them too. Only, please be specific and concise, so as to allow as many members as possible to participate in our deliberations.

Now, I must turn to agricultural and plantation labour. With a view to facilitate the work of the wage committees and boards we propose to constitute, we are shortly embarking on an enquiry into the conditions of work of agricultural labour. It is proposed to select some 200 villages and study in detail the emoluments and perquisites of agricultural labour with reference to the food problem and other relevant considerations. I sincerely hope that you would all co-operate with this enquiry.

As regards plantation labour, we have quite a lot of useful material collected by some committees. There are some plantations where employees are much better off than in others. But on the whole, many of the workers are hopelessly indigent. Until recently, they were ignorant of their rights. Their efforts to get together are resisted even today. But trade unions have come to stay and those who do not like them should nevertheless reconcile themselves to the inevitable. Again, situated as plantations are in inaccessible places, it behoves the employer to provide reasonable educational, medical, recreational and housing facilities for workers and their dependants. Here again, practice varies. Another important matter requiring attention is that of periodical unemployment in this class of labour. Should this labour be clubbed with industrial labour in regard to unemployment ?

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These are big issues which, I hope, we can deal with today. I do not wish to take up any more of your time. I invite your views on the subjects I have enumerated and on any other subject you may wish to raise.

Thank you.

At the conclusion of his speech, the Chairman (Hon'ble Sri H. Sitarama Reddi) regretted his inability to continue to be present at the meeting as he had to attend the session of the Legislative Council and requested the members to have the full discussion on the suggested subjects with the Secretary to Government in the chair.

Sri G. Ramanujam wanted to know whether the meeting was confined to one day. The Chairman thought that it was better to finish the discussions that day itself but that there was no objection to continue the meeting, if necessary.

Mr. Latchanna pointed out the absence of any labour member from Malabar. The Chairman replied that while the Committee was not constituted on a linguistic basis, he was prepared to consider the suggestion.

The meeting decided to take up the subjects suggested in the Chairman's speech one by one.

Profit sharing.—Sri Chakkarai Chettiar initiated the discussion and said that 'profit sharing' was not a new idea. He considered that profit sharing was not advantageous to labour as the managements would manipulate accounts and reduce the share of labour. He considered that bonus was preferable.

Mr. F. W. Batchelor considered that profit sharing was not a practicable idea though he did not share the view of the previous speaker that the managements would manipulate the accounts.

Sri Ramanujam considered that the wage question must be tackled first before the bonus question is considered.

Sri Kothari considered that the consideration of the question should be postponed till the report of the Central Fair Wages Committee was published.

Sri R. Venkataraman said that profit sharing was desirable but some changes were necessary in the scheme of the Government of India before it could be acceptable to labour. Managements generally put up expenditure and deprive labour of its legitimate share. The introduction of the system in the Mettur Chemicals, Limited, resulted in loss to labour. Further, introduction on a territorial basis was unwise and if at all, the scheme should be introduced unitwise.

Industrial peace in the Province during 1948 was generally due to the satisfactory disposal of disputes by Tribunals. In England, the managements voluntarily gave effect to these awards but in India the position was different. Unless the managements showed a better sense of co-operation, it was useless to expect co-operation from labour.

Mr. Marshall considered that the scheme was unworkable

Sri Natesan agreed with the previous speaker.

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Sri K. G. Menon wound up the discussion and said that he took it that the sense of the meeting was that the scheme as it stood was unworkable.

2. *Resort to law.*—Sri R. Venkataraman said that the managements were not implementing awards but disputed them in civil courts. The textile, motor transport, cigar, cinema, etc., awards had been repudiated by the managements. They should implement them without questioning them.

Sri Chakkarai Chettiar and Sri Ramanujam agreed with the previous speaker.

3. *Works committees.*—Sri Ramanujam said that the managements should not be allowed to pack these committees.

Sri Ramanujam wanted to make certain observations about the conditions of labour in general and the Chairman allowing him to do so, he made the following observations :—

Government were not taking quick action to resolve disputes. The Tribunals were very slow. It was reported in the papers that the Government of India had asked the Provincial Government to introduce necessary legislation to get over the difficulty of the recent division bench decision of the High Court. If so, it was against the decision at the last Labour Ministers' Conference that, for the sake of uniformity, the Centre should legislate on all labour matters. Judges who presided over the Tribunals had no knowledge of industrial matters. Trained men should be appointed to these courts. The conditions of labour in all industries and especially in textiles were miserable. In Mathurai Mills, the labourers were working both day and night without any additional advantages.

As regards the Madras Shops and Establishments Act, he considered that the recently appointed Assistant Inspectors of Labour were wasting their time looking after petty shops while big shop owners were allowed to go scot-free. Shops with less than three workers should be exempted.

The hospital labour were being treated as temporary for several years. These men should be encouraged to join trade unions.

The conditions of twenty lakhs of handloom workers were causing anxiety. Government were not taking any steps to redress their grievances. A Handloom Board should be set up immediately.

Labour has not been represented in the Motor Transport Advisory Board. Due representation should be given to labour on this Board.

Sri Venkataraman said that works committees were necessary but some of the trade unions feared that these committees might replace the unions.

Mr. Batchelor considered that there should be separate committees of workers for each department.

Sri Chakkarai Chettiar wanted the functions of these committees to be defined.

4. *Retrenchment.*—Sri Venkataraman considered that when workers were retrenched, they should be given a gratuity of at least one month's wages for each year of service.

Mr. Batchelor was agreeable to this subject to the condition that where Provident Fund Schemes exist, only the difference between the amount so calculated and the employers' contribution to the fund will be payable as gratuity.

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The meeting generally agreed to this suggestion but agreed that employers should have an opportunity to consult others and work out details.

5. *Agricultural labour.*—Sri Venkataraman considered that the problem of agricultural labour was to find employment throughout the year. As it is, they had work only for four months in the year. It was necessary to find some subsidiary employment. The wages were very low when compared to industrial labour. It should be paid in kind and not in cash.

Sri K. G. Menon said that it was proposed to conduct a detailed enquiry into the wage, etc., conditions of this category of labour.

Sri Govindaswami Nayudu considered that prices of agricultural produce should be fixed before wages.

Sri Ramanujam pleaded for consolidation of holdings, abolition of absentee landlordism, regional tribunals, organizations of agricultural labour on trade union basis and provision of subsidiary occupations like handloom weaving, etc.

6. *Plantation labour.*—Sri Venkataraman said that the planters had not implemented the recommendations of the 'Standing Committee on Plantations' of the Government of India. The workers are not even allowed to hold meetings on the estates. The wages were very low. The hours of work and conditions of life were very deplorable. An estate worker was always considered temporary and was only given work for ten months in the year. When a worker who went to his village after ten months' work returned, he was taken in another name so as not to secure a permanent posting. He was not given any leave, benefit of provident fund or gratuity. Workers should be supplied with cumblies free. A Plantation Code regarding hours of work, etc., was absolutely necessary.

Sri Ramanujam said that the Kangani system should be abolished. Supply of rice to the workers by the employer should be stopped as the concession was being abused by them. If a worker took a day's leave he was not given rice for that day. Compensation should be given for occupational diseases. Government should improve the present deplorable conditions of this category of labour.

Proceedings of the Provincial Labour Advisory Board held on 2nd December 1949.

PRESENT:

(1) Hon. Sri H. Sitarama Reddi—*Chairman.*
(2) Sri P. S. Viswanatha Ayyar, I.C.S.
(3) Sri C. G. Reddi
(4) Mr. B. W. Batchelor.
(5) Sri K. A. Shanmuga Mudaliyar.
(6) Sri R. Venkataraman.
(7) Sri V. Jagannathan.
(8) Sri G. Ramanujam.
(9) Sri N. Govindaswami Nayudu.
(10) Sri C. M. Kothari.
(11) Sri R. Kuppuswami.
(12) Mr. D. G. Leonard.
(13) Sri P. Natesan.
(14) Mr. H. I. Cormach.
(15) Sri Koppula Satyanarayana.
(16) Sri C. E. Bharathan.

Chairman's speech.

Gentlemen,

Let me welcome you for the second meeting of the Provincial Labour Advisory Board. You may remember, that we met in March last and I really desired that the meetings of this Advisory Board must be very frequent because it would help to solve the difficulties to a great extent that may arise in the industrial life in this Province. I must first of all apologize to you for having delayed the calling of the second meeting which ought to have been very much earlier. And then the other factor has been that the department has been asking the views of members on various subjects for the meeting. I find quite a large number of subjects have come in from the various members for discussion at this meeting. I believe that we have got most of them on the agenda and that it is quite probable that some of them are not in the agenda. It is due to the fact that we may not have adequate time to discuss every one of them and perhaps the agenda was prepared with a view to focus attention on those that were considered of prior importance for discussion.

2. Now, I have said already at the first meeting that this Advisory Board is intended to serve as a forum for discussions of subjects that may arise in the course of the working of various industries, factories, plantations, etc., and the other difficulties that may be faced either by employers or by the employees where the Government would like to take the counsel of both the industry and labour. And, more than anything else, it is the hope of the Government that such meetings would lead to the continuance of industrial peace which we are having. I should really congratulate both labour and employers for the way they have been able to do things in this Province. Thanks of the Government are due to both the employers and employees. I do not say that there have not been instances where labour has felt that certain things have not been done. It is quite possible that industry has also felt likewise. But instead of precipitating matters both sides have exercised necessary restraint and patience in the interests of the welfare of our country. And I am glad that the economic welfare of the country has been rightly borne in mind by the two important sections of the community that form the life of this Province. So, I should very much congratulate them. I may congratulate myself as a representative of both of them. 'Hear, hear.' I think it is a proper occasion that I may now appeal to both sections to help the Government to maintain the industrial peace. I may give my personal assurance that I should be happy to serve to the very best of my capacity to resolve the difficulties whether they arise from the labour side or management side.

3. One of the things which is proper for me to mention is that unfortunately some of the decisions of the Tribunals have been taken to the forum of the courts instead of being resolved. I know that all employers have not done such a thing, but there have been a few employees who thought it right to take these matters to court and certain decisions have been obtained on the point of law. This has naturally made the Government to think of bringing in legislation to see such legal defects do not arise; and the contemplated labour legislation of the Government of India is going to remove the various difficulties that have arisen and matters which have been taken to court. But I would appeal not to take advantage of the mere legal lacuna to impair the good industrial relations, because it would only help to widen the gulf between the labour and industry. Of course, I know

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that they are entitled as citizens of a free country to agitate their rights in a proper form. In a Conference like this where we meet as friends, who are resolved to hammer out the difficulties and discuss our problems I think it would not be wrong to say that it would be better to point out the legal lacunae to Government. I would very much like that industrial relations should not be impaired by such actions. Perhaps it may not be quite pleasant for some of them when I mention in this way, but I thought it my duty to bring to your notice that the contemplated legislation, of which some of the members have had notice, is expected to cure many of these legal lacunae.

4. Now coming to the subject of Minimum Wages Act, I should like to say a few words. The problem of minimum wages regarding agricultural wages is a very difficult one but it is a very urgent problem. The problem of agricultural labour is assuming an importance day by day which is equal to that of industrial labour. To-day our country is entirely dependent upon imported food and unless the relations between employer and employees in agriculture are improved, our entire economy cannot be able to stand on surer foundations. Unless agricultural economy is set right, the disturbances in other spheres of the economic life is bound to be there. I hope you will all agree with me. But unless we stabilize our agricultural economy, the other fields of life in this country, whether it is industrial side or the side of administration, it cannot be stabilized, and so the problem is urgent. Because the problem is vast and difficult, certain representations have been made by certain Provinces to the Government of India to postpone the time-limit of 1952, the date fixed for bringing in the Minimum Wages Act into force to some other date. But the Government of India have expressed their determination to have it through as early as possible and they are not inclined to postpone beyond the date that has been fixed, and so the work of setting up necessary machinery for the implementation of the Act is being carried on. So far as other fields of industrial activity are concerned to which the Minimum Wages Act is to be applied, committees have been set up. The Commissioner of Labour will be able to give you the details. One other interesting suggestion has been made regarding the setting up of committees on industrial basis. But I do not know what the practical difficulties are. But I hope in our discussions we will be able to suggest ways and means of getting over the difficulties if there any. I do not like to take much more of your time and let me welcome you once more. I hope you will bring to bear on the discussions of the various subjects in the agenda, your ripe experience and an amount of forbearance to the other man's view which I hope will yield good results and give us conclusions which help the Government in its work in the stabilization of the industrial peace in this State.

At the conclusion of his speech the Chairman (Hon'ble Sri H. Sitarama Reddi) regretted his inability to continue to be present at the meeting and requested the members to continue the discussions with the Commissioner of Labour in the Chair.

There was a complaint from several members that no agenda was circulated before the meeting and that consequently they found themselves unprepared for discussions. It was explained by the Commissioner of Labour (Chairman) that the subjects suggested by the members were so numerous that they could not be compressed into an agenda and it was thought best to have an informal discussion as each member raised his own subject.

Sri Ramanujam asked for the constitution of a Tripartite Standing Committee for each district industry on the lines of the Industrial Committees constituted by the I.L.O., and by the Government of India. He particularly asked for such a committee for plantations. Mr. Kothari was of opinion that no useful purpose would be served by such a committee exclusively for the south as there was a Tripartite Committee at top level. Mr. Venkataraman did not agree. A Provincial body could meet more often than the Central and discuss local problems. He even suggested a Standing Committee for such a provincial committee. It was the sense of the meeting finally that as a Plantation Code was coming shortly no action is necessary until then.

Mr. Venkataraman raised a few other points. He suggested that conciliation proceedings should be concluded quickly and in any case within two weeks. He suggested also that the atmosphere of the Industrial Tribunals should not be that of civil courts and that the Labour Commissioner or a Labour Officer should attend all proceedings. He also raised the point that free legal aid must be given to the employees as a large number of unions are not able to formulate cases.

Sri Ramanujam referred to the defects in the present Act and suggested that we should proceed with our own legislation on the lines of the Bombay legislation instead of waiting for the comprehensive legislation promised by the Centre. Both he and Sri Venkataraman had had things to say about the tendency shown by employers, of taking awards to courts by exploiting defects in the Act and wanted preventive legislation to be hastened. Mr. Batchelor did not agree. He did not see why the safety valve of going to civil courts should be denied to anyone. To err was human and the Tribunal might err. Legislation to be perfect, should be slow and should go through all the formalities. It should not be hastened. Sri Venkataraman intervened to explain that his point was that the working of the industrial enactments should be tightened so that no party would be in a position to get out of its obligations arising out of awards made in industrial disputes. The employers should not try to flout the Tribunals' awards.

Mr. Bharathan complained about the time taken in sending copies of awards to the parties. The Chairman promised that this will be looked into.

Sri Venkataraman raised the point that, in granting exemptions from the provisions of the Factories Act and the Shops and Establishments Act, representatives of labour should be consulted. It was explained by the Chairman that in cases of temporary exemption and where the need for exemption was obvious, such consultation might not have been made, but that the policy was to consult the employees' organizations.

On the question of industrial housing, information was sought by a few members about the facilities which the Government would give. It was explained that the matter was not finally settled and that it would be possible to discuss the subject more fully at the next conference.

It was decided that the next meeting of the Conference should be held in the latter half of February 1950. It was also felt that there was need for a proper agenda and that for this purpose members should be asked to suggest subjects, if any, before the end of December 1949. This would allow sufficient time for drawing up a suitable agenda and for study.

Annexure.

PROCEEDINGS OF THE THIRD MEETING OF THE MADRAS STATE LABOUR ADVISORY BOARD HELD ON 11TH AUGUST 1950 AT THE LIBRARY ROOM, PUBLIC WORKS DEPARTMENT (OFFICE OF THE CHIEF ENGINEER, CHEPAUK), MADRAS.

PRESENT:

(1) The Hon. Sri H. Sitarama Reddi, Minister for Labour—*Chairman.*
(2) Sri P. S. Viswanatha Ayyar, I.C.S., Secretary to the Government of Madras, Development Department.
(3) Sri C. G. Reddi, Commissioner of Labour.
(4) Sri P. Natesan, M.L.A.
(5) Sri V. Chakkarai Chettiar.
(6) Sri V. Jagannathan.
(7) Sri K. Satyanarayana.
(8) Sri G. Ramanujam.
(9) Sri P. R. K. Sarma, M.L.C.
(10) Sri R. Kuppuswami, M.L.A.
(11) Sri C. E. Bharathan.
(12) Mr. J. R. Marshall.
(13) Sri C. M. Kothari, M.L.A.
(14) Mr. H. I. Cormack, M.L.C.
(15) Sri K. A. Shanmugha Mudaliyar.
(16) Sri M. Kanniappan, M.L.A.
(17) Sri M. Govindaswami, M.L.A.

Chairman's Speech.

Gentlemen,

Let me welcome you to the third meeting of the State Labour Advisory Board. We met last in December 1949 and should normally have met again much earlier, but the Government considered it desirable to await the proceedings of the 10th Session of the Indian Labour Conference held at Delhi in March last to discuss the Labour Relations Bill and the Trade Unions Bill.

Some of the members have suggested a large number of subjects for discussion at this meeting but only five subjects which are considered to be of general importance have been included in the agenda and individual matters which might as well be represented separately have not been included as we may not have time to discuss all of them fully. The other subjects given notice of by the members will, of course, be duly considered in the Secretariat and put up to me for orders.

2. As regards industrial housing, the first item on the agenda, I am fully aware that the progress in this State has not been appreciable. It is therefore of utmost importance that we should

consider and evolve a programme of action to make up the deficiency as speedily as possible, as the contentment and efficiency of labour depends in no small measure on the provision of this most essential amenity.

The second subject we would be considering, i.e., the abolition of the kangany system is also of equal importance. I do not want to criticise anyone, but it is high time we set about earnestly to modify a system which has led to considerable abuses. I shall refer to this again before I end my speech.

3. I have already said at the first two meetings that this Board is intended to serve as a forum for discussion of general subjects that may arise in the course of the working of various industries, factories, plantations, etc., and the other difficulties that may confront either the employers or the employees where the Government would like to take the advice of both industry and labour. The Government hope that such meetings will help to maintain industrial peace. There has been a very cordial atmosphere in the last few months in the industrial labour field, and I have to thank both the employers and employees for their restraint and patience in the interest of the welfare of the country. I appeal to both sections once again to maintain this cordiality and to help Government to secure industrial peace and I assure you that I will do my best to resolve the difficulties that may arise.

4. The Industrial Disputes (Appellate Tribunal) Act, 1950, recently enacted by the Union Government provides for the establishment of a Labour Appellate Tribunal and makes certain incidental changes in the existing law. The Appellate Tribunal will consist of persons of the status of High Court Judges and appeals will lie to the Tribunal from the awards and decisions of Industrial Tribunals, Courts, Wage Boards and other statutory bodies set up for the adjudication of industrial disputes. Appeals will be preferable on questions of law, irrespective of the subject-matter of the dispute; but on matters of fact only from awards or decisions relating to wages, bonus, travelling allowance, employers' contribution to provident or pension fund, amounts payable for defraying special expenses, gratuity, classification of workmen by grades and retrenchment. The personnel of the Tribunal has been announced recently and I am sure you have seen it.

5. Section 33 of the Industrial Disputes Act, 1947, has been modified so as to prohibit the discharge or punishment, whether by dismissal or otherwise of any workman during the pendency of conciliation or adjudication proceedings without the express permission in writing of the Conciliation Officer, Board of Tribunal. Alteration of conditions of service during the pendency of proceedings can be effected with the permission of the Tribunal or conciliating authority. The new section 33-A enables a party aggrieved by an act of contravention of section 33 to lodge a complaint with the Tribunal and empowers the Tribunal to deal with the complaint. Hereafter, the awards will continue to be binding on the parties until a period of two months has elapsed from the

date on which notice is given by a party to the other party intimating its intention to terminate the award. Any money due from an employer or the cash value of any benefit which is capable of being computed in terms of money under an award or decision of an Industrial Tribunal is recoverable as arrears of land revenue or as a public demand by the appropriate Government. Industrial Tribunals have also been empowered to award costs of any proceedings before them. I feel sure that these legislative measures may go a long way in securing industrial peace. These enactments apart, I have again to lay stress on the settlement of disputes through mediation and conciliation which have so far proved to be the most effective and lasting methods of resolving an industrial dispute.

6. I shall briefly explain what we have so far done under the Minimum Wages Act, 1948. Under the provisions of this Act, two courses are open to the Government in the matter of fixation of minimum rates of wages in the scheduled employments. The Government can either appoint committees to advise them in the matter or publish their proposals straightaway, and confirm them after considering the objections and suggestions of all concerned. We propose to constitute committees only in respect of those employments for which reliable data are not available for publication as preliminary proposals. In the following industries, reliable data were available and action has already been taken and preliminary rates published for public criticism :—

(1) Employment in any rice mill, flour mill or dhal mill.

(2) Employment in any tobacco (including beedi-making) manufactory.

(3) Employment in any oil mill.

(4) Employment in any public motor transport. Similar proposals will be published shortly in respect of (1) employment in any mica works; and (2) employment in tanneries and leather manufactories.

Constitution of committees will shortly be done in respect of the following employments :—

(1) Employment in any woollen carpet making or shawl weaving establishment.

(2) Employment in any plantation.

(3) Employment under any local authority.

(4) Employment in road construction or in building operations and in stone breaking or stone crushing.

7. There are several problems facing the plantation industry also. But only the most important of these which warrant immediate attention have been taken up for consideration. The question of abolition of the kangany system is one such and it will be before the members presently. As regards the other problems, fixation of wages, housing, etc., they will be dealt with in the Plantation Committee which is now under the consideration of the Union Government.

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8. You would all have read with considerable interest the report that India is bringing in legislation to fix fair wages linked to fair work-loads. Such a measure will go a long way to remove one of the root causes of industrial unrest.

I welcome you once more, Gentlemen, and suggest we go through the agenda.

The Chairman then requested the members to open discussion on the items in the agenda.

Item I of the agenda—Industrial Housing.

Mr. Chakkarai Chettiar while stressing the urgency of the problem, suggested that the houses should be constructed by Government and be under Government control, and not under the managements of co-operative housing societies.

Mr. P. Natesan wanted to know who were the classes of employers who were expected to provide houses, and whether there was any upper or lower limit as regards the size of an industrial establishment.

The Hon. Minister explained the scheme and said that there was no lower limit and that the scheme was voluntary and there was no question of compulsion, and that it was desirable in the interests of the employers themselves to have a contented and efficient labour, and good housing was necessary for that purpose, not as a measure of charity but as a sound business proposition.

Sri Ramanujam wanted to know whether the Government would be in a position to offer by acquisition suitable land sites free if the labour are prepared to come out to meet one-third of the capital for housing schemes.

The Chairman wanted to know whether the suggestion was that employees want only the good offices of the Government to secure land and that the labourers themselves are prepared to take advantage of offers like this. Mr. Ramanujam agreed.

Mr. Kothari pointed out the danger of creating a slum problem for mill labour in places like Coimbatore where most of the workers come from their own houses in adjoining villages and suggested that improvement in housing in these rural areas would be a more desirable step.

Mr. Ramanujam was emphatic that the houses should be owned by the workers or be transferable only to other workers, so that the danger of the workers being driven out of the houses when they went on strike might be averted. He suggested that Labour Co-operative Housing Societies can be started, and that the employer's contribution should be treated as an outright gift.

Mr. Marshall said that even willing employers find difficulty in providing housing mainly because of delay in land acquisition. He preferred a co-operative basis by which the worker will eventually own the house. He said that the Textile Industry could not

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bear any more burdens and that "housing' meant building of schools and other amenities like shops, hospitals, markets, which will devolve on the employer.

Mr. Kuppuswami drew attention to the needs of Harijan labourers in particular and others in general in Coimbatore district.

With regard to Mr. Ramanujam's suggestion the Chairman wanted to know whether labour would be willing to take up the schemes offering one-third of the capital expenditure. As representative of the labour he felt that it would be possible with a longer duration in the instalments.

Mr. Kanniappan also spoke on the same lines as Mr. Ramanujam.

A suggestion was made by Sri Govindaswami, M.L.A., that before building houses proper conveyance must be provided for people coming from the mufassal.

Sri Natesan thought it was better to provide tenements instead of separate houses, but also pointed out the difficulty of the individual worker being able to own a portion of such tenement.

The Chairman said that if in the case of building a house for a worker the cost is not going to be materially less, there would be no objection to provide each worker with a house.

Sri P. R. K. Sarma pointed out that new factories are springing up, e.g., the factories at Tondiarpet, the motor car factory at Ennore and various other factories in Tiruvottiyur where there are already a large number of factories, and suggested that wherever new factories are allowed to be established, especially factories on a large scale, like the Ashoka Motor Works, etc., the employers should be compelled at the very outset to construct suitable houses for the workers even at the time of constructing the factories so that the congestion and the slump because of the over-population may be avoided.

The Chairman pointed out that in Bombay if a person wants to establish an industry he is compelled to provide at least housing for one-third of its labourers. At the same time, he wanted the members to understand the other point of view. Madras had been an undeveloped area industrially so far. In the interest of labour itself, it was felt that it would be desirable not to hamper the development of industry in Madras by such a condition. There is a feeling that there are no adequate industries in this State and that Madras should develop industrially. So, it was felt that it is not practicable just like Bombay City where the scheme is possible, because it concerns only its suburbs and not outside. The new industries in their initial stage cannot afford to put up non-profit yielding block amounts which will not get them immediate return. It costs four times as much as before the war to start a new industry. This aspect had to be seriously pondered over before any such conditions were sought to be imposed.

Item II in the agenda—Abolition of kangany system.

Sri Ramanujam suggested that this question may be left for consideration by a special committee to be set up for dealing with plantation labour alone and that this committee may be constituted speedily. The committee proposed to be constituted for the fixation of minimum wages for plantation labour will be utilized for discussing the kangany system also. Mr. Kothari agreed and the Committee accepted the suggestion.

Item III in the agenda—Works Committees in factories, their composition, actual function and the need for their retention.

The note of the Commissioner of Labour on the working of the works committees already formed was read out to the members.

Sri Chakkarai Chettiar said that he was not in favour of these works committees. The workmen feel that these committees are failures because the unions look upon them with suspicion. They feel that the works committee members usurp the functions of the unions and become the protegees of the management. The unions are not getting reports from the works committees and they are not for the formation of works committees.

Sri Ramanujam said that these works committees work well only where there are no strong trade unions, but not where there are strong or competing trade unions or where employees misbehave. He said that the unions which have 15 per cent representation should have the right to nominate their full quota on the works committees. The unions should also have the right to recall the members nominated by them.

Sri Satyanarayana (speaking in Telugu) supported the views of Sri Ramanujam and pointed out that there were instances where the workers were willing to come to amicable settlement but the managements were not co-operating.

Sri Kuppuswami (speaking in Tamil) said that where there are equal votes no decision can be taken. He wanted that only a Government servant of the Labour Department must be Chairman of the works committee.

Sri Kanniappan (also speaking in Tamil) stated that in certain cases the unions had no powers to nominate members to the works committees and in such cases no useful purpose will be served by these committees in settling disputes between management and the workers.

Mr. Marshall generally agreed with the views of Sri Ramanujam and said that he would like to wait for the recognition of the various unions under the new Act.

Sri P. R. K. Sarma did not want to wait till all the unions were recognized. He said that the works committees are working fairly satisfactorily and we have only to remedy the defects. Where there is a representative union already recognized that union

should represent the workers 100 per cent. Where there are two or more recognized unions, the union which is more representative of the workers should be appointed to represent the workers.

Mr. Cormack pointed out that the suggestions made in the committees are treated as demands and they are being used for political propaganda. The function of the committees is not to make demands on the employers. It is only consultative and not executive. A spirit of accommodation is necessary. The works committees have too much to do with the unions.

Sri Shanmugha Mudaliyar did not agree with the view that a *Government* official of the Labour Department should be the Chairman of the works committees. He pointed out that if Labour officers were deputed to serve on the works committees that will create suspicion among workers and there was bound to be split. He favoured a general election.

Sri Jagannadhan opined that if the manager were to be the Chairman of the works committees, the number of members being equal, no useful decision of the workers' problems could be achieved.

The Chairman then pointed out that works committees are not expected to arrive at decisions but simply be a link between the management and the workers for their mutual advantage.

The Commissioner of Labour urged that works committees should be properly constituted and proper rules should be framed for the election of the representatives. A note prepared by the Commissioner of Labour was read out (appended).*

Sri Govindaswami also spoke on the subject.

Items IV and V in the agenda.

The Chairman said that items IV and V of the agenda may be clubbed together and treated as one subject for purposes of the discussion.

Item IV of the agenda—The hours of work in shops and establishments covered by the Madras Shops and Establishments Act, 1947, be increased to 9 so as to be in conformity with the provisions of the Factories Act. The weekly hours of work will, however, remain unchanged at 48.

Item V in the agenda—The weekly holiday to be granted under the Madras Shops and Establishments Act, may be a holiday without wages as in the case of factories covered by the Factories Act, 1948.

Sri Chakkarai Chettiar was not in favour of increasing the hours of work. He said that we must level up and not level down. The factory workers also must get a weekly holiday with wages.

Sri Ramanujam also was not in favour of the proposal. Under the Shops and Establishments Act, weekly holidays are holidays with wages and if we are to conform to the Factories Act, this

* Vide page 530 infra.

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will adversely affect their wages and deprive them of this privilege. Restaurants and hotels employing more than ten persons come under the provisions of the Factories Act, and he would suggest that they might also be brought under the Shops and Establishments Act. He pointed out that though there was no change in the 48 hours week by converting the 8-hour day into a 9-hour day, there was bound to be a feeling among the workers that it was going to be a retrograde step.

The Chairman pointed out that the Government wanted the Madras Shops and Establishments Act, to be in conformity with the Factories Act, and that if there was no real loss to the workers it can be examined and decided with the concurrence of the representatives of labour.

NOTE OF THE COMMISSIONER OF LABOUR.

Vide Item III of the agenda—Works Committees.

Two hundred and seventy-five works committees have been formed in the factories and establishments employing 100 or more persons in the State. In the majority of them, the representation between the employer and employees is equal. In some plantations, the workers' representatives are greater than the employers. These committees are reported to be functioning satisfactorily and they are helpful in keeping cordial relationship between the employers and workers. Difficulty is, however, felt in constituting the committees in large industrial areas where trade unions are active. The rules require that the committee should be formed allocating proportionately the number of seats for workers' representatives where there are trade unions. In some establishments, the workers are members of more than one union and in almost every case all the workers are not members of the unions. The unions do not co-operate in the formation of works committees for fear that the works committees will undermine the trade union movement and their influence over the workers. The unions, therefore, advise the workers not to co-operate in the formation of the works committees. Efforts made to infuse confidence in the leaders of the unions have been in vain.

The provisions of the Act require that the works committees should be constituted in consultation with the trade unions, if any. It would, therefore, be sufficient if the trade unions are consulted with regard to the number of representatives in the committee and supervision of the election. The representatives of the workers should be elected by the workers themselves in an assembly of all the workers concerned without specific allocation of seats between the unions and non-union members. The rules may accordingly be amended.

In view of the good reports received on the working of the works committees wherever there is good co-operation between the employers and workers, the retention of the committees appears to be a good means of avoiding labour troubles and thus be of help to increase production and better relationship between the capital and labour.

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APPENDIX VI.

Vide answer to starred question No. 39 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 9th October 1950, page 433 supra.]

A.—

(*a*) Special by-laws relating to service conditions of non-official employees of co-operative institutions were framed and communicated to the co-operative societies for adoption. Regarding emoluments and general scales of pay for various categories of employees in Provincial Institutions, Central Banks, Stores, etc., certain recommendations were made by the Provincial Co-operative Union. They were endorsed by the Provincial Co-operative Advisory Council and accepted by Government. They were also communicated to the societies for adoption, wherever necessary with reference to their financial resources.

(*b*) They are required to adopt them with modifications to suit local conditions.

(*c*) Approval of the Government is obtained wherever the modifications are material.

(*d*) Rules regarding service conditions can be adopted only by big institutions like provincial institutions, central banks, wholesale stores, urban banks, land mortgage banks, etc. There are still institutions such as rural credit societies, etc., which have not adopted the special by-laws governing the service conditions of their employees.

(*e*), (*f*) & (*g*) The existing provision under rule II (*uu*) of the rules made under the Madras Co-operative Societies Act requires co-operative institutions to adopt by-laws laying down the service conditions of non-official co-operative employees. The question whether any special powers need be conferred on the Registrar to compel co-operative institutions to adopt the by-laws was examined by the Government. It was considered in view of the existing provision under rule II (*uu*) no such powers were necessary and that where co-operative institutions successively and deliberately refused to adopt the by-laws, it was open to the Registrar to invoke the power of supersession.

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MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

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THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 10th October 1950.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. Chairman (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Admission into medical colleges.

* 43 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Health be pleased to state whether as a result of the decision of the High Court, the basis on which candidates were selected for admission into Medical Colleges originally, has been altered and if so, what the revised basis is?

THE HON. DR. T. S. S. RAJAN:—"The Government have taken note of the High Court's judgment for their guidance and future action. Pending the results of the appeal filed by the Government before the Supreme Court, the basis for admissions subsequent to the judgment cannot but be on the lines of the High Court's decision."

Fees charged by Government Medical Officers.

* 44 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Health be pleased to state with reference to the answer given to the main question No. 96 on the 10th January 1950 and to the supplementary questions on it—

(*a*) what the regulations are regarding the amount of fees that a Government Medical Officer could charge;

(*b*) whether fees could be charged for consultation in the hospital during the working hours;

(*c*) whether a Government Medical Officer can charge fees for treatment in the hospital;

(*d*) whether there are regulations governing consultation fees after the working hours; and

(*e*) if the answer to (*d*) is in the negative, whether the Government have considered the desirability of fixing limits for such fees without leaving it entirely to the discretion of the Medical Officer?

THE HON. DR. T. S. S. RAJAN:—"(*a*) There are no regulations fixing the scale of fees that a Government Medical Officer could charge for professional attendance on a private patient.

"(*b*) & (*c*) The answer is in the negative.

"(*b*) This question does not arise in view of the answer to clause (*a*) above.

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" (*e*) The Government have considered the desirability of fixing the scale of fees that a Government Medical Officer can charge on private patients and they have decided not to fix any scale of fees, as the matter is entirely one between the patient and the doctor he wishes to consult privately."

SRI R. SURYANARAYANA RAO :—" In view of the fact that in many places competent private medical practitioners other than the Government medical officers are not available for consultation, should not the Government fix some maximum limit at least to the fee that can be charged by Government medical officers, so that the patients who are at their mercy may not be required to pay any fee that they demand? "

THE HON. DR. T. S. S. RAJAN :—"I do not know how the Government can regulate the professional conduct of a doctor with his patient which is a question of necessity. The facts mentioned by the hon. Member come to this that the Government should go out of their way to fix the scale of fees for private practice by Government doctors."

SRI R. SURYANARAYANA RAO :—" Are not Government Medical Officers whole-time servants? "

THE HON. DR. T. S. S. RAJAN :—" Yes, in the hospitals they are, but not in their private practice."

SRI R. SURYANARAYANA RAO :—" Why should not the Government control their conduct even outside their official sphere just as they do in respect of other Government servants? "

THE HON. DR. T. S. S. RAJAN :—" The two categories are quite different. A professional man has got to carry on his profession. In one case he is a Government servant and in the other case he is a free man wherein his practice and reputation count. Therefore it is not possible to regulate the fees in the matter."

SRI R. SURYANARAYANA RAO :—" Since there is no adequate medical relief in the mufassal, do not the Government think it necessary that such medical relief as is available should be at the disposal of the public on reasonable terms? "

THE HON. DR. T. S. S. RAJAN :—" Doctors are available to the people in the hospitals. But when a patient asks a Government doctor to attend on him in his private capacity, we cannot restrain the individuality or independence of the doctor."

Utilization of the waters of the Periyar river for irrigation.

* 45 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) what percentage of the waters of the Periyar river is available to the Madras State and how much of it is being utilized for purposes of irrigation;

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(*b*) whether it is a fact that owing to the low height of the dam across the river, the waters usually overflow and are wasted without proper utilization;

(*c*) whether there are proposals for raising the height of the dam to impound more water for utilization for irrigation and generation of power; and

(*d*) whether the Government will make a full statement regarding the utilization of the waters of the Periyar river, the present position, and the future prospects?

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) All the water flowing into the Periyar lake is available to the Madras State and the whole of this, except the quantity which surpluses over the dam in some years, is being utilized in Madras for irrigation.

" (*b*) only a small portion of the river waters overflow into Travancore territory, but even this occurs only in some years and not in all years.

" (*c*) No.

" (*d*) Almost all the water available in the Periyar lake is being utilized now and Periyar does not overflow every year. However, to make the best use of the available surplus and to prevent wastage of water during South-west monsoon, by overflow from the lake, the Government have now under consideration the Vaigai Reservoir Scheme. When this Scheme is completed the present practice of closing Periyar lake during March, April and May will be stopped and the water drawn through the tunnel during these months will be stored in the Vaigai reservoir while the Periyar reservoir will be almost depleted so as to store up more of the monsoon flows. Almost all the surplus water of the Periyar catchment after filling the lake will thus be impounded in the Vaigai Reservior. When the Vaigai scheme comes to function it is expected that nearly all the dependable surplus would have been used up. The Government have also under consideration a scheme for utilization of Periyar waters for generation of Hydro-Electric Power."

Pumpsets and oil-engines.

* 46 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Agriculture be pleased to state the number of pump-sets, oil-engines and other machinery for baling out water purchased by the Government since 1946 (yearwar), the amount spent on such purchases, the number sold to ryots either outright or on hire-purchase system and the amount realized on that account, the number of each available for hire, the hire charges prescribed and how they have been distributed in the State (districtwar)?

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THE HON. SRI A. B. SHETTY :—" A statement [a] is placed on the table of the House."

SRI S. B. ADITYAN :—" In 1946-47 the Government purchased 792 petrol sets and sold 401 of them at approximately the same amount as the purchase price. The Government have made a handsome profit. What has become of the profit? "

MR. CHAIRMAN :—" Absorbed into the general revenues perhaps! "

THE HON. SRI A. B. SHETTY :—" May I request the hon. Member to repeat the question? "

SRI S. B. ADITYAN :—" In 1947-48, the Government have purchased 90 Cub-Coventry engines for Rs. 1,89,716 and sold them for Rs. 1,91,977. The Government have made a handsome profit."

THE HON. SRI A. B. SHETTY :—" The petrol sets were got from the Army surplus stores in 1946 and since then no purchase has been made. They are used for baling purposes. I cannot give the information which the hon. Member wants just now."

MR. CHAIRMAN :—" The question is that in 1947-48, the Government purchased Cub-Coventry engines for Rs. 1,89,716 and sold them for Rs. 1,91,977. The hon. Member wants to know what has been done with the profit of about Rs. 2,000."

THE HON. SRI A. B. SHETTY :—" Notice."

SRI R. SURYANARAYANA RAO :—" In 1946-47, the Government purchased 792 petrol sets for Rs. 4,21,533 and sold 401 of them for Rs. 4,15,950. It is a clear case of profiteering."

THE HON. SRI A. B. SHETTY :—" I have no information just now. I want notice."

MR. CHAIRMAN :—" Do not the Government sell at cost price? Do they make a profit out of it? "

THE HON. SRI A. B. SHETTY :—" We do not usually seek to make a profit. I do not know what has happened in this case."

SRI MOTHEY NARAYANA RAO :—" May I know whether there is a large demand for petrol sets? "

THE HON. SRI A. B. SHETTY :—" There is a large demand for oil engines and electric motors but not for petrol sets except for baling out water from wells."

SRI MOTHEY NARAYANA RAO :—" Are not the petrol sets working satisfactorily? "

THE HON. SRI A. B. SHETTY :—" They must be working satisfactorily, I believe."

SRI MOTHEY NARAYANA RAO :—" My information is that they are not working satisfactorily."

[a] Printed as Appendix I on pages 690-602 infra.

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MR. CHAIRMAN :—" They work satisfactorily, but they require more attention and entail heavy expenditure. "

SRI MOTHEY NARAYANA RAO :—" In that case is it not desirable that the Government should purchase only oil engines? "

THE HON. SRI A. B. SHETTY :—" I have already said that no petrol sets are now purchased by the Government. The petrol sets that were got were got from the Army surplus stores in 1946."

SRI MOTHEY NARAYANA RAO :—" What arrangements are the Government making to meet the demand for oil engines? "

THE HON. SRI A. B. SHETTY :—" Oil engines are being supplied to the ryots wherever there is demand."

SRI K. MANATHUNAINATHA DESIGAR :—" Will the Hon. Minister put the position like this that the petrol sets might have been purchased from the Army surplus stores at a cheaper rate and sold at the market rate? "

THE HON. SRI A. B. SHETTY :—" I have already said that I cannot give the information. I want notice."

SRI R. SURYANARAYANA RAO :—" It is said in Statement V of the paper placed on the table that in 1950-51 up to 30th June 1950 only two oil engines and six electric motors were purchased. Why are the numbers so small? Do the Government propose to purchase some more oil engines and electric motors during 1950-51? "

THE HON. SRI A. B. SHETTY :—" Certainly. These figures relate only to the short period of a month or so."

SRI R. SURYANARAYANA RAO :—" May I ask whether the number of electric motors sold on hire-purchase system is sufficient to meet the demand in the State? "

THE HON. SRI A. B. SHETTY :—" Electric motors are being supplied to areas where electricity is available."

SRI R. SURYANARAYANA RAO :—" Is it the contention of the Hon. Minister that in 1949-50 there was a demand for only 50 electric motors from areas where electricity was available? "

THE HON. SRI A. B. SHETTY :—" Wherever there is a demand for supply on hire-purchase system it is being met. A large number of electric motors are got by the ryots directly from the manufacturers' representatives."

Agricultural machinery.

* 47 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Agriculture be pleased to state—

(a) the various kinds of agricultural machinery purchased by the Government from various sources since the beginning of the ' Grow More Food ' Campaign and the amounts spent so far on such purchases (seriatim);

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(*b*) whether any portion of the machinery has been sold, and if so, the amount realized by such sales;

(*c*) whether the remaining portion of the machinery is being put to use, and if so, how;

(*d*) whether any portion of the machinery has been condemned and its cost written off, and if so, what the amount written off, is;

(*e*) whether any portion of the machinery has been given to the ryots on hire-purchase system, and if so, what machinery has been made so available, the amount realized so far and the amount yet to be realized;

(*f*) whether the machinery available for the use of the ryots is so distributed as to make it available for ryots in all regions;

(*g*) what the distribution centres are;

(*h*) whether any procedure is prescribed for enabling the ryots to secure the use of the machinery; and if so, what it is and the terms on which the machinery is made available;

(*i*) whether the Government have received representations complaining that the existing hire charges are too high and beyond the capacity of ordinary ryots;

(*j*) whether there are proposals to reduce the hire charges;

(*k*) what the staff employed for the maintenance and working of the machinery is and the recurring cost to the Government on that account; and

(*l*) whether any portion of the cost of maintenance of the staff is recovered from the ryots besides hire charges for the machinery?

THE HON. SRI A. B. SHETTY:—" (*a*) A statement[a] showing the different types of machinery purchased by the Agricultural Department from various sources in aid of the 'Grow More Food' and the amount thereon is placed on the table of the House (Annexure A).

(*b*) Two hundred and seven oil-engines and 345 petrol pumpsets have been sold and a sum of Rs. 5,30,352 and Rs. 3,79,500, respectively, have been realized. Tractors are not sold to ryots but are hired.

(*c*) The remaining petrol pumpsets are held in the districts and are issued to the ryots on hire according to the demand. As regards oil-engines, five Pelapone engines are in use in the departmental farms and other oil-engine pumpsets are on hire in the districts. During drought periods the tractors fitted with belt power attachments are also employed for working trailer pumps for irrigation of the withering crops. The tractors and equipments are used for ploughing, levelling and harrowing operations depending on soil conditions.

(*d*) No machinery has been condemned so far.

(*e*) Two hundred and nine pumpsets and 53 motors have been distributed to the ryots up to 30th June 1950 on hire-purchase system. A sum of Rs. 96,078-9-0 has been collected from the ryots up to 30th June 1950 *as earnest money deposits*. It is not possible to give a correct idea of the amount remaining to be collected at this stage. Roughly a sum of Rs. 5,92,543-2-0 remains to be collected as detailed below :—

[a] Printed as Appendix II on pages 602–607 infra.

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	RS.	A.	P.
Expenditure incurred on account of pumpsets, etc., up to 30th June 1950 ...	6,68,564	12	0
Three per cent centage on the above ...	20,056	15	0
	6,88,621	11	0
Deduct amount collected up to 30th June 1950 towards earnest money deposit ...	96,078	9	0
Balance yet to be collected	5,92,543	2	0

" (*f*) The machinery is supplied to the ryots in all the districts according to the demand.

" (*g*) The machinery is being distributed in all the districts of the State through the respective District Agricultural officers.

" (*h*) The procedure for hiring out tractors and pumpsets is as follows :—

(1) An application in the prescribed form has to be presented by the applicant to the District Agricultural Officer concerned. It will be registered by him and supply will be made in order of priority. The rates of hire charges have been fixed according to the nature of the machinery and advance payments of these hire charges are insisted before the machinery is actually hired out.

(2) As regards the purchase of oil-engine pumpsets under the *hire-purchase system* the procedure to be followed by the ryots is as follows :—

An application in the prescribed form has to be made to the District Agricultural Officer concerned. It will be forwarded to the Tahsildar for verification and for ascertaining the solvency of the applicant. If the application is accepted, an officer of the Agricultural Department will inspect the lands to study the local conditions and requirements after which an estimate of the cost of the plant and equipment and the cost of transport installation of the same will be furnished to the applicant who should thereafter execute an agreement with the Government. If the pumpset has to be installed on the land of another, the consent of the latter is necessary and he should also enter into an agreement with the Government. The cost will be repayable in fixed monthly or annual instalments according to the value of the pumpset.

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" (*i*) A representation has been received from Sri V. C. Palanisami Gounder, M.L.A., Coimbatore, saying that the hire charges in respect of oil-engine pumpsets are too high and that they should be reduced to Rs. 2 per day. The Government have considered the representation and deferred the proposal of reducing the hire charges as they were of the view that there was no proper case.

" (*j*) No.

" (*k*) The details of the staff employed in the Agricultural Engineering Branch for the maintenance and working of the machinery are given in the statement[a] placed on the table of the House (Annexure B).

" (*l*) The hire charges that are recovered from ryots take into account the cost of the staff also."

SRI R. SURYANARAYANA RAO :—" Sir, in view of the long question and the long answer, and in view of the importance of this subject from the point of view of the Grow More Food campaign, may I suggest that you may kindly allow us to put supplementary questions on this question at the next sitting of the Council and in the meanwhile see that copies of the answer are supplied to the Members of the House? "

THE HON. SRI A. B. SHETTY :—" Yes, Sir, there is no objection."

MR. CHAIRMAN :—" We are meeting next on the 12th and supplementary questions will be put on that day."

Schemes of the Agriculture department.

*48 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether the Agricultural Department has prepared intensive and extensive schemes of cultivation for 1949–50 and 1950–51;

(*b*) what the schemes are with full particulars regarding cost, their location, if any, etc.;

(*c*) whether any or all the schemes have been sanctioned by the Government and how many schemes sanctioned for, 1949–50 have been completed;

(*d*) whether in respect of any or all the schemes, the Government of India have promised assistance, and if so, what the nature and extent of such assistance is;

(*e*) whether the Government of India have approved all or any of the schemes with or without modification;

(*f*) whether prior to 1949–50 there was a five-year plan in operation since 1947–48 and if so, whether the plan supersedes or extends the scope of the earlier five-year plan;

[a] Printed as Appendix II on pages 607–608 infra.

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(*g*) what the results of the earlier plan of 1947–48 have been under increase in acreage under cultivation, increase in yield, etc.; and

(*h*) whether the Government will lay on the table of the House the relative Government Orders in respect of the earlier and the later plans?

THE HON. SRI A. B. SHETTY :—" (*a*) Yes.

" (*b*) The schemes together with particulars of anticipated gross expenditure for 1949–50 and 1950–51 are—

	1949–50. RS.	1950–51. RS.
(1) Land development by mechanical cultivation—Installation of oil-engine pumping sets ..	12,41,070	16,85,360
(2) Soil conservation and contour bunding	10,60,300	8,44,800
(3) Rural compost making ..	46,850	93,720
(4) Green manure	11,96,400	20,38,805
(5) Improved paddy seeds ..	26,06,988	44,65,800
(6) Improved millet seeds ..	3,50,831	8,24,988
(6-A) Improved pulses seeds ..	..	21,009
(7) Control of pests and diseases of crops	3,08,500	4,25,000
(8) Subsidised distribution of phosphatic fertilisers	93,33,546	84,75,000
(9) Distribution of ammonium sulphate	1,48,50,000	4,89,10,000
(10) Supply of electric motor pumpsets and pipes to agriculturists for lift irrigation. (only pipes are acquired and distributed by the agricultural department)	6,00,000	9,00,000
(11) Central agricultural engineering stores and supply centre—Supply of oil-engines and electric motor pumping sets on hire purchase system.	22,25,000	47,25,398
(12) Land development tractor cultivation	44,75,000	49,37,000

All the above schemes are implemented throughout the State.

" (*c*) All the schemes have been sanctioned by Government, the schemes for 1949–50 were in operation till the end of June 1950 and all of them are being continued during the current year with revised targets. A target and achievement sheet showing the acreages planned and covered by the different schemes during 1949-50 is appended.[a].

[a] Printed as Appendix III on page 608 infra.

(*d*) All the agricultural schemes of the State are being implemented with the concurrence of the Government of India. Schemes (1) to (8) listed under Question (*a*) above are eligible for grants from the Centre. Schemes (9) to (12) are worked on a '*no profit or no loss basis*' and there is no net cost to the Government. Generally, the Government of India bear 50 per cent of the net cost of each approved scheme eligible for a grant from the Centre. The total subsidy cost of each scheme representing twice the amount of the grant payable by the Centre is met from the food procurement bonus earned by the State. For the year 1949-50, the Government of India have permitted the adjustment of a total sum of Rs. 228·67 lakhs, being the estimated total subsidy cost of all approved Intensive Cultivation schemes, against the total bonus fund accrued in favour of this Government, which stood at Rs. 327·72 lakhs as on 31st March 1950. This sum of Rs. 228·76 lakhs includes Rs. 76·37 lakhs in respect of the Agricultural schemes [items (1) to (8)] shown under question (*a*) above.

(*e*) The Government of India have approved the Agricultural schemes for 1949–50 without any modification. Their formal acceptance for the 1950–51 programme is awaited.

(*f*) Yes. The previous five-year plan has since been superseded by the present three-year plan of Intensive Cultivation schemes operative during the years 1949–50 to 1951–52 and the targets of additional production under this plan have been fixed with reference to 1948–49 as the base year.

(*g*) The results of the earlier plan in operation during the years 1947–48 and 1948–49 were as below :—

	Increase in acreage.		Estimated increase in yield.	
	1947–48.	1948–49.	1947–48.	1948–49.
			TONS.	TONS.
Tractor ploughing	10,025	35,569	2,506	8,892
Petrol and oil-engine pump-sets—Supply of	10,120	15,052	5,060	7,500
Electric motor pump-sets ..	6,530	6,285	3,265	3,142.5
Application of groundnut cake	—	..	181,802	55,973
Sulphate of ammonium and phosphate manure	..	..	78,303	105,228

(*h*) Two copies of G.O. No. 2535, Development, dated 9th June 1947, and G.O. No. 868, Food and Agriculture, dated 2nd September 1949, relating to the earlier five-year plan and two-year plan, respectively, are placed in the Library of the Madras Legislature Secretariat for perusal by hon. Members. The Government consider it unnecessary to reprint several copies of these old orders which are not now operative. The programme for 1950–51 was approved by the Cabinet Committee for Food Production on 12th June 1950. Draft Government Order sanctioning the 1950–51 programme is now under examination in the Finance Department and it may take some time to get printed copies of the Government Order. The programme has been forwarded to the Government of India already."

SRI R. SURYANARAYANA RAO :—" With reference to the answer to clause (*h*), may I know why it should have taken four months for the draft Government Order sanctioning 1950–51 programme to be examined and yet the order has not been issued? "

THE HON. SRI A. B. SHETTY :—" It takes some time to get this ready, Sir."

Industrial Finance Corporation.

* 49 *Q.*—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Industries be pleased to state—

(*a*) whether the Industrial Finance Corporation, Madras, has been set up;

(*b*) what the authorized and paid-up share capital of the Corporation is;

(*c*) what the holdings of the State Government are in the Corporation;

(*d*) who the subscribers are besides the State Government and what their holdings are;

(*e*) whether the Corporation has framed rules for the transaction of business, especially rules for sanctioning loans and if so, what they are;

(*f*) who the present nominated Directors are and their term of office;

(*g*) whether the Corporation has submitted its first annual report and the balance-sheet;

(*h*) what the amount disbursed so far as loans and the concerns to which loans have been granted, are;

(*i*) whether it is a fact that some industrial concerns seek assistance both from the Corporation and the Government under the State Aid to Industries Act;

(*j*) whether the Government have at any time considered the desirability of demarcating the functions of the Corporation in regard to financing of industries to prevent overlapping; and

(*k*) whether the Government will make a statement of their policy for financing industries either directly or through the Corporation?

THE HON. SRI C. PERUMALSWAMI REDDI :—" The answer[a] is placed on the table of the House."

SRI R. SURYANARAYANA RAO :—" May I know whether the Government have examined why the response from the institutions and public has been so meagre in respect of the subscription

[a] Printed as Appendix IV on pages 609–613 infra.

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towards the shares of the Corporation, as it is only Rs. 7,78,000, while the Government have themselves subscribed to 51 per cent of the share capital? May I know what efforts are being made by the Government and the Finance Corporation to induce the public to invest their funds in the shares of the Corporation?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"An appeal has been issued to the various public institutions to take up more shares in the Corporation, Sir."

SRI S. B. ADITYAN:—"Have any of the Directors of the Corporation been getting any monthly remuneration for their services?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"No, Sir."

SRI R. SURYANARAYANA RAO:—"With reference to the answer to clause (*f*), are not all the Directors nominated, Sir?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"No, Sir. Only three are nominated and the rest are elected by the general body."

SRI R. SURYANARAYANA RAO:—"With reference to the answer to clause (*i*), are the Government sure that there is no duplication of effort on the part of the Board under the State Aid to Industries Act as also on the part of the Industrial Finance Corporation in giving financial assistance to industrial concerns in the State?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"The answer to clause (*k*) will give the information the hon. Member wants, Sir."

SRI R. SURYANARAYANA RAO:—"Will the Government decide the question quickly, as there are too many agencies trying to cater to the needs of industrial enterprises and it makes one enterprise which fails to secure assistance from one source go to another source and obtain it, so that there may be a clear understanding between all the agencies concerned in respect of their sphere of work and that there is no duplication of effort? Will the Government take early steps to see that this matter is settled?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"Yes, Sir. The Board of Industries have made certain recommendations and they are being examined by the Government. As soon as the examination is over, we will demarcate the functions of both these bodies."

Silent Valley forest.

* 50 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Prohibition be pleased to state—

(*a*) whether the rates fixed for timber of various qualities at the time of the original contract entered into with the contractors for the exploitation of the Silent Valley forest have been altered and if so, what the revised rates are;

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(*b*) whether it is proposed to revise the rates further, if the present revised rates are uneconomic; and

(*c*) what the income to Government has been from this forest since the contract was entered into (yearwar)?

THE HON. SRI N. SANJEEVA REDDI:—"(*a*) A comparative statement[a] showing the original and revised rates is placed on the table of the House.

"(*b*) Under the terms of the contract with the Hope Timber Syndicate the rates can be revised only once in two years. The rates were revised with effect from 1st April 1949. The question of further revision does not arise as the contract has been terminated.

"(*c*) The income to Government during 1947–48 was Rs. 15,054–7–0 and that during 1948–49 was Rs. 14,806–5–0. The Syndicate did not work the compartment allotted to it for 1949–50 and hence no revenue was realized in that year."

SRI R. SURYANARAYANA RAO.—"May I take, Sir, that the contract with the Hope Timber Syndicate has been terminated altogether and that such exploitation of the forest as is possible is being done by the Government themselves?"

THE HON. SRI N. SANJEEVA REDDI:—"The contract has been terminated, Sir, but the Government have not yet undertaken to work the forest area themselves."

SRI R. SURYANARAYANA RAO:—"In view of the fact that the resources of the forest attracted the Syndicate to come forward to take up the contract, will the Government now devise measures to exploit the forest themselves for the benefit of the State?"

THE HON. SRI N. SANJEEVA REDDI:—"It requires a lot of organization and I do not think the Government can undertake it themselves. But we are trying to sell it along with certain other forest areas, and if we get a good price, we shall certainly dispose it of to the best possible advantage."

Buildings (Lease and Rent Control) Act.

* 51 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Prohibition be pleased to state—

(*a*) whether any buildings, residential and non-residential, have been exempted from the provisions of the Madras Buildings (Lease and Rent Control) Act;

(*b*) if so, what the general or special considerations were which prompted the Government to exempt these buildings;

(*c*) whether the exemption in all or any of the cases granted in favour of landlords, is affecting the interests of tenants;

(*d*) whether the premises occupied by Hotel Bosotto was in 1947 exempted from the operation of the provisions of the Act;

[a] Printed as Appendix V on page 614 infra.

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(*e*) whether such exemption was intended to operate in favour of the landlord;

(*f*) whether the exemption was granted after the landlord failed to secure eviction through the Rent Controller and the Court of Small Causes;

(*g*) what were the over-riding considerations for interference when the courts empowered to deal with such cases under the Statute refused to grant relief;

(*h*) whether, in virtue of the exemption granted, the landlord enforced his right or allowed Hotel Bosotto to continue as a tenant;

(*i*) whether the Government are aware that the landlord obtained other premises for the purpose for which he sought exemption and so the exemption granted did not operate;

(*j*) whether the landlord still exercised his right though not for the purpose for which exemption was granted;

(*k*) whether the exercise of the right by the landlord supported by the exemption granted by Government led to the closure of Hotel Bosotto;

(*l*) whether Hotel Bosotto was also performing an essential service as important, if not more, as the purpose for which exemption was granted;

(*m*) whether the Government have rescinded the order of exemption and if so, when such action was taken; and

(*n*) whether the action of the Government rescinding the order was after the eviction proceedings had become effective?

THE HON. SRI N. SANJEEVA REDDI :—" (*a*) Yes.

" (*b*) The attention of the hon. Member is invited to the answer to question No. 41 given on the floor of the House on 4th April 1950. Each case was decided on its merits.

" (*c*) Any order passed by Government is bound to affect somebody or other and orders passed in favour of landlords will naturally affect tenants.

" (*d*) *to* (*g*) The attention of the hon. Member is invited to paragraph 1 of Press Note No. 51 issued by Government on 15th March 1950 explaining the circumstances, etc., that led to the exemption of the building in 1947.

" (*h*) The Government have no information in the matter.

" (*i*) The attention of the hon. Member is invited to the second paragraph of the Press Note[a] No. 51, dated 15th March 1950, issued by Government.

" (*j*) The Government have no information.

" (*k*) The Bosotto Hotel was closed in April 1950, as the Bosotto Bros., Ltd., went into voluntary liquidation.

[a] Printed as Appendix VI on page 615 infra.

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" (*l*) The Government have not drawn any distinction between one service and another for the purpose of granting exemptions.

" (*m*) The exemption was withdrawn in March 1950.

" (*n*) The Government have no information whether eviction proceedings had become effective and from when."

SRI R. SURYANARAYANA RAO :—" May I know whether there are any other cases than this, where the landlord has been given protection by the Government? "

THE HON. SRI N. SANJEEVA REDDI :—" There are a good many cases where tenants were given protection, and perhaps, there are a few cases where the landlords also were given protection, Sir."

SRI R. SURYANARAYANA RAO :—" With reference to the answer to clause (1) may I know, whether the Government are not exercising the discretion vested in them under the Act, only so far as essential services are concerned in the matter of giving exemption. The Hon. Minister has said that the Government have not drawn any distinction between one service and another for the purpose of granting exemptions. Is that the case even with regard to essential services? "

THE HON. SRI N. SANJEEVA REDDI :—" In individual cases where there is any particular hardship, the Government are examining and trying to help the people concerned."

SRI R. SURYANARAYANA RAO :—" Is not the discretion vested in the Government by the Act meant to be used in respect of essential services, so that there may be no break in the operation of those services? "

THE HON. SRI N. SANJEEVA REDDI :—" Yes, Sir, in the case of essential services, there is discretion vested in the Government and they use it, if circumstances demand."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, why there has been so much delay on the part of the Government to cancel their order of exemption, in respect of the Bosotto buildings especially when they knew that the landlord had not made use of the exemption? "

THE HON. SRI N. SANJEEVA REDDI :—" It has been ascertained that the landlord was attempting to secure another building in the meanwhile and was able to secure one at least."

SRI R. SURYANARAYANA RAO :—" Are we to take it that it took three years to issue an order withdrawing the exemption, with all the efficient machinery of the Government? "

THE HON. SRI N. SANJEEVA REDDI :—" Perhaps there was a point of doubt and it was made clear to the officers concerned only then, and then only they had to issue orders cancelling the exemption."

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JANAB ABDUL LATIF FAROOKHI :—" Did any other landlord apply to the Government for a similar exemption? "

THE HON. SRI N. SANJEEVA REDDI :—" It is a very general question, Sir, and I cannot reply off-hand. Perhaps many people apply for exemption from the Act and the landlords also do."

JANAB ABDUL LATIF FAROOKHI :—" Has anybody's request been accepted by the Government, other than this particular case? Can the Hon. Minister give us any particular case where exemption has been given by the Government to any landlord? "

THE HON. SRI N. SANJEEVA REDDI :—" Requests of this kind are innumerable and not in all cases, exemption has been granted. We examine the merits of each case and issue orders. I do not remember any particular case of the kind just now, Sir."

SRI R. SURYANARAYANA RAO :—" Is not a restaurant or a hotel an essential service and does it not need some kind of protection under the Act? "

THE HON. SRI N. SANJEEVA REDDI :—" I think, it is an essential service, Sir."

SRI R. SURYANARAYANA RAO :—" Did any other hotel proprietor apply for any such exemption and it was not given? "

THE HON. SRI N. SANJEEVA REDDI :—" Perhaps they might have been some, but the circumstances might have been entirely different."

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

II.—GOVERNMENT BILLS.

(1) THE MADRAS CONSOLIDATED FUND (CHARGED EXPENDITURE) BILL [a] 1950 (L.A. BILL NO. 25 OF 1950).

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

' That the Madras Consolidated Fund (Charged Expenditure) Bill [a], 1950 (L.A. Bill No. 25 of 1950), as passed by the Assembly and transmitted to the Council, be taken into consideration.'

" This is a non-controversial Bill. Consequent on the coming into force of the Constitution, whatever was charged on the revenues of the State has to be charged now on the consolidated fund of the State. This is only a verbal change. In three Madras Acts, namely, the Madras Motor Vehicles Taxation Act, 1931, the Madras Famine Relief Fund Act, 1936, and the Indian Tolls Act, the words ' charged on the revenues of the State ' occur. Instead of the words ' charged on the revenues of the State ' this Bill seeks to say ' charged on the consolidated fund of the State '. "

[a] Printed as Appendix VII on pages 615–616 infra.

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MR. CHAIRMAN :—" The question is—

' That the Madras Consolidated Fund (Charged Expenditure) Bill, 1950 (L.A. Bill No. 25 of 1950), as passed by the Assembly and transmitted to the Council, be taken into consideration.' "

The motion was carried.

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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

' That the Bill be read a third time and passed.' "

MR. CHAIRMAN :—" The question is—

' That the Madras Consolidated Fund (Charged Expenditure) Bill, 1950 (L.A. Bill No. 25 of 1950), as passed by the Assembly and transmitted to the Council, be read a third time and passed.' "

The motion was carried.

(2) THE MADRAS STAMP (SECOND AMENDMENT) BILL, 1950 (L.A. BILL NO. 26 OF 1950).

* THE HON. SRI H. SITARAMA REDDI :—" Sir, I move—

' That the Madras Stamp (Second Amendment) Bill [a], 1950 (L.A. Bill No. 26 of 1950), as passed by the Assembly and transmitted to the Council, be taken into consideration.'

" This is a very simple Bill intended to prevent evasion of payment of higher stamp duty. The Explanation in Article 33 of Schedule I-A to the Indian Stamp Act, 1899, provides that a mortgagor who gives to the mortgagee a power-of-attorney to collect rents or a lease of property mortgaged or part thereof, is deemed to give possession within the meaning of that Article. Certain cases had come to the notice of the Government in which parties who have already leased the property, subsequently mortgaged the property in favour of the same person, thus evading the levy of the higher stamp duty. A doubt was raised whether under the existing wording of the Act, the taxing authority could not charge the higher stamp duty. I may just illustrate the position for the information of the House. A property worth Rs. 10,000 is given in the first instance on lease for a rental of Rs. 150 per year for a period of less than five years, and later a mortage for Rs. 5,000 is sought to be created. In a case like this the duty chargeable is Rs. 3 stamp duty, and mortgage duty with possession is Rs. 75, thus totalling Rs. 78. But, as a matter of fact, the person gets possession of the land, and for the above purpose, it is mortgage with possession. The stamp duty that ought to be levied in this

[a] Printed as Appendix VIII on page 616 infra.

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case is Rs. 150. So, the State will be losing the difference between Rs. 150 and Rs. 78 by this lacuna that has been pointed out. The amendment has been brought forward to plug this lacuna."

MR. CHAIRMAN :—" This is an age-long lacuna. It is not a new one."

THE HON. SRI H. SITARAMA REDDI :—" I would like to add that in practice this was being followed, and the taxing authorities were collecting even in such cases the higher stamp duty. But recently a question was raised, and on examination by the Inspector-General of Registration and also by the Advocate-General, it was thought necessary that this doubt should be removed."

MR. CHAIRMAN :—" What is usually done is to give the lease in the name of one person and mortgaged in the name of another. Do the Govenment provide for such an evasion?"

THE HON. SRI H. SITARAMA REDDI :—" There are people who want to evade payment of taxes. But there are also very good citizens who follow the law. This Bill is intended for the good citizens."

MR. CHAIRMAN :—" I thought law was intended more for the bad persons than for good citizens. The question is—

'That the Madras Stamp (Second Amendment) Bill, 1950, (L.A. Bill No. 26 of 1950), as passed by the Assembly and transmitted to the Council, be taken into consideration.' "

The motion was carried.

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI H. SITARAMA REDDI :—" Sir, I move—

'That the Bill be read a third time and passed.' "

MR. CHAIRMAN :—The question is—

'That the Madras Stamp (Second Amendment) Bill, 1950, (L.A. Bill No. 26 of 1950) be read a third time and passed.' "

The motion was carried.

(3) THE MADRAS HEREDITARY VILLAGE-OFFICES (AMENDMENT) BILL, 1950 (L.A. BILL NO. 27 OF 1950).

* THE HON. SRI H. SITARAMA REDDI :—" Sir, I move—

'That the Madras Hereditary Village-offices (Amendment) Bill, 1950 (L.A. Bill No. 27 of 1950), as passed by the Assembly, be taken into consideration.' "

* Printed as Appendix IX on pages 617–618 infra.

10th October 1950] [Sri H. Sitarama Reddi]

" Sir, there are what are called village artisan inams, and they are granted by the State for services to be rendered to the village community by barbers, carpenters, blacksmiths, etc. These inams come under the Madras Hereditary Village offices Act, 1895, and they do not come under the scope and purview of the Inam Commissioner nor were they enfranchised. These artisan inams are of various classes, and some are of a very essential nature to the village community and village economy.

" So far as the artisan inams are concerned, prior to 1942, the presumption was that only the land revenue vested in the inamdar, and that led to a lot of alienations of the land in spite of Section 5 of the Act of 1895 which protected alienations of, and encumbrances on these inam lands. Subsequently in 1942 an amendment was made making the presumption that the artisan inam was not of land revenue alone, but it might be both to be determined on the merits of each case. We have been watching how far this would prevent the alienation of the artisan inams. The Board of Revenue who was consulted left that it was necessary that the Government should make it clear that artisan inams included the land also, so that when there was cessation of service and some other person was made to render the Service, he would have opportunities of getting the land to cultivate for himself, and that it would be more attractive proposition for him to do the service that was necessary for the village. Otherwise, he would only be paid the assessment which was very small and would not be attractive enough to make him continue to render the service. The whole object of the Bill is to see that village economy is preserved, and, as far as possible, these essential services to the village community are continued. Recently there has been a tendency on the part of artisans to give up these services, because of the presumption that it is only land revenue alone and not the lands that were granted. This took away the necessary incentive for them to stay in the village. By this amendment it is expected that if ' X ' who is now the person that has to do the service for the village ceases to render that service or alienates that land, the Government will have the right of resumption and bring in a new man, and that newman will have the chance of continuing to do that service to the village community. He gets not merely the land revenue but also the land itself. So, Sir, this amending Bill has been brought forward. This is intended to, what I might say, stabilise the village economy. That is all I have to say on the amending Bill."

MR. CHAIRMAN :—" The question is—

' That the Madras Hereditary Village-offices (Amendment) Bill, 1950 (L.A. Bill No. 27 of 1950), as passed by the Assembly, be taken into consideration.' "

* SRI R. SURYANARAYANA RAO :—" Sir, I want a piece of information from the Hon. the Revenue Minister. I heard the

[Sri R. Suryanarayana Rao] [10th October 1950

Hon. the Minister saying that as soon as this amending Bill is passed, all the service inams would become inalienable and they will not be liable to attachment."

THE HON. SRI H. SITARAMA REDDI:—"As it is, under Section 5 of the Act, these inams are inalienable. This provision is already there. But the difficulty was that certain presumptions under certain other sections of this Act made Section 5 almost infructuous. We are now trying to see that what was intended under Section 5 of the Act is carried out in spirit."

SRI R. SURYANARAYANA RAO:—"The object of the Government is to see that Section 5 of the Act becomes effective. For want of this amendment service inams could be alienated and also perhaps could be attached."

THE HON. SRI H. SITARAMA REDDI:—"Yes."

MR. CHAIRMAN:—"The question is—

'That the Madras Hereditary Village-offices (Amendment) Bill, 1950 (L.A. Bill No. 27 of 1950), as passed by the Assembly, be taken into consideration.'"

The motion was carried.

Clauses 2, 3, 4, 5, 1 and the Preamble were put and carried.

THE HON. SRI H. SITARAMA REDDI:—"Sir, I move—

'That the Bill be passed into law.'

(An hon. Member.) This is not a Money Bill."

MR. CHAIRMAN:—"Whatever Bill it is, that the Bill be passed into law is not the proper motion in my view. So many other things have to be done before a Bill becomes law. So, the proper motion to make is 'That the Bill be read a third time and passed' in the case of all Bills."

THE HON. SRI H. SITARAMA REDDI:—"Sir, I move—

'That the Bill be read a third time and passed.'"

MR. CHAIRMAN:—"The question is—

'That the Madras Hereditary Village Offices (Amendment) Bill, 1950 (L.A. Bill No. 27 of 1950), as passed by the Assembly, be read a third time and passed.'"

The motion was carried.

III.—MOTION FOR CHANGE IN THE ORDER OF BUSINESS.

THE HON. SRI B. GOPALA REDDI:—"Sir, I move under rule 22 (3)—

'That item (5), viz., the Madras City Improvement Trust Bill, 1950, be taken up for consideration before item (4), viz., the Madras Elementary Education (Amendment) Bill, 1950.'

10th October 1950] [Sri B. Gopala Reddi]

There is a slight change, Sir. Instead of the Elementary Education Bill, the City Improvement Trust Bill may be taken up. We can have the general discussion on this Bill to-day and have the second reading later. The general discussion on the supplementary demands will take place in the Lower House on the 12th morning and in the Upper House in the afternoon. On the 13th when the Assembly is discussing the Demands, the Council can meet here and dispose of the City Improvement Trust Bill. the Elementary Education Bill and the other Bills. The Aided Institutions Bill is the sixth item. Elementary Eduction Bill will be the fifth item."

MR. CHAIRMAN:—"The Hon. Minister for Education is not here."

THE HON. SRI B. GOPALA REDDI:—"The Hon. the Education Minister is not here, Sir. Of course, I am in change of the Bill. So, I can move the Bill in the afternoon if it is reached. Sri Suryanarayana Rao has given notice of a lot of amendments and he had not also the benefits of the Select Committee meetings at Ooty. So, in order to facilitate discussion, I think the discussion may go on when the Education Minister is present. So, we can have it on the 13th October 1950."

MR. CHAIRMAN:—"The question is—

'That item (5), viz., the Madras City Improvement Trust Bill, 1950, be taken up for consideration before item (4), viz., the Madras Elementary Education Amendment Bill, 1950.'"

The motion was carried.

IV.—GOVERNMENT BILL.

(4) THE MADRAS CITY IMPROVEMENT TRUST BILL, 1950 (L.A. BILL NO. 11 OF 1950).

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

'That the Madras City Improvement Trust Bill[a], 1950 *(L.A. Bill No. 11 of 1950), as passed by the Assembly, be taken into consideration.'*

"I shall briefly, at the very outset, refer to the history in regard to this important legislation. The Madras Town-Planning Act, 1920, applies to the whole of this State including the Madras City. That Act has been in force since 1920 but there has not been appreciable progress in the matter of Town-planning, Town Improvement or Town extension schemes under the provisions of that Act till now. The main difficulty has been want of expert personnel to deal with Town-planning schemes; to some extent, the lack of interest in the preparation and execution of schemes; the lack of funds; and the play of vested interests in some cases. The process of notification under the Town-Planning Act and various subsequent stages till the scheme is completely

[a] Printed as Appendix X on pages 618–682 infra.

prepared and sanctioned by the Government involves a great deal of delay and it has been found, in practice, that especially in a city like Madras, where the population has been increasing by leaps and bounds and where building constructions have been on the increase, some special action should be taken to control development and to speed up all kinds of schemes. The Corporation which is the local authority in the City to deal with town-planning schemes under the Town-Planning Act found it difficult to make any appreciable progress in the matter of their schemes and therefore in 1939 it requested the Government to investigate the possibility of setting up an Improvement Trust of the City of Madras.

" It may be stated that the Town-Planning Act itself provides for the constitution of a Town-Planning Trust but it is only in respect of any *particular* area for which a scheme may be required, that the Government can constitute such a Trust. It cannot be done in respect of the *entire area* of a local authority and its neighbourhood. It will be very inconvenient to constitute a number of Trusts for various areas under the same local authority. In the City of Madras, the difficulty is all the more great in view of the vast expanse of the city. Acceding to the request of the Corporation of Madras, the Government undertook to investigate the possibility of forming a Trust for the City and they accordingly appointed a Special Officer to study the working of the Improvement Trusts in Calcutta, Delhi and Nagpur and to submit proposals to the Government for the constitution of an Improvement Trust. The Special Officer, Sri K. Ramunni Menon, I.C.S., visited Calcutta, Delhi and Nagpur in May 1941 and submitted a comprehensive report to the Government. After examining it the then Government considered that the matter was not so very urgent to be taken up immediately and they, therefore, decided to postpone the necessary legislation till after the war. Subsequently, as a result of the extensive damage done by the floods in 1943, the reconstruction of certain parts of the City in accordance with good town-planning principles became an urgent problem. The Mayor of Madras urged that the question of constituting a Trust, which had been postponed, should be taken up at once and the Trust formed without avoidable delay. The Government again took up the matter and decided that the legislation necessary for the purpose should be undertaken. A Bill was accordingly prepared during the Advisers' Regime and it was enacted in 1945. The Act was brought into force on the 1st March 1946. The Acts passed during Section 93 situation remained in force only up to the 30th April 1948. The Joint Select Committee which considered the Re-enacting and Repealing Bill in 1948 was of the view that certain Acts, of which the City Improvement Trust was one, should have their life extended by one year from 30th April 1948. The Act was accordingly kept alive for another year. Subsequently, pending permanent legislation, the life of the Act has been extended till the 29th April 1951.

" The intention of the Legislature in giving extension year by year for the Act of 1945 was that the working of the Act should be carefully considered by the Government and that legislation should be introduced by them embodying such principles as were found to be suitable for permanent adoption. The Government accordingly examined the provisions of the Act in the light of its working and they have decided to re-enact the Act permanently subject to a few modifications.

" The Bill was introduced in the Legislative Assembly and it was referred to a Select Committee. The Committee examined the Bill very exhaustively and the Bill as amended by the Committee was again introduced in the Legislative Assembly in its last meeting. The Assembly has passed it with one or two amendments. The Bill as passed by the Assembly is now before this House for its consideration.

" The original Act was drawn up substantially based on the provisions of the Calcutta Improvement Trust Act, 1911, and also incorporated certain provisions of the Delhi Improvement Trust Act.

" I now shall refer to some of the most important provisions in the Act and to the amendments which have been made by the Select Committee and the Assembly.

" The Bill provides for the constitution of a Board of Trustees for the improvement of the City and its neighbourhood. Under the original Act, the Board consisted of nine persons including the Chairman, who is a salaried officer and its executive authority. The other members of the Board were the Commissioner of the Corporation of Madras, the Director of Town-Planning, the Director of Public Health, two members elected by the Corporation of Madras, one member elected by the Madras Chamber of Commerce and another by the Southern India Chamber of Commerce, and a person nominated by the Government.

" In the Bill now before the House, two important changes have been made.

" Firstly, at the instance of the Select Committee, provision has been made to enable the Government to make rules prescribing qualifications for the Chairman.

" Secondly, the membership of the Board has been altered to include the Collector of Madras as one of the *ex officio* members. Again, at the instance of the Select Committee, provision for election of representatives of the Chamber of Commerce, Madras and the Southern India Chamber of Commerce has been deleted. This was done to avoid regional and sectarian feelings and to give the Trust a solidarity so essential for its efficient working. But at the same time power has been taken to appoint three persons by the Government instead of one in the original Act. The intention is that the Government should take into consideration the claims of all competent and experienced persons and make a proper nomination. It is not practicable to give institutional representation

to each and every important interest in the City of Madras and in fact such representation will be against the interests of city improvement. The total membership of the Board under the Bill stands at ten including the Chairman of the Trust, of whom, besides the Chairman, four will be *ex officio* members (viz., the Collector of Madras, the Commissioner, Corporation of Madras, the Director of Town-Planning and the Director of Public Health), two will be members elected by the Corporaton of Madras and three will be appointed by the Government.

"At the instance of the Select Committee, provision has also been included in the Bill for the *appointment* of representatives of the Corporation in the event of the Corporation failing to *elect* two representatives within a prescribed period.

"The Act provided for the appointment of an acting Chairman only when the permanent Chairman was granted leave of absence but not when the post of Chairman fell vacant for any other reason, as for instance, by the resignation or death of the Chairman. The Bill provides for such contingencies also.

"In regard to the execution of contracts and approval of estimates, the Chairman of the Board has been empowered to enter into contracts involving an expenditure not exceeding ten thousand rupees instead of the provision in the existing Act to fix a limit as the Government may decide. The power to enter into contracts exceeding ten thousand rupees but not more than fifty thousand rupees has been vested in the Board and the sanction of the Government has been made necessary for contracts exceeding fifty thousand rupees.

"Under section 26 of the Act the Chairman should take security for the performance of contracts exceeding Rs. 1,000. At the Select Committee's stage, this has been increased to Rs. 3,000.

"In clause 27 (1) the word 'ten', has been altered into 'three'. The result is that the Chairman of the Trust should forward to the Government the minutes of the proceedings within three days from the date of the meeting instead of ten days.

"At the Select Committee's stage, modifications had been made to sections 28 (2) and 30 of the Act, under which the Chairman could make appointments of persons to posts carrying a salary of Rs. 250 only instead of Rs. 500 as in the original Act; the Board only up to Rs. 500 instead of Rs. 1,000, Government sanction is required for the payment of any salary which exceeds Rs. 500, whereas in the original Act it was Rs. 1,000.

"In Clause 31 of the Bill, power has been taken by Government to exercise control over the staff of the Board, as the rules framed by the Board will be subject to the sanction of Government.

"Under section 33 of the Act, the Board could undertake any work, etc., only 'subject to the control of the Government'. During the Assembly discussions, this has been altered into 'subject to the provisions of this Act'.

"Under clause 40 (2) of the Bill, a proviso has been included, for the first time at the instance of the Select Committee, restricting the power to extend the time-limit in respect of deferred street schemes up to 20 years.

"Under section 41 of the Act, a Development Scheme can be framed only in regard to areas outside the City to regulate strict alignments and buildings. The provision was made for the proper planning of the outskirts of the growing City; but there was no reason why this special provision should not be applicable to the heart of the City also. It was therefore considered necessary to take such power in respect of the areas inside the City also. The Bill makes the necessary amendment in this behalf in clause 41.

"Section 42 of the Act enables the Board to provide housing accommodation only for the inhabitants of any area. The Bill amends the section so as to permit the provision of such accommodation even in the case of the floating population of the area.

"Clause 43 (7) has been newly provided at the instance of the Select Committee under which the Trust can frame a Town Expansion Scheme for any area outside the limits of the City, only after the Trust Act is extended to that area.

"Under clauses 47 and 49 certain provisions have been made to give proper notice of schemes to those interested in the Schemes.

"In clause 54 of the Bill, the Government introduced an amendment under which, with their sanction, any scheme which they had already sanctioned may be cancelled.

"Provision has been made in clause 79 of the Bill under which the President of the Tribunal has been empowered to decide all questions of law and procedure. In regard to all other questions, in the event of disagreement between the members, the opinion of the majority will prevail.

"The betterment fee has been reduced from one-half to one-third of the increase in value and the persons liable to pay that fee have been given the option of paying it in equated instalments not exceeding ten, interest being calculated at four and a half per cent instead at six per cent as provided for in the Bill as originally introduced.

"In clause 131, certain additions have been made by the Select Committee for audit purposes.

"Clause 142 of the Act has been redrafted to make clear the powers to extend the Madras City Municipal Act to areas near the City of Madras in which the Trust may have to function

"Clause 148 is as redrafted by the Select Committee. It has been provided that a Presidency Magistrate may take cognizance of offence notwithstanding anything contained in the Code of Criminal Procedure.

"In clause 154, the Government made an amendment under which a Police Officer not below the rank of a Head Constable can arrest an offender under the Act. Originally any police officer could do it. It was considered necessary to limit this power.

"A provision has been added requiring the Government to place the annual administration reports of the Trust on the table of the Assembly and the Council at the first meeting of each body after the report is received by Government.

"It will be of interest to hon. Members to know what the Trust has been doing so far. It is the duty of the Trust Board to make due provision for the improvement of the City by opening up congested areas laying out or altering streets and framing and executing various kinds of schemes. The Board has no power to levy taxes and apart from certain miscellaneous items of revenue, such as betterment fees and income from investments and sale of lands, the funds of the Board will consist of contributions from Government and the Corporation, each of whom make an annual contribution of not less than 2½ lakhs of rupees. The Board has power to borrow money either from the Government or, with the sanction of Government, in the open market.

"Now coming to the Bill, the Board actually began to function in October 1946. Since then the Government have sanctioned five of the schemes prepared and submitted by it, of which the Cox Cheri Scheme is the first. It is a general improvement scheme as well as a housing accommodation scheme to clear an insanitary area known as Cox Cheri in Chintadripet. This scheme has almost been completed.

"Another sanctioned scheme is the Sylvan Lodge Scheme. This is a street scheme, conceived to provide suitable house-sites.

"The Mandavalli Scheme sanctioned by Government is a Development Scheme, to develop the area in the neighbourhood including vacant land which has been lying unbuilt upon.

"The Mansion House Scheme is to acquire over 200 grounds of land in Nungambakkam for providing housing sites. The Board has proposed to drop the scheme owing to the prohibitive cost of acquisition.

"The fifth scheme sanctioned by the Government is the Mowbray's Road Scheme, which is a general improvement, housing accommodation and street scheme.

"Two schemes are under the consideration of the Government of which (1) the Mambalam South Area Town-Planning Scheme is about to be sanctioned and the Karaneeswarar Pagoda Area Scheme has been referred to the Collector of Madras for report in regard to the Government lands covered by the scheme.

"Two schemes submitted to the Government, viz., the Mambalam Tank Bund Scheme and the San Thome Beach Area Improvement Scheme have been returned to the Board to submit revised proposals so as to make the scheme self-supporting as far as possible.

"The Trust Board has notified about six schemes under the City Improvement Trust Act, and it has under preparation a number of other schemes.

"There is one very important aspect which I should place before this House. Apart from the fixed contribution from the fund and loans, the main receipts of the Trust will be by the sale of land parcelled and laid out by it. Land values being what they are and the high cost of providing amenities being a large item, the Trust will have only a very little margin between the sale price for sales by it and the price it has had to pay for acquisition. In a town like Madras where the little land available is in the middle of built up areas, there is little prospect of any appreciation in the value of land, subsequent to its acquisition by the Trust. The Trust can therefore function successfully only if it is in a position to obtain a tolerable margin.

"The Board has to rely mainly on the minimum contributions made by the Government and the Corporation of Madras amounting to Rs. 5 lakhs in all per annum. The Government are trying to help the Board by giving loans to the extent necessary and possible and in special cases, subsidies, if absolutely essential. The Government have already sanctioned about Rs. 13 lakhs as loans. The question of sanctioning additional loans will be considered in relation to individual schemes. It is of course very desirable that more funds are made available to the Board but in the present financial position it may not be possible either for the Corporation or for the Government to increase their contribution. Moreover the fixed contributions are intended only to enable the Trust to bear overhead and staff charges and to augment the margin I have referred to, in some degree. The proper principle would be to make the schemes self-supporting as far as possible and to give financial assistance to the Trust in respect of individual schemes. If the fixed contribution is made larger, there will be the danger of the Trust being complacent and not putting forward and executing schemes to the utmost of the capacity of its staff and its finances. It is not therefore desirable to increase indiscriminately the fixed contributions. The Bill, however, provides only a minimum fixed contribution—vide clause 91—and it is always open to the Government and the Corporation to increase their contributions when the need arises.

"The main justification for a Trust Act of this kind is to constitute a body which can come to quick decision and carry out schemes with the utmost speed unhindered by red tape and uninfluenced by external considerations. The Government will be watching the activities of the Board and will help it to the extent possible and when the administration reports are placed before the Legislature, hon. Members will also have opportunities of scrutinizing them and to make whatever suggestions they may like to make to render the activities of the Trust Board successful.

"With these words, I introduce the Bill, Sir."

MR. CHAIRMAN :—"The motion is— 12-15 p.m.

'That the Madras City Improvement Trust Bill, 1950 (L.A. Bill No. 11 of 1950), be taken into consideration.' "

[10th October 1950

* SRI R. SURYANARAYANA RAO :—" Mr. Chairman, Sir, this is a very important piece of legislation and to some of us who have made the City of Madras our home it is of the utmost importance. Some of us who have been taking interest in the City and its civic affairs have long been urging on the Government the need for a City Improvement Trust for Madras. As a result of the decision of the Corporation, Sir, the Government some time ago deputed a senior officer of theirs to study the working of some of the Improvement Trusts in other parts of the country and submit a report. Unfortunately in spite of repeated requests neither the previous Government nor this Government ever arranged to place the report on the table of the House. That report written by a senior officer of the Government would have enabled us to see how far the City Improvement Trust Act as is in force and the measure now proposed to be enacted are in consonance with the working of similar Trusts in the other cities in the Union. Most of us have had no opportunity of visiting other cities and even if we have visited, we have had no opportunity of studying the working of the Acts in force there. It would have been, therefore, helpful if the report of that officer had been made available to the members of the Legislature. Sir, as the Hon. the Minister for Public Health has stated, when the Re-enacting and Repealing Bill was introduced, during the Select Committee stage—I hope I am not giving out any secret—there was a move to drop this Act altogether. But we persuaded the members to extend its life for one year and suggested that the Government might examine meanwhile its working and come forward with an amending Bill if necessary or reenact it as it was. The main contention of those who were not for re-enacting the measure was that there was a Corporation engaged in undertaking works like town-planning and the existence of the Trust would only duplicate the machinery constituted for similar work. I find in the present Bill that no attempt has been made to demarcate the responsibility of the Corporation and the Trust in respect of improvement schemes. I would have been glad if the Government had introduced a clause in the Bill to the effect that the Corporation shall no more engage itself in undertaking improvement schemes. In fact, I have given notice of an amendment stating that at least those schemes which have already been sanctioned by the Government sponsored by the Corporation should be handed over to the Trust and it should be asked to carry them out. When that amendment comes up for consideration I hope the Hon. the Minister for Public Health will appreciate the point of view I put forth and accept it. It is very necessary to hold one body responsible for the improvement schemes of the City. As we are bringing this Trust into existence which will be mainly engaged in improvement work, the Corporation which has other responsibilities to discharge must be relieved of this work.

" The Hon. the Minister narrated to us the various changes made in the provisions of the Bill. To my mind they are not very consequential. When my hon. Friend, Mr. Narayanaswami Nayudu, intervened and asked whether the Trust would have any

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powers or should rest content with the doles given by the Government and the Corporation, the Hon. the Minister replied that the Trust could make money by selling lands in developed areas, etc. But the amounts that have to be spent have to be borrowed in the first instance either from the Government or from some other source. Only after the areas are developed and the lands become fit for sale the Trust may secure some money. Until then, the Trust as is sought to be constituted under this Bill, with the financial resources privided for it, will be hardly in a position to undertake big schemes, unless there is sympathy and understanding on the part of the Government to make more funds available. In fact, if the Trust undertakes slum clearance work, I would expect the Government to make grants instead of loans so that it may be able to carry out the work which the Corporation and the Government have otherwise to carry out according as the lands are situated. I would like the hon. the Minister to realize the precarious financial position of the Trust which is entrusted with the great task of undertaking improvement schemes. If it should address itself to the work without any hesitation and carry it out it must be assured that it will have the necessary support of the Government in all its undertakings. Perhaps from this point of view the Government wanted to strengthen the Trust and make it a more responsible body by revising its constitution, so that their officers may be able to guide and assist the Chairman in his work and help to execute the schemes successfully which the Board in its enthusiasm may formulate. This Improvement Trust Bill is the same as what the Town-Planning Act in all essential aspects is to the local authorities elsewhere and as such no one interested in the development of the City on right lines can take objection to the various provisions contained in the Bill. They are meant to see that the development takes place on right lines. I have given notice of a good number of amendments the object of which is to make the measure more workable and to accelerate the pace of development of the City. So far as the Corporation is concerned, it has been trying to do its best to develop the City but its responsibilities, as I said before, are so great and its duties and functions so many that it is not possible for the Corporation to give its wholehearted attention to the development of the City. I wish to assure the members of the Corporation who are here to-day that the Trust is not meant to override the authority of the Corporation. It is only a body complementary to it trying to assist in the development of the City. Therefore, I would like hon. Members to consider this matter with sympathy and understanding and not as a thing intended to supersede the Corporation. It will also assist the Corporation to discharge certain of the functions that devolve on it under the Madras City Municipality Act.

" Sir, the Chief Whip has asked me to explain the implications of the amendments I have given notice of in order that their passage or their fate, at the appropriate time, may be decided quickly. I am obliged to him for making this request. The main amendment that I have given notice of is in respect of betterment fee.

It was mentioned in the other House that the Government constituted a committee called the Town-Planning Committee which reported on the various changes called for in the Town-Planning Act to make its working smooth and beneficial to the areas concerned. In the course of consideration of that Act, some of us who were members of the Committee, took great pains to understand what was meant by betterment contribution or fee. When we looked into the provisions dealing with this question, we found that such fee was sought to be levied not on the rise that actually obtained in the value of the land but some times on the prospective increase in the value of land. There was a good deal of agitation in the Corporation and people affected by this provision have been forced to go to Courts of Law to obtain redress and I am sorry to say nowhere such redress has been satisfactory. In the circumstances, we suggested that that betterment fee should be converted into 'improvement charge' and that it should bear some relation to the actual expenditure incurred by the local authority concerned in executing the scheme. We also suggested that a certain percentage be added to the fee so determined in order to meet the cost of administration so that the Corporation or the local authority might not be put to any loss but might be reimbursed to the extent they had spent. We felt that such a provision would ensure that the person benefited by the improvement scheme was not asked to pay exorbitant sums of money as betterment fee. We suggested that the whole scheme of betterment contribution should be overhauled and I am glad to say that the Government were pleased to accept the same. I naturally expected that when this Bill was introduced the Government would import the same idea into it.

"I do not know why they have not done. They had sufficient time to do it. After all it was a question of a few alterations here and there and might have been made."

THE HON. DR. T. S. S. RAJAN:—"What is the clause?"

SRI R. SURYANARAYANA RAO:—"Clause 80.

"One of the amendments deals with the betterment fee, or the 'improvement charge'. It should bear some relation to the actual expenses incurred by the Trust for carrying out the scheme. That will cover a large portion of the amendments, if it is accepted.

"The amendment reads—

For clause 80, *substitute* the following :—

'Where by the making of any improvement scheme, the value of any land has increased or is likely to increase, the Board may declare that an improvement charge shall be payable by the owners of such land or by persons having interest therein in respect of the increase in value of the land resulting from the execution of the scheme ;

(2) such increase in value shall for purposes of the improvement charge be the cost of the execution of the scheme plus ten per cent of such cost towards administrative charges.'

If this clause is accepted, and if it is considered favourably by this House there is no need to define betterment fee under definition.

"All the others refer to drafting mistakes. I would like to draw the attention of the Hon. Minister to clause 5. It says 'The appointment or election of the Chairman and the other trustees shall be notified in the *Fort St. George Gazette*.' The Chairman is appointed by the Government and there is no question of election of the Chairman at all. The question of election does not arise in the constitution of the Board except in regard to the representatives of the Corporation. I do not know why the word 'election' was used. So I have suggested 'the appointment of the Chairman and the ex-officio members, and the election of the other trustees shall be notified in the *Fort St. George Gazette*', being substituted as clause 5. By placing the word 'election' as has been done now it gives the meaning that the Chairman may be liable to be elected whereas the Chairman is always appointed. It is a legal matter. My suggestion makes it quite clear even to laymen like me. This is one matter which I wanted to bring to the notice of the Government.

"Then, the Chairman is appointed by the Government and is subject to the rules that Government make in regard to salaries and allowances. I would like that during the period the Chairman works in the Trust, though he might not have been a Government servant previously, he shall be subject to the Goverment 'Servants' Conduct Rules during the period he works as Chairman. By an amendment I have added this as a precaution because so long as he holds the appointment of Chairman he is a Government servant, as he is appointed by Government and paid salaries and allowances prescribed by Government. This is necessary because we may appoint other than Government servants also, as Chairman.

"Again, Sir, I have suggested, as the Chairman is not only a mere Chairman, but an executive authority of the Board, that the Board shall not come to any decision involving a financial commitment unless the Chairman is also present when the commitment is made. There is a provision that in the absence of the Chairman a Trustee might be chosen by the meeting to preside as Chairman for the meeting. Where resolutions involving the financial commitment come up, as the Chairman is also the Executive authority to carry out the scheme, I have suggested the addition of a proviso, viz., 'Provided no question involving financial commitment shall be decided in the absence of the Chairman'. That is a safeguard for the Government as well as for the Board that he should be present when any financial commitment is under consideration. Ordinary routine business may be carried on in the absence of the Chairman.

"Under clause 47, I have suggested that a copy of the notice should also be sent to the Collector of Madras, as he is in charge of certain lands on behalf of the Government in the City. Any scheme affecting the lands the control of which is vested with the Collector should be duly notified to him. Though the Commissioner of the Corporation is a Member of the Board he gets a notice. So I have suggested that the Collector of Madras should also get the notice.

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As I have said, Sir, most of the amendments that I have suggested are more or less based on the improvement charge. I have made an important suggestion that the rate of interest wherever it is six per cent should be reduced to 4½ per cent and wherever it is 4½ per cent it should be changed to three per cent simple interest. I shall give my reasons for these at a later stage.

"Under clause 103 I have suggested that the amount can also be invested in the Debentures issued by the Madras Central Land Mortgage Bank. It is also a Trust security. There can be no objection to investing the funds in Debentures of the Madras Central Land Mortgage Bank.

"I am afraid, Sir, I have to disappoint my Friend, the Government Whip, as most of the amendments I have suggested are small ones and I cannot take as long a time as he wishes me to do to explain my amendments. To clause 7, I have suggested an amendment, namely, after six months imprisonment as a disqualification add 'for offences involving moral turpitude.' My hon. Friend Mr. Viswanatham moved this amendment in the other House. It was not accepted. I have suggested it for imprisonment for offences involving moral turpitude. That will make it possible for those who might have been sentenced for other offences which do not involve moral turpitude to serve on the Board, either elected by the Corporation or nominated by the Government in order to improve the City.

"Then, Sir, there is no provision in the Bill to enable the Chairman to seek the assistance of the Magistracy to take possession of land. I have therefore suggested, where the owner obstructs, the Chairman shall apply to the nearest Magistrate to put him in possession of the streets, square or part. If there is a Magistrate and orders are issued to hand over, if the party fails to comply with the orders, he will be liable for prosecution. But the Chairman as such has no power. He is only an executive authority. Therefore, I have suggested that if any owner objects, and this is likely to happen in many place, the Chairman shall apply to the nearest Magistrate to put him in possession of the street, square or part.

"I have suggested the omission of clause 70. It says: 'The Board may enter into an agreement with any person for the acquisition from him by purchase, lease or exchange, of any land or interest in land, which the Board is authorized to acquire for any of the purposes of the Act'. I have suggested that the Board may do so with the previous sanction of the Government because the Board after all is a quasi-Government body. When it undertakes to do certain things involving certain financial commitments it is always better the Board keeps the Government informed and obtains the sanction of Government before it enters into any transaction. If it was a body like the Corporation which has its own finance and it is not necessary to depend on Government or any other outside source for its maintenance, it can do whatever

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it likes. But the Trust depends on the Government for its finance and therefore its action should as far as possible be with the consent and the prior sanction of the Government.

"These are a few of the amendments and the rest are small ones which, I am sure, Sir, the Government themselves will find it necessary to accept them as they are not in any way infringing the principle underlying the Act and they are meant more to make explicit what is implicit in many of the provisions given here. With these few words I have great pleasure in commending this measure to this House and I would implore my Friends from the mofussil to exercise their sympathy and consideration and enable this Trust to continue to do its good work which it has begun, so that in course of time Madras may become really the 'City Beautiful'."

*SRI K. VENKATASWAMI NAYUDU:—"Mr. Chairman, Sir, this is a very important Bill affecting the welfare of the City of Madras which is the capital city of the State. So it is necessary that we must make this Act as useful as possible. I remember Sir, when in about 1937, when this matter was first brought forward, the members of the Corporation waited in a deputation on the then Premier of Madras Sri C. Rajagopalachariar and emphasized the need for a Bill like this. Then he turned round and said: 'Do you realize what you are asking? You are trying to curtail your own powers. You are getting another body to control you. It will give you trouble. Is it worth while for you to have this body? You please consider and come back with a new resolution if you are still satisfied that an Improvement Trust like this should be established.' Then we went back to the Corporation and got the resolution re-affirmed. We took the warning to heart because we realized that if this Board was not acting properly, the Corporation would be handicapped to some extent in doing its legitimate work. 12-45 p.m.

"Sir, now I am very glad for the good support which Mr. Suryanarayana Rao has given to the Bill as a citizen of Madras City. We are thankful to him. This Improvement Trust has done some work during the last five years, and it is necessary to revive it as this Act is really useful to Madras. Sir, I have been a member of this Board for the last five years and we have been trying our level best to do something. To-day I have got to submit meekly and say that we have done practically very little in these five years. Why it has not been possible to do much is because the powers of this Board are not wide enough. There are two masters—one, the Corporation and the other, the Government. Once a scheme is prepared and sent to the Corporation, if it is inconvenient to them, they quietly sleep over it for months and it does not come out of the archives of the Corporation. Then when the Corporation makes some other suggestions, the Government feel delicate to arbitrate between these two bodies. That is how so many schemes promulgated by the Board are still there in the cold storage.

"Another thing is this. This Board is not able to do anything because there is no land available, and in Madras there is very

little Government land which they can give to this Board. Most of the land belongs to private parties and once we want to acquire it; it takes so many years. For example the Sylvan Lodge Scheme in Ormes Road, Kilpauk, is one of the earliest schemes taken up in 1945. Now it has reached the stage of awaiting the judgment of the lower court and for aught I know, the parties are prepared to go to the High Court and even to the highest court if possible. We have got to acquire every bit of land and where is the work to be done? Our Chairman of the Board is fortunately a very enthusiastic gentleman. He wants work, but there is no land to do any work. That is the position with regard to land. We must have some land. The Trust advertised for tenders for land. Many private owners have large pieces of land, but they are adopting a dog-in-the-manger policy and they are not able to do anything themselves, nor would they surrender the lands. The Trust has called for tenders for sale of lands giving their price. This seems to have been somewhat useful, because we have got some tenders for lands. The Trust cannot buy the land at heavy cost. They are trying to buy land at the cheapest price possible in different corners of the City, so that they may do some work.

"Sir, the Trust must necessarily be a business proposition; otherwise they cannot go on for a long time. The Government only give them loans and their annual income is only Rs. 5 lakhs. We have got heavy work involving crores and crores of rupees for the City. So this is one of the methods by which the Board of the Trust would get some land to work upon. The idea is that we have to buy these lands, make improvements to them and sell them and make a little money if possible. Why we want to make money is because the slum improvement question is a very important question. If we want to make improvements to slums, we have got to suffer a loss. Such a loss can only be made good by this acquisition of land and selling them to the parties. That is one of the methods by which the Improvement Trust try to make the waste lands in the City more useful. The slum improvement matter is also a matter of great importance. We have tackled some very important slums and we wanted to make some roads and give some amenities and leave it there. We have not taken up the big idea of removing the slums, making the place all right and then getting back the people there. That we found it to be impossible, and not feasible also. These are all important things at which the Improvement Trust is working.

"Sir, the most important thing is, we must see that ugly spots in the City are removed. Sir, we see a nice place like the Broadway corner in the Law College area. There, in the heart of Madras City, we find small ugly buildings which nobody can improve. Generations cannot improve them, unless the City Improvement Trust acquire some of the buildings and make the place a very good circle. We are talking about the City beautiful, but how can the City become beautiful unless a board like this takes effective steps? For this we find that the powers are very inadequate.

"The Town-Planning Act is working in this City and in many other Cities, but we find practically very little is being done, because it is so difficult to work the Town-Planning Act. So the Government must give some more extraordinary powers to these boards, of course after satisfying themselves that it is necessary to do so. For instance, if they find that there is a place which has got to be acquired to make the place beautiful, they must immediately acquire it; they must take possession of the land and settle the details of compensation afterwards. I think that it is what they did during times of military exigency and not much harm was done to private owners. In the same way when we find that something very drastic has to be done in the City and this has got to be done quickly, the Government must give some powers to the Board to do that. I do not see such power in this Act and I hope when the next amendment is made, a power like that will be given. That is the only way by which ugly spots in the City will be removed and something very good can be done. Many great cities in this country and elsewhere have become great because of the Improvement Trust boards. Bombay, Calcutta, Delhi, Bangalore and other places have developed so quickly because these improvement boards have done very well. Recently I visited Bangalore City Improvement Trust. The Government have given acres of land in Jaya Nagar and Rajaji Nagar. In these two places, thousands of acres of land have been given to the Improvement Trust, one for an industrial area and the other for a residential area. There the Improvement Trust is something which the people know. In Madras we ask, 'Is there an Improvement Trust in the City of Madras?', because practically very little work is done by the Trust here. In Bangalore vast lands have been made available to the Trust and the public make demands for them. The industrial concerns have removed themselves to these places and there is active life there. I feel that the Madras City Improvement Trust must have such useful work to do. Sir, in this connexion I may say with pardonable pride that the Gandhinagar Society has done much more work in recent years than what the City Improvement Trust Board has done. Within less than two years, they have created a new town and done Rs. 80 lakhs worth of work. Something is there. So we can say that this Co-operative Society, a much smaller concern, has spent Rs. 80 lakhs and produced a town of 350 houses. The City Improvement Trust has been here for more than five years and there is nothing spectacular, nothing to show that this Board has functioned well. I, as a Member of the Trust, must plead guilty. Still I say that it is because we had not sufficient powers and we had so many handicaps. We planned to do something like that. We hope we will be able to do something when we are able to acquire some lands. Why I say all this is, because I want this City Improvement Trust to be as good or better than the other Improvement Trusts and that within as short a time as possible they must be empowered to do some good work. Because otherwise, while the Corporation is doing its work, why should this new body come in? We expect that the City Improvement

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Trust would work quickly, while the Corporation will take a long time to do these things. That is why this Board has come in. This Board must be empowered fully and the Government must be able to come to their rescue and see that they do something spectacular. (An hon. Member : ' Do you want taxation powers ') We want power to get land.

" Sir, it has also been asked why the Corporation should not be deprived of its improvement schemes and why this Board should not be given them. In fact, as soon as the Board came in, its Chairman started with a master plan. That was going on for some time. He immediately asked for all powers to be transferred to the Improvement Trust. But the Corporation were reluctant and rightly so, because they wanted to be sure that the new child was going to do something before they divested themselves of those powers. To-day the Corporation are doing very good work to improve the City. The town-planning section is quite powerful. The Corporation should not be superseded until the Improvement Trust Board begins to function properly and to the satisfaction of the Corporation and the Government.

" As I said before, the Government could give some extraordinary powers to this Trust whenever we go to them with a request to remove some ugly spots or to get some other work done.

" The second thing is, money must be made readily available. If it is a question of sanctioning of a loan, they have to wait at every stage. After the scheme is approved, it will be delayed. Once the Board approve of the scheme and want to go on with it, money must be made readily available. Of course, they have got the borrowing capacity, and within that limit the Government could give the money. Most of the members of the Trust are officers of the Government and the Heads of the concerned departments. It is very easy to have confidence in them and the Government may give the money that is necessary.

" Then, Sir, Mr. Suryanarayana Rao was referring to the betterment tax. Betterment tax is a big headache for the landowners in the City of Madras. I also feel that the amount that they now claim under this Bill is a little high. For instance, there is a plot of land. How it has advanced in importance or in value, it is very difficult to judge. Suppose, I have got a house, I do not sell and I keep it there. They say, your house which was worth Rs. 2,000 has become Rs. 10,000 in value and so, you have to pay half of the balance of Rs. 8,000, namely, Rs. 4,000 for betterment immediately. Though I live in my house and I do not want to sell it and I have no advantage by this betterment, still the amount has got to be paid. So, Sir, the bettermen tax, as thought of to-day seems to be a little excessive. I think, it must be lowered down and a better formula must be devised so that it may be equitably distributed between all classes concerned.

" Above all, Sir, I feel that a capital City like Madras, should be the Government's city and Government must take the full responsibility of making the city beautiful and useful, because the city does not serve only the citizens of Madras, but the people of the

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whole State who make use of this City. People come for various governmental purposes and therefore, it is necessary that we must provide for the convenience of the floating population also. Above all, the capital City must be quite beautiful and attractive. God, Sir, has given us very good advantages, we have got a wonderful sea-front and we should see that this City is made attractive for tourists. But I am sorry to say that our sea-front is being neglected every day and it seems to be nobody's concern. The Corporation cannot have anything to say in the matter, because it is Government land, but the Government think that the City is a matter for the Corporation. Though the Government have got a very important duty to perform on the sea-front, we see many ugly buildings coming up there. We have been accustomed to see these ugly buildings from the terrace of our buildings and yet they do not matter much to us at all. But it is a thing which the Government can tackle without any authority from the Corporation, or the City Improvement Trust or anybody else, because it is Government land. Lakhs of people come to the sea-front every day for recouperation and health, but it is kept in a very ugly condition, because so many ugly buildings are springing up every day on the sea-front. If we cannot do anything better to make the City more beautiful, at least if the Government could take it up as their primary concern and make these few miles of sea-front beautiful, they have done really something to make the City beautiful.

" Sir, as a citizen, and as one who is born and bred up in this City, I am anxious that this City should be made as presentable as possible. I was told that Sir Mirza Ismail when he was Diwan of Mysore for about 15 years, so far as Bangalore was concerned, he took the law in his own hands and whenever he found an ugly building during his rounds on horse-back, he would tell the owner, you had better demolish the building, we are giving you a good building. And, he himself used to give the plans for the buildings. Whenever any traveller coming from Bangalore says, Oh ! how beautiful the City is, I used to tell him, a city is as beautiful or as bad according to the number of slums coming in and their condition. But, still, Sir, we have got some show places in our City. Whenever people come to Madras, they go to the sea-shore and they say that our sea-shore is the best we have got in any continent or any other place. Therefore, Sir, it is for the Government to see that it is kept as beautiful as possible.

" Secondly, Sir, they must empower this Trust Board by giving them even autocratic powers to enable them to do at least some good things. Sir, these are some of the general remarks I offer because on an occasion like this, I thought it better to think aloud on some important things for which we are hungering for many many years. But, what we want to guard against is, more slums coming in or more black-spots coming in. Now people are rushing to the City because of various circumstances, but we are not able to provide accommodation to them and so they go and squat anywhere they like and that is how hundreds of huts come in overnight. Of course, we feel pity for these people thinking where can these people go, let them remain where they are. So, that

sympathy is responsible for more and more slums coming in. If there were hundred slums last year, they become 105 slums this year. Of course, I must congratulate the Government on having taken courage in respect of clearing one slum. They found that in a 'tangal' about 400 or 500 huts sprang up over-night and they had to pull them out with very great difficulty. There was such a lot of opposition to it. I refer to it because that was one instance in which Government took courage to see that on their land they would not allow such huts to come in. On the other hand, the Government also assured them that they would be constructing roads, making them more habitable and giving the land back to the same squatters."

JANAB ABDUL LATIF FAROOKHI :—"May I know where the place is?"

* SRI K. VENKATASWAMI NAYUDU :—" It is called the Chetput tangal and it is somewhere near Shenoi Nagar in Aminjikarai. I am mentioning it just to show how difficult it is for even the Government to tackle such slums. It is one of the slums where the Government took courage in their hands to remove the slum and promised that in a very short time they would provide roads and other amenities and give it back to the same people who were there before. So, Sir, such slums are coming in, in so many numbers day by day that the Revenue department and the Corporation find difficulty in interfering with them. While on the one hand, we want to improve the city now, on the other we get slums like that. A few days back I saw a new slum which has sprung up on the San Thome beach. Again, it is a problem. The Chairman of the City Improvement Trust says, I have got important schemes, but the pity is the slums are coming in and nobody can do anything. That is the vicious circle in which the thing moves. I see in Chapter III of the Bill, a number of ideas as to how the City can be improved and how powers can be taken by the City Improvement Trust. This is only a re-enacting Bill because already there was an Act which was revised and many changes have been made. So, Sir, this Bill may be allowed to go through but I must say that in any future amendment that may be brought in, we must make the Board as effective as possible and that it is able to give a good record of its work.

" With these words, Sir, I support this Bill and I hope it will be passed without much difficulty."

* SRI S. B. ADITYAN :—" MR. Chairman, Sir, it was somewhat disappointing to hear that the Madras City Improvement Trust, though it has been in existence for more than five years, could not produce anything better than the Cox cheri buildings. I would have expected several such buildings to have grown up every year. It may be that the Trust has been suffering from want of finance, or want of sufficient powers, but still the achievement for a period of five years shown by the Board is not very praiseworthy. After all, Sir, putting up buildings is not the real work of the Improvement Trust. As a matter of fact, putting up buildings and

bringing up a cluster of houses, or colonies of houses in various places, is an undertaking which should be taken up by building societies. The Co-operative House Construction Society in Gandhi Nagar has done well in bringing into existence a group of 350 houses. I do believe that that society has made a profit and they would be declaring the maximum dividend that is allowed under the law. It is a profitable concern. I say, Sir, construction of buildings is essentially the work of building societies. For instance, in western countries, there are building societies which have attracted a large amount of capital, not merely from the Government, but from the public as well. They put up buildings and from the rents that are received from those houses, they show a substantial margin of profit and therefore the public invest their moneys with those societies. Then again, Sir, the societies are empowered to receive deposits from the public and the public have every confidence in those societies. After all, the best form of investment is supposed to be brick and mortar and so people are ready to invest on buildings and in societies which put up buildings. I know there are building societies in England which have capital running up to several crores. I understand there are building societies in England which have attracted capital to the tune of 40 crores. I am sure that if the City Improvement Trust enters into the field of putting up buildings, they will be able to attract such large deposits. At present, they are not empowered to receive deposits, though they are empowered to float loans in the open market. If only they carry out their activities in a proper manner, the public will have confidence in the Trust and they will be prepared to lend the necessary money provided the rate of interest is made attractive.

" Sir, as I said already, putting up buildings is not the main activity of an Improvement Trust, but there are many other things which have to be undertaken by the body like the City Improvement Trust, such as the widening of roads and using open spaces to the best advantage. Madras, as you know is very badly kept in the matter of roads, because everywhere you see narrow roads and streets. Visitors from other countries and people who have gone out to other countries and have come back, feel very much disappoined at the way in which the City has grown. For instance, taking Georegtown, we know the narrow way, which is misnamed Broadway. Everytime the tram-car goes, no vehicular traffic can pass the tram-car in that road. Look again at the China Bazaar road between Flower Bazaar and the Waltax Road, leave alone the motor car, no vehicular traffic can go past that road from one end to the other because it is narrow and crowded with pedestrians. I know what is the experience of many people in Madras City who go into that street but come out with their purses picked. I think, most of us have had experience of the China Bazaar and the pick-pockets there. The reason is, it is so narrow and so crowded that there is neither safety of person nor safety of one's purse. There are many such roads in Madras which are badly in need of widening.

" A judicious use also should be made of the open spaces in Madras. Madras is said to be a city of open spaces, but we should

make use of them. But, are we using the open spaces in the City in a proper manner? It was proposed to put up a building for the Reserve Bank somewhere near Mount Road, but objection was raised to it from all quarters. I ask, after all why should we keep so many square miles of open space and not utilize it? It is of course right and proper that there should be some 'lungs' and open spaces with parks, but it is not right to keep vacant very large tracts which can very well be used for suitable buildings . . ."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" What open spaces are available in the City of London? "

SRI S. B. ADITYAN :—" I have resided in London for a good number of years and I know what open spaces are available there. There is the Regent's Park, there is the Hyde Park and a few such places, but even the Regent's Park, I do not think, is as big as the space that is left open near the Fort, between here and Mount Road. Of course, we must leave some space open, but it is not making the best or economical use of the available land if we leave
1-15 p.m. it entirely vacant, with neither trees nor buildings. A few buildings put up of course with necessary open spaces allround will certainly add to the beauty of the City and will also add to the health of the place.

" My hon. Friend Mr. Venkataswami Nayudu referred to the lack of powers for the Improvement Trust. If we have an Improvement Trust, let us have a Trust with adequate powers. I knew a case in another City where acquisition proceedings were pending for as many as ten years and in my professional capacity, I took part in those proceedings. It is a sad commentary on the Improvement Trust law that anyone can hold up the proceedings of acquisition of land for a decade. The procedure laid down in our own Act does not seem to be any better; we should have a more expeditious procedure laid down by the law; otherwise slum property-owners will try to obstruct any improvement schemes that may be put forward. There are various stages provided before acquisition can take place, namely, notice, objections, settlement of compensation, etc., and there is also time provided to enable people to come forward with objections and then there is the tribunal. We must go through all the stages of the proceedings and further there is an appeal. This procedure will take months, if not years and if a litigant takes it into his head to go to the High Court and move for a writ of certiorari or mandamus, the proceedings will certainly take years and not months. In addition to that the cost of the proceedings is also very prohibitive; I do not mean the cost of merely the acquisition of land—I mean also the cost of litigation. I believe if there is any institution which is involved in litigation more than any other, it is the Improvement Trust and for every bit of land which has to be acquired either for widening the roads or for putting up new buildings, there are contests and objections at every stage—at the stage of the scheme and at the stage of compensation, with the result that the Improvement Trust pays very heavy amounts by

way of litigation. Probably, the advocate who is briefed for the Improvement Trust makes more than any one in any other branch of law.

" The question of compensation is a very thorny question; it may be easy to settle if the land is a vacant site but if the Trust wants to acquire a building which is already in existence, so many factors enter into the question, how much is the site value and how much value it has acquired by reason of its being situated near the market place. The slum property-owners are particularly very hard nuts to crack and they put up obstacles not only here in this country but in all other countries. It is within my experience that the London County Council found it very difficult to cope with the obstacles put up by slum property-owners. When the Labour Party came into power in the London County Council, they introduced a provision by means of which, they could declare any property as a slum and when a property is declared as a slum, then the owner of that property loses his right to ask for compensation at the market value. In fact, market value is payable only in respect of property which has the right to continue to exist and slums, it is assumed, do not have a right to exist as such; it is condemned property and the owner of that property has no right to ask for compensation at market value. I believe that we are badly in need of such a provision here so that when owners of properties in congested localities like Govindappa Naicken street or Mint street, are involved in acquisition proceedings, they should not say that because their property is situated in a busy locality, they ought to be paid more than its actual cost. We should try and introduce a provision of that nature into our Bill so that acquisition proceedings may be carried on in an expeditious manner. As my hon. Friend, Mr. Venkataswami Nayudu suggested, there should be power to take over land even before payment of compensation, the compensation amount being decided later on before a tribunal or the law courts or any other judicial body which may be appointed for that purpose; but let not the work of the Improvement Trust be hindered for reasons of delay in acquisition. This may be called an exproprietory provision but there are many buildings here in the City which are worse than slums in other countries and which are not a credit to any modern city. Go into the buildings in the Broadway area, you will see there many rooms without any windows; if there is a room without a window, is that a fit place to live in or carry on business in? I believe, Sir, that such buildings should be condemned as slums and they should be taken over either for purposes of reconstruction or for widening the streets. In fact, Sir, some of the streets are so narrow that even if one stretch of buildings between two streets are pulled down, the street so formed will still be narrow. Take for instance, Broadway and Stringers street; that is the position there. Therefore, Sir, we must have wide powers and drastic powers and we must have men at the helm of affairs who will go boldly forward without caring for what the slum property-owners might do, without caring for their allegations; they must go ahead and we must have a master plan for the improvement of the city.

[Sri S. B. Adityan] [10th October 1950

"This Bill, Sir, as it is drafted applies only to Madras City but Madras is not the only big City in the State; there are other towns like Mathurai, Tiruchirappalli, Visakhapatnam and Vijayavada and I would have very much preferred the Bill to be drafted in wider terms without mentioning any particular city but with provisions for making it applicable by notification to any city or town the Government may deem proper. If it were like that, there would be no need to bring later other bills in respect of those towns, I am sure later on, after seeing how the Act works in the City of Madras, other Bills will be brought forward in respect of the other towns where conditions are no better. Probably when those Bills are drafted, they will follow word for word the clauses contained in this Bill and it is better if provision is made even now for a comprehensive Bill which could be made applicable to other towns by a mere notification in the Gazette. We could also save the trouble of discussing similar provisions in respect of those cities. Mathurai, which is supposed to be the second largest town in the State, is in a worse position than Madras and we are badly in need of an Improvement Trust also in places like Tiruchirappalli, Visakhapatnam and Vijayavada. I suppose the Government will realise the need of those cities and try to introduce legislation of a similar nature but in general terms so that as and when necessary Improvement Trusts may be established for them by means of notification.

"Regarding funds, I feel, Sir, that we need not hesitate about giving powers to the Trust in regard to taxation. I believe a betterment tax is levied on all house property in Madras and if it is not so, I would urge that it ought to be levied because this is a measure which applies to the city as a whole and not to any individual part of it. Therefore, it is right that a small proportion should be added on to the House Tax for Improvement Trust purposes. The Improvement Trust will be able to carry on a good deal of its housing programme with the money that it gets by way of borrowing because housing is a profitable venture and the rents will ordinarily be enough to continue further building work. I know, Sir, that the Improvement Trust in Singapore gets something like half its revenue through rents. When it started, it probably started with a grant from the Government and also a certain proportion of the house-tax. But in a number of years, the Trust was able to put up so many model buildings in the busy areas of the town, and although the rent collected by the Trust was smaller than the rents of buildings owned by private people, it was sufficient for purposes of paying interest, and accumulating a surplus."

SRI R. SURYANARAYANA RAO:—"May I know if the hon. Member is in favour of the Trust taking to building work because he said some time ago that it was the function of the building societies and not that of the Trust."

*SRI S. B. ADITYAN:—"The building societies generally put up buildings in clusters or colonies where they could build, say, a hundred buildings and this is done in areas which are not already built up. But the Trust has been able to put up buildings in busy areas, very valuable buildings, six and seven storeyed buildings for decent dwelling purposes and this formed a most lucrative part of its work and I do not see any reason why it should not do it, in addition to its other duties such as putting up parks, widening roads and so on. In fact, the Improvement Trust has been responsible for converting Singapore from the cess pool of the East into a pleasant modern City and has put up really many useful buildings and a very substantial part of its revenue is derived from the rents from such buildings."

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MR. CHAIRMAN:—"How many of those buildings yet remain?"

*SRI S. B. ADITYAN:—"Some of them have been demolished by the bombs. I had been to Singapore even after the war and I still find that a substantial part of the revenue of the Trust is yet derived from the buildings which have survived the bombing. I must, however, tell you of what happened just before the war. I had an interview with the Chairman of the Improvement Trust in Singapore and he was mentioning to me the various difficulties, particularly the difficulties experienced by him in the acquisition of lands owned by slum property-owners. He mentioned to me that it would be God-send if the Japanese dropped a few bombs on the slum areas—of course one has to be sorry for the fact that it would be attended with loss of life but in the places so destroyed, improvements can take place and new buildings will spring up. Not that I am wishing that slums should be bombed but there should be adequate powers in the hands of the Trust, bombs in the shape of the law, to enable them to put up better buildings in the place of those which should be pulled down and there should be an expeditious procedure prescribed for this purpose."

The House rose for lunch to meet again at 2-30 p.m.

(After lunch—2-30 p.m.)

*SRI N. RANGA REDDI:—"Mr. Chairman, Sir, I did not like to participate in this debate for the simple reason that I had not much experience of the Madras Corporation, as to how its affairs are being carried on. But, when I heard Mr. Venkataswami Nayudu . . ."

MR. CHAIRMAN:—"You have enough experience of Madras."

SRI N. RANGA REDDI:—"But, when I heard Mr. Venkataswami Nayudu I thought it was absolutely necessary that I should support this Bill. So, if I were to say anything in connexion with this Bill I should not be construed that I am offering any criticism about the administration of the Madras Corporation.

"I remember, Sir, the late Mr. Sarat Chandra Bose, when he came to Madras, he was given a civic reception by the Madras Corporation, and in his reply to that reception, he tendered some

advice, as to the way in which the streets ought to be kept and so on. At that time, *The Madras Mail* pointed out to him that the town of Calcutta from which he hailed, is very bad in the matter of sanitation, that its streets are very insanitary, and so, it is much better that he gave this advice to his own councillors in Calcutta rather than to the Madras Corporation. Very recently also, Sir, when the Madras Corporation celebrated its centenary, there were very many eulogistic speeches. But, in spite of all this, whether it is the Madras Corporation or a mufassal municipality, human nature being the same all over, whenever it is a matter affecting private interests, municipal councillors are not willing to act boldly and stand united in the interests of the townspeople. Sir, the provisions of this Bill are intended for improving the lay-out or altering of streets or lanes, remedying defective ventilation, creating new or improving existing means of communication and facilities for traffic or affording better facilities for conservancy. When that is so, I find, whether it is the Commissioner, or, where there is no Commissioner, the executive authority, or where he does not exist, the Chairman in whom his powers are vested—all of them are confronted with the same difficulty of enforcing municipal laws. There will be interests which come into conflict with the interests of the municipality, and they are not willing to abide by the advice tendered by the Commissioner or the executive authority. Take the case of the owner of a house who has his house in a street. There is an encroachment of the house in the street. The Commissioner warns the house-owner of the encroachment, and he requests him to remove the encroachment. The house-owner refuses to accept the advice tendered by the Commissioner or even by the councillors. Since the councillors are all elected members it is too much to expect them to take interest in the affair and ask the owner of the house to demolish the encroachment. Now, when I look at the composition of the Trust Board I find there is nothing in it to entertain such apprehensions. For it consists of officers of Government appointed by Government unconnected with the interests of the private individuals Corporation. And so, if any action is to be taken, we can expect them to take that action without fear of alienating the sympathies of persons affected by the encroachment. Sir, I have had some experience of being a municipal councillor in a municipality. I was also president of a district board for some time. I know, as a president, I wanted to have a house demolished, because it had encroached upon a particular street. It is a typical case for the present purpose. Some members of the district board came to me and said that that house had been in existence for several years and so they requested me not to interfere with it. In this way when private interests come into conflict with public interests, presidents or commissioners or executive officers find it difficult to enforce rules. I am sorry to say in the Proddattur municipality, it is full of encroachments. These have started from 1914 and they are still going on. Any number of commissioners have come there. They have not been able to do anything in the matter, by removing the encroachment. The town-planning rules

have been modified to apply to municipalities, but they are not enforced. If the municipal commissioner wants to take action, his hands are tied by the municipal councillors. If he is to take severe action he becomes the enemy of the councillors. A motion of no-confidence in the commissioner will be tabled, it will be passed, and the commissioner will be transferred. So, in this way, elected councils have not been able to look to the interests of the town quite well. I may also quote another instance. I know in 1929, when the taluk boards were entrusted with the work of running dispensaries, since they were not functioning properly, Government thought of taking over those dispensaries into their management. So taluk board presidents were asked whether they were willing to transfer their management over to Government. Some of them refused to hand over their dispensaries and they protested against the proposal. So, Government took over only those dispensaries which taluk board presidents were willing to hand over and they allowed the rest to be run by taluk boards. And what is the position of the dispensaries to-day? Those that were taken over by Government are functioning well, while those run by taluk boards are functioning badly. I know the inefficiency of presidents of taluk boards. But since their power was proposed to be taken away they opposed the move. But what is the result to-day? As I said, the dispensaries managed by Government are run efficiently; while those run by taluk boards are managed badly. Perhaps when I say this, I may be accused of being hostile to democratic form of Government. Believe, me, Sir, I am not at all hostile to democratic form of Government. I am a genuine democrat, and I want these institutions to be worked in a democratic spirit. But when I see that some of them are not working satisfactorily, I feel, it is time for us to see how we can work them satisfactorily. It is in that spirit that I speak here.

"A corporation has got to attend to manifold functions. So, if we want to set up a separate body to attend to certain of its specific functions, it is only in the interests of the corporation that we do so. I believe in these days it is certainly necessary that there should be a separate body which should devote itself to the building of houses, laying out streets, drainage and lighting of streets and so on. As Mr. Adityan said, we have now a town building society in every town and municipality. When such things are being undertaken by local boards, why not we have a similar body for the Madras Corporation. If that is done schemes can be implemented more quickly than now. So, it is with this idea the City Improvement Trust Board is being formed. It is meant not merely for the expansion of the town. It is meant for other purposes also. Where there are slums, where there are dilapidated buildings, they can be done away with and new buildings constructed. I am living in Cuddapah. I find there several dilapidated buildings. There is no one to improve them. If only this Bill is made applicable to the whole Presidency, as was said by Mr. Adityan, it will work efficiently, and several towns and municipalities will be improved very much. Sir, most of the functions of the improvement trust board have been detailed in

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clauses 34, 35 and 36 of the Bill; and I think in these days of progress, it is very necessary that a separate body should be entrusted with powers like these for improving the City. With these words I support the Bill."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Mr. Chairman, Sir, to every resident of the City of Madras and particularly to an old resident who has spent nearly fifty years in this City, a Bill of this nature is certainly of great importance. I am sure that many people will look to this Bill to see that some improvements are made to the City which within the last fifty years has unfortunately gone from bad to worse in spite of the various measures taken to improve the City. I was not at all surprised when my Friend the Hon. Deputy Chairman gave such a gloomy account of the activities of the City Improvement Trust within the five years of its existence. The opinion among a very large section of the people of the City is that consequent on the City Improvement Trust things have become much worse. I hope and trust that the new Improvement Trust will not share a similar fate.

" The most important requirements of any large city are extensive open spaces which will be the lungs of the city, large playgrounds where the youth of the city may have recreation, and large parks to which the people in congested areas may resort to get a little of fresh air for the nonce. I have been visiting, through very many adventitious circumstances, a very large number of cities in both hemispheres and I must say that there is no city in the civilized world which provides less amenities than the big cities of India. It is unfortunate that the two senior Indian Civil Service Officers who were deputed by the Government in 1941 were sent particularly to Bombay and Calcutta which are the last cities I will recommend to any one for studying how city improvement has worked. I have known Bombay and Calcutta ever since the twenties and I can say that the deterioration that has started in those cities has been progressive and continuous and that to-day Calcutta is the worst slum in the east not excluding Singapore or other cities. Bombay also is in a similar condition. Naturally, on account of the refugee problem, it is not a city which can be taken as a model for any scheme of city improvement. If my hon. Friends were to ask for model cities, I would recommend some of the cities in Europe, Australia and America. Right after the first Great War in 1928–29 I had the privilege of going to a city called Aberdeen up in the north of Scotland where a large housing scheme has been put into operation due to the influx of a great number of people into the city. The City Improvement Trust there had very definite and very precise views as to how to improve the city. Roads were laid, streets opened and it was one of the conditions laid down by the City Improvement Trust that the land in the street should be apportioned in a particular manner so that it was possible to build only one type of houses. There was no discretion given to the house-owner to build the house in any manner he liked. Street after street in Aberdeen, if it was two grounds for one house, it was two grounds for all and

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nothing more and the plan adopted for the houses was a standardized plan. One may ask whether this is not an interference with the discretion of the individual. The execution was simple and the plan was such that no one house was an impediment to its neighbour either in the matter of light or ventilation."

MR. CHAIRMAN :—" Does it not amount to an infringement of the Fundamental Right? "

DR. A. LAKSHMANASWAMI MUDALIYAR :—" It is one of the problems that we have created for ourselves and you know my views about that. We will have many more occasions to see how the Fundamental Rights limit very seriously the powers of the Legislative bodies.

" I have been to Vienna where there is a very large population and a big City Improvement Trust. Nearly forty-thousand houses had been built by the improvement trust. Does it confine itself only to the house building programme? No. The first thing that it does is to prepare a town-planning scheme with the help of experts, as we have got some experts here for town-planning, demarcate the areas into residential areas, industrial areas and areas where schools, shops and parks and playgrounds are to be located and where amenities in the shape of common hall for the people to meet and public halls for entertainments, cinemas and dramas are to be provided. A town-planning scheme was first chalked out and then the construction of buildings was started. With that picture in my mind, I returned to the City and saw Mambalam and Tyagarayanagar. That part of the City has been brought into existence by our town-planning experts, I think, without even the rudimentary or fundamental conceptions of civic necessity. I found that palatial buildings were hobnobbing with little houses and those little houses could never get either free ventilation or light. We have got very elementary notions of what a housing scheme is. I am sorry to have to say that. Even when there is the City Improvement Trust, what do we do? The park called the People's Park was ruined by the construction of a stadium. Nobody outside Bedlam would have accepted a proposition of that nature. A lung of the most populous part of the City to which the poorest class of people resort for fresh air was ruined by the construction of the stadium. The authorities of the Corporation are thinking of improving it and making some money out of it. In terms of the health of the City, how much more could we get than the material value of the money? Introduction of hairy-brainy schemes into our civic life is what we are after. Is that the way in which a public park should be converted?

" My Friends spoke of the proposed Reserve Bank buildings. I want to say this that if that scheme had been suggested by a Government in any other country, there would have been a flood of protest from every quarter. The pieces of land on either side of Mount Road are the only land which gives room for the fresh air from the beach to blow right to the other end of the City. They are two lungs of the City as it were and they are not there

by accident. They were deliberately planned by those who knew something of civic amenities and the space was left vacant to allow the cool breeze from the sea to blow into the very heart of the City. There we are going to have a palatial building. I am sure it will be one of the grandest buildings. But what for? To increase the mortality in the City! Let me tell the hon. Members that nobody who knows anything about public health and sanitation will look on, except with dismay, at the sort of vandalism that is sought to be perpetrated in the City of Madras. I am told that the Government gave the land and that the Corporation is powerless. The Corporation is powerless in many other respects. The lands in the worst possible condition in the City—I will take you round the City, Sir, if you can spare the necessary time—are the lands owned by Government whether they be the State Government or the Central Government. The land adjoining railway track, which is owned by the Central Government, is in a disgraceful condition. However it is my hope that things will improve.

"My hon. Friend was trying to correct me when I said that London had a large number of parks."

SRI S. B. ADITYAN :—"On a point of personal explanation, Sir. What I referred to was vacant lands. There is a difference between lands with trees on and parks and playgrounds and desert-like vacant lands. That was the difference that I sought to make."

MR. CHAIRMAN :—"Except you two, none of us have seen London. So you may both decide the question between yourselves."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"There are others who can contradict me. Mrs. Hensman, who generally likes to contradict me, can do so if I am wrong.

"Several thousands of houses have been built in the City of London. But not one of the vacant lands or parks has been touched. I was in London last year and I went and saw the whole place. The City has extended to the south for twenty-five miles beyond the aerodrome and also to the west. What the authorities there have done is to improve the means of communication so that anybody living in the vast area of Greater London may find it possible to go to his place of avocation within a fairly reasonable time. In every suburb of London there are parks. There are the Chelsea and other parks. The parks that were there twenty-five years ago are still there in spite of the building of a large number of houses to relieve the congestion owing to the great increase in population. We, on the other hand, are thinking that nobody should have more than so many grounds for a house, little realizing that, if there is a house with more open space, it is not the people who live in that house that benefit as much as the people who live in the surroundings because they enjoy a certain amount of freedom from congestion.

"My hon. Friend was speaking about what happens in the Mint street, Govindappa Naicken street, Nainiappa Naicken street

and the other streets in the locality. I know them very well. If they are vacated at some time and if an atom bomb were to fall on them, nobody will be happier than myself. Unfortunately those conditions cannot be changed. I am afraid the City Improvement Trust also will not be in a position to change them. If the City Improvement Trust is to function effectively, the first thing I wish to suggest is that it must not copy the example of the old City Improvement Trust. I hope my hon. Friend Sri K. Venkataswami Nayudu will not take offence at it, as he himself very frankly admitted that there were mistakes. Excellent housing localities should not be converted into a medley of little pawn shops. I have seen shops located in little crevices. I was horrified to find in Mount Road by the side of a very big building a little pawn shop with a length of five feet and a depth of one and a half feet where the person sits and sells. How the Corporation gives a licence to open a shop in such a place is a mystery. There are many other mysteries connected with the Corporation. When a cinema hall was built, licence for exhibiting films was refused, the hall remained closed for several years and at the end, when the owner was almost ruined, licence was granted and suddenly we found glittering lights and the exhibition of films. In a locality coming under the town-planning scheme, suddenly we found rising a huge mansion for taking sound films. It was a purely residential locality with a large number of nursing homes very near each other. Protests had to be made, records were searched and the officers of the Corporation stoutly opposed the grant of the licence. But still the licence was granted. It took some of us nearly eighteen months—thanks to the help rendered by my Friend there—to see that that was closed with some amount of good feeling on either side. It seems to me that it is very necessary for the new City Improvement Trust to work on lines very different from those on which the City Improvement Trust of the past had been working.

"After studying the various provisions, the Bill does not at all inspire me with any confidence that the working of the City Improvement Trust will really be beneficial. I feel that the Act will be a paper Act rather than a practical Act. The first thing that the City Improvement Trust will have to do when it comes into existence is to have a survey of the City, an aerial survey and a regional survey of the various divisions. The survey will cost a great deal. Unless the Trust has got a staff which is capable of looking to the various factors, I do not know how it can do any good at all. It is said that annually two and a half lakhs of rupees are to be provided by the Government and an equal sum by the Corporation. With five lakhs of rupees, it has got to work. If the Trust is to employ the sort of staff that I have in view, it seems to me that very little money will be available. Without a proper survey and map of the areas, no concerted plan of city improvement can be put into execution. The Trust will require engineers, architects, surveyors and people who can advise on public health aspects.

"From the composition of the Board of Trustees, I see that there are ten members. I have very little criticism to make about it. But I feel that there are two persons, the City Health Officer and the City Engineer, who should be associated with the Board in some manner or other. I do not say that they must be members. These are the two fundamental persons who at all times should be cognisant of what is taking place in the City Improvement Trust. Without their ready and willing co-operation and advice, I would go so far as to say that the Improvement Trust will not be in a position to function properly. The Commissioner of the Corporation is there but he is not an expert. These two experts must be associated with that body. No doubt the provision is there that the Board can co-opt any persons. But I say that these two officers should have the right to attend all meetings of the Board and discuss matters connected with the improvement of the City.

"Now, Sir, one of the main difficulties that we have got in regard to the City Improvement Act is this. We do not know what is the correlation between the Corporation Act and the City Improvement Act. We do not know where the functions of the one begin and where the functions of the other end. Without a clear conception and a clear demarcation of the functions and responsibilities of these two bodies, I am inclined to think that there will be a great deal of confusion and a good deal of clash of interests between them and there will not be that harmonious co-operation that we expect of them in their activities. But I will be told that the Commissioner and two other representatives of the Corporation are there. But we know that neither the Commissioner nor the two representatives of the Corporation on the Board can in any manner bind the Corporation by any acts that they might do in regard to the City Improvement Trust. Let me tell you, Sir, what the City Improvement Trust can do. It can undertake various types of schemes for the improvement of the City. Those are mentioned in clause 35 (*a*), (*b*), (*c*), (*d*), (*e*), (*f*), (*g*) and (*h*) of the Bill, such as a rebuilding scheme, a re-housing scheme, a street scheme, etc. Now what is happening in the Corporation is this. A plan for the building up of a house comes in and the Corporation simply sanctions it. Incidentally let me tell you, Sir, that the staff for the examination and scrutiny of housing schemes, building plans, etc., in the Corporation is so totally inadequate and unequal that not only is there a lot of delay in sanctioning them, but I am also bound to say that the staff there is not sufficient and in some respect not efficient also. This was the case before. I do not know whether things have improved now, but I speak subject to correction. There is no architect there to examine housing schemes. Now, the one fundamental thing about any housing scheme is that it should have the approval of an architect, not an engineer. An engineer is needed only to testify the structural stability of a building, but it is an architect who knows what a housing scheme is and how it is to be planned.

"Secondly, Sir, the Corporation has not made any provision to see that only certified contractors who are competent and who

have on their staff a qualified engineer are allowed to undertake these housing schemes. Many of the collapse of houses in Madras and much more in the City of Bombay ought to be an eye-opener for us because old types of houses are giving place to new types of houses and many stories are being built on houses with weak foundations and so unless the Corporation takes upon itself to see that there is a reasonable prospect of safety in the new houses that are to be built under the housing schemes sanctioned by it, there will not be any real or substantial relief to the people of Madras by these housing schemes. Sir, my point is this. If the Corporation allows a large number of houses to be built wherever there is some vacant space, or gives permission to people to build houses wherever they think it possible and suitable for them, and if it happens to be a slum area and the City Improvement Trust takes up this area for one of its schemes, what would happen to these houses which have already been built? Where is the correlation between the activities of the Corporation in regard giving sanctions for building schemes and the activities of the City Improvement Trust in carrying out schemes of improvement in the City. Sir, I have read this Bill carefully and I must confess —subject to what enlightenment that may be given to me later on —I find no provision in it whatever to correlate the powers of the Corporation in the matter of sanctioning building schemes and the activities of the City Improvement Trust in the matter of taking up schemes for the improvement of the City. But, Sir, there is a provision for town-planning schemes. I am glad that there is such a provision. Sir, one of the very acute and Achillis-like Commissioners of the Corporation suddenly thought it convenient to expand the City with the approval of the Government in all directions, north, west and south, but unfortunately he could not go east, because there is the sea. That scheme was conceived in a hurry and the sanction for it from the Government was obtained in greater hurry, and now the Corporation is ruining its results in the most melancholy manner. Nothing has been done and nothing was possible for the Corporation to do in respect of that scheme and unless and until the powers that be who hold the purse-strings of the finances of the Province fully realize that it is part of their responsibility to come to the aid of the Corporation and provide necessary funds to the Corporation to proceed with that scheme, nothing is possible.

"Sir, reference has been made to the number of huts that have crept up everywhere in and around the City. Not only have they crept up easily and quickly, but colonies of huts have sprung up and new names are also being given to such colonies. In course of time these colonies will grow bigger in size and there will probably be temples erected therein and afterwards nobody can touch them, because that would offend the religious and other susceptibilities of people living there. Down the Napier Park you find such small colonies springing up. Now, Sir, let me incidentally mention that parks in this City have assumed different meanings and different definitions from what we find given to them, in the Oxford dictionary. And to-day, a park in the City has come

to mean a small piece or parcel of land anywhere and everywhere and in any atmospheric area for those people who have no houses, to live in. Take for instance the Napier Park. A number of small huts with no sort of ventilation and with no space to move about have sprung up and if cholera or any other epidemic breaks out, there is absolutely no possibility of stamping such an outbreak. It is only because God has given us two important things that we are saved from these outbreaks. Fortunately for us, the sun never refuses to allow its rays to pass through these huts and that is the greatest virtue. And fortunately also rains are scarce in the City and the climate is always hot. It is because of these things that people are able to live in these huts. If the climate of Madras is such as we find in many of the Cities in Europe like Berlin, I do not know what would happen. I do not think that it is either the Health department or the medical men who are saving the people of the City. It is the sun which destroys these minute disease-producing organisms by its rays and that is why the people of the City are safe and it is to allow the sun and the air that we want these housing schemes to be properly planned and carried out. There should be provision for open spaces in any housing schemes that are undertaken. I would beg of the Corporation to conserve these open spaces in the City. They are now fast disappearing for one reason or other. If the Corporation finds that there is no space in its godowns to keep its stores or things, it is the park that is used for the purpose. If the Corporation finds that a hall should be put up for providing accommodation for any of its offices, it is the parks that are used. Any triangular piece of land measuring 10 feet by 4 feet becomes a park and that is the idea of a park that we are trying to cherish in the minds of the citizens of this great City!

"Sir, if I have been somewhat destructive in my criticism, it is because of my anxiety that this Improvement Trust should function properly. I feel that it would not do for the Government to be merely content with giving Rs. 5 lakhs, but I would even appeal to them to give Rs. 50 lakhs to this Improvement Trust to start with. It is no use spending Rs. 5 lakhs on any scheme. That will simply be a waste. I would rather that they do not give anything at all. To say that the Improvement Trust should start with Rs. 5 lakhs for improving the City with a population of 15 lakhs comprising an area—I do not know how many square miles it is now, since Sembium and Saidapet have recently been brought within the City limits—(An hon. member: 'About 50 square miles')—of 50 square miles, seems to me to be tinkering with the problem, because, the 2½ lakhs of rupees given by the Government, even if it is spread out in pies, will not cover one square mile. Therefore, if the City Improvement Trust is to function properly and is to do something good to the City, I appeal to the Government to give it a substantial grant. They should see that at least a sum of Rs. 50 lakhs is given to the Trust to start with and thereafter, every year, they should give a grant of Rs. 5 lakhs and the Corporation should also give a like sum.

"Sir, I also want the Government to kindly consider this point. There should be as little friction as possible between the Corporation and the City Improvement Trust. I have just been reading the City Municipal Act. I think it requires a considerable amount of alteration after the passing of this measure. Unless this is done, there is not likely to be that amount of relief that we, citizens of Madras so much desire and are so anxious about.

"Sir, it has been said that there is a floating population in the City, and that the City Improvement Trust should provide quarters for them. I do not endorse that suggestion. In providing amenities for the floating population in the City, let us realize that there is a method of doing things. There is no use increasing the congestion in the already congested areas of the City. If there are such areas where buildings could be put up with 3, 4 and even 5 storeys and if there are sufficient funds, then perhaps such building schemes can be launched. I do not think there is any possibility of putting up such building schemes in this City.

"Sir, there is a provision in this Bill that every street should be 40 feet wide and that every street where pedestrains are allowed to pass, should be 20 feet wide and so on. There again, some modification is necessary, because I do not think it is practicable to adhere to such conditions. The whole purpose of this scheme will be lost if we put in impracticable conditions and unworkabile provisions in the Bill. There will always be difficulties in regard to finances and in regard to so many other things. If we are in earnest and if we want that this Improvement Trust should work well, then let us make up our minds about it; let us not simply plan big things and achieve nothing. Sir, there is a law which is known as 'All or none' phenomenon. If you are going to tinker with this City Improvement Trust by giving only a sum of Rs. 5 lakhs to start with, then I am afraid, the Trust will not be able to do anything and the same conditions will continue and things will become worse and the result will be the same as we had with the previous Improvement Trust. I would therefore once again appeal to the Government to consider these points, take stock of the position and see that they follow an enlightened policy and not the policy of the blind leading the blind, put the right people and people who know the conditions in the City and who have studied the working of similar Trusts elsewhere in charge of it and give them that amount of enthusiasm and support so that the City Improvement Trust may begin well. That is the only way to improve the City."

SRI M. NARAYANA MENON:—"Mr. Chairman, Sir, when one looks at this Bill, one will of course feel that the Government are *bona fide* in their intentions in bringing forward a measure of this sort, for the purpose of improving the City, but when one studies carefully the various provisions of the Bill he will find that the conviction is not deep in the minds of the Government as to the necessity for improving the City or of making it more beautiful or of improving the health of the City and the surroundings, for which human souls have a craving. It is really very surprising,

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Sir, that this City which has been in existence for centuries together has never before thought of having a City Improvement Trust. It appears that five years ago this idea of an Improvement Trust had originated in the minds of some people and in fact an Improvement Trust was actually constituted, but as I understand from the speech of my hon. Friend, it did not effect any improvement at all in the City. On the other hand we find that the conditions in the City had gone worse, although this Trust has been in existence during all these five years. As pointed out by my hon. Friend Dr. A. Lakshmanaswami Mudaliar, the meagre provision of a grant of Rs. 2½ lakhs by the Government every year to the Improvement Trust is an indication that the Government do not expect very much to be done by the Trust. It is also stated that the Corporation of Madras will be also giving Rs. 2½ lakhs to the Improvement Trust every year, and although it may be a big amount from the point of view of the Corporation, yet even that would not in any way enable the Trust to make any substantial improvement to the City.

"Now, Sir, let me just deal with some of the main principles of this Bill. I submit, Sir, that in launching a scheme of this kind, there must be some strong motive power behind. The Government must be determined in their efforts to make the City Improvement Trust a really useful body and make it work successfully by giving all the necessary facilities to it, and by themselves directing its activities. But on the other hand we find that they are simply asking the Corporation to look after it and to give it some help and they simply stop with giving a grant of Rs. 2½ lakhs every year. We do not find any motive power or any strong determination on the part of the Government to make the Trust work successfully, and so I would appeal to the Government first of all to have a determination with regard to this matter in order to make the City beautiful and to make it more healthy, so that it may even vie with a City like Aberdeen, which my hon. Friend Dr. Lakshmanaswami Mudaliyar has so graphically described, in point of beauty and that we may also understand what a beatiful city is. Sir, I have seen Calcutta, Agra and Delhi, but I have not visited any other bigger cities in India. Although they are great cities to look at, they are not large in area. Calcutta, of course, is the largest, but the conditions there are not so encouraging. I have not seen Bombay and therefore I do not know about the conditions there. But the idea that is driven home into our minds as to how to improve a City and what should be done to make it beautiful, must inspire and instil the Government and the authorities concerned with a desire that they must do something to improve our City also and make it more beautiful. It is a case of 'must' with all the emphasis that one can put upon it.

"Now, Sir, let us see how we begin with this Trust. Under clause 4 of this Bill, this City Improvement Trust should have ten trustees on its Board. They are all officials, of course. But I should like to have on the Board of Trustees, besides the two persons suggested by my hon. Friend,—an architect and an

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engineer—a lawyer also. That is to say, of the three persons to be appointed by the Government under clause 4 (*g*), one should be a lawyer. Sir, I see a smile in the face of some of my hon. Friends, when I mentioned the word lawyer.

"What has the lawyer to do with the improvement of the town; it might be asked. I say he has everything to do, because very many questions of law will arise in the matter of acquisition of lands, entering into contracts, etc. So, I ask, why should there not be a lawyer in this Board? Therefore, I suggest that a lawyer and an architect should be in the Board. They are absolutely necessary. Things must be made beautiful to look at. Every man who tries to build a house tries to make it as beautiful as possible. But in a town which consists of many houses of both the rich and the poor, there must be some order in order that all the buildings appear beautiful. 3-15 p.m.

"It has been pointed out that there must be two lungs here and two lungs there. In a big town we must have fine gardens and fine open spaces and other amenities also, for instance, cinemas and other recreation grounds. First of all we must have a clean town. That is to say, all slums must be cleared up. This means that those who are occupying the slums must be provided for. Where are they to go? Generally the poor people from the village or the town or sometimes refugees and tribes come to the cities. There must be some place for them to reside. The place of their residence becomes a slum. How are we to clear the slums? The existing slums must be removed and fresh buildings should be put up so that these people may have the opportunity of occupying them later on under certain conditions prescribed by the Corporation. Unless that is done, we cannot have the slum clearance at all. If one slum is cleared in one place, another slum grows in another place. It moves from place to place, as it were. I have seen in one part of a town a slum was cleared and improved. In just two or three years in the neighbourhood of that area another slum sprang up. It is only natural and consequential, because we have not removed the causes of the springing up of these slums. We can never clear the slums around the City unless we removed the causes for their growth. This point has to be considered.

"Then, Sir, we must have more houses to dwell in. I find that provision has been made for the extension of Madras. Everybody coming to Madras for a stay of six months or so, and also the floating population, find it very difficult to find houses here. What is the reason? We do not have sufficient number of houses. It may be as a result of the war, people have deserted the villages and come to the towns seeing the electric appliances, cemented roads and the other facilities. The houses here must be rebuilt. They should be built a little away from each other. They should not be close to each other. New houses should be built to accommodate all the persons. Otherwise we cannot improve the town. This must be considered by the Improvement Trust.

"It has been pointed out by an hon. Member that enactments relating to the mufassal towns also must be brought forward. I very much appreciate that suggestion, and I support it. Towns like Mathurai, Tiruchirappalli have to be improved. Kozhikode is, perhaps the worst that one can think of. These towns require improvement. Probably more money will have to be spent on towns like Kozhikode than other towns. Enactments relating to these towns and other towns also must be passed so that, in course of time, we may have a large number of healthy and beautiful towns in our State.

"One or two difficulties have been pointed out by hon. Members. That is, what is the line of demarcation between the Corporation and the Trust. This has very well been pointed out. Otherwise, Sir, there will always be trouble and there will be collision. One body may be willing to do one thing but the other one will be obstructing it. These two bodies working together, even with good intentions, may probably come to clash and may prevent things being done. I find in Clauses 44 and 45 the procedure to be followed in framing an improvement scheme. Some provision is made here with respect to an improvement scheme by the Corporation which the Trust may sanction. But if the Trust will not sanction the scheme, the matter will be considered by the Government. Where one body might interfere with the activities of the other, some provision must be made, as is done in Clauses 44 and 45, in order to prevent confusion. The whole Bill should be gone through carefully and remedies should be suggested. I have not fully studied the Bill. Only a few Clauses I have gone through. Some one like an arbitrator may be required to remove the confusion between these two bodies on account of any impact. Probably it may not be possible to draw a line between these two bodies. But it may be possible to make a provision so that they may not come to conflict but always co-operate with each other. When such circumstances arise the Government may frame rules to decide the case. They may introduce provisions in this Bill or in other enactments in order that these confusions may not occur.

"One other matter I have to mention is this. We may have fine buildings, roads, and other facilities. But the most important thing is water. Water-supply in the town has certainly not gone to that desirable length. It has to be improved very much. I went to a certain street two days ago. There, I am told, the people get water only in the nights and not in the day time. The result will be that these people must begin to sleep in day time and wake up in the evening, have their bath and cook their food, and do all these things only at night. This is a very difficult problem for the people. I myself went there and saw the difficulty. Water has to be got through a small pump, and it has to be carried in small vessels. What is the reason for all this difficulty? Why don't we have enough water-supply? This is a matter to be considered by the Trust.

"If we study the problems in detail, very many points will come up, and they all must be considered by the Trust. I know that the Trust will be manned by strong and capable men. They must see that these improvements are all effected. Otherwise, this Bill, when passed into law, will not be effective."

*JANAB ABDUL LATIF FAROOKHI:—"Mr. Chairman, Sir, I associate myself with most of the remarks that have been offered by members on the floor of this House. A Board of this nature is absolutely necessary. But our complaint is that Boards are appointed, and committees are appointed, but no work is done. So far as the City is concerned, much improvement is needed. My hon. Friend who spoke just now referred to water-supply. Most of the members will remember that there was a big complaint about stinking water in the City, and even a few days back there was this complaint. We do not know how the Corporation authorities are going to deal with this problem.

"Then, Sir, the question of building more houses was discussed at length. I remember, Sir, when the late Mr. Sundara Rao Naidu was the Mayor of Madras, he made certain observations and took pride in the beauty of the city. At that time I wrote an article in the Madras Mail pointing out how in spite of the pride that the Mayor took in the beauty of the City, there were so many slums, how roads were unclean, how stones were allowed to remain on the roads, how repairs on the roads were going on for a number of days, and, in the face of all these things the City only appeared to be ugly. We also remember how Dr. Lakshmanaswami Mudaliyar's car was punctured when he was on his way to a meeting in Tambaram, and how he was late to the meeting. We all heard Dr. Lakshmanaswami Mudaliyar say how in western countries roads were repaired in no time and now much time was taken for repair of roads in this City. Any Improvement Trust has to bear in mind that when it takes the repair of roads, it must effect the repairs in as short a time as possible. Co-ordination of many other departments is required. The co-ordination of the railway department and the tramway is very necessary. Motor cars are easily punctured by these tram lines. They are like thorns on the roads, and nobody cares to see that these thorns are removed. The tramway company is earning so much money from the public, and the Government felt that the company must be taxed to the highest point. Yet these roads are there. The tram lines look like knives which cut the tyres of the motor cars. So, improvement of the City means that all these things must be attended to.

"Now, Sir, I come to overbridges. I need not point out to hon. Members here that when we start from here for Parry's corner, on many occasions, we are held up at the level crossing for a long time—sometimes even half an hour. One train goes in one direction and another train goes in the opposite direction. We have necessarily to wait for a long time. Therefore, Sir, an overbridge here is very necessary. This is the duty of the railway. But the Government do not care for the convenience of the people. An overbridge at this level crossing is very necessary, and it must have been there long ago. Then again an overbridge is absolutely

necessary at Periamet where traffic is made to stop for a very long time. Like this a number of other bridges are necessary. If the city is to be made really beautiful, these bridges must be constructed. Beauty does not consist in beautiful roads alone, but
3-30 p.m. it consists in the convenience of the people. Only recently during the course of the last month I went to Bangalore. There Mr. Ismail was engaged in beautifying the City. I had been to Bangalore a number of times. Sometime back when I went there, I saw the City was very beautiful. On the 30th of last month when I went there, in spite of the fact that Mr. Ismail was not there, one could say that the City of Madras could bear no comparison to Bangalore in spite of its being neglected. Therefore, there should be somebody to look to the beauty of the town. There are several Committees and Boards appointed by the Government. But once the Government appoint a Committee, they do not care to see what that Committee does. There have been more than 200 Committees, but the Government have not cared to look into their working. If the Government had been really careful to note the working of these Committees, if the Corporation had looked to what the previous Improvement Trust Board did, there would have been no necessity for an Improvement Trust Board now; the Improvement Trust Bill need not have been brought forward now.

"Coming to bridges, the bridge at Saidapet is a very narrow one but heavy traffic passes through it. Heavy vehicles are moving through that bridge from morning till evening, even till 12 at night. I happen to pass that bridge very often. The bridge is so narrow that I sometimes wonder why many more accidents do not take place there."

MR. CHAIRMAN :—"I suppose the Leader of the Opposition is speaking about the Marmalong Bridge."

* JANAB ABDUL LATIF FAROOKHI :—"Yes, Sir. When the City was extended, I read in the Press that there was a conflict between the Government and the Corporation. The bridge was something like an orphan which the Government did not like to own nor the Corporation. The Corporation stated that it was not their duty to repair or extend that bridge. The Government said that it was not within the limits of the City and that therefore, it was not their business. In all these things, as my hon. Friend Dr. Lakshmanaswami Mudaliyar said, there must be a demarcation of functions and duties as to who should be in charge of particular works, and particular parts of the City. It should be laid down as to who should be responsible for repairing this or that bridge.

"In my own place with regard to the repair of a certain road, I wrote to the District Board and asked it to put the road in good repair. The District Board said that it was not concerned with that road. Then I wrote to the cantonment. They said that it was not their road. I do not know to whom it belongs."

MR. CHAIRMAN :—"Obviously the road belongs to you."

* JANAB ABDUL LATIF FAROOKHI :—"Those days are gone, Sir. Let us not say that those roads belong to us. They belong to the people of the country. Some responsible body—either the Government, the Corporation, the District Board or the Cantonment should take care of these roads and provide the necessary amenities for the people. Therefore, I would request the Improvement Trust Board to take into consideration all these things, to widen the bridges so that people may not be inconvenienced, to see that the roads are kept in good repair and that repairs are carried out within as short a time as possible and that the occupants of houses have all possible amenities, such as electrification. I made a complaint about the supply of electricity some time back and I am thankful to the Hon. Minister for Public Works who enlightened me on the point. Still I have got a lurking doubt in my mind that many people many deserving people, people who applied first for electricity, have not got supply of electricity. Such irregularities do occur in the working of large organizations. Even if I were responsible for that Department, perhaps such things would still have happened. But let us try to minimize these things as far as possible.

"I certainly agree with my Friends who say that large sums of money should be placed in the hands of the Board. What is the meaning of constituting a Board without giving the power and the necessary equipment? Necessary equipment means money. Without money nothing can be done. So, this Board must be given sufficient money in order that it may carry on its work efficiently."

* MRS. M. HENSMAN :—"Mr. Chairman, it seems to me that this City Improvement Trust Bill deserves more interest and consideration from the public and from the Members of this House than has been evinced by the thin attendance in the House and in the galleries. I am not with those Friends who feel that this Bill should be made applicable to places other than Madras. It is as well, perhaps, that Cuddapah and Mangalore, Kozhikode and Waltair should frame their Bills later for we must examine what we have left out of this Bill. So much has been said this morning about what is in the Bill, that I think I will spare you from further comments on that subject and will rather deal with what to my mind has been left out of this Bill which, to my mind, is one important. For instance, one of the hon. Members suggested that certain personages like the City Medical Officer and the City Engineer could well be included among those Members who were ex-officio members, on this Board. Three members I note, are to be appointed by Government and so I would have appreciated the fact if the framers of the Bill had also put in, 'Of which one should be a woman.' (Laughter.) I will now say I am not a protagonist of women. If I were a man, I would say the same thing or would ask for two women, because I pay homage to those people who run the life of the City. There could be no citizenship and no civic sense without both men and women working on this Board. I think it is 20 years since Mr. Buck who used to be the

Physical Director of Government and advise Government on playgrounds and other like things in the City drew up a scheme for using the spare and open spaces of the City for providing playgrounds parks and open-air theatres, Stadiums, etc. I was asked the other day how it was that we had such few playgrounds in Madras. I feel it because the scheme had not been implemented. Surely this is because our Improvement Trust, that is, our Corporation has had its hands tied for want of finance. Every man who wants to build a house counts the cost of it before he starts building. When the Corporation opens out fresh playgrounds it has to effect equipment and apparatus and it has to employ a man to keep the place clean. But that does not mean that these open spaces of the City should be used up for other things while they are waiting for the fruition of that plan. Because the scheme for opening of playgrounds has not been implemented as the Corporation hands were tied owing to war and various financial necessities, it is not proper that the children in these streets should have their playgrounds occupied by missiles, brickbats and things that cannot be moved. We have provided houses for the refugees, etc., in our own City but those are all buildings that may be called temporary and that may be compensated for. But I would speak of those larger unions and institutions that have grown up in places where playgrounds ought to be. At this very moment, there should be ground in the centre of the City for fresh colleges for women. I do not say 'Colleges for Men'; let men fight for themselves. But in this City we do not want overweighted Colleges for women—not 1,500 or 2,000 students, but we want Colleges for about 500 or 600 women, so that there may be real citizenship in the College, real teaching and personal contact. Supposing you Sir, as a public citizen knew of somebody who would give the money for providing such a College in this City, could you also find, could the Government or the City Improvement Trust find any place where such a College for women could be conveniently built with playgrounds, hostels, etc.?, I doubt it. Yet money is found and playgrounds are being turned into places of business offices or used for other purposes than recreation.

"The Reserve Bank site has already been referred to but I cannot let that pass without reference, because many of us who live in the City are woefully sorry now to look at the Island Ground where children went in perambulators with their nursemaids, mothers and fathers and they used to gather and talk. Now these people are all driven off the grass! The ground opposite to this known as Island Ground which is the lung of the City are in certain parts owing to lack of drainage facilities perhaps or owing to the God-given sea being a little higher in its level than the land, are very often too wet for children to play upon. Therefore, it is not a good site for the purpose of a Government of India Building—a building for which many other sites may be found.

"Again, Sir, opposite the Fort, there is to be the Harbour. The Harbour is going to be extended soon to this very place.

Then we shall have not cool but coal-laden winds. We shall also have dirt on tenements and be easily accessible to diseases. Where do other cities in the world hide these things? Not in beauty spots where citizens gather for pleasure, health or recreation. In other cities of the world nay of India, let us not go too far, no further than Waltair or Visakhapatnam the residential areas are far removed from the ship-building yards. The University Grounds certainly do not interfere with the grounds of the town of Visakhapatnam. Therefore, we should take advantage of what we have got. I would ask what this Bill does to prevent such open grounds being converted into places where people cannot gather. There is the Government of India an institution which we all greatly respect and admire, but we really are troubled when it comes and says, "Give us the Marina." What does this Bill provide for misusing the Marina? What is there in this Bill to provide for many parts of this City not being taken away from the citizens of this City? There is no such provision made in this Bill and our rights and privileges may be swept away by very important persons outside our State.

"In 1935 or 1936 we had a Committee chiefly made up of women to inspect the bazaars and the markets of the City, for it was found that the markets were kept dirty. So we went and encouraged those people to keep their vegetable stalls and articles clean so that we would be able to see that we had clean markets. Is there anything in the Bill to provide for such insistence upon such markets? Sir, apparently there are 173 clauses in this Bill, I speak subject to correction, but if my memory is correct, there are 173 clauses before us and clauses 33 to 42 alone deal with anything concerning the real life and real improvement of the City. Is this not a sign of the way in which the Bill is to work?

"*The Mail* has done a great service in often calling attention and printing photographs of the dirty places and the insanitary markets and streets of our City. In fact I specially remember an article which appeared eight years ago, pointing out by name the eight most dirty markets—would the members of the City Improvement Trust find themselves to note and clean up these plague spots of the City? Citizenship means owning to and improving our common faults as well as working for the good of everyone else.

"In this city, we find a great many markets. In the City Improvement Trust Bill that is now before us, there is nothing mentioned about the proper upkeep of these markets. No provisions are there in the present Bill for the proper illumination and cleanliness and maintenance of these markets on right lines. There is a market not more than two miles from here. I went into this market this morning while I was coming on the bus. Believe me, Sir, there is only one tap for the whole market. Further more it is very much overcrowded and there are too many stands for articles so that while moving in the market, one has to touch somebody else or some thing which is far worse! The level of this market is below the level of the streets so even when it is washed out, the water and the dirt do not go out. Of

3-45 p.m.

course, there are other markets like the Chintadripet market and the Purasawalkam market which are much better. My Friend Dr. Lakshmanaswami Mudaliyar said that I was inclined to contradict him always; but this is not so. He cannot deny that some markets are kept in a better condition. Kothwal bazaar has grown much better. Clauses 33 to 43 deal with the various types of schemes that the Improvement Trust will take up. I am sorry to find no mention whatsoever of markets in these clauses. I wish there were some clauses introduced that the markets must be kept in proper and decent condition and that the materials sold there should be in good condition.

"Coming to the question of water-supply, I may state that there are far too few taps for the City. This subject was also referred to by my Friend Mr. Narayana Menon. I am sure that the City Improvement Trust will deal with this subject in future effectively.

"What about the storm drainage system? I am afraid that the provision of this five lakhs of rupees is hardly sufficient to provide the necessary storm drainage facilities. In many parts of the City, the position is very bad. If you have one inch of rain, you cannot even walk-let alone drive in cars and other vehicles. The traffic of the City is very heavy and the lack of proper storm water drainage facilities has created very many difficulties. For instance, very near the electric station, very near the Hotel Everest where many of our students live and very near Broadway and China Bazaar, the position is really shocking and if there is more than one inch of rain, it will make many people homeless. Could we not have some big scheme to drain away the storm water? Of course there is some mention about drainage in the Bill; but I feel that it is not enough. There must also be more public conveniences and sanitary stations.

"There is also mention in this Bill about industrial areas and residential areas and how far industries will be permitted in the residential areas. But there may be doubts and disputes among the authorities as to which is an industrial area and which is a residential area. These should be so clearly defined that no further trouble may arise and neither influence nor wealth may change the boundaries.

"I note that Bangalore has been quoted as having a far more ideal City Improvement Trust than Madras. In this connexion, I would like to suggest that it is time we think of considering our pettais, purams, patnams and nagars which together cover over 50 square miles. I am of the view that these could be united into one group so that it may be much better. While I am on this subject, I feel I should mention the need for bringing up cheris, especially such as the little cheri that is very near the Mental Hospital. I remember that in 1928, the whole place was valued at Rs. 4,000. The Hon. Minister who introduced this Bill may check this up. Ten years later, the Government said that Rs. 4,000 was too much. And, ten years still later, prices had trebled. Now if the City

Improvement Trust wishes to buy up that plot it may have to spend far more than nearly a lakh of rupees. Those who are going to implement this Bill should see that wherever there are mean and dirty buildings very near health institutions and educational institutions, which are likely to breed diseases, they are demolished in order that the disease germs may not spread to the adjacent institutions. Adequate provision should be made in the Bill for this end and also strict enforcement of the Infectious Diseases Act, the improvement of hospitals set apart for this purpose.

"What about the beggars' colonies? Sembiam has been included now as one of the areas of our city. In this connexion, I would like to draw the attention of the hon. Members to the very instructive and useful information published in the columns of the *Madras Mail* where we find that the whole City of Madras has been divided into various parts. All of us would do well to keep that page in tact with us so as to clearly understand the future Madras and know where we are by way of geography. Had the war not overtaken us, Sembiam colony would have developed to a great extent. A beggars' colony would have been opened up there. Sir, in the matter of the formation of these beggars' colonies, those so-called beggars would rather like to beg in the streets and die of starvation than be taken into these beggar homes one by one and thus separated from their kith and kin. This is not at all desirable for a man and wife to be parted. In this connexion, I would like to refer to a wonderful scheme in 1931 or 1932 about the settlement of beggars in colonies not in Homes. Those who will be in charge of the City Improvement Trust would do well to get particulars about that scheme, as I feel sure that it would be very useful when beggars colonies are started in future under the City Improvement scheme. According to that old scheme, I think quarter of a ground or so was to be given for each family and certain other necessary materials were made available to them. I remember they were also to be given certain allotment of rice—of course that was before the ration days—and each group were to cultivate their own vegetables—I think that system would have worked well. If there were something like that, it would really be very good. Those who are in charge of the implementation of this Improvement Trust scheme must take note of this. I realise that it is not possible to include everything in the clauses of the Bill; but when we are implementing the schemes, I believe that knowledge of the previous schemes would prove to be useful, especially when they want to start a beggars' colony or a poor men's colony and make provision for those handicapped by fate.

"Coming to the police force, Sir, I think the police in this State is much better than any other States in India. Our traffic has tremendously expanded and our roads are terribly overloaded. There have been some encroachments also in public roads and lands. In this Bill we find that heavy penalties and fines have been fixed for several offences. I only want to mention that not merely the letter of the law but also its spirit should be taken into account while implementing such provisions. I definitely feel that nothing

should be done which would take away the rights and liberties of the citizens. I hope that the makers of our young State will learn to work together and help each other.

" Sir, mention has been made with regard to one or two co-operative schemes. Evidently these colonies are more intended for the well-to-do sections of the community. ' There are no Building Societies and no houses for those people who want to buy for less than Rs. 5,000. The minimum should be Rs. 5,000 not Rs. 50,000. Of course in such places house-owners will flourish and handsome dividends will also be given. At present those who already live in other houses are buying these ' co-operative ' houses and sub-letting them out for higher rents. All these things should not take place in a big city like Madras, but it is not very easy to prevent such things from happening. I only hope that all the suggestions given by me with regard to the toning up of the administration of the proposed City Improvement Trust will be given due consideration so that the proposed Trust will be safe to do some real service to the citizens and justify the rich heritage of this City which we love."

THE HON. DR. T. S. S. RAJAN :—" Mr. Chairman, Sir, I am indeed very thankful for the kind reception that this Bill had in this House to-day. Some of the hon. Members complained that it was a thin House, but we are a thin House always. Therefore we need not worry about not having the full House.

" As regards the discussion which this subject had in the House, I must certainly congratulate the House on the great amount of attention—general as well as detailed—that was paid to the various schemes in the Improvement Trust, which they were asked to consider. I certainly feel happy that this House has taken so much interest on this subject and the hon. Members have devoted their attention to the various schemes. I suppose that later during the consideration of this Bill, the same amount of attention would be given by the hon. Members, while moving such amendments as they might consider necessary. I see that a lot of ideas which were exactly not relevant to the subject were mentioned here in the House as naturally this is a vast subject which concerns with the general well being of our people. In a City which comprises of so many lakhs of people, any amount of ideas will not be too many nor will they be considered sufficient and comprehensive. Therefore I should consider myself as very lucky in having this amount of attention from the House. However, I want to emphasise only one fact. The Government have to face enormous criticisms, sometimes deservedly and sometimes very undeservedly. Finance is a subject on which any amount of plea may not sufficiently satisfy the requirements. But even so, I could say that the attention of the Government has been drawn to this particular subject which is kept in the minds of so many hon. Members of this House and also the public and we have taken it up in spite of the fact we are finding it very difficult to get enough resources to meet all our requirements. It has been suggested that the 2½ lakhs that the Government will give and 2½ lakhs that the Corporation will give,

making a total of Rs. 5 lakhs that will be made available to the Trust, is a paltry sum and that it is a drop in the ocean. I know that; but I would plead that this is only an earnest of the intention of the Government in the matter, and to prove our sincerity we are prepared to lay down as much money as could possibly be spared for the time being on this subject. It will depend on the Corporation and the public also, and the amount of interest that they take in the matter. An endeavour of this sort means enormous amount of care and attention on the part of the citizens—rich and poor alike. They should contribute all their attention to this matter if they want anything like success in a scheme like the one which we are adumbrating. I am not afraid of the five lakhs. I think this five lakhs could be made to be sufficiently attractive to draw more money not only from the Government but also from the general public. Even this small amount may be so utilised as to make it remunerative enough to attract much more money from such schemes. Whoever directs this scheme, it is necessary that people who are entrusted with this task should be very intelligent people who know the subject very well and who can go deep into the question of not only finance, but also town planning, public health, hygiene and what not. So there are various matters which will have to be dealt with by the Trust. Therefore I am not at all sorry that we have taken a full day for the consideration of this important subject.

" It gives an indication of the interest taken by hon. Members 4 p.m. in this subject.

" Sir, the question was raised that the report of the special officer deputed for studying the working of the improvement trusts in other parts of the country was not published. Quite true. The position is that the report was purely a departmental document and submitted to the Government in the ordinary course of administration. It is not as though it was a statutory undertaking. In fact the report contained certain proposals hardly suitable for publication. There need be no apprehension of duplication of work under the Improvement Trust Act or the Town Planning Act. I am sure even the most critical of the speakers here did not think that way. But they were all anxious to see that the work done by the Trust did not prove detrimental in the end to the achievement of the very object for which it was intended; and I am very much thankful to them for the keen interest taken by them in the working of the Trust.

" I may tell the House, as I indicated in my speech this morning, it was at the instance of the Corporation that the Trust was created. Let not hon. Members think that the Corporation was hostile to the proposal. In fact we owe the birth of the Trust to the Corporation. Sir, there is ample provision for co-ordination of activities between the Corporation and the Trust in the Bill. The very constitution of the Board will show that. The Commissioner of the Corporation and the Members of the City Council will certainly see that there is co-ordination of work. All the schemes, whether drawn up by the Corporation or by the City

Improvement Trust have to come to the Government for final sanction so that even if there is no perfect agreement between the two bodies there is a chance for the Government to intervene to ensure complete co-operation between the two bodies.

"Mention was made particularly about the need for poor class housing. I may assure the House that this question is not lost sight of and that every scheme will be considered on merits and with reference to the capacity of the Government to meet the expenditure. That there is an imperative need for such housing the Government fully concede and because they concede they feel it their responsibility to provide, as a token of their interest, the small niggardly amount, as it was called by some hon. Members. But that is not the end. It only shows that the Government are conscious of their responsibility in the matter and being so conscious they will be ready to come forward with more assistance whenever there is a possibility of augmenting the resources of the Trust.

"Sir, the hon. Member, Mr. Suryanarayana Rao, wanted that a ten per cent surcharge should be added to the amount realisable by way of betterment charge which, he added, should bear some relationship to the actual cost of the scheme. Whether this additional ten per cent will help us appreciably is a different matter. But, all the same, it will help us to some extent in meeting the small demands of the public. It may be ten per cent or twenty per cent. It does not matter but it will come in handy, as I have said, for meeting minor demands. Provided the scheme is popular and the people are eager about it, any amount will flow into the coffers of the Trust. For our part, we shall certainly try to help the Trust to the extent possible.

"I may state here, Sir, that the Government are taking all possible steps to keep the foreshore of the Marina clean. But I may add that it requires a certain amount of popular education. The Marina is in front of our educational institutions and the condition of the Marina certainly indicates the health consciousness of the people belonging to the institutions and it will be a very poor compliment to those institutions if our Marina is so disfigured especially from the point of view of aesthetic beauty which we claim for it.

"The schemes cannot possibly be driven faster than it is humanly possible and I may assure hon. Members that we shall try to do all that is necessary to make the City beautiful. I would like the hon. Members of this House, and the Press to bring home to the people the fact that this City requires so much still to be done and to do all that is possible to keep this subject alive and fresh in the minds of the people. If they do so, then I am sure that the scheme so earnestly taken up, though so late in the life of the City, will, with proper guidance and careful utilization of the funds, prove to be a complete success. I know that there has been gross abuse of funds of Trusts of this nature in certain municipalities. Nevertheless I hope that the same result will not attend our present endeavour and that with the co-operation of all concerned we shall embark on the scheme with full strength. I hope

the House also will understand that we mean business and we shall endeavour to do our best to make the scheme an absolute success. Though a thin House has taken up this subject (laughter) it does not mean that the importance of the subject has been lessened. The enthusiasm shown by the Members present indicates the co-operation they will extend to the measure and I am sure that the Bill will prove very successful in its operation."

MR. CHAIRMAN :—"The question is—

'That the Madras City Improvement Trust Bill, 1950 (L.A. Bill No. 11 of 1950), be taken into consideration.'"

The motion was carried.

MR. CHAIRMAN :—"The second reading of the Bill will be taken up on the 13th October. I now adjourn the House to meet again at 2-30 p.m. on Thursday, the 12th October 1950."

The House then adjourned.

APPENDIX I.

[Vide answer to starred question No. 46 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 10th October 1950; page 536 supra.]

Pump-sets, oil engines and electric motors with the Agricultural Department.

(i) *The number of pump-sets, oil engines and other machinery for baling out water, purchased by the Government since* 1946 *yearwar, the amount spent on such purchases, the number sold to ryots and the amount realized on that account.*

Kind of machinery.	*Number purchased.*	*Cost of machinery.*	*Number sold.*	*Amount realized by sales.*
(1)	(2)	(3)	(4)	(5)
		RS. A. P.		RS. A. P.
1946–47.				
1 Trailer pumps	20	10,500 0 0	1	562 0 5
2 Pelapone engines	34	1,39,400 0 0	27	96,265 0 0
3 Hill diesel engines	8	43,560 0 0	8	30,600 0 0
4 Southern cross engines	5	15,000 0 0	5	18,000 0 0
5 Diesel engines of different makes.	15	38,915 0 0	2	9,195 0 0
6 Cub-Coventry engine	38	77,527 10 0	38	79,069 4 0
7 Pelapone engines	3	6,395 10 0	3	6,395 10 0
8 Petrol sets	792	4,21,533 0 0	401	4,15,900 0 0
1947–48.				
9 'ABC' diesel engines	15	35,232 9 0	14	33,643 2 0
10 Pelapone oil engines	8	28,229 11 10	8	28,559 6 0
11 Cub-Coventry engines	90	1,89,716 14 0	90	1,91,977 1 2
1948–49.				
12 Ruston engines	6	£ 1,122 8 11	5	15,000 0 0
13 Tangye engines	6	£ 2,392 19 7	2	10,100 0 0
14 Coventry Victor engines	2	£ 215 19 3	..	..
15 National engines	4	15,916 4 6	1	4,011 11 6
16 Tangye engines	2	9,791 1 11	1	5,850 0 0
17 Ruston engine	1	3,300 0 0	1	3,401 9 0
18 Kerosene units	6	12,050 0 0	2	4,229 5 0
19 Turner diesel pump-sets	2	13,295 1 0	..	..
20 Diesel oil engine pump-sets	35	1,36,709 5 0	..	..
1949–50.				
21 Diesel oil engine pump-sets	263	10,59,032 7 6	..	..
Total for oil engines	543		207	
Total for petrol sets	792		401	

(ii) *The number of oil engine pump-sets available for hire as on* 15*th July* 1950.

District.	*Number of sets.*	*District.*	*Number of sets.*
(1)	(2)	(1)	(2)
1 South Visakhapatnam	5	7 Nellore	16
2 North Visakhapatnam	3	8 Kurnool	8
3 East Godavari	5	9 Anantapur	12
4 West Godavari	4	10 Bellary	3
5 Krishna	6	11 Cuddapah	12
6 Guntur	9	12 Chittoor	17

District.	*Number of sets.*	*District.*	*Number of sets.*
(1)	(2)	(1)	(2)
13 North Arcot	16	21 Salem	18
14 Chingleput	44	22 Coimbatore	21
15 South Arcot	26	23 Malabar	18
16 Tanjore	2	24 South Kanara	15
17 Tiruchirappalli	9		
18 Mathurai	10	Total	312
19 Tirunelveli	18		
20 Ramanathapuram	15		

(iii) *Number of petrol pump-sets available for hire as on* 1*st June* 1950.

District.	*Number of sets.*	*District.*	*Number of sets.*
(1)	(2)	(1)	(2)
1 South Visakhapatnam	2	15 Tanjore	7
2 East Godavari	1	16 Tiruchirappalli	9
3 West Godavari	8	17 Mathurai	4
4 Krishna	1	18 Tirunelveli	8
5 Guntur	9	19 Ramanathapuram	5
6 Kurnool	4	20 Salem	4
7 Cuddapah	9	21 Nilgiris	2
8 Bellary	6	22 Coimbatore	7
9 Anantapur	21	23 Malabar	8
10 Chittoor	31	24 South Kanara	5
11 Nellore	11		
12 North Arcot	44	Total	391
13 Chingleput	141		
14 South Arcot	44		

(iv) *Rates of hire charges fixed for oil engines and petrol pump-sets— Petrol pump-sets—Re.* 1 *per day or Rs.* 20 *per mensem.*

Oil engine pump-sets—

	RS.
(*a*) 8 h.p. units	3 per day.
(*b*) 16 and 18 h.p. units	4 ,,

(v) *Number of oil engines and electric motors purchased during* 1949–50 *and* 1950–51 *and sold on hire purchase system.*

Name of machinery.	*Number purchased and sold.*	*Amount spent.*	*Amount realized by way of collection of earnest money from hire purchasers.*
		RS. A. P.	RS. A. P.
1949–50—			
Oil engines	222	3,24,049 6 0	44,450 0 0
Electric motors	50		
1950–51 up to 30th June 1950—			
Oil engines	2	*3,44,515 6 0	*51,628 9 0
Electric motors	6		

* Includes payments for purchases made in 1949–50.

(vi) *Number of oil engines and electric motors issued under "Hire Purchase System" (districtwar figures).*

District.	*Oil engines distributed.*		*Electric motors distributed.*	
	1949-50.	1950-51 (*up to end of June*).	1949-50.	1950-51 (*up to end of June*).
1 North Visakhapatnam	..	..	..	..
2 South Visakhapatnam	..	..	..	..
3 East Godavari	3	..	..	..
4 West Godavari	2	..	..	..
5 Krishna	1	..	..	..
6 Guntur	5	..	..	
7 Nellore	..	..	..	..
8 Cuddapah	4	..	..	..
9 Kurnool	..	..	..	..
10 Bellary	1	..	..	..
11 Anantapur	..	..	..	..
12 Chittoor	13	..	4	..
13 Chingleput	89	1	3	1
14 North Arcot	42	1	2	1
15 South Arcot	28	..	1	..
16 Tanjore	7	..	2	..
17 Tiruchirappalli	1	..	..	..
18 Mathurai	3	..	10	..
19 Ramanathapuram	2	..	14	..
20 Tirunelveli	2	..	1	2
21 Salem	2	..	..	..
22 Coimbatore	2	..	2	..
23 Malabar	..	..	..	..
24 South Kanara	..	..	..	..
25 Nilgiris	..	..	1	..
Total	* 207	2	† 49	4

* Out of 222 purchased up to 30th June 1950—207 have been distributed and the remaining 15 are being distributed.

† Same as in the case of oil engines.

APPENDIX II.

[Vide answer to starred question No. 47 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 10th October 1950, pages 538–540 supra.]

Annexure A.

Statement showing the different types of machinery purchased by the Agricultural department in aid of the "Grow More Food" Campaign from various sources.

Serial number and kind of machinery. (1)	*Number.* (2)	*Source.* (3)	*Cost of machinery.* (4) RS.	A.	P.
1 International Harvestor Company, T. D. 9 tractors.	4	Government of India.	43,816	4	0
2 International Harvestor Company, W. D. 9 tractors.	4	Do.	31,375	0	0
3 Ransomes M. G. 2 garden tractors	1	William Jacks through Government of India.	4,167	4	0
4 D-4 caterpillar tractors with dozers	4	Army surplus Thompson disposal through Government of India.	45,705	0	0
5 D-6 caterpillar tractors with dozers	15	Do.	2,78,000	0	0
6 D-7 caterpillar tractors with dozers	5	Do.	96,445	0	0

Serial number and kind of machinery. (1)	*Number.* (2)	*Source.* (3)	*Cost of machinery.* (4) RS.	A.	P.
7 D-6 caterpillar tractors with dozers	2	Army surplus Thompson disposal through Government of India.	27,850	0	0
8 D-7 caterpillar tractors without dozers.	5	Do.	87,810	0	0
9 Tractor crane type T. 9	1	Do.	18,569	0	0
10 Plough from army surplus	3	Do.	6,225	0	0
11 Mowar tractor drawn	1	Do.	337	0	0
12 Disc harrows from army surplus	13	Do.	17,498	0	0
13 Truck prime movers	2	Do.	52,820	0	0
14 Ordnance Depot truck machine shop	1	Do.	34,895	0	0
15 Shop Engineers motorized welding truck.	1	Do.	17,960	0	0
16 Shop Engineer electrical repair truck	1	Do.	21,875	0	0
17 Shop Engineer small tool repair truck.	1	Do.	18,085	0	0
18 Shop Engineer general purpose truck	1	Do.	24,875	0	0
19 Alemite lubricator	2	Do.	4,968	0	0
20 Low bed machinery trailer—8 tons	1	Do.	7,025	0	0
21 Low bed machinery trailer—16 tons	1	Do.	8,000	0	0
22 Mecormic Deering No. 2 Harrow plough power-lift—9 feet fitted with 14-22 inches No. 7 gauge discs.	1	Messrs. Volkart Brothers.	1,541	12	0
23 D rr. model 53-s-O disc Harrow 12 feet.	6	Do.	17,776	11	0
24 Mennopolis moline disc plough 3 furrow.	12	Inter-Continental (Travancore) Corporation, Bombay.	14,886	8	0
25 Moline mould board plough 2-3 furrow.	6	Do.	4,926	2	0
26 Massey Harris 4 furrow Model 28 gauge mould board plough.	18	Messrs. Construction Equipment Company, through Government of India.	18,443	4	0
27 Massey Harris Model 504-4 disc. plough.	6	Do.	7,513	8	8
28 Massey Harris Model 509-4 disc. One way disc plough.	4	Do.	5,035	12	0
29 E.P. GCO Jacks Type 100 Capacity 10 tons.	6	Heatley and Graham, Madras.	3,966	0	0
30 E.P. Co., Jacks Type 80 Capacity 5 tons.	6	Do.	2,400	0	0
31 Hand Operated Volume Pumps	26	Do.	5,200	0	0
32 E.P. Co., Jacks Type 85 Capacity 4 tons.	2	Do.	1,120	0	0
33 E.P. Co., Jacks Type 90 Capacity 7½ tons.	3	Do.	1,680	0	0
34 E.P. Co., Jacks Type 75 Capacity 2½ tons.	2	Do.	930	0	0
35 Internation T. 6 tractors	22	Messrs. Volkart Brothers, Madras.	2,43,000	1	0
36 Meccormic Deering W. 6 tractors	30	Do.	2,12,793	11	0
37 Fordson Major Row Crop Tractors	3	Simpson & Co., Madras.	25,999	13	6
38 MecCormic Deering No. 8-312 Mould Board Plough.	10	Messss. Volkart Brothers, Madras.	9,196	0	0
39 Mould Board Plough for Fordson Tractors.	3	Simpson & Co., Madras.	4,215	0	0
40 Massey Harris 509 One way disc plough 8½'.	12	Construction in Equipment Company, Bombay.	27,000	0	0
41 No. 2 Harros Plough 6'	30	Messrs. Volkart Brothers, Madras.	56,766	0	0

Serial number and kind of machinery. (1)	Number. (2)	Source. (3)	Cost of machinery. (4) Rs. A. P.
46-8-o Offset Tractor disc Harrow 6 feet.	13	Messrs. Volkart Brothers, Madras.	19,408 10 0
Cobey High Speed Wagons	25	Do.	56,766 2 0
Sehrader Type Air Services Kits ..	30	Do.	2,233 8 0
Massey Harris 2). K small tractors.	20	Construction Equipment Company, Bombay.	1,14,000 0 0
Snap on tool kits	30	Do.	39,475 0 0
Bull graders for T. 6 tractors	10	Messrs. Volkart Brothers, Madras.	66,622 1 0
Harrow Plough 9 feet	1	Do.	1,901 4 0
Massey Harris No. 504-4 furrow disc ploughs.	40	Construction Equipment Company, Bombay.	98,000 0 0
Massey Harris No. 509—One way disc tiller 4' width.	19	Do.	31,350 0 0
Epce Jacks	7	Heatley and Graham, Madras,	3,320 0 0
Massey Harris Model 30. K. Tractors	20	Construction Equipment Company, Bombay.	1,39,526 0 0
Volume Compressors complete with Hose.	40	Messrs. Larson and Toubre, Limited, Madras.	91,700 0 0
Roman disc ploughs	2	Do.	4,986 0 0
Caterpillar Scraper No. 60 Rear Drum Double Control.	1	Do.	29,727 0 0
John Deere tractor with attachments ..	12	Do.	1,51,783 2 0
Massey Harris one way disc 8' unit ..	20	Construction Equipment Company, Bombay.	44,000 0 0
Massey Harris 3 furrow disc ploughs.	20	Do.	44,000 0 0
Massey Harris Tandem Disc Harrows.	20	Do.	24,000 0 0
Massey all contour machine	1	Industrial Agricultural Engineering Company, Madras.	5,175 0 0
Bull dozing equipment for D. 7 tractors.	2	Messrs. Larsen and Toubre, Limited, Madras.	21,473 8 0
Bycyrus Erie Model 8 W. G. Bull Grader for T. D. 9 tractors.	4	Messrs. Volkart Brothers, Madras.	43,155 15 0
Massey Harris No. 509 one way disc 6 feet.	36	Construction Equipment Company, Bombay.	64,800 0 0
Massey Harris No. 403-3 furrows disc ploughs.	20	Do.	34,000 0 0
T.D. 6 tractors with dozer shovel ..	6	Messrs. Volkart Brothers, Madras.	1,92,063 14 0
John Deere AR. Tractors with attachments.	5	Messrs. Larson and Toubre, Limited, Madras.	61,359 0 0
John Deere T re pumps	17	Do.	879 6 0
Hydraulic Jacks Long 6 tons	6	Do.	4,054 10 0
L. H. Case Tractor	1	Messrs. Parry & Co. ..	7,410 0 0
10/20 Mecormic Deering Tractors ..	2	Government of India.	5,950 0 0
John Deere Model "A"	1	Do.	3,722 4 0
W. 4. tractors	2	Do.	6,000 0 0
Roto Dig Scraper	8	Messrs. Volkart Brothers, Madras.	10,468 12 0
Machine tools for tractors workshops	..	Army surplus ..	1,51,663 0 0
Caterpillar Bull Dozers	4	Messrs. Larson and Toubre, Limited, Madras.	43,006 10 0

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Serial number and kind of machinery. (1)	Number. (2)	Source. (3)	Cost of machinery. (4) Rs. A. P.
6 Pelapone engines	34	Military Surplus Stock (Thompson Disposals).	1,39,400 0 0
7 Hill diesel engines	8	Do.	1,39,400 0 0
8 Southern Cross Engines	5	Do.	43,560 0 0
9 Diesel engines	15	Southern Command, Bangalore.	38,915 0 0
0 Cub Coventry engines	128	Messrs. Parry & Co., Madras.	2,67,244 8 0
1 A B C engines	15	Messrs. A.C.E.C., Limited, Madras.	35,232 9 0
2 Pelapone engine	11	Messrs. William Jacks & Co., Madras.	34,625 5 10
3 Rustcn engines	6	Imported from England through the High Commissioner for India in London.	£ 1,122 8 11
4 Tangoye engines	6	Do. ..	£ 2,392 19 7
5 Coventry Victor engines	2	Do. ..	£ 215 19 3
6 Tangoye engines	2	Messrs. Harrison & Crossfield, Qdilon.	9,791 1 11
7 National engines	4	Messrs. Best & Co., Madras.	15,916 4 6
8 15 h.p. Rusten engine	1	Military Surplus stock.	3,300 0 0
9 Kerosene units	6	The Intercontinent Corporation (Travancore), Limited, Bombay.	12,050 0 0
0 Petrol sets	618	Imported from America.	3,00,813 0 0
1 Do. ..	174	Military Surplus Stock (Thompson Disposals).	1,20,720 0 0
2 Tumer Diesel engine pumpsets ..	2	Messrs. Motors and Machine tools, Madras.	13,295 1 0

Statement (A) showing particulars of tractors and equipments purchased during 1949–50 against the scheme No. 4 of the two-year plan.

Serial number and kind of machinery. (1)	Number. (2)	Sources. (3)	Cost of machinery. (4) Rs. A. P.
1 I.H.C. W.D. 9 Tractors steel wheel ..	9	Messrs. Volkart Brothers, Madras.	1,26,315 0 0
2 I.H.C. T.D. 6 Grawler Tractors	8	Do. ..	1,34,810 0 0
3 I.H.C. T.D. 9 Grawler Tractors ..	7	Do. ..	1,91,098 0 0
4 I.H.C. T.D. 14 Grawler Tractors ..	20	Do. ..	8,40,278 0 0
5 No. 2 6 feet Harrow Ploughs	8	Do. ..	15,680 0 0
6 No. 50-S.O. Offset disc Harrows	22	Do. ..	55,740 0 0
7 No. 2-312 Four burrow Mould Board Ploughs.	29	Do. ..	82,683 0 0
8 No. 8-312 Three furrow Mould Board Ploughs Plough.	15	Do. ..	20,250 0 0
9 No. 34/43 Four furrow disc plough ..	20	Do. ..	53,100 0 0
10 No. 34/32 Three-furrow disc plough.	8	Do. ..	18,960 0 0
11 No. 98/53 Five furrow disc plough ..	16	Do. ..	62,890 0 0

Serial number and kind of machinery.	Number.	Source.	Cost of machinery.
(1)	(2)	(3)	(4)
			Rs. A. P.
12 Sales tax for the above tractors and implements.	..	.. ..	38,828 10 0
Incidental charges for the above items.	..	... ..	10,321 3 0
Road Risk Insurance charges for the above tractors.	..	.. ..	630 0 0
13 John Deere AR tractors	4	Messrs. Larson and Toubro, Limited, Madras.	34,323 0 9
14 John Deere Mould Board plough 2 furrow.	1	Do. ..	1,223 13 3
15 John Deere Mould Board plough 3 furrow.	3	Do. ..	4,728 0 0
16 John Deere Killefer disc harrows ..	4	Do. ..	6,660 0 0
Incidental charges incurred on the 3 Mould Board ploughs and 4 disc harrows.	..	.. ..	1,031 16 0
Sales tax on the 3 mould board plough and 4 disc ploughs.	..	.. ..	177 15 0
17 Volume Compressors with hose ..	10	Messrs. Larson and Toubre, Limited, Madras.	3,269 5 0
18 Mechanics tool kits	21	Messrs. Volkart Brothers, Madras.	35,059 3 0
19 EPCO Hydraulic Jack 7½ tons capacity type 90.	2	Messrs. Heatly and Grasham, Limited.	1,120 0 0
20 EPCO Hydraulic Jack 7½ ton capacity type 95.	2	Do.	1,470 0 0
21 John Deere type pump assembly ..	1	Messrs. Larson and Toubre, Limited, Madras.	70 10 0
22 All steel 3 ton alley trailers	20	Do.	40,591 9 0
23 Builgraders for T. 6 tractors	11	Messrs. Volkart Brothers, Madras.	1,03,928 12 0
24 John Deere Grain drills	1	Messrs. Larson and Toubre, Limited, Madras.	4,694 10 0
25 John Deere Grail drills	2	Do. ..	7,639 9 0
26 Seeding attachments for No. 2 feet harrow plough.	6	Messrs. Volkart Brothers, Madras.	661 4 0
27 D. 4 Caterpillar tractors with Hydraulic implements control.	21	Messrs. Larson and Toubre, Limited, Madras.	*6,49,860 12 0

* Only a sum of Rs. 5,78,103-11-0 has been paid so far.

Statement showing the details of oil engines purchased against Scheme No. I of the two-year plan.

Serial number and kind of machinery.	Number.	Source.	Cost.
(1)	(2)	(3)	(4)
			Rs. A. P.
Diesel oil engine pumpsets	298	Messrs. Larson and Toubre, Limited, Madras. Messrs. Parry & Co., Madras. Messrs. Volkart Brothers, Madras. Messrs. Motors and Machine Tools, Madras. Messrs. Jayeems Engineering Company, Madras. Messrs. Binny & Co. (Madras), Limited, Madras.	11,95,741 12 6

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Statement showing the details of oil engines and electric motors so far purchased for sale on hire-purchase system at Central Agricultural Engineering Stores and Supply Centre.

Serial number and kind of machinery.	Number.	Source.	Cost.	Number sold on hire-purchase system.
(1)	(2)	(3)	(4)	(5)
			Rs. A. P.	
1 Oil engines (inclusive of pump). Engines handed from department stock and should be adjusted by book transfer.	94 6	Messrs. Marshall & Co., Ltd. Messrs. Parry & Co., Madras. Messrs. Best & Co., Madras. Messrs. Gordon Woodroffe. Messrs. V. S. R. & Co.	3,08,213 6 0	82+6
2 Electric Motors	5	Messrs. Jayeems Engineering Company, Madras. Messrs. G. E. C., Ltd. Messrs. Kanakian Chetty & Sons. Messrs. Binny & Co, Madras. Messrs. Batliboi & Co. Messrs. Adefally & Co.	.. 3,983 10 0	5

Annexure B.

Statement showing the staff employed at headquarters and the districts.

		Rs.
Headquarters—		
2 Assistant Agricultural Engineers		Expenditure during 1948-49—
2 Agricultural Engineering Supervisors ..		Pay of officers 6,240
1 Senior Superintendent		Pay of establishment .. 1,90,808
3 Junior Superintendents		Allowances 1,44,796
8 Upper division clerks		
7 Lower division clerks		
3 Typists		
1 Steno-typist		
10 Peons		
District staff—		
43 Agricultural Engineering Supervisors ..		Recurring expenditure—
24 Tractor Foremen		Pay of officers 12,600
24 Assistant Tractor Foremen		Pay of establishment .. 3,62,800
21 Upper division clerks		Allowances 3,55,600
24 Lower division clerks		
43 Peons		
Operating staff—		
2 Junior mechanics		Only staff required (as and when necessary is employed).
27 Senior mechanics		
400 Pump-set drivers		
240 Junior tractor drivers		
100 Senior tractor drivers		
340 Tractor cleaners		
16 Lorry cleaners		
40 Lorry drivers		
30 Jeep drivers		
Inspecting staff—		
2 Assistant Agricultural Engineers		Not yet appointed.
2 Foremen		
2 Lower division clerks		
2 Peons		

Tractor workshops at Bapatla and Coimbatore, each—		
1 Assistant Agricultural Engineer		Necessary staff are being appointed.
2 Agricultural Engineering Supervisors		
3 Tractor foremen		
2 Assistant tractor foremen		
6 Fitters		
1 Attender		
1 Junior Superintendent		
1 Stores Superintendent		
2 Upper division clerks		
2 Lower division clerks		
2 Peons		
2 Typists		
Central Agricultural Engineering Supply Stores, Madras—		
1 Assistant Agricultural Engineer		Necessary staff has just been appointed
1 Supervisor		
1 Foreman		
3 Fitters		
2 Attenders		
1 Junior Superintendent		
1 Upper division clerk		
1 Lower division clerk		
1 Typist		
1 Peon		
2 Pump-set drivers		
1 Store-keeper, Grade II		
1 Store-keeper, Grade III		

APPENDIX III.

[Vide answer to starred question No. 48 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 10th October 1950, pages 541–543 supra.]

Target and achievement sheet for the year 1949–50.

Serial number.	Description of the Scheme.	Target acreage originally planned for 1949-50.	Target acreage covered or benefited from 1—4—49 to 30—6—50 in respect of units distributed up to 31—3—1950.
		ACS.	ACS.
1	Land development by mechanical cultivation to it engine pump sets	1,500	10,453
2	Supply of electric motor pump sets	12,000	
3	Central agricultural engineering store and supply schemes	5,800	
4	Tractor cultivation	40,000	44,629
5	Soil Conservation and Contour bunding	1,500	4,750
6	Subsidized distribution of Phosphate fertiliers	600,000	2,030,285
7	Distribution of Ammonium Sulphate	1,400,000	
8	Scheme for rural compost	8,52	8,728
9	Green manure	150,000	90,408
10	Improved seeds of paddy	396,800	358,321
11	Improved millet seeds	5,790	19,362

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APPENDIX IV.

[Vide answer to starred question No. 49 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 10th October 1950, page 543 supra.]

(*a*) Yes, Sir.

(*b*) The authorized share capital of the Corporation is Rs. 2 crores divided into 20,000 ordinary shares of Rs. 1,000 each. The paid up capital is Rs. 54,89,250.

(*c*) The Government have taken 51 per cent of the shares of the Corporation, i.e., 10,200 shares of Rs. 1,000 each, of which Rs. 51 lakhs have been paid up.

(*d*) A list of subscribers besides the State Government and their holdings is placed on the table of the House.

(*e*) Yes. A copy of the by-laws of the Corporation is placed on the table of the House.

(*f*) It is presumed that the term 'Nominated Directors' refers to ex-officio Directors nominated by the Government. The Directors nominated by the Government are: (1) Sri R. K. Shanmugam Chetti (Chairman), (2) Secretary to Government, Finance Department, and (3) Director of Industries and Commerce, Madras. The term of office of the Chairman is three years.

(*g*) No, Sir.

(*h*) & (*j*) The Corporation is an independent body and the Government cannot interfere with its normal working; the information under (*h*) can therefore not be furnished by Government.

(*i*) Yes, Sir, but there is no danger of duplication.

(*k*) This question is under the consideration of the Government and a statement will be issued, if necessary, in due course.

LIST OF SUBSCRIBERS BESIDES THE STATE GOVERNMENT AND THEIR HOLDINGS [VIDE ANSWER TO CLAUSE (*d*) OF THE QUESTION].

	Names.	Number of shares.
1	The Madras Provincial Co-operative Bank, Limited	10
2	The New Guardian of India Life Assurance Company	5
3	The United India Life Assurance Company, Limited	5
4	The Indo-Commercial Bank, Limited	25
5	The Prithvi Insurance Company, Limited	10
6	The Indian Bank, Limited	200
7	The Ramachandrapuram Co-operative Central Bank, Limited.	1
8	The National Star Assurance Company, Limited	20
9	The Prakasapuram Co-operative Bank, Limited	2
10	The Karur Town Co-operative Bank, Limited	1
11	The South India Co-operative Bank, Limited	5
12	India Life Benefit Assurance Company, Limited	5
13	The Kumbakonam Bank, Limited	10
14	The Canara Industrial and Banking Syndicate, Limited	10
15	The Abiraman Co-operative Stores, Limited	1
16	The Co-operative Central Bank, Limited, Nellore	2
17	The Madras Co-operative Central Land Mortgage Bank, Limited.	100

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	Names.	Number of shares.
18	The Rajampet Co-operative Town Bank, Limited	1
19	The Mannargudi Co-operative Urban Bank, Limited	5
20	The Co-operative Central Bank, Limited, Vizianagaram ..	5
21	The Co-operative Central Bank, Limited, Eluru	1
22	The Andhra Bank, Limited	25
23	The Co-operative Central Bank, Limited, Tanjore	2
24	The Taramangalam Co-operative H.L.W.P. and Sale Society.	1
25	The Canara Mutual Assurance Company	10
26	The Malabar District Co-operative Bank, Limited	1
27	The Andhra Insurance Company, Limited	25
28	The Co-operative Fire and General Assurance Company, Limited.	30
29	The New Great Insurance Company of India, Limited ..	10
30	The Bank of India, Limited	200
31	The Madras Handloom Weavers' Provincial Co-operative Society, Limited.	10
32	The New India Assurance Company, Limited	25
33	The Co-operative Central Bank, Limited, Kumbakonam ..	5
34	The Coimbatore Co-operative Central Stores, Limited ..	5
35	The Chicacole Co-operative Central Bank, Limited	5
		778

BY-LAWS OF THE MADRAS INDUSTRIAL INVESTMENT CORPORATION, LIMITED [VIDE ANSWER TO CLAUSE (*e*) OF THE QUESTION].

Passed by the Board on 7th September 1949.

1. The Corporation shall be authorized to carry on and transact the following kinds of business, namely :—

(*a*) guaranteeing, on such terms and conditions as may be agreed upon loans raised by industrial concerns which—

(i) are repayable within a period not exceeding twenty years, and

(ii) are floated in the public market,

(*b*) underwriting the issue of debentures by industrial concerns,

(*c*) receiving in consideration of the services mentioned in clauses (*a*) and (*b*) such commission as may be agreed upon,

(*d*) retaining as part of its assets any debentures which it may have to take up in fulfilment of its underwriting liabilities,

(*e*) granting loans or advances to, or subscribing to debentures of, industrial concerns, repayable within a period not exceeding twenty years from the date on which they are granted or subscribed to, as the case may be, and

(*f*) generally, the doing of all such matters and things as may be incidental to or consequential upon the exercise of its functions.

2. The Corporation shall not subscribe directly to the shares or stocks of any company having limited liability.

3. (*a*) The Corporation will ordinarily grant accommodation for the acquisition of fixed assets. As a rule, no advance will be granted against hypothecation of stocks of raw materials and finished goods for working capital.

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(*b*) No accommodation shall be given unless it is secured by a sufficient pledge, mortgage, hypothecation or assignment of Government or other securities, stocks, shares or secured debentures, bullion, movable or immovable property or other tangible assets.

(*c*) In no case will the amount advanced as loan or accommodation exceed 50 per cent of the valuation of the assets as determined by the Corporation.

4. The Corporation shall not ordinarily enter into any arrangement with a single industrial concern for an amount less than Rs. 50,000 or above Rs. 10 lakhs.

5. (*a*) Any person desiring to obtain a loan or other aid for any industrial business or enterprise shall make his application to the Corporation in such form and shall furnish such information concerning his business as may be prescribed.

(*b*) Sixteen copies of the application, either typed or printed, should be forwarded to the Corporation. Applications for aid should be made in the prescribed form which will be available for sale at Rs. 5 per set of 18 copies.

6. Every application received must, in the first instance, be examined by the Secretary and with his comments, if any, it shall be submitted to the Chairman. The Chairman may call for such additional information as he may consider necessary. After a preliminary consideration of the application, if the Chairman considers it a fit case for further consideration, he may proceed to appoint such technical persons as may be necessary to report on the technical and financial position of the applicant. Applications which in the opinion of the Chairman are not fit cases for further consideration shall be placed before the Board for final disposal. The Board may also appoint one or more of its members to make a report to it on any specified matters. The reports of the technical advisers and the Sub-Committee of the Board, if any, shall be placed for consideration before the Board of Directors with the comments of the Secretary. The Board may then proceed to examine the application and take a decision regarding the grant of the loan or accommodation, and the conditions and terms on which such accommodation or loan is to be granted.

7. Where a technical examination of the concern is to be made, the applicant shall be informed of the cost of such technical examination which will include the fees and travelling allowances of the technical expert, the accountant, legal adviser, and a Committee of the Board, as the case may be. The applicant must pay the cost of such investigation within two weeks of the receipt of the notice specifying the amount, failing which no further investigation of the loan application will be taken up.

8. Only joint-stock companies shall be eligible for aid provided they satisfy the following conditions :—

(*a*) the company is registered in India on a rupee capital,

(*b*) it conforms to such rules as may be made by the Corporation from time to time requiring that a minimum number or a proportion of the members of its board of management shall be Indians, and

(*c*) it has a paid-up capital of not less than Rs. 2 lakhs.

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Resolution No. 8 of the Board, dated 22nd December 1949.

Resolved that by-law No. 8 (*c*) be amended so that the minimum paid-up capital of Rs. 2 lakhs will not be insisted upon in the case of applicants who are private limited companies.

9. The decision of the Board as to whether the conditions of clause 8 are fulfilled shall be final.

10. Any application rejected by the Board will not be reconsidered within one year of rejection.

11. (*a*) In entering into any arrangement for the grant of accommodation with a joint-stock company, the Corporation may impose as one of the conditions that a Director nominated by the Corporation shall be appointed on the Board of Directors of the Company, and may also impose such other conditions as it may think necessary or expedient for protecting the interests of the Corporation and securing that the accommodation granted by it is put to the best use by the Company concerned.

(*b*) Where it is provided in the managing agency agreement that in the event of the managing agents losing their office for any reason, the managing agents will be entitled to compensation equivalent to a specified number of years' remuneration, it shall be open to the Corporation to stipulate that the abovementioned clause in the managing agency agreement shall remain inoperative during the period of the loan or aid granted by the Corporation.

(*c*) The Corporation may, if it considers necessary, require the personal guarantee of the managing agents in the case of public limited companies, and of the managing agents and/or directors in the case of private limited companies.

12. In any case in which a loan has been applied for, the applicant and at any time during the currency of a loan that has been granted under it, the borrower, shall be bound—

(*a*) to comply with any general or special order of the Corporation relative to the inspection of the premises, buildings, or plant or stock in hand of the industrial business or enterprise,

(*b*) to permit the inspection of all accounts relative to the business,

(*c*) to maintain such special accounts or to furnish such statements as the Corporation may from time to time require, and

(*d*) to submit the accounts of the business to such audit as the Corporation may prescribe.

13. Every loan granted shall be made repayable by instalments within such period from the date of the actual advance of the loan or, when the loan is advanced in instalments, from the date of payment of the last instalment, as may be fixed by the order granting the loan.

14. The period fixed as aforesaid shall not exceed twenty years.

15. Every loan shall be applied to the purpose for which it is granted. If, at any time, it shall be proved to the satisfaction of the Corporation that the loan or any part of it has been misapplied the whole unpaid balance of the loan with interest, and costs, if any, shall become immediately payable and shall be recovered.

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16. The recipient of any aid from the Corporation shall maintain in good and substantial repair the premises, buildings, machinery, plant and all other properties mortgaged to the Corporation as security for the loan. Before the disbursement of any loan, the borrower shall, unless specifically exempted by the Corporation in writing, insure the mortgaged properties against loss or damage by fire and civil commotion and shall assign the policy to the Corporation. The company shall duly and punctually pay the premia payable in respect thereof as and when they become due and payable. In the event of failure to carry out any repairs or to keep the insurance in force, the Corporation may do so or cause them to be done and incur the expenditure necessary therefor. The expenditure so incurred shall be recovered from the recipient of aid.

17. The Company with whom the insurance is effected, as also the amount secured by the insurance, shall have the prior approval of the Corporation.

18. Nothing shall debar a borrower from repaying at any time a larger sum than the amount of instalment or from discharging the whole loan in a single payment. If any sum in excess of the amount of any instalment be paid, it shall be credited in reduction of the principal, the number of future instalments being, if necessary, reduced, but no postponement of subsequent instalments shall be permitted nor shall any alteration in the amount of subsequent instalments be allowed except in the final instalment if such alteration is necessary to adjust the balance due.

19. If the amount due for any instalment is paid before the date fixed for the payment thereof, such payment shall not entitle the borrower to any concession and it shall be treated for all purposes as having been made on the said date.

20. On every instalment of interest or of principal and the interest which is not paid on the dates fixed for payment, a penalty at the rate to be specified shall be levied provided that the Board may, in cases in which it finds sufficient reason for doing so, remit such penalties in whole or in part subject to the payment of interim interest during the moratorium period.

21. The repayment of any instalment may be suspended by the Board whenever from causes beyond the borrower's control such repayment of the instalment becomes unduly burdensome. Whenever the payment of an instalment is suspended, all the remaining instalments due on the loan shall be postponed for one instalment period and no additional interest shall be charged by reason of such suspension : provided that nothing shall enable the Board to make any order which will have the effect of extending the period of payment to over twenty years.

22. Every Director who is directly or indirectly concerned or interested in any contract, loan or arrangement entered into by or on behalf of the Corporation with any industrial concern, shall disclose the nature of his interest in the concern to the Board or Executive Committee, as the case may be. Where such Director is present at the meeting, he shall not vote on any such contract, loan or arrangement and, if he does so, his vote shall be of no effect and shall not be counted.

23. All payments by the Corporation shall be made by cheques on the Bankers of the Corporation. All payments to the Corporation, whether by way of the payment of interest on a loan, or instalment, or any other payment, shall be made by cheques drawn on a Bank in the City of Madras or by demand drafts payable at the City of Madras.

APPENDIX V.

[Vide answer to starred question No. 50 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 10th October 1950, page 545 supra.]

Statement showing the original and revised rates for timber extracted under the Silent Valley Contract.

Name of species.	Original rate per C. FT. RS. A. P.	Revised rate per C. FT. RS. A. P.
1 Dalbergia latifolia (Rosewood) ..	1 0 0	6 8 0
2 Dysoxylum Malabaricum (White cedar).	0 6 0	5 4 0
3 Artocarpus integrifolia (Pilavu) ..	0 4 6	3 4 0
4 Palaquium elipticum (Pali)	0 6 0	1 15 0
5 Calophyllum tomentosum (Poon) ..	0 6 0	1 12 0
Pterocarpus marsupium (Vengai) ..	0 8 0	
Hopea parviflora (Irumbogam) ..	0 3 0	
Acrocarpus fraxinifolius (Malaveppa).	0 3 0	
6 Lagerstromia lanceolata (Venteak) ..	0 8 0	1 8 0
Terminalia paniculata (Pillamarudu).	0 8 0	
Grewia titiaefolia (Thadachi) ..	0 4 6	
7 Cedrella toona (Red Cedar)	0 6 0	1 1 0
8 Cullenia excelsa (Mullanchakka) ..	0 3 0	0 15 0
Bischofia javanica (Cholavenga) ..	0 3 0	
Diospyros species	0 3 0	
Hopea glabra (Eagam)	0 6 0	
Eugenia species (Naval).	0 3 0	
9 Mesua forrea (Churuli)	0 6 0	1 1 0
0 Poeciloneuron indicum (Vayal) ..	0 4 6	0 13 0
1 Other marked species	0 3 0	0 15 0

APPENDIX VI.

[Vide answer to starred question No. 51 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 10th October 1950, page 546 supra.]

Press Note No. 51, dated the 15th March 1950.

In 1947 the Express Newspapers, Ltd., represented to Government that they were importing certain new machinery for their 'Indian Express' and that the building then occupied by the 'Indian Express' as tenants was not suitable for the installation of the new machinery. They further represented that their own buildings Nos. 177–179, Mount Road, Madras, occupied by Messrs. Bosotto Bros., were suitable for their purpose but they are unable to get possession of the buildings under the provisions of the Rent Control Act. They therefore requested the Government to exempt the above buildings from the operation of the Rent Control Act. Considering that the request of the Express Newspapers, Ltd., was *bona fide* and was in the interest of the public, the Government exempted the buildings from the operation of the Rent Control Act.

The Government are now given to understand that Messrs. Bosotto Bros., Ltd., are closing their business and vacating the buildings and that the 'Indian Express' have installed their new machinery in another building since purchased by them and publishing the newspaper therefrom. As the necessity for which the buildings Nos. 177–179, Mount Road, Madras, were exempted in 1947, has now ceased to exist, the Government have withdrawn the exemption given in respect of the buildings.

APPENDIX VII.

[Vide item II (1) on pages 548–549 supra.]

L.A. BILL No. 25 OF 1950.

(As passed by the Assembly.)

A Bill to amend certain enactments for the purpose of charging the expenditure referred to therein on the Consolidated Fund of the State.

WHEREAS it is expedient to amend certain enactments for the purpose of charging the expenditure referred to therein on the Consolidated Fund of the State; It is hereby enacted as follows :—.

Short title, extent and commencement.

1. (1) This Act may be called the Madras Consolidated Fund (Charged Expenditure) Act, 1950.

(2) It extends to the whole of the State of Madras.

(3) It shall be deemed to have come into force on the 1st April 1950.

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Amendment of certain enactments for charging expenditure on the Consolidated Fund of the State.

2. The words "charged on the Consolidated Fund of the State" shall be substituted for the words "charged on the revenues of the State" occurring in the following enactments, namely :—

(*a*) Section 10, sub-section (4), of the Madras Motor Vehicles Taxation Act, 1931. Madras Act III of 1931.

(*b*) Section 7, sub-section (3), of the Madras Famine Relief Fund Act, 1936. Madras Act XVI of 1936.

(*c*) Section 2, sub-section (4), of the Indian Tolls Act, 1851, as amended by the Madras Tolls and Motor Vehicles Taxation (Amendment) Act, 1938. Central Act VIII of 1851. Madras Act VI of 1938.

I certify this is Money Bill.

J. SIVASHANMUKHAM PILLAI,
Speaker, Legislative Assembly.

APPENDIX VIII.

[Vide item II (2) on pages 549–550 supra.]

L.A. BILL No. 26 OF 1950.

(As passed by the Assembly.)

A Bill further to amend the Indian Stamp Act, 1899, as in force in the State of Madras.

WHEREAS it is expedient further to amend the Indian Stamp Act, 1899, as in force in the State of Madras, for the purpose hereinafter appearing ; It is hereby enacted as follows :— Central Act II of 1899.

Short title.

1. This Act may be called the Madras Stamp (Second Amendment) Act, 1950.

Amendment of Schedule I-A to Central Act II of 1899.

2. In Schedule I-A to the Indian Stamp Act, 1899, for the Explanation in Article 33, the following Explanation shall be substituted, namely : Central Act II of 1899.

"*Explanation.*—A mortgagor who gives or has given to the mortgagee a power-of-attorney to collect the rents, or gives or has given to the mortgagee a lease of the property mortgaged or part thereof, is deemed to give possession thereof within the meaning of this article."

I certify that this is a Money Bill.

J. SIVASHANMUKHAM PILLAI,
Speaker, Legislative Assembly.

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APPENDIX IX.

[Vide item II (3) on pages 550–552 supra.]

L.A. BILL No. 27 OF 1950.

(As passed by the Assembly.)

A Bill further to amend the Madras Hereditary Village-offices Act, 1895.

Madras Act III of 1895.

WHEREAS it is expedient further to amend the Madras Hereditary Village-offices Act, 1895, for the purpose hereinafter appearing ; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Madras Hereditary Village-offices (Amendment) Act, 1950.

Madras Act III of 1895.

Amendment of section 13, Madras Act III of 1895.

2. To proviso (ii) to sub-section (1) of section 13 of the Madras Hereditary Village-offices Act, 1895 (hereinafter referred to as the said Act), the following sentence shall be added, namely :—

"Where the office is one falling under class (4) in section 3 and the land was on or at any time after the 14th July 1942 in the possession of the person then holding the office, the Collector shall, in the absence of evidence to the contrary, presume that the emoluments of the office consist of the land and not merely of an assignment of revenue payable in respect of the land."

Act to apply to pending suits and proceedings.

3. For the removal of doubts, it is hereby declared that the following suits and appeals shall be decided in accordance with the provisions of the said Act as amended by section 2 of this Act, if they relate to the recovery of the emoluments of any of the offices falling under class (4) in section 3 of the said Act :—

(*a*) Suits under section 13 (1) of the said Act which are pending on the 15th August 1950 or which are instituted on or after the said date and before the commencement of this Act.

(*b*) Appeals under section 23 (1) of the said Act which are pending on the said date, or which are preferred on or after the said date, against any decree or order passed before that date.

Saving of previous decisions of Revenue Courts.

4. Except in the appeals referred to in clause (*b*) of section 3, no decision of any Revenue Court under section 13 (1) or section 23 (1) of the said Act, passed before the 15th August 1950 and holding that the emoluments of any office falling under class (4) in section 3 of the said

Act consisted of an assignment of revenue payable in respect of land, shall be liable to be questioned or re-opened, whether in the same or any other Revenue Court, merely on the ground that such decision was arrived at without making the presumption referred to in the said section 13 (1), as amended by section 2 of this Act.

Saving of mortgages and leases subsisting on the 15th August 1950.

5. Any question as to the validity of any mortgage or lease executed by the holder of any office falling under class (4) in section 3 of the said Act and subsisting on the 15th August 1950 shall be decided as if this Act had not been passed.

APPENDIX X.

[Vide item IV (4) on pages 553–599 *supra*.]

L.A. BILL No. 11 OF 1950.

(As passed by the Assembly.)

A Bill to provide for the improvement and expansion of the City of Madras and the constitution of an Improvement Trust therefor.

WHEREAS it is expedient to make provision for the improvement and expansion of the City of Madras by opening up congested areas, clearing slums, laying out or altering streets, providing open spaces for purposes of ventilation or recreation, demolishing or constructing buildings, acquiring land for the said purposes and for the rehousing of persons displaced by the execution of improvement schemes, and otherwise as hereinafter appearing ;

AND WHEREAS it is expedient that a Board of Trustees should be constituted and invested with special powers for carrying out the objects aforesaid ;

It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Short title, application and commencement.

1. (1) This Act may be called the Madras City Improvement Trust Act, 1950.

(2) It applies to the City of Madras, but the State Government shall have power, subject to the provisions of section 143, by notification in the *Fort St. George Gazette* and from such

date as may be specified therein, to apply all or any of the provisions of this Act to any specified area in the neighbourhood of the said City.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(1) 'betterment fee' means the fee declared to be payable under section 80 in respect of an increase in the value of land resulting from the execution of an improvement scheme ;

(2) 'Board' means the Board of Trustees for the Improvement of the City of Madras, constituted under section 3 ;.

(3) 'Chairman' means the Chairman of the Board ;

(4) 'Corporation' means the Corporation of Madras constituted under the Madras City Municipal Act, 1919 ; Madras Act IV of 1919.

(5) 'Government' means the State Government ;

(6) 'land' has the same meaning as in clause (*a*) of section 3 of the Land Acquisition Act, 1894 ; Central Act I of 1894.

(7) 'notification' means a notification published in the *Fort St. George Gazette* ;

(8) 'prescribed' means prescribed by rules made under this Act ;

(9) 'Secretary to the Board' means the person for the time being appointed by the Board to discharge the functions of the Secretary to the Board ;

(10) 'Tribunal' means the Tribunal constituted under section 72, and until it is constituted, the court having jurisdiction, or the special judicial officer appointed to perform the functions of the court, in the City of Madras under the Land Acquisition Act, 1894, irrespective of whether the case arises within or outside the limits of the said City, and all references to the Tribunal shall be construed accordingly ; Central Act I of 1894.

(11) 'Trustee' means a member of the Board, and '*ex-officio* Trustee' means the Collector of Madras or the Commissioner of the Corporation of Madras or the Director of Town-Planning or the Director of Public Health ;

(12) all words and expressions not defined in this Act shall have the meanings respectively assigned to them by the Madras City Municipal Act, 1919. Madras Act IV of 1919.

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CHAPTER II.

THE BOARD OF TRUSTEES.

Constitution of the Board.

Creation and incorporation of Board.

3. The duty of carrying out the provisions of this Act shall, subject to the restrictions, conditions and limitations therein contained, be vested in a Board to be called "The Board of Trustees for the Improvement of the City of Madras"; and such Board shall be a body corporate and have perpetual succession and a common seal, and shall by the said name sue and be sued.

Constitution of the Board.

4. The Board shall consist of ten Trustees, as follows:—

(*a*) a Chairman with such qualifications as may be prescribed who shall be appointed by the Government;

(*b*) the Collector of Madras, *ex-officio*;

(*c*) the Commissioner of the Corporation of Madras, *ex-officio*;

(*d*) the Director of Town-Planning, *ex-officio*;

(*e*) the Director of Public Health, *ex-officio*;

(*f*) two members of the Council of the Corporation of Madras, elected by the Council;

(*g*) *three* persons appointed by the Government.

Appointment and election of Trustees to be notified.

5. The appointment or selection of the Chairman and the other Trustees shall be notified in the *Fort St. George Gazette*.

Appointment in default of election.

6. If the Council of the Corporation of Madras does not within such time as may be prescribed by the Government, elect one or both of the Trustees referred to in clause (1) of section 4, the Government shall, by notification, appoint a member or two members, as the case may be, of the said Council to be a Trustee or Trustees; and every member so appointed shall be deemed to be a Trustee duly elected by the said Council.

Disqualifications for election or appointment as Trustee.

7. (1) A person shall be disqualified for election or appointment as a Trustee, if he—

(*a*) has been sentenced by a criminal court to transportation or to imprisonment for a period of more than six months, such sentence not having been reversed or the offence pardoned:

Provided that the Government may direct that such sentence shall not operate as a disqualification;

(*b*) is an applicant to be adjudicated a bankrupt or insolvent, or is an uncertificated bankrupt or undischarged insolvent;

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(*c*) holds any office or place or profit under the Board;

(*d*) has, directly or indirectly, by himself or by any partner, employer or employee, any share or interest in any contract or employment with, by, or on behalf of, the Board; or

(*e*) is a director, or a secretary, manager or other salaried officer of any incorporated company which has any share or interest in any contract or employment with, by, or on behalf of, the Board.

(2) A person shall not however be disqualified under clause (*d*) or clause (*e*) of sub-section (1) or be deemed to have any share or interest in any contract or employment within the meaning of those clauses, by reason only of his, or the incorporated company of which he is a director, secretary, manager or other salaried officer, having a share or interest in—

(i) any sale, purchase, lease, or exchange of immovable property or any agreement for the same;

(ii) any agreement for the loan of money, or any security for the payment of money only;

(iii) any newspaper in which any advertisement relating to the affairs of the Board is inserted;

(iv) the occasional sale to the Board, to a value not exceeding two thousand rupees in any one financial year, of any article in which he or the incorporated company regularly trades; or by reason only of his having a share or interest, otherwise than as director, or secretary, manager or other salaried officer, in any incorporated company which has any share or interest in any contract or employment with, by, or on behalf of, the Board.

Chairman to be whole-time officer.

8. The Chairman shall be a whole-time officer of the Board and shall not undertake any work unconnected with his office without the sanction of the Government.

Remuneration of the Chairman.

9. The Chairman shall be paid such salary and allowances as may be fixed by the Government.

Leave of absence for the Chairman.

10. (1) The Government may grant leave of absence to the Chairman for such period as they think fit.

(2) The allowance, if any, to be paid to the Chairman while absent on leave shall be such amount, not exceeding his salary, as may be fixed by the Government:

Provided that, if the Chairman is a servant of the Central or State Government, the amount of the allowance shall be such as he may be entitled to under the conditions of his service under the Central or State Government relating to transfer to foreign service.

11. (1) (*a*) When the Chairman is granted leave of absence or when the post of Chairman falls vacant either by the resignation or death of the Chairman or otherwise, the Government may appoint a person to act as Chairman.

Appointment, etc., of Acting Chairman.

(*b*) A person so appointed shall be entitled to hold office as Chairman only for such period as may be fixed by the Government.

(*c*) The Government may, from time to time, extend the period fixed under clause (*b*).

(2) Any person so appointed—

(*a*) shall be paid such salary and allowances as may be fixed by the Government ; and

(*b*) shall exercise the powers conferred, and perform the duties imposed, by or under this Act on the Chairman, and shall be subject to the same liabilities, restrictions and conditions as the Chairman.

12. The Board may permit any Trustee, other than the Chairman or an *ex-officio* Trustee, to absent himself from meetings of the Board for any period not exceeding such limit (which shall not be less than four consecutive months) as may be prescribed by the Government.

Leave of absence to other Trustees.

13. (1) If at any time it appears to the Government that the Chairman has shown himself to be unsuitable for his office, or has been guilty of any misconduct or neglect which renders his removal expedient, they may, by notification, remove the Chairman from office.

Removal of Chairman and other Trustees.

(2) The Government may, by notification, remove any Trustee (other than the Chairman or an *ex-officio* Trustee) from office—

(*a*) if, in the opinion of the Government, he has contravened the provisions of section 21, or

(*b*) if he has, without the permission of the Board, been absent from the meetings of the Board for any period exceeding three consecutive months, or

(*c*) if he has been absent from the meetings of the Board for any period exceeding the limit prescribed under section 12, or

(*d*) if he is a salaried servant of the Government and his continuance in office as a Trustee is, in the opinion of the Government, undesirable, or

(*e*) if he, being a legal practitioner, acts or appears on behalf of any person in any suit or other legal proceeding against the Board or acts or appears on behalf of any person in any criminal proceeding instituted by or on behalf of the Board against such person, or

(*f*) if in the opinion of the Government he is unsuitable or has become incapable of acting as a Trustee or has so abused his position as a Trustee as to render his continuance as such detrimental to the public interest :

Provided that when the Government propose to take action under this sub-section, an opportunity of explanation shall be given to the Trustee concerned, and, when such action is taken, the reasons therefor shall be placed on record.

(3) The Government shall, by notification, remove any Trustee (other than an *ex-officio* Trustee) from office—

(i) if he has become disqualified for election or appointment as a Trustee for any of the reasons mentioned in section 7 ; or

(ii) if he, having been elected or appointed as being a member of the Council of the Corporation of Madras, ceases to be a member of such Council.

(4) A Trustee removed under any of the provisions of clauses (*a*) to (*e*) of sub-section (2) shall be disqualified for election or appointment as a Trustee for a period of three years from the date of his removal unless otherwise ordered by the Government.

(5) A Trustee removed under clause (*f*) of sub-section (2) shall not be eligible for re-appointment or re-election until he is declared by an order of the Government to be no longer ineligible.

14. If any Trustee, other than an *ex-officio* Trustee, is permitted by the Board to absent himself from its meetings for any period exceeding three months, or if any such Trustee dies, or resigns his office, or is removed from office under section 13, the vacancy shall be filled within two months by a fresh appointment or election, as the case may be.

Filling of casual vacancies in certain cases.

15. (1) Subject to the provisions of sections 11 and 13, the term of office of Trustees including the Chairman but not including the *ex-officio* Trustees shall be as follows :—

Term of office of Chairman and other Trustees.

(*a*) the Chairman—such period as may be fixed by the Government not being less than three years and commencing on the date on which his appointment is notified ;

(*b*) a Trustee appointed or elected in pursuance of section 14 in the place of a Trustee who has been permitted to absent himself from meetings of the Board—the period of the absence of the latter Trustee ;

(*c*) other Trustees—three years commencing on the date on which their election or appointment, as the case may be, is notified.

(2) A Trustee shall, if not disqualified for any of the reasons mentioned in section 7, be eligible for re-appointment or re-election at the end of his term of office.

Conduct of Business.

Meetings of Board.

16. The Board shall meet, and shall from time to time make such arrangements with respect to the place, day, hour, notice, management and adjournment of its meetings as it may think fit, subject to the following provisions, namely :—

(*a*) an ordinary meeting shall be held once at least in every month ;

(*b*) the Chairman may, whenever he thinks fit, and shall, upon the written request of not less than two other Trustees, call a special meeting ;

(*c*) the Chairman shall attend every meeting of the Board unless absent on leave or prevented by sickness or other reasonable cause ;

(*d*) no business shall be transacted at any meeting unless there be present at least one-half of the number of the Trustees then in office ;

(*e*) every meeting shall be presided over by the Chairman and in his absence by a Trustee chosen by the meeting to preside for the occasion ;

(*f*) all questions at any meeting shall be decided by a majority of the Trustees present and voting at the meeting, and in every case of equality of votes, the person presiding shall have and exercise a second or casting vote ;

(*g*) if a poll be demanded, the names of the Trustees voting, and the nature of their votes, shall be recorded by the person presiding ;

(*h*) minutes of the proceedings at each meeting (together with the names of the Trustees present) shall be recorded in a book to be provided for the purpose, and such minutes shall be read at the next ensuing meeting and signed by the person presiding at such meeting. The minutes book shall be open to inspection by any Trustee during office hours.

Power of Board to co-opt members for particular purposes.

17. (1) The Board may associate with itself, in such manner and for such period as may be prescribed, any person or persons whose assistance or advice it may desire in carrying out any of the provisions of this Act.

(2) A person so associated shall not be deemed to be a member of the Board and shall have no right to vote at any meeting thereof, but he may take part in the discussions of the Board relating to the purpose or purposes for which he was associated with the Board.

Constitution and functions of Committees.

18. (1) The Board may, from time to time, appoint Committees consisting of such persons of any of the following classes as it may think fit, namely :—

(i) Trustees,

(ii) persons associated with the Board under section 17,

(iii) other persons whose assistance or advice the Board may desire as members of Committees :

Provided that no Committee shall consist of less than three persons.

(2) The Board may—

(*a*) refer to any such Committee, for inquiry and report, any matter relating to any of the purposes of this Act, and

(*b*) delegate to any such Committee, by specific resolution and subject to any rules made in this behalf, any of the powers or duties of the Board.

(3) The Board may, at any time, dissolve, or, subject to the provisions of sub-section (1), alter the constitution of, any such Committee.

(4) Every such Committee shall conform to any instructions from time to time given to it by the Board.

(5) All proceedings of every such Committee shall be subject to confirmation by the Board.

Meetings of Committees.

19. (1) A Committee appointed under section 18 may meet and adjourn as it thinks proper ; but the Chairman may, whenever he thinks fit and shall, upon the written request of not less than two members thereof, call a special meeting of such Committee.

(2) Every meeting of a Committee shall be presided over by the Chairman if he is a member of the Committee, and, if he is not a member or is absent from the meeting, by a member chosen by the meeting to preside for the occasion.

(3) No business shall be transacted at any meeting of a Committee unless there be present at least one-half of the number of the members constituting the Committee.

(4) All questions at any meeting of a Committee shall be decided by a majority of the members present and voting at the meeting, and in every case of equality of votes the person presiding shall have and exercise a second or casting vote.

Trustees (other than Chairman), and associated members of Board or Committee not to receive any fee for attendance at meetings.

20. (1) No Trustee (other than the Chairman), and no person associated with the Board under section 17 shall receive or be paid from the funds of the Board any fee or other remuneration for attending any meeting of the Board or of a Committee appointed under section 18,

(2) No person appointed as a member of a Committee under clause (iii) of section 18 (1) shall receive or be paid from the funds of the Board any fee or other remuneration for attending any meeting of such Committee.

Trustees and associated members of Board or Committee not to take part in proceedings in which they are personally interested.

21. (1) A Trustee who—

(*a*) has directly or indirectly, by himself or by any partner, employer or employee, any such share or interest as is described in sub-section (2) of section 7 in respect of any matter, or

(*b*) has acted professionally, in relation to any matter, on behalf of any person having therein any such share or interest as aforesaid,

shall not vote or take any other part in any proceeding of the Board or any Committee relating to such matter.

(2) If any Trustee or any person associated with the Board under section 17, or any other member of a Committee appointed under section 18, has, directly or indirectly, any beneficial interest in any land situated in an area comprised in any improvement scheme framed under this Act or in an area in which it is proposed to acquire land for any of the purposes of this Act—

(i) he shall, before taking part in any proceeding at a meeting of the Board or any Committee, relating to such area, inform the person presiding at the meeting of the nature of such interest ;

(ii) he shall not vote at any meeting of the Board or any Committee upon any resolution or question relating to such land ; and

(iii) he shall not take any other part in any proceeding relating to such area at a meeting of the Board or any Committee, if the person presiding at the meeting considers it inexpedient that he should do so.

Power to make and perform contracts.

22. The Board may enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of the purposes of this Act.

Execution of contracts and approval of estimates.

23. (1) With respect to the making of such contracts, the following provisions shall apply, namely :—

(*a*) every contract shall be made on behalf of the Board by the Chairman ;

(*b*) no contract for any purpose which, in accordance with any provision of this Act, the Chairman may not carry out without the sanction of any other authority or authorities, shall be made by him unless such sanction has been given ;

(*c*) no contract involving an expenditure exceeding ten thousand but not exceeding fifty thousand rupees shall be made by the Chairman unless it has been sanctioned by the Board ;

(*d*) no contract involving an expenditure exceeding fifty thousand rupees shall be made by the Chairman unless it has been sanctioned both by the Board and by the Government ;

(*e*) every contract made by the Chairman involving an expenditure exceeding one thousand but not exceeding ten thousand rupees shall be reported to the Board within fifteen days after it has been made.

(2) Every estimate for the expenditure of any sum for carrying out any of the purposes of this Act shall be subject to the approval of the authority or authorities empowered under sub-section (1) to make, or as the case may be, to sanction the making of, a contract for a like purpose and involving the expenditure of a like sum.

(3) Sub-sections (1) and (2) shall apply to every variation or abandonment of a contract or estimate, as well as to an original contract or estimate.

Further provisions as to execution of contracts.

24. (1) Every contract made by the Chairman on behalf of the Board shall be entered into in such manner and form as would bind the Chairman if such contract were made on his own behalf, except that the common seal of the Board shall be used where necessary and every such contract may in the like manner and form be varied or discharged.

(2) Every contract for the execution of any work, or the supply of any materials or goods, which involves an expenditure exceeding one thousand rupees, shall be in writing, and shall be sealed.

(3) The common seal of the Board shall remain in the custody of the Secretary to the Board, and shall not be affixed to any contract or other instrument except in the presence of a Trustee (other than the Chairman), who shall attach his signature to the contract or instrument in token that the same was sealed in his presence.

(4) The signature of the said Trustee shall be in addition to the signature of any witness to the execution of such contract or instrument.

(5) A contract not executed as provided in this section shall not be binding on the Board.

Tenders.

25. (1) At least seven days before entering into any contract for the execution of any work or the supply of any materials or goods which involves an expenditure exceeding five thousand rupees, the Chairman shall give notice by advertisement in local newspapers, inviting tenders for such contract.

(2) In every such case the Chairman shall place before the Board the specifications, conditions and estimates and all the tenders received, specifying the particular tender, if any, which he proposes to accept.

(3) In every case in which the acceptance of a tender would involve an expenditure exceeding fifty thousand rupees the Board shall submit to the Government the specifications, conditions and estimates, and all the tenders received, specifying the particular tender, if any, the acceptance of which it proposes to sanction.

(4) Neither the Board nor the Government shall be bound to sanction the acceptance of any tender which has been made ; but the Board, within the pecuniary limits of its powers as laid down in clause (*c*) of section 23 (1) and the Government in the cases referred to in clause (*d*) of the said section, may sanction the acceptance of any of such tenders which appears to it or them, upon a consideration of all the circumstances, to be the most advantageous, or may direct the rejection of all the tenders received.

Security for due performance of contract.

26. The Chairman shall take sufficient security for the due performance of every contract involving an expenditure exceeding three thousand rupees.

Supply of documents and information to the Government.

27. (1) The Chairman shall forward to the Government a copy of the minutes of the proceedings of each meeting of the Board, within ten days from the date of the meeting.

(2) The Chairman shall, if so directed by the Government, forward to them a copy of all papers which were laid before the Board for consideration at any meeting.

(3) The Government may require the Chairman to furnish them with—

(*a*) any return, statement, estimate, statistics or other information regarding any matter under the control of the Board, or

(*b*) a report on any such matter, or

(*c*) a copy of any document in the charge of the Chairman.

Officers and Servants.

Statement of strength and remuneration of staff.

28. (1) The Board shall from time to time prepare, and shall maintain, a statement showing—

(*a*) the number, designations and grades of the officers and servants (other than employees who are paid by the day or whose pay is charged to temporary work) whom it considers it necessary and proper to employ for the purposes of this Act,

(*b*) the amount and nature of the salary, fees and allowances to be paid to each such officer or servant, and

(*c*) the contributions payable under section 141, in respect of each such officer or servant.

(2) All statements prepared under sub-section (1) shall, so far as they relate to posts the monthly salary or the maximum monthly salary of which exceeds five hundred rupees, be subject to the previous sanction of the Government.

Service rules.

29. The Board shall with the previous sanction of the Government make rules—

(*a*) fixing the amount and nature of the security to be furnished by any officer or servant of the Board from whom it may be deemed expedient to require security ;

(*b*) for regulating the grant of leave of absence, leave allowances and acting allowances to the officers and servants of the Board :

Provided that a servant of the Central or State Government employed as an officer or servant of the Board shall not be entitled to leave or leave allowances otherwise than as may be laid down in the conditions of his service under the Central or State Government relating to transfer to foreign service ;

(*c*) for establishing and maintaining a provident fund, for compelling all or any of the officers or servants of the Board (other than any servant of the Central or State Government in respect of whom a contribution is paid under section 141) to subscribe to the fund at such rates and subject to such conditions as may be prescribed by such rules, and for supplementing such subscriptions out of the funds of the Board ;

(*d*) for determining the conditions under which the officers and servants of the Board or any of them shall on retirement receive gratuities or compassionate allowances and the amount of such gratuities and compassionate allowances :

Provided that it shall be at the discretion of the Board to determine whether all such officers and servants or any and, if so, which of them, shall become entitled on retirement to any such gratuities or compassionate allowances as aforesaid.

Appointing authorities.

30. (1) Subject to any rules made under section 29 and for the time being in force, the power of making appointments and promotions to posts in the service of the Board, of granting leave to officers and servants holding such posts, of censuring, fining, withholding promotion from, reducing, suspending, removing or dismissing such officers and servants for any breach of departmental rules or discipline,

(*h*) the construction and alteration of streets and back lanes, bridges, causeways and culverts;

(*i*) the draining, water-supply and lighting of streets so constructed or altered;

(*j*) the provision of open spaces for the benefit of any area comprised in the scheme or any adjoining area, and for the enlargement of existing open spaces and approaches;

(*k*) the provision of sanitary arrangements required for the area comprised in the scheme, including the conservation of and prevention of injury or contamination to rivers or other sources and means of water-supply;

(*l*) the provision of accommodation for any class of the inhabitants;

(*m*) the advance of money for the purposes of the scheme;

(*n*) the provision of facilities for communication;

(*o*) the reclamation or reservation of land for market, gardens, afforestation, the provision of fuel and grass-supply, and other needs of the population;

(*p*) any other matter for which, in the opinion of the Government, it is expedient to make provision with a view to the improvement of any area comprised in the scheme or of any adjoining area or the general efficiency of the scheme.

Types of improvement schemes.

35. An improvement scheme shall be of one of the following types, or a combination of any two or more of such types or of any special features thereof, that is to say—

(*a*) a general improvement scheme;

(*b*) a re-building scheme;

(*c*) a re-housing scheme;

(*d*) a street scheme;

(*e*) a deferred street scheme;

(*f*) a development scheme;

(*g*) a housing accommodation scheme; and

(*h*) a town-expansion scheme.

General improvement scheme.

36. Whenever it appears to the Board—

(*a*) that, in any area, any buildings used or intended or likely to be used as dwelling-places are unfit for human habitation, or

(*b*) that danger to the health of the inhabitants of buildings in any area, or of buildings in the neighbourhood of such area is caused by—

(i) the narrowness, closeness, or bad arrangement or condition of streets or buildings or groups of buildings in such area, or

(ii) the want of light, air, ventilation or proper conveniences in such area, or

(iii) any other sanitary defects in such area,

the Board may pass a resolution to the effect that such area is an insanitary area, and that a general improvement scheme ought to be framed in respect of such area, and shall then proceed to frame such a scheme.

Re-building scheme.

37. (1) Whenever it appears to the Board that any area is an insanitary area within the meaning of the preceding section and that, having regard to the comparative value of the buildings in such area and of the sites on which they are erected, the most satisfactory method of dealing with the area or any part thereof is a rebuilding scheme, the Board may pass a resolution to that effect, and shall then proceed to frame a scheme in accordance with the provisions of this section.

(2) A rebuilding scheme may provide for—

(*a*) the reservation of streets, lanes and open spaces and the enlargement of existing streets, lanes and open spaces to such an extent as may be necessary for the purposes of the scheme;

(*b*) the re-laying out of the sites of the area upon streets, lanes or open spaces so reserved or enlarged;

(*c*) the payment of compensation in respect of any such reservation or enlargement, and the construction of the streets, lanes and open spaces so reserved or enlarged;

(*d*) the reconstruction, alteration or demolition of the existing buildings and their appurtenances by the owners, or by the Board in default of the owners, and the erection of buildings in accordance with the scheme by the said owners or by the Board in default of the owners, upon the sites as defined under the scheme;

(*e*) the advance to the owners, upon such terms and conditions as to interest, sinking fund and otherwise as may be provided under the scheme, of such sums as may be necessary to assist them to reconstruct or alter existing buildings or to erect new buildings in accordance with the scheme;

(*f*) the acquisition by the Board of any site or building comprised in the area included in the scheme.

Re-housing scheme.

38. The Board may frame schemes (herein called re-housing schemes) for the construction, maintenance and management of such and so many dwellings and shops as it may consider necessary for persons who—

(*a*) are displaced by the execution of any improvement scheme sanctioned under this Act, or

or for carelessness, unfitness, neglect of duty or other misconduct, and of discharging such officers and servants from the service of the Board for any other reason, shall be exercised by the undermentioned authorities :—

(*a*) In the case of posts the monthly salary or the maximum monthly salary of which does not exceed two hundred and fifty rupees and officers and servants holding such posts—the Chairman.

(*b*) In the case of posts the monthly salary or the maximum monthly salary of which exceeds two hundred and fifty but does not exceed five hundred rupees and officers and servants holding such posts—the Board.

(*c*) In the case of posts the monthly salary or the maximum monthly salary of which exceeds five hundred rupees and officers and servants holding such posts—the Board, subject to the previous sanction of the Government :

Provided that a servant of the Central or State Government or of a local body whose services have been lent to the Board, shall not be so punished except by an authority which would have been competent to do so, if his services had not been so lent, and the Chairman or the Board, as the case may be, shall be entitled only to make a recommendation in that behalf to such authority.

(2) Against any order under sub-section (1) imposing any punishment on him, an officer or servant of the Board may appeal—

(*a*) to the Board, if the order was passed by the Chairman, and

(*b*) to the Government, if the order was passed by the Board.

Control by Chairman.

31. The Chairman shall exercise supervision and control over the acts and proceedings of all officers and servants of the Board; and, subject to the foregoing sections, and subject also to such control and revision as may be prescribed shall dispose of all questions relating to the service of the said officers and servants, and their salaries, allowances and privileges.

Delegation of certain of Chairman's functions.

32. (1) The Chairman may, by general or special order in writing, delegate to any officer of the Board any of the Chairman's powers, duties or functions under this Act or any rule made thereunder, except those conferred or imposed upon or vested in him by sections 16, 19, 27, 107, 114, 116, 150 and 154 :

Provided that—

(*a*) the Chairman shall not delegate his power under section 23 to make on behalf of the Board any contract involving an expenditure exceeding three thousand rupees ;

(*b*) the Chairman shall not delegate his power under section 30 to make appointments to posts the monthly salary or the maximum monthly salary of which exceeds one hundred rupees ;

(*c*) the Chairman shall not delegate to any officer any of his powers under section 30 in respect of any employee of the Board, unless such employee was appointed by such officer or any subordinate of such officer, by virtue of a delegation of the Chairman's power of appointment under that section.

(2) The exercise or discharge by any officer of any powers, duties or functions delegated to him under sub-section (1) shall be subject to such restrictions, conditions and limitations (if any) as may be laid down by the Chairman, and shall also be subject to his control and revision.

Explanation.—Against any order of the nature referred to in sub-section (2) of section 30 passed by a person to whom the Chairman's power in that behalf has been delegated, an appeal shall lie to the Board, unless the Chairman has himself revised the order of such person, in which case an appeal shall lie to the Board against the order of the Chairman.

CHAPTER III.

Improvement Schemes.

Power of Board to undertake works and incur expenditure for improvement, etc.

33. The Board may, subject to the control of the Government, undertake any works and incur any expenditure for the improvement or development of any area to which this Act applies, and for the framing and execution of such improvement schemes as may be necessary from time to time.

Matters to be provided for by improvement scheme.

34. An improvement scheme may provide for all or any of the following matters, namely :—

(*a*) the acquisition by purchase, exchange or otherwise of any property necessary for or affected by the execution of the scheme ;

(*b*) the re-laying out of any land comprised in the scheme ;

(*c*) the redistribution of sites belonging to owners of property comprised in the scheme ;

(*d*) the closure or demolition of dwellings or portions of dwellings unfit for human habitation ;

(*e*) the demolition of obstructive buildings or portions of buildings ;

(*f*) the construction and reconstruction of buildings ;

(*g*) the sale, lease, or exchange of any property comprised in the scheme ;

(*b*) are likely to be displaced by the execution of any improvement scheme which it is intended to frame, or to submit to the Government for sanction, under this Act.

Street scheme.

39. (1) Whenever the Board is of opinion that, for the purpose of—

(*a*) providing building sites, or

(*b*) remedying defective ventilation, or

(*c*) creating new or improving existing means of communication and facilities for traffic, or

(*d*) affording better facilities for conservancy,

it is expedient to lay out new streets or alter existing streets (including bridges, causeways and culverts) in any area, the Board may pass a resolution to that effect, and shall then proceed to frame a street scheme for such area.

(2) A street scheme may, within the limits of the area comprised in the scheme, provide for the following matters :—

(*a*) the acquisition of any land which will, in the opinion of the Board, be necessary for its execution ;

(*b*) the re-laying out of all or any of the lands so acquired including the construction and reconstruction of buildings by the Board or by persons authorized by the Board in that behalf and the laying out, construction and alteration of streets and thoroughfares ;

(*c*) the draining, water-supply and lighting of streets and thoroughfares so laid out, constructed or altered ;

(*d*) the raising, lowering or reclamation of any land vested in, or to be acquired by, the Board for the purposes of the scheme ;

(*e*) the provision of open spaces for the better ventilation of the area comprised in the scheme ;

(*f*) the acquisition of any land adjoining any street, thoroughfare or open space to be formed under the scheme.

Deferred street scheme.

40. (1) Whenever the Board is of opinion that it is expedient for any of the purposes mentioned in section 39 to provide for the ultimate widening of any street by altering the existing alignments of such street to improved alignments to be prescribed by the Board, but that it is not expedient immediately to acquire all or any of the properties lying within the proposed improved alignments, the Board, if satisfied as to the sufficiency of his resources, may pass a resolution to that effect, and shall proceed to make a scheme to be called a "deferred street scheme" prescribing an alignment on each side of the street.

(2) A deferred street scheme shall provide for—

(*a*) the acquisition of the whole or any part of any property lying within the prescribed street alignments within the time-limit specified in the scheme which may be extended by the Government :

Provided that such time-limit including the extensions granted by Government shall in no case exceed twenty years from the date of the sanction of the scheme by the Government.

(*b*) the re-laying out of all or any such property, including the construction and reconstruction of buildings by the Board or by any other person, and the formation and alteration of the street ;

(*c*) the draining, water-supply and lighting of the streets so formed or altered.

(3) After a deferred street scheme has been sanctioned by the Government—

(*a*) no person shall, except with the written permission of the Board, erect, re-erect, add to, or alter any building or wall so as to make the same project into the prescribed alignment of the street ;

(*b*) if the Board fails to acquire or to institute proceedings for the acquisition of any property within the prescribed alignment of any street, within the time-limit specified in the scheme or extended by the Government, the owner of such property may, at any time thereafter, give the Board notice requiring it to acquire or to institute proceedings for the acquisition of such property before the expiration of six months from the date of such notice, and thereupon the Board shall acquire, or institute such proceedings and acquire the property accordingly ; and if the Board fails to do so, it shall pay reasonable compensation to the owner for any damage sustained by him in consequence of such failure ;

(*c*) before proceeding to acquire any property lying within the prescribed alignment of the street [other than property regarding which it has received a notice under clause (*b*)], the Board shall give six months' notice to the owner of its intention to acquire such property ;

(*d*) notwithstanding anything contained in the Madras City Municipal Act, 1919, the Corporation shall not have power to prescribe any alignment of the street within the limits of the scheme, and any such alignment previously prescribed within such limits shall cease to be the alignment of the street.

Madras Act IV of 1919.

Development scheme.

41. (1) In regard to any area to which this Act applies, the Board may, from time to time, prepare a scheme of proposed public streets with plans showing the direction of such streets, the street alignment and building line on each side of them, their intended width and such other details as may appear desirable.

(2) When any such scheme has been notified under section 53, the street to which it refers shall be deemed to be a projected public street.

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(3) No person shall, without the permission of the Board, erect, re-erect, add to, or alter any building or wall so as to make the same project into the street alignment or beyond the building line shown in any plan so adopted.

(4) If the Board refuses to grant permission to any person to erect on his land any building or wall to project as aforesaid and if it does not proceed to acquire such land within one year from the date of such refusal, the Board shall pay reasonable compensation to such person for any damage sustained by him in consequence of such refusal.

(5) When any building or wall projecting into or beyond, or adjacent to, the street alignment or building line shown in any plan adopted as aforesaid has fallen, or been demolished or burnt down, the Chairman may, by written notice, require or permit the same to be set back, or set forward, as the case may be, from or towards such street alignment or building line.

(6) When any building or wall is set back or set forward in pursuance of a requisition made under sub-section (5), the Board shall make full compensation to the owner of the building or wall for any damage that he may sustain thereby.

(7) If the requisition or permission under sub-section (5) to set forward any building or wall involves the inclusion within the premises of the owner of the building or wall, of any land belonging to the Board the requisition or permission shall operate as a conveyance of such land to the said owner on the terms and conditions specified therein.

(8) If the owner is dissatisfied with any of the terms and conditions aforesaid, he may, within thirty days after the communication to him of such terms and conditions, apply to the Chairman in writing for a reference of his case to the Tribunal. On receipt of such application, the Chairman shall refer the case to the Tribunal and its decision shall be final.

(9) When any scheme under this section is sanctioned by the Government, notwithstanding anything contained in the Madras City Municipal Act, 1919, the Corporation shall not have power to prescribe the alignment of any street within the limits of the scheme, and any alignment previously prescribed within such limits shall cease to be the alignment of the street.

Madras Act IV of 1919.

Housing accommodation scheme.

42. Whenever the Board is of opinion that it is expedient and for the public advantage to provide housing accommodation for any class of persons in any area, the Board may frame a scheme, to be called a "housing accommodation scheme".

Town expansion scheme.

43. (1) Whenever the Board is of opinion that it is expedient and for the public advantage to control and provide for the future expansion or development of the City, the Board may frame a scheme to be called a "town expansion scheme".

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(2) Such scheme shall ordinarily be framed in respect of an area wholly without the limits of the City, but may, in special circumstances and with the previous sanction of the Government, be framed in respect of an area which lies wholly within, or partly within and partly without, the City:

Provided that the Government shall, before giving their sanction to any such scheme, satisfy themselves that a development scheme under section 41 in respect of the area would not be suitable.

(3) Such scheme shall specify the proposed lay-out of the area to be developed and the purposes for which particular portions thereof are to be utilized.

(4) The provisions of clause (*a*) of sub-section (2) of section 51 shall not apply to a town expansion scheme under this section, but the Board shall be required to supply to the Government such details as they may consider necessary.

(5) After any such scheme has been notified under section 53, no person shall, without the permission of the Board, erect, re-erect, add to, or alter any building or wall within the area comprised in the scheme.

(6) If the Board refuses to grant permission to any person to erect, re-erect, add to, or alter any building or wall on his land in the area aforesaid and does not proceed to acquire such land within one year from the date of such refusal, the Board shall pay reasonable compensation to such person for any damage sustained by him in consequence of such refusal.

(7) Nothing contained in this section shall be deemed to authorize the framing of a town expansion scheme in respect of any area without the limits of the City unless the provisions of this section have been applied to such area in pursuance of section 1, sub-section (2).

Procedure to be followed in framing an improvement scheme.

Official representation.

44. (1) An improvement scheme may be framed by the Board on its own motion, or on an official representation by the Corporation.

(2) The official representation referred to in sub-section (1) may be made by the Corporation—

(*a*) on its own motion, or

(*b*) on a written application by its Commissioner, or

(*c*) in respect of any area comprised in any division of the City, on a written application signed by twenty-five or more residents of such division who are liable to pay property tax under the Madras City Municipal Act, 1919.

Madras Act IV of 1919.

(3) If the Corporation decides not to make an official representation on any application made to it under clause (*b*)

or clause (*c*) of sub-section (2), it shall cause a copy of such application to be sent to the Board with a statement of the reasons for its decision.

Consideration of such representation.

45. (1) The Board shall consider every official representation made under section 44 and, if satisfied as to the necessity for an improvement scheme on the lines recommended therein and as to the sufficiency of its resources for executing such a scheme, shall decide whether the scheme should be framed forthwith or not, and shall intimate its decision to the Corporation.

(2) If the Board decides that it is not necessary or expedient either to frame an improvement scheme or to frame the scheme forthwith, it shall inform the Corporation of the reasons for its decision.

(3) If the Board fails, for a period of twelve months after the receipt of any official representation made under section 44, to intimate its decision thereon to the Corporation, or if the Board intimates to the Corporation its decision that it is not necessary or expedient to frame an improvement scheme forthwith or decides to frame a scheme of a type other than that recommended by the Corporation, the Corporation may, if it thinks fit, refer the matter to the Government.

(4) The Government shall consider every reference made to them under sub-section (3), and—

(*a*) if they consider that the Board ought, in all the circumstances, to have passed a decision within the period mentioned in sub-section (3), shall direct the Board to pass a decision within such further period as the Government may think reasonable, or

(*b*) if they consider that it is, in all the circumstances, expedient that a scheme should forthwith be framed, shall direct the Board to proceed forthwith to frame a scheme. Such a direction may prescribe the type of scheme to be framed.

(5) The Board shall comply with every direction given by the Government under sub-section (4).

Matters to be considered when framing improvement schemes.

46. When framing an improvement scheme in respect of any area, regard shall be had to—

(*a*) the nature and the conditions of neighbouring areas and of the City as a whole;

(*b*) the directions in which the expansion of the City appears likely to take place; and

(*c*) the likelihood of improvement schemes being required for other parts of the City.

Preparation, publication and transmission of notice as to improvement schemes, and supply of documents to applicants.

47. (1) When any improvement scheme has been framed, the Board shall prepare a notice stating that fact and specify—

(*a*) the boundaries of the area comprised in the scheme, and

(*b*) the places (including at least one place in the area comprised in the scheme) at which particulars of the scheme, a map of the area comprised in the scheme, and a statement of the land which it is proposed to acquire and of the land in regard to which it is proposed to recover a betterment fee, may be seen at reasonable hours.

(2) The Board shall—

(*a*) cause the said notice to be published weekly for three consecutive weeks in the *Fort St. George Gazette* and in local newspapers specifying the period within which objections will be received; and

(*b*) send a copy of the notice to the Commissioner of the Corporation.

(3) The Chairman shall cause copies of all documents referred to in clause (*b*) of sub-section (1) to be delivered to any applicant on payment of the fee prescribed by the Board.

Transmission to Board of representation by Corporation as to improvement scheme.

48. The Commissioner of the Corporation to whom a copy of a notice has been sent under clause (*b*) of sub-section (2) of section 47 shall, within a period of ninety days from the receipt of the said copy, forward to the Board any representation which the Corporation may think fit to make with regard to the scheme.

Notice of proposed acquisition of land.

49. (1) Within the thirty days following the days on which any notice is first published under section 47 in respect of any improvement scheme, the Board shall serve a notice on—

(*a*) every person whose name appears in the assessment list of the Corporation or the municipality or local board concerned as being primarily liable to pay property tax on any building or land which it is proposed to acquire in executing the scheme, or in regard to which the Board proposes to recover a betterment fee; and

(*b*) the occupier (who need not be named of each premises entered in the assessment list of the Corporation or the municipality or local board concerned which the Board proposes to acquire in executing the scheme.

(2) A copy of the notice shall also be affixed in each such premises.

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(3) Such notice shall—

(*a*) state that the Board proposes to acquire such land or to recover such betterment fee for the purpose of carrying out an improvement scheme, and

(*b*) require such person, if he objects to such acquisition or to the recovery of such betterment fee, to state his reasons in writing within a period of sixty days from the service of the notice.

(4) Every such notice shall be signed by the Chairman or by a person authorized by him in that behalf.

Furnishing of copies or extracts from the assessment book of the Corporation.

50. The Commissioner of the Corporation or the executive authority of any municipality or local board in which the area was previously included shall furnish the Chairman, at his request, with a copy of, or extracts from, the assessment list of the Corporation or of the municipality or local board, as the case may be, on payment of such fees as may be prescribed by the Government in that behalf.

Abandonment of improvement scheme, or application to Government to sanction it.

51. (1) After considering the objections and representations, if any, received in pursuance of sub-section (2) of section 47, section 48 and clause (*b*) of sub-section (3) of section 49, and after hearing all persons making any such objection or representation who may desire to be heard, the Board may either abandon the scheme or apply to the Government for sanction to the scheme, with such modifications, if any, as the Board may consider necessary.

(2) Every application for sanction under sub-section (1) shall be accompanied by—

(*a*) a description of, and full particulars relating to, the scheme and complete plans and estimates of the cost of executing the scheme ;

(*b*) a statement of the reasons for any modifications made in the scheme as originally framed ;

(*c*) a statement of the objections, if any, received under section 47 ;

(*d*) any representation received under section 48 ;

(*e*) a list of the names of all persons, if any, who have objected under clause (*b*) of sub-section (3) of section 49, to the proposed acquisition of their land or to the proposed recovery of a betterment fee and a statement of the reasons given for such objection ;

(*f*) a statement of the arrangements, if any, made or proposed by the Board for the re-housing of persons who are likely to be displaced by the execution of the scheme ; and

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(*g*) such other particulars as may be prescribed by the Government.

(3) When any application has been submitted to the Government under sub-section (1), the Board shall cause notice of the fact to be published weekly for two consecutive weeks in the *Fort St. George Gazette* and in local newspapers.

Power to sanction, reject or return improvement scheme.

52. (1) The Government may sanction, either with or without modification, or may refuse to sanction, or may return for reconsideration, any improvement scheme submitted to them under section 51.

(2) If a scheme returned for reconsideration under sub-section (1) is modified by the Board, it shall be republished in accordance with section 47—

(*a*) in every case in which the modification affects the boundaries of the area comprised in the scheme or involves the acquisition of any land not previously proposed to be acquired ; and

(*b*) in every other case, unless the modification is, in the opinion of the Government, not of sufficient importance to require republication.

Notification of sanction of improvement scheme.

53. (1) Whenever the Government sanction an improvement scheme, they shall announce the fact by notification and, except in the case of a deferred street scheme, development scheme or town expansion scheme, the Board shall forthwith proceed to execute the same.

(2) The publication of a notification under sub-section (1) in respect of any scheme shall be conclusive evidence that the scheme has been duly framed and sanctioned.

Alteration of improvement scheme after sanction.

54. At any time after an improvement scheme has been sanctioned by the Government and before it has been carried into execution, the Board may alter or cancel it :

Provided that—

(*a*) if any alteration is considered likely to increase the estimated net cost of executing a scheme by more than five per cent or by more than Rs. 50,000, such alteration shall not be made without the previous sanction of the Government ;

(*b*) if any alteration involves the acquisition, otherwise than by agreement, of any land the acquisition of which has not been sanctioned by the Government, the procedure prescribed in the foregoing sections of this Chapter shall, so far as it may be applicable, be followed as if the alteration were a separate scheme ;

(*c*) if, owing to any alteration, any land not previously liable under the scheme to the payment of a betterment fee, becomes liable to such payment, the procedure prescribed in

sections 47, 49 and 51 shall, so far as it may be applicable, be followed in regard to such land :

Provided further that no scheme shall be cancelled under this section without the previous sanction of the Government.

Combination of such scheme.

55. The Board may, at any time, include in a combined scheme the improvement schemes framed or proposed to be framed for two or more areas.

Width of streets and levelling, etc., thereof.

56. (1) No street laid out or altered by the Board shall be less than forty feet wide, if it is intended for carriage traffic, or less than twenty feet wide, if it is intended for pedestrian traffic only :

Provided that—

(i) the width of an existing street need not be increased to the minimum required by this sub-section if, in the opinion of the Board, such increase is impracticable ;

(ii) nothing in this sub-section shall apply to service passages for sanitary purposes.

(2) In every street laid out or altered by the Board, the Board shall make provision for the levelling, paving, metalling, flagging, channelling, sewering and draining of the street, and the provision therein of lighting, water and other sanitary conveniences ordinarily provided in a municipality.

Transfer to Board for purposes of improvement scheme of building or land vested in the Corporation or in a municipality or local board.

57. (1) Whenever any building, or any street, square, or other land, or any part thereof, which—

(*a*) is situated in the City and is vested in the Corporation ; or

(*b*) is situated in any part of a municipality constituted under the Madras District Municipalities Act, 1920, in which this section is for the time being in force, and is vested in that municipality ; or

Madras Act V of 1920.

(*c*) is situated in any area included within the jurisdiction of a local board constituted under the Madras Local Boards Act, 1920, in which this section is for the time being in force, and is vested in that local board

Madras Act XIV of 1920.

is within the area of any improvement scheme and is required for the purposes of such scheme, the Board shall give notice accordingly to the Commissioner of the Corporation or the executive authority of such municipality or local board, as the case may be, and such building, street, square, other land or part thereof shall thereupon vest in the Board.

(2) Where any land situated in the City vests in the Board under the provisions of sub-section (1) and the Board makes a declaration that such land will be retained by the Board only

until it revests in the Corporation as part of a street or an open space under section 67, no compensation shall be payable by the Board to the Corporation in respect of that land.

(3) Where any land or building vests in the Board under sub-section (1) and no declaration is made under sub-section (2) in respect of the land, the Board shall pay to the Corporation, the municipality, or the local board, as the case may be, as compensation a sum equal to the market value of such land or building as on the date of the publication of the notification under section 53 ; and where any building situated on land in respect of which a declaration has been made by the Board under sub-section (2) is vested in the Board under sub-section (1), like compensation shall be payable in respect of such building by the Board.

(4) If, in any case where the Board has made a declaration in respect of any land under sub-section (2), the Board retains or disposes of the land contrary to the terms of the declaration, so that the land does not revest in the Corporation, the Board shall pay to the Corporation compensation in respect of such land in accordance with the provisions of sub-section (3).

(5) If any question or dispute arises—

(*a*) as to whether compensation is payable under sub-section (3) or sub-section (4), or

(*b*) as to the amount of the compensation paid or proposed to be paid under sub-section (3) or sub-section (4), or

(*c*) as to whether any building or street, or square or other land, or any part thereof, is required for the purposes of the scheme.

the matter shall be referred to the Government whose decision shall be final.

Transfer of private street or square to Board for purpose of improvement scheme.

58. (1) Whenever any street or square or part thereof which is not vested in the Board or in the Corporation or in any municipality constituted under the Madras District Municiplities Act, 1920, or in any local board constituted under the Madras Local Boards Act, 1920, is required for executing any improvement scheme, the Board shall cause to be affixed in a conspicuous place in or near such street, square or part, a notice signed by the Chairman, and—

Madras Act V of 1920.

Madras Act XIV of 1920.

(*a*) stating the purpose for which the street, square or part is required, and

(*b*) declaring that the Board will, on or after a date to be specified in the notice, take over charge of such street, square or part from the owner thereof ;

and shall simultaneously send a copy of such notice to the owner of such street, square or part.

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(2) After considering the objections (if any) received in writing before the date specified under clause (*b*) of sub-section (1), the Board may take over charge of such street, square or part, and the same shall thereupon vest in the Board.

(3) When the Board alters or closes any street or square or part thereof which has vested in it under sub-section (2), it shall pay reasonable compensation to the previous owner for the loss of his rights therein.

(4) If the alteration or closing of any such street, square or part causes damage or substantial inconvenience to owners of property adjacent thereto, or to residents in the neighbourhood, the Board—

(i) shall forthwith provide some other reasonable means of access for the use of persons who were entitled to use such street, square or part as a means of access to any property or place, and

(ii) if the provision of such means of access does not sufficiently compensates any such owner or resident for such damage or inconvenience, shall also pay him reasonable compensation in money.

Provision of drain or water work to replace another situated on land vested in Board under section 57 or section 58.

59. (1) Where in any building, or street, square or other land, or part thereof, referred to in section 57 or section 58, there is any municipal or local board drain, water-work, electric main or installation, such drain, water-work, electric main or installation shall not vest in the Board until the Board has provided, if such provision is necessary, another drain, water-work, electric main or installation to the satisfaction of the Corporation or the municipality or local board concerned, as the case may be.

(2) If any question or dispute arises as to whether another drain, water-work, electric main or installation is necessary, or as to the sufficiency of any drain, water-work, electric main or installation provided by the Board under sub-section (1) such question or dispute shall be referred to the Government, whose decision thereon shall be final.

Madras Act IV of 1919.

Bar to application of certain sections of the Madras City Municipal Act, 1919, to streets.

60. (1) Section 204, clause (*c*) of sub-section (1) of section 205, and section 206 of the Madras City Municipal Act, 1919, shall not apply to any street which is vested in the Board.

(2) Sections 213, 224 and 225 of the said Act shall not apply when any drain or premises vested in the Corporation is opened or broken up by the Board or when any public street is under construction by the Board.

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Repair and watering of streets vested in Board.

61. Whenever the Board allows any street vested in it to be used for public traffic, it shall—

(*a*) keep the street in good repair, as far as practicable, and do all things, necessary for the safety and convenience of persons using it, and

(*b*) cause the street to be watered, if it considers it necessary to do so for the public convenience.

Guarding and lighting when street vested in Board is opened or broken up, or when street is under construction and speedy completion of work.

62. Whenever any drain in, or the pavement or surface of, any street vested in the Board is opened or broken up by the Board for the purpose of carrying on any work, or whenever the Board allows any street which it has under construction to be used for public traffic,

the Board shall cause the place to be fenced and guarded and to be sufficiently lighted during the night, and shall take proper precautions for guarding against accident by shoring up and protecting adjoining buildings,

and shall, with all convenient speed, complete, the said work, fill in the ground and repair the said drain, pavement or surface, and carry away the rubbish occasioned thereby or complete the construction of the said street, as the case may be.

Prevention or restriction of traffic in street vested in Board, during progress of work.

63. (1) When any work referred to in section 62 is being executed by the Board in any public street vested in it, or when any other work which may lawfully be done is being executed by the Board in any street vested in it, the Board may direct that such street, shall during the progress of such work, be either wholly or partially closed to traffic generally, or to traffic of any specified description.

(2) When any such direction has been given, the Board shall, after notifying in local newspapers its intention to do so, set up in a conspicuous position in or near the street an order prohibiting traffic to the extent so directed, and fix such bars, chains or posts across or in the street as it may think proper for preventing or restricting traffic therein.

Provision of facilities, and payment of compensation, when work is executed by Board in public street vested in it.

64. (1) When any work is being executed by the Board in any public street vested in it, the Board shall, so far as may reasonably be practicable, make adequate provision for—

(*a*) the passage or diversion of traffic;

(*b*) securing access to all premises approached from such street; and

(*c*) any drainage, water-supply or means of lighting which is interrupted by reason of the execution of the work.

(2) The Board shall pay reasonable compensation to any person who sustains special damage by reason of the execution of any such work.

Power of Board to turn or close public street or square vested in it.

65. (1) The Board may—

(*a*) turn, divert, discontinue the public use of, or permanently close, any public street vested in it or any part thereof, or

(*b*) discontinue the public use of, or permanently close, any public square vested in it or any part thereof.

(2) Whenever the Board discontinues the public use of, or permanently closes, any public street vested in it, or any part thereof, it shall pay reasonable compensation to every person who was entitled otherwise than as a mere member of the public, to use such street or part as a means of access and has suffered damage from such discontinuance or closing.

(3) Whenever the Board discontinues the public use of, or permanently closes, any public square vested in it or any part thereof, it shall pay reasonable compensation to every person—

(*a*) who was entitled, otherwise than as a mere member of the public, to use such square or part as a means of access, or

(*b*) whose immovable property was ventilated by such square or part,

and who has suffered damage—

(i) in case (*a*), from such discontinuance or closing, or

(ii) in case (*b*), from the use to which the Board has put such square or part.

(4) In determining the compensation payable to any person under sub-section (2) or sub-section (3), the Board shall make allowance for any benefit accruing to him from the construction, provision or improvement of any other public street or square at or about the same time that the public street or square or part thereof, on account of which the compensation is paid, is discontinued, or closed.

(5) When any public street or square vested in the Board, or any part thereof, is permanently closed under sub-section (1) the Board may sell, or lease so much of the same as is no longer equired.

Reference of disputes to Tribunal.

66. (1) If any question or dispute arises—

(*a*) between the Board and the previous owner of any street or square or part thereof which has vested in the Board under section 58 and has been altered or closed by it, as to the sufficiency of the compensation paid or proposed to be paid under sub-section (3) of that section, or

(*b*) between the Board and any person who was entitled, otherwise than as a mere member of the public, to use as a means of access any street or square or part thereof which has vested in the Board under section 58—

(i) as to whether the alteration or closing of such street, square or part causes damage or substantial inconvenience to owners of property adjacent thereto or to residents in the neighbourhood, or

(ii) as to whether the other means of access provided or proposed to be provided under sub-section (4) of the said section 58 are reasonably sufficient, or

(iii) as to the sufficiency of any compensation paid or proposed to be paid under the said sub-section (4), or

(*c*) between the Board and any person, as to the sufficiency of any compensation paid or proposed to be paid to him under section 37, 40, 41, 43, 64, 65 or 157—

the matter shall be determined by the Tribunal if referred to it either by the Board or by the claimant, within a period of three months from—

in case (*a*) or case (*b*)—the date on which the street or square or part thereof was altered or closed by the Board, and

in case (*c*)—the date on which the said person was informed of the decision of the Board fixing the amount of compensation to be paid to him or rejecting his claim to compensation;

and the determination of the Tribunal shall be final.

(2) If a reference to the Tribunal be not made within the period prescribed by sub-section (1), the decision of the Board shall be final.

(3) For the purpose of determining any matter referred to it under sub-section (1), the Tribunal shall have all the powers with regard to witnesses, documents and costs which it would have if the Land Acquisition Act, 1894, as modified by section 73 of this Act, were applicable to the case. Central Act I of 1894.

Vesting in Corporation of streets laid out or altered, and open space provided, by the Board under an improvement scheme.

67. (1) Whenever the Corporation is satisfied—

(*a*) that any street laid out or altered by the Board has been duly levelled, paved, metalled, flagged, channelled, sewered and drained in the manner provided in the plans sanctioned by the Government under section 5, and

(*b*) that such lamps, lamp-posts and other apparatus as the Corporation considers necessary for the lighting of such street and as ought to be provided by the Board have been so provided, and

(*c*) that water and other sanitary conveniences ordinarily provided in the City have been duly provided in such street,

the Corporation shall, after informing the Board of its intention to do so, by written notice affixed in some conspicuous position in such street, declare the street to be a public street; and the street shall thereupon vest in the Corporation, and shall thenceforth be maintained, kept in repair, lighted and cleansed by the Corporation.

(2) When any open space for purposes of ventilation or recreation has been provided by the Board in executing any improvement scheme, it shall, on completion, be transferred to the Corporation by resolution of the Board, and shall thereupon vest in, and be maintained at the expense of the Corporation:

Provided that the Corporation may require the Board before any such open space is so transferred, to enclose, level, turf, drain and lay out such space and provide footpaths therein, and, if necessary, to provide lamps and other apparatus for lighting it.

(3) If any difference of opinion arises between the Board and the Corporation in respect of any matter referred to in the foregoing provisions of this section, the matter shall be referred to the Government whose decision shall be final.

Application of section 67 to municipalities or local boards.

68. If section 67 be applied, by notification under sub-section (2) of section 1, to any municipality or local board in the neighbourhood of the City, it shall be construed as if the references therein to the Corporation were references to such municipality or local board.

Power of Board to retain service passages.

69. Notwithstanding anything contained in section 67 or section 68, the Board may retain any service passage which it has laid out for sanitary purposes, and may enter into an agreement with the Corporation or any other person for the supervision, repair, lighting and general management of any passage so retained.

CHAPTER IV.

Acquisition and Disposal of Land.

Power to purchase or lease by agreement.

70. The Board may enter into an agreement with any person for the acquisition from him by purchase, lease or exchange, of any land or interest in land, which the Board is authorized to acquire for any of the purposes of this Act.

Power to acquire land under the Land Acquisition Act, 1894.

Central Act I of 1894.

71. The Board may, with the previous sanction of the Government, acquire land under the provisions of the Land Acquisition Act, 1894, for carrying out any of the purposes of this Act.

Tribunal to be constituted.

72. The Government may, if they think fit, constitute a Tribunal as provided in section 74 for the purpose of performing the functions of the Court in reference to the acquisition of land for the Board under the Land Acquisition Act, 1894. Central Act I of 1894.

Modification of the Land Acquisition Act, 1894.

Central Act I of 1894.

73. For the purpose of acquiring land for the Board under the Land Acquisition Act, 1894—

(*a*) the said Act shall be subject to the modifications specified in the Schedule; and

(*b*) in case a Tribunal is constituted under section 74—

(i) the Tribunal shall (except for the purposes of section 54 of that Act) be deemed to be the Court, and the President of the Tribunal shall be deemed to be the Judge thereof;

(ii) the President of the Tribunal shall have power to summon and enforce the attendance of witnesses, and to compel the production of documents, by the same means and (so far as may be) in the same manner, as is provided in the case of a Civil Court under the Code of Civil Procedure, 1908; and Central Act V of 1908.

(iii) the award of the Tribunal shall be deemed to be the award of the Court under the Land Acquisition Act, 1894, and shall be final. Central Act I of 1894.

Constitution of Tribunal.

74. (1) The Tribunal shall consist of three members, namely, a President and two assessors.

(2) The President of the Tribunal shall be either—

(*a*) a member of the Indian Civil Service or of a Civil Service of the State . . . . . who has, for at least three years, served as District Judge or held judicial office not inferior to that of a Subordinate Judge; or

(*b*) a barrister, advocate or pleader of not less than ten years' standing, who has practised as an advocate or pleader in the High Court of Judicature at Madras.

(3) The President of the Tribunal and one of the assessors shall be appointed by the Government, and the other assessor shall be appointed by the Corporation:

Provided that if the Corporation fails to make an appointment within one month after it is required so to do by the Government, the appointment shall be made by the Government.

(4) No person shall be eligible for appointment as a member of the Tribunal if he is a Trustee or is, for any of the reasons mentioned in section 7, disqualified for appointment as a Trustee.

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(5) The term of office of each member of the Tribunal shall be three years; but any member shall, subject to sub-section (4), be eligible for re-appointment at the end of that term.

(6) The Government may, on the ground of incapacity or misbehaviour, or for any other good and sufficient reason, remove any member of the Tribunal from office.

(7) Every vacancy, whether permanent or temporary in the office of a member of the Tribunal shall be filled in accordance with the provisions of sub-section (3).

(8) All appointments made under this section shall be notified in the *Fort St. George Gazette*.

Remuneration of members of Tribunal.

75. A member of the Tribunal shall be entitled to receive such remuneration, by way of salary or fees or both, as, the Government may prescribe.

Officers and servants of Tribunal.

76. (1) The President of the Tribunal shall, from time to time, prepare a statement showing—

(*a*) the number and grades of the clerks and other officers and servants whom he considers should be employed for carrying on the business of the Tribunal.

(*b*) the amount of the salary to be paid to each such officer or servant, and

(*c*) the contributions payable under section 141 in respect of each such officer or servant who is a servant of the Central or State Government.

(2) All statements prepared under sub-section (1) shall be subject to the previous sanction of the Government.

(3) The President of the Tribunal shall, with the previous sanction of the Government, make rules—

(i) for regulating the grant of leave of absence, leave allowances and acting allowances to the officers and servants of the Tribunal:

Provided that a servant of the Central or State Government employed as an officer or servant of the Tribunal shall not be entitled to leave or leave allowances otherwise than as may be laid down in the conditions of his service under the Central or State Government relating to transfer to foreign service;

(ii) for establishing and maintaining a provident fund, for compelling all or any of the officers or servants of the Tribunal (other than any servant of the Central or State Government in respect of whom a contribution is paid under section 141) to subscribe to the fund, at such

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rates and subject to such conditions as may be prescribed and, with the sanction of the Board, for supplementing such subscriptions out of the funds of the Board;

(iii) for determining the conditions under which the officers and servants of the Tribunal, or any of them, shall, on retirement, receive gratuities of compassionate allowances and the amount of such gratuities and compassionate allowances:

Provided that it shall be at the discretion of the Tribunal to determine whether all such officers and servants or any and, if so which of them, shall become entitled, on retirement, to any such gratuities or compassionate allowances as aforesaid.

(4) Subject to any rules made under sub-section (3) and for the time being in force, the power of making appointments and promotions to posts in the service of the Tribunal, of granting leave to officers and servants holding such posts, of censuring, fining, withholding promotion from, reducing, suspending, removing or dismissing such officers and servants for any breach of departmental rules or discipline, or for carelessness, unfitness, neglect of duty or other misconduct and of discharging such officers and servants from the service of the Tribunal for any other reason, shall be exercised by the President of the Tribunal.

Payments by Board on account of Tribunal.

77. The amount necessary for the payment of remuneration, salaries, leave allowances and acting allowances in accordance with sections 75 and 76 shall be provided by the Board.

Power to make rules for Tribunal.

78. (1) The President of the Tribunal may, from time to time, with the previous sanction of the Government, make rules, not repugnant to the Code of Civil Procedure, 1908, for the conduct of business by the Tribunal. Central Act V of 1908.

(2) All such rules shall be published in the *Fort St. George Gazette*.

Award of Tribunal how to be determined.

79. (1) In any proceeding before the Tribunal, the decision on all questions of law and procedure (including questions as to whether anything is a question of law or procedure) shall rest solely with its President, and on all other questions, in the event of disagreement between the members, the opinion of the majority shall prevail.

(2) Every award of the Tribunal, and every order made by the Tribunal for the payment of money, shall be enforced by the Court of Small Causes at Madras as if it were a decree of that Court.

80. (1) When by the making of any improvement scheme, any land in the area comprised in the scheme which is not required for the execution thereof will, in the opinion of the Board, be increased in value, the Board, in framing the scheme, may declare that a betterment fee shall be payable by the owner of the land or any person having an interest therein in respect of the increase in value of the land resulting from the execution of the scheme.

Payment of betterment fee.

(2) Such increase in value shall be the amount by which the value of the land on the completion of the execution of the scheme estimated as if the land were clear of buildings exceeds the value of the land prior to the execution of the scheme estimated in like manner; and the betterment fee shall be one-third of such increase in value.

81. (1) When it appears to the Board that an improvement scheme is sufficiently advanced to enable the amount of the betterment fee to be determined, the Board shall by a resolution passed in this behalf declare that for the purpose of determining such fee the execution of the scheme shall be deemed to have been completed and shall thereupon give notice in writing to every person on whom a notice in respect of land to be assessed has been served under clause (*a*) of sub-section (1) of section 49, or to the successor in interest of such person, as the case may be, that the Board proposes to assess the amount of the betterment fee payable in respect of such land under section 80.

Assessment of betterment fee by Board.

(2) The Board shall then assess the amount of betterment fee payable by each person concerned after giving such person an opportunity to be heard and such person shall within three months from the date of receipt of notice in writing of such assessment from the Board, inform the Board in writing whether or not he accepts the assessment.

(3) When the assessment proposed by the Board is accepted by the person concerned within the period specified in sub-section (2), such assessment shall be final.

(4) If the person concerned does not accept the assessment made by the Board or fails to give the Board the information required by sub-section (2) within the period specified therein, the matter shall be determined by an arbitrator appointed by the Government.

82. (1) If the Government are satisfied after such inquiry as they think fit that any arbitrator appointed under sub-section (4) of section 81 has misconducted himself, they may remove him.

Settlement of betterment fee by arbitrator.

(2) If any such arbitrator dies, resigns, is removed, or refuses to perform or in the opinion of the Government neglects to perform or becomes disqualified for or incapable of performing his functions, the Government shall forthwith appoint another arbitrator.

(3) When the arbitrator has made his award, he shall sign it and forward it to the Board, and such award shall, subject to the provisions of sub-section (4), be final and conclusive and binding on all persons.

(4) Any party aggrieved by an award may, within three months from the date of the communication thereof, appeal to the Chief Judge of the Court of Small Causes at Madras, whether the case arises within or outside the limits of the City, and the decision of the said Chief Judge shall be final and conclusive and binding on all persons.

83. The Board shall pay to the arbitrator a fee to be determined by the Government in respect of the whole of the scheme for which his services are utilized.

Fee for arbitrator.

84. (1) The arbitrator shall give notice of his proceedings and conduct them in the manner prescribed by the Government and communicate his award to the parties concerned:

Powers and duties of arbitrator.

Provided that every party to such proceedings shall be entitled to appear before the arbitrator either in person or by his authorized agent.

(2) The arbitrator shall have all the powers of a civil court under the Code of Civil Procedure, 1908, for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and compelling the production of documents and other material objects. Central Act V of 1904.

(3) The costs of and incident to all proceedings before the arbitrator shall be in his discretion and the arbitrator shall have full power to determine by whom or out of what property and to what extent such costs are to be paid and to give all necessary directions for the purpose.

85. When the amount of all betterment fees payable in respect of land in the area comprised in the scheme has been determined under section 81 or section 82, as the case may be, the Board shall, by a notice in writing to be served on all persons liable to such payment, fix a date by which such payment shall be made, and interest at the rate of four and a half per cent per annum upon any amount outstanding shall be payable from that date:

Board to give notice to persons liable to payment of betterment fee.

Provided that any person liable as aforesaid may make payment, if he so chooses, in such number of equal annual instalments not exceeding ten as the Board may determine, the amount of each instalment being fixed by the Board in such a manner that the total sum recovered from such person is equivalent to the amount due from him together with interest calculated at the rate of four and a half per cent per annum on the amount or so much thereof as may, from time to time, remain unpaid.

Agreement to make betterment fee a charge on land.

86. (1) Any person liable to pay a betterment fee in respect of any land may, at his option, instead of paying the same to the Board, execute an agreement with the Board to leave the payment outstanding as a charge on his interest in the land, subject to the payment in perpetuity of interest at the rate of six per cent per annum, the first annual payment of such interest to be made one year from the date referred to in section 85.

(2) Every payment due from any person in respect of a betterment fee and every charge referred to in sub-section (1) shall, notwithstanding anything contained in any other enactment and notwithstanding the existence of any mortgage or other charge, whether legal or equitable, created either before or after the commencement of this Act, be the first charge upon the interest of such person in such land.

(3) If any instalment of interest due under an agreement executed in pursuance of sub-section (1) be not paid on the date on which it is due, the betterment fee shall become payable on that date, in addition to the said instalment.

(4) At any time after an agreement has been executed in pursuance of sub-section (1), any person may pay off the charge created thereby, with the interest due up to the date of such payment.

(5) When an agreement in respect of any land has been executed by any person in pursuance of sub-section (1), no suit with respect to such agreement shall be brought against the Board by any other person (except an heir, executor or administrator of the person first aforesaid) claiming to have an interest in the land.

Recovery of money payable in pursuance of sections 81, 82, 85 or 86.

87. All money payable in respect of any land by any person in respect of a betterment fee under section 81, section 82 or section 85 or by any person under an agreement executed in pursuance of sub-section (1) of section 86, shall be recoverable by the Board (together with interest due, up to the date of realization at the rate of six per cent per annum), from the said person or his successor in interest in such

land, in the manner provided by the Madras City Municipal Act, 1919, for the recovery of taxes and, if the said money is not so recovered, the Chairman may, after giving public notice of his intention to do so, and not less than one month after the publication of such notice, sell the interest of the said person or successor in such land by public auction, and may deduct the said money and the expenses of the sale from the proceeds of the sale, and shall pay the balance (if any) to the defaulter. Madras Act IV of 1919.

Board to appoint persons for enforcement of processes for recovery of dues.

88. The Board may direct by what authority any powers or duties incident under the Madras City Municipal Act, 1919, to the enforcement of any process for the recovery of taxes shall be exercised and performed when that process is employed under section 87. Madras Act IV of 1919.

Agreement or payment not to bar acquisition under fresh declaration.

89. If any land in respect of which the payment of a betterment fee has been accepted in pursuance of sub-section (3) of section 81 or has been made after its determination under section 82 or section 85 or in respect of which an agreement regarding the betterment fee has been executed under section 86, be subsequently required for any of the purposes of this Act, the payment or agreement shall not be deemed to prevent the acquisition of the land in pursuance of a fresh declaration published under section 6 of the Land Acquisition Act, 1894. Central Act I of 1894.

Power to dispose of land.

90. (1) The Board may retain, or may lease, sell, exchange, or otherwise dispose of, any land vested in or acquired by it under this Act.

(2) Whenever the Board decides to lease or sell any land acquired by it under this Act from any person, it—

(*a*) shall give notice by advertisement in the local newspapers, and

(*b*) shall offer to the said person, or his heirs, executors or administrators, a prior right to take on lease or to purchase such land for an amount or at a rate to be fixed by the Board, if the Board considers that such an offer can be made without detriment to the carrying out of the purposes of this Act.

(3) If in any case two or more persons claim to have the prior right referred to in clause (*b*) of sub-section (2), preference shall be given to the person who agrees to pay the higher or the highest amount or rate for the land, not being less than the amount or rate fixed by the Board under that clause.

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CHAPTER V.

FINANCE.

91. (1) The Government and the Corporation shall each contribute to the Board on the first day of April every year, so long as the Board continues to exist, a sum of not less than two and a half lakhs of rupees.

Annual contribution by the Government and the Corporation.

(2) The annual payment due from the Corporation under sub-section (1) shall be made in priority to all other payments due from it, except those referred to in section 152 of the Madras City Municipal Act, 1919.

Madras Act IV of 1919.

(3) If the annual payment due from the Corporation cannot be made without increasing the maximum rate of property tax authorized by the proviso to sub-section (2) of section 99 of the Madras City Municipal Act, 1919, then, that maximum may be increased to such extent as may be necessary to secure the due making of such payment.

Madras Act IV of 1919.

92. (1) The Board shall be deemed to be a local authority, as defined in the Local Authorities Loans Act, 1914, for the purpose of borrowing money under that Act but the provisions of that Act and of the rules made thereunder shall have effect subject to the provisions contained in this Act.

Central Act IX of 1914.

Board to be a local authority within the meaning of the Local Authorities Loans Act, 1914.

(2) The Board shall also have power to borrow money from the Government on such terms as may be approved by them.

93. Whenever the borrowing of any sum of money has been approved by the Government, the Board may, instead of borrowing such sum or any part thereof from the public, take credit from any bank, on a cash account to be kept in the name of the Board to the extent of such sum or part ;

Loans from banks.

and with the previous sanction of the Government, may grant mortgages of all or any property vested in the Board by way of security for such credit.

94. Whenever any sum of money has been borrowed by the Board for the purpose of meeting particular expenditure or of repaying a particular loan, no portion thereof shall be applied to any other purpose without the previous sanction of the Government.

Diversion of borrowed money to purposes other than those first approved.

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95. (1) Whenever money is borrowed by the Board on debentures, the debentures shall be in such form as the Board may, with the previous sanction of the Government, determine.

Form, signature, exchange, transfer and effect of debentures.

(2) All debentures shall be signed by the Chairman and one other Trustee.

(3) The holder of any debenture in any form prescribed under sub-section (1) may obtain in exchange therefor, a debenture in any other form so prescribed, upon such terms as the Board may determine.

(4) Every debenture issued by the Board shall be transferable by endorsement, unless some other mode of transfer is specified therein.

96. All coupons attached to debentures issued under this Act shall bear the signature of the Chairman ; and such signature may be engraved, lithographed or impressed by any mechanical process.

Signature of coupons attached to debentures.

97. When any debenture or security issued under this Act is payable to two or more persons jointly, and either or any of them dies, then, notwithstanding anything in section 45 of the Indian Contract Act, 1872, the debenture or security shall be payable to the survivor or survivors of such persons :

Central Act IX of 1872.

Payments to survivors of joint payees.

Provided that nothing in this section shall affect any claim by the representative of the deceased person against such survivor or survivors.

98. Where two or more persons are joint holders of any debenture or security issued under this Act, any one of such persons may give an effectual receipt for any interest or dividend payable in respect of such debenture or security, unless notice to the contrary has been given to the Board by any other of such persons.

Receipt by joint holder for interest or dividend.

99. All payments due from the Board for interest on, or the repayment of loans, shall be made in priority to all other payments due from the Board.

Priority of payments for interest and repayment of loans.

100. Every loan taken by the Board shall be repaid within the period approved by the Government and, subject to the provisions of sub-section (2) of section 123, by such of the following methods as may be so approved, namely :—

Repayment of loans taken under section 95.

(*a*) from a sinking fund established under section 101 in respect of the loan, or

(*b*) by paying equal yearly or half-yearly instalments of principal, or of principal and interest, throughout the said period, or

(*c*) if the Board has, before borrowing money on debentures, reserved by public notice a power to pay off the loan by periodical instalments and to select by lot the particular debentures to be discharged at particular periods then, by paying such instalments at such periods, or

(*d*) from money borrowed for the purpose, or

(*e*) partly from the sinking fund established under section 101 in respect of the loan, and partly from money borrowed for the purpose.

Establishment and maintenance of sinking funds.

101. (1) Whenever the Government have approved the repayment of a loan from a sinking fund, the Board shall establish such a fund, and shall pay into it every year, until the loan is repaid, a sum so calculated that, if regularly paid throughout the period approved by the Government, it would, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the loan at the end of that period.

(2) The rate of interest on the basis of which the sum referred to in sub-section (1) shall be calculated shall be such as may be prescribed by the Government.

Power to discontinue payments into sinking fund.

102. Notwithstanding anything contained in section 101, if at any time the sum standing at credit of the sinking fund established for the repayment of any loan, is of such amount that, if allowed to accumulate at the rate of interest prescribed under sub-section (2) of that section, it will be sufficient to repay the loan at the end of the period approved by the Government, then, with the permission of the Government, further annual payments into such funds may be discontinued.

Investment of sinking funds.

103. (1) All money paid into any sinking fund shall as soon as possible be invested, under the orders of the Board, in—

(*a*) Government securities, or

(*b*) securities guaranteed by the Central or any State Government, or

(*c*) debentures issued by the Corporation, or

(*d*) debentures issued by the Trustees of the Port of Madras, or

(*e*) debentures issued by the Board,

in the joint names of the Secretary to the Government of Madras in the Finance Department and the Accountant-General

of Madras, to be held by them as trustees for the purpose of repaying from time to time the debentures issued by the Board.

(2) All dividends and other sums received in respect of any such investment shall, as soon as possible after receipt, be paid into the appropriate sinking fund and invested in the manner prescribed by sub-section (1).

(3) Any investment made under this section may from time to time, subject to the provisions of sub-section (1), be varied or transposed.

Application of sinking funds.

104. The two trustees referred to in sub-section (1) of section 103 in whose names any sinking fund is invested may from time to time apply the same, or any part thereof, in or towards the discharge of the loan or any part of the loan for which such fund was established; and until such loan is wholly discharged, shall not apply the same for any other purpose.

Annual statements by trustees.

105. (1) The two trustees aforesaid shall at the end of every financial year, transmit to the Chairman a statement showing—

(*a*) the amount which has been invested during the year under section 103,

(*b*) the date of the last investment made previous to the transmission of the statement,

(*c*) the aggregate amount of the securities held by them,

(*d*) the aggregate amount which has, up to the date of the statement, been applied under section 104 in or towards repaying loans, and

(*e*) the aggregate amount already paid into each sinking fund.

(2) Every such statement shall be laid before the Board and published in the *Fort St. George Gazette*.

Annual examination of sinking funds.

106. (1) The Accountant-General, Madras, shall examine the said sinking funds every year and ascertain whether the cash and the current value of the securities at credit of such funds are actually equal to the amount which would have accumulated, had investments been regularly made and had the rate of interest as originally estimated been obtained therefrom.

(2) The Board shall forthwith pay into any sinking fund any amount which the Accountant-General may certify to be the deficiency therein after examination as aforesaid, unless the Government specially sanction a gradual readjustment.

107. (1) The Chairman shall, at a special meeting to be held in the month of February in each year, lay before the Board an estimate of the income and expenditure of the Board for the next ensuing financial year.

Estimates of income and expenditure to be laid annually before the Board.

(2) Every such estimate shall make provision for the due fulfilment of all the liabilities of the Board and for the efficient administration of this Act.

(3) Every such estimate shall differentiate capital and revenue funds, and shall be prepared in such form, and shall contain such details, as the Government or the Board may from time to time direct.

(4) Every such estimate shall be completed and printed and a copy thereof sent, by post or otherwise, to each Trustee at least ten clear days before the date of the meeting at which the estimate is to be laid before the Board.

108. The Board shall consider every estimate so laid before it and shall sanction the same, either without alteration or with such alteration as it may think fit.

Sanction of Board to estimates.

109. (1) Every such estimate, as sanctioned by the Board, shall be submitted to the Government who may, at any time within two months after receipt of the same—

Approval of Government to estimates.

(*a*) approve the estimate, or

(*b*) disallow the estimate or any portion thereof, and return the estimate to the Board for amendment.

(2) If any estimate is so returned to the Board, it shall forthwith proceed to amend it and shall resubmit the estimate as amended to the Government who may then approve it.

110. A copy of every such estimate shall, when approved by the Government, be sent by the Board to the Commissioner of the Corporation of Madras.

Transmission of copy of estimate to the Commissioner.

111. (1) The Board may, at any time during the year for which any estimate has been sanctioned, cause a supplementary estimate to be prepared and laid before it at a special meeting.

Supplementary estimates.

(2) The provisions of sub-sections (3) and (4) of section 107 and of sections 108 to 110 shall apply to every supplementary estimate.

112. (1) No sum shall be expended by or on behalf of the Board unless the expenditure of the same is covered by a current budget grant or can be met by reappropriation or by drawing on the closing balance.

Adherence to estimate and maintenance of closing balance.

(2) The closing balance shall not be reduced below such limit as may be fixed in this behalf by the Government from time to time.

(3) The following items shall be exempted from the provisions of sub-sections (1) and (2), namely :—

(*a*) repayments of moneys belonging to contractors or other persons and held in deposit, and of moneys collected by, or credited to, the Board by mistake ;

(*b*) payments due under a decree or order of a court or under an award of the Tribunal ;

(*c*) sums payable under a compromise of any suit or other legal proceeding or claim effected under this Act ;

(*d*) sums payable under this Act by way of compensation ; and

(*e*) payments required to meet any pressing emergency.

(4) Whenever any sum exceeding five thousand rupees is expended under clause (*e*) of sub-section (3), the Chairman shall forthwith report the circumstances to the Government explaining how the Board proposes to cover the expenditure.

113. All moneys payable to the Board shall be received by the Chairman, and shall forthwith be paid into such bank as may be approved by the Government in this behalf to the credit of an account which shall be styled " The Account of the Trustees for the Improvement of the City of Madras."

Receipt of moneys, and deposit in Bank.

114. (1) Surplus moneys at the credit of the said account may from time to time be—

Investment of surplus money.

(*a*) deposited at interest in the Bank aforesaid ; or

(*b*) invested in such securities or debentures as may be approved by the Government.

(2) All such deposits and investments shall be made by the Chairman on behalf of, and with the sanction of, the Board ; and with the like sanction, the Chairman may at any time withdraw any deposits so made, or dispose of any securities, and re-deposit or re-invest the money so withdrawn or the proceeds of the disposal of such securities.

115. (1) No payment shall be made by the Bank out of the account referred to in section 113, except upon a cheque.

Payments by cheques.

(2) Payment of any sum due by the Board exceeding one hundred rupees in amount shall be made by means of a cheque, and not in any other way.

Signature of orders under section 114 and cheques.

116. All orders for making any deposit, investment, withdrawal or disposal under section 114, and all cheques referred to in section 115, must be signed—

(*a*) by the Chairman and the Secretary to the Board, or

(*b*) in the event of the illness or absence from the City of the Chairman or the Secretary, then by the Secretary or the Chairman, as the case may be, and by a Trustee other than the Chairman.

Duty of Chairman and others before signing cheque.

117. Before the Chairman or any other Trustee or the Secretary to the Board signs a cheque under section 116, he must satisfy himself that the sum for which such cheque is drawn is required for a purpose or work specifically sanctioned by the Board or is an item of payment specified in sub-section (3) of section 112.

Definition of "cost of management."

118. (1) The expression "cost of management" as used in the following sections in this Chapter, means—

(*a*) the salary and house-rent and conveyance allowance (if any) of the Chairman or acting Chairman, and any other allowances and any contributions payable to or in respect of the Chairman or acting Chairman;

(*b*) the salaries, fees and allowances of, and the contributions paid under section 141 in respect of, officers and servants of the Board referred to in section 28;

(*c*) the remuneration of other employees of the Board except employees who are paid by the day or whose pay is charged to temporary work;

(*d*) all payments made under sections 77 and 141 on account of the Tribunal; and

(*e*) all office expenses incurred by the Board or the Tribunal.

(2) The expression "office expenses" in clause (*e*) of sub-section (1) means expenses incurred for carrying on office work, and includes the rent of offices, the provision of furniture therefor, and charges for printing and stationery.

Keeping of capital account and revenue account.

119. (1) The Board shall keep a capital account and a revenue account.

(2) The capital account shall show separately all expenditure incurred by the Board on each improvement scheme.

Credits to capital account.

120. There shall be credited to the capital account—

(*a*) all sums (except interest) received by way of betterment fees under this Act;

(*b*) all moneys received on account of loans taken by the Board in pursuance of this Act;

(*c*) the proceeds of the sale of any land, belonging to the Board which was purchased out of any such loan;

(*d*) where land was purchased out of an advance from the revenue account, the portion of the proceeds of the sale of such land which remains after crediting to the revenue account the amount of such advance;

(*e*) the proceeds of the sale of any movable property (including securities for money invested from the capital account) belonging to the Board;

(*f*) all lump-sums received from any Government in aid of the capital account;

(*g*) all premia received by the Board in connexion with leases for any term exceeding forty years;

(*h*) all sums (if any) which the Government direct under sub-section (2) of section 123 to be credited to the capital account; and

(*i*) all moneys resulting from the sale of securities by direction of the Government under section 124.

Application of capital account.

121. The moneys credited to the capital account shall be held by the Board in trust, and shall be applied to—

(*a*) meeting all costs of framing and executing improvement schemes;

(*b*) meeting the cost of acquiring land for carrying out any of the purposes of this Act;

(*c*) meeting the cost of constructing building required for carrying out any of the purposes of this Act;

(*d*) the repayment of loans from money borrowed in pursuance of this Act;

(*e*) making payments in pursuance of section 146, otherwise than for interest or for expenses of maintenance or working;

(*f*) making or contributing towards the cost of surveys in pursuance of section 163;

(*g*) meeting such proportion of the cost of management as may be prescribed by the Board;

(*h*) temporarily making good the deficit (if any) in the revenue account at the end of any financial year.

Credits to revenue account.

122. There shall be credited to the revenue account—

(*a*) all interest received in pursuance of section 86 or section 87 ;

(*b*) all sums contributed by the Government and by the Corporation under section 91 ;

(*c*) all other annually recurring sums received from the Government in aid of the funds of the Board ;

(*d*) all damages received by the Board under section 158 ;

(*e*) all premia received by the Board in connexion with leases for any term not exceeding forty years ;

(*f*) all rents of land vested in the Board ; and

(*g*) all other receipts by the Board which are not required by section 120 to be credited to the capital account.

Application of revenue account.

123. (1) The moneys credited to the revenue account shall be held by the Board in trust, and shall be applied to—

(*a*) meeting all charges for interest and sinking fund due on account of any loan taken in pursuance of this Act, and all other charges incurred in connexion with such loans ;

Madras Act IV of 1919.

(*b*) paying all sums due from the Board in respect of rates and taxes imposed under the Madras City Municipal Act, 1919, upon land vested in the Board ;

(*c*) paying the cost (if any) of maintaining a separate establishment for the collection of the rents and other proceeds of land vested in the Board ;

(*d*) paying the fees determined for arbitrators under section 83 ;

(*e*) paying all sums which the Government may direct to be paid to any auditor under section 130 ;

(*f*) making payments in pursuance of section 146 for interest or for expenses of maintenance or working ;

(*g*) paying the cost of management, excluding such proportion thereof as may be debited to the capital account under clause (*g*) of section 121 ;

(*h*) paying all other sums due from the Board, other than those which are required by section 121 to be disbursed from the capital account.

(2) The surplus (if any) remaining after making the payments referred to in sub-section (1) shall, subject to the maintenance of a closing balance as required by sub-section (2) of section 112, be invested in the manner prescribed in section 103 towards the service of any loans outstanding after the expiry of sixty years from the commencement of this Act, unless the Government otherwise direct.

Power to direct sale of securities in which any surplus of the revenue account is invested.

124. If at any time after any surplus referred to in sub-section (2) of section 123 has been invested, the Government are satisfied that the investment is not needed for the service of any loan referred to in that sub-section, they may direct the sale of the securities held under the investment.

Advances from revenue account to capital account.

125. (1) Notwithstanding anything contained in section 123, the Board may advance any sum standing at the credit of the revenue account for the purpose of meeting capital expenditure.

(2) Every such advance shall be refunded to the revenue account as soon as may be practicable.

Advances from capital account to revenue account.

126. (1) Any deficit in the revenue account at the end of any financial year may be made good by an advance from the capital account.

(2) Every such advance shall be refunded to the capital account in the following financial year.

Submission of abstracts of accounts to Government.

127. At the end of each half of every financial year, the Board shall submit to the Government an abstract of the accounts of its receipts and expenditure for such half-year.

Annual audit of accounts.

128. The accounts of the Board shall be examined and audited once in every financial year by such auditor as the Government may appoint in this behalf.

Powers of auditors.

129. The said auditor may—

(*a*) by summons in writing require production of any document, the perusal or examination of which he believes necessary for the elucidation of the accounts ;

(*b*) by summons in writing require any person who has the custody or control of any such document or who is accountable therefor to appear in person before him ;

(*c*) require any person so appearing to make and sign a declaration with respect to such document or to answer any question or to prepare and furnish any statement relating thereto.

Remuneration of auditor.

130. The Board shall pay to the said auditor such remuneration as the Government may direct.

131. (1) The said auditor shall—

Reports and information to be furnished by auditor to the Board.

(*a*) report to the Board and to the Government any material impropriety or irregularity which he may observe in the expenditure, or in the recovery of moneys due to the Board, or in the accounts;

(*b*) furnish to the Board such information as it may from time to time require concerning the progress of his audit;

(*c*) report to the Chairman any loss or waste of money or other property owned by or vested in the Board caused by neglect or misconduct, with the names of persons directly or indirectly responsible for such loss or waste; and

(*d*) submit to the Chairman a final statement of the audit and a duplicate copy thereof to the Government within a period of three months from the end of the financial year, or within such other period as the Government may allow in that behalf.

(2) (*a*) The said auditor may disallow every item contrary to law and surcharge the same on the person making or authorizing the making of the illegal payment; and may charge against any person responsible therefor, the amount of any deficiency or loss incurred by the negligence or misconduct of that person or of any sum which ought to have been but is not brought into account by that persons and shall, in every such case, certify the amount due from such person.

Explanation.—It shall not be open to any person whose negligence or misconduct has caused or contributed to any such deficiency or loss, to contend that notwithstanding his negligence or misconduct, the deficiency or loss would not have occurred but for the negligence or misconduct of some other person.

(*b*) The said auditor shall state in writing the reasons for his decision in respect of every disallowance, surcharge or charge and furnish a copy thereof by registered post to the person against whom it is made.

(*c*) If the person to whom a copy of the decision is so furnished refuses to receive it, he shall nevertheless be deemed to have been duly furnished with the copy, within the meaning of clause (*b*); and the period of fourteen days fixed in sub-sections (3) and (4) shall be calculated from the date of such refusal.

(3) Any person aggrieved by a disallowance, surcharge or charge made under sub-section (2) may, within fourteen days after he has been furnished with a copy of the decision of the auditor, either (*a*) apply to the Court of Small Causes at Madras, notwithstanding anything contained in the

Presidency Small Cause Courts Act, 1882, to set asid such disallowance, surcharge or charge, in which case the Court may, after taking such evidence as it thinks necessary, confirm, modify or remit such disallowance, surcharge or charge, within such orders as to costs as it may think proper in the circumstances; or (*b*) in lieu of such application, appeal to the Government who shall pass such orders as they think fit :— Central Act XV of 1882.

(4) Every sum certified to be due from any person by the auditor under this Act shall be paid by such person to the Board within fourteen days after he has been furnished with a copy of the decision of the auditor unless within that time such person has applied to the Court or appealed to the Government against the decision under sub-section (3); and such sum if not so paid, or such sum as the Court or the Government shall declare to be due, shall be recoverable on an application made by the Board to the Court in the same way as an amount decreed by it.

(5) Notwithstanding anything contained in this section, the Government may at any time direct that the recovery of the whole or any part of the amount certified to be due from any person by the auditor under this Act shall be waived if in their opinion such a course is necessary, considering all the circumstances of the cause.

132. The Chairman shall cause the report mentioned in clause (*d*) of section 131 (1) to be printed and shall forward a printed copy thereof to each Trustee and shall bring such report before the Board for consideration at its next meeting.

Auditor's report to be sent to each Trustee and considered by Board.

133. It shall be the duty of the Board forthwith to remedy any defects or irregularities that may be pointed out by the auditor.

Board to remedy defects pointed out by auditor.

134. As soon as practicable after the receipt of the said report, the Board shall prepare an abstract of the accounts to which it relates, and shall publish such abstract in the *Fort St. George Gazette* and send a copy of the abstract to the Commissioner and to the Government.

Publication and transmission of an abstract of the accounts.

CHAPTER VI.

RULES.

135. The Government may make rules consistent with this Act—

Power of the Government to make rules.

(*a*) with regard to all matters expressly required or allowed by this Act to be prescribed by the Government;

(*b*) for regulating elections to the Board in respect of all matters relating to such elections which are not expressly provided for in this Act ;

(*c*) for regulating the proceedings of the arbitrator referred to in section 82 ;

(*d*) for prescribing the fees payable for copies of, or extracts from, the assessment books of the Corporation or of any other local authority, furnished to the Chairman ;

(*e*) as to the conditions on which officers and servants of the Board or of the Tribunal may be appointed, reduced, suspended, discharged, removed or dismissed ;

(*f*) as to the intermediate office or offices (if any) through which correspondence between the Board and the Government or their officers shall pass ;

(*g*) as to the accounts to be kept by the Board ;

(*h*) as to the returns, statements, reports and accounts to be submitted by the Board ;

(*i*) prescribing and defining the mutual relations to be observed between the Board and other local authorities in any matter in which they are jointly interested ;

(*j*) generally for the guidance of the Board and public officers in all matters connected with the carrying out of the provisions of this Act.

136. The Board may, from time to time with the previous sanction of the Government, make rules consistent with this Act and with any rules made thereunder by the Government—

Power of the Board to make rules.

(*a*) in regard to all matters expressly required or allowed by this Act to be prescribed by the Board ;

(*b*) for associating members with the Board under section 17 ;

(*c*) for appointing persons other than Trustees and persons associated with the Board under section 17 to be members of Committees under section 18 ;

(*d*) for regulating the delegation of powers or duties of the Board to Committees or to the Chairman ;

(*e*) for the guidance of persons employed by it under this Act ;

(*f*) for prescribing the fees payable for copies of documents delivered by any of its officers and servants under this Act ;

(*g*) for the management, use and regulation of dwellings constructed under any improvement scheme ;

(*h*) generally for carrying out the purposes of this Act.

137. The power to make rules conferred by sections 135 and 136 is subject to the condition of previous publication and no such rules shall take effect until they have been published in the *Fort St. George Gazette.*

Rules to be subject to previous publication and to be published in Gazette.

138. (1) The Chairman shall from time to time cause all rules made under section 135 or section 136 to be printed and shall make such printed copies available for sale to the public.

Printing and sale of copies of rules.

(2) The Chairman shall cause a notice to be published in local newspapers specifying the place where and the person from whom and the price at which a copy of the rules may be obtained.

139. The Government may, after previous publication of their intention, rescind any rule made by the Board under section 136 and thereupon such rule shall cease to have effect.

Power of Government to cancel rules made under section 136.

CHAPTER VII.

Supplemental Provisions.

140. Every Trustee, every officer and servant of the Board, and every member, officer and servant of the Tribunal, shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Trustees, etc., deemed to be public servants.

Central Act XLV of 1860.

141. The Board shall be liable to pay such contributions for the leave allowances and pensions of any servant of the Central or State Government employed as Chairman or as an officer or servant of the Board, or as a member, officer or servant of the Tribunal, as may be required by the conditions of his service under the Central or State Government, to be paid by him or on his behalf.

Contributions by Board towards leave allowances and pensions of servants of the Central or State Government employed under this Act.

142. (1) When all or any provisions of this Act have been applied to any area in the neighbourhood of the City under sub-section (2) of section 1, the Government may, by notification, declare that all or any of the provisions of the Madras City Municipal Act, 1919, shall be extended to, and be in force in, such area.

Power to extend the Madras City Municipal Act, 1919, to areas near the City to which provisions of the present Act have been applied.

Madras Act IV of 1919.

(2) The provisions so notified shall be construed with such alterations not affecting the substance as may be necessary or proper for the purpose of adapting them for such area.

(3) Without prejudice to the generality of the foregoing provision, except in so far as the notification issued under sub-section (1) may otherwise direct, all references in the provisions so extended to the Corporation or the council or a standing committee thereof shall be construed as references to the Board, all references to the Commissioner as refreneces to the Chairman, all references to any other officer or servant of the Corporation as references to the corresponding officer or servant of the Board, and all references to the limits of the City as references to the limits of such area.

Madras Act IV of 1919.

(4) When all or any of the provisions of the Madras City Municipal Act, 1919, are extended under sub-section (1) to any area,

Madras Act V of 1920. Madras Act XIV of 1920.

(*a*) the Madras District Municipalities Act, 1920, or the Madras Local Boards Act, 1920, or the corresponding provisions of such Act, as the case may be, in so far as the same may be in force in such area, shall be deemed to be repealed therein, and

Madras Act IV of 1919.

(*b*) except in so far as the notification issued under sub-section (1) may otherwise direct, the rules, by-laws, regulations, orders, directions and powers made, issued or conferred under the provisions of the Madras City Municipal Act, 1919, which have been so extended and are in force on the date of such extension, shall apply to the said area, in supersession of the corresponding rules, by laws, regulations, orders, directions and powers (if any) made, issued or conferred under the Madras District Municipalities Act, 1920, or the Madras Local Boards Act, 1920, as the case may be.

Madras Act V of 1920. Madras Act XIV of 1920.

143. (1) Before publishing a notification under sub-section (2) of section 1, or sub-section (1) of section 142, in respect of any area, the Government shall publish a draft of the same in the *Fort St. George Gazette*.

Publication of notifications under sections 1 (2) and 142 (1) in draft for criticism.

(2) Any rate-payer or inhabitant of such area may, if he objects to the draft, submit his objection in writing to the Government within six weeks from its publication, and the Government shall take such objection into consideration.

144. In any area to which this Act applies, the Government may by notification declare that from such date as may be specified therein, the Corporation or a standing committee thereof or the Commissioner of the Corporation shall not exercise or discharge any powers or functions under the Madras Town-Planning Act, 1920, and that subject to such restrictions and modifications, if any, as may be specified in the notification—

Board and Chairman to exercise powers and functions under the Madras Town-Planning Act, 1920.

Madras Act VII of 1920.

(i) the powers and functions of the Corporation or a standing committee thereof under the said Act shall be exercised and discharged by the Board; and

(ii) the powers and functions of the Commissioner of the Corporation under the said Act shall be exercised and discharged by the Chairman.

145. (1) In any area in respect of which an improvement scheme is in force, the Government may, by notification, declare that, for the period during which such scheme remains in force and subject to such restrictions and modifications, if any, as may be specified in the notification—

Board and Chairman to exercise powers and functions under the Madras City Municipal Act, 1919.

(i) the powers and functions of the Corporation or a standing committee thereof under the Madras City Municipal Act, 1919, shall be exercised and discharged by the Board; and

Madras Act IV of 1919.

(ii) the powers and functions of the Commissioner of the Corporation under the said Act shall be exercised and discharged by the Chairman.

(2) The Board or the Chairman may delegate any of the functions exercisable by it or him under sub-section (1) to any officer or servant of the Board.

(3) The exercise or discharge of any of the powers or functions delegated under sub-section (2) shall be subject to such limitations, conditions and control as may be laid down by the Board or the Chairman, as the case may be.

146. With a view to facilitating the movement of the population in and around the City of Madras, the Board may, from time to time,—

Powers of the Board for facilitating movement of the population.

(1) subject to any condition it may think fit to impose,—

(*a*) guarantee the payment, from the funds at its disposal, of such sums as it may think fit, by way of interest on capital expenditure on the construction, maintenance or working of means of locomotion; or

(*b*) make such payments as it may think fit from the said funds, by way of subsidy to persons undertaking to provide, maintain and work means of locomotion; or

(2) either singly or in combination with any other person, construct, maintain and work any means of locomotion, under the provisions of any law applicable thereto; or

(3) construct or widen, strengthen or otherwise improve, bridges:

Provided that no guarantee or subsidy shall be made under clause (1), and no means of locomotion shall be constructed, maintained or worked under clause (2), without the sanction of the Government.

Central Act XIII of 1885. Central Act IX of 1890. Central Act IX of 1910. Central Act LIV of 1948.

Saving of Telegraph, Railways and Electricity Acts.

147. Nothing in this Act shall be deemed to effect the provisions of the Indian Telegraph Act, 1885, or the Indian Railways Act, 1890, or the Indian Electricity Act, 1910, or the Electricity (Supply) Act, 1948.

Cognizance of offences.

148. A Presidency Magistrate may take cognizance of any offence against this Act or any rule made thereunder wherever it may be committed, notwithstanding anything contained in the Code of Criminal Procedure, 1898, to the contrary.

Central Act V of 1898.

Limitation of time for prosecution.

149. No person shall be tried for any offence against this Act or any rule made thereunder unless complaint of such offence is made before a Presidency Magistrate within three months next after the commission thereof.

Powers of Chairman as to institution, composition, etc., of legal proceedings and obtaining legal advice.

150. The Chairman may, subject to the control of the Board,—

(*a*) institute, defend or withdraw from legal proceedings under this Act or any rule made thereunder;

(*b*) compound any offence against this Act or any rule made thereunder which, under any law for the time being in force or the rules prescribed by the Government, may lawfully be compounded;

(*c*) admit, compromise or withdraw any claim made under this Act or any rule made thereunder; and

(*d*) obtain such legal advice and assistance as he may, from time to time, think it necessary or expedient to obtain, or as he may be desired by the Board to obtain, for any of the purposes referred to in the foregoing clauses of this section or for securing the lawful exercise or discharge of any power or duty vested in or imposed upon the Board or any officer or servant of the Board.

Indemnity to Board, etc.

151. No suit shall be maintainable against the Board, or any Trustee, or any officer or servant of the Board or any person acting under the direction of the Board or of the Chairman or of any officer or servant of the Board, in respect of anything lawfully and in good faith done under this Act or any rule made thereunder.

Notice of suit against Board, etc.

152. No suit shall be instituted against the Board, or any Trustee, or any officer or servant or the Board, or any person acting under the direction of the Board or of the Chairman or of any officer or servant of the Board, in respect of any act purporting to be done under this Act or any rule made thereunder until the expiration of one month next after written notice has been delivered or left at the Board's office or the place of abode

of such officer, servant or person, stating the cause of action, the name and place of abode of the intending plaintiff, and the relief which he claims, and the plaint must contain a statement that such notice has been so delivered or left.

Co-operation of the police.

153. (1) The Commissioner of Police and his subordinates shall be bound to co-operate with the Chairman for carrying into effect and enforcing the provisions of this Act.

(2) It shall be the duty of every police-officer who is subordinate to the Commissioner of Police—

(i) to communicate without delay to the proper officer or servant of the Board any information which he receives of a design to commit or of the commission of any offence against this Act or any rule made thereunder, and

(ii) to assist the Chairman or any officer or servant of the Board reasonably demanding his aid for the lawful exercise of any power vesting in the Chairman or in such officer or servant under this Act or any rule made thereunder.

Arrest of offenders.

154. (1) Any police-officer not below the rank of a head constable may arrest any person who commits, in his presence, any offence against this Act or any rule made thereunder, if the name or address of such person be unknown to him, and if such person, on demand declines to give his name or address, or gives a name or address which such officer has reason to believe to be false.

(2) No person so arrested shall be detained in custody after his true name and address are ascertained, or for any longer time than is necessary for bringing him before a Magistrate. In no case shall such detention exceed twenty-four hours from the time of arrest without the orders of a Magistrate.

Proof of consent, etc., of Board or Chairman or officer or servant of Board.

155. Whenever, under this Act or any rule made thereunder, the doing or the omission to do anything or the validity of anything depends upon the approval, sanction, consent, concurrence, declaration, opinion or satisfaction of—

(*a*) the Board or the Chairman, or

(*b*) any officer or servant of the Board.

a written document, signed in case (*a*) by the Chairman, and in case (*b*) by the said officer or servant, conveying or setting forth such approval, sanction, consent, concurrence, declaration, opinion or satisfaction, shall be sufficient evidence of such approval, sanction, consent, concurrence, declaration, opinion or satisfaction.

156. (1) No act done or proceeding taken under this Act shall be questioned on the ground merely of—

Validation of acts and proceedings.

(*a*) the existence of any vacancy in, or any defect in the constitution of, the Board or any Committee; or

(*b*) any person, having ceased to be a Trustee; or

(*c*) any Trustee, or any person associated with the Board under section 17, or any other member of a Committee appointed under this Act, having voted or taken any other part in any proceeding in contravention of section 21; or

(*d*) the failure to serve a notice under section 49 on any person, where no substantial injustice has resulted from such failure; or

(*e*) any omission, defect or irregularity not affecting the merits of the case.

(2) Every meeting of the Board, the minutes of the proceedings of which have been duly signed as prescribed in clause (*h*) of section 16, shall be deemed to have been duly convened and to be free from all defect and irregularity.

157. In any case not otherwise expressly provided for in this Act, the Board may pay reasonable compensation to any person who sustains damage by reason of the exercise of any of the powers vested by or under this Act in the Board or the Chairman or any officer or servant of the Board.

General power of Board to pay compensation.

158. (1) If, on account of any act or omission, any person has been convicted of any offence against this Act or any rule made thereunder and, by reason of the same act or omission of the said person, damage has occurred to any property of the Board, compensation shall be paid by the said person for the said damage, notwithstanding any punishment to which he may have been sentenced for the said offence.

Compensation to be paid by offenders for damage caused by them.

(2) In the event of dispute, the amount of compensation payable by the said person shall be determined by the Magistrate by whom he was convicted of the said offence.

(3) If the amount of any compensation due under this section be not paid, the same shall be recovered under a warrant from the said Magistrate, as if it were a fine imposed by him on the person liable therefor.

159. Every public notice given under this Act or any rule made thereunder shall be in writing over the signature of the Chairman, and shall be widely made known in the locality to be affected thereby, by

Public notices how to be made known.

affixing copies thereof in conspicuous public places within the said locality, or by publishing the same by beat of drum or by advertisement in local newspapers, or by any two or more of these means, and by any other means that the Chairman may think fit. Every such notice shall also be published by affixture in the notice board of the Board's office.

160. Whenever it is provided by this Act or any rule made thereunder that notice shall be given by advertisement in local newspapers, or that a notification or any information shall be published in local newspapers, such notice, notification or information shall be inserted, if practicable, in at least two English newspapers and two newspapers published in any language or languages of the State.

Newspapers in which advertisements or notices are to be published.

161. Every notice or bill, which is required by this Act or by any rule made thereunder to bear the signature of the Chairman or of any other Trustee or of any officer or servant of the Board, shall be deemed to be properly signed if it bears a *facsimile* of the signature of the Chairman or of such other Trustee or of such officer or servant, as the case may be, stamped thereupon.

Stamping signature on notices or bills.

162. When any notice, bill or other document is required by this Act or any rule made thereunder to be served upon or issued or presented to any person, such service, issue or presentation shall be effected—

Service how to be effected.

(*a*) by giving or tendering such document to such person; or

(*b*) if such person is not found, by leaving such document at his last known place of abode in the City of Madras, or by giving or tendering the same to some adult male member or servant of his family; or

(*c*) if such person does not reside in the City of Madras, and his address elsewhere is known to the Chairman, by forwarding such document to him by registered post under cover bearing the said address; or

(*d*) if none of the means aforesaid be available, by causing a copy of such document to be affixed on some conspicuous part of the building or land (if any) to which the document relates.

163. The Board may—

(*a*) cause a survey of any land to be made, whenever it considers that a survey is necessary or expedient for carrying out any of the purposes of this Act, or

Power to make surveys, or contribute towards their cost.

(*b*) contribute towards the cost of any such survey made by any other local authority.

Power of entry.

164. (1) The Chairman or any person either generally or specially authorized by the Chairman in this behalf may, with or without assistants or workmen, enter into or upon any land, in order—

(*a*) to make any inspection, survey, measurement, valuation or inquiry,

(*b*) to take levels,

(*c*) to dig or bore into the sub-soil,

(*d*) to set out boundaries and intended lines of work,

(*e*) to mark such levels, boundaries and lines by placing marks, and cutting trenches, or

(*f*) to do any other thing,

whenever it is necessary to do so for any of the purposes of this Act or any rule made or scheme sanctioned thereunder or any scheme which the Board intends to frame thereunder:

Provided as follows:—

(*a*) no such entry shall be made between sunset and sunrise;

(*b*) no dwelling house, and no public building or hut which is used as a dwelling place, shall be so entered, unless with the consent of the occupier thereof, without giving the said occupier at least twenty-four hours' previous written notice of the intention to make such entry;

(*c*) sufficient notice shall in every instance be given, even when any premises may otherwise be entered without notice, to enable the inmates of any apartment appropriated to women to remove themselves to some part of the premises where their privacy will not be disturbed;

(*d*) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.

(2) Whenever the Chairman or a person authorized under sub-section (1) enters into or upon any land in pursuance of that sub-section, he shall at the time of such entry pay or tender payment for all necessary damage to be done as aforesaid; and, in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the Board, whose decision shall be final.

Punishment for acquiring share or interest in contract, etc., with the Board.

165. If any Trustee, or any officer or servant of the Board, knowingly acquires, directly or indirectly, by himself or by any partner, employer or employee, otherwise than as such Trustee, officer or servant, any share or interest in any contract or employment with, by or on behalf of, the Board [not being a share or

interest which, under sub-section (2) of section 7, it is permissible for a Trustee to have without being thereby disqualified for being appointed a Trustee], he shall be deemed to have committed the offence made punishable by section 168 of the Indian Penal Code. Central Act XLV of 1860.

Penalty for removing fence, etc. in street.

166. If any person, without lawful authority—

(*a*) removes any fence or shoring timber, or removes or extinguishes any light, set up under section 62, or

(*b*) infringes any order given, or removes any bar, chain or post fixed, under sub-section (2) of section 63—

he shall be punishable with fine which may extend to fifty rupees.

Penalty for building within street alignment or building line.

167. (1) If any person, without the permission of the Board, erects, re-erects, adds to or alters any wall or building so as to make the same project into the street alignment or beyond the building line prescribed by any deferred street scheme, development scheme or town expansion scheme, he shall be punishable—

(*a*) with fine which may extend in the case of a wall or masonry building to five hundred rupees and in any other case to fifty rupees; and

(*b*) with further fine which may extend, in the case of a wall or masonry building, to one hundred rupees and in any other case to ten rupees, for each day after the first during which the projection continues.

(2) (*a*) The owner for the time being of the wall or building so erected, re-erected, added to or altered, may be required by a written notice issued by the Chairman to stop further work on such wall or building and to alter or demolish the same in such manner and within such time as may be specified in the notice.

(*b*) Where the alteration or demolition directed by any such notice is not carried out as directed therein, the Chairman may cause the wall or building or portion thereof to be altered or demolished, as the case may be, and he may recover the expenses incurred in so doing from the owner for the time being in such manner as may be prescribed by the Government.

Penalty for failure to comply with requisition made by auditor.

168. If any person fails to comply with any requisition made under section 129, he shall be punishable—

(*a*) with fine which may extend to one hundred rupees; and

(*b*) in case of a continuing failure, with fine which may extend to fifty rupees for each day after the first during which the failure continues.

169. If any person—

Penalty for obstructing contractor or removing mark.

(*a*) obstructs or molests any person with whom the Chairman has entered into a contract on behalf of the Board, in the performance or execution by such person of his duty or of anything which he is empowered or required to do by virtue or in consequence of this Act or any rule made thereunder, or

(*b*) removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorized by this Act or any rule made or scheme sanctioned thereunder,

he shall be punishable with fine which may extend to two hundred rupees.

170. Whoever contravenes any provision of this Act or of any rule made or scheme sanctioned thereunder shall, if no other penalty is provided for such contravention, be punishable—

Penalty for breach of the provisions of the Act, etc.

(*a*) with fine which may extend to one hundred rupees; and

(*b*) in case of a continuing contravention, with fine which may extend to fifty rupees for each day after the first during which the contravention continues.

171. (1) When all schemes sanctioned under this Act have been executed, or have been so far executed as to render the continued existence of the Board in the opinion of the Government unnecessary, the Government may, by notification, declare that the Board shall be dissolved on such date as may be specified in such notification; and the Board shall be deemed to be dissolved accordingly.

Dissolution of Board and transfer of its assets and liabilities to the Government and the Corporation.

(2) On and from the said date—

(*a*) (i) all properties, funds and dues placed at the disposal of the Board by the Government, and

(ii) all properties, funds and dues exchanged for, derived from, or otherwise attributable to, the properties, funds and dues referred to in sub-clause (i),

which, immediately before the said date, were held by or realizable by the Board, shall vest in, and be realizable by the Government;

(*b*) all properties, funds and dues, other than those referred to in clause (*a*), which, immediately before the said

date, were vested in or were realizable by the Board and the Chairman respectively shall vest in and be realizable by the Corporation and the Commissioner respectively;

(*c*) if any question arises as to whether any properties, funds or dues vest in the Government under clause (*a*) or in the Corporation under clause (*b*), the question shall be referred to the Government whose decision thereon shall be final;

(*d*) all liabilities which, immediately before the said date, were enforceable against the Board shall be enforceable against the Government or the Corporation. The Government shall determine which of such liabilities shall be enforceable against them and which against the Corporation;

(*e*) for the purpose of completing the execution of any scheme sanctioned under this Act, which has not been fully executed by the Board, and of realizing properties, funds and dues referred to in clauses (*a*) and (*b*), the functions of the Board and the Chairman under this Act shall be discharged by the Government or by the Corporation or the Commissioner thereof, as the case may be; and

(*f*) the Corporation shall keep separate accounts of all moneys respectively received and expended by it under this Act, until all loans raised thereunder have been repaid, and until all other liabilities referred to in clause (*d*) have been duly met.

172. (1) As soon as may be after the first day of April in every year and not later than such date as may be fixed by the Government, the Board shall submit to the Government a detailed report of the administration during the preceding year in such form as the Government may direct.

Submission of Administration Report to Government.

(2) The Chairman shall prepare such report and the Board shall consider the report and forward the same to the Government with its resolutions thereon, if any, and copies of such report and resolutions shall be placed on the table of each House of the State Legislature at the first meeting thereof held after their receipt by the Government.

(3) Copies of the administration report shall be kept for sale at the office of the Board.

173. (1) The Madras City Improvement Trust Act, 1945, is hereby repealed. Madras Act XVI of 1945.

Repeal.

(2) Notwithstanding such repeal, all action taken, all notifications published, all rules and orders issued and all things done under that Act shall be deemed to have been taken, published, issued and done under this Act, and may be continued thereunder.

(3) In particular, the Board constituted under that Act shall be deemed to have been constituted under this Act :

Provided as follows :—

(*a*) the members elected to the Board by the Madras Chamber of Commerce and the Southern India Chamber of Commerce shall be deemed to have vacated their offices at the commencement of this Act ;

(*b*) the other members of the Board (including the chairman) holding office immediately before the commencement of this Act shall, subject to the provisions of section 13, continue to hold office for the residue of the term for which they would have held office if this Act had not been passed ;

(*c*) the Collector of Madras shall become an ex-officio member of the Board with effect from the commencement of this Act ; and two persons shall be appointed by the Government to be members of the Board with effect from the date of the publication of the notification of their appointment.

THE SCHEDULE.

[Referred to in section 73 (*a*).]

Further modifications in the Land Acquisition Act, 1894.

Central Act I of 1894.

1. After clause (*ee*) of section 3 of the Land Acquisition Act, 1894 (hereinafter in this Schedule referred to as "the said Act"), the following clause shall be deemed to be inserted, namely :—

"(*eee*) the expression 'local authority' includes the Board of Trustees for the Improvement of the City of Madras, constituted under section 3 of the Madras City Improvement Trust Act, 1950."

2. (1) The first publication of a notice of an improvement scheme under section 47 of the Madras City Improvement Trust Act, 1950, shall be substituted for and have the same effect as publication in the official Gazette and in the locality of a notification under sub-section (1) of section 4 of the said Act, except where a notification under sub-section (1) of section 4 or a declaration under section 6 of the said Act has been previously made and is in force.

(2) Proceedings under section 49 and sub-section (1) of section 51 of the Madras City Improvement Trust Act, 1950, shall be substituted for and have the same effect as proceedings under section 5-A of the said Act.

(3) Subject to the provisions of paragraphs 6 and 7 of this Schedule, the issue of a notice under clause (*c*) of sub-section (3) of section 40 of the Madras City Improvement Trust Act, 1950, in the case of land proposed to be acquired in pursuance of that clause, and in any other case the publication of a notification under section 53 of that Act shall be substituted for and have the same effect as a declaration under section 6 of the said Act, except where a declaration under the last mentioned section has been previously made and is in force.

3. In section 15 of the said Act, for the word and figures "and 24", the figures, word and letter "24 and 24-A" shall be deemed to be substituted.

4. In sub-section (3) of section 17 of the said Act, after the word and figures "section 24," the words, figures and letter "or section 24-A" shall be deemed to be inserted.

5. After section 17 of the said Act, the following section shall be deemed to be inserted, namely :—

"17-A. In every case referred to in section 16 or section 17, the Collector shall, upon payment of the cost of acquisition, make over charge of the land to the Board ; and the land shall thereupon vest in the Board subject to the liability of the Board to pay any further costs which may be incurred on account of its acquisition."

Transfer of land to Board.

6. (1) In sub-section (1) of section 23 of the said Act, for clauses *first* and *sixthly*, the following clauses shall respectively be deemed to be substituted, namely :—

"*first*, the market value of the land—

(*a*) at the date of the issue of the notice under clause (*b*) of sub-section (3) of section 40 of the Madras City Improvement Trust Act, 1950, in case the land is proposed to be acquired in pursuance of that clause ; and

(*b*) at the date of the first publication of the notice under section 47 of that Act, in any other case."

"*sixthly*, the damage (if any) *bona fide* resulting from diminution of the profits of the land between the date referred to in paragraph (*a*) or paragraph (*b*), as the case may be, of clause *first*, and the date on which the Collector takes possession of the land."

(2) In the same section, sub-section (2) shall be omitted and in lieu thereof the following sub-section shall be deemed to have been substituted, namely :—

. . . . . .

"(2) For the purposes of clause *first* of sub-section (1) of this section—

(*a*) if the market value of the land has been increased or decreased owing to the land falling within or near to the alignment of a projected public street, so much of the increase or decrease as may be due to such cause shall be disregarded ;

(*b*) if any person, otherwise than in accordance with the provisions of this Act, erects, re-erects, adds to, or alters any wall or building so as to make the same project into the street alignment or beyond the building line prescribed by any scheme made under this Act, then, any increase in the market value resulting from such erection, re-erection, addition or alteration shall be disregarded.".

. . . . . .

7. For clause *seventhly* of section 24 of the said Act, the following clause shall be deemed to be substituted, namely :—

"*seventhly*, any outlay on additions or improvements to land acquired, which was incurred after the date with reference to which the market value is to be determined, unless such additions or improvements were necessary for the maintenance of any building in a proper state of repair."

8. After section 24 of the said Act, the following section shall be deemed to be inserted, namely :—

"24-A. In determining the amount to be awarded for any land acquired for the Board under this Act, regard shall also be had to the following provisions, namely:—

Further provisions for determining compensation.

(1) When any interest in any land acquired under this Act has been acquired after the date with reference to which the market value is to be determined, no separate estimate of the value of such interest shall be made so as to increase the amount of compensation to be paid for such land.

(2) If, in the opinion of the Court, any building is in a defective state from a sanitary point of view, or is not in a reasonably good state of repair, the amount of compensation shall not exceed the sum which the Court considers the building would be worth if it were put into a sanitary condition or into a reasonably good state of repair, as the case may be, *minus* the estimated cost of putting it into such condition or state.

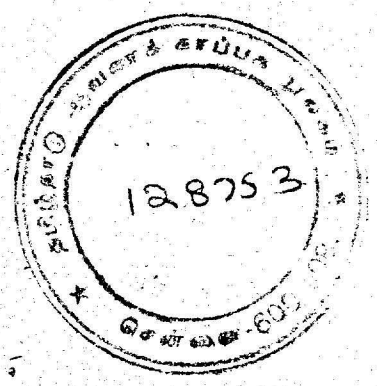
(3) If, in the opinion of the Court, any building, which is used or is intended or is likely to be used for human habitation, is not reasonably capable of being made fit for human habitation, the amount of compensation shall not exceed the value of the materials of the building, *minus* the cost of demolishing the building."

9. After section 48 of the said Act, the following section shall be deemed to be inserted, namely:—

"48-A. (1) Where the Collector has not made an award under section 11 in respect of any land within a period of two years from the date of the publication of the declaration under section 6 or of the issue of a notice under clause (*c*) of sub-section (3) of section 40 of the Madras City Improvement Trust Act, 1950, or of the publication of a notification under section 53 of that Act, as the case may be, the owner of the land shall, unless he has been responsible for the delay to a material extent, be entitled to receive compensation for the damage suffered by him in consequence of the delay.

Compensation to be awarded when land not acquired within two years.

(2) The provisions of Part III of this Act shall apply, so far as may be, to the determination of the compensation payable under this section."



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