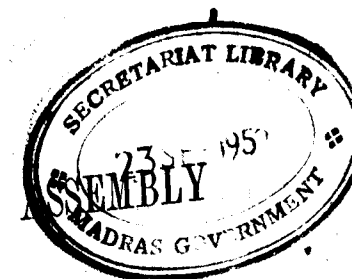


MADRAS LEGISLATIVE DEBATES



SECOND SESSION OF THE LEGISLATIVE ASSEMBLY UNDER THE CONSTITUTION OF INDIA.

2nd, 3rd, 5th and 8th to 12th August, 1st, 2nd and 5th September 1950.

Volume III (Nos. 1 to 11).

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PERSONNEL OF THE GOVERNMENT OF MADRAS.

GOVERNOR OF MADRAS.

HIS EXCELLENCY COMMODORE MAHARAJA RAOL SRI SIR
KRISHNA KUMARSINHJI BHAVSINHJI, K.C.S.I.,
MAHARAJA OF BHAVNAGAR.

MEMBERS OF THE COUNCIL OF MINISTERS.

- 1 THE HON. SRI P. S. KUMARASWAMI RAJA, *Chief Minister.*
- 2 THE HON. DR. T. S. S. RAJAN, *Public Health Minister.*
- 3 THE HON. SRI M. BHAKTAVATSALAM, *Public Works Minister.*
- 4 THE HON. SRI B. GOPALA REDDI, *Finance Minister.*
- 5 THE HON. SRI H. SITARAMA REDDI, *Land Revenue Minister.*
- 6 THE HON. SRI K. CHANDRAMOULI, *Local Administration Minister.*
- 7 THE HON. SRI K. MADHAVA MENON, *Education Minister.*
- 8 THE HON. SRI A. B. SHETTY, *Agriculture Minister.*
- 9 THE HON. SRI B. PARAMESWARAN, *Rural Development Minister.*
- 10 THE HON. SRI N. SANJEEVA REDDI, *Prohibition Minister.*
- 11 THE HON. SRI C. PERUMALSAMI REDDI, *Industries Minister.*
- 12 THE HON. SRI J. L. P. ROCHE VICTORIA, *Food Minister.*

MADRAS LEGISLATIVE ASSEMBLY.

PRINCIPAL OFFICERS.

Speaker.

THE HON. SRI J. SIVASHANMUGAM PILLAI.

Deputy Speaker.

SRIMATHI C. AMMANNA RAJA.

Panel of Chairmen.

- 1 BEGUM SULTAN MIR AMIRUDDIN.
- 2 Mr. H. O. FOWLER.
- 3 SRI PYDAH VENKATANABAYANA.
- 4 SRI Dr. S. SUBRAHMANYAM.

Secretary to the Assembly.

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

Assistant Secretary to the Assembly.

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

LIST OF MEMBERS OF THE MADRAS LEGISLATIVE ASSEMBLY WITH THEIR CONSTITUENCIES.

Serial number and name of member.	Name and class of constituency.
1 Aaron Rao, Alladi	Guntur <i>cum</i> Nellore, Indian Christian.
2 Abdul Hameed Khan	Kurnool, Muhammadan, Rural.
3 Abdul Khader Jamali, Hajee Moulvi.	Ramanathapuram, Muhammadan, Rural.
4 Abdul Majid, M. S., B.A.	Chingleput <i>cum</i> South Arcot, Muhammadan, Rural.
5 Abdul Rahman	Tirunelveli, Muhammadan, Rural.
6 Vacant	Malappuram, Muhammadan, Rural.
7 Ammanna Raja, Srimathi C. (Deputy Speaker).	Eluru Town, Women, General, Rural.
8 Anandan Nambiar, K.	Railway Trade Union, Labour.
9 Ananthachar, B.	Hospet, General, Rural.
10 Anjalai Ammal, Srimathi	Cuddalore, Women, General, Rural.
11 Annamalai Pillai, N.	Tiruvannamalai, General, Rural.
12 Appa Rao, M. R. (Kumar Zamindar of Vuyyur).	Northern Landholders I.
13 Arunachalam, T. S.	Tiruchirappalli <i>cum</i> Srirangam • Towns, General, Urban.
14 Ataullah, M. S.	Salem <i>cum</i> Coimbatore <i>cum</i> the Nilgiris, Muhammadan, Rural.
15 Avinashilingam Chettiyar, T. S.	Palladam, General, Rural.
16 Balakrishnan, S. C.	Palni, General, Rural (Scheduled Castes).
17 Bapineedu, M., B.Sc. (Cornell), M.Sc. (California).	Eluru, General, Rural.
18 Batchelor, B. W.	European Commerce, The Madras Chamber of Commerce and the Madras Trades Association.
19 Begum Sultan Mir Amiruddin, B.A. (Hons.).	Madras City, Women, Muhammadan, Urban.
20 Bhaktavatsalam, The Hon. Sri M. (Minister).	Tiruvallur, General, Rural.

Serial number and name of member.	Name and class of constituency.
21 Bhashyam, K.	University.
22 Bhupathiraju Bangarayya, Sri mathi.	Bhimavaram, General, Rural.
23 Bokkai Gowder, K.	The Nilgiris, General, Rural.
24 Brahmanandam Reddi, K.	Narasaraopet, General, Rural.
25 Chandramouli, The Hon. Sri K. (Minister).	Tenali, General, Rural.
26 Chandu, A.	Kozhikode, General, Rural.
27 Chengam Pillai, O.	Tiruvallur, General, Rural (Scheduled Castes).
28 Chidambara Ayyar, S.	Villupuram, General, Rural.
29 Cormack, H. I.	European Commerce, The Madras Chamber of Commerce and the Madras Trades Association.
30 Damodaran, M. P.	Kottayam, General, Rural.
31 Devanayaga Iyah, S. A.	Cuddalore, General, Rural.
32 Doraikannu, M.	Tiruttani, General, Rural (Scheduled Castes).
33 Durairaja Pandian, D.	Tirunelveli, General, Rural.
34 Easwaran, M. A.	Erode, General, Rural.
35 Ebrahim Coonhee, M.	Chirakkal, Muhammadan, Rural.
36 Fernandez, W. J.	Anglo-Indian.
37 Fowler, H. O.	Do.
38 Gopala Reddi, The Hon. Sri B. (Minister).	Kavali, General, Rural.
39 Gopalaswami, L. N.	Tiruchirappalli, General, Rural.
40 Govinda Das, D.	Bellary, General, Rural (Scheduled Castes).
41 Govindā Menon, M. P.	Malappuram, General, Rural.
42 Govindan Nayar, C. K.	Kurumbranad, General, Rural.
43 Govindan Nair, P.	Ponnani, General, Rural.
44 Govindaraju Nayagar, S. K.	Saidapet, General, Rural.
45 Govindaswami Nayudu, N.	Textile Workers' Trade Union (Madras), Labour.
46 Guruvulu, Saketi	Sriekulam General, Rural (Scheduled Castes).

Serial number and name of member.	Name and class of constituency.
47 Hassan Koya Puthiya Pommami.	Kozhikode, Muhammadan, Rural.
48 Hussain, H. S., B.A., B.L.	Mangalore, Muhammadan, Rural.
49 Hydross, M. V., B.A., B.L.	Palghat, Muhammadan, Rural.
50 Ibrahim, Sinna Kazian Haji Moulvi S. A. F.	Mathurai, Muhammadan, Rural.
51 Ishwara, K.	Coondapoor, General, Rural (Scheduled Castes).
52 Jaffar Mohideen	Anantapur, Muhammadan, Rural.
53 Jebamoney Masilamoney, Mrs.	Tirunelveli cum Palamcottah cum Tuticorin Towns, Women, Indian Christian, Urban.
54 Jogi Nayudu, Allu	Vizianagaram, General, Rural.
55 Kader Kutty, A. K.	Kottayam, Muhammadan, Rural.
56 Kadirappa, D.	Penukonda, General, Rural (Scheduled Castes).
57 Kakkan, P.	Ariyalur, General, Rural (Scheduled Castes).
58 Vacant	Amalapuram, General, Rural.
59 Kaleswara Rao, A.	Vijayavada cum Masulipatnam Towns, General, Urban.
60 Kamaraj Nadar, K.	Sattur, General, Rural.
61 Kamakshi Chettiyyar, K. P.	Palni, General, Rural.
62 Kameswara Rao, Annapragada.	Guntur cum Tenali Towns, General, Urban.
63 Kandaswami Gounder, P. R.	Pollachi, General, Rural.
64 Kandaswamy Pillai, P.	Salem Town, General, Urban.
65 Arunachalam, A. J.	Gudiyattam, General, Rural.
66 Kanniyappan, M.	Madras City Dock and Factory Labour (excluding Textile and Railway Labour), Labour.
67 Karanth, K. R., B.A., LL.B.	Puttur, General, Rural.
68 Karayalar, L. S.	Koilpatti, General, Rural.
69 Kosalram, K. T.	Tuticorin, General, Rural.

Serial number and name of member.	Name and class of constituency.
70 Koti Reddi, K.	Cuddapah, General, Rural.
71 Kethari, Chendulal Motilal . . .	Madras Planters.
72 Krishnan, K. S. V.	Tindivanam, General, Rural.
73 Krishnan, S.	Pollachi, General, Rural (Scheduled Castes).
74 Krishnaswami Vandiar, A. . . .	Kumbakonam, General, Rural.
75 Kulasekara Doss, K.	Tindivanam, General, Rural (Scheduled Castes).
76 Kumarakrishna Yachendra Bahadur Varu of Venkatagiri, Sri Sarvagna	Northern Central, Landholders.
77 Kumaran, M.	Chirakkal, General, Rural.
78 Kumaraswami, Garemella	Srikakulam, General, Rural.
79 Kumaraswami Raja, The Hon. Sri P. S. (<i>Chief Minister</i>). . . .	Srivilliputtur, General, Rural.
80 Kunhi Kammaran Nambiar, K. T.	West Coast, Landholders.
81 Kuppuswami Nayudu, A.	Kancheepuram, General, Rural.
82 Kuppuswami, R.	Textile Workers' Union Labour.
83 Kurmayya, V.	Bander, General, Rural (Scheduled Castes).
84 Kuttimalu Amma, Srimathi A. V. . .	Tellicherry <i>cum</i> Kozhikode, Women, General, Urban.
85 Lakshmanaswamy, Pandu	Amalapuram, General, Rural (Scheduled Castes).
86 Lakshmi Ammal, Srimathi K. . . .	Dindigul, Women, General, Rural.
87 Lakshmi Ammal, Srimathi V. . . .	Shermadevi, General, Rural.
88 Lakshmipathi, Srimathi R.	Madras City, Women, General, Urban.
89 Latchanna, Gouthu	Visakhapatnam <i>cum</i> East Godavari, Dock and Factory Labour, Labour.
90 Leonard, D. G.	European Commerce, The Madras Chamber of Commerce and the Madras Trades Association.
91 Linga Raju, K.	Rajahmundry, General, Rural.
92 Mahboob Ali Baig, B.A., B.L. . .	West Godavari <i>cum</i> Krishna, Muhammadan, Rural.

Serial number and name of member.	Name and class of constituency.
93 Mabin Schammad	Puttur, Muhammadan, Rural.
94 Mallayya, U., Padmanabha	Mangalore, General, Rural.
95 Manickam, R. S.	Sattur, General, Rural (Scheduled Castes).
96 Marimuthu, M.	Tanjore, General, Rural (Scheduled Castes).
97 Mohamed Rafecudin Ahmad Ansari	Nellore, Muhammadan, Rural.
98 Moideen Kutty, P. K.	Palghat, Muhammadan, Rural.
99 Moses Wilson, John	Northern Circars, Indian Christian.
100 Mohamed Abdul Salam	Guntur, Muhammadan, Rural.
101 Mohammad Ismail Haji, B.A., B.L.	Bellary, Muhammadan, Rural.
102 Muhammad Anwar, N.	North Arcot, Muhammadan, Rural.
103 Muhammad Ibrahim, M. A.	Tanjore, Muhammadan, Rural.
104 Muhammad Ibrahim, V. S.	Tiruchirappalli, Muhammadan, Rural.
105 Muhammad Ismail, S.	Visakhapatnam <i>cum</i> East Godavari, Muhammadan, Rural.
106 Muhammad Ismail, M. (<i>Leader of the Opposition</i>).	Madras City, Muhammadan, Urban.
107 Muhammad Raza Khan	Chittoor, Muhammadan, Rural.
108 Muniswami Pillay, V. I.	Tirukkoyilur, General, Rural (Scheduled Castes).
109 Murthi, B. S.	Kakinada, General, Rural (Scheduled Castes).
110 Muthiah Chettiyar of Chettinad, Raja.	The Nattukottai Nagarthars' Association.
111 Nachiappa Gounder, K. A.	Omalar, General, Rural.
112 Nadhamuni Reddi, R.	Madanapalle, General, Rural.
113 Nagappa, S.	Kurnool, General, Rural (Scheduled Castes).
114 Nagaraja Ayyangar, N.	Namakkal, General, Rural.
115 Nagaraja Manigar, S.	Hosur, General, Rural.
116 Nageswara Rao, Meduri	Guntur, General, Rural.
117 Nagayya, S.	Cuddapah, General, Rural (Scheduled Castes).

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Serial number and name of member.	Name and class of constituency.
118 Narasimharaju, P. L.	Vizianagaram, General, Rural.
119 Narasimha Rao, Guntur	Madras City, North, General, Urban.
120 Narayana Reddi, K. B.	Rajampet, General, Rural.
121 Natesan Chettiyar, M. G.	Dharmapuri, General, Rural.
122 Natesan, P.	Southern India Chamber of Commerce.
123 Natesan, R.	Nominated, Pudukottai.
124 Pais, L. C.	West Coast, Indian Christian.
125 Palaniswami Gounder, V. C.	Coimbatore, General, Rural.
126 Pallam Raju, M.	Kakinada, General, Rural.
127 Paramananda Rayar, S.	Chidambaram, General, Rural.
128 Parameswaran, The Hon. Sri B., B.A. (Minister).	Chingleput, General, Rural (Scheduled Castes).
129 Parisutha Nadar, A. Y. S.	Tanjore cum Mathurai cum Ramnad, Indian Christian.
130 Pattabiramiiah, M. S.	Dindigul, General, Rural.
131 Pattabhiraman, T. S.	Tiruchengode, General, Rural.
132 Paliya Kudumbar, S. K.	Koilkatti, General, Rural (Scheduled Castes).
133 Periyaswami, M. P.	Namakkal, General, Rural (Scheduled Castes).
134 Perumal Nayudu, B.	Kandukur, General, Rural.
135 Pillalamarri Venkateswarlu	West Godavari cum Krishna cum Guntur, Factory Labour, Labour.
136 Pocker, B.	Kozhikode cum Cannanore, Tellicherry Towns, Muhammadan, Urban.
137 Ponnambala Gounder	Tiruchirappalli, General, Rural.
138 Ponnuswami Gounder, V.	Tirupattur (North Arcot), General, Rural.
139 Ponnuswami Mudaliyar, A.	South Arcot cum Tiruchirappalli cum Salem cum Coimbatore, Indian Christian.
140 Prakasam, T.	Madras City, South Central, General, Urban.

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Serial number and name of member.	Name and class of constituency.
141 Vacant	Malappuram General, Rural (Scheduled Castes).
142 Raghava Menon, R.	Palghat, General, Rural.
143 Raghavayya, V.	Nellore, General, Rural.
144 Raja Gurunathan Chettiyar	Southern Central Land holders.
145 Rajamannar Chetti, G.	Madras City, North Central, General, Urban.
146 Rajaram Naidu, K.	Tirumangalam, General, Rural.
147 Ramachandra Rao, Dr. D. S.	Madras cum Chingleput, Indian Christian.
148 Ramanurthi, Rokkam	Tekkali, General, Rural.
149 Ramanujalu Reddiyar, P. R.	Cheyyar, General, Rural.
150 Ramaswami Mudaliyar, V. M.	Vellore, General, Rural.
151 Ramiah, N. P.	Musiri, General, Rural.
152 Rangaswami Reddi, N.	Mayuram, General, Rural.
153 Ramaswami, D. V.	Visakhapatnam, General, Rural.
154 Rayappa, A.	Gooty, General, Rural.
155 Sahajananda, A. S.	Chidambaram, General, Rural (Scheduled Castes).
156 Sami Gounder, S. K.	Gobichettipalayam, General, Rural.
157 Samuel, Dr. M. J.	Central Districts, Indian Christian.
158 Sangam Naidu, Palavalasa	Palakonda, General, Rural.
159 Sanjeeva Reddi, The Hon. Sri N. (Minister).	Anantapur, General, Rural.
160 Sankarasubrahmanya Mudaliyar, V. S.	Tirunelveli cum Palamcottah Town, General, Urban.
161 Sanyasi Rao, Geddani	Sarvasiddhi, General, Rural.
162 Satyanarayana Raju, Alluri	Narasapur, General, Rural.
163 Satyanarayana Raju, Bhupati- raju.	Viravalli, General, Rural.
164 Seetharamaswami, Gona	Bobbili, General, Rural.
165 Seethi, K. M.	Malappuram, Muhammadan, Rural.
166 Shah Alam Khan Savoi	Cuddapah, Muhammadan, Rural.
167 Shanmugam, K.	Gudur, General, Rural (Scheduled Castes).

THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 2nd August 1950.

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

I.—SWEARING-IN OF A NEW MEMBER.

Sri K. S. Nataraja Gounder was sworn-in.

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

II.—CONDOLENCE RESOLUTION.

MR. SPEAKER :—“It is my painful duty to inform the House about the deaths of Sri V. T. Kannappa Mudaliyar, Janab Koyappathody M. Ahmed Kutty Hajee and Sri K. Raghavan.”

* THE HON. SRI B. GOPALA REDDI :—“ I move, Sir—

‘ That this House places on record its deep sense of sorrow at the demise of Sri V. T. Kannappa Mudaliyar, late member for Gudiyatham General Rural Constituency, Janab Koyappathody M. Ahmed Kutty Hajee, late member for Malappuram Muhammadan Rural Constituency and Sri K. Raghavan, late member for Malappuram General Rural (Scheduled Castes) Constituency and conveys its sense of sympathy to the members of their bereaved families.’

“ Sir, we have met after four months and it is indeed a pity that three of our hon. Members have passed away in the meanwhile. I think it was never given to any leader of the House perhaps to move simultaneously condolence resolutions regarding the death of three hon. Members. It has fallen to my lot to-day to mourn the premature death of three hon. colleagues. Sri Kannappa Mudaliyar who represented the Gudiyatham General Rural Constituency was ailing for a long time and he expired on the 9th May this year. He rose from humble beginnings. He was a merchant. He had his shops in Bombay and Calcutta. By sheer dint of his perseverance he came to a very high position in the Congress. He was associated with the Congress organization from 1920. He was the President of the District Congress Committee, North Arcot and he was the Treasurer for a long time. He was also in jail in 1940 in connection with the individual civil disobedience movement. By his own winning manners he endeared himself to his colleagues in the Congress and to people outside. It is really a pity that we have lost such a valuable colleague. He was not very frequent in his attendance perhaps because of his illness and yet people who knew him intimately could say that they have lost in his death a valuable colleague.

“ Sir, the second hon. Member whose death we have to grieve to-day is Janab Koyappathody M. Ahmed Kutty Hajee. He was

Serial number and name of member.	Name and class of constituency.
168 Shanmuga Rajeswara Sethupathi of Ramanathapuram, Raja Sri R.	Southern Landholders.
169 Shunmugasundaram, V.	Ramanathapuram, General Rural.
170 Shetty, The Hon. Sri A. B. (Minister).	Coondapoor, General, Rural.
171 Sitamahalakshammamma. Srimathi Vallabhaneni.	Bahdar, General, Rural.
172 Sitarama Reddi, The Hon. Sri H. (Minister).	Bellary, General, Rural.
173 Sivashanmugam Pillai, The Hon. Sri J. (Speaker).	Madras City, South Central, General, Urban (Scheduled Castes).
174 Srinivasa Padayachi, P. R.	Tirukkoyilur, General, Rural.
175 Srinivasa Rao, W. S.	Ranipet, General, Rural.
176 Subbanna Gounder, K. K.	Cobichettipalayam, General, Rural.
177 Subbaraman, N. M. R.	Mathurai Town, General, Urban.
178 Subbarao, Kallur	Penukonda, General, Rural.
179 Subbiah, P.	Ongole, General, Rural (Scheduled Castes).
180 Subba Iyer, R.	Chingleput, General, Rural.
181 Nataraja Gounder, K. S.	Dharapuram, General, Rural.
182 Subrahmanya Ayyar, Dr. S. M.B.B.S.	Tiruppattur (Ramanathapuram), General, Rural.
183 Subrahmanyam, A.	Salem, General, Rural.
184 Subrahmanyam, K.	Coimbatore Town, General, Urban.
185 Sumangalamma, Srimathi Allum.	Bellary, Women, General, Rural.
186 Surayya, Kollipara	Vijayavada, General, Rural.
187 Swaminathan, R. V.	Sivaganga, General, Rural.
188 Thangavelu, R.	Tiruvannamalai, General, Rural (Scheduled Castes).
189 Tatachari, T. K. T. N. R.	Chandragiri, General, Rural.
190 Thangaswami Nadar, P. A.	Tirunelveli, Indian Christian.

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Serial number and name of member.	Name and class of constituency.
191 Thiagoo Voikkarar	Mannargudi, General, Rural (Scheduled Castes).
192 Thyagaraja Pillai, M. D.	Nagapattinam, General, Rural.
193 Thyagaraja Sholagar, G.	Tanjore, General, Rural.
194 Vaidyanada Ayyar, A.	Melur, General, Rural.
195 Varadachari, K.	Tiruttani, General, Rural.
196 Varadachari, N. S.	Madras City, South, General, Urban.
197 Vedaratnam Pillai, A.	Mannargudi, General, Rural.
198 Veeranna Padal, Kankipatti	Backward Areas and Tribes.
199 Veeraraghaviah, Nukala	Vijayavada, General, Rural.
200 Velayudapani, P. M.	Ranipet, General, Rural (Scheduled Castes).
201 Veluchamy Gounder, P. S.	Periyakulam, General, Rural.
202 Venkanna, Gottumukkala	Eluru, General, Rural (Scheduled Castes).
203 Venkatachalam Pillai, B.	Ariyahur, General, Rural.
204 Venkatanarayana, Pydah	Kakinada Town, General, Urban.
205 Venkatanarayana Reddi, B.	Gudur, General, Rural.
206 Venkataratnam, B.	Rajahmundry, General, Rural.
207 Venkata Reddi, Gopavaram	Nandyal, General, Rural.
208 Venkatarreddi, Reddivari, B.A., B.L.	Chittoor, General, Rural.
209 Venkatarama Ayyar, Aminapet P.	Tanjore cum Kumbakonam Town, General, Urban.
210 Venkataraju, M.	Ongole, General, Rural.
211 Venkata Subbayya, Nivarthi	Kurnool, General, Rural.
212 Venkata Subbiah, Pendekanti	Nominated, Banganapalle and Sandur.
213 Viswanatham, T.	Vishakhapatnam Town, General, Urban.
214 Zamindar of Mirzapuram (Sri Meka Venkataramiah, Appa Rao Bahadur).	Northern Landholders II.

[Sri B. Gopala Reddi] [2nd August 1950]

a leading merchant in Malabar. He was a pillar of strength to the Muslim League. He was not merely opulent but he had winning manners and fine character. He had a huge number of elephants to do his forest work and also a large number of lorries and in that connection he was coming to me occasionally. Some of us who visited Kozhikode have enjoyed his hospitality. He was a leading philanthropist in Malabar having contributed lakhs of rupees for educational institutions. He was a Director of various Joint Stock Banks. He was the Secretary of the Tirur Muslim Girls High School and the Muslim Educational Association of Kozhikode. He was genuinely interested in social welfare work and the education of children. I was in his company this year when he came to the race course at Ooty. I did not then realize that his end was so near. A few days after I met him there, I read the sad news of his death in the papers. He was of a gentle disposition. He spoke occasionally in the House. But more than that we used to see him in our rooms on various matters. It is really a pity that such a leading philanthropist and a man who was genuinely interested in education and social welfare should have passed away in his early forties. He was not even 45, he was on the right side of 45. It is really a pity that we have had to lose him.

"Lastly, Sir, we have to mourn the death of Sri K. Raghavan. He was one of the younger members of the House who came to this Assembly in 1946. He represented Malappuram General Rural (Scheduled Castes) Constituency. His other colleague from the General Constituency is Sri M. P. Govinda Menon. He was genuinely interested in Harijan Welfare work. He came to some of the Ministers very often in connection with the Harijan welfare work. We could see in him a real and genuine interest in the welfare of his community. He was hardly 32 or 33 when he died and we are to-day mourning his demise. It is a great pity that a young man of rich promise has been snatched away in his early thirties. It is indeed a great loss to the Harijan community in Malabar and a great loss to this House, because he was a young man always with a smile for everybody.

"I move, Sir, that the sincere condolences of this House be conveyed to the members of the bereaved families."

* JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, I join the Hon. the Leader of the House in the tributes he has paid to the deceased members of the House and also in his expression of condolence. The death of Sri V. T. Kannappa Mudaliyar is really a loss to the State, because he was a self-made man and was an inspiring example to many people in public life. With regard to Sri K. Raghavan I know he was a very useful member of the Harijan community and he was ceaselessly working for the uplift of his community and therefore for the advancement of the country. Coming to Janab Koyappathody M. Ahmed Kutty Hajee, I associate myself again with the remarks made by the Hon. the Leader of the House. He has been a tower of strength in the public life of Malabar and of the State as a whole. He was useful not only as a stalwart and staunch member of our Party but

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also as a leading public man. Every good cause in Malabar and in this State found in him a man ready to assist with his large heart. He was a man of his word and whenever he made up his mind about a thing he stuck to it. He had the courage of his convictions. He was a man of character. When he wanted to act upon what he decided upon, he never counted the cost. Such men are really required in the country, particularly at the present juncture. He was not only a pillar of strength to his own community, but also to the general public in the way in which he conducted himself in public life. His manners were always pleasing to everybody and his heart always responded to all good causes. Therefore it is really a great pity and a matter for great sorrow that we have lost such a member of the House as well as the other two honourable members. With these words, once again I associate myself with the observations made by the Leader of the House."

RAJAH MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, Sir, it is with a deep sense of sorrow that I beg to associate myself with the feelings and the expressions of the Hon. Leader of the House and hon. Leader of the Opposition over the demise of three hon. Members of this House. It is with very great regret that all of us saw the news of the passing away of three of the Members of this House. Each one of them has done great work in the service of the country and their demise is not only a loss to this House but to the country in general. I once again beg to associate myself with the feelings expressed by the previous speakers."

* SRI M. P. GOVINDA MENON:—"Mr. Speaker, Sir, I associate myself with the sentiments expressed by the Hon. Leader of the House about the sad demise of the three hon. Members, colleagues of ours. Sri Kannappa Mudaliyar, I had the good fortune to have contact with, when both of us were kept in neighbouring cells in the Bellary Central Jail. His piety and his good nature I had enough opportunity to find out in those good days when he was giving us courage during the nights when we were locked up in jail, by singing the great national songs of the Tamil poet, Bharathi. He used to help us in keeping up our moral spirits when we were in jail; and his loss is a great loss to the district and to the Province.

"Janab Haji Ahmed Kutty was elected by my Moplah brethren of my own Malappuram constituency. That friend was a gentleman, every inch of him a gentleman. He has been a philanthropist, not only to the Moplahs of Malabar but also to the whole population. His loss is a loss not to one community, but to the whole district. He has been helping all good movements in that district.

"Coming to Sri Raghavan, it is very difficult for me to talk about this gentleman. Raghavan was a discovery to most of us. When the question of selecting a Harijan candidate for my constituency, viz., Malappuram, came up, somehow or other the Kerala Congress Committee pitched upon Raghavan; afterwards we found

[Sri M. P. Govinda Menon] [2nd August 1950]

out that he was a very happy and good choice. He has been a tower of strength not only to the Congress but a tower of strength to the Harijan movement in the district of Malabar. In no time he became a leader of the Harijans in the district. He was only 32 years of age when he passed away. He commanded great respect in the district not only among Harijans but among the general public. His motto was service; he was ready to serve anybody who required his service. His admirable qualities won the hearts of all people with whom he came into contact. His loss is to me a personal loss; it is a great loss to the constituency and it is a great loss to the Harijan community of my district. I would say it is even a great loss to the whole State. If God had been merciful to spare him for some more years, I am sure he would have come to occupy a very high position in the State; he would have even come to occupy the position which you, Sir, are now occupying. He had the qualities of a great leader, and it is unfortunate that such a young man has been taken away in his youth. I would request you, Sir, and the House to convey our feelings of sorrow to his aged mother and his young wife whom he married only recently.

"With these words, I associate myself with the sentiments expressed by the Hon. Leader of the House."

* Sri V. I. MUNISWAMI PILLAY: "Mr. Speaker, Sir, I feel it my melancholy duty to-day to associate myself with the feelings expressed by the Hon. Leader of the House and the hon. Leader of the Opposition in expressing condolence at the sad demise of the three hon. Members of this House. Sir, I knew Mr. Mudaliyar intimately and, as has been said, he has been a tower of strength in the Tamil Nad, he having associated himself with the constructive side of the programme of the Congress. I must honestly confess that the demise of Mr. Raghavan is a matter of great concern for the Harijans not only of Malabar but of the whole Province. During the last four years, as a Member of this Assembly, he has been associating himself with all the good work of the uplift of the Harijans. Unassuming as he has been, at all times he co-operated not only with important members of the Harijan community, but with the Ministers and others. As a silent worker, he was approaching all the heads of the various departments and placing before them clearly the grievances of the Harijans in Malabar district. Sir, when he was elected, some of us were diffident whether he would be making himself a useful representative of the community; but, as has been pointed out by the previous speaker, he had risen up and shown to us that he was a true representative. His demise, I am sure, will be felt throughout the Province and I join in conveying condolences to his bereaved family not only of the Harijans but of all others who knew him well."

MR. SPEAKER:—"Before I put this to the vote, I associate the Chair with the sentiments expressed by the Leader of the House, the Leader of the Opposition, the Raja of Chettinad and other Members. All the three members were very popular in their

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constituencies; they were all below 50. It is a pity that they were removed in the prime of their lives. The resolution reads as follows:—

"That this House places on record its deep sense of sorrow at the demise of Sri V. T. Kaunappa Mudaliar, late member for Gudiyattam General Rural Constituency, Janab Koyappa Chody, M. Ahmed Kutty Hajee, late member for Malappuram Muhammadan Rural Constituency, and Sri K. Raghavan, late member for Malappuram General Rural (Scheduled Castes) Constituency, and conveys its sense of sympathy to the members of their bereaved families."

I request the members to stand in their places for two minutes.

The resolution was carried *nem con*, all the Members standing.

III.—PANEL OF CHAIRMEN.

MR. SPEAKER:—"I have to announce to the House that under Rule 15 of the Madras Assembly Rules, I have nominated the following four Members of the Assembly to be the Panel of Chairmen for the second session of the Assembly as from the commencement of the Constitution:—

Begum Sultan Mir Amiruddin,

Mr. H. O. Fowler,

Sri Pydah Venkatanarayana and

Dr. S. Subrahmanyam."

IV.—RESIGNATION OF SRI KALA VENKATA RAO.

MR. SPEAKER:—"I have to inform the House that under the provisions of sub-clause (b) of clause (3) of Article 190 of the Constitution of India, Sri Kala Venkata Rao, a member elected to the Madras Legislative Assembly by the Amalapuram General Rural Constituency, has tendered his resignation of the office of Member of the Madras Legislative Assembly with effect from the 24th July 1950."

V.—ELECTION OF MEMBERS TO PARLIAMENT TO FILL THE THREE CASUAL VACANCIES.

MR. SPEAKER:—"I am to invite the attention of the hon. Members to the three notifications published in the *Fort. St. George Gazette*, Part II, Extraordinary, dated the 26th July 1950, in regard to the election of three persons by the Madras Legislative Assembly as members representing the State of Madras in Parliament, in the vacancies caused by the resignations of Sri R. K. Shanmukham Chetty and Sri S. H. Prater and by the declaration under clause (4) of Article 101 of the Constitution of India, that the seat held by Sri Ravu Swetachalapathi Ramakrishna Ranga Rao has become vacant. The latest hour and date appointed for the receipt of nominations for filling the three vacancies, are as follows:—

(1) For filling the vacancy caused by the resignation of Sri R. K. Shanmugham Chetty—Not later than 3 p.m. on Thursday, the 3rd August 1950.

(2) For filling the vacancy caused by the resignation of Sri S. H. Prater—Not later than 3 p.m. on Friday, the 4th August 1950.

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(3) For filling the seat of Sri Ravu Swethachalapathi Ramakrishna Ranga Rao declared to have become vacant under Article 101 (4)—Not later than 3 p.m. on Saturday, the 5th August 1950. The dates appointed for the subsequent stages of the elections and all other matters relating to the conduct of the elections will be found in the notifications published in the *Port St. George Gazette Extraordinary* referred to."

VI.—DISCUSSION ON H.E. THE GOVERNOR'S ADDRESS.

Address by H.E. the Governor under clause (1) of Article 176 of the Constitution of India.

Hon'ble Members of the Legislature.

1. Let me first of all thank you for your courtesy in attending this joint session. Several important matters will come under your scrutiny in the next few days and I have no doubt that your deliberations will be watched with interest throughout the State.

2. The financial operations of this State have become more difficult this year than they were during the last year, owing to the conditions prevailing in the money market and the financial stringency experienced even by the Government of India, and my Government have, in consequence, been forced to resort to various means for effecting savings with a view to sustain their programme on major irrigation and electricity schemes. Even last year the Government were faced with an unexpectedly sudden and difficult problem for financing part of the capital expenditure on these schemes, but, with great difficulty, they managed to adhere to their programme by adopting special measures. The position has been rendered even more difficult this year, but the Government cannot afford to curtail their programme, especially as over twenty-five crores have been spent on these schemes on valuable equipment, and in building up the necessary organisation. The programme itself is expected to come into fruition by 1952 when it is expected that large tracts of dry land will be brought under irrigation and power availability will be doubled. For a State, sadly short of food and motive power, the importance of sustaining such a programme which holds out great hopes, cannot be overemphasised, not merely from the State's point of view but also from the All-India angle. It is expected that, as a result of the economy measures undertaken, a saving of about three crores, at the utmost, may be effected. But this move, by itself, will not enable the State Government to finance their programme and other measures will have to be thought of, including assistance from the Centre. The Hon'ble Members are no doubt aware that the Government have gone into the open market for a loan of Rs. 4 crores and I am confident that the amount has been fully subscribed. As a result of the economy drive mentioned above, the Government have had, with great reluctance, to slow down, postpone or cut down a number of measures contemplated by them for promoting the welfare of our people.

3. Owing to the persistent adverse seasonal conditions referred to in my last Address to you, the food position in the State

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continues to cause considerable anxiety. In view of the fast deteriorating stock position of rice in the State and the inadequate supplies received from the Centre, my Government were compelled to reduce the scale of rice ration from 8 oz. to 7 oz. per adult per day with effect from 2nd July 1950, the remaining 1 oz. being given in the shape of wheat so that the overall 12 oz. ration may be kept intact. All possible steps are being taken by this Government to maximise procurement and intensify food production in the State. The Government hope that, as a result of these efforts and the more generous assistance from the Government of India which they have pressed for, the hardship to our people can be ended soon.

4. In order to achieve self-sufficiency in food by the end of 1951, the irrigation policy of this Government is now mainly concentrated on pushing through schemes which will produce results by that date. In order to avoid delays in correspondence, all schemes which come within the scope of the intensive cultivation programme of the Government, including those under the Public Works Department, are now attended to by the Commissioner for Food Production in his capacity as Secretary to Government.

In addition to these schemes which will be yielding quick results, work is going ahead on the major schemes such as the Tungabhadra, the Lower Bhavani, the Malampuzha, and an attempt is being made to see that these bigger schemes produced some results at least by 1952. For example, it is expected that the Lower Bhavani Project will afford irrigation facilities for a second crop of paddy on about 10,000 acres in the year 1952.

5. My Government have been considering the question of improvement and reform in respect of the method of assessment of land revenue in ryotwari areas, the system of land revenue administration, the tenure of holding of ryotwari land and the conditions of cultivating tenants and agricultural labourers. A Committee appointed to go into these questions and make recommendations has been functioning since 13th May 1950.

6. In the field of Public Health, a comprehensive policy and programme for the prevention, control and relief of leprosy has been formulated, and when financial conditions improve, we will be in a position to tackle the serious menace of leprosy successfully. A special scheme for the control of tuberculosis in Madras City has been sanctioned and this will be worked in conjunction with the Corporation of Madras.

7. The Government have been continuing to do all that they can for the spread of basic education. At the instance of the Government of India, a special scheme of adult education was initiated last year at a cost of Rs. 3.14 lakhs, that Government having borne one-half of it. They have now given a further grant of Rs. 6.86 lakhs to this State, and another scheme to do away with adult illiteracy as quickly as possible is being drawn up.

In order to give an impetus to the elementary education scheme, the Government have proposed to increase the rate of their contribution to the elementary education funds of local

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bodies with effect from the current year at an extra liability of Rs. 50 lakhs. The report of the Select Committee on the concerned Bill will be presented to you during this session.

To meet the urgent demand for trained teachers for staffing secondary schools, the Government have opened two training Colleges—one at Palghat and the other at Mangalore—from the academic year 1950-51. They have also admitted to special aid, certain private managements that came forward to open B.T. or B.Ed. courses in the year.

8. The expenditure on Harijan Uplift has been steadily and rapidly increasing. In 1919-50 it was Rs. 71.21 lakhs as against Rs. 8.7 lakhs in 1921-25. The Budget Estimate for 1950-51 is Rs. 92.67 lakhs. This increase of over Rs. 20 lakhs in the current years' budget over the expenditure of 1949-50, is a clear proof, if proof were wanted, of my Government's earnestness and determination to do their very best for the uplift of the Harijans.

9. With a view to relieve the shortage of houses in the State, a drive for the construction of houses through Co-operative Housing Societies was initiated in 1947, and substantial provision is being made every year in the Budget for the grant of State Loans to these Societies. The Societies are also helped in the matter of supply of building materials at controlled rates. In April last, the Government sanctioned a scheme for the organization of Housing Societies in rural areas. This is an entirely new scheme, and it is proposed to introduce it in the current year in one village in each district. The Government have also decided to disburse loans to Housing Societies in rural and urban areas up to Rs. 80 lakhs and Rs. 15 lakhs, respectively, during the current year.

10. The Government Bus Service in Madras City is fast developing and is affording great comfort and convenience to the public. It is also financially successful. The Government have decided to extend the scheme to the districts of Chingleput, South Arcot and Nellore and necessary action to implement this decision will be taken soon.

11. The Government have constituted a Committee consisting of officials and non-officials to consider the improvements that may be made in the administration of Jails and to suggest suitable reforms for the purpose.

12. Owing to the liberalization of the franchise qualifications under the Representation of the People Act, 1950, a supplementary enumeration of voters throughout the State became necessary, and this has been completed recently, and the preparation of the supplementary draft electoral rolls for the State Legislative Assembly and the Union House of the People has been taken up. The draft rolls for the Madras Legislative Council are also under preparation. The draft rolls are expected to be ready for publication as the preliminary rolls in September 1950 for being finalized after the disposal of claims and objections.

During this session, both the Houses will be afforded an opportunity to discuss, on a Government motion, certain important

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questions connected with the elections under our New Constitution, namely, the question of single-member and plural-member constituencies, reservation of seats for the Scheduled Castes and Scheduled Tribes and the conduct of elections.

13. My Government have already taken action, with reference to Article 187 of the Constitution, for setting up an independent Secretariat for the State Legislature, and the proposals which they have finalized in this behalf will be placed before both the Houses for approval during this session.

14. Since I spoke to you last, my Government have decided to extend their scheme of Separation of the Judiciary from the Executive to five more districts in the State with effect from 15th August 1950. The results so far achieved are encouraging.

15. The law and order situation in the State has been generally satisfactory, due to the vigilance of the police forces and the magistracy. Activities of subversive elements still persist in certain areas but the vigorous action taken by the Government has led to a considerable decline in the number of serious crimes like murder, looting, robbery, etc.

16. I shall now proceed to indicate to you the more important legislative measures which will come up before you for consideration during the current session.

(1) You will be asked to consider the Madras Hindu Religious and Charitable Endowments Bill, 1949, as amended by the Joint Select Committee.

(2) The report of the Select Committee on the Madras City Improvement Trust Bill will shortly be presented to the Legislature.

(3) *The Madras Warehouses Bill, 1948.*—The report of the Select Committee will come up for your consideration.

(4) *The Madras Agriculturists Relief Act, 1938* (Madras Act IV of 1938) was enacted in order to give relief to indebted agriculturists and made suitable provision, among others, for scaling down their existing debts and for redemption of usufructuary mortgages. Certain practical difficulties have been experienced in the working of these provisions and it has been found necessary to amend the Act suitably. An amendment Bill for the purpose is expected to be introduced in this session.

(5) Article 190 (1) of the Constitution requires that the State Legislature should provide by law for the vacation, by a person who is chosen a member of both the Houses, of his seat in one House or the other. Necessary legislation in this behalf will be introduced during this session.

(6) *The Malabar Tenancy Act, 1929.*—It is proposed to introduce a Bill to amend this Act in this session.

(7) Certain practical difficulties have been experienced in the administration of the Madras Buildings (Lease and Rent Control) Act, 1949, whose life expires on 30th September 1950. Necessary legislation for continuing the Act and for carrying out certain amendments to it will be introduced in this session.

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(8) It is proposed to introduce legislation for the constitution of a Contingency Fund for this State as provided for in Article 267 (2) of the Constitution.

17. These and other matters will be engaging your attention this session and I have no doubt that the care and thoroughness so characteristic of your deliberations will once more be evident in the discussions that will take place. May providence give you faith, courage and wisdom in the task that lies ahead of you.

I thank you once again for your courtesy and your patience.

MR. SPEAKER:—"I have to acquaint the House that on the 1st of August His Excellency the Governor was pleased to make the above speech to both the Houses of the Legislature of which I had, for greater accuracy obtained a copy and placed it on the table of the House on the 1st itself."

SRI T. K. T. N. R. TATACHARI:—"Mr. Speaker, Sir, I feel it a great honour to be enabled to move that an address be presented to His Excellency the Governor of Madras in the following terms:—

May it please Your Excellency,

We, the members of the Madras Legislative Assembly, beg leave to thank Your Excellency for the Address delivered to both the Houses of the Legislature."

MR. SPEAKER:—"Just a minute; I want to suggest a verbal alteration. Before the words 'May it please Your Excellency', please add the words 'That an humble address be presented to His Excellency as follows'. That is a form which is adopted everywhere."

* SRI T. K. T. N. R. TATACHARI:—I move—

that an humble address be presented to His Excellency as follows:—

May it please Your Excellency,

We, the Members of the Madras Legislative Assembly, beg leave to thank Your Excellency for the Address delivered to both the Houses of the Legislature'.

Sir, this privilege was given on the first occasion to the hon. Mr. Bapineedu, and I feel that it is a privilege and an honour to me to move this resolution now.

"I must at the very outset say that His Excellency's address conveys the impression that great achievements have been very modestly expressed. As His Excellency has pointed out, the financial position in every field of activity has become more difficult than before. But we must say that His Excellency's Government have a legitimate claim to be proud of their achievements in spite of difficulties. None of the development, irrigation and power schemes, has suffered much. His Excellency has been pleased to point out that 25 crores have been spent already on these schemes for equipment and organization."

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SRI V. RAGHAVAYYA:—"On a point of order, Mr. Speaker, I want to know whether a Member can read out his speech from manuscript, particularly when the Member is able to make his speech extempore. I may tolerate it in respect of a person who is a novice or new to this House, but in the case of an undoubted reader like Sri Tatachari . . ."

MR. SPEAKER:—"Written speech is not allowed; but as a special case, the Member requested me to allow it. Sometimes reading out the speech is allowed. He is not a member who often makes a speech here; he feels nervous now and so I have allowed him to read his speech."

* SRI T. K. T. N. R. TATACHARI:—"To drop or even curtail their programme would have far-reaching adverse results. The Government have acted with courage, perseverance and resourcefulness in boldly pursuing their programme in this regard. We have to congratulate them in keeping their credit in the open market at the highest for any State Government, I believe in India to-day. While the sister State Government of United Province have failed for two successive years, to have their loans subscribed, this State Government have been able to get their one crore voluntary loan for the Manimukthar project in Tirunelveli district over-subscribed by 28 lakhs.

"The novel method of financing development schemes by open market loan has been resorted to successfully for the very first occasion in this State. This Government, the Government of India, the Reserve Bank and, last but not the least the ryots and the public-minded men have to be thanked for having practically demonstrated the value of co-operation and co-ordinated effort. His Excellency referred to double crop irrigation of about 10,000 acres under Lower Bhavani. I am sure the Government will not neglect smaller projects like the Swarnamukhi which will give double crop irrigation for 8,000 acres at a cost of 4½ lakhs, which I can say, will be subscribed in no time as loan. I hope that the other districts will equally stand on their own legs whenever occasion arises and display their constructive ability.

"In the field of Law and Order, too, the achievement of the Government is not inconsiderable. Lawless pestered areas have been given a security which was thought by some to have been almost impossible. Life and property have been rendered fairly safe and secure. In achieving this, Government had necessarily acted with decision, patience and restraint. From the amendments tabled I find that there is an opinion that police Raj is ruling. On the other hand, eminent politicians like Prof. Ranga have grievously misjudged the situation and have failed to assess the true value of the measures taken at one time by the State. His appeal to the Central Government to take control of those areas supplanting this State shows that he did not know his own mind. He was obsessed with, obviously, some idea and more or less expressed that this State Government was weak-kneed and inefficient. Well, with what result? The Central Government came down a few week later in the shape of their Home Secretary

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who visited the area and praised and congratulated this State Government on the thorough and efficient measures adopted to put down the menace! The alarmist in some of us ought to be eradicated. While one section feels that Police Raj has come in another feels that the measures are not enough. Opinion is now centred on two matters, Food and Security. On the first, people may be entitled to hold and express their own views. On the second, they may not have so much liberty if they are men of responsibility. We expect that leaders like Sri Ranga would speak with both circumspection and restraint. Special powers had to be taken to shoot down people indulging in violent destruction of life and property; and such powers can only be taken as the very last measure in suppressing violence. Government have therefore had to act with patience and not like a private individual who gives back a punch immediately. By the merger of the prohibition with the regular police, general policing in the State has been increased providing more efficient policing for general purposes.

"In the matter of Food, the Government has done all it could. Persistent measures have been taken up to speed up Irrigation works and minimise administrative delays by creating a separate Food production department. Grants, subsidies and loans to agriculturists are being given in several ways. But, there have been no rains. Such adverse seasonal conditions have been existing in a large part of the province for the fourth year in succession. The Government has to fight against the very elements and has done it as best as any Government could; for, if only these measures had not been taken, one cannot say by how many more ounces our rice ration would have had to be reduced. It might be a permanent safeguard, if, in addition to going ahead with the Tungabhadra, Lower Bhavani and Malampuzha projects, the Government keep ready to proceed with the Krishna-Pennar and Ramapadasagar projects. Waiting to get ready when there will be financial ease, the Government may find that by the time they get ready, the financial position may again get tight.

"Looking at the number of Schools and Colleges opened this year, we have to thank Government for satisfying the urge for education to a greater extent than what the circumstances would permit. Harijan Uplift has been receiving the best attention in the country. This is the only State which has a separate Department and in the matter of the work itself, the Government is leading. Other Governments are keenly interested to learn and are, I understand, making inquiries as to the way this department is working and carrying out measures. This State leads in the number of hostels opened for the community.

"Backward communities, too, have been given the benefit of several important measures. Aboriginal tracts have been far from neglected. A special feature of work in this regard is the appointment of a Special Agency Development Officer of the grade of a Collector, a separate District Forest Officer, Engineer, and Health Officer. These Officers have been camping together and solving questions then and there to avoid delay with a view to implementing measures readily.

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"House-building schemes for rural areas is a new and welcome feature. We are thankful to Government in reducing the maximum limit for the sanctionable loans to Rs. 15,000 in towns and Rs. 5,000 in villages, thus taking house-building within the reach of the poorer middle classes. I take this opportunity to suggest to Government that the housing problem will be solved in the molassal to a great extent if only Government take to systematically building houses for their employees.

"Afforestation and the planting campaigns have been pursued with vigour. For the latter we feel obliged to the Hon. Mr. Munshi and I feel he will shortly also make us feel obliged for a sustained spirit on the part of the people to find water and grow them.

"With these few words, I move the motion standing in my name."

SRI T. S. PATTABHIRAMAN.—"Mr. Speaker, Sir, it is a very great pleasure for me to rise up and second the motion of my esteemed colleague offering our humble thanks to His Excellency the Governor of Madras for having delivered his address yesterday. We are meeting at a very critical time in the history of the world and nay, in the history of mankind itself. We are faced with a possible global war, though some may think we are not directly concerned with it. There are some pessimists who still feel that this war may not become a global war and that it is a remote possibility. The first shot has already been fired in Korea and it is all a question of time when we may get involved in it. It may be as some think that it is not our direct concern and that we might remain neutral. But, unfortunately persons who have been groaning under high prices, restrictions and rationing, do not seem to have any relief in the near future. Prices of vegetables, ordinary commodities and foodgrains are soaring up every day, with the possibility of the war. Our position has become more difficult and more precarious and the lot of the common man and the poorer classes and the middle-classes has become more and more hopeless. On the other hand, we see a silver-lining in the address of His Excellency the Governor. He has given us hopes, he has given us optimism and an assurance that this Government will be able to solve all the problems to the satisfaction of all. He has outlined the policy of the Government in the months to come. One very noteworthy feature of His Excellency's speech is with regard to the floating of a popular loan to the extent of three crores and one crore in connexion with the Manimuthar project. It is gratifying to note that the loan has been completely over-subscribed, within a few hours of its opening. It is by itself a clear indication, if any indication is needed, in what prestige and popularity our Government is held not only by the people of this Province but throughout the States. In this connexion, I would like to congratulate the Government on the novel scheme they have adopted for financing capital projects which are essential for the uplift of the masses from open-market loans. Capital projects, such as the Lower Bhavani Project and the Tungabhadra Project

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are not only necessary for ensuring self-sufficiency in food but they are also necessary for the production of electricity which is a sure weapon for improving the living conditions of human beings in the country. There must be better living conditions for all and for that we need projects and we are also in need of electricity. It is expected that these new schemes will be financed by public loans. In the case of the Manimuthar Project, the people of Tirunelveli have shown greater generosity and greater response to the demand of the Government to subscribe one crore. There were, of course, doubting Thomases and heart-burning financiers who were saying: 'you cannot approach the people because the money-market is tight.' But, the loan has been over-subscribed to the extent of one crore and 28 lakhs, whereas the Government asked for only a crore. Does it not indicate the popular esteem of the people of Tirunelveli for the Government and does it not show that the people are prepared to co-operate heartily with whatever the Government want for the uplift of the country? May I take this opportunity to thank the Government and the hon. Members of the Legislature, and especially my hon. Friend, Sri Kosalram and the public of Tirunelveli, who have in no small measure contributed to the success of the scheme? In this connection, I cannot but point out that whatever may have been our plans, the Central Government have not been very charitable to us. As a matter of fact, we are the first in the Indian Union in executing capital works and we have many schemes for the welfare of the people. But, unfortunately, the Central Government have not seen eye to eye with us in bettering our financial position. They have unlimited financial resources, but what they have done is, though they have promised crores of rupees, they not only failed to give us money last year, but they even discouraged to a certain extent our future plans. I hope that at least in the future, realizing that these capital projects are intended as an insurance against famine, poverty and discontent, they will come forward and give money, not for frivolous things, but for capital projects intended for the uplift of the masses and for the safety and welfare of the people. I hope the Central Government will realize and give us more loans and grants for at least capital expenditure in the future.

"Sir, coming next to the main problem, no one will be more happy than myself with regard to the announcement that the nationalization of motor transport is to be extended to some districts. (Voices: 'No, no' from the Opposition benches.) Of course, many may say 'no' but those who hold progressive views in the field of politics and economics will see that nationalization is the remedy for the evils of capitalism. It may be bad to-day but it does not mean that it is worse. It may not be quite satisfactory to-day, but there have been definite and sincere endeavours made to improve things so that there may be a phenomenal improvement in the standard of transport. It is really a matter for congratulation that the Government have come forward to extend the nationalization of bus transport to other districts. I am sure that particularly with the very able and efficient management of the transport under

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the Hon. Sri Gopala Reddi, we will have better buses, better transport and that the principle of nationalization will not be ridiculed in the future.

"Again, Sir, the Government deserve to be congratulated on having created an active interest in the welfare of the Harijans and of the poorer classes of the rural population. Government are now spending large amounts of money on the welfare of the masses. This clearly indicates that they have not neglected their responsibility to them. Having understood that the prosperity of the country lies in the villages, they have drawn up a number of schemes for the improvement of the villages and our Harijan brethren will be getting more and more direct and substantial aid in the future and also in the coming months.

"Then, the announcement that co-operative house-building will be extended to rural areas so that the poorer classes will be benefited, will be greatly welcomed by the common man, the poor and the middle classes who are already suffering for want of shelter in the mufassal areas.

"Again, Sir, the Government are determined to face the food crisis and the assurance given in the address that every one will have enough food in the coming months must have been read with great satisfaction. To-day the conditions are not good, but at the same time, it must be admitted that it is not due to lack of efficiency on the part of the Government but it is all due to the conspiracies of nature. Everybody knows that agriculture is a gamble with the monsoons in this country. To-day the odds are against us. I am not a philosopher and I am not going to philosophize on things I might realize. Government are realistic and they do not believe in philosophy; they are determined to face the crisis and solve it to the satisfaction of all. I hope the assurance given by the Food Minister of the Central Government that no one will be allowed to starve will be an eye-opener to those who want to make political capital. There is no use in making empty criticism against the Government for political purpose. To-day we want co-operation of every section of the people and of every political party for solving the food crisis to the satisfaction of all. In fact the Government have taken prompt steps to rush food-stuffs to the various districts and I am sure that within the next fortnight everything will be alright.

"Sir, Government have also to be congratulated on having efficiently maintained law and order in the past few months. Things were bad at times. Then we thought the trouble would be too much and there was a likelihood of a civil war, chaos and anarchy in certain districts of the Province. But, thanks to the prompt and efficient measures adopted by the Government the situation had been brought under complete control. Of course, there may be some sporadic instances, but that does not mean that law and order are not maintained. One exception does not prove the rule. So far as law and order in the country is concerned, the Government have been able to tackle the situation to the satisfaction of all and the ordinary citizen has been given protection.

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11-45 a.m. "Let me also through you, Sir, congratulate the Police Department, including the rank and file of it, on having given us peace and security by remaining loyal at their post at a time of crisis.

"I may add also very respectfully, of course, that His Excellency has not made mention of one point in the address and it would have been very good had he referred to it and the Government plans with regard to it: I mean the rising price levels in this country. Prices are soaring up and it is not up to Himalayan heights but even to Everest heights and we do not know where the ceiling will be, when it would be reached and stabilized as a preliminary to downward trends in prices. I feel, Sir, the Government must make an announcement regarding their economic policy and what they are going to do to check the rising prices. It is not due to the Korean War or to international situation. I feel, Sir, it is entirely due to the avarice of our merchant community. We see that the prices of ordinary commodities like vegetables, food-grains and others which have nothing to do with the Korean War have gone up and our merchants have begun hoarding them—I do not say all of them but some of them and when I am talking of this I speak with facts and figures and not merely off my hat—and I would very much wish our merchant community to be more public-spirited and they must be having the interests of the public also in their mind—not all of them but some of them. I would like the Government to tell the merchants that they have a plan to combat the rising prices and they will go to any extent to keep the prices low so that the common man may get his commodities at a reasonable level of prices and it would be better if the Government would announce the policy immediately so that there may not be any speculation on the part of the merchants in the hope that they may make enormous profits taking advantage of the Korean War and the international situation.

"There is another thing in which I am deeply interested and several hon. Members are deeply interested too and it would have been a great pleasure indeed had any mention been made about the plight of the handloom weaver. The plight of the handloom weaver—I have a personal knowledge of their condition so far as Tamilnad is concerned and it cannot be any different in the Andhra-desa also—is precarious; and the handloom industry is facing a crisis. The number of handloom weavers is about five lakhs of people and they are maintaining their families of 20 lakhs of people. They are facing starvation and annihilation and the whole industry is going to ruin. Their position is unenviable: there is no food for their family and no yarn for their looms with the result there is no employment for them and their family. Not that they do not realize it but I do not know why the Government have not announced their policy to keep up this industry. The problem is a very great problem and if it is not tided over to the satisfaction of all and if the industry is not given everything necessary to protect and to sustain itself I must warn the Government that many unprecedented things will happen and the handloom weavers may resort to many things which we may not imagine. I do not mean to suggest that this

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Government or the Central Government have not done anything for the industry as I know that they have been doing their best, the Provincial Government having spent thousands of rupees and the Central Government crores of rupees for uplifting the weavers. The present crisis, we feel, is a temporary crisis and it will be tided over. I earnestly request the Government through you, Sir, to rush foodstuffs and yarn for the maintenance of the handloom weavers, especially of Salem and Coimbatore.

"I do not want to burden the House with a long speech and I shall wind up my speech with a word of congratulation to the Government. There is no doubt that the Government which is presiding over the destinies of the people now, is a popular Government, Government for the people, by the people, of the people. There were and are doubting Thomases both inside and outside the House who have been crying-out in season and out of season that the Government has lost its hold over the people and the Congress has lost its prestige over the masses. That cry has been effectively silenced by the Congress victories in the recent by-elections in Dharapuram and Gudiyatham. They were never tired of saying that the Government was losing hold of the people but the recent elections has proved, if proof were needed that the Government enjoys the confidence and trust of the people and that will stifle their voices and they must know that the people are solidly behind the Government as they have been hitherto and ever will be in the future. The Gudiyatham election must be an eye-opener to the opponents who indulged in cheap jibes against the Government whenever there was an occasion and even when there were none. There was nobody to contest the standing Congress candidate and that shows what amount of prestige the Government enjoys and the confidence that the people repose in the great organization. Let me hope that those people who have been attacking the Congress organization and attacking this Government without understanding things outside, or conditions outside, will revise their opinion and their policy in the future and they will take note of the writing on the wall and support the Government and do their best to face the crisis.

"Coming to legislation, Mr. Speaker, the Bills that are going to be discussed during the session, namely the Hindu Religious Endowments Bill and the Malabar Tenancy Amendment Bill are certainly milestones in our progress and we are proud of it and the Government can certainly take credit for such monumental things which are going to help the people to improve their lot. The Government have been doing their best and are determined to do everything they can to uplift the masses, to give them square meals and decent living standards, to give them cloth and shelter and not to hear irresponsible criticisms. I congratulate the Government on the steps they have taken with this end in view and I feel that they deserve our hearty co-operation. With these words, let me once again offer my humble thanks to His Excellency the Governor for his Address."

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MR. SPEAKER :—" The motion reads thus—

'That an humble address be presented to His Excellency as follows :—

May it please Your Excellency,

We, the members of the Madras Legislative Assembly beg leave to thank Your Excellency for the Address delivered to both the Houses of the Legislature.

"Hon. Members should know that we are following the old procedure which we followed last year, namely, to-day hon. Members will be allowed to speak on the Address and to-morrow amendments will be moved."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Mr. Speaker, Sir, on no previous occasion did this House meet on a graver moment than we are in to-day, not only for Madras and this House should realise the grave situation that is facing this country including the people of South India and they are awaiting the deliberation of this House in the momentous session commencing from to-day. I am not using these phrases without due and particular thought but I am using them after deliberate consideration and I realize that the Government which is charged with the responsibility of looking after the welfare of the millions in this part of the country have an onerous duty to discharge. We were anxiously expecting H.E. the Governor's Address to contain elaborate details of the situation in the country with regard to the various fields of activity, particularly the supply of food to the people which I should venture to suggest is the most prominent activity of the Government to-day. It is a matter for regret that more details about the food situation of the country was not given in the address. I recall to you, Sir, the discussions on the floor of this House in January or February when we demanded of the Hon. Minister for Food to arrange for a debate on food in the next session and he promised to arrange for it but I am sorry to say that we have not heard of it so far. It was also given to some of us, Mr. Speaker, to request you to arrange with the Leader of the House for a full dress debate on food and we are thankful to you, Sir, for telling us that it will be possible to have a debate from next Monday onwards. I understand from the Hon. Leader of the House that he has not finally decided about that. I wanted to entreat the Government to tell hon. Members if there would be a food debate starting from Monday for it would enable them to reserve their observations about the food situation to next week and thus conserve the time of the House for discussing the other equally important and urgent matters. If there is a possibility of the food debate coming off next week, we may not devote much time to it during the present discussion."

MR. SPEAKER :—" The Hon. Minister for Food told me that he wanted a day for the food debate. If that is to come off and a separate day is allotted for the food discussion, we will ask hon. Members not to touch upon it now, and the two days will be utilized for discussing matters other than food."

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THE HON. SRI B. GOPALA REDDI :—" I would prefer the other way, namely, that these two days may be devoted to the food situation mainly and mostly."

JANAB ABDUL HAMEED KHAN :—" I find that the Hon. the Leader of the House has become practically a merchant without sales tax, as he reminds me. I think he ought not to mince matters; he ought to realize that the demand is insistent and sincere on the part of Members of the House to have a separate day for the food debate. He says that the food debate might take place now."

MR. SPEAKER :—" Hon. Members will not be prevented from speaking upon the food situation on this motion; as a matter of fact, they can speak on anything which comes under the purview of Ministers."

JANAB ABDUL HAMEED KHAN :—" I agree that hon. Members can speak on the food situation also during the debate on the address. But let me remind you, Sir, that it takes away the right for a full separate day for food when we shall have the occasion for a statement from the Hon. Minister for Food."

THE HON. SRI B. GOPALA REDDI :—" I will have to consult my colleagues on the matter. We have a very heavy agenda before us. We have the motion for representation and delimitation in connexion with the ensuing elections, which will take quite a bit of our time, the Hindu Religious Endowments Bill which is a controversial measure. I am not sure if once we begin even with one day, it might not drag on to two or three days. So, I shall have to consult and announce to the House whether we are going to have a separate food debate."

MR. SPEAKER :—" Let me also tell hon. Members that I will not allow those who take part in this motion to-day to speak on the amendment. We should follow the same principle we did on the previous occasion."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" I am grateful to the Hon. the Leader of the House for considering my request to have a full dress debate on food. As far as I know the English language I can read between the lines and in the hope and expectation that we are going to have one such, I am not going to spend on food the time left to me for dealing with the Address. In the matter of food, I am sure no member of this House would stint to sit late, if such a condition were to be fixed when allowing the debate on food, as food is a most important factor in our economy of life. Here, I would say only one or two words on the subject of food. Government have failed to take adequate measures with regard to food. We know they have taken some measures, for which we are thankful. But they have failed to take adequate measures. That is my statement now. For as early as January or February last, it was pointed out that we shall have difficult months in July, August and September. I would

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 request the Hon. Food Minister to recall to himself the debate in this House when hon. Members warned him about it. I said then that I wanted him as well as the Hon. Premier to go to Delhi and remain there, for a fortnight, if need be, and convince the Central Government of the need of this State regarding food and make arrangements then and there to procure food for us here. Here, I would like to say on this occasion that it was a pernicious idea that has permeated throughout India about the self-sufficiency being attained in 1951. It has ruined the country so far as food economy is concerned. It cannot be denied; in fact, it must be admitted. For, this Government, had not that idea been set afoot, would have made the Government of India to make arrangements with countries like Burma, Thailand and China to import rice. What has happened is that since there was no demand for rice from India, those countries have sold their rice to other countries, with the result that there is no rice available for us to be bought. I see in this morning paper that the Government of India are arranging to send one lakh of tons of rice to Bihar, Madras and Bengal. Now, under it what will be the share of Madras? Very little. So, of what use is it?

"Here, Sir, I would bring to the notice of the House on the question of reduction of ration from eight ounces to seven ounces one point. This reduction to seven ounces is only a myth. This morning I read that the Collector of Malabar the accredited representative of Government, has said that the seven ounces of ration is far short of six ounces. It is a fact. There are places where it is less than six ounces of rice; and in places like Ramnad there is no rice available. There are several such tracts in the province to-day, and unless Government make arrangements to bring rice from other parts we would have to face a serious situation. Unless the Hon. Food Minister joins together with Mr. Munshi and performs a miracle, the food situation cannot be tided over easily. No goods train has been passing from Tiruchirappalli to Mathurai side for the last ten days. I doubt whether this fact had ever come to the notice of Government, and whether they had ever inquired into the reason for that. The fact is there is no water available for the goods engines in the several railway stations in that route. I may inform the House, not one goods train has been allowed to pass to Mathurai from Tiruchirappalli for want of water. This could be got over by taking a special waggon containing water along with the goods train; or the help of the local people could have been secured. I want Hon. Food Minister to see that the engines do get water beyond Tiruchirappalli. Unless he moves about the business like a military officer and do the needful in the matter he cannot get over the difficulty. If the Hon. Premier feels that one Minister cannot cope with this work, let him appoint one more minister for Food, to get over this food crisis. I want the Hon. Minister to move about on this business all the twenty-four hours or more!

"This Government should have openly told Pandit Nehru about our trouble; for however distinguished he may be and in

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whatever esteem he may be held, he is bound to hear us and respect our feelings, if only we in South India told him of the futility of self-sufficiency in 1951 being attained and that the serious situation here can only be saved by imports from abroad. The Grow More Food Scheme, however successful in other parts of the country, cannot solve the problem in this Province. I shall not be thought of casting cheap criticism about Grow More Food Campaign. For the real point is, it is all easy to talk about it, but very difficult to attain regarding improvement of food. Projects like the Manimuthar Scheme would go a great way in solving food problem; and I can only say that some such irrigation schemes are undertaken by Government for the Ramanadhapuram district and Pudukottai taluk. I can assure Government of the support of the people for such schemes instead of waiting for the development board to be formed and functioning, about which I moved in the last meeting. I would withdraw that suggestion; because my suggestion only finds a place in the archives of the Secretariat. I shall be prudent to ask the Irrigation Minister to give us some irrigation scheme for the Pudukottai and Ramanadhapuram area as early as possible. I do hope it will carry weight with him.

"Now, on this occasion, I want to tell this House that the public feel that our representatives in the Central Legislature are not doing their duty by the people. There is a feeling that they have either not spoken about our problem or they have not said enough about it or said in full. While the other States are vociferous, the South is rather silent. For the last four years representatives from the South have been going to Delhi and representing us in the Central Legislature. I had occasion to speak to them, and I told them that they on the whole are 75 or 100 strong, including the representatives from Travancore, Cochin, Mysore and Hyderabad; and they constituting as they do 100 out of 400, can be in the Assembly there, a power, if not a terror, if I may say so. If only our representatives had asked for a debate on the food situation in the South, they would have impressed the Central Government of the gravity of our problem here. In fact, I would suggest to our Members in the Central Legislature to meet in a sort of convention in New Delhi just before every meeting, or probably meet at a tea table, and invite thereto the Ministers of the Central Government and discuss our problems there. If that is done, probably, they would take it up and take action forthwith; or at least we will have the satisfaction that in addition to the cry made on the floor of the House, or as was said by the representative from Bellary, we would have attained partial success. I am sure if such a thing was done, Madras would get something more.

"Now, Sir, I would like to say one or two words about the lack of interest that this Government evince in the matter of industrial undertakings. I do not ask for more industries to be started here; for, what is the use of asking for them, unless there is protection for the existing ones? The Madras Government are

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not looking after the interest of industries in this Province. When I say that I do not mean the well being of the mill-owners. I mean about the cause of the weaver, about whom Mr. T. S. Pattabhiraman spoke. For the weavers to get yarn there should be supply of cotton for mills at reasonable price. I have been saying times without number that without the active help of the Madras Government, the mills would not be able to produce the necessary amount of yarn. I told the Hon. Minister for Industries the other day that a serious situation was in the offing. I have told the Hon. Minister for Labour that the mills would have to be closed shortly. It is up to the Hon. Ministers for Industries and Labour to put their heads together and take steps to avert that situation.

12-15 p.m. "When I am on Industries, let me mention a word about research. I shall divide the subject into two, so that, if I fail in one, I may succeed in the other. Industrial research has not met with much encouragement at the hands of the Madras Government. Probably, the Hon. Education Minister, who, I know is anxious to develop technological subjects, would very soon announce that such and such a sum has been sanctioned for scientific laboratories in this Province. I want the Government in the Ministries of Industries and Education to put their heads together and see that industrial and other research in collegiate and University centres is developed to the largest extent possible.

"Reference was made to the nationalization of bus service. Nobody is against nationalization as such. But what has nationalization brought about? It has straightaway brought loss to the exchequer. We know that after the nationalization of the Madras Electric Supply Corporation, the income-tax that was paid by that Corporation to the Government of India is not being paid. Therefore it is a loss to the Central Government. Ultimately it is also a loss to the State concerned. For nationalization of the Calcutta Electric Supply Corporation, the Government of Bengal applied for a loan of several crores and it was rightly refused by the Government of India on the ground that after nationalization they would lose the large sum of money which the Corporation was paying by way of taxes and that there should be no nationalization of the Electric Supply Corporation unless the Government of Bengal guaranteed the payment of the taxes. The nationalized bus transport is not paying all the taxes which the private bus operators were paying formerly. We have demanded on the floor of the House that in casting the balance sheets the department concerned should make provision for a reasonable return on the capital investment and for the payment of taxes and that the money so provided should be set apart as a reserve fund. As the nationalized transport has been in existence for more than a year, let the Hon. Minister for Transport place on the table of the House a financial statement of its working so far. I would like the Hon. Minister to tell us whether he has set apart in a reserve fund the money which would have accrued to

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the Government by way of income-tax but for nationalization. With regard to extension of nationalization to three more districts, I am not opposed to it. I am only warning that it will not always be a success. To make it a success, it must be worked on a commercial basis and the profit reckoned after setting apart the taxes which would have been payable if the bus service had been run by private operators.

"His Excellency's address is unique in that it does not make any reference to the payment of compensation to zamindars. I have said many times on the floor of the House that the zamindars are very willing to be compensated and relieved of their estates. They have agreed to, and acquiesced in, the policy. They are not giving trouble as the zamindars in some other parts of India are doing. The Bihar Government have been forced to return the estates to the zamindars. I do hope that such a situation will not arise in this State, as it will not be in the best interests of the Grow More Food Campaign. All chaos and uncertainty about the intermediaries between the Government and the tiller of the soil should be avoided. Beyond the provision made in the budget, I am not in a position to know how much money is going to be paid as compensation and what progress has been made so far in making the payment. It would have been well if the address had dealt with the question of payment of compensation to the zamindars.

"Reference has been made to law and order. There is no one who is more anxious than me that law and order should be maintained in this country. While we appreciate that the Government and the Police have done their best, the position is becoming more and more difficult on account of the food situation. Law and order is closely connected with food. The sooner the Government attend to the food situation, the sooner they can avoid food riots. There is going to be serious unemployment of labour in the cotton mills in this country and the Hon. Minister for Industries and Labour should take steps betimes to avoid such a situation. I do hope that it will be possible for the Ministries of Food and Industries and Labour to solve the problems and see that there is less work for the Police in future. There is an opportunity even at this eleventh hour to save the country from a critical situation.

"In the remarks that I have made to-day, one would have noticed that my supreme anxiety has been the question of food. I have correlated the activity of every department to the question of food. All activities of Government are closely connected with food and I do hope that the Government of the State should attend consideration to it. The Government of the State should attend to foodgrain distribution as a military commander will attend to his work in an emergency. Our State is in a critical food situation to-day and I wish the Government good luck in their efforts to solve it."

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MR. SPEAKER:—"Are the Government going to make any announcement about the food situation to-day?"

THE HON. SRI B. GOPALA REDDI:—"Our Food Secretary is away attending a very important conference in Delhi. We are expecting his arrival to-day, so that information on what had happened in Delhi might be made available to the House. It is better that we have a full-dress debate on the subject on Monday even by sitting late till 8 p.m. or so, if necessary."

MR. SPEAKER:—"I want to fix a time-limit for each speaker. I fix it at fifteen minutes for to-day."

*BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, we are grateful to H.E. the Governor for the address that he delivered to us yesterday and for the keen interest that he is taking in the welfare of the people of this State. But we are sorry to note that when we have met after the lapse of four long months, conditions of living and of administration in this State, instead of improving have, in the other hand, deteriorated to the utter despair of the people. It is indeed a matter of intense regret to find that food scarcity is prevalent to such an extent that the spectre of famine is stalking the land, and the Government seem to have lost grip over the situation. It has been announced that the rice ration has been reduced from eight to seven ounces, but, as a matter of fact, in a large number of places people are not getting even these seven ounces. Reports are received from many districts to the effect that their stocks of rice are fast running short and that, they are able to give only three or four ounces of rice ration per adult. As for the overall ration of twelve ounces is a perfect myth and has not been in existence for a long time now. As a result of the deteriorating food situation, the plight of the people of this State is indeed miserable. People are dying of undernutrition and malnutrition and are bemoaning their lot, for they never expected to be reduced to such straits under a national Government.

"It is true that Nature has to a certain extent been responsible for the fall in production, but Nature alone is not to blame for in Madras State, 32 per cent of the cropped area is irrigated. The fact of the matter is that there is considerable lack of efficiency, there is maladministration prevalent in this State and these are to a large extent responsible for the present food scarcity. The recurring crisis of the past few years should have spurred the Government to determined efforts to maximize local production and to see that the food schemes are fulfilled according to plan. This, however, has not been done and the results from year to year are far below expectations. In a Press Note that was issued recently, it was reported that whereas the target for food production had been fixed at 142,000 tons, the actual quantity produced was barely half, namely, 77,541 tons.

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The gap between target and achievement shows that there is considerable room for improvement in the Government's efforts to increase food production. Further, there is need for greater drive and more rigorous efforts to relate expenditure to return. A considerable amount of money has been spent on the Grow More Food Campaign but the results achieved have not been commensurate with the expenditure incurred. As a solution for the problem of hunger that is consuming the masses, people are asked to substitute vegetables for foodgrains for one day in a week. But I wish to enquire of the Hon. Minister how the poor can be expected to procure vegetables for, are not vegetables beyond the capacity of their purse? I find reports in the Press that in some places the poor are living on tamarind seeds, and on roots and herbs. Such a diet will have a most deleterious effect on the health of the nation. If present conditions are not rectified soon, I shudder to contemplate the calamity that will befall the people of this State. As a short-term measure as the previous speaker, the Raja of Chettinad, pointed out, this Government have to take urgent steps to impress on the Central Government the necessity for further allotments and immediate transport. And as a long-term plan the Government should give the first priority to the question of increasing food production since the Hon. Prime Minister of India has announced that after 1951 the Central Government would not import foodgrains. Even if they were to do so, the quantity would be much less than what it is at present. Such being the case, every step must be taken to make this State not merely self-sufficient, but even more than self-sufficient by 1951."

MR. SPEAKER:—"The hon. Lady Member will have another opportunity to discuss this subject in the Food debate."

BEGUM SULTAN MIR AMIRUDDIN:—"I am aware of this, Sir, but since this is a vital matter we have to reiterate our suggestions so that the Government may give them due attention. It is not anomalous that large quantities of rice should have been imported from Uttar Pradesh at a prohibitive price, while large stocks of rice produced in the surplus districts of this State have been allowed to rot for lack of necessary transport. If the authorities were active vigilant, surely, they could have taken steps to prevent this. The time for self-complacency is gone. The food crisis is an event which cannot be viewed with equanimity. The Government have to make a determined effort to tackle the question and deal effectively with problems of maldistribution and malprocurement alongside their plans of increased production. I shall deal with this further when we take up food debate.

"There is another matter that is a source of great anxiety to the poor and the middle classes, and that is the upward march of the cost of living index. The Korean War has served as an excuse for prices to soar up further. Prices even of articles which are not imported and have no relation to the Korean War, have shown an upward trend. As for drugs they have gone underground. In consequence life has become most trying for the

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average citizen and people are most sullen at Government's incompotence to improve matters. Blackmarketers are thriving everywhere, but the Government have not the courage to put a stop to their nefarious trade. When we visit the Penitentiary, we find persons who have smuggled a few measures of rice serving their term of imprisonment. But what about the real blackmarketers, the rich merchants? They are allowed to go scot-free. The Government should realize that those who are guilty of social crimes like the blackmarketers are even worse criminals than those convicted under the Indian Penal Code. Social crimes are more heinous than other crimes for they affect the nation as a whole, whereas offences punishable under the Penal Code generally affect only a few individuals. It is therefore the urgent duty of the Government to take courage in both hands and initiate measures to eradicate the blackmarkets which make the life of the people intolerable.

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"In his address, H.E. the Governor made a reference to elementary education in this State. The Government seem to be satisfied with what they have done in regard to this matter. But their achievements are far from satisfactory, for there has been no extension of elementary education in the past year—if I am wrong, let the Hon. Minister for Education correct me—and I believe that the Government do not propose to take steps to extend elementary education to any further area in the coming year either. As for the new Bill which will give a further grant of Rs. 50 lakhs to local bodies, I am afraid it will not improve matters much, for local bodies have demonstrated their incompetence to solve the problem of elementary education satisfactorily. It would have been much better if the Government divested the local bodies of their responsibility in this regard and undertook this task themselves.

"With regard to adult education, all that has been done by the Government and the money spent by them for this purpose has only touched the fringe of the problem. If progress is to continue at this pace only, it would take a century to solve the problem of adult illiteracy in this land.

"As for collegiate education, the opening of two more colleges for the training of teachers is but a small remedy for the acute shortage of academic institutions. In addition to the two training colleges, the Government should have established some more art and particularly science colleges in this State, because the existing institutions are found to be most inadequate to meet the growing demand for higher education. As the Hon. Minister for Education is aware, in future admissions to colleges cannot be made on communal consideration. Therefore, it is the duty of the Government to see that proper and adequate facilities are provided for all who wish to pursue higher education so that those who belong to the weaker and backward sections of society, like Harijans and Muslims, whose interests should be protected in consonance with Article 46 of the Constitution, are not denied the opportunity

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of receiving higher education. Since some of the present Ministers were Members of the Constituent Assembly when Article 29 (2) of the Constitution Act was passed and accorded their full support to it, it is the duty of the present Government to make provision for the weaker members of society to face the situation created by that Article. This they can do by opening an adequate number of educational institutions in the State so as to absorb all who wish to pursue higher education, otherwise the future is dark and bleak for the Harijans and Muslims. I ask, 'Are the members of these communities to remain perpetually in a state of backwardness?' (Hear, hear.) Are they to get no chances whatsoever in future to enter educational institutions? Is it not a fact, Sir, that the strength of a chain is measured by the strength of its weakest link? Can New India then afford to have weak links in the body politic? Moreover, Sir, in consonance with Article 46 of the Constitution Act, is it not the duty of the Government to promote with special care the educational and economic interests of the weaker sections of the people and protect them from social injustice and all forms of exploitation? Undoubtedly, the Harijans constitute one of the weaker sections of the society and so are Muslims to-day unfortunately, particularly Muslim women. If adequate measures are not taken to afford them facilities to march forward in the path of progress through the medium of education, they cannot overcome their backwardness and rise to the level of the communities that are fortunately placed. Social justice requires that the Government should ponder seriously over this matter and take rigorous steps to afford facilities and opportunities for the weaker and backward sections of society to avail themselves of the facilities of education.

"Sir, in his address, His Excellency the Governor made a reference to the Government bus transport. The Hon. Minister in charge of Bus Transport in the City seems to be gratified by the remarks contained in the address. But, if he had read the complaints that have been appearing in the newspapers day after day, about the insufficiency of vehicles, their unpunctuality, their overcrowding and the inconveniences of the passengers, he would realize that he has not much cause for satisfaction. Instead of launching upon the extension of bus transport to other parts of the State, the Government would do well to confine their activities to the city itself and improve the transport system here by putting more vehicles on the roads and by making the administration more efficient, and implementing the recommendations of the Three-man Committee.

"Before I conclude I wish to express gratification at the fact that the loan which Government recently floated has been oversubscribed. Time and again we have been impressing upon the Government, that instead of financing their schemes by levying taxes on the people, it would be better to raise loans in the open market. I am glad, Sir, that at long last the Government have had the courage to do so. I hope in future also, they will resort to this method of financing their schemes and will take steps to

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reduce the burden of taxation which is weighing heavily on the people. The sales tax on essential articles, particularly on food-stuffs, should be removed. At a time when people are suffering from a state of despondency, dejection and even despair on account of the soaring prices, the removal of the sales tax on essential articles of food would help in some measure to dispel the existing gloom. I hope, the Hon. the Finance Minister will take speedy steps in this behalf. In conclusion, I wish to emphasize that the Government should take cognizance of the grim realities that are facing us to-day and give up their attitude of complacence. We are living in a difficult and a dangerous era. The whole world to-day is immersed in gloom on account of the war clouds hanging over our heads. At this critical juncture in human history, it is the duty of every State to tackle its problems in a suitable manner for unless there is contentment among its own people, it can make no contribution to the cause of world peace and world prosperity."

* SRI C. M. KOTHARI:—"Mr. Speaker, Sir, the address of His Excellency the Governor, which is a catalogue of the activities and the policy of the Ministry, gives us no indication as to what the Government are going to do to solve the various immediate and important problems that are facing them, whether they have given consideration to them and what definite policy has been envisaged as to the solution of the same. Sir, I would not have joined in the chorus of cry against the Government in regard to their food policy, had it not been for the fact that I represent a constituency, the Planters' Constituency, which employs more than 150,000 workmen in the various estates and who are alarmed at the very low stock of food they have in their hands, which is not likely to last for more than 7 or 8 days, and they do not know what will be their fate, if fresh stocks are not rushed to the different estates. Sir, I am talking with facts and figures and I want the Hon. Minister for Food to realize the gravity of the situation in the plantation estates, when I make this statement. Sir, I drew his attention to this state of affairs more than once and warned him that the stocks in the Anamalai and the Nilgiris, would not last for more than a few days, and that if stocks are not rushed therein, the health of the workers would be at stake. Sir, here is a problem which the Government must face and try to solve immediately and with all seriousness, but I regret to state that no mention is made about the same in the address of His Excellency the Governor, nor are we told how the Government are going to solve it. Instead of that, on page 2 of his address, His Excellency has been pleased to tell us that there will be self-sufficiency of food in this Province by the end of 1951, as a result of the irrigation policy followed by the Government. I would very much like that such a thing were possible of being achieved by that time, but I have got my own doubts. I always feel that our Government and our Ministers and the officers of the Government have been overestimating their abilities. When first the Grow More Food Campaign was launched, we were promised by the Government that in a few years' time, our Province would become

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self-sufficient in the matter of food, by the large number of wells that would be dug and the number of irrigation schemes that would be executed. But what do we see to-day after four years of that campaign? We have still got to carry food from one place to another, and not only that, we are asked to eat tubers. The condition of the workers in these estates is very deplorable in the matter of their rations. They have to wait for hours together in queues before ration shops. Thereby they lose so many hours of work in their regular labour. Their womenfolk and children have to waste a lot of their time before the ration-shops, which they could have utilized usefully at home. And after all, what is the kind of food that is supplied to them at these ration shops? 30 to 50 per cent of the rice that is supplied contain merely husk, dust and stones. Under these circumstances, how could they maintain their health? No amount of assurance by the Government will be of any avail unless and until the Government have enough stocks of rice, and they are rushed to those places in time from any other centre in order to relieve them from imminent starvation and hunger. It has been very aptly said by a previous speaker that we are creating skeletons without food and that there is no vitality among the present generation. I would even go further and say that we are mortgaging the future generation by our present food policy.

"Sir, we in the plantations are alarmed with the 8 oz. ration which is given to us, out of which one or two ounces form husks, dust and stone. Our workers have got to work for 8 hours in the day in the plantations, and if they are not fed properly, I do not know, how it is possible for them to work. I would ask the Minister to see that these workers are given at least 16 ounces if not more.

"Then Sir, there is a glaring omission in this address regarding industries, and the Government's effort to increase industrial production. That is a very important subject, but I think there is nothing in the mind of the Government or in mind of the Hon. Minister for Industries, to make a mention about this in the address, relating to the expansion of industries and thereby increasing industrial production. (Interruption.) Sir, I would request the Hon. Minister for Industries to hear me what I say and take any action he might think necessary. Sir, there is lack of production everywhere; our industries are going down and there is no one to look into why the cotton mills have been crying hoarse regarding the cost of production, which is going up day by day, and of the non-availability of cotton, as a result of which some mills have threatened to close down production. I am sure, Sir, that the Hon. Minister for Industries must be aware that some of the mills have not got sufficient cotton supply and are on the point of being closed down. There is also the fact that many of the handloom weavers are not getting the yarn which they require, and that distribution of yarn is not properly done among the weavers. I want to know who is to be blamed for this state of affairs. I am sure, it is not the mills who are to blame. They

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are producing whatever yarn and cloth they could, but it is the distribution that is faulty, and bad. The Central Government come and say, 'I will control production and the prices and the State Government will attend to distribution'. But the State Government have not the courage to go and tell the Central Government that they would not undertake distribution, unless the mills are supplied with enough cotton for them to carry on throughout the year. The distribution which the Provincial Governments are asked to control is done in a most inhuman and on a wrong basis. I shall explain in a few words how it is inhuman and how it is wrong. They are asked to tex-mark cloth, say of a certain number of counts at Rs. 15-8-0, while the cotton which we have got to buy from the market has now gone up and the wages we are asked to pay to our workers have also been raised. That is to say, both the prices of cotton and the manufacturing wages have considerably increased and how can we make any margin of profits, when our cloth is tex-marked Rs. 15-8-0, which is the most uneconomic price for the cloth that we produce?

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"When are the mills going to get the manufacturing charges? Have the Government been aware that they do not give them manufacturing charges? By putting the tex-mark at a lower rate and then telling the mills that they will distribute the yarn, a great many of the mills in the Presidency will close down, they cannot afford to go on with the small margin and they cannot also afford to run their mills at a heavy loss. I would like to know from the Hon. Minister for Industries his mental reactions in connection with the present scheme which would not work well. The Government have been putting the tex-mark price at a particular rate. Why should there be control as to the price? The Government should have the sense enough to see that distribution is given to the mills. Now the middleman is making out a profit. It is the middleman who charges a premium over the tex-mark price. The Government have not stopped that. If the Government do not do this, what will happen? Does the middleman who gets the profit pay any income-tax? If the mills were to charge a little premium over the price fixed, they will have to pay the income-tax. The State can also have the profit by itself. These and other things are not receiving the consideration of the Ministry. Sir, I feel disappointed that in the address of His Excellency the Governor, nothing has been said on this important matter.

"In the earlier paragraphs His Excellency the Governor has given us to understand that we are passing through difficult times, that the finances are bad, that we all must co-operate, and that the State requires every son of the soil to co-operate with the administration. I wish to say one thing here. Who brought about these conditions? The Government voluntarily gave up Rs. 25 crores in an ideology, which was not realistic. The Government gave priority for Prohibition, which should not have been given. Priority should be given for food, buildings, clothing,

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etc. In their zeal for complete Prohibition they have given first priority for Prohibition. The consequences of Prohibition that they have lost the confidence of investing public."

THE HON. SRI B. GOPALA REDDI:—"If they were not for Prohibition, our loans would not have been successful."

SRI C. M. KOTHARI:—"That is why the U.P. loan was withdrawn."

THE HON. SRI B. GOPALA REDDI:—"There is no complete Prohibition there."

SRI C. M. KOTHARI:—"Even then the loan had to be withdrawn. In spite of these things I must congratulate the Hon. Minister on his successful launching of the loan. I am aware of the undercurrents which were going on when the loan was to be raised. As one of the under-writers, I have known how it would have been successful or unsuccessful. I may tell my hon. Friend that doubting Thomases were correct in their ideas, but the doubting Thomases were convinced by the Finance Minister of the condition of the Province and of the fact that the productive capacity of the Province was sufficient to enable the Government to raise the loan. He had also to convince the investors. Mere press communiques would not do. They had to cajole the investors. To the credit of the Finance Minister, I should say the loan was great success. I rejoice and I congratulate my hon. Friend on his effort which, after a few years of failure, has brought this loan to a great success. Sir, you will be interested to learn that we have a number of loans issued by the State of Madras, and practically speaking, from 1944 for all the loans that were floated, the subscriptions were not forthcoming to the expectations of the Hon. Minister. This time we have got more subscriptions than what the State wanted, and I believe that it is all due to the efforts of the Finance Minister."

"I have only to appeal to the Minister in charge of Food that the plantations will not be left without stocks of food, and if it should so happen, I say there will be perfect mass butchery. There will not be one, two, or three or more deaths. But by thousands people will die. I hence request the Ministry to see that stocks are sent to the plantations soon and that the people there are not left without stocks."

MR. SPEAKER:—"I think the Hon. Member Mr. Muniswami Pillay is not moving his amendment."

* SRI V. I. MUNISWAMI PILLAY:—"No, Sir. I feel it my duty to thank His Excellency the Governor for addressing this House and bringing out the various points which are agitating the minds of men in the country to-day. I thought His Excellency would touch upon the soaring prices in this State and the plight of the poor people who were not in a position to make both ends meet. It has been rightly pointed out how generous the Government are towards the Harijans. I do admit that it is not the

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Government alone but the general public as well are very sympathetic towards the Harijans. As has been pointed out in the address, Rs. 20 lakhs more are spent this year than in the previous year. I know as a matter of fact that this amount is not only shared by the Harijans but also by the Christians and those communities which are said to be eligible for help. If the two items of expenditure are deducted it will be seen that only a very small amount has been spent for the Harijans. However, as a community we are grateful to the Government for the way in which they have been able to get a separate department for the Harijans. I know as a matter of fact our present Premier is very sympathetic towards the Harijans. Sir, I have given notice of some amendments which I do not propose to move. But I would like to bring to the notice of the Government and you, Sir, the position of the Harijans. To-day, though in some parts they have been treated as human beings, in some other parts they are treated worse than beasts. Opening the 13th All-India Depressed Classes League. Sir, you yourself have been kind enough to point out the efforts of the Government and the public. At the same time you also pointed out how in some parts social disabilities existed, and how these people were treated. Recently I was present at a meeting of the Provincial Harijan Welfare Committee. There, my hon. friend Swami Sahajananda wanted to move a resolution requesting the Government to appoint a committee to discuss the horrible atrocities perpetrated on the Harijans of Tanjore district by the police, and set up a committee to enquire into the bad treatment loss and damages sustained by the Harijans of Tanjore district. I intervened in the meeting and requested my friend to press his resolution until we knew ourselves what the position was. After the meeting, I was present at Chidambaram by special request to preside over a special conference of Harijans. There I came to know the entire truth. As a matter of fact my hon. friend Mr. Vedaratnam Pillai questioned Swami Sahajananda about the allegations he made in the meeting. But when I went to Chidambaram several people came to me from Shiyali taluk (Tanjore district) and represented to us the great atrocities perpetrated on them by the police and also by the mirasdars. I have taken sworn statements from those gentlemen and I have sent them to the Hon. Premier for investigation. When His Excellency mentioned about the work of the police, we were very glad, and we know, as a matter of fact, that the police have done very good work. But what they have done in the district of Tanjore, I may say, Sir, has brought out a very dark page in the history of the Police Department in the Province. I have been told that in the Shiyali taluk both men and women of Harijan stock were taken to some place, their houses were damaged, and what little they had, was taken away by the police under cover of the existence of Communists in their places. Sir, you will be startled to know that Harijan women were asked to pass urine on the heads of Harijan men. Have you ever heard in this civilized world such an atrocity perpetrated on these unfortunate people? I have taken sworn statements from the gentlemen who came there. It is most unfortunate in a country like this, which has produced great men like

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Mahatma Gandhi, we should hear such atrocities. Even the Constitution of India goes to say that the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life. I ask, Sir, in what respect we are to-day meeting our social justice to this section of the people. I am sorry it is a very sorrowful thing indeed.

Secondly, Sir, I have been agitating in this House about the assignment of land. In keeping with the Constitution of India to improve the economic lot of the Harijans, something has to be done. The Constitution clearly lays down some directive principles of State policy. It clearly says—

‘The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes . . .’

I know, as a matter of fact, the Hon. Minister for Revenue told in this House that he was going to issue special orders to the Collectors to see how far the assignment of land could be done. As I have already pointed out, the prices are so high. Agriculture, being their avocation, the Harijans can do something on the land. But I do not know whether the Hon. Minister has issued any special orders, and whether Harijans had been able to get any land at all in this State under the provisions of G.O. No. 1523. I have got any number of petitions from people from the various districts to show that they have not been given assignment of land at all. If the economic condition is to be improved, I feel, 1 p.m. Sir, that the Government should come forward and do something substantial so that the people can get some land at least for cultivation.

Coming to house-sites, Sir, it is a sad plight that many of the Harijans in Tanjore, under various causes, have been asked to vacate their lands. The mirasdars have been very clever enough to get hold of the village munsifs and to assign what is called ‘cherinatham’ to caste people. There are several instances which I can give. I can give the survey numbers where these poor people who have been occupying the land for several generations have been told that their land has been given to some other man and that they have no right in it. Apart from that, Sir, people who have been living on wet land for years together to improve the agricultural condition of that place, now under some plea of the mirasdars have been evicted from their lands. It is a very sad plight and the Government should come forward to take steps in this direction. I know, as a matter of fact, that the Hon. Minister having the Harijan portfolio had a talk with the Chief Minister and that they are trying to do something. Unless they do something, it will be a very serious affair. I myself have been touring in the Tanjore district for four days and have presided over conferences also. Therefore, I know for myself whether these things are true. I may assure you, Sir, that it is a fact that these poor Harijans are being evicted from their present habitations. Even the police, under the guise

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of doing something to put down Communist activities, have demolished houses. When representations were made, after a thorough enquiry in some places they have been asked to rebuild the houses. Take the position of the Harijans. It is very hard for them to have a habitation or a simple hut. When under the guise of putting down Communist activities their huts have been demolished, how is it possible for these poor people to build huts once again? I have received representations from many places in Tanjore. I have seen places like Kovaram, Elhalur, Kurnmbalvattam, Kattimedu and several places in Pattukottai. In a place which is known as Manali, a lady who had been owning a small plot of land of 23 cents under survey number 8 for seven or eight generations has been asked to vacate. There are many other things also which I can inform the Hon. Ministers if anyone of them is anxious to know about this affair of eviction of Harijans from their present habitations. It is a very sad affair and I am sure the Government will make a note of it.

"His Excellency has told us about the scheme that the Government have sanctioned for the organization of Housing Societies. He has said that housing schemes will be taken up both in the urban areas and in the rural areas. If there is to be any scheme, it is for the homeless people; it is for the people in the villages, the Harijans who are in need of houses. Secondly, even in the Nilgiris, I may say that not even a single housing scheme has come into effect. The other day when I met the Collector of the district and asked him about the matter, he said 'We have a plan in regard to this matter and we have addressed the Government. The Government say that there is no money.' I do not understand how the Co-operative Department who have been able to bring out a scheme could not put it through simply because there is no money. As regards the habitation of Harijans whether in the rural parts or in the urban parts, all the schemes that have been brought out by the Co-operative Department must be given effect to and some substantial amount must be set aside for this purpose.

"The hon. Gentleman Mr. Kothari has been telling about the unsatisfactory and inefficient food distribution in the estates. As estates lie far away from the main town, unless care is taken and food is given in proper time, thousands of people will suffer. As is known to all, it is the poorest of the poor Harijans that are tilling the land and toiling in the estates and it is but right and proper that their interests must be protected."

SRI V. RAGHAVAYYA:—"Mr. Speaker, Sir, while fairly supporting the motion for the address to be presented to His Excellency, I want to make a few suggestions, not by way of approval, but by way of drawing the attention of the House and His Excellency also to them. To speak the truth plainly, Sir, this Address has not been very encouraging or helpful. We thought that His Excellency would be willing to go into the root of the question and give us some solace. I know the Government cannot give much money because they are in great want

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and they are running into debt. But at least they could give a few words of solace to those people who are suffering from want and high prices. Take, for instance, a burning question like the soaring of prices about which my hon. Friend Sri Muniswami Pillay spoke plainly and in a pitiful manner even though the Government have not been able to pay attention to this question. Mr. Vaidyanatha Ayyar also on several occasions spoke in this House and wanted the Treasury Bench to consider how far it was safe for them, if not advisable, to allow these prices to rise. The only reply that this House has been vouchsafed is that normal conditions must prevail, the usual trade channels must continue and then the exploitation must thrive. Nobody is keen about the underdog; that seems to be plain from all angles of vision. Of course, Mr. Vaidyanatha Ayyar took pains to go to the market and ascertain the prices of various articles which formed the inevitable menu of the poor man. I know several people have made up their minds to starve and die or to go on a day's fast as our Hon. Minister Mr. Munshi wanted the people to do, or adopt the solution which the Chenchus in the Kurnool district have from a long time ago adopted, that is, to burn the bark of the tamarind tree, mix it up with tamarind and eat it. This they have been doing successfully for the past several days. What is sauce to them must be sauce to several of our Members also. If that is the idea of our Government and if the Government still persist in closing their eyes like the ostrich dipping its head into the sands, and think that even the soaring prices are not going to affect them in the least, well, they will be sadly mistaken. Things are changing; and the fortunes of men and countries also are tottering overnight. We see several countries falling, several crowned heads also tottering. When that is the case with autocratic powers, much more would be the case with a democratic country like ours if the feelings of the poor man are wounded. Sri Muniswami Pillay is quite right when he says that the poor man's lot has been very neglected even under our Government. This is an admission which he should be ashamed to make and we to hear, not to speak of the Treasury Bench who seem to be rather very happy and very comfortable in their seats.

"The Address fails to take note of one other matter and that is the recent decision of the Madras High Court with regard to admissions to Colleges. That decision has come as an eye-opener to the otherwise blind eyes of the Madras Government. The other sections of the people—I do not want to call them Non-Brahmins for that is an insulting term perhaps—are trying to take advantage of the situation. These people's fortune is a tricky affair and that lady of fortune has never been constant with any body. Even in madness there is a method for her and when she chooses to endow a poor man, she very shrewdly and vindictively takes away from him the means of livelihood. She has made a Kalidasa but has asked him to go about begging. Similarly, Ferdise, the great Persian poet, was offered by the Shah 10,000 gold mohurs for writing the Shanama. But after the poet completed the book, instead of paying him the gold

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mohurs, the Shah tried to present him silver mohurs which the poet refused to accept. It transpires that when the Shah made up his mind to present gold mohurs, the poet was no more and the coffin of the great poet and the person who was carrying the gold mohurs met on the way. There are several similar instances where the Goddess Saraswathi did not favour poets and it was in the travails of poverty and misery that great poets and Brahmins had flourished. I may say, for your information, Sir, that there are 10,000 Brahmins in Rajasthan who do not know how to read and write and who till the land as agricultural labourers and produce foodgrains. The United Province Brahmins take up odd jobs; they are warders in the jails too. They do not even take food from the South Indian Brahmins. The question is not one of Brahmin versus Non-Brahmin or the question of eating food from the South Indian Brahmin. Now the Madras High Court has set at rest all these controversial questions. The action of the Madras Government in the matter of communal G.O., appears to be more like the feeling of the Chinese monk who on his death-bed—I do not want to narrate the full story lest some Lady Members should take objection, but I am satisfied with simply stating that it is all old wine in new bottles. So far as this communal question is concerned, I have been simply wondering whether Mr. Bhaktavatsalam, the strongest exponent of freedom, outright freedom, who has been supporting this communal G.O., is the same gentleman whom I saw in the jail or whether it was some other gentleman who has suddenly put on the Ministerial robe. This communal question has been finally solved by the Madras High Court. They have said in simple, plain language, 'Gentlemen, you may choose whatever you like with regard to other matters but so far as educational institutions are concerned, the fundamental and elementary right of an individual to read and study with whatever limited means he may have should not be denied.' The Brahmin does not come and ask you to give him a scholarship or a stipend or to send him to America or England at State expense.

1.15 p.m. "To-day what the Brahmin candidate asks is, 'My marks entitle me for admission to the Medical College or Engineering College. So give me a seat. If you are not able to give me a job, it does not matter. I can probably get more money by offering my services to private enterprises.' But the Madras Government—Congress Government—says, 'We shall not do even that. We would prevent you from entering the Government service. We would also prevent even your successors from acquiring necessary knowledge and enter Government service.' I say that it is very unjust of this Government. However, rightly and luckily the Madras High Court, particularly two eminent Judges, who do not belong to that category of the people who are often getting the curse, have passed strictures on the Government's policy with regard to this question. While it is accepted on all hands throughout the world that there should be no difference between man and man in the matter of acquiring knowledge, this Government of ours say, 'We shall make a distinction between

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man and man because of their birth and prevent them from acquiring elements of knowledge.' We have had the good fortune of getting such a nice pronouncement from the High Court. I expected in the least from His Excellency an approbation of this decision and also an enunciation of the Government's policy to abide by that salutary decision. I should consider this an omission, a bald omission. Probably they were not willing even to mention this. I am sorry to have to refer to this. But I am obliged to say that the Government would have done well in coming forward and enunciated their policy. They need not go about explaining all details. I would only expect them to . . .

* SRI P. KANDASWAMI PILLAI :—"On a point of order, Sir, is a Member of this House entitled to discuss about the judgment of the High Court during the discussion on His Excellency's Address?"

MR. SPEAKER :—"He is not discussing, but speaking on the Government Order."

* SRI P. KANDASWAMI PILLAI :—"He is now speaking on His Excellency's Address. Is it pertaining to the present discussion to go into the details of the High Court judgment as well as the personnel of the High Court? He said that two Judges do not belong to that community. Is it fair on the part of the hon. Member to refer to the community of the Judges of the High Court?"

MR. SPEAKER :—"The hon. Member was speaking on the Order of the Government. Let the hon. Member continue his speech."

SRI V. RAGHAVAYYA :—"I thank you, Sir, for allowing me to continue my speech. I only want the Government to come forward and enunciate their policy. They need not say that they have been unconsciously following the footsteps of Dr. Nairs and Thyagaraya Chettis. It is enough if they simply say that they agreed with and accepted the decision of the High Court in this matter and would abide by it. I only regret to say that the omission of this point in His Excellency's Address is very disappointing."

"I am now coming to my favourite subject, Aborigines. We thought that the Government would be willing to take up the question of aborigines on a higher level at least after the Central Government have come forward with their progressive policy of fixing a 10-year limit for the uplift of the Harijans and aborigines. Sir, the Government of India have been so farsighted as to see the pinch ahead and come forward with their progressive policy of saying that within ten years, all aborigines in this country shall have the same rights and privileges as has been conceded to the Harijans. For that purpose, a big fund is to be set apart. Though this Government have been tinkering in this matter, I am sorry to mention that they have not taken up the question of aborigines in right earnest. I would like to say that I am one of those who have constantly toured most of these parts and hence I know in

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what pitiable conditions they are living in. These aboriginals are sadly neglected and it is really a matter for shame. Even to-day, there are lakhs of aboriginals in this country, particularly in this Province, who do not possess a house-site of their own. To-day, the Harijan has been favoured by the Government and is vouchsafed that a minimum extent of three cents of land or so will be made available. I do not grudge this. I want only to stress the point that there are many aboriginals without a house-site to live in, without a land to till and without a garment to wear. This subject has been omitted in His Excellency's Address and I consider this a woeful omission. I hope that what has been omitted there would be made good by the Government. I thank you, Sir."

* SRI M. A. EASWARAN :—Hon. Speaker, Sir, the steps that have been taken by the Government with regard to the solving of the food problem is quite inadequate. His Excellency the Governor in his Address has stated that he is trying his utmost to solve the food problem and that he has reduced the 8 ounces of rice ration to 7 ounces. If the Provincial Government was given at least freedom to import rice from outside, the food problem would have been easily solved. Some such privileges must be given by the Central Government to the Provincial Government. Monsoon has failed consecutively for three years in Tamilnad. We have seen that people were not able to get the assured ration of 12 ounces in the form of rice, millet, etc. They have been getting only 6 or 7 ounces in the total. So far as the Coimbatore district is concerned, there has been a consecutive failure of monsoon for three years. Agricultural labourers are not able to get their wages. Many of them have already left their villages and have gone about begging in the streets. Even though they go begging in the streets, they are able to get only a few coins and not food to eat. Previously, if anybody went begging in the streets, he will have some food to eat. But it is not the position to-day. The agricultural labourers and especially Harijans in the Coimbatore district are in a very bad condition. Also, the handloom weavers are not able to get sufficient yarn to weave and get their wages. Their condition is also very bad and many of them also have left their homes and have come out to beg in the streets. I have seen in many places in the Coimbatore district, in Erode town, etc., a number of these people going out in the streets with their children. They are not able to get any rice. Some of them even faint and people used to give them some tea or coffee. We have seen a number of Harijans with their wives and children in the streets. Recently I have gone to a village Andhiyur in Bhavani taluk. There people are finding it very difficult to get drinking-water. Drinking-water being sold quarter anna per tumbler in the weekly market. I personally witnessed it in the weekly market on that day. In one of the gardens in Andhiyur sugarcane used to be cultivated. In this garden there is a well and its water was usually used for irrigating the sugarcane crop. Now, the owner of this garden Sri Arunachala Gounder, District Board Member, has allowed the people of the village to take water from this well for drinking purposes and thus the sugarcane crops dried up for want of water.

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This is the position in the Coimbatore district. So, I would like to appeal to the Government to take still more adequate steps to import foodgrains into this Province. The health condition in this Province has been very much deteriorating of late because of the insufficient food that is made available to the people. Somehow or other, the Provincial Government and the Central Government must see that at least one pound of foodgrains is given to all the people in the State so that our health conditions may improve. With these words, I support the proposition."

* SRI P. KANDASWAMI PILLAI :—Mr. Speaker, Sir, I have great pleasure in supporting the proposition placed before this House by my hon. Friend Sri Tatachari and seconded by hon. Sri Pattabhiraman. It is true that His Excellency has narrated in his splendid speech all the able and sincere work of the Cabinet in a polite language and I am sure that he has not exaggerated anything when he said that his Government has carried on the work in all its departments with sincerity and in the interests and welfare of the rural population, of this Province. ('Hear, hear.') It is true, Sir, that the Government have taken all steps to meet out this scarcity of foodgrains. In this connexion, I can quote an example. During the previous regime, that is during the regime of the foreign Government here, when the food situation was far better than at present, lakhs of people were allowed to die in Calcutta, whereas our Government to-day have taken timely steps to import foodgrains and also fight with the Central Government and get adequate quantities of foodstuffs to meet the demands of the people who are living here. Of course some selfish people in this Province do not co-operate with the Government and they want to make political capital of the present situation which is created by Nature. There has been continuous failure of rain and this is responsible for not making a speedy progress in the procurement. It has been said time and again on the floor of this House that on account of want of rains, several thousands of acres have not been brought under cultivation. To-day we are told by the Rajah of Chettinad that even goods trains' engines are not able to get sufficient quantity of water. When that is the case, is it possible for the Ministers to bring water from private sources other than those which are possible on earth? Therefore, hon. Members should not find fault with the Government for want of will on their part. They may say it is want of possibilities, which we cannot help. What cannot be cured must be endured and endured with pleasure. After all, it is our own Government and we do not find want of will on their part. If they leave any stone unturned to improve the situation, we are entitled to find fault with them.

"His Excellency has pointed out that the law and order situation in the State has been generally satisfactory. Some of my friends are finding fault with this matter. Well, I do not agree with them. In the transitional stage, this Government has managed the law and order situation excellently well. ('Hear, hear.') The police officials must be paid high tributes for the

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integrity and loyalty to the State and their capacity and sincerity in executing their duties, and responsibilities to the best of their ability.

"Again we cannot say that the Government has not done much in providing houses for the people. There also, natural difficulties come in. Raw materials required for house construction are not available in India. We have to depend to a large extent on foreign countries for materials such as iron and steel. In this matter also, local conditions are against us. The price of foodgrains is up and consequently labour charges have gone up. Therefore, we must see whether the Government are taking timely steps to meet the requirements of the people regarding the house construction or not. I am sure hon. Members are aware of the fact that the Government are forming Co-operative Societies in every district and wherever these House Building Societies are formed, they are prepared to lend money and offer every facility such as supplying raw materials at controlled rates and so on."

MR. SPEAKER:—"The hon. Member can continue his speech in the afternoon. The House will now rise to meet again at 2-30 p.m."

The House then adjourned for lunch.

(After lunch 2-30 p.m.)

SWEARING-IN OF A NEW MEMBER.

[Sri A. J. Arunachalam was sworn in.]

VI.—DISCUSSION ON H.E. THE GOVERNOR'S ADDRESS—cont.

SRI P. KANDASWAMI PILLAI:—"Sir, His Excellency has dealt elaborately with the industrial development of the State and the food and financial position of the State. It is true that the people of this State have got immense faith in the solid financial condition of the State and it has been proved by the amount they have subscribed to the loan raised by this Government. In various respects, the law-abiding citizens of the State are co-operating with the Government wholeheartedly. Interruption.) My hon. Friend Sri Rajamannar Chetti wants to know about others. Of course there are outlays and communists bent upon doing some mischief and acting against the State. Such people must be put down by the strength of the police and the capacity of the officers in charge of the department."

"Sir, of the important items requiring the attention of the State the first is food and then cloth and then education. These three things are the elementary necessities of human existence. Regarding food, simply because there is a Food Department . . ."

MR. SPEAKER:—"The hon. Member will have another opportunity of speaking about the food policy."

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SRI P. KANDASWAMI PILLAI:—"Yes, Sir, I only want to say, Sir, that the Government must immediately make arrangements to stop the cultivation of cash crops and compel agriculturists to cultivate food crops only. Then, Sir, the important industry and a very cheap industry in which the proletariat of the country is engaged is the handloom industry. I am sorry to note that His Excellency has not said anything about this in his Address. In my humble opinion this industry deserves more attention from the Government than they are giving it now. Of course I can understand that it is due to the import policy of the Central Government that our handloom weavers are put to suffering. In former days, while countries like England, Germany and America could not compete with Japan in the piecegoods trade. Even while the handloom goods were being sold in the market cheaper than Japan goods, such people cannot earn their livelihood now, because of the import policy of the Central Government for which this Government are not responsible. Of course this Government cannot sit quiet about it. They should raise their voice and put forth the case of the handloom weavers to the Central Government and compel them to relieve the handloom weavers of their difficulties. Unless and until we are self-sufficient in raw materials like cotton and silk and other things, we must allow foreign imports. Unless these raw materials are imported from foreign countries, our handloom weavers will not be able to get work every day and they cannot get their wages and eke out their livelihood. There is nothing wrong with these people. They are ready to work, but there are no raw materials for them. In olden days we were getting materials like imitation silk from Italy and Japan, but now it is prevented. This Government must take steps to impress on the Central Government the necessity of changing their import policy so that we may be able to provide work for the handloom weavers who are engaged in an important industry. It is an industry in which the major portion of the proletariat are engaged. It comes next only to agriculture which gives occupation for 85 per cent of the people."

"Then again, Sir, regarding the improvement of agriculture, this Government have done enough. It has been described vividly in His Excellency's Address. Many irrigation works—dams and canals—have been undertaken by the Government. The Lower Bhavani Project will provide irrigation for thousands of acres. The Tungabhadra Project also will do the same. They are digging a canal which will take water to Coimbatore and Salem. So many other irrigation works have been undertaken by the Government. All these irrigation works will serve to increase our food production in the long run though not immediately. In the meanwhile, we must urge upon the Central Government, as has been stated by the hon. Member the Raja of Chettinad, to get more imports of food until we are self-sufficient and able to stand on our own legs. Of course I understand that if we import anything from foreign countries our wealth will be going out. But my humble suggestion is that in the present circumstances we must impress on the Central Government the necessity of importing more foodgrains and other raw materials for giving work to our handloom weavers."

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"Sir, the Address of His Excellency the Governor is comprehensive and it covers all the good work done by this Government. I entirely agree with the proposer and seconder of the motion of thanks for His Excellency."

* JANAB M. A. MUHAMMAD IBRAHIM :—"Sir, while thanking His Excellency the Governor of Madras for the Address, to me the conclusion is irresistible that the Address does not portray the situation as it is to-day in this State, whether it is from the financial, economic or other points of view. No doubt His Excellency has referred to the financial stringency in the second paragraph of his address and also to the serious food situation. All the same when one reads the whole Address, he finds a sense of complacency in the administration and in the Cabinet. They seem to think that they are now the masters of the situation and that they have tackled all the problems facing this State. To me, Sir, it appears that that position is not warranted by facts and figures."

"Sir, first of all let me turn to the financial situation in our State. No doubt the Government have been successful in their 4 crore loan which they raised and the loan has been over-subscribed. But what are the terms they have offered? Is it not a fact, Sir, that our credit position is lower than that of Bombay, for while Bombay offered the issue price of Rs. 99-8-0 for Rs. 100 we had to offer Rs. 99? What I want to press on the attention of this august House is this. The national income of the people in Madras State has fallen. Our own economic advisers have computed that the national income of our State has fallen by 12½ per cent. That means that we are living upon our past acquisitions and that our income is not sufficient for our purposes. We are mortgaging or getting a loan out of the security acquired formerly. The same position also affects our capital formation. When our national income has fallen, we cannot have savings and our position is not one about which we can be complacent. At one stage you may be succeeding in the loan, but when you take a long view of things, the position is not satisfactory. If you view the financial position from another point of view, you will find yourself in an anomalous position. In one direction the prices are soaring high and the cost of living is going higher and higher. It is generally assumed that it will be followed by cheap money conditions. But it has been stated by our own Government that in the money market there is stringency. If the natural economic laws are allowed to operate, we should now have easy money conditions and whenever we want a loan we would be able to get it. On the other hand we experience some difficulty in getting loans. What are the real reasons? The real reasons are not far to seek. The real reason is to be found in our controls and the manner in which they are administered. No doubt, the controls themselves are the right thing to maintain the prices. But when we administer the control, we allow all sorts of tendencies to creep in and the effect of it is lost. Therefore we find ourselves in the anomalous position that while there is a rise in prices on the one hand, there is stringency in the money market on the

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"Coming to the food position, I am not going to refer to it elaborately. I want to make only one or two things clear. What is the real cause of our present food position? Is it not our own human agency that is to blame for it? The act of God may be there in certain areas, but here is it not within our own capacity, that we can get enough food from our own State and also from foreign countries. Are we doing the right thing? Are the people co-operating with the Government in their effort to secure enough food for the people? We are to a certain extent to blame if famine breaks out in our land or if starvation deaths occur; the human agency in our State will be responsible for it. Sir, it is argued that if we do not become self-sufficient by 1951 and if we have to continue imports, we may not be having sufficient sterling resources or dollar resources. When we compare that argument with the actual situation of starvation and famine in our State, the comparison cannot stand. We have to press all the more our present position before the Government of India and either get supplies of rice from them or get their permission to send our own purchasing missions to other countries and get sufficient food for our people. Are we taking all the necessary steps in this direction? I put this heart-to-heart question to the Minister concerned. You have been neglecting this problem, you have been allowing time to elapse and pursuing a policy of drift. This state of affairs should not be allowed to continue. From this point of view, I say, we have not been adopting the correct attitude in this matter."

"Sir, I am glad to note that His Excellency has also referred to agrarian and land reforms. Even there, the picture presented is a little bit confused. All along we have been making land laws abolishing the zamindaris, allowing for only one kind of interest in land and simplifying the land tenure; but the Government have been all along thinking of quite a different method and creating some other sort of interest in land. I do not at all oppose the principle on which the Malabar Tenancy Bill has been brought forward, but the manner in which it has been brought forward I totally object to. You have all along been having only two interests in the land, but now you are creating another interest. That kind of policy is not appealing to me. With regard to ryotwari tracts, there is some confusion. Some say—although I have not heard any authoritative statement in this regard—that the extent of holding will be limited to 10, 25 or 50 acres for a person; at the same time we are hearing statements to the effect that scientific progress of agriculture should be allowed to the maximum capacity. These two statements are inconsistent. If you really want to limit the extent of holding, do it by all means, but do not at the same time say that there should be a scientific and improved method of agriculture. Limitation of holding will go against the application of improved methods; you cannot apply the improved method to land of the extent of 20 acres or even 50 acres; it requires at least 500 or 1,000 acres for any scientific method to be applied to agriculture. If the Government want to limit the holding, they may as well see that the land tax system is remodelled or reorganized in such a way that a basic rate is adopted to a holding of a standard extent; and if the rate is higher in the case of bigger extents."

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This would itself work liquidation of unprofitable estates. I am sure the big owners would try to apply the scientific methods, and the State will profit by their doing so. At the same time, there need not be a legal ban on the extent of holdings. If you adopt this method, you will be getting enough income for the State. Side by side with legislation in this respect, we must tackle the other connected problems also. For instance, rack-renting is going on to a certain extent. In the olden days, the idea of rack-renting itself was revolting to the mirasdar, but now we know it exists in certain parts of the State. This rack-renting should be done away with and leases at reasonable rates should be encouraged. We are also being faced with the problem of agricultural labour. Time and again we have been undertaking legislation in respect of industrial labour; but we have not touched the question of agricultural labour at all. It requires our immediate consideration. The standard of life of agricultural labour is appalling and therefore I think some legislation in this direction is necessary, side with side with legislation for the reform of land or for encouraging scientific methods of agriculture.

"Sir, I have had a doubt in regard to another important matter. In connexion with the Grow More Food campaign the Government are undertaking the Lower Bhavani irrigation project. I take it that the water that will become available will be taken through a canal from Mettur reservoir. If so, what is the assurance the Government have given to the people in Tanjore? Are the Government and the Minister satisfied that water will be available for both the Tanjore area and the Lower Bhavani area? We have had experience of the recent failure of the monsoon, and there is even now a fear that this year we will be losing our usual kuruvai and samba crop. Fortunately, Sir, by act of God, the water-level in Mettur has gone up and we have been assured that kuruvai and samba crops in the Tanjore district will be carried through, if not with the normal yield, at least with a lesser yield. If even the Mettur water is not sufficient for our purposes, what is the virtue, I ask, in pushing on the Lower Bhavani Scheme which is intended to irrigate about 10,000 acres in the upper sources of the Mettur canal? This is a point, Sir, on which I should like to have an explanation from the concerned Minister. With these words, I resume my seat."

* SRI N. S. VARADACHARI :—"Mr. Speaker, Sir, we shall first deal with minor points in the Address and then take up the food problem merely with a view to suggest tentative points for discussion when the food debate is taken up. I am glad, Sir, that Government have at least now, though belated, come to the conclusion that the extension of the bus service from the City is necessary. I am glad they have taken this forward step, which I have been urging on this House solely with a view to strengthen our State finance. The balance sheets now made available to the Members disclose surprisingly good results. On an investment of Rs. 50 lakhs, out of which Rs. 8 lakhs is shown as investment on land—which is really not an investment at all but only a book adjustment—there has been a profit of over

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Rs. 18 lakhs earned in the course of two years, after making full provision for depreciation, motor vehicles tax, sales-tax and an income-tax reserve,—though it is still debatable whether the State service should pay an income-tax. There is also an accident reserve of Rs. 1,69,000. Sir, most members of this House were wishing that the scheme would somehow fail, and unfortunately for them, it has succeeded. (At this stage, the Deputy Speaker occupied the Chair.) I want the Minister for Transport to take courage in both his hands to fan out the bus service from the City, and take the main routes first and not go hunting after minor routes. He may take up for instance, the Madras-Nellore route, Madras-Conjeevaram, Madras-Tindivanam, Madras-Villupuram and so on, and so enable the service to run in an efficient, business-like and profitable manner to the State. We may have made mistakes in the beginning; but we have had ample time for correction and for avoiding these mistakes. I hope we will profit by the lessons we have learnt in the initial stages of the undertaking. I do not propose to say anything more about it now.

"I shall now come to the general question of finance which the Address has raised in a very mild manner. I must say to the Hon. Finance Minister that the savings which he claims of Rs. 3 crores are not real savings. There has been no retrenchment in expenditure; on the other hand, there have been reappointments galore, and I know in one department alone, five or six reappointments have been made and one has been made for five years after the gentleman had retired. In that sense I say there has been no real savings; but the savings are all surrender savings—over-estimates about which I have made repeated complaints in this House against Government—and these estimates are being revised because of our inability to spend what has been provided for in the Budget. Most of this saving is from the Public Works Department estimates. I challenge the Minister for Transport to say that what I have stated now is incorrect. We must have a thorough revision of the policy of taxation. A reallocation of expenditure and a re-examination of the receipts position are necessary.

"Then I wish to raise one small question: What about the use of the reserve? Every Member of the Opposition has been saying that we have lost about Rs. 25 crores by a foolish ideology. It is not so. We have made up that revenue; like a miser you keep some cash in your chest which the Reserve Bank will not allow you to use, and you are forced to adopt all sorts of expedients. I ask, why not tell the Reserve Bank that you will use that money for pushing through all the projects, and why not guarantee that all this money will be invested only on projects on the constructive side which will ultimately strengthen the State finance? This is our money in the chest, although that chest may be in another man's keeping. I desire this question is taken up with the Central authorities and fought out.

"Now, with regard to the food position. I want to take up a little time on this, because I want to suggest some tentative means of approach to solve this wretched muddle in which we are. It is a grave situation, but I do not propose to go into the past. What has

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happened is this: The first Ministry gave 12 ounces, all that in rice. There was only an option to take wheat at that time. Then came a declaration that this would be the minimum and we would never go behind it. Unfortunately, however, the ration went down to 10 ounces. Then the third Ministry came and we went down to 8 ounces, and finally we were told that we should live on 7 ounces of rice and the rest would be given in wheat or millets. But even that 7 ounces is not now given—that is the present position. It is reduced to 6 ounces in some places, and in reality, although it is 7 ounces on paper, only 6 ounces is given on some days in the week. It is a very wretched situation we are in. I do not wish to say anything more except this. Now you want to throw other grains on people who wish to eat rice. I was reading a book the other day by Rudyard Kipling called 'The Day's Work' and I came across a striking passage, which fits in with the present situation. This is it—

At the end of a few days' crawling, Scott learned something of the size of the India which he served; and it astonished him. His carts, as you know, were loaded with wheat, millet, and barley, good foodgrains needing only a little grinding. But the people to whom he brought the life-giving stuffs were rice-eaters. They know how to hull rice in their mortars, but they knew nothing of the heavy stone querns of the north, and less of the material that the white man conveyed so laboriously. They clamoured for rice-unhusked paddy, such as they were accustomed to and, when they found that there was none, broke away weeping choked their throats. They would die. And then and there were many of them kept their word. Others took their allowance, and bartered enough millet to feed a man through a week for a few handfuls of rotten rice saved by some less unfortunate. A few put their shares into the rice-mortars, pounded it, and made a paste with foul water; but they were very few . . . and so on.

3 p.m.

"Madam, it is an exceedingly fine passage. Things have changed, no doubt. The man in starvation will take wheat to-day, but even that wheat is not available. But, why has this come about? Let us think about the reasons for it. Our procurement operations have been going on and I am one of those who vigorously defended procurement. Our total procurement target is fixed with reference to the estimates of foodgrains we cultivate. They have fixed the target during the last four years from 12 to 17 lakhs of tons for the whole year. Now, did we not procure the entire thing and did we not tell the whole world that the whole target was procured or at least 90 per cent or 80 per cent of it and that we have nearly reached the target? Yes, we did reach the target sometimes though a few per cent less than the original target. What does this mean? Are we really growing more food during the lean years because the procurement target has been more or less reached? When there was decontrol we procured 9 lakhs of tons in this State and it is an achievement of which I am proud, but I say, Madam, let us think what does this mean. We have made efforts to grow more food. But, have we grown more food in order to enable us to procure more or less food and still tried to procure the target and caught hold of poor innocent fellows and took away their grains somehow or other? What is it that has happened? Let us analyse the whole situation and let us get to the core of the situation and the facts leading to this crisis in the country.

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"Now, there is another line of attack which I would suggest to the Government. Control has not been able to stop the gravitational flow of underground trade. You have controlled. You said you were giving 12 ounces and you procured still only 14 lakhs of tons and you were giving rice and millets. You said you would give 10 ounces and you still aimed at the target. You said you would give 8 ounces and still aimed at the target. What is it all? Have you given thought to this problem? How much is procured and what relation does it bear to the production? Have we grown more food? If so, there is reason for reconsideration of the entire policy. Have you not grown more food? I do not say that. If you have grown more food and all your efforts have miscarried, then I say, something is seriously wrong with procurement, because we have reduced the substantial rice ration and still attempted to procure the total target aimed at originally.

"Now, Madam, most people are living on some grain and you cannot deny it. I may tell you, Madam, an I.C.S. official told me the other day that he is now compelled to give black-market allowance to his house for the purchase of rice, because he cannot live on vegetable or dry grains, but he must have the food that he relishes, not to the extent he ate during the former glorious days but to the extent that he needs in order to sustain himself. Now, where is all this rice coming from? Shall I tell you, in the last few days about 500 acres have been harvested in the Chingleput district round about Madras and the entire grain flown underground and some have purchased luxury cars with the vast money they have earned. Is this fair and should we not shrink from the situation? When you are not able to administer the controls properly and when you are able to give only 6 ounces or 5 ounces or for that matter 7 ounces, whatever the quantity may be, is that not an occasion for a reconsideration of the entire policy. Objection may be raised that there would be double price in the country—one the control price and the unofficial price. I say, Madam, are you able to control the unofficial price? Nothing of the sort whatever. It continues and we are under a double price. For the 7 ounces of rice I get at controlled price I pay 11 annas 6 pies a measure. Because you are imposing pains, penalties and forfeitures on the poor people who bring rice to the free markets in Madras, I do not pay at the official price or the reasonable price, but I have to pay something more to cover the risk of capture, seizure or imprisonment on the part of the person bringing it and so the price goes up to Rs. 1-12-0 or Rs. 2. So, I say, this double price continues. In this connection, I would suggest two alternatives? For the future, let us fix a date like November when the kuruvai crop will be ready. You know that water is now available in the main rivers and there is enough water in the Metur Reservoir—you may or may not have enough rains and I do not know what God wills for us—and I can tell you also that in the delta areas there is enough water to make up the crop for next November. I hope that by November you will have the short-term crop. So, why not you make a bold announcement of your policy saying, we will take away all rural rationing which is bad in effect and increase the ration in statutory areas so that the gravitational flow of rice may be stopped altogether? If you are

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prepared to do that, I am glad to advise an alternative. Now you give only 6 or 7 ounces. In fact, if you have anticipated the situation correctly, you should have imposed this cut in ration 3 or 4 months ago and asked the Government of India for assistance. Now, you ask the Government of India for assistance. Supposing they gave it to you, they have to arrange for special procurement and for sending the quantity to this State and then you have to send it along all your arteries and veins and summon your lorry traffic and the railway authorities and then arrange for the movement of grain. It will thus take inordinate delay and will never reach the hungry people in time. It will reach them only when the other rice is available and then the situation would become easier. On the other hand, if you to-day announce a bold policy saying, you withdraw all pains, penalties and forfeitures for the time being up to November next when we expect to get the next harvest, because you are not able to procure, you are not getting anything from outside, it will help matters. You can do this and leave free purchase of rice for people from wherever they like up to November and see whether this is not the solution of the food problem as it affects you to-day. I do not say that the food policy can be static; it must be dynamic. I cannot say I am a theorist in favour of control or decontrol. I will not advise you and say we stick to the policy of full control, but the thing must be done from time to time.

"I shall now come to the last point. Why not consider all these alternatives I have suggested and then try to ease the present situation in the country. I complain, Madam, that the Government is like a child crying, weak and helpless in despair wringing its hands. That should not be the attitude of the Government. They must adopt a bold policy even at the risk of failure, tell the people, they have removed the pains, penalties and forfeitures and that they will recognise free sale for the time being, even though they have hidden the grains all the while, so that they might have double price operation—up to by November when you can arrange things in such a manner that it might result in scientific procurement and not unscientific procurement that prevails to-day, i.e., so much per acre if double crop or so much per acre if single crop. You must be able to persuade the landholder to deliver the necessary quantity of rice and not anything else.

"So I say, Madam, we are not giving enough thought to the situation. On the other hand, we should give more thought to this problem, put heart into our people and make them look forward to better times. The psychological reform is urgent and all-important. I wish Government took this counsel, examined it and came up for the food debate in proper manner, equipped with facts and figures when I shall have occasion to review it once again. I thank you, Madam, for the indulgence."

* JANAB N. MUHAMMAD ANWAR:—"Madam Deputy Speaker, His Excellency the Governor's address has given us much food for thought, but not enough food for our stomach. (Laughter.) That is the problem of our Province. Speaker after

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speaker dwelt at length on this issue, but what I have been wondering all the time is that our food famine is mainly man-made and it is no use accusing Nature or accusing God, but the Government have failed and failed miserably. I should naturally give praise where it is due. When I think of the irrigation schemes of the Government, they have done some good, but that only touches the fringe of the problem. Madam, I know that food is not entirely a problem within the jurisdiction of our State, but unfortunately, even here we have failed in the problems of production and procurement. Let me tell you, Madam, it is a secret known to everybody that we produce more than what our accounts reveal and we procure less than what we produce and that is the real problem. That is so far as this Government goes. I charge this Government of inefficiency in not having properly accounted for our production and not having efficiently procured all that has been produced. There are so many lacunae and there are so many loopholes in the administration of food and what I say is that food administration of all administrations must be fool-proof which it is unfortunately not to-day.

"Now, coming to the Central Government which shares this responsibility of food with this Government, I must say that I deplore the attitude of our Government in their relations with the Central Government. It is not one of an applicant for quota, but of a supplicant for the favours of the Central Government. That is an attitude, Madam, which is unfortunate, particularly when 'Delhi is far away.' Never was that Persian proverb more truly felt than when we are faced with the acute situation of food crisis. Ever since this Government has assumed charge, it has become our unfortunate lot to witness the malady of one crisis after another and we are now in the worst of crisis, the food crisis. I ask: Is there no end to this crisis? As I said, Madam, it is because our Ministers have not got the forethought and the foresight to grasp the realities of the situation. As we look round, every country in the world is getting by means of import things which are cheapest and we could get as much of sugar as we need from outside when the world level of sugar price is far lower than the price of our home sugar. And that would at once release a huge acreage available for food cultivation. Actually we see in many of our villages cultivation of commercial crops being carried on in fields, which could produce the rice that we so much need. What a difference it would make in the food position if only the Government husbands the resources of the country and forgoes our sugar so that the food crops get the topmost priority. Of course as a businessman the ryot wants to get his pound of flesh from out of his toils. Why does he go in for commercial crops? Because you open up facilities for him to get the utmost by expanding his cultivation of sugarcane, tobacco, cotton and so many other commercial crops, he neglects the foodgrains which he has been traditionally cultivating willy-nilly. We have to look at the fact that from the beginning never was this country self-sufficient in the matter of food and after all, Madam, self-sufficiency is a mad psychology. I cannot understand why people should be so much struggling in the name of self-sufficiency to diminish rations from 12 ounces to 8 ounces and from 8 ounces to 7 ounces and thus leave people in the streets

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struggling for rice and that too for a quantity that would carry them for 3 or 4 days only in a week. We can abandon that self-sufficiency when we know for certain that there are so many countries in the Far East ready with rice but only we must import such rice. While importing such rice we are providing those countries of Asia with the purchasing power to import from this country textiles and such other goods which they need and we do not encourage the barter terms of trade and thus get under the most favourable terms rice that we so badly need and that is why, Madam, I say, I feel and feel strongly that the famine is a man-made famine.

"To-day, Madam, we see much advancement in matters of education in our country but a very significant reference was made to the High Court judgment on the Communal Government Order. How I wish I had not referred to it. But the fact is that I approve and accept the High Court judgment for one reason."

THE DEPUTY SPEAKER :—"You have to."

JANAB N. MUHAMMAD ANWAR :—"Not that I have to but I do (laughter) it willingly because I see that we are not going to be denied education because of that judgment. My regret is that our Government have not yet realized how imperative and how urgent a problem it is to provide more and more of educational facilities and after all it is the right of every parent to expect the provision of educational facilities for his children. If you take for granted that marks are the only criterion that we have for the assessment of the talents of a boy, in every-day life, you will find that our school and college texts are no guarantee of success in life. It may be that one may get out of the portals of the college with brilliant marks but that is no guarantee that for that reason, he would be brilliant in every-day life. The best of our class-mates, I have found to be the biggest dullards in public life (laughter); that has been my sorry experience. I was saying that the parent has got that right and the only way of solving the problem will be not only to throw open the doors of every college to every community but also after the abolition of the Communal G.O. have as many colleges and schools as there is need for in the country. That is the only way and in that way alone the ends of social justice would be served. I should not like to see any particular community to whatever religion it may belong, while being assured the elementary rights of citizenship, being denied under some plea or other facilities for education, for that will be a travesty of truth to call themselves a Government providing equal opportunities for all its citizens.

"There is one more important thing to which I refer, and that is that we have got to develop exports. I know, Madam, it is a Central subject but I also know that there are certain impediments standing in its way which our State Government have imposed and the free flow of exports is interfered with by the imposition of sales-tax. While the Constitution has very rightly been upheld by the High Court judgment, I feel that if the Government persist in their policy of levying sales-tax on exports, they will in course of

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time be face to face with another High Court judgment which will declare the imposition of sales-tax on exports completely illegal. Before that arises, I want the Government to come round and see that it is removed particularly as a gesture of encouragement not only in respect of hides and skins but also other commodities intended for export. Thank you, Madam."

* SRI C. K. GOVINDAN NAYAR :—"Madam Deputy Speaker, I thank His Excellency for the address, especially with regard to the proposed land legislation for Malabar. It is more than a decade since we were thinking of amending the Malabar Tenancy Legislation. At a time when no other Province in the country thought of land legislation, Malabar had the benefit of passing a statutory enactment to regulate and control the relationship between the landlord and tenant. As early as 1937, it was considered that this was not sufficient and the Government had to appoint a committee and it went through the various stages and I shall not weary the House with past history. It has now taken shape and we are thankful to the Government for the promise that in this session the amending Bill will be introduced.

"Unfortunately, there are certain sections of the people who want to misrepresent things; I do not know whether it is done through ignorance. It has been stated that there is no necessity for any such legislation and that this legislation which pertains to one district could very well wait till the regular codification of the land laws of this Province has been undertaken. What I wish to submit is that even as early as 1937 there was a demand from Malabar for this legislation; and that demand for fresh legislation even now continues. So that plea that it could stand aside is, to say the least, not a correct statement and it does not represent the will of the people at large. Some interested persons, probably the vested interests, would like to stay this legislation for some time.

"But one thing that stands out is that it has been made out that this legislation is meant for the benefit of the kanamdar and that his rights are maintained and respected in full by the present legislation. I do not know how this misconception of things has come to pass while in fact he loses many of his rights. The object of this legislation is to give permanency to the tenant and not only that, the curse of Malabar, namely, rack-renting is to be done away with and that finds a place in the proposed legislation.

"In all the reforms that we undertake, they are undertaken more with a view to the future and we are not so much thinking of the immediate present. The food position in Malabar has become very grave. I believe some Members of the Treasury Bench would have received telegrams from Malabar to the effect that the system of rationing has broken down in some parts. In fact, I got a telegram from a municipal area stating that rationing has broken down; they are given 6 ounces of rice and they have been promised by the Government another 4 ounces of wheat. Wheat is available as it has been stocked in many of the godowns of the co-operative societies. But it is not being released to the public because the price has not been fixed. I do not know who is responsible for

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it and who it is who fixes the price, the Government or the Collector. But the wheat is there and it is not being sold to the people when a low quantity of rice alone is being made available to the people and people go hungry when wheat is there and it has not been issued for the last one month. It is, I submit, an urgent matter which has to be looked into by the Madras Government or the district head. I am sure they would see to it that as soon as things are imported, their price should be fixed so that they can be sold to the people.

3-30 p.m. "Many hon. Members referred to blackmarketing; it is a well-known secret that it is there and where does the rice for that market come from? It is not imported rice but it comes from the villages. The procurement officials go there and they make out some figures and the people of the Agriculture department also go there and they make out some beautiful figures. They issue seed to the people but the seeds do not seem to produce any result in point of yield. What very often happens is that the seed issued by the Agriculture department does not go into the fields but into the stomachs of the people. But all the same figures show that so much had been issued by way of seeds but unfortunately, it is not sown. That is what I find in some villages of Malabar and I have heard the same complaint from very many people there. Madam, this, as has been pointed out by many hon. Members, is not at all correct. I would say, this is all bunkum, the statistics about food. For we say, we procure so much; but, never is it procured; not even 70 per cent of the figure that we propose to procure is procured. People who are supposed to co-operate with Government do not help procurement. The moment the Procurement Officer, or the Revenue Officer, whoever he may be, goes to the village, there is so much of agitation that every poor tenant is being harassed, and no paddy is left for him for seed or food. That is the usual complaint that we hear. But what is the reality? Whenever we hear of black-marketing in rice, where does it come from? It comes only from villages. So there is rice in villages. The system of procurement now carried on is defective, and what is wanted is an improvement in the method of procurement of food. Unless that is done, the situation would not improve. That is one thing I would press on Government. Thank you, Madam."

Sri K. T. KOSALRAM:—"Madam Deputy Speaker, நமது மேன்மை தங்கிய கவர்னர் அவர்கள் இந்தச் சட்ட சபையில் பேசின பேச்சுக் களிலிருந்து சர்க்கார் இந்த மாகாணத்திற்கு என்னென்ன செய்திருக்கிறார்கள் என்பதை ஓரளவுக்கு ஜனங்கள் தெரிந்துகொண்டு இன்னும் என்னென்ன தேவையானதைச் செய்யப்போகிறார்கள் என்பதை எதிர் பார்த்திருக்கிறார்கள்."

"இப்போது கவர்னர் அவர்களின் பேச்சில் உணவு நிலைமையைப்பற்றி குறிப்பிட்டிருப்பதைப்பற்றி பல அங்கத்தினர்கள் பேசினார்கள். ஆனால், இந்த உணவு நிலைமையை சரிபடுத்த முடியுமா? இன்றைக்கு இருக்கும் கன்ட்ரோல் முறை, இன்றைக்கு இருக்கும் procurement முறை சரியானதா? இந்த அரசாங்கம் இன்றைக்கு இருக்கும் நிலைமை இப்படியே நீடித்துக் கொண்டிருந்தால் பொது ஜனங்களின் மத்தியில் எவ்வளவு அதிகப்பதி ஏற்படும், ஏற்பட்டு வருகிறது என்பதை இதற்கு முன்னாலெல்லாம் கனம் வைத்தியநாதய்யர் அவர்கள் பல முறையும் குறிப்பிட்டு யோசனைகளைச் சொன்னார்கள். இன்னும் பல நண்பர்கள் அதைப்பற்றி அப்போது அரிய

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யோசனைகள் பொன்னார்கள். அரசாங்கம் அதைப்பற்றி ஒன்றும் கவனம் செலுத்தவேயில்லை. அரசாங்கத்துக்கு ஒரு நல்ல பெயர் வரவேண்டுமானால் இன்று நான் சொல்லுகிறேன் இன்றிருக்கும் முறையே மாற்றப்பட வேண்டும். கிராமாந்திரங்களில் இந்த ரேஷன் முறையை எவ்விதம் நாம் அமைக்கவேண்டுமென்று யாராவது சொல்லுகிறார்களாவென்றால், ரேஷன் முறை effective ஆக நடக்க வேண்டுமென்று சொல்லுகிறார்களே தவிர இந்த முறை நடத்தப்படவேண்டியது எப்படிக் கொண்டு யாரும் சொல்லவில்லை. இன்று நினைக்கிறேன். நான் சொல்லுகிறேன், இன்று ரேஷனில்லை. யென்று நினைக்கிறேன். நான் சொல்லுகிறேன், இன்று ரேஷனில்லை. ரேஷன் மறைந்துவிட்டதென்று ஆங்காங்கு தந்திகள் வந்து கொண்டிருக்கின்றன. ஆனால், யாராவது உண்மையில் செத்து விட்டார்களாவென்று கேட்டால், எந்த கிராமத்திலும் எந்த மனிதனும் சாகமாட்டான். ஆங்காங்கு பெரிய மிளகாசுகளிடத்தில் நெல் ஏளாமைகத் தேங்கிக் கிடக்கிறது. கிராமங்களிலுள்ள யாரைக்கேட்டாலும் அல்லது எந்த அதிகாரியைக் கேட்டாலும், ரேஷன் திட்டப்படி அமுலிலுள்ள உணவு தானிய அளவைக் கொண்டு தான் சாப்பிட்டு வருகிறோமென்று சொல்லமாட்டார்கள். யாரும் ரேஷன் அளவுப்படி சாப்பிடுவதில்லை. உண்மையில் நமக்கு வேண்டிய தானியம் ஒரு 3 லக்ஷம் டன் பற்றாக்குறையேயிருக்கிறது. இந்தப் பற்றாக்குறையையும் நாம் சரிக்கட்டி விடலாம். நகரங்களில் வேண்டியானால் குறையையும் நாம் சரிக்கட்டி விடலாம். கிராமங்களுக்கு நாம் ரேஷன் முறையை நீங்கள் வைத்துக்கொள்ளுங்கள். கோதுமை, சோளம் போன்ற அரிசி கொடுக்கவேண்டிய அவசியமில்லை. கோதுமை, சோளம் போன்ற இதர தானியங்களைச் சப்பீன் செய்யும் relief shops-ஐ ஏற்படுத்தி விட்டு அரிசி கொடுக்கப்போவதில்லையென்ற முடிவை வெளியிடுங்கள். (நாட்டின் கொடுக்கப்போவதில்லையென்ற முடிவை வெளியிடுங்கள். நாட்டின் தற்போதைய உணவு நெருக்கடியையும், அதை நமது அரசாங்கம் எப்படி சமாளிக்கவேண்டுமென்று அங்கத்தினர்கள் வற்புறுத்தி யோசனைகள் கூறும்போது உணவு மந்திரி இராமலிருப்பதைப் பார்த்து நான் வருந்துகிறேன். வருந்தாமலிருக்க முடியவில்லை. இருந்தாலும் இப்போது இங்குக்கும் அவர்களுடைய சகா மந்திரிகள் இவைகளை உணவு மந்திரியிடம் சொல்லுவார்கள் என்ற நம்புகிறேன்.) இப்போது வேண்டுமானால் ஒவ்வொரு கிராமத்திலும் relief shops-ஐ வைத்துக்கொள்ளலாம், சோளம், கோதுமை போன்ற நவ தானியங்களை குறைந்த விலையில் அவர்களுக்குக் கொடுக்கலாம். அரிசி கொடுக்கவேண்டிய நிர்வாகம் இல்லையென்பதையும் வெளிப்படுத்திவிடலாம். வெளிப்படுத்திவிட்டு, அரிசி விலையை நாம் இன்று மூட்டைக்கு 30 ரூபாய்க்கு கொள்முதல் செய்வோமென்று வைத் திருக்கிறோம்; 30 ரூபாய் வேண்டிய அவசியமில்லை. 20 ரூபாய் கொடுத்தாலே போதும். இவ்வாறு நெல் விலையை நிர்ணயித்துக்கொடுத்துவிட்டு ஆங்காங்கு கிராமங்களில் சோளம், கோதுமை இவைகளைக் கொடுப்பதற்கு relief shops-ஐ ஏற்படுத்திவிட்டு இந்த ரேஷன் முறையை எடுத்து விட்டாலேயே இந்த அரசாங்கத்துக்கு நல்ல பெயர் வரும். இப்போதிருக்கும் ரேஷன் முறையில் எவ்வளவோ அந்திகள் நடப்பதற்கும், ஆபீசர்கள் லஞ்சம் வாங்குவதற்கும் சட்டங்கள் இடம் கொடுக்கின்றன. ஆபீசர்கள் அப்படி சில சமயங்களில் ஒழுங்காக நடந்து கொண்டால் அவர்களையே வேலையில்லிருந்து நீக்கிவிடக்கூடிய அளவில் சட்டங்கள் இருக்கின்றன. சட்டத்தை அதிகாரிகள் மட்டுமே குறைசொல்லிப் பிரயோசனமில்லை. ரேஷன் திட்டம் திருத்தவேண்டும். Procurement சரியாக நடக்கவில்லை, ரேஷன் திட்டம் ஒழுங்காக நடக்கவில்லையென்றெல்லாம் புனர்-செய்கிறோமே தவிர அவை களுக்கெல்லாம் அடிப்படை காரணம் என்ன என்பதை ஆராய்ந்து திருத்த முயற்சி எடுக்கவில்லை. அவைகளெல்லாம் சரியான முறையிலே மாற்றி அமைக்கப்படவேண்டும்.

"அடுத்தபடியாக நெல்லை ஜில்லா மக்கள் தங்கள் கௌரவத்தை அதிகப்படுத்திக்கொண்டுவிட்டார்கள். ஆறு மாதங்களுக்கு முன்னால் இதே சபையில் மணி முதலாறு திட்டத்தை உடனடியாக எடுத்துக்கொண்டால் நான் ஒரு கோடி ரூபாய் அரசாங்கத்துக்கு கடனாக எங்கள் ஜில்லாவிலிருந்தே வசூலித்துத் தருகிறேன் என்று சொன்னேன். இந்தச் சபையில் ஒரு சில நண்பர்கள் கூட என்னைக்கேலி செய்து நகைத்தார்கள். ஆனால் நெல்லை மக்கள் ரூபாய்தான் வசூலித்துத் தருகிறேன் என்றேன், ஆனால் நெல்லை மக்கள் நான் சொல்லியதற்கு மேலேயே 28 லக்ஷம் ரூபாய், அதாவது ஒரு கோடியே 28 லக்ஷம் ரூபாய் 12 தினங்களுக்குள்ளாகவே கொடுத்து தங்கள் பெயரை

[Sri K. T. Kosalram]

[2nd August 1950]

உயர்த்திக்கொண்டதோடு அரசாங்கம் மக்களுக்கு எந்த நன்மை செய்யவந்தாலும் தங்களுடைய முழு ஒத்துழைப்பு அரசாங்கத்துக்கு இருக்கிறதென்பதைக் காட்டிவிட்டார்கள். பன்னிரண்டு தினங்களுக்குள்ளாக ஒரு கோடி 28 லக்ஷ ரூபாயை மனமுவந்து நெனவே ஜில்லா வாசிகள் கொடுத்திருக்கிறார்கள். ஒவ்வொரு கிராமத்திற்கும் சென்று இரவு பண்ணிரண்டு மணிக்கும் கூட கையில் விளக்குடன் பல வீடு சென்று என்னையாலேய் பல்லாயிரக் கணக்கான ரூபாயை நான் வாங்கியிருக்கிறேன். இந்த அளவிலே இந்த எடுத்துக்கொண்டால், அத்திட்டங்களை நிறைவேற்றுவதற்கு வேண்டிய உதவியை செய்ய மக்கள் தயாராயிருக்கிறார்களென்பதை இதிலிருந்து நாம் தெரிந்து கொண்டோம்.

“ஆனால் இப்போது சென்னை அரசாங்கம், மத்திய அரசாங்கத்துடன் நடந்து கொள்ளும் விதத்தில் அந்த அரசாங்கம் இவர்களுக்கு தடையாய் இருப்பதை நிவர்த்திப்பது எப்படி என்பதை பிரச்சனை. நண்பர் ஒருவர் நமது பார்லிமெண்டு மெம்பர்கள் இங்கிருந்து அங்கு போய் என்ன செய்கிறார்கள் என்று சொன்னார்கள். நான் சொல்லுகிறேன். சென்னை அரசாங்கத்தைக் குற்றம் சொல்லிப் பிரயோசனமில்லை. மந்திரிகள் தைரியமில்லாமலிருக்கிறார்கள். 1947-ம் ஆண்டு தலை 6 கோடி ரூபாய் கடன் கொடுத்திருக்கிறார்கள். 1948-லே 3 கோடி ரூபாய் கடன் கொடுத்திருக்கிறார்கள். இப்படி முக்கியமான திட்டங்களை நிறைவேற்றப்படிக்கும்; 1949-ல் 6 கோடி நடுவதாகச் சொன்னார்கள் கடைசியில் இல்லையென்று விட்டார்கள். எந்தத் திட்டங்களை நிறைவேற்றவேண்டுமானாலும் மத்திய அரசாங்கத்தின் உத்தரவை எதிர்பார்த்து இருக்கவேண்டிய நிலைமையிலிருக்கிறோம். ஒவ்வொரு திட்டத்தை யும் மத்திய அரசாங்கத்தார் மேற்பார்வையிட்டு அனுமதி கொடுத்த பின்னரே நாம் அவைகளை நிறைவேற்ற வேண்டுமென்று வந்து விட்டதால் நமக்கு மத்திய சர்க்கார் ஒரு முட்டுக்கட்டையாகிவிட்டது. நம் மாகாண மந்திரிகளுக்கு தைரியம் இல்லையென்பதால்தான் இப்படி நடக்கின்றன. எந்தந்த விஷயங்களில் மத்திய சர்க்கார் நம் மாகாண விஷயத்தில் தலையிடுகின்றது என்று பார்த்து அவர்களை தலைபீட்டை தவிர்க்க நாம் கண்ணுக்குத் தாமாயிருக்கவேண்டும். இதை நண்பர் கனம் நிதி மந்திரி அவர்கள் கவனிக்கவேண்டும். நிதி விஷயத்தில் மத்திய அரசாங்கம் எந்த அளவிலே கோடி மக்கள் பலமும், உதரவும்தான் அவர்களுக்கு எப்போதும் உண்டு. மத்திய அரசாங்கத்தின் குறுக்கீட்டை தவிர்க்க தைரியமாக சண்டை போடுங்கள் என்கிறேன்.

“இது தவிர பீகம் சுல்தான் அம்ருடன் அவர்கள் பேசினார்கள். காலேஜுகளைப்பற்றி அதாவது அதிக காலேஜுகளை ஏற்படுத்தி நடத்தலாமென்று. பணப் பஞ்சம், உணவுப் பஞ்சம் ஆங்காங்கு தலை விரித்தாகிறது. அதற்கும் பின்னால் மத்திய அரசாங்கக் குறுக்கீடு, மக்களிடத்தில் பணத்திற்குக் கெஞ்சுகிறோம். இன்றிருக்கும் நெருக்கடியில் ஒரே நேரத்தில் காலேஜுகளை அதிகம் ஏற்படுத்தி இடத்தைக் கொடுக்கவேண்டுமானால் எவ்வளவு கோடி ரூபாய் தேவையாகுமென்பதை அவர்கள் உணரவில்லை. அதுமட்டுமல்ல. Constitution படி இந்திய அரசியல் சட்டத்தின் 46-வது அடிப்படைப்பற்றி பேசினார்கள். அதற்குத்தகுடியாக நண்பர் ராகவையா வதற்கு வழியில்லை. மேன்மை தங்கிய கவர்னர் அவர்கள் பிரச்சனத்திலும் அதை அவர் குறிப்பிடவில்லை. ஆனால், நண்பர் ராகவையா அவர்கள், கனம் பக்தவத்சலம் அவர்களும் இந்தக் Communal G.O.வை ஆதரிக்கிறார்கள் என்று சொன்னார். நண்பர் ராகவையா அவர்கள் Parliamentary Secretary ஆய் இருந்தபோதே இந்த Communal G.O. இருந்ததே அப்போது அவர்களுக்கு இந்த புத்தி எங்கே போய்விட்டது என்று ஆச்சரியமாக இருக்கிறது. அது மட்டுமல்ல. அவர்கள் இன்னொன்று சொன்னார்கள், ஹரிஜனங்களுக்கு விட்டுக் கொடுப்போமென்றார்கள். இன்றைய ஹை கோர்ட்டின் தீர்ப்பானது இந்த Aboriginal தலையில் கைவைக்கிறது. இந்த ஹரிஜனங்களுடைய தலையில் கைவைக்கிறது. ஜாதி மத வித்தியாசமில்லா

[2nd August 1950]

[Sri K. T. Kosalram]

வில் தனிப்பட்ட நபர் ஒவ்வொருவரும் சமமானபடிப் பிணைப்பை இடமிருக்க வேண்டுமென்பதை ஒப்புக் கொள்ளுகிறேன். ஹை கோர்ட்டு சட்டத்தின் முடிவை ஒப்புக்கொள்கிறேன். ஆனால், Aboriginal என்ற இந்த ஹரிஜனங்களுடைய நிலைமையென்ன? இன்று 30 பேருக்கு அட்மிஷனிருந்தால் 100 அப்ளிகேஷன்கள் வருகின்றன. பிராண்டனர்களைப் போலவே அதிக முன்னேற்ற மடைந்துள்ள பிராமணர் அல்லாத சில வகுப்பினர்களுக்கு இந்தச் சலுகைகள் வேண்டாமென்று சொல்லுகிறவர்களில் முக்கியமாக நான் ஒருவன். ஆனால், இந்த ஹை கோர்ட்டு தீர்ப்பினால் ஹரிஜனங்கள் துரவீகக் குடிகள் (குறிப்பாக எனது நண்பர் சுப்பிரமணியம், வன்னிய சுத்ததிரியர்கள் பிற்போக்கானவர்கள் என்று சொல்லுவார்கள்) இவர் ஹூனைய நிலைமைகள் என்ன? ஹை கோர்ட்டின் முடிவிற்குப் பிறகு மாணவர்கள் இன்று என்ன சுலுகைகளைப் போடுகிறார்கள்? ஆனால், நன்று ஹை கோர்ட்டின் முடிவு எழுப்பியிருந்தாலும் இதற்கு மாணவர்கள் கூச்சல் போடவேண்டிய அவசியமில்லை. அரசாங்கமிருக்கிறது. அரசாங்க முன்னேற்றத்திற்கு இந்த கிளாசை திருத்தவேண்டுமென்றால் இந்த அரசாங்கம் யாருக்கும் பயப்படாது. அவசியமென்று ஏற்பட்டால் இதைத் திருத்த மத்திய அரசாங்கத்துடன் பேராடுவார்கள், என்பது இந்த மாகாண மக்கள் நம்பிக்கை அவசியமில்லையென்று தெரிந்தால் அவர்கள் போராட்டம் போடார்கள். ஆனால், சில அரசியல் கட்சிகள் தாங்கள் ஏதோ செய்து தலையிடுவது வருந்தத்தக்கது. அவர்கள் ஒன்றும் செய்துவிடப் போவதில்லை. இன்றைய அரசாங்கம் காதுக்கும், மாணவர்களை அட்டை தாங்கி கோஷங்கள் போடச் செய்வதால் இவர்களால் சாதித்துவிட்டிருக்கிறது. ஜாதி அடைய வாதி இருக்கிறதே நண்பர் ராகவையா சொன்னார்கள். மத வித்தியாசமின்றி தனி நபர் ஒவ்வொருவரும் சமமான படிப்பை நிறைவேற்ற வேண்டும். மத்திய அரசாங்கமிருக்கிறது. அதை அவர்கள் பார்த்துக்கொள்வார்கள். நாம் பேசவேண்டுமென்று அவசியமில்லை. நானும் பேசவேண்டிய நிர்ப்பந்தம் ஏற்படுகிறது.

“இன்னொன்று சொல்லுகிறேன். பரிமாண பக்தவத்சலம் அவர்கள் இங்கிருக்கிறார்கள். எங்கள் ஜில்லா வாசிகள் நீங்கள் கேட்ட ஒரு கோடி ரூபாய்க்குமேல் 28 லக்ஷம் கொடுத்திருக்கிறார்கள். காலார், கெரியார் என்ற இரண்டு திட்டங்கள் இருக்கின்றன. அவைகளையும் நீங்கள் பூர்த்தி செய்து கொடுத்திவிட்டால் தஞ்சை ஜில்லாவைப் போன்று இருமடங்கு சாகுபடி செய்ய முடியும். ஒன்றிரண்டு ஆண்டுகளிலேயே எங்கள் ஜில்லாவை கோடிக்கு மேல் கான் கொடுத்துத் தவிய எங்கள் ஜில்லாவிலிருந்தே இந்தத் திட்டங்களுக்கும் போதுமான தொகையை மக்களிடத்திலிருந்து நான் கடனாக வாங்கிக் கொடுக்கிறேன். ஒரு உதாரணத்தான் காட்டிவிட்டேன். ஆகையால் கனம் பக்தவத்சலம் அவர்கள் காலார், கெரியார் என்ற இரண்டு திட்டங்களையும் பரிசீலனைக்கு எடுத்து நிறைவேற்றவேண்டும். நாட்டின் பட்டினியையும், பஞ்சத்தையும் பறக்கடிப்பது கனம் பக்தவத்சலம் அவர்கள் இருக்கிறதே தவிர உலாவு மந்திரி கனம் ரோசவிக்டோரியாவிடமிருந்து. எனவே ஜில்லா வாரிய பல திட்டங்களையும் மேற்கொண்டு நடத்தி வைக்க கனம் மந்திரி அவர்கள் முன்வரவேண்டும்.

“கடைசியில் ஒரே ஒரு வார்த்தை. Communal G.O. வேண்டுமென்று கூக்குரலிட்டவர்கள் முஸ்லிம் நண்பர்களே, காங்கிரஸ்காரர்கள் அல்ல. இரண்டு வருஷங்களுக்கு முன்னால் இதே சட்டசபையில் Communal G.O. சிலவேண்டுமென்று கூக்குரல் போட்டவர்கள் இன்று தேவையில்லை என்று சொன்னார்களேயானால் அதன் அர்த்தம் வினங்கவில்லை. இரண்டு வருஷங்களுக்கு முன்னால் இருந்தவர்களேதான் இன்றும் இங்கிருக்கிறார்கள். ஏதோ அறியில்லாதமாதத்தான் சொல்லவேண்டுமென்பது ஏன் அப்பிராயம். அவர்கள் இப்போது ஏன் மாறிச்சொல்லுகிறார்கள் என்பதை நமக்கு விளக்கவேண்டும். அப்படி விளக்காவிட்டால் அவர்கள் எதிருக்கு வாதம் செய்வதை பொது மக்கள் அறியாமல் போகமாட்டார்கள். அவர்களுடைய வேஷம் என்ன என்பதை பொது மக்கள் அறிபவேண்டியதும் அவசியம்.

[Sri K. T. Kosalram] [2nd August 1950]

“இன்னும் காங்கிரஸ்காரர்களைப்பற்றி எதிர் க்குக்காரர்கள் யார் என்ன வேண்டுமானாலும் சொல்லலாம். . . காங்கிரஸ்காரர்கள் பொது மக்களிடத்தில் எவ்விதம் தொடர்புகொண்டிருக்கிறார்கள் என்பதை நெற்றுவரை நடந்த தேர்தல்களில் பொது மக்கள் நிரூபித்துவிட்டார்கள். எதிர் க்குக்காரியில் இவர்களோடு போட்டியிட்ட ஆள் இல்லாமல் திண்டாடும் அளவில் காங்கிரஸ்காரர்கள் மக்களிடத்தில் மதிப்பைப் பெற்றிருக்கிறார்கள் என்பதை எதிர் க்குக்காரர்களுக்குச் சொல்லுகிறேன். மேலும் எங்கள் அரசாங்கம் அதைச் செய்யவேண்டுமோ அதைச் செய்துகொண்டிருக்கிறார்கள் என்று சொல்லுகிறேன்.”

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SRI V. KURMAYYA:—“Madam Deputy Speaker, while congratulating His Excellency the Governor on the statement in his Address that a sum of over Rs. 20 lakhs has been provided in the current year's budget over the expenditure in 1949-50 for Harijan Uplift, I must also bring to the notice of the Government the many problems concerning agricultural and landless labourers that have to be tackled if the Government really want to bring happiness to the largest number of people in the State. The difficulties in the rural parts have increased. The agricultural labourers, who are the actual tillers of the soil and who do many hours of labour on the field every day, are made to suffer and starve. The Address refers to the legislative measures coming up before the House during the current session. One of them is the Malabar Tenancy Act Amendment Bill. From the provisions of the Bill, I see that the tiller of the soil is not going to be benefited to the extent to which the jenmi is going to be deprived of. I do not know the mind of this Government and I cannot understand why an intermediary, who has no connexion with the land and who has not contributed any labour towards production, should be given a portion of the produce of the land at the cost of the jenmi. I must draw the attention of this Government to the legislation that is proposed in Kashmir under the leadership of Shaik Abdullah. It restricts the maximum holding to twenty acres. Cannot we introduce a similar legislation in this State where the land is concentrated in the hands of a few? Especially after the Zamindari Abolition Act, it is the bounden duty of this Congress Government, which is also a popular Government, to bring in a Bill which will give bread to the 90 per cent of the people instead of to the 10 per cent. Such a legislation will bring prestige to the Congress Government and the Congress organization. Sri A. Vaidyanatha Ayyar, President of the Tamilnad Harijan Sevak Sangh, said that the Harijan women who toiled to produce and supply food to the people were themselves made to starve. He was quite correct. If we go to the villages, we can see how the Harijan women are toiling to produce food. But they have not even got oil to apply to the hair and comb. I do not know how this state of affairs is being tolerated by this Government.

“With regard to the eviction of poor people and Harijans from the Government waste lands which were in their occupation for several years, the Government took no action in spite of repeated representations, and the speeches made and the questions raised by many Members on the floor of this House. I am really sorry for the attitude of the Government and especially the Minister for Land Revenue. Why did he not take any action on the speeches made

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by the hon. Members of this House even though he promised to take action? To-day, I got a letter with all the original records about the situation in the village of Teekothapalayam in Mummidi-varam firka, Amalapuram taluk, East Godavari district. From the records, I see that the lands which were leased out to the Harijans there by the Deputy Tahsildar in 1943 were allotted to political sufferers in July 1950. What is to become of the fate of the Harijans? In that connexion, 21 Harijans were arrested by the Police under the guise of maintenance of law and order. When political sufferers are going to occupy the lands which were enjoyed by the Harijans from 1943 onwards, is it not the duty of the Government to instruct the police not to allow the political sufferers to enter upon the lands? The Harijans approached me and I wired to the Collector, the Revenue Divisional Officer, the District Superintendent of Police and the Inspector of Police. I am told that the arrested persons have been released on bail. I request the Hon. Ministers for Land Revenue and Harijan Uplift to see that justice is done to them. In many villages in East Godavari, Harijans and the landless poor who are in enjoyment of Government waste lands are going to be dispossessed and the lands are going to be allotted to political sufferers on recommendation of Political Sufferers' Committee. The Harijans of Peddapadu village in the Eluru taluk were in possession of certain Government waste land from 1944, and they were cultivating it till last year. This year, the land was taken away from the Harijans and allotted to Dr. Rangiah, his wife and some other political sufferers. It is not the duty of the Government to see that such instances do not occur and instruct the Revenue officials to strictly adhere to the Government Order which says that the lands in the possession of the landless prior to 1st May 1948 should not be taken away from the landless poor and assign them to political sufferers.

“I am not afraid of bringing to the notice of this House that officials to-day are terribly afraid of Congress leaders and Congress workers. Why should they be afraid, if the Government are firm and impartial and do not interfere in administration on the advice of Congress leaders? In West Godavari and Guntur districts, there have been many instances of Government interference with administration on the initiative of Congress people. The officials were forced to submit to the dictation of the Congress people who tried to deprive the Harijans of the lands in their possession for giving them to political sufferers.

“Much help has been rendered by the Government towards the education of Harijans. To-day, the Harijan is capable of competing even with a Brahman. I do not mind if the Communal G.O. is abrogated. I am glad that the High Court has declared the Communal G.O. relating to the admission of students to the Engineering and Medical Colleges illegal. The Government are taking the matter to the Supreme Court, and I will be glad if the Supreme Court upholds the verdict of the High Court. Who are the people benefited by the Communal G.O.? It is not the Brahmans who get 2 seats out of 14. The people most benefited are the Non-Brahmins. The Non-Brahmins will not be more than 25 per cent of the population of this State. But they get 43 per cent of the

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seats in colleges and posts in the services reserved for them. Is it not the duty of the Government to allot more seats to the Harijans and backward communities whose population is about 45 per cent in the country? It is only the backward communities that are deprived of their proper share in the name of the Communal G.O. I should have been glad if the backward communities were given 45 per cent of the seats either in the Medical Colleges or the Engineering Colleges or in the services. But in none of them have they been given their proper share according to their population. Now when we talk of the abolition of the Communal G.O. and when so much agitation is going on outside for its removal, I want to make this suggestion to the Government on the floor of this House that we should introduce some legislation in this Province fixing a limit to the amount of property that one can hold and the extent of lands that one should possess. The agitation for the abolition of the Communal G.O. is proof positive that there should not be any distinction between one caste and another and that the principle should be extended also to the right of the division of property according to the population basis. Why should one community hold all the property and thus deprive the other of everything? This Communal G.O. has created a class distinction and in that name, the Harijans and backward classes are deprived of their due share. If I were the Premier of this Province, even before the next elections I would bring forward a legislation to the effect that nobody should possess more than 5 to 10 acres of wet land and 20 acres of dry land. Let us follow the very good example set by Muhammad Sheik Abdulla, the present Premier of Kashmir. I ask, cannot the Premier of this Province also bring forward a similar legislation in this State and see that all lands are equitably divided among the people and prevent those who hold large extents from acquiring more, and distribute all the surplus lands to the people who are landless and thus prevent hunger and starvation in the land? Unless some such legislation is brought into force, the present chaos and food shortage and discontent among the people will continue.

"Madam Deputy Speaker, now take some of the social legislations which the Government had enacted and see how they are working. In order to remove certain civil disabilities and to protect the interests of Harijans and the backward classes, the Government have enacted two measures, namely, the Removal of Civil Disabilities Act and the Temple Entry Act. Are they being properly put into force? There are still people in the Province who are opposed to the entry of Harijans into these temples. Even many of our Harijan members are not conscious that they are on an equal footing with the members of the other communities, and that the new Constitution had given them all protection and that they could exercise their full rights of citizenship without any discrimination of caste, race or religion and that they have got as much right as the caste-Hindus in regard to temple entry and in all other social matters. I would, therefore request the Government to issue strict instructions to the Police, in whose hands the implementation of these enactments are entrusted, and see that Harijans are not prevented from entering any of the temples in the Province

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and that their rights of citizenship are protected and their social disabilities removed. I have no doubt, of course, that the equality of status has been recognized legally, but there are practical difficulties in the way of implementing those laws, and it is the Police that must take strong and vigorous action to implement these provisions and make the law a living one.

"Then, Madam, as regards the food problem in this Province, I must say that the position is very disquieting, even in some of the surplus districts and particularly in the villages. Take the district of Krishna, which is a surplus district. There, in the village parts, a bag of paddy is now selling at Rs. 30. I know personally that in the Gudivada taluk, where plenty of paddy is produced, people in the villages have to pay Rs. 30 for a bag, because of the black-market among the millers. These millers are prepared to pay any price for these stocks, because they sell rice in black-market. How is it possible for the poor and middle-class people to purchase paddy at that rate and maintain their family? The members of the District Food Committee, most of whom are the big landholders, say that there is no paddy in the district, while the Harijan representatives and the representatives of the agricultural labourers say that there is plenty of paddy available in black-market at Rs. 30 per bag. At a meeting of the District Food Committee, one of the Harijan members even challenged the other members that he could get any number of bags at that price. There was no answer to that challenge. When such is the state of affairs even in the surplus districts, the situation in the deficit districts must be worse. It is the duty of the Government to see that control is strictly enforced, that black-marketeers are brought to book and severely dealt with and that the complaints of the people are looked into and immediate action taken to remedy them.

"Lastly, Madam, as regards the atrocities of the Police on the name of suppression of the Communists, I must again bring to the notice of the Government that harassment of innocent people is still going on in our villages and the Police are given unlimited powers to do whatever they like to suppress Communist activities and under its guise, they are harassing Harijans in the villages, however innocent they are and even though they are quite unconnected with the Communists. I have visited a number of villages myself and I have asked many of my friends also to make enquiries, and see for themselves whether there are any Communists in the villages and whether people are really supporting them, and I make bold to say, and my enquiries go to show that although there might be some Communists here and there, people in the villages and especially Harijans are not supporting them and they are not giving any help or shelter to them. If any of the Ministers tour in any of the villages in my constituency, he will see that there is no trouble from the Communists. It is only the Police, under the guise of suppressing the Communist movement, that are creating all these troubles and difficulties. I would, therefore, earnestly request the Government and the Hon. Minister in charge to issue strict instructions to the Police to see

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that no innocent person is harassed by them, unless they receive some complaints through the Special Police that such and such a person belongs to the Communist party.

"Thank you, Madam, I have finished."

* SRI A. VAIDYANATHA AYYAR:—"Madam, Deputy Speaker, I join in tendering thanks to His Excellency the Governor for the Address which he has made to the House yesterday. At the same time I should be failing in my duty if I do not place before the House certain important things which should have had priority and which should have had some kind of solution forecast in the Address which might easily relieve the sufferings of the people. The problem of problems to-day which is the root cause of most of the troubles from which people are suffering, and which we are unable to afford relief is the soaring rise in prices of articles and particularly foodstuffs. This problem has led to a number of other subsidiary problems, which the Government are unable to solve and which the people are unable to help in solving them. Time and again, the Government are being pressed to raise the salaries of their subordinates. Time and again, we are asked to support their case for increased dearness allowance, all because of the fact that the prices of foodstuffs and other necessities of life are soaring up day by day.

"Secondly, when we go to the agricultural workers or industrial workers, they too complain that they have not enough to eat on account of the growing price of foodstuffs. They too press for an increase of their wages, with the result that wages are being progressively raised by the industrial tribunals and the vicious circle goes on. When we go to the employers of labour and the industrialists, they too complain, 'Our cost of production has considerably gone up on account of higher wages, we are asked to pay to our employees and also because of the increased cost of raw materials, and, therefore, we cannot reduce the price of our manufactured articles, and, if we do so, we will incur loss and then we will have to close our factories and throw out the labour'. That is the kind of argument repeated everywhere and thus the vicious circle is completed both by the consumers and the producers. Thus, we see that the root cause of these troubles and sufferings is the rise in prices. From the year 1946 when first the Public Safety Act was brought into force to control rise in prices and to check unsocial tendencies among the people, down to the present Address by His Excellency the Governor, we have been raising this question time and again on the floor of this House and this is the only question which should have had priority and which should receive the immediate attention of the Government, and the Government, on their part, should have taken prompt and vigorous steps to bring down the level of prices to a stage which people could afford, and thus give the necessary relief to the people. But I am sorry to find that no steps have yet been taken by the Government to tackle this problem, nor is there any indication in the Address of His Excellency the Governor that the Government are giving their first priority to the solution of this problem. Because the prices have been increased gradually and bit by bit, from time to

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time, we cannot see the abnormality of them, at a glance, but if we compare the price of the articles of food which we are now paying with that which prevailed in 1941 and 1946, we will be able to clearly see the steep rise. I have got here a tabular statement prepared by a co-operative society showing the price trends of certain articles of foodstuffs, from the year 1941 onwards until to-day, and we cannot simply dispose of them as mere black-market prices, because it is a co-operative society that has prepared this statement. We find from that statement that almost every article of necessity has gone up not merely during the period from 1941-46, when the Advisers were in charge of the administration, but also from 1946 onwards when the Congress Ministry took up office, until the present day. In the case of rice, the price now is 287 per cent of the 1941 price and from 1946 onwards it has increased by 70 per cent. If you take chillies, its price has risen now by 800 per cent of 1941 price and by 175 per cent of 1946 price. In the case of tamarind, it has risen by 800 per cent of the 1941 price and 415 per cent since 1946. If you take sugar, it has risen by 515 per cent from 1941 and 200 per cent since 1946. If we take jaggery, of course, its controlled price is now 500 per cent of the 1941 price and 300 per cent of the 1946 price. Similarly, if you take up any of the other important and necessary articles of life, such as dhall, greengram and the like, you will find that their price has risen by 400 per cent from 1941 and 315 per cent from 1946. If you take gingelly oil, it has also gone up by 400 per cent from 1941 and 56 per cent from 1946. If you take coconut oil, its price has risen by 800 per cent from 1941 and nearly 300 per cent from 1946. If you take groundnut oil, it has also risen by 750 per cent from 1941 and 200 per cent from 1946. If you take some other articles like pepper, it has risen by 2,500 per cent of what it was during the pre-war days. While during those days, it used to sell at 12 annas to 14 annas per viss, it now sells at Rs. 22 per viss. Now if we throw our minds back, we will find that this is not a mistake merely of the foreign Government, which ruled this country before, but even after we took up office, there has been a persistent tendency for prices of the necessities of life to increase and therefore the first duty of the Government should be to see how this growing prices should be brought to an end. The prices have risen like a rocket and any amount of increase in salaries or wages or dearness allowance would not help to bring a solution of the problem. Even before you increase the salaries and wages, the price of articles shoots up and like a jet plane its velocity only accelerates the higher it goes up. Unless the problem is tackled boldly and vigorously and solved in a radical way, there does not appear to be any chance for the prices to subside down to the normal. During the last session when this subject came up for discussion in this House, I urged upon the Government to take up this question of rise in prices themselves or to impress upon the Central Government to tackle this problem immediately and urgently. Now after six or seven months, I heard that a Committee was working at it, and that a suggestion had been made to the Union Government by the Provincial Government to check the increasing prices, and now, two or three

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days back, I saw in the papers that some communication had been received by the State Government from the Union Government asking the latter to suggest how prices could be reduced. That is how things are going on and how the Government, both in the Centre and in the State, are tackling this problem. Now I would respectfully submit to the Government that unless some drastic steps are taken to tackle this problem, our economy would be gravely imperilled because people, whose purchasing power is growing less and less day by day, would not be able to pay their taxes, as they are already unable to get on with the rising prices. Under the present financial condition, the Government are not able to increase the wages or the salaries of their employees by 25 or 50 per cent, when the price level has gone up by 300 to 400 per cent and that being the case, how anybody could exist at all? Of course high prices do not affect richer people, blackmarketeers and big landlords, but it is only the poorest sections of the community and the middle classes and lower-middle classes that suffer most by high prices, because it is these people who are not able to make both ends meet. The lower-middle classes are now practically denuded and are made paupers. There is therefore no point in raising the wages or salaries, without a corresponding reduction in price levels. A few days back, I was told that in Madras a broom-stick which used to be sold at one anna was selling at 3 annas and when I asked why it has risen by 300 per cent, the reason given to me was, the Korean War. What connexion has the Korean War with the price of broom-stick, I do not know, unless it be that either of the parties in that war is going to sweep the other into the sea.

4-15 p.m. "If the price of ghee is raised from Rs. 9 per viss to Rs. 11 in my place, the answer ordinarily given is 'Korea War'. Every single opportunity is unscrupulously taken hold of for an increase in the price. Can you and I and the ordinary people control this rise in price? It is a matter purely for Government who alone can stop this rise and tackle the subject. The next point is how are we to effect the reduction of prices. It is asked 'suppose people have purchased goods worth lakhs and lakhs of rupees, and if we reduce the price from Rs. 100 to Rs. 50, would it not affect them'. This will affect every case in which we exercise control. Suppose at the time when Government introduced cloth control the merchants have purchased cloth at higher prices. Would not the control have affected them? Therefore, any question of control always involves some kind of difficulty. Unless the Government put before themselves this proposition that they must somehow in the course of a few months reduce the prices by 50 per cent—though not to the pre-war level—they would not be doing their duty by the people. Let us take note of what has gone before. The biggest motive and the inducement for revolution is the question of absence of bread and absence of food. It was that which precipitated the French Revolution. It is that which is likely to precipitate every revolution and also furnish fit material for anybody for any kind of 'ism' which can, as a matter of fact, dazzle the people's eyes. They may say 'We are giving you a solution for feeding your empty stomach'.

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Therefore, unless we are prepared to take drastic steps for the reduction of prices, I am afraid the State would not be able to do its duty. In 1924 Mahatma Gandhi in an article stated that the ordinary masses of people are hardly concerned with politics just as we are; to them bread (and he would not use 'butter', but bread and salt, because butter was not available) is the only politics'. Therefore, I say that it is a fatal omission to consider this matter and see how this can be adjusted at all. This should be given the first and foremost priority. Government might possibly relegate all other schemes provided only they concentrate on this price reduction.

"The next thing which I cannot afford to neglect is the way in which the food control is there at present. I am speaking on behalf of the villagers, whom I have the misfortune to represent. In the matter of control, far from the ideal that I should say. In the matter of control, the villager seems to have been set before us by Mahatma Gandhi, the villager seems to have received not merely a step-motherly treatment but a kind of mal-treatment. You find in the last few weeks the entire informal rationing system in the villages has broken down. Time and again I have sent complaints to the district officers telling them that the people had not got their rations. For nearly three weeks the ration shops were not getting paddy. The answer in the case of the villagers is that 'it is informal rationing only; we have to provide for the statutorily rationed areas'. Statutory ration areas means municipalities and Madras. Even here, I may say that Madras seems to be much more happily treated. Madras seems to get better rice and some sugar, neither of which is available in the mufassal municipalities. I wish all of us could go to the village where my hon. friend Mr. Kakkan is residing. I received a letter two days ago stating that all the paddy had been taken away from the villagers. Paddy moved from for feeding the statutorily rationed areas. Paddy moved from Melur taluk comes to Mathurai. From Mathurai it goes to Coimbatore. But when Mathurai City is again in want, a few houses of the villagers are raided, and the one or two bags of paddy they have, are brought to the town, and the villagers are told 'what are we to do'. Now all the paddy with the people has gone away, and the people who are unable to get paddy are those people, namely, the poor agricultural labourers who really raised the crops—the tiller without the land. The man whom the Government have given the 'A' card ration, is put to suffering, because the entire paddy has gone to the ration shops. Under the intensive procurement scheme, whatever paddy could be procured from the tenant-land-owner, has also gone away, and this man is now going out taking his basket, waiting all the day long to see whether private men will supply paddy. Let alone the question of ability to purchase paddy. They spend the whole day without, as a matter of fact, going to their work, to find out where they could get paddy. The way the other people are taking advantage of the situation is horrid. The wholesaler is the man who really goes on without giving the full amount of paddy procured by him. In the case of poor people, he does not give any receipts for purchase and in the case of only educated persons

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he gives such receipts. The rest of the people are not given. And the wholesaler himself sells in the blackmarket. I have got petitions from Congress workers saying that these wholesalers are taking so many bandies, and when they appeal to the firka supply officer and the taluk supply officer, they only laugh. These bandies go out day after day. Some of these officers had even the cheek to say that C.I.Ds. should be placed on these men, because they thought that these people were trying to cover up some kind of blackmarketing themselves. But the fact is that this paddy goes even through the hands of the wholesalers, who are themselves ration shop-keepers. I wish any of you could go to the place I represent, and see what is taking place there. Those who are in Madras may think Madras is a veritable Heaven, because in the mufassal in the ration shops, paddy is not given until Thursday. Every day people go and wait at the ration shop. The ration shop-keeper fixes Thursday for getting the paddy. The next day, Friday, is a holiday. (At this stage the Deputy Speaker rang the bell.) You will kindly permit me some more time, Madam. Let me at least speak out what I have in my heart, whether the remedy comes or not. I see the Hon. Ministers are intently following all that I say. Let me have some more time please. When the people go to the ration shop on Thursday evening, they are asked to come on Saturday, the next day Friday being a holiday for the ration shop. On Saturday, when they go, only one day's ration is given, saying that the ration for the past six days in the week is lapsed. This six days' ration out of 7 days lapses, and only one day's ration is given. But on Sunday, the balance of 6 days' ration is entered by the ration shop-keeper as belonging to the next week's ration. So, every time paddy is not given, it becomes a question of gain to the shop-keeper. I have seen places where this is calculated as being part of the ration stock available. In these conditions, is it not necessary that these people should have some kind of protection? After all it is the villagers from whom we have taken food.

"Recently I had occasion to complain to the Hon. Mr. Bhaktavatsalam about the way in which some poor jari double crop owners were treated. The Food Commissioner came and said 'you are all double crop owners; so you must give so much paddy'. The next morning the procurement officer came. He asked 'why should you all stop till 'Thai' or 'Masi'; you better go on sending your stock; you are going to get the double crop raised by September'. When the time for cultivation came, the Engineer came and said 'I have no water in Mettur, and, therefore, do not cultivate'. I had to phone up to the Hon. Minister for Law about the way in which these people were treated. He immediately intervened, and God Varuna also intervened, and there is now some water. It is likely that there is some cultivation. Such things are going on. This food problem is a vital problem. If at all we take control, unless we control thoroughly, it will not be possible to have any effective control. There can be no half-way control. Half-way control is the real thing that leads to corruption and distress. Do the Government think that

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people in Mathurai are not getting paddy? What should come through control, comes through the back door, and it is purchased by the housewife at Rs. 1-12-0 per measure. I wish therefore that Government consider this question of food problems seriously, and see that control is effective. There is no use of controlling paddy alone when all the other things are allowed to rise in price. The price of iron tyres, ploughshare, manure, and all other things has risen. Therefore, unless control is tightened up, I am afraid it will not work effectively.

"I am glad that what the Hon. Minister for Public Works has promised finds mention in the Address. My submission to Government several times was that there was no good merely putting up new schemes. There are very many old tanks which are out of repair. I requested the Hon. Minister for Public Works to see that they were taken up for repair. I am glad to see that it is accepted as a policy of the Government.

"One thing more I wish to say before I close, and that is about justice. That is how even our Constitution begins. At the time when the Zamindari Abolition Bill came up for discussion, I stated that the way in which things were done, showed that many people would receive nothing as compensation. I believe the Hon. Minister for Revenue knows this. In my district in the case of some 600 villages, there are under-tenure holders some of whom had purchased for several thousands of rupees. Based on the Government calculation of compensation, practically 'nil' compensation has been paid to these 600 villages. His Excellency the President of the Indian Union did not know the conditions under which he certified this Act, and he said that it was unalterable. It had not been pointed out that half of these 600 villages belonged to temples, choultries and charitable institutions. I am sure the Hon. Minister for Revenue and the Cabinet will consider this matter, because the adoption of that calculation would mean mere expropriation. When I approached the officers, they stated 'it is entirely our kindness; because the calculation worked to Rs. 20,000, that is, they should pay Rupees 20,000 or so to the Government, and we were kind to you in that we have left you free'. I would urge upon the Government to show justice to these under-tenure holders and give them some compensation instead of 'nil' compensation, and also take steps to effect a reduction in the soaring prices. I hope the Government will look into these matters."

SRI S. NAGAPPA:—"Madam Deputy Speaker, I associate myself with the previous speaker in thanking His Excellency the Governor for addressing this House. His Excellency in his Address has stated that the financial condition of the State is deteriorating day-by-day. No doubt it is a fact. But who are responsible for that? The Government should take care to see that they increase production in the State for therein lies the financial salvation of this State. But the Government have done so far nothing in order to increase production either industrially or agriculturally. They have been saying that by 1952 we will be able to produce something more, but that still remains to be

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seen. As regards major programmes, especially irrigation and electricity schemes, they have given the go-by, and they are not taking them as expeditiously as they should. The Government have however promised that they would do their best. By 1952, it is said that large tracts of land would be brought under irrigation, and the power available would be doubled. It is a good feature no doubt. But that remains to be seen. Coming to the problem of food, I see that a day has been set apart for discussion. I do not wish to go into details now. In paragraph 6 of the Address, His Excellency was good enough to say that the Government have a comprehensive policy and programme for the prevention, control and relief of leprosy. The elementary needs of the people to guard against plague and cholera have not been met. The Government will be surprised to hear that in my district in the last two or three months, there have been 385 deaths due to cholera. What have the Government done? They have not been able to control the epidemic at all. Now, they talk of controlling and preventing leprosy. This day to day difficulty of the people has not been solved so far. Especially in Kurnool, which is highly malarial, nothing has been done. Now, of course, there are some special malarial staff working, but the results achieved are very poor.

4-30
p.m.

"Madam, the Governor has been good enough to say that the Government have allotted more funds for the scheme to do away with illiteracy. But the Government have not stated what their achievements in this direction are. They have stated the amount that they have spent. But it is not known whether the amount that has been spent has been spent in the right way and whether there have been any encouraging results for the amount spent. It is simply stated that they spent last year Rs. 3.14 lakhs and that they are going to spend Rs. 6.86 lakhs this year. But I ask, how many illiterates have been converted into literates? Nobody knows whether the amount has been rightly spent or wrongly spent or whether it has been spent at all. For the sake of jugglery, they have simply said that they have spent so much and given figures. This sort of financial jugglery would not carry the Government very far. I would, therefore, request the Government to be firm and to come forward with facts and figures and point out their achievements such as how many illiterates they have turned into literates. It is no use of their simply going on with something which cannot be seen or heard."

"It is also stated that to meet the urgent demand for trained teachers for staffing secondary schools, the Government have opened two training Colleges—one at Palghat and the other at Mangalore—from the academic year 1950-51. No doubt it is a good thing. But why do they confine the scheme to West Coast alone? Is it simply because the Minister hails from that area that the Colleges have been opened there? (Sri M. Govinda Menon: 'Because there is only one training college'.) Then why not you have one more college in Rayalaseema? Rayalaseema is the best place for it. Why should the Hon'ble Minister be so partial to the area from which he hails? I would request him to be more liberal and more generous especially towards Rayalaseema."

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"Now, Madam, I shall come to the Harijan problem. I am very thankful to the Government for the jugglery they have done in showing some big figures. The Budget Estimate for 1950-51 on Harijan Uplift is Rs. 92.67 lakhs. No doubt it is a good thing. But I want to ask the Government, how much of these 92 lakhs will be spent on the maintenance of the Government machinery, from the Director to the lowest officer. Further, what is their achievement so far? Even to-day if we go to the rural areas, we can see people starving without food; they do not have even shelter. Of course, there are many paper schemes but not even a single one of them has materialized. My hon. Friend Mr. Kakkan was telling us yesterday about the situation in Tanjore district. When a mirasidar disposes of his land to some other mirasidar, the Harijans who have been living on the land attached to the zamindar are also sold along with the land as if they were saleable products. Are we human beings or any material to be used for the production of food in the country? We are not cattle. Anyhow the Government have decided that they should bring in a legislation soon to prevent such sort of things. (Interruption.) Even cattle are not sold as against their will. Cattle also have some respect or value. But here no man collects any price for the human beings. They are simply handed over by one master to another master. This is the state of things existing in the 20th century under the Congress regime. That is an irony of fate. I would appeal to the Government to come forward boldly soon to put an end to such things."

"Madam, the other day while reading a newspaper, I found the Director of Harijan Welfare had presented a scheme to the Government. But the Cabinet found it difficult to meet the demands of the Director and had to cut down one or two lakhs simply because they could not find finance. (An hon. Member: 'What was that scheme?') It was a scheme for the uplift of Harijans, in order to uplift them educationally. I would ask, what is it that this Government have done for the Harijans, have they given house-sites to the Harijans, have they given the children of the Harijan families attending elementary schools midday meals? Even that midday meal has been stopped in most of the compulsory elementary education schools. The strength of the schools has fallen simply because the Government have stopped the midday meal. I would urge upon the Government to be more broadminded so far as the Harijan cause is concerned. This is one of the declared policies of the Government. The longer they wait they will have to spend more. Instead of spending the amount in long duration, why not spend it expeditiously and intensively and see that the Harijans come to the level of the other communities? That would be a better method than doling out every day in a piecemeal manner. After all, what proportion do these 92 lakhs bear for 86 lakhs of people? About one rupee per head. The Government say that they have been spending and spending. Especially the dramatic Finance Minister says that the Government have been spending so much for the Harijans."

THE HON. SRI B. GOPALA REDDI.—"Does the hon Member mean romantic or dramatic?"

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SRI S. NAGAPPA :—" It is for the Finance Minister to infer."

THE HON. SRI K. MADHAVA MENON :—" On a point of order, Madam. What is it that is dramatic in the Finance Minister?"

THE DEPUTY SPEAKER :—" It is not a point of order at all."

SRI S. NAGAPPA :—" I would request the Government to be more generous towards the Harijan cause. If they bring up the Harijans to the level of the other communities, then they would not be coming everyday and begging this Government for doles. If the Government have no money, let them borrow as they have done now. It is no use saying that 'we have spent so much last year and we shall spend so much next year'. That will not please anybody. The Government have not the courage or largeheartedness to come forward and spend an adequate sum on Harijan uplift."

" Madam, I am glad the Government have decided to extend their scheme of Separation of the Judiciary from the Executive to five more districts in the State with effect from the 15th August 1950. But who are the people that have been recruited in connexion with this scheme? Not even a single munsif has been selected from Rayalaseema although there are several qualified people. What have the Government done for these poor people? There were many qualified, experienced and top-ranking lawyers at the bar. They were not selected as District Munsifs. (An hon. Member : 'There is an age-limit also prescribed for selection to these posts'.) Age-limit is no consideration at all in these cases. Even if necessary, they must be given exemption for the simple reason that they were neglected all these years."

THE HON. SRI K. MADHAVA MENON :—" The Public Service Commission is there to select candidates."

SRI S. NAGAPPA :—" After all, this Public Service Commission is the creation of the Government. If the Government are not satisfied with it, let them chuck out the Commission and form another Commission of their own choice if they have any guts. They have neither the courage nor the wisdom to do so. We are helpless in having such a Government which simply shifts its responsibility to somebody else. I charge the Ministry on having failed to select the qualified and experienced lawyers in Rayalaseema as District Munsifs."

" Again, in the recent selections to the posts of District Superintendents of Police, there were eight seats in all, seven for backward communities and one for Scheduled classes. The Scheduled class candidate is also recruited from Tamil Nad and the backward community candidates are also selected from Tamil Nad as if the whole world is devoid of people capable of running the administration. Especially from Rayalaseema there is not even a single officer in the Police Department. Is this not an injustice that the Government have done to the people of Rayalaseema? They say that they have a soft corner in their hearts for the

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Rayalaseemites. But what have they done actually? They talk tall but in reality there is nothing. I never expected that the Congress Government, supposed to be the popular Government, would act like this. Even now, I appeal to the Ministers to revise their orders if possible and see that as many lawyers as possible are recruited from Rayalaseema as District Munsifs. (Interruption.) How can you recruit all the lawyers? Therefore, I only ask for as many lawyers as possible to be recruited. If Mr. Pattabhi had been in one of these Ministerial positions, he would have done so, but unfortunately he is not there. (Mr. Pattabhiraman : 'You can form your Cabinet'.) When I form the Cabinet, you will see what sort of people are there. That day is not too far away. (Laughter.) After adult franchise, do you think you will have the chance of being Ministers, or Leader of the House? Not at all, those days have gone."

THE DEPUTY SPEAKER :—" Is the hon. Member addressing the Chair?"

SRI S. NAGAPPA :—" I am addressing the House through you, Madam."

THE DEPUTY SPEAKER :—" But the hon. Member wanted me to form the Cabinet. I cannot do it."

SRI S. NAGAPPA :—" If you form, you can form a better Cabinet. I wish you form a Cabinet one day."

" Now, there is no use of dealing with the Harijan problem in a piecemeal manner. Let the Government set apart 10 crores or 20 crores for 1950-51 and let them have a definite five-year or ten-year programme. By the end of that period the Harijans should have reached the level of other communities. Then alone the Harijan problem will be solved."

SRI A. SUBRAMANIAN :—" கனம் உபதலைவி அவர்களே, மேன்மை தங்கிய கவர்னர் அவர்களுடைய பிரசங்கத்தை வரவேற்பதாயிருந்தாலுங் கூட அதில் பிற்பட்ட இனத்தவர்களின் முன்னேற்றத்தைப்பற்றி சிறிதளவுகூட குறிப்பிடாமலிருந்ததைக்குறித்து நான் மிகவும் வருத்தமடைகிறேன். இந்த மாகாணத்தின் ஜனத்தொகை சற்றேரக்குறைய ஐந்து கோடி நாற்பத்தி ஒன்பது லட்சமாகும். மொத்த ஜனத்தொகை ஐந்தரை கோடியில் குறிப்பாக இரண்டே முக்கால் கோடி ஜனத்தொகை உள்ளவர்கள் பிற்போக்கினத்தைச் சேர்ந்தவர்களாவார்கள். அவர்கள் கல்வியிலும் பொருளாதாரத்திலும் அரசாங்க உத்யோகங்களிலும் மிகவும் பிற்பட்டவர்களாக இருந்து வருகிறார்கள். இவர்களுடைய முன்னேற்றத்தைப் பற்றி எந்த முன்னேற்ற இனத்தவர்களும் பாடுபடுவதாகத் தெரியவில்லை. இந்த பிற்போக்கினத்தவர்களுடைய கல்வி வசதிக்கும், உணவு விநிதி இன்னும் மற்ற இதர சிலவுகளுக்குமாக அரசாங்கத்தாரால் ரூ. 5 லட்சம் ஒதுக்கி வைக்கப்பட்டிருக்கிறது. இந்தத் தொகை எந்த விதத்தில் இரண்டே முக்கால் கோடி ஜனத்தொகை உள்ளவர்களும் 157 இனப் பிரிவுகொண்டவர்களுமான பிற்பட்ட இனத்தவர்களுக்குக்கொடுத்து உதவ முடியும் என்பதை அரசாங்கம் சற்றுகிலும் சிந்தித்திருக்குமானால் இந்த மாதிரியான குறைந்த தொகையை அவர்களுடைய வசதிக்கென்று அரசாங்கம் ஒதுக்கி வைத்திருக்க முடியாது. சென்ற வருடத்தில் இந்த பிற்பட்ட இனத்தவர்களுக்காக ரூ. 5 லட்சம் ஒதுக்கி வைக்கப்பட்டது. அது போன்று இவ் வருடமும் ஐந்து லட்சம் ரூபாய் ஒதுக்கி வைக்கப்பட்டிருக்கிறது. ஆனால்,

[Sri A. Subramanian] [2nd August 1950]

சமீபத்தில் நடந்த முன்சீப் உத்தியோகங்களுக்கு தேர்ந்தெடுத்தபொழுது இந்த பிற்பட்ட இனத்தவர்களில் ஒருவருக்காவது ஒரு முன்சீப் உத்தியோகம் கொடுக்கப்படவில்லை. இந்த குடியரசு ஆட்சியில் ஜாதி, மதம் என்றிருக்கக் கூடாது என்று சொல்லுகிறார்கள். அதை நான் வரவேற்கிறேன். நானும் ஜாதி என்பதும் மதம் என்பதும் வேண்டாம் என்று பல வருடங்களாக கதரிக்கொண்டு வருகிறேன். முற்பட்ட இனத்தவர்கள், பிற்பட்ட இனத்தவர்கள், ஹரிஜனங்கள் என்று மூன்று பிரிவுகள்தான் இருக்க வேண்டுமென்று நான் அடிக்கடி கூறிவந்திருக்கிறேன். இந்த முறையை பிறகு இந்த விதமான வித்தியாசமே இல்லாமல் போய் எல்லோரும் ஒன்று என்ற நிலைமை வந்து விடும். இதைத்தான் முதன் முதலாக கவனிக்கிறது. ஜாதி மத பிரிவு கூடாது என்று சொல்லுகிறார்கள். இந்த நிலைமையில் பிராமணர்களோடு முதலியார், ரெட்டியார், மேனன், நாயர் போன்ற முற்பட்ட இனத்தவர்களையும் ஒன்று சேர்த்து பிற்பட்ட இனத்தவர்களான கருக்கும் ஹரிஜனங்களுக்கும் மட்டும் இன்னும் பத்து வருட காலத்திற்கு உத்தியோகங்களை வழங்கி வந்தால் பத்து வருடங்களில் எல்லோரும் சரி சமனாகி விடுவார்கள். பிற்பட்ட இனத்தவர்களுக்கும் ஹரிஜனங்களுக்கும் வேண்டும். அப்படிச் செய்தால்தான் இன்னும் பத்து வருடங்களில் எல்லோரும் சரி சமத்துவமாகிவிடுவார்கள். தேசத்திலுள்ள எல்லா ஜனங்களும் நல்ல நிலைமை அடைவார்கள். பிறகு ஜாதி, மதம் என்பவற்றுவிடும். பின்னால் அனுபோகம் தேர்ச்சி உள்ளவர்களுக்கே உத்தியோகம் வழங்கி வரலாம். இந்த விதமான ஒரு நல்ல திட்டத்தை இயற்ற வேண்டும். அப்பொழுதுதான் இந்த குடியரசு அரசாங்கம் நன்றாக நடைபெறும். இந்த பிற்பட்ட இனத்தவர்களுக்கு அதிக ஸ்தானங்களை ஒதுக்குங்கள் என்றாலும், சர்வீஸ் கமிஷன் இல்லாமல் சலுகை காட்டுங்கள் என்று சொன்னாலும் அதைச் செய்வதில்லை. சர்வீஸ் கமிஷனில் அங்கம் வகிப்பவர்களும் பிற்பட்ட இனத்தவர்களுள் தேர்ச்சியும் அனுபோகமும் இருந்தாலும் சலுகை காட்டுவது கிடையாது. ஆகவே, சர்வீஸ் கமிஷனிலும், முற்பட்ட இனத்தவர்களிலிருந்தும், பிற்பட்ட இனத்தவர்களிலிருந்தும், ஹரிஜனங்களிலிருந்தும் முறையே எல்லோரும் பிரதிநிதியாக மூவரை தேர்ந்தெடுத்து சர்வீஸ் கமிஷனை நியமனம் செய்யவேண்டும். அப்பொழுதுதான் பிற்பட்ட இனத்தவர்களுக்கு சலுகையும் நீதியும் ஏற்படும். முற்பட்டவர்கள், பிற்பட்டவர்கள், ஹரிஜனங்கள் போன்றனபோல் இல்லாமல் வேறு நிர்ப்பந்தமோ திட்டமோ வைத்திருந்தால் ஒருவர் கூட முன்னேற்றமடைய முடியாது. இந்த பிற்பட்ட இனத்தவர்கள் சரியான நிலைமைக்கு வரவேண்டுமென்றால் அவர்களுக்கு வேண்டிய சலுகைகளை பரிந்துரைக்கச் செய்யவேண்டும். இதையேதான் பல வருடங்களாக நாம் சொல்லிவருகிறோம். இனத்தவர்களைச் சேர்ந்தவர்களுக்கு பெரிய உத்தியோகங்கள் ஒரு ஜில்லா காரியாலயங்களிலும் இல்லை. பிற்பட்ட இனத்தவர்கள் ஒரு மேற்படி காரியாலயங்களில் சிறிய உத்தியோகங்களிலிருந்தாலும் அவர்களுக்கு பிரமோஷன் கிடைப்பதில்லை. அவர்கள் இதைப் பற்றி மேலுக்குத் தகவல் எழுதினாலும் கவனிப்பதோ நீதி செலுத்துவதோ கிடையாது. உத்தியோகம் வழங்குவதில் நியாயம் நடப்பதில்லை என்று சட்டசபை மெம்பர்கள் போய் சொல்வதற்கும் தடைவிதித்திருக்கிறார்கள். உத்தியோகஸ்தர்கள் சட்டசபை மெம்பர்களிடம் சிபார்சு செய்யக் கூடாது என்று உத்திரவு போட்டு விடுகிறார்கள். இது உண்மையா? சில உத்தியோகஸ்தர்கள் தவறு செய்யும் பொழுது அதை எடுத்துக்காட்டி திருத்துவது தப்பா? உண்மையைச் சொல்லும்பொழுது அதில் தவறு இருக்கிறது. நாங்கள் என்ன லஞ்சம் வாங்கிக்கொண்டு வந்து சொல்லுகிறோமா? பிற்பட்ட இனத்தவர்களுக்கு சலுகைகள் காட்டுவது இல்லை என்று சொல்ல வருவது தவறு? எல்லா சமூகமும் நன்றாக இருக்கவேண்டும். எல்லோரும் ஒன்றாக நடந்து கொள்ள வேண்டும். எல்லோரும் இந்த அரசாங்கத்திற்கு உதவுவது வேண்டும் என்றும் இந்த அரசாங்கத்திற்கு உதவுவது வேண்டும் என்றும் சொல்லப்படுகிறது.

2nd August 1950] [Sri A. Subramanian]

வேண்டுமென்ற எண்ணத்துடனும் தான் அவ்விதம் சொல்லப்படுகிறது. ஆகவே முற்போக்கு இனத்தவர்களை ஒன்று சேருங்கள். கொஞ்ச காலம் அவர்களுக்கு அரசாங்க உத்தியோகப் பதவிகள் வழங்குவதை நிறுத்திக் கொள்ளுங்கள். ரொம்பவும் அதிக நாட்கள் வேண்டியதில்லை. சமார் பத்து வருடங்கள் என்றிருந்தால் போதும். பிறகு எல்லோரும் ஒன்றாக வந்துவிடுவார்கள். கல்வி, உணவு, விடுதி வசதிகளுக்காக பிற்பட்ட இனத்தவர்களுக்கு சலுகைகள் காட்டவேண்டும். இந்த 2½ கோடி ஜனங்களுக்கு 5 லட்சம் ரூபாய் அளித்துவிட்டு அதிலும் சென்ற வருடம் படித்தவர்களுக்கு இவ் வருடமும் தொடர்ந்து கொடுக்கவேண்டுமென்பதை முன்னிட்டு அதற்கு 5 லட்சம் ரூபாய் செலவழித்துவிட்டு மீதம் ரூபாய் 25,000-யை காக ரூ. 4,75,000-யை செலவழித்துவிட்டு அதை எவ்விதம் பகிர்ந்துக் கொடுக்க முடியும்? புதியதாக இவ் வருடமும் படிக்கிறேன் என்று முன் வருகிறவர்களுக்கு என்ன செய்வது. இப்பொழுது இருக்கும் தொகை போதுமானதாக இருக்க முடியுமா? ஏன் ரிசர்வ் நிதியிலிருந்து எடுத்துக் கொள்ளக்கூடாது என்று கேட்கிறேன்? படிக்கிறேன் என்று ஆவலுடன் வருகிறவர்களுக்கு ஏன் சலுகை காட்டக்கூடாது? சாப்பிட உட்கார்ந்தவுடன் தொண்டையைப் பிடிப்பது போன்று படிக்கிறேன் என்று கனம் களுக்கு பணம் இல்லை என்று சொல்லுவது நிபாயமா என்று கனம் சட்டசபை அங்கத்தினர் அவர்களைக் கேட்கிறேன். இதை கவனி சார்பாக கனம் மந்திரிமார்களையும் கேட்கிறேன். தலைவி அவர்களின் யுங்கள் என்றுதான் நான் கதருகிறேன். நான் கத்துகிறேன் என்று நீனைக்கவேண்டாம். ஜனங்கள் கொதிப்பு அடைந்திருக்கிறார்கள். பிற்பட்ட இனத்தவர்கள் எல்லாவகையிலும் பிற்பட்டவர்களாய் இருந்து வருகிறார்கள். இப்பொழுது அவர்களுக்கு வேண்டியவைகளைச் செய்தால் வருங்காலத்தில் இந்த அரசாங்கத்திற்கு பெரிய கௌரவம் ஏற்படும். நல்ல மதிப்பும் ஏற்படும். இப்பொழுது அரசாங்கம் அவர்களை கவனிக்காவிட்டால் பிற்பட்ட இனத்தவர்களுக்கு மேலும் மேலும் கெடுதல்கள் ஏற்பட்டால் அடுத்த தேர்தலில் காங்கிரஸ் வீழ்ச்சியடைய நேரிடும். அதை நாம் உணர வேண்டும். பிற்பட்ட இனத்தவர்களுடைய கேபினட் ஏற்பட்டு காங்கிரஸின் நிர்மாண திட்டங்களையும் சமூக சேவையையும் செய்து காட்டும். ஆகையால் கம்யூனிஸ்ட் G.O.-வை, அதாவது வைத்திருக்கவேண்டுமென்பது என்னுடைய இன்னும் கொஞ்ச காலத்திற்கு வைத்திருக்கவேண்டுமென்பது குறிப்பாக முதல் ஆகையதான். ஆனால், இந்த பிற்பட்ட இனத்தவர்களுக்கு குறிப்பாக முதல் சலுகைகளை உடனடியாகச் செய்யவேண்டும். அவ்விதம் செய்யாமல் போனால் அரசாங்கம் தன்னுடைய கடமையையும் நீதியையும் செய்யத் தவறியவர்களாவார்கள் என்று சொல்லிக்கொண்டு என்னுடைய வார்த்தையை இத்துடன் முடித்துக்கொள்கிறேன்."

Sri M. P. GOVINDA MENON :—“ Mr. Speaker, Sir, I am very happy to associate myself with my friend and leader Sri C. K. Govindan Nair in expressing our thanks to His Excellency and also the Cabinet for having included in the Address a proposal to introduce a Bill to amend the Malabar Tenancy Act. Now, I must specially thank the Hon. Minister for Revenue and more specially my Minister Mr. Madhava Menon, who, I am sure, is in charge of this particular legislation. (Interruption.) Yes, I do claim him as my Minister. I wish to thank him for having included this legislation as one of the legislations to be introduced in this session. There has been a cry in my district for such an amendment for the last 20 or 25 years. Mr. Speaker, this is one popular legislation for which the district has been waiting for such a long time. Every political party has backed up this legislation. The whole Congress in the Malabar district is one without division as far as this matter is concerned, and the Malabar Congress will stand by the Minister in the matter of the proposed legislation.”

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p.m.

[Sri M. P. Govinda Menon] [2nd August 1950]

Every political party wants the same kind of legislation. The Socialist Party, the Muslim League and even the Communist Party in the Malabar district want such a legislation as early as possible. I am glad that the Ministry has worked up this legislation and have included it as one of the legislations to be introduced in this session. But unfortunately, there is murmur going on outside to torpedo the proposed legislation. I am sorry some of the responsible newspapers in the Presidency have taken up a very unfriendly attitude towards the proposed legislation. A great journal for which I have great respect—*The Hindu*, which is perhaps the biggest newspaper of the country, has written a leading article this morning. I would say that the article is the result of uninformed and perhaps bad information gathered from some quarters. One of the points raised by *The Hindu* is, 'Why can't we wait till the results of the Subrahmanyam Committee, what is known as the Land Revenue Committee, are known.' That Committee has nothing to do with Malabar tenure. What is referred to that Committee is quite different. That Committee is not competent to go into the question of Malabar tenure. I must say that our Land Revenue problems are quite different from those obtaining in other parts of the State. We cannot wait for the publication of the results of the other Committee. It is absolutely necessary to have legislation as early as possible regarding Malabar tenure. I hope the Hon. Ministers, especially my friend and leader Mr. Madhava Menon will not be cowed down by such articles in newspapers and that he will go forward with this legislation as early as possible. That is the hope and prayer of the whole Malabar district. I am certain that the whole district will stand by him in this proposed legislation. I once more thank the Cabinet for having included this legislation as one of the legislations to be introduced in this session.

"Mr. Speaker, though time is short, I must be allowed to say a few words about the food situation. His Excellency has said in his Address that the rice part of the ration has been reduced from eight ounces to seven ounces. I am sorry the Cabinet has given him wrong figures. It is not seven ounces. In my district, it is only six ounces from 30th July. This is what is announced by the authorities, but what is actually given is quite different. It is stated that the overall ration will not be reduced and there will be a total ration of 12 ounces. We see Government communiques stating that wheat is coming and wheat has come and all that. As a matter of fact, the rural ration shops have nothing to offer to the public. I don't know whether the members of the Treasury Bench know this fact. To-day we find an announcement in the newspapers that the Collector of Malabar has stated that he has got a stock of only five days' foodgrains. We are afraid to go back to Malabar. We are daily receiving telegrams from Malabar asking us not to go to Malabar unless the ration is increased. That is the position, Mr. Speaker. Of course, there are various reasons. We had unfavourable monsoons and there were other unfavourable circumstances and conditions. But you are sitting here on the Treasury Benches for the last so many years. I ask

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you in all seriousness whether you did not anticipate such a situation. If only you had anticipated such a situation, you would have taken adequate steps to meet it and give food to our villagers. Inasmuch as you have not done so, may I ask, with all the respect that I have towards the members of the Treasury Bench, 'What is the justification for your existence here? Why do you carry on administration if you cannot give food to our villagers?' You have full control, you have all the powers to procure foodgrains. But your action and you have full powers to procure foodgrains. But to-day, the Supply Officers say, 'There is only informal ration in the villages and therefore I am not bound to supply food.' With such officers you are managing these controls. I would seriously suggest that the leaders in the Treasury Bench must put their heads together. The twelve gentlemen must stop touring about the State. All of you, please sit up at the headquarters, put your heads together and find out a way to help our people in the matter of food. I am sorry that the Hon. Sri Roche Victoria, the Minister in charge of Food, is not present now on the Treasury Bench. Probably he might be engaged in this big question. I have no right to dictate to the Chief Minister or the Leader anything regarding the reshuffling of the Cabinet. It is a matter entirely for the Chief Minister. But I was wondering whether there was anything wrong in the administration of the Food Department. We are to-day condemned by the villagers for the failure of this department. I am sorry my friend Hon. Mr. Bhaktavatsalam is not here at present. Why not ask him, who has got a drive to push through things, to take charge of the Food portfolio at this critical period. Some arrangement must be made to face the situation. The Father of the Nation, Mahatma Gandhi has once said that even Almighty God will not dare to appear before a starving man except in the shape of food. You have so many legislations and you have full powers. If in spite of all these, you are not able to supply daily food to the people, I am afraid we may have to face bad days. Of course the country is with us. I join with my friend Mr. Pattabhiraman when he said that the Congress has still force in the country. But we cannot always bank upon our past achievements and be saying, 'we have sacrificed a lot, we have gone to jails, we are the disciples of the Father of the Nation' and so on. Such cries and slogans would not help us. Unless the Government are in a position to revise the whole thing and find food for all people, the Treasury Bench and the whole party behind it would go to the wall. Thank you, Sir."

Mr. SPEAKER:—"I now adjourn the House to meet again at 11 a.m. tomorrow."

The House adjourned at 5-5 p.m. to meet again at 11 a.m. the next day.

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

1. G.O. No. 357, Finance, dated 27th March 1950, relating to the Appropriation Accounts, 1946-47—Schedule of excess grants as authenticated by His Excellency the Governor.

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2. G.O. No. 373, Finance, dated 29th March 1950, relating to the Schedule of the second supplementary statement of authorized further expenditure for 1949-50 as authenticated by His Excellency the Governor.

3. Notification appended to G.O. No. 672, L.A., dated 23rd March 1950, regarding the inclusion of area constituting Pudukkottai State within the jurisdiction of the Tiruchirappalli District Board.

4. Notification appended to G.O. No. 808, L.A., dated 6th April 1950, regarding the inclusion of the area constituting the Banganapalle State within the jurisdiction of Kurnool District Board.

5. G.O. No. 509, L.A., dated 8th March 1950, confirming the inclusion of certain area within the municipal limits of Srivilliputtur Municipality.

6. G.O. No. 412, L.A., dated 24th February 1950, confirming the inclusion of certain area within the municipal limits of the Pollachi Municipality.

7. G.O. No. 1832, Public (Services), dated 12th April 1950, issuing the regulation under Article 320 (3) of the Constitution of India regarding Madras Criminal Judicial Service.

8. G.O. No. 2031, Public (Services), dated 1st May 1950, issuing the regulation under Article 320 (3) of the Constitution of India regarding Madras General Service—Assistant Secretary, Central Road Traffic Board.

9. Home Department U.O. Note No. 43360-Tr.-III/50-2, dated 9th June 1950, regarding motor vehicles—Government Bus Service, Madras City—Report of the Three-Man Committee.

10. Notification appended to G.O. No. 980, L.A., dated 4th May 1950, regarding the inclusion of 37 villages transferred from the Polavaram taluk within the jurisdiction of the West Godavari District Board.

11. Notification appended to G.O. No. 1066, L.A., dated 15th May 1950, regarding the inclusion of Polavaram village excluding certain hamlets within the jurisdiction of the West Godavari District Board.

12. Statement showing the number of non-gazetted officers who struck work during 15th to 21st December 1947, and the punishments imposed on them with reference to Legislative Assembly Question No. 13 of 1948 (unstarred) answered on 25th March 1948.

13. The Madras Entertainments Tax (Amendment) Amending Ordinance, 1950 (Madras Ordinance I of 1950).

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 3rd August 1950.

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

I.—SWEARING-IN OF A MEMBER.

Sri P. R. Srinivasa Padayachi was sworn-in.

II.—DEBATE ON H.E. THE GOVERNOR'S ADDRESS—cont.

MR. SPEAKER:—"Regarding the amendments, shall we have them moved one after another and discussed separately or shall we have them all moved and seconded formally at one and the same time, so that we may have a discussion on all the amendments? (Some hon. Members: 'All the amendments may be moved together.') I think that is the best thing. I shall first call upon Janab Abdul Hameed Khan to move his amendment."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, I beg to move the amendment standing in my name:—

"Add the following at the end:—

"but regret that while the difficulties of the State are multiplying, Your Excellency's Ministers have failed to lay before the House adequate measures for their solution." "

SRI P. NATESAN:—"I second it."

SRI K. R. KARANTH:—"Mr. Speaker, I beg to move the following amendment:—

"Add the following at the end:—

"but regret to note that the conditions of living and of administration in the State are rapidly deteriorating from day to day to the utter despair of the common people and that the Address offers little hope for their amelioration." "

SRI K. LINGA RAJU:—"I second it."

SRI T. PRAKASAM:—"Mr. Speaker, Sir, I gave notice of an amendment because I thought that the omission in His Excellency's Address was rather serious. But for some reasons, I would now request your permission not to move it."

MR. SPEAKER:—"The hon. Member need not move it."

JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, I beg to move the following amendment standing in my name:—

"Add the following at the end:—

"but regret that Your Excellency has not been advised by your Ministers properly as regards the situation in the State in various respects and the means of bringing effective relief to such a situation." "

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JANAB M. S. ABDUL MAJID :—" I second it."

JANAB RAFEEUDDIN AHMAD ANSARI :—" Mr. Speaker, Sir, I beg to move the amendment standing in my name :—

" Add the following at the end :—

" but regret that it indicates a policy of Land Tenure Reform which would result in confusion and discontent among the people of the State." "

JANAB M. S. ATAULIAH :—" I second it."

MR. SPEAKER :—" The hon. Member Mr. Rajamannar Chetti who has given notice of an amendment is not in his place."

SRI N. GOVINDASWAMI NAYUDU :—" Mr. Speaker, I beg to move the following amendment :—

" Add the following at the end :—

" but regretfully bring to Your Excellency's notice the general disappointment felt by the agriculturists in the matter of evaluation at pre-war rates of cultivable lands by co-operative societies while advancing loans thereon as also the delay and difficulty experienced by the agriculturists in obtaining loans for agricultural purposes." "

SRI R. KUPPUSWAMI :—" I second it."

MR. SPEAKER :—" The hon. Member Swami Sahajanandam is not in his place. Mr. Muniswami Pillay said that he was not moving his amendment also."

SRI PYDAH VENKATANARAYANA :—" Mr. Speaker, Sir, I beg to move the amendment standing in my name :—

" Add the following at the end :—

" but regretfully represent that the food position in the State of Madras is threatening and that the Government must take necessary and immediate measures to improve the situation." "

DR. S. SUBRAMANIAM :—" I second it."

JANAB MOHAMED ABDUL SALAM :—" Mr. Speaker, Sir, I beg to move the amendment standing in my name :—

" Add the following at the end :—

" but (a) regret to note (1) that the problems of Food, Cloth, Housing, Agrarian reforms, Industrial and Agricultural production and Labour and such other vitally important matters have remained untackled effectively and efficiently; and

(2) that the Address does not indicate any steps to eradicate the evils of corruption, nepotism and jobbery which is so rampant in the State :

(b) feel disappointed that due to factions in the rank and file of the party in power, this Government

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with fascist tendencies has lost the confidence and support of the people and thereby alienated its right to rule the province any more; and

(c) beg to bring to the notice of Your Excellency that this Government's activities are the direct outcome of their policies of Communalism and sub-communalism; and

that this State has become a police raj and that the Civil Liberty of the people has become a rare commodity and consequently this Government has proved itself incapable of solving any problem much less the Communist problem." "

JANAB S. MUHAMMAD ISMAIL :—" Sir, for some reasons of my own and with some differences of opinion about it, I second the amendment."

MR. SPEAKER :—" The hon. Member cannot make a speech now."

SRI T. VISWANATHAM :—" Mr. Speaker, Sir, I beg to move the following amendment :—

" Add the following at the end :—

" but regret to note that the Government have not considered afresh their policy regarding controls of food-stuffs with a view to remove such controls including restrictions on their movement between district and district and between State and State and thus remove the hardships, annoyance and discontent arising from the present policy and execution of controls, which have demonstrably failed, and

that the Government have not yet implemented their promise to decentralise powers in favour of municipalities and local bodies adequate for the discharge of the responsibilities laid on them." "

SRI R. VENKATA REDDI :—" I second it."

SRI M. G. NATESA CHETTIYAR :—" Mr. Speaker, Sir, I beg to move the amendment standing in my name :—

" Add the following at the end :—

" but regret to represent the Government of India should be urged for immediate supply of foodgrains to this State in general and the rural parts in particular, and that immediate and urgent steps should be taken to check the harassment in the procurement administration in the rural areas." "

SRI S. NAGARAJA MANIGAR :—" I second it."

MR. SPEAKER :—" Mr. Kurmayya said that he was not going to move his amendment."

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SRI B. S. MURTHI :—" Mr. Speaker, Sir, I beg to move the amendment that stands in my name:—

Add the following at the end:—

"but regret to note that Your Excellency's speech does not refer to the disabilities of Harijans and agricultural labour and that immediate steps be taken to implement the Fundamental Rights guaranteed in the Constitution Act of India." "

SRI G. VENKANNA :—" I second it."

MR. SPEAKER :—" As a large number of Members want to speak, I suggest that we may sit till 7 p.m. to-day."

THE HON. SRI B. GOPALA REDDI :—" Sir, we have got a meeting of the Cabinet at 5-15 and I am afraid it is not possible for us to sit beyond 5 p.m."

MR. SPEAKER :—" All right. Now all the amendments are before the House for discussion."

THE HON. SRI B. GOPALA REDDI :—" Sir, we have decided to give a day for the food debate. Some of the amendments directly relate to the food problem and I do not know whether we can go on dealing with the food problem to-day in view of the discussion of the question coming off shortly."

MR. SPEAKER :—" I cannot prevent hon. Members from speaking on it. It is only left to their good sense whether they should speak on it to-day as they will have another opportunity of speaking on the problem."

SRI M. G. NATESA CHETTIYAR :—" May I know, Sir, whether procurement also comes under the food problem or whether it is a separate subject altogether?"

11-15 a.m. JANAB M. MUHAMMAD ISMAIL :—" Mr. Speaker, Sir, first I have to thank His Excellency for the kind Address he has given to both the Houses. I have got great admiration for His Excellency for the active, indefatigable and lively interest he takes in the welfare of our people. I always have great admiration for him; but when I criticise the Address which he was pleased to give to the joint session of the Legislature, I do not really criticise His Excellency. That is well understood. The address is really a statement of affairs prepared for him by his advisers, the Ministers of the Madras Government. Sir, that address should have been different and much better than what it is, if the advisers, i.e., the Ministers had advised him properly. Many things are dealt with in a perfunctory way and certain other things are not touched at all.

"Before I come to any of those things on which I have to make a complaint, I wish to congratulate the hon. Leader of the House, the Finance Minister, on the success which has attended the floating of the first loan after the inauguration of Independence of the country. Credit is due to him for floating this loan

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just at the opportune time. After saying so much, however, I should like to put a question to him. Out of the amount that has been realised by way of loan, I want to know how much Madras has subscribed, so that one might know the confidence that has been inspired by the Government in the people who are near this Government and who are directly affected by the policies and the actions of this Government (Hear, hear). I trust, Sir, the Leader of the House will be kind enough to enlighten the Members of this House on this point."

THE HON. SRI B. GOPALA REDDI :—" More than half."

JANAB M. MUHAMMAD ISMAIL :—" Sir, for a population of 50 millions I should say it is not very satisfactory to see that they have subscribed only one-half of the loan. Why is it that they have not offered all the four crores and even more than that, is the question.

"Then, Sir, on such an occasion as this, the idea which will forcibly occur to any one is that concerning the food situation. Though there is another occasion next week for discussing this subject, we cannot completely ignore this subject now, because it has not been properly dealt with in the address. That is the one reason why I as well as several other hon. Members of the House feel it necessary to refer to this subject. A few days' delay may cause anything, it may cause irreparable loss and damage to the population of the province. Food is not a thing which can await our pleasure and our convenience. Mr. Munshi, the Food Minister to the Government of India when he was here, said that there was no scarcity of food at all; he said it was only due to the panic and alarm created by certain papers and certain people. In that, he was very uncharitable, and unfair and unjust, and evidently he was wrong. He himself went to villages and saw the actual condition of the people; he saw how people were suffering from scarcity of food and he also heard from the people's own mouth that they were not getting sufficient food. All that was not created by the papers or by any section of the people. People now are eating tamarind seeds. This is not a myth. Even that tamarind seed goes out of the people's reach because of its soaring price. When certain people come to know there is a demand for tamarind seeds and wild roots, they put up the price and they go on raising the price. In that way even such things which are really deleterious and harmful to the health of the people go out of the reach of the people. This position has not been created by the papers or by certain sections of the people which Mr. Munshi and his friends may have in their minds. In this way, any problem cannot be solved. When anybody wants to say anything, the cry is set up that they are the enemies of the country. If they say something else, they are dubbed Communists; if we say that the people are starving, the Government say we are making political capital out of nothing. Is it really making political capital out of nothing, I ask? Is there not real scarcity of food now? Are not people starving now? You say there has not been any starvation death so far;

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do you expect people to come and tell you that such and such a man died for physical want of food until the last moment of his life, that he could not have even a morsel of food or anything to eat until the last moment when he died? Is that the meaning to be attached to starvation death? Is not slow death caused by malnutrition and under-nutrition, Sir? Are not the State Government to take note of such things also? If there is no such scarcity of food, how is it that the Government have reduced the ration from 8 ounces to 7 ounces? If there was sufficient food in the country, why is it that the Government could not get it, and why is it that they do not give, not 8 ounces, but 12 ounces, I ask? The only thing which they now say is, eat more vegetables. But don't they have sufficient imagination to see that vegetables are more costly? Then again they want us to eat wheat; but wheat is more costly for the people. Though the initial cost of wheat may be practically the same as that of rice, its method of cooking is different from cooking of rice and wheat preparations are ultimately more costly than cooked rice. It is not stubbornness on the part of the people not to take anything other than rice; rice is really the cheapest food available to our people, and it is the poverty of the people that compels them to confine themselves to rice. It is like the prince's advising the people to eat cake if they could not have bread. The poor people of a State went to the Prince and complained that they did not have sufficient bread to eat; and the prince said: if you do not have bread, then eat cake. That seems to be the advice of the hon. Ministers and the hon. Mr. Munshi.

"Sir, when Mr. Munshi sees more of the country, he will evidently be convinced that there is really scarcity of food and the people do not get sufficient food. But he shifts his position and says that there are difficulties and they are due to malprocurement and mal-distribution, and thereby he shifts the responsibility to the Provincial Government."

MR. SPEAKER:—"May I remind the hon. Leader of the Opposition that he will have another opportunity to speak on the food position?"

JANAB M. MUHAMMAD ISMAIL:—"I have answered that point even at the beginning."

"Sir, as I said, the hon. Mr. Munshi places the burden now on the Provincial Government; procurement and distribution are at fault—that is his contention. But whatever that may be, the immediate necessity, or the need is food for the people. How are they to get it? What has the Centre done? It has very ample powers under central powers of Legislation. The Central Government can make the State Governments do many things. Have they done anything? Yesterday, the Raja of Chettinad related a story as to how the engines of goods trains could not proceed beyond a certain point, not one train, not on one day, but several trains on several days could not move for want of water. Then some gentleman from the other side asked: are the Ministers to take water to the engines? Sir, nobody suggested that the

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Ministers should take water in pots on their heads to these engines; that could not naturally be done; but could not water be arranged to be brought from a distance to the engines, and could not water trains be run from Madras or other places to the place where the trains had stopped for want of water, so that those food trains might move to the places where people were starving for want of food? That could have been easily done; but the unfortunate thing is that people do not know all this. This is one instance to show how excessive centralisation is harmful to the people. Another reason is want of co-ordination. What is happening in one department is not known to the other departments. I am told these trains are controlled from far-off Delhi, and those people could not naturally for ten days find out that water is wanted by these engines to move, in some place. When the whole country is boiling and agitating for sufficient food, this is not the way in which this vital matter should be dealt with.

"The only other thing that we can naturally think of at the moment of emergency is to get imports. The Government of India seem to be still sticking to their policy of self-sufficiency in the matter of food in the year 1951. If sufficiency is not achieved in 1951, the heavens are not going to fall down; but the heavens are sure to come down if people die of starvation, without sufficient food being made available to them. Therefore, you should not make a fetish out of this self-sufficiency policy, which you want to attain in 1951. Sir, has anything been done so far in this direction, is the question? We have been on more than one occasion asking the Government about the real position. Even as long ago as in January last, when the northern districts were afflicted with floods and cyclone, the Government were told that their two-year plan of self-sufficiency had broken down. They were told deliberately and definitely like that, and yet what has been done, I should like to know. They were asked to tackle this question of food on a military or war basis. Therefore they cannot now say that they had no warning. Apart from that, Sir, this question of scarcity of food is the question which has been afflicting this State for the last three years. Year after year, people have been suffering for want of adequate food. Yet, what is it that the Government have done? You cannot say that this emergency has come upon the State all of a sudden. This has been the case for the last three years. Monsoons have failed and adverse seasonal conditions have been affecting the province seriously for the last three years."

"Again, Sir, when the Food Minister went to Delhi, on the last occasion, we were told that the Government of India did not allot the quantity required by us, and then we wanted to know what exactly the Government of India said on the question, so that this House also might press the matter along with the Ministers and the Government. But nothing was forthcoming. By the way, I want to mention another point here. During the last days of the last session of the Assembly, a question came up before us regarding the price of the United Province rice. It was stated that the United Province charged us Rs. 10 more than the Madras price,

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and it was said that the total loss on 40,000 tons of rice that came from United Province amounted to Rs. 1,08,000. But it was pointed out to the Government that the loss was Rs. 108 lakhs and not Rs. 1,08,000. Then they insisted on the floor of the House that it was only Rs. 1,08,000. And then the Finance Minister promised to issue a communiqué giving the real figure about this matter. For my part, Sir, my eyes have not seen that communiqué so far. But now we are told that our figure of Rs. 108 lakhs of loss is the correct figure. So, I say, Sir, along with what our Government might be doing, they must also put necessary and effective pressure on the Government of India for importing more rice into the country and for allotting sufficient quantity of rice to our province.

"Sir, another point which is related to this subject is soaring prices. When the people are asked to eat vegetables, the Government do not know how much the prices of vegetables have risen during the last two weeks. It may be due to anything, but the fact remains that the prices of brinjals and such other vegetables have gone up twice or even thrice the price for which they were sold about three or four weeks ago.

"Then, Sir, I wish to refer to another important point. I know, that this question has been the subject-matter of the judgment of the High Court of Judicature, and I have to be careful in dealing with this . . ."

MR. SPEAKER:—"It is likely to go up to the Supreme Court also."

JANAB M. MUHAMMAD ISMAIL:—"Yes, Sir. I shall have that also in my mind. You know, Sir, the mind of the people is agitated over this question. You have also heard of the demonstrations that have already taken place. People are violently agitated over this matter which is really an important matter which has affected the advancement of the province. With all due respect and deference to the High Court Bench that decided the matter I have to say, as a layman and a man of common-sense that I have to differ from them."

MR. SPEAKER:—"I must point out that judgments of the High Court are not criticised in Parliament."

THE HON. SRI B. GOPALA REDDI:—"Can they be supported, Sir?"

MR. SPEAKER:—"Neither supported nor criticized."

JANAB M. MUHAMMAD ISMAIL:—"Now that the judgment has been given, has the citizen no right to say anything about it?"

MR. SPEAKER:—"It cannot be criticized."

JANAB M. MUHAMMAD ISMAIL:—"I wish to say what I feel about the judgment whether you take it as criticism or anything else."

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MR. SPEAKER:—"It should not be by way of criticism."

JANAB M. MUHAMMAD ISMAIL:—"Let it be any way, Sir, but, I as a member of the Constituent Assembly along with several other members, voiced the feeling that the action taken by this State in the matter of communal Government Order was not repugnant to any provisions of the Constitution."

SRI K. R. KARANTH:—"On a point of order, Sir. As soon as the judgment was delivered by the High Court, I remember having read that the Government was going to appeal against it to the Supreme Court. So, it is *sub judice*. That is what I feel. To say one way or other against it may not be in order, because these are all matters which have to come before the Supreme Court. Therefore, it may not look well that this House should pronounce opinions either for or against it."

JANAB ABDUL HAMEED KHAN:—"May I submit, Sir, that this matter is not *sub judice* inasmuch as the Government have not taken up the case to the Supreme Court as yet and they have not yet decided about it. The judgment is there and the Government of Madras have not decided what to do with it, although they have obtained the certificate from the High Court permitting them to take it to the Supreme Court. As such I hold it is not *sub judice*."

SRI V. RAGHAVAYYA:—"Sir, it is not correct to say that the matter is *sub judice*, because the Government have not of their own volition said anything about taking the matter up to the Supreme Court, but they are thinking perhaps whether to go on appeal or not. There is absolutely no indication given by the Government so far as to what they propose to do. Obtaining copy of the judgment is nothing but trying to know more about the judgment than what appeared in the papers. So, as yet it is not *sub judice*, I think."

SRI N. S. VARADACHARI:—"Sir, I wish to say this. While it is absolutely wrong to criticize the judgment of any Court of law which alone can interpret the Constitution, what I would suggest is that on the merits of any question this House is entitled, and every member of this House is entitled, to express his opinion. Of course, we need not refer to the judgment. The judgment only said that the Government Order is repugnant to the Constitution and they did not go into any other question. Whether the communal order is repugnant or not was the question that was raised and the question has been decided and so it would be wrong to refer to that aspect of the matter in this House, but on the general question, because individual members may have different opinions, it is still open to us to express, if members so desire, an opinion in this House without any reference whatsoever to the judgment which pertained only to the question."

MR. SPEAKER:—"The point of order is whether it is *sub judice* or not and the hon. Member has thoroughly misunderstood it."

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SRI K. R. KARANTH :—“ Even in a private case, if a judgment is delivered, till the appeal time expires it would not be proper for any individual or the Press to comment upon it. Similarly, here the Government have said that they are going to appeal. I would submit that because the object of it is that the Judges who are going to hear it should not be prejudiced by anything that is not on record, it is *sub judice*.”

MR. SPEAKER :—“ I think I have already given a ruling on this matter. Only when it is exactly before a Court it is *sub judice* and not otherwise. The Government may or may not appeal and it is not our concern. As I said, only when a matter is before a court it is *sub judice*. The hon. Leader of the Opposition may continue his speech.”

JANAB M. MUHAMMAD ISMAIL :—“ Thank you, Sir, for your learned ruling on this very important matter. Sir, as I have already said, the mind of the people is agitated over this matter. So far as this House is concerned, we cannot ignore the subject. We, as representatives of the people must take it up and voice our views and that is what induced me to take up the matter now. As a layman I say there is nothing wrong in doing so. Let us see what Article 15 of the Constitution says . . .”

JANAB MAHBOOB ALI BAIG :—“ Sir, may I submit on a point of order. While it is open to any member, inside or outside the House, to deal with the merits of the communal Government Order and whether it is desirable to have the communal Government Order, it is not open to any member of this House or anybody to question the finding that the Government Order is repugnant to the Constitution. If my hon. Friend is referring to Articles 15, 16 and 22 and wants to say that the Government Order is not repugnant to the Constitution, he is debarred from doing it.”

MR. SPEAKER :—“ Let me tell the House once for all that the hon. Leader of the Opposition is not criticizing the judgment, but he is saying that the Government Order is necessary for this State.”

JANAB M. MUHAMMAD ISMAIL :—“ Sir, in making myself understood by the House, I have to refer to the sections of the Constitution and I cannot speak of the communal Government Order without referring to these sections . . .”

MR. SPEAKER :—“ That is the necessity for having the Government Order.”

JANAB M. MUHAMMAD ISMAIL :—“ My point is this. The communal Government Order is quite all right and for that purpose I am invoking the authority of the Constitution and that is all I am doing. Article 15 (1) says—

“ The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”

That is what this Article says. Sir, the communal Government Order does not discriminate against any citizen only on the score

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of religion, race, caste and so on. (Janab Mahboob Ali Baig : ‘ It does .’) Then, Sir, coming to Article 16 (4), it says—

“ Nothing in this Article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.”

So Sir, you must only take the spirit of this article. Then again, coming to Article 46 . . .

SRI T. VISWANATHAM :—“ On a point of order, Mr. Speaker. You were pleased to say that the hon. Member will not criticize the judgment. In its aspect of the interpretation of the Constitution, you were pleased to rule, and in my opinion correctly, that the interpretation put on it by the High Court should not be criticized here. But that is exactly what my hon. Friend, the Leader of the Opposition is doing. He is taking article after article of the Constitution and saying that the communal Government Order is within the spirit and terms of the wording of the Constitution. Once more, I submit to you, Sir, whether it is proper to do so. Secondly, the hon. Member is referring to Article 16. Sir, there is another case which is pending before the High Court with regard to the services. I submit, therefore, it is not worth while to proceed with the communal Government Order. I have got hundreds of arguments to show that the Government Order is wrong, but I shall confine myself only to the Constitutional aspect of it and submit that it is out of order.”

SRI A. KALESWARA RAO :—“ Sir, I also want to submit that with regard to the interpretation of the law the High Court is the final authority and the Government have a right to go to a higher court and in this case, the Supreme Court. Here, my hon. Friend, the Leader of the Opposition is going into the sections and the wording of them and is saying that the High Court is wrong in their opinion and so on. Of course, it is open to us to say whether such a communal Government Order is equitable and in the conditions prevailing in this province whether any such provision should be made, whether it is equitable and what modification should be made in it and so on. So, we can give our opinion with regard to the merits of the arrangements made in the communal Government Order, but we cannot go into the exact wording of the sections and the wording of the judgment and the way in which the High Court have interpreted the sections or the way in which they ought to be interpreted by the Supreme Court.”

MR. SPEAKER :—“ I must once again tell the Hon. Leader of the Opposition not to criticize the judgment but deal with the merits of the Government Order and say whether he wants the Government Order or not.”

JANAB M. MUHAMMAD ISMAIL :—“ Sir, I have not taken the judgment of the High Court at all and have not said so far that it was wrong. I have already expressed by respect and all deference to the High Court which is the highest court in this

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province. I once again reiterate my respect for the High Court because that Court is the protector of the rights and privileges of the people and I will be the last person to say anything or do anything in disparagement of that Court. Sir, but for this communal Government Order, the many geniuses that have now come out of certain sections of the people would not have been discovered so far. Sir, it is a fact, whatever may or may not be said on this question, that there are backward and forward classes in the State and that cannot be denied. It is also a vital necessity that all these classes should be developed equally and that there should be a balanced development of the whole population if democracy is to work properly in this State and in this country. How is it to be done if the backward communities are not also pulled up in some way or other. So, they must be given the opportunity to come up and this opportunity was really given by the communal Government Order. But for it, do you think, taking only the student population, taking marks as the criterion of merit, they would have come up. If we do not give encouragement to the backward communities in this way or in any other way there would be lop-sided development in the State. Then finally what it will amount to is, it will create a sort of intellectual oligarchy, which will be the ruling class. I say it is denial of justice. Under the communal Government Order, Sir, no class is being excluded on the score of religion or caste and members of every community are given admission. People speak of merits. Are marks to be taken as the main criterion of merit? Is it said anywhere that merit means marks obtained at the examination? When people do things they go on merit, be it in the matter of admissions or appointments and they are not guided only by one consideration of marks but so many other things are taken into consideration. The word 'merit' is a wide term which includes not only marks but other things also. In that connection, I wish to submit that we must take the position of the people into consideration. Our main consideration must be that there must be a balanced development of the people; there must be real democracy in the country where everybody has got equal opportunities.

"Yesterday, Sir, when some hon. Gentlemen spoke on this question at some length, nobody thought it necessary to raise any point of order. To speak in approbation of a thing or to speak in terms of criticism is really criticism; to say that a thing is good is also criticism. Yesterday, when more than ten minutes were devoted to this particular point . . ."

MR. SPEAKER :—"The hon. Member could have raised the point of order at that time."

JANAB M. MUHAMMAD ISMAIL :—"I am not questioning your ruling, Sir; I bow to it, Sir, because it is always above controversy."

MR. SPEAKER :—"I am not referring to it now. But my suggestion is that a point of order in such terms could have been raised at that time."

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JANAB M. MUHAMMAD ISMAIL :—"I thought the hon. Gentleman was perfectly within his rights and that is why I did not raise any question at all."

MR. SPEAKER :—"That is the opinion of the Leader of the Opposition."

JANAB M. MUHAMMAD ISMAIL :—"My point is that those gentlemen who raised this question to-day ought to have raised the question yesterday."

SRI T. VISWANATHAM :—"On a point of personal explanation, Sir. The hon. Member was saying that the question ought to have been raised yesterday. As a matter of fact, Sir, I was present here . . ."

MR. SPEAKER :—"The hon. Member is not casting any aspersion on the hon. Member. Let the Leader of the Opposition proceed."

JANAB M. MUHAMMAD ISMAIL :—"I feel, Sir, there is everything to be gained by following the communal Government Order and I urge that the Government should pursue the matter and see that their position is vindicated. The communal Government Order is not a new thing as successive Governments have been following it for decades and the Congress Governments have been working this Government Order. It is not a new thing that has come upon us. Everyone with good sense and common-sense has been supporting the principle of the Government Order as being beneficial to the people and therefore, I urge that the Government must take it to the Highest Courts of Judicature in the land and see that their position is vindicated. Supposing it is said that the Constitution contemplates the maintenance of the present position, I would urge upon the Government to take the initiative to have the Constitution amended. That is the demand of the people of the country and that is what is being urged by the people. Therefore, I would even go to the extent of urging upon the Government to take the initiative in the matter and having the Constitution amended if it comes to that."

"It is gratifying to see that the question of law and order is at least what it is to-day. I have to say that the Police are doing their duty and the Magistrates also are doing their duty in the manner mentioned in the Address. But the position is not such as can be tackled by the Police and the Magistracy. The Government must get the active co-operation of the people. When I said that the Police and the Magistracy have been doing their duty, it does not mean that there have been no excesses because there have been excesses in certain places. When such cases are brought to the notice of the Government, they must act promptly to see that not only violence and disorder are crushed on the one side but also people supporting law and order are given sufficient encouragement; that is very necessary for tackling this question. The Government should not belittle the situation by simply saying that it is only of nuisance value. If it were of such value, would it not have been crushed in no time? Why is it

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that it has not been scotched at all so far if it is only of such nuisance value. I would urge upon the Government not to belittle such things and the Government must get the co-operation of all sections of the people and get their active help and co-operation to see that this evil of human society is wiped out from our country and the State.

"I am much pained to say that many other portions of the Address are perfunctory. In the matter of Public Health, it has been said that plans have been formulated for leprosy relief and when the money is available, it will be put through and when tens of thousands of teachers are required, they say that they have established two training colleges in Palghat and Mangalore. In the matter of adult education when cores of people are concerned, it is painful reading to be told that three lakhs have been spent this year and we are going to spend six lakhs next year. In this connexion, a story occurs to my mind. There was a creditor and a debtor; the debtor was not paying his dues but was merely putting off payment. When it struck him that it was almost impossible to pester the debtor, finally to his amazement, he asked the creditor to come to him the next day. Accordingly he went to him but did not find him in his house. On enquiry, he found that he was in the backyard of his house. He went there and said: 'You asked me to come to-day and now what is it that you are doing here?' He said: 'I am preparing to pay your debts'. And what are you doing for that purpose, asked the creditor. Do not you see that I am planting the tamarind tree and that seed will grow into a big tree and it will bear fruits and the first fruits will go to discharge your debt. (Laughter.) He laughed as some hon. Gentlemen laughed even now and he replied: 'When you see the final yield won't you laugh more?' I leave the House to draw its own lessons from it, Sir."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, speaking on the amendment, I should like to say that I should think that we must sympathize with His Excellency the Governor for the Constitution seems to have provided some burden on the constitutional Governor which was not there before and I wonder why he should become the spokesman of the Government in the administration of which he has practically no hand. Left to himself a Noble Prince like him, if he were really ruling the State, things would be really different and far better than what they are to-day. But we have to work the Constitution willy-nilly—we are working democracy and we have to go through the formality—I won't say farce—of the Constitution. Immediately after the country became independent, the people, particularly the masses, who did not know what the independence would bring them, expected such a great deal and have been sorely disappointed; they thought that they would get better and more food, better housing, healthy surroundings, more and cheaper cloth and so on. But unfortunately things have taken such a shape, that even after independence, we are not in a better position and in fact, the position has become worse. I plead that both the Government and the Opposition should take a realistic view of the situation

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in which we are placed and there is no use of merely advancing arguments for or against the Government and in whatever I say regarding the sins of commission and omission of the Government, I should not do it merely for opposition's sake and the Government also in their replies must deal with arguments raised on this side of the House in the same spirit. The Government might plead that that it is not only in this State conditions are so abnormal; it is the case not only throughout the country but throughout the world and therefore, they may ask: 'How do you hold us responsible for what is happening now; the rains have failed these three years; these things are not of our making. It is true, Sir, the rains have failed but ours is a vast country and it is not everywhere that the seasons have failed. We had rains in most places and we did not have it in some places. The point is to what extent the Government of the day has husbanded the resources of the country for the advantage of the people over whom they are now ruling. The gentlemen who have taken the responsibility of forming the Government cannot now disown that responsibility; they have to discharge that responsibility to the satisfaction of the people, to the contentment and happiness of the people. If they do not do it, nobody can get up and say that the Government has not discharged its responsibility and has not provided all the essential wants of the people in the manner in which they should have done.

"The question of food has been dealt with at length by previous speakers and you, Sir, have also been reminding us that a day is going to be allotted for the food debate and at the same time if there is a question on which one can speak at length with some amount of feeling and anxiety even on the Address, it is the question of food and this is a question which can bear repetition day in and day out as we are here as representatives of the people and we have to tell the Government that they have not done their duty by the people.

"Government have not made any arrangement for getting adequate supply of foodgrains to be supplied to the people. This is certainly a charge people make against Government. Government may have their own case; they may say, they have done this, they have done that; and it is the custom of Government to give not a gloomy picture but a rosy picture of the situation, rather a very artistically drawn one of the situation; and not only that the figures and facts they give, rather delude us into the belief that all is well in our State. But when we examine their statements and speeches in a calm manner with the facts and figures that are available to us in the villages and in the country in general, then we realize that all these beautiful things are not real. It may be they are all born of good intentions of the Government, but in fact they want to do many good things to the country. But I think it would be very much better for them to make smaller promises and fulfil them rather than make liberal promises and not fulfil even a hundredth part of them. Therefore I suggest to the Hon. Ministers that they might hereafter not make big promises and not fulfil them.

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"Then, Sir, with regard to the question of housing, in His Excellency's Address, it was mentioned that the Government are bringing forward a Bill for rent control. Sir, that itself is proof positive that the housing problem has not been tackled properly at all, that there is shortage of houses in general in the country, particularly houses for the poor in rural and urban areas. Of course, they may construct big mansions for the rich people, but so far as the housing of the poor is concerned it has not been tackled adequately. Many people are still suffering for want of houses, and that adversely affects the public health of the people.

"Then, Sir, in the Address, mention was made that something was being done for eradicating diseases like leprosy and tuberculosis. So far as the latter is concerned, Government have not touched the fringe of the problem, when one considers the acute suffering of the people on account of the widespread nature of this fell disease. It would not do if they merely tinkered with this problem. They will have to find a very large scale solution of the problem. Then, Sir, so far as law and order is concerned, I do not think there will be one hon. Member in this House who will not support the Government in all they do to maintain law and order. Sir, it is very necessary that Government should give security of life and property to the citizens; but while they do it, it is very much better, I think, they do not give room for the accusation that the Police is not only getting hold and killing the real culprit, but that innocent people are also being made to suffer, in that they are also killed in the name of Communists. That is one accusation that one hears not only in this House but also outside; for there is a general belief that the Police in order to show they are functioning effectively kill even innocent persons as Communists. I would say in this connexion that the Police direction should be very well balanced, and that it should come from the top and that it should be carried out with wisdom and prudence.

"Then, Sir, mention was also made that civil liberty is fast disappearing from our land. Both in Parliament and here, hon. Members have been accusing Government that they are interfering too much with civil liberty. Of course Sirdar Patel has given a fitting reply to certain such representations. While we are anxious to have freedom of citizens in a free country like ours, all the same time, we cannot tolerate licence being taken by people who are out to destroy life and property and also are prepared to create communal troubles and difficulties in the State and thereby try to displace the present Government and come into their place. If that is the way in which any party wishes to come to power, I say, 'Woe unto that party!' and such a party should not have any place in the country.

"Sir, our constitution has declared that this country is going to have a secular State. I have not been able to understand what exactly is meant by that. 'Secular State', as I understand it, means the Government will have no religion of its own. But that does not mean they will be an un-Godly government. I believe in a country like ours, not only the people but even Government also

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would like to be guided by God in all their deliberations. That being so, I do not see any reason why Government should not take a liberal view of the article in the constitution regarding imparting religious education to the people. Every community, Hindus, Muslims and Christians are anxious that they should see that their children are given religious education according to their creed. So it should be the duty of the State to provide religious education for all communities, and particularly for those communities which are anxious that such a provision should be made. I do not think by any stretch of imagination it can be interpreted that the article in the constitution prevents the Provincial Government from making provision for religious education. I do not want to deal with this subject at length; and I hope Government will take a liberal view in the matter, in that, besides providing for religious education in Government institutions, they would see that in local board institutions, such religious education is also imparted. Sir, religious education was imparted in our institutions even under a foreign government, even though there was a conscience clause. It was done under the regime of the British government; and I do not see any reason why that should not happen in our own government."

THE HON. SRI K. MADHAVA MENON:—"For obvious reasons!"

JANAB ABDUL HAMEED KHAN:—"The hon. Gentleman, Minister for Education still believes that the British Government provided religious education for the several communities in order to keep up communal differences. That is not what all of us thought of it. He is totally mistaken in his belief. For religion is not an institution which seeks to divide people; on the other hand, if properly understood, religion is useful in bringing communities together. So it is time Sir, Government change their attitude and change their opinion with regard to this matter, and particularly what is wanted of the Government is that they should become less and less communal themselves. If they become less and less communal there will be less and less communalism in our State. It is Government which shows the way for communalism in the State. If Government shows less of communalism and becomes more and more secular, the people also will be less communal. In fact, it is the communal actions of the Government that makes the State communal. Therefore, I humbly suggest that the Government should become less and less communal.

"Government have taken delight in saying that they have saved as much as three crores. I believe it is not a saving. On the other hand it is uneconomic waste, and it is a disaster to the State, for the essential services had been very badly hit and starved. Such a thing cannot by any stretch of meaning, be said to mean saving. Government should not hereafter try to save in this unsaving manner. Sir, we have been told year after year, during budget time, that Government have a long-range programme of irrigation and a short-range programme of irrigation. The long-range programme, we have been told, will materialise and bear fruit in 1952.

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I wish and pray for their success in that. But I would like to ask them what has happened to the short-range programme, whether it has borne fruit commensurate with the amount spent. For our rice ration has been reduced from eight ounces to seven ounces and no ounces, for, I know there are very many places where ration is not available. I am talking from the commonsense point of view; I am not talking from the technical or engineering point of view."

MR. SPEAKER:—"I am not able to follow the debate on account of the lot of noise in the House."

THE HON. SRI B. GOPALA REDDI:—"I think the fans are also a little responsible."

JANAB ABDUL HAMEED KHAN:—"I was saying that if really we had succeeded in sinking wells, on which we have spent such a lot of money, and the amount of money that we have spent in repairing tanks was usefully spent, how is it that the Government has come to the decision that the eight ounce ration shall be reduced to seven, six and nil. I am only talking as a layman, and I am prepared to accept what those in front of me have to say as reply, if that is satisfactory. Even last year, we warned the Government of India that they should not stop imports of food-grains from abroad; but they did not pay any heed to it, and to-day we are suffering on account of the decision of the Government of India. The Government of India do not take a realistic view of things in our State, Bihar and certain other parts of the country where people are not only starving but are dying. My esteemed friend Mr. Munshi may say that nobody has died due to starvation. He little knows that people are dying a slow death. It is not as if anybody is being killed at one stroke; it is a slow death that is going on. I went into the villages recently and found that the condition of children and even adults was most deplorable. I am not referring to the pictures that are published in the Mail; I refer to the faces and bodies of the people whom I saw in the villages. I am afraid that the Hon. Ministers have not given to His Excellency the Governor a true picture of the food situation in our State. I wish they had given a true picture so that we could co-operate with the Government in improving the situation to the extent to which our responsibility goes."

SRI P. NATESAN:—"Mr. Speaker, Sir, in seconding the amendment moved by my hon. Friend, I must refer to the loan that has been raised by the Government of Madras. I want to correct the wrong impression of the hon. Gentlemen opposite that the loan has been a complete success. Hon. Members must know something of the arrangements which the Hon. Finance Minister made with the underwriters for this purpose. The success that has attended this four-crore issue is acclaimed as an index of the public confidence in the financial position of the Madras State. I am prepared to give credit for the success to the Finance Minister, but I disagree with him when he says that it is an index of the public confidence. The loan was issued in two parts—one consisting of a three-crore loan to meet the needs of urban investors and

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the other a one-crore loan floated for the *ad hoc* purpose of getting subscriptions from the agriculturists of Tirunelveli district for the Manimuthar Project. The whole loan was issued at a discount of one per cent whereas the sister State of Bombay issued her loan at a discount of half a per cent."

THE HON. SRI B. GOPALA REDDI:—"What about the other sister?"

SRI P. NATESAN:—"I am not worried about other sisters. Each sister State has got its own financial strength. I am only interested in our State. What is the reason for Madras, which the Finance Minister has always claimed to hold a foremost place in maintaining financial soundness, to go in for a discount? I only want him to see that our State is sufficiently strong and in a position to command the necessary capital. While we should have floated the loan at a par, why should we have floated it at a higher rate of discount than the Bombay Government? Can the Finance Minister say that the budgetary position of this State is in any way inferior to that of Bombay? He has not only issued the loan at a discount but has also gone to the underwriters."

THE HON. SRI B. GOPALA REDDI:—"Bombay also has gone to the underwriters."

SRI P. NATESAN:—"But what was the response to the Bombay loan? It was over-subscribed. For the Madras State loan also, the subscriptions came to Rs. 447 lakhs. Is it right to absorb the whole thing? It is against all canons of finance. If the Hon. Finance Minister talks to the Reserve Bank, the Bank agrees and allows the Madras Government to retain the excess collection and the Government say that they want Rs. 4 of Rs. 47 lakhs. Once the Government say that they want Rs. 4 crores, they must be satisfied with that amount. But they want to grab further. The tendency to grab further only reflects on the financial position of the State. Have these underwriters been able to find the money for subscription themselves? They lost their commission as Mr. Kothari will certify."

SRI C. M. KOTHARI:—"On a point of order, Sir. No reference should be made to the underwriters. As we have entered into an agreement with the Reserve Bank not to disclose anything, we cannot reply to any references made and defend ourselves."

SRI P. NATESAN:—"I am not interested in Mr. Kothari's undertaking with the Reserve Bank. I am speaking here as a Member of the Assembly. I am only saying that the underwriters lost a good portion of their commission which they would not have ordinarily done. Not only the Madras underwriters have lost; I understand that the underwriters in Bombay also have foregone their commission of two annas. Mr. Kothari is a businessman and he will not agree to lose his commission. On the other hand he wanted to help the Government of India. The Hon. Finance Minister cannot take credit that there has been a ready response from the public. I say that the Madras Government command no credit from the public. The underwriters have the spiritual satisfaction of having guaranteed to the Government subscription for

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the loan. (Interruption.) The Hon. Law Minister thinks that I am talking nonsense. But I want the Hon. Finance Minister to say that. Anyway I will not pursue this subject. But what I have said cannot certainly be denied by the Finance Minister.

"The story of the one-crore loan for the Manimuthar Project is even more dismal. Hon. Members opposite take credit saying that the people voluntarily subscribed. It is nothing like that. All the information in my possession goes to show that the agriculturists had, apart from paying a small percentage of their supposed subscriptions as a kind of levy, virtually adjured proprietary interest in the loan. The agriculturists were financed by the bank. When the British Government wanted money, people were asked to take Victory Bonds. Similarly the Congress Government can bring pressure to bear on the people through Collectors to take shares. When they do not have the finance, they go to the bank which makes money by lending at a discount of Rs. 2-8-0. Let the Finance Minister tell me how much was subscribed by the agriculturists from out of their money and how much from money borrowed from the bank. He cannot deny that it is the bank that came to his help even in this case."

THE HON. SRI B. GOPALA REDDI :—"Not out of charity."

SRI P. NATESAN :—"It is not out of charity. The Government have not allowed the ryot to benefit. Somebody else made money. If they pay a decent commission, they will get all the money they require."

"I was amazed at the statement of the Finance Minister to-day that he has absorbed all the money. Even in a small company, the extra money received is returned. If the excess collection is returned, that will create confidence in the public and the Finance Minister may then come forward to float another loan. If he grabs all the money that comes, how will there be public confidence? Is that the way in which the Finance Minister should deal with the finances of this State? He must return the extra money. What did the Bombay Government do? They took sixty per cent and asked the subscribers to take back the rest. What was the need for the loan? The prohibition policy adopted by the Government. They imposed sales-tax but they could not get enough money. Does the Finance Minister realize how much the people are suffering due to the wonderful sales-tax? Every day we are hearing of starvation. He says that he is doing everything for the good of the common man. But it is the common man who suffers most. Perhaps the Minister does not himself purchase his domestic requirements of oil, chillies, pepper, etc. Probably his wife knows the difficulties better."

"Now I turn to the food situation. What is it that our Ministers are doing? They are putting salam to the North Indian Ministers who come here. Let me say that there is no need for them to make a fuss of the Vanamahotsavam when people are starving. Instead of transporting foodstuffs, they are transporting these wonderful Ministers."

MR. SPEAKER :—"Order, order."

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SRI P. NATESAN :—"I am sorry. I am not criticizing the Ministers. I would like to know whether what I have said is unparliamentary."

MR. SPEAKER :—"What does 'wonderful' Ministers mean?"

SRI P. NATESAN :—"That is the colloquial way of talking among friends. Do we always speak the same stereo-typed English?"

MR. SPEAKER :—"The hon. Member must remember that this is a Parliament."

SRI P. NATESAN :—"This vanamahotsavam was started by a big gun in North India. What have we to do with it? By planting trees in Robinson Park, Nungambakkam and P. Natesan's house, do the Ministers think that rains will come? This is the way in which our Ministers are, if I may use the word, crowd-catching the Ministers of the Central Government. The Food Minister of the Government of India comes here accompanied by the Commissioner of Food Production, Private Secretary, Personal Secretary, Deputy Secretary, Assistant Secretary and so on. They do not have statistics. They do not know that the stock of rice in a particular State is running short. They say that they are rushing food-grains. Where is the need for rushing and how can there be a shortage if they gauged the situation in time and taken steps promptly? Will any businessman tolerate this? They ask us to eat sweet potatoes. Two years ago that was the advice coming from Sri C. Rajagopalachariar downwards. Then some fashionable ladies of Madras prepared some sort of edibles out of cereals and made a demonstration of them in the non-rice canteen. Is it the common man's food, I ask? If only our Ministers and the Ministers of the Government of India go to the masses and talk in this strain, I know what they will get."

MR. SPEAKER :—"The hon. Member has three more minutes."

THE HON. SRI B. GOPALA REDDI :—"What about prohibition?"

SRI P. NATESAN :—"I do not mind; let the Government have prohibition. But why do they want as much as four crores of rupees to enforce it? Let the ordinary machinery for maintaining law attend to prohibition offences also. That will release four crores which could with greater advantage be used for subsidizing rice. In Ceylon rice is being subsidized and sold at three measures per rupee. But here the people are starving. Here let me pay a tribute to the 'Mail' for publishing photographs of starving people and focussing public attention on the food situation. Leave alone those photographs. I have been travelling up and down the country and seeing emaciated people. If the enforcement of prohibition is entrusted to the general machinery for maintaining the law, that will release four crores of rupees."

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THE HON. SRI B. GOPALA REDDI :—“Whoever said that we are spending four crores? It is less than one crore.”

SRI P. NATESAN :—“It cannot be less than one crore. It is easily more than three crores. I am not sure about four crores. Even to get one crore is a job for the Finance Minister.

12-30 p.m. “I want to talk a bit about the Police. I admire the work of the Police. I had been to Hyderabad and heard of the Communist outrages all over. People who talked to me were people who had absolutely no interest in either the Hyderabad Government or the Madras Government. Rich people and people who had a few thousand rupees in their iron safe were decoyed by the Communists. Sir, people are living in terror and they cannot go out after 6 o'clock daily. This information has been given to me not by Mr. Prakasam or his group, but by my own friends living there. Everywhere there is a reign of terror and the Government must place more Police force there. Sir, I see the Hon. Minister smiling. It is not a matter to be smiled or laughed at, but it is a very serious one, because, if people are not able to go out after 6 p.m., then what is the use of the Government or of the Police. Practically there is no Government to-day in those villages and nobody is satisfied with the present state of affairs. In fact, everybody is suffering from a sense of frustration and nobody is satisfied and nobody is happy, not only in those parts, but in the whole of this State. There is discontent all round.

“Sir, I do not want to take up any more time and if you will allow me, I shall just say a word about housing. I submit, Sir, that the housing scheme of the Government for the Harijans is all a farce. What is the value of rupee in the present-day conditions, even if Rs. 50 lakhs are supposed to be allotted for Harijan uplift and for housing them? It is really one-fourth of the amount.”

THE HON. SRI B. GOPALA REDDI :—“Does the hon. Member suppose that the sales-tax which the people are paying, it is 18 annas in the rupee?”

SRI P. NATESAN :—“I do not say so, Sir, but I am only pointing out the cumulative effect of these grants. Now the Government are advancing large sums for housing. To what class of people are they advancing these sums? Is it for the poorer classes or the middle classes? What is the idea of financing the Gandhi Nagar Scheme? Is it a colony intended for middle classes? People are building houses for Rs. 30,000 and Rs. 50,000. Why not Government build houses for Rs. 5,000 and Rs. 6,000 for housing the middle class people, or advance money to them to build houses of their own within Rs. 5,000 and Rs. 6,000. If it is a businessman, he will not allow such large bungalows to be built in the Gandhi Nagar with Government loans. He will put up small houses for letting to middle-class people and that is the way to relieve housing shortage. Sir, let me conclude by telling the Hon. Minister that to-day India is the most unhappy country in the whole world.”

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SRI K. R. KARANTH :—“Mr. Speaker, Sir, while we are very thankful to my hon. Friend, Mr. Natesan, for his very humorous speech, I do not think that really one could take that view of the matter, which he had given out, namely, that the Government has been a failure. I do not believe that it would be a correct impression on his part, nor would it help anybody, to be told that the loan that has been floated has been largely subscribed by banks.”

SRI P. NATESAN :—“I never said, Sir, that it has been a failure.”

SRI K. R. KARANTH :—“Sir, I do not exactly remember the words he used, but in effect, what he said was that the money has come from the banks. But banks would not lend unless they have enough money, and unless people are there to deposit their money in those banks. Therefore, this technical way of explaining that the whole loan is a failure, is rather too difficult for me to swallow. For all that has been done by the Government for the people of this province, we should be grateful to them, particularly at a time, when things are going from bad to worse. It is, therefore, no pleasure for anybody in this House, nor for the people outside, who are watching what is taking place here, to be told that the Government loan is a failure and that things are not going well.

“Now, Sir, coming to the debate on the Address, in the first place, I should like to say a few words on the food situation in my district, and although I know that the discussion on the food situation in the province is to come up later in the session, I may not be able to take part in that debate, and so I propose to say whatever I have got to say now itself concerning my district. The food situation in my district has become very grave. While people may be eating tamarind seeds in some other districts and some other provinces, there are not enough tamarind seeds in my district for people to eat. I have in my hand a telegram received from a place called Baindoor, which is the constituency of the Hon. Minister for Agriculture. This is dated 28th July and it runs as follows :—

‘No rice—People starving since three days—Labour classes suffering most—Offer relief for the Baindoor public.’

Another telegram has also been received by me from a village named Kairangale which is represented by my hon. Friend Dr. Mallayya, which states as follows :—

‘In our store there has been no stock of rice for the week ending 29th July 1950—Most of the card-holders of A and B cards have been put to very great hardship. Some of them were issued 4 days’ rations and few for a full week, and the rest were issued no ration at all.’

“Sir, I have read only two telegrams for the information of the House, but I know personally—and it is no pleasure to me to state these facts in this House—that there are dozens of ration shops like these, where people have not been getting their rations in full. In fact, some of the ration shops are not opened at all. If this were only a passing phase for a week or two weeks, I would not have minded at all, though from the point of view of the Government, it is intolerable. In certain parts of my district

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a maund of rice which according to the rate fixed by Government is only Rs. 15, is selling at Rs. 30 and Rs. 60 and some times people cannot get it at all. I ask the Government how the poorer classes of the people could ever be in a position to buy their rice at this blackmarket price. Who are blackmarketing? It is not the small landholders, or the small cultivators. It is the rich landlords and influential merchants that are blackmarketing. I can tell you, Sir, that the whole system of procurement in my district is perverse, and the officers in charge of it know only how to harass the poor cultivators. I have been crying hoarse against this system of procurement on the floor of this House many a time, but no steps have been taken by the Government to rectify the defect or to improve the situation. It is the poorest cultivators whose huts are being searched again and again by the procurement officers, whereas well-to-do landlords and influential landholders are left free, so that they are the people who get the advantage and sell their rice at Rs. 30, 40 and 50 per maund in the blackmarket. If the Government cannot give the rural folk anything like 8 or 10 ounces of rice, it is better, and they will be doing a merciful thing, if they abolish rural rationing altogether. There is no justice, nor any rhyme or reason in their methods of procurement. A sub-inspector and a constable simply go along with the procurement staff to the hut of a poor cultivator who has only one or two maunds of rice for his domestic consumption. He may have 25 dependants under him. The Deputy Tahsildar or the Procurement Officer would not take that into consideration. He will simply tell him, 'We have come for procurement; give us what you have; don't you know that I am the Deputy Tahsildar, coming from the taluk headquarters? Cannot you give us at least one maund of rice for our having come over here?' The poor cultivator would reply that he had purchased the rice only the previous day at Rs. 30 a maund and that he and his family should have to starve if the rice in his possession were given out. The Procurement Officer would not leave him, but would compel him to part with at least a portion of his stock. This is the way how procurement is being carried on in the villages. You know, Sir, what happens whenever there is some temporary food scarcity in a big town or in a municipal area. Suppose there is no food in the Mangalore town for to-morrow. The procurement squad would immediately go to the nearest country-side and pounce upon the poorer cultivators and compel them to part with what little rice they have for personal consumption. But the richer landlords and the more influential people are left scot-free. There is no procurement from them and the Government officials would not approach them at all. It is the common people that are harassed. We are coming here and swearing by the common masses, but it is the common masses that are being harassed day by day in this fashion by the Government officials. Perhaps their intention may be good, but in actual practice, their harassment of the poor cultivators is awful. I respectfully submit, Sir, that procurement that is going on in the villages has never been heard of before, except probably in the days of Tamurlane. (An hon. Member: 'Chengiz Khan!') Perhaps it may be so, but certainly not during the last

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150 years when even a foreign Government was ruling over this country. It does no credit to anybody to earnestly appeal to the Hon. Minister for Food to overhaul the whole system. We must have to be fed no doubt. Even in towns there are people who could not get their full rice ration from the ration shops. Therefore, if you want to feed the people, then please abolish the big landholders of this rationing system, then please abolish the big landholders and feed them if you can, but if you cannot do that, for God's sake, abolish rural rationing altogether. Please do not allow your officers to harass the country-side in the manner in which they have been harassing. We, members of this House come here and make speeches, point out these things to the Government on the floor of the House and complain about the stocks in ration shops, and immediately some 15 days hence, we receive an order that any ration shopkeeper who does not supply 12 ounces of ration will be strictly dealt with. Do the Government really believe in this order? Let the Government call for a report whether in any district the full 12-ounce ration is supplied in every ration shop on all the days in the week. If they do so, I am sure they will find that in many of the ration shops not more than 6 ounces are given and that too for only a few days in a week. If this happens to be the state of affairs only for a few weeks or months, it does not matter. But this has become a regular feature in rural rationing areas and we have been complaining against this unsatisfactory system ever since rural rationing was introduced. It is therefore not a real shortage of food in the country that is responsible for this muddle. The truth of the matter is that rural rationing has completely failed. If to-day any one reads, the Address of His Excellency the Governor to the Legislature, he will think that people in the villages are eating merrily and that the food situation is all right in rural areas. The Government are going on in a self-complacent manner. This is neither fair nor proper. Things are very bad in the districts, and particularly in the rural parts. I can well understand how conditions and factors are really created for the spread of communism by our neglect and indifference. People have no respect for our Government and there is no respect for law and order in our country-parts. People have lost faith in the Congress Government and it is really the police force that is keeping law and order. If we do not give food to the people in the country side and leave them in the lurch, surely they will get into the clutches of the Communists and join their ranks and begin to loot and commit all sorts of atrocities which the Communists are doing to-day in certain parts.

" Secondly, Sir, I do believe that the Central Government too is equally to blame for the present muddle in the food situation in the country. While enforcing certain restrictions on the provinces in raising particular crops, they do not themselves adopt the same policy. Last year, I happened to travel with some of my friends from Delhi to Dehra Dun in a taxi, which is a distance of about 200 miles from Delhi and on either side of the road, for miles and miles together, I saw nothing but sugarcane and that too of useless and inferior variety. There was also the Minister of Agriculture

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of the Bombay State travelling along with us and he was telling us that in the Bombay Province one acre of sugarcane area would give 30 tons of sugarcane, if the variety of the cane grown was good, but that that kind of inferior variety would not give even 10 tons per acre. If that area had been cultivated with paddy or wheat or any other food-crop, certainly it would have gone a long way to augment the food resources of the Central Government. The Central Government have wide powers, and they can enforce their authority over the provinces and see that that particular area is cultivated with rice or wheat. Only last month the Hon. Minister for Food of the Government of India was saying that the people in the provinces are not doing their duty under the present food-shortage, but that they are only cultivating commercial crops and looking after their private interests and that they do not care for the interests of the society or the country. This is what he actually said. There is no use blaming him or the Central Government seriously. What are we doing in this Province? I want to know what steps have this Government taken to stop the extensive sugarcane cultivation that is going on in many of the districts in the Province, especially in the Bellary and Visakhapatnam districts to the detriment of paddy cultivation? Perhaps large quantities of sugar is needed for this Province. Let the Sugar Syndicate, with its vested interests buy it from elsewhere or import it from other countries. We are not concerned with it. But for us here, food is most important and in that we are deficient. We want food, first and foremost. Our Government are spending about Rs. 25 crores on irrigation schemes in this Province, but how much more paddy is produced by means of such irrigation sources? Perhaps most of those areas would be raising groundnut or sugarcane or some other commercial or money crops. I would therefore earnestly request the Government to take serious and vigorous steps in this direction and not be complacent over the food situation in this Province.

"Sir, the next point that I should like to stress with all the emphasis at my command is the question of tenancy legislation. To talk of solving the food problem without tackling the problem of tenancy is simply crying for the moon. Whether deliberately or otherwise, the Government are actually encouraging the most reactionary landlordism in this Province, by their delay in introducing the tenancy reform, which they had promised to introduce long ago. I shall give certain facts to show how they have been indifferent over this question. (An hon. Member: 'The Land Reform Committee is already working.') Sir, I anticipated this suggestion, but let me tell this House that any land reform that the Government will bring forward will upset the whole existing order of things. We want food on the one hand and we want that democracy should function, on the other. At the same time, there are people in this Province who have started an agitation that the existing order should not be disturbed even in the slightest degree, so far as tenancy is concerned. During the first Congress Ministry an enquiry was set on foot on the question of the reform of land tenures. It was proclaimed in the Congress election

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manifesto that tenancy reform in this Province would be given the highest priority after the advent of the Congress into power, and that necessary legislation would be brought into force even within the first year of its taking up office. That was in 1946. In 1947, Mr. Kala Venkata Rao, the then Revenue Minister, obtained a mandate from the Congress Party at its meeting on 22nd April 1947 that for solving the tenancy problem in this State, he should be permitted to bring in a legislation, as early as practicable. I have got a copy of the Congress Party's resolution of 22nd April 1947 in my hands. Then Sir, towards the end of that year, he said in a broadcast speech that without any further loss of time, he would be bringing forward the tenancy legislation. But there ended the matter. Sir, I do not want that the landlords should be abolished, but what I want is that there should be security of tenure for the cultivator and a fair rent fixed for him. This was the election pledge given to the tenants in 1937 by the Congress and the same was repeated in 1946 when the Congress was again returned to power, but still the pledge has not been fulfilled. If even the Congress Government, with its large support by the masses of the country, could not carry out their pledge, then I cannot understand how they could claim to be a Congress Government.

"Then, Sir, what they said was 'we are awaiting the Kumarappa Committee report'. That came in 1948. After that is over, in the year 1949-50, i.e., four years after the elections took place, a new committee has been appointed with Mr. Subrahmanyam as the Chairman. He is a capable official. I have nothing to say against him, but they are not the people to dictate policies to this Government. Have not the Government got enough material to proceed with? Other Governments have already passed legislation in the matter. Bombay did it in 1938-39, ten years ago. Raghavendra Rao Committee's report was published in September 1947, and yet our friends are not moving even an inch to pass legislation to stop the eviction of tenants in my district and elsewhere. My hon. Friend the Law Minister who was there some time back promised (I have the newspaper cutting of his speech with me) that at the next sitting an interim legislation would be most probably brought in. I see no reference to that here. I have myself travelled in the district of Tanjore in the year 1946 somewhere towards the end of December. Conditions then were very bad. Harijans were set up by Communists and misguided. But the grievances of the Harijans are just. They are not treated as they ought to be. They have no houses to live in. Yesterday, my hon. friend Mr. Muniswami Pillay spoke about how they were evicted from their places. I talked to them in a place called Mayavaram. They were very willing to agree to any reasonable legislation. But do we hear the same thing now? The same people two months ago in the City of Madras met and stated 'no legislation' and that ryotwari was the best form for the whole of India. They want freedom to act as they like. They are not prepared for any reform. I tell this Government in all humility that this sort of putting off would not do.

12-45
p.m.

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The Government do not like to do anything till the next elections are over. The whole thing is plain. Therefore a committee has been appointed to codify the land revenue laws, to see whether the Board of Revenue should be abolished, whether village patels are necessary, and hundred and one other things have been referred to that committee. We are awaiting their blessed decision. After that the Government will take one year to consider the report. So the next elections will have to go without our doing this minimum of things which any democratic Government should do, namely, protection against eviction, provided fair rent is paid. I am prepared to have clauses if land owners want to cultivate lands for themselves. We shall give them ample opportunity for that. I do not say that expropriatory legislation should be passed. But this is the minimum, and unless this is done, it will mean that we are not at all serious on this question of food.

"The next point is secondary education. The Hon. the Law Minister has recently passed an order, I am told, that touches several matters. After all education touches every one of us. Our children are attending the school. Two of my children are attending the school, one in the IV form and the other in the I form. Both of them have to learn English, Sanskrit, and Hindi. The Hon. the Law Minister has been studying the subject, and he has been trying to set right matters. Cannot a day, Sir, be allotted for discussion in this House? Is this House not entitled to know what the Government are doing? Cannot our views be given expression to so that the Government may do the right thing? In the first form, knowing the capacity of the child, to split up the regional language into two, will affect the students. I have discussed this subject with experienced headmasters. They say that it will affect the students if in the I form, when the student is not able to know much of the regional language, the regional language is split up into two only to allow the Sanskrit faddists to take up Sanskrit. I do not mean to say that Sanskrit should not be taken up. It may be taken up at a later stage. What I say is that in the first three forms let not the regional language be split up. Otherwise, medium of instruction through the regional language would become a farce. Then there is the question of Hindi. What is the meaning of allowing a child to learn four languages in forms I to III. I do not propose to take more time, because it will mean going into details. I do beg of the Government that before we go out of this House, at least half a day should be set apart for discussion of this subject, so that we may say all that we wish to say. The Government may hear us, and then modify their schemes. Otherwise, I say, Sir, things will not improve."

JANAB M. S. ABDUL MAJID :—"Mr. Speaker, Sir, I rise to support the motion moved by the Hon. the Leader of the Opposition. Before I make any remarks on the policies and programmes contained in the Address of His Excellency the Governor, I feel it my duty to pay my tribute to His Excellency for the love

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and affection which he bears towards the poor and the neglected, and the deep and abiding interest which he takes in their welfare. His utterances—I do not want to make a reference to his present Address but to his recent utterances—and admonitions emanating out of the best motives and sincerest of feelings, appeal to us. He has given expression to his great sympathy towards, particularly, the minorities. We the Muslim minority who to-day feel like the orphans of the storm, take his sympathy and we admire him and love him for that and we wish him well for that. With these few remarks I pass on to the several of the schemes contained in the Address.

"At the outset let me congratulate the Hon. the Minister for Finance on his success in raising the loan. I really do not know whether that success is due to the credit of this Government or whether it is due to the manœuvres of the Reserve Bank of India. If the Hon. Minister for Finance says that it is due to the credit of this Province, I say that it is only the one ray of hope in an atmosphere charged with dark clouds of economic depression. I wish to make references to some of the depressing economic conditions in this Province, and I wish the Hon. the Finance Minister takes note of them. The burden of taxes is growing from day to day, and people are suffering. Their income and the level of the national income are going down. On the one side we find prices of foodstuffs are going up and on the other we see the standard of living going down. These are things which the people, who are interested in the welfare of a State, should take note of, and they should bring in measures which would rectify all these disheartening conditions.

"Reference has been made to the successful working of the national transport. The best criticism on this is that laughter which emanated from several sides of this House and even from the Hon. Minister for Finance himself when His Excellency made reference to the successful working of the transport system in this State. I do not propose to go into that question. I only wish that the Hon. Minister experiments with this nationalization in this city and makes it a complete success. If only he had the time to read the several editorials . . . (Interruption.) Once he told me that he had no time to read the daily newspapers."

THE HON. SRI B. GOPALA REDDI :—"Even now I do not have the time."

JANAB M. S. ABDUL MAJID :—"If only he had the time to go through several letters to the editors of papers, and other comments made by the newspapers, he would understand how unsatisfactory is this nationalization scheme. Let us not hurry with our scheme. We have started this wonderful nationalization in this City, and we should see that it is a complete success. Then we can pass it on to the districts. Let us not simply expand because some people here want nationalization.

"With regard to the sales tax, Sir, I have been speaking in this House time and again and in season and out of season.

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The Hon. the Finance Minister promised to constitute a sales tax tribunal. But I do not know whether it is in the birth pains or whether it has gone into the womb itself. We want the sales tax tribunal as early as possible, because the sufferings of the people who pay sales tax are very great. To-day I have read the news that the Finance Minister is going to reconstitute the sales tax advisory committee. He constituted a sales tax committee long ago. It was constituted only to be put in cold storage. It never functioned. I ask the Finance Minister why did he constitute this advisory committee? Was it constituted simply to be put in cold storage? Was it not constituted to look into cases, and see whether sales tax administration was carried on properly in this Province? I say it is not properly conducted. It was announced that from January of this year no sales tax would be imposed on exports, but, as a matter of fact, sales tax is being collected on exports of goods that are being sent from this Province to other States. I ask the Hon. Minister to say whether this imposition of sales tax has not really affected the trade and commerce of this country. I would request him to see that this imposition is withdrawn at once. We have time and again requested him to exempt the handloom products from the operation of the sales tax. He stated that he would consider it. It is still in the consideration stage. You are aware, Sir, how that industry is going down. I must thank the Government for the constitution of a State Handloom Committee. I welcome that constitution. It has made several recommendations. One of its recommendations is the exemption of handloom products from the operation of the Sales Tax Act. It is a committee constituted by the Government consisting of some of the hon. Members of this House and some of those who could speak with authority on the handloom industry. That committee has made this recommendation to the Government. I only wish that the Hon. Minister issues immediate orders exempting handloom products from the sales tax. Exemption should also be given to hides and skins, which is a dollar earning product. I ask the Hon. Minister how is he going to reconstruct the economy of this country if he is not going to encourage the export of products from this country. If the Government charge the goods that are exported from this State to other places, the goods become unpopular. I know because of this sales tax on such commodities that are exported from this State, they are becoming unpopular in countries like Ceylon, Burma, Malaya, Indonesia and other middle eastern countries. Therefore, if the Government want to encourage export and if they want to rehabilitate the economic condition of this State, they should at once issue orders exempting these articles from the sales tax.

"With regard to the food position, Sir, you have already stated that a day is being allotted for discussion, when we could expatiate and elaborate on several points. You are aware that the food problem is an all pervading problem. This problem has almost come to a critical stage. Therefore, I cannot help making a few observations on this problem. The Government of India have sanctioned nearly 5 lakhs of tons of rice to this Province. That itself is a very small quantity as against the demand made by

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this Province. But even this small quantity is not moving from the Centre or from those surplus Provinces to this State. The thing is there is transport bottleneck. I ask the Minister, 1 p.m. why not he break that bottleneck, stop all passenger traffic and run only food trains in the country? Otherwise, the people will starve and die. The people of this State are almost on the edge of a precipice. If they starve and die, that will reflect upon the Ministers of the State and upon their administration. A similar critical situation arose in the year 1949. Did not the Ministers tour from one corner of this State to the other requesting the people to give more foodgrains for procurement? Why not they do so to-day? Now they are only going to plant trees which are going to give you shade several centuries later. Why not they move about? If only we know how much money is spent on tours and what useful effect they have on the people, we can find how futile tours are undertaken. From some of the rich Andhra districts we expected some 60,000 tons of rice to come but we have not got even 3,000 tons. (The Hon. Sri B. Gopala Reddi : 'There was a cyclone. That is the reason.') The cyclone was during the last year. I am talking about the recent crops. I have, therefore, to think that these Ministers are not popular in those areas. If only they make an appeal to the people, 'Your neighbours are starving; why are you hoarding? Why are you blackmarketing?'. I am sure the people will come forward and help. The Hon. Minister for Education Mr. Madhava Menon used to say that there is goodness in all people. Why not the Ministers make an appeal to the goodness of the people and solve the food problem? I must congratulate the Hon. Minister for Public Works for inaugurating several irrigation schemes. But those schemes are only irrigating lands where commercial crops are grown. Why not they put a ban on the plantation of commercial crops at once? This is an immediate and urgent problem and they have got to solve it here and now. If they are going to sit tight in their chairs and say that everything is going to be all right, I say they are living in a world of dreams. They build castles in Spain. They will say, 'Oh! we are still popular. We have won the recent bye-elections'. Sir, there is no other well-organized political party in this country. Who is responsible for that situation? It is they who are responsible for it. (What about the Muslim League?) They say the Muslim League has been buried 10 fathoms deep. Why think about it? Our voices are not heard. We are still considered aliens in this country. Whenever we offer constructive criticism, it is not heeded to. It is being said that we are not the true lovers of this country. I say the bones of my forefathers are buried deep in this soil, I belong to this soil and I have got the right to live here. Therefore, let us not talk about the Muslim League. Let us talk about the immediate problems. You are only trying to circumvent the immediate problems by saying such things. Let them give up that narrow-mindedness, that prejudice against a community. We often say that we have got an ancient culture and an ancient civilization. Let us give up prejudices and bias. The time is such that we have got to pull together or to hang together."

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JANAB MOHAMED RAFAEUDDIN AHMAD ANSARI:—
 “ Mr. Speaker, Sir, I do not want to take up the time of this House by speaking upon subjects which have already been very adequately discussed by other hon. Members in this House. As my amendment indicates, I would like to confine my remarks to only one subject which has been referred to in His Excellency's Address and that is the subject of the proposed land tenure reform. I am very glad indeed that the very able Member of this House Mr. Karanth has already made reference to it in his speech and has focussed the attention of this House upon this important subject. His reference to it has made my speech all the more easy. No doubt there is no measure in regard to this subject which is actually before this House. It is not as if we are called upon to-day to consider any measure regarding land tenure reform. But I think, Sir, you will agree with me that it is better to warn the Government beforehand for what they may do than criticize them for what they have already done, because we have had experience before, that when once they take a particular step, no amount of criticism and no amount of persuasion would avail and that measure is bound to go through. Therefore it is that I take this opportunity of warning this Government before they take an actual step in this direction. Sir, everybody is agreed in this country that the position of the agriculturists is far from satisfactory. Various suggestions have been made for their improvement. But I am concerning myself with those suggestions which are made in public even by responsible people and which are of a very startling nature. The remedy which they suggest for the improvement of the lot of the agriculturist is this. In this country there is a limited extent of land available for cultivation. There are only a few people who are in possession or ownership of that land. There is a large majority of people who do not own any land. Therefore, take away all lands from the people who are possessing them and who are owning them and distribute them among those people who do not have possession of any land. These things have been openly said. Suggestions have been made that the maximum extent of holding should be about 20 acres and no holding should go beyond that maximum extent. That would mean firstly that all those people who are holding land of more extent than 20 acres would be deprived of the extra extent of land and that land would be redistributed among the other people. I may be wrong, I hope it is wrong. But the terms of reference to the Committee of Land Tenure Reforms contain the items, namely, the maximum holding to be fixed for a person and the abolition of absentee landlordism. It is only these terms of reference that have given rise to doubts not only in my mind but in the minds of a large section of the people regarding the ideas which are in the minds of the Government in constituting this Committee. Sir, I fail to understand upon what ground this proposition is justified, namely, that there should be a maximum extent of 20 acres only for a holding. All the economists are agreed upon this point that if you want to improve the productivity of land, it is not achieved by reducing the extent of the holding to an uneconomic extent but on the other hand by grouping various uneconomic holdings into a larger holding so that the machinery

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can be used for cultivation and thereby production can be increased. Therefore, it is not with a view to increase the productivity of the land or to increase the quantity of food produced in this country that the suggestion of limiting the maximum extent of land, it is owned by a few people, there are a number of people going without land and therefore land should be taken away and redistributed. I fail to understand the moral justification of such a suggestion. Even if you take away the land from the land-owners, is that land going to suffice for all the people who are going without land in this country? Not at all. Further, what is it going to result in at the end? Is it going to result in an increase in the production of food? No, not at all. Therefore, I would give this warning to the Government, while the measure is now under the consideration of the Committee, while it is going to be later considered by the Government themselves and before they give a final shape to it and bring it forward before the Legislature, these suggestions made in public are really upsetting the peace and tranquillity of a large section of the people.

“ Referring to the other suggestion that there should be no absentee landlord, even here I fail to understand the reason and the rhyme of it. Supposing there is a Government servant, he earns his salary, saves a certain amount of it and in order to have something for the rainy day he purchases a land. That is his investment of his savings. When he retires from service, he expects that he would live on the income from the land or that he would educate his children from out of the income of the land. If you at one stroke say that there should be no absentee landlord in this country, what is to happen to that poor man who has earned his living throughout his life as a Government servant and who looks forward in the end to live upon the income from the land? Is it proper to ask him at the end to go back to the land and cultivate it himself? Is it not asking him to do a thing for which he is not trained? Now take the case of other professional people also who earn their living by practising some profession or other and who in order to safeguard against any misfortune or unfortunate days invest their savings in landed property. To tell them that they must go and themselves cultivate their lands which they certainly cannot do or else that they will lose their lands, is a proposition which to my mind, seems to be very unfair and improper also. Therefore, my suggestion is that the Government should give some thought to this and give an assurance at this stage to the public who are agitated over this matter that it is not their intention to remove absentee landlordism altogether or to limit the extent of the holdings to a maximum. I am certainly in entire agreement with the hon. Gentleman, Mr. Karanth, when he says that the lot of the agricultural tenant should be improved, that some sort of fixity of tenure should be prescribed and that some fair rent also should be fixed. But the suggestion that there must be a limit to the maximum extent of a holding which the enthusiasts of agricultural and land tenure reform advocate is unfair. They must take into consideration all those sacred principles of private property and not just in order to suit their convenience do away with all those established

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principles and say that 'here is a land and I am going to distribute it to all the people'. I am assured by one of my friends that so long as this Government are in power, there is no need for such a fear to be entertained. But I hope I am correct that it is only an election propaganda. However, this matter has agitated the minds of a considerable section of the people and I am sure that the Government would do all that they can to allay the doubts of the people of the State.

"Sir, I would like to take this opportunity also to refer to a few other aspects of His Excellency's Address. I would first of all welcome the mention in his Address to the policy of extending nationalisation of bus transport to the mufassal. I do not at all agree with certain hon. Members who have said that this step should not be taken in a hurry and that experiment should be still carried on with regard to nationalisation. The complaint in the State is that much longer delay than is necessary has already been caused in the extension of nationalisation. I would urge upon the Government not to brook another moment's delay in extending it to the mufassal.

1-15 p.m. "I am happy to find that the list of districts to which this nationalization will be extended includes the name of my own district, Nellore.

"I want to express my opinion regarding the educational policy of the Government, which has caused a lot of confusion in the minds of the public. To-day, the parent is not sure what sort of education he is going to impart to his children, whether it is going to be basic education in the initial stages or whether it is going to be some other type of education. Much is being spoken of about basic education. At one time, I had occasion to attend a function in which a basic education centre was opened. In that meeting the Headmaster of that institution read out a report of the working of the institution and its time table. I was really very much surprised to hear that basic education would be carried on such lines. For instance, all the pupils studying in that institution have to start their work by 5 o'clock in the morning. The first thing that they have to do is to sweep the whole school-buildings, do their own scavenging and then engage themselves in agricultural occupation like planting and watering plants and such other works. Later on, they come to the class rooms and study text books prescribed under the syllabus. Now, this may be all right for certain sections of the population. If the idea of the Government is to have basic education for a certain section of the population, say, like the rural population, then I have no objection to it. But if it is the idea of the Government to supplant all the systems of elementary education existing at present by the introduction of basic education in the earlier stages, then I feel it my duty to give expression to my disagreement over that principle.

"Lastly, with regard to the law and order situation in the State, there is nobody in this House who will not agree that the hands of the Government must be strengthened in the matter of preserving law and order in the State. But I think there is also

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no difference of opinion in this matter that while subversive elements should be put down, care should be taken to see that innocent people do not suffer. I am saying this not with a view to criticize the Government, but with a view to enable them to safeguard their own fair name. Much of the unpopularity which is attached to the name of the Government is the result of the indiscriminate action of the Police. Innocent people are to-day arrested and after being arrested they are harassed and ill-treated. This should be put a stop to. Of course it might be said what about the people who are responsible for the numerous murders and lootings that are taking place, and what about those criminals who are responsible for disturbing the peace and tranquillity of the land. But surely the Government should not adopt similar methods in putting them down. You are a civilised Government. You belong to a humane set of people. You should not bring down standards of humanity and justice in this land. With these words I beg to move my amendment."

SRI N. GOVINDASWAMI NAYUDU:—"கனம் தலைவர் அவர்களே! தற்காலம் நம் நாட்டில் இருக்கும்படியான பஞ்சத்தை சமாளிப்பதற்கு நம் கவர்ன்மெண்டானது பல அரிய காரியங்களைச் செய்திருந்தபோதிலும் அதில் செய்யவேண்டிய சில சீர்திருத்தங்களை எடுத்துக்காட்ட விரும்புகிறேன்.

"அதாவது விவசாய அடமான பாங்குகளிலே (Land mortgage bank) விவசாயிகளுக்குக் கடன் கொடுக்கிற காலத்தில் அவர்களுடைய சொத்தைச் சண்டைக்கு முன்னிருந்தபடியே மதிப்பிட்டு அதற்குத்தக்கபடி அவர்களுக்குக் கடன் வழங்குகிறார்கள். அதனால் பல விவசாயிகளுக்கு பிரயோசனப்பட்டுவயிலில்லை. ஏனெனில் தற்போது விலைவாசிகள் ஒன்றுக்கு மூன்றாகப் பட்டியிலில்லை. இருந்ததைவிட உயர்ந்திருக்கும்போது அவர்களுக்குக் கடன் கொடுக்கிறகாலத்தில் அவர்களுடைய சொத்தைச் சண்டைக்கு முன்பிருந்ததைப் போலவே மதிப்பிடுவதால் அவர்கள் ரொம்பவும் பாதகம் அடைகிறார்கள். ஆகையால் இதைக் கவனித்து தற்போதுள்ள முறையைமாற்றி விவசாயிகளுக்குக் கடன் கொடுத்து உதவவேண்டும். அதோடு கூட கோவாபரேடியங்களுக்குக் கடன் கொடுத்து உதவவேண்டும். வாங்குகிறகாலத்தில் சர்க்கார் ஏன் சொஸைடிமூலம் அந்த சொத்துக்களை வாங்குகிறகாலத்தில் சர்க்கார் ஏன் மதிப்புப்போட்டு அதற்குத்தக்கபடி விலை நிர்ணயித்துக் கடன் கொடுக்கக் கூடாது என்று கேட்கிறேன். மேலும் கடன் கொடுக்கும்போதும் சர்க்காரின் விலை மதிப்பீட்டிற்குத் தக்கபடி கடன் கொடுக்கவேண்டும். அப்படிக் கொடுத்தால் பல விவசாயிகளுக்கு இந்த உதவியினால் பலன் ஏற்படும். அதிக உற்பத்தியும் செய்யக்கூடும். உற்பத்தி பெருகவேண்டுமானால் பணஉதவி காலாகாலத்தில் விவசாயிகளுக்குக் கொடுக்கவேண்டும். ஆகவே கொடுக்கும் இந்தப் பணஉதவியும் ஏற்பாடான முறையில் சரியான காலத்தில் கிடைக்கும்படி செய்யவேண்டும்.

"இப்போது பஞ்சத்தைப் போக்கடிக்க சர்க்கார் என்னென்னவோ நடவடிக்கைகள் எடுத்துக்கொண்டிருக்கிறார்கள். ஆனால் இந்தப் பஞ்சநிலை மையைப்போக்க மேல் அதிகாரிகளுடன் கீழ் அதிகாரிகள் சரியாக ஒத்துழைக்காததினால், உடனடியாகச் செய்யக்கூடிய வேலைகளுக்கும் காலதாமதமாகவதினால்தான் அவைகள் ஒன்றும் பிரயோசனப்படவில்லை. ஆகையால் மேலதிகாரிகள் போதிய கவனம் செலுத்தவேண்டும். எந்த விஷயமானாலும் தாமதமே ஏற்படாத வழியில் அவைகளைப் பார்க்கவேண்டும். அப்போதுதான் விவசாயிகளுக்குக் குறிப்பிட்ட நன்மையைச் செய்ய முடியும். குறிப்பாக எனக்குத் தெரியும். ஒருவன் விவசாயத்திற்குக் கடன் கேட்டு விண்ணப்பம் செய்துகொண்டு மூன்று வருஷங்களுக்கு மேலாகிறது. இன்னும் அவன் கைக்குப் பணம் கிடைக்கவில்லை. பருவகாலத்திற்குள் விவசாயம் செய்வதற்குக் கடன் கேட்டால் இன்னும் அவனுக்குக் கிடைக்காவிட்டால் அவன் என்னசெய்வான்? இம்மாதிரி காலதாமதமாவதைக்கண்டே

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பலர் சோர்வடைந்து கடன் வாங்க முயற்சிக்கவுமில்லை. கையில் பணமில்லாததால் மனச்சோர்வுடன் விவசாய அபிவிருத்திக்கு முயற்சிக்கவுமில்லை. சர்க்கார் வேலையில் ஏற்படும் தாமதத்தினாலேயே பலகாரியங்களின் முன் நேற்றும் தடைபட்டுவிடுகிறது. சட்ட பூர்வமாக நாம் என்னசெய்திருந்தாலும், அடிக்கடி, அவ்வப்போது காலாகாலத்தில் அந்த உதவிகள் விவசாயிகளுக்குக் கிடைக்கும்படி செய்யவேண்டும். விவசாயத்தில் மாத்திரம், "நேரம் தவறினால் ஈரம் போய்விடும்." அப்புறம் என்ன விதைத்து பாடுபட்டாலும் அதனால் பலன் ஏற்படாது. இந்த சூக்ஷ்மம் அதிகாரிகளுக்குத் தெரியவில்லையென்றே சொல்லுகிறேன். உதாரணமாக கிணறுகள் வெட்டி வதற்கு தற்போது மானியங்கள் கொடுக்கிறார்கள். இந்த மானியத்தைப் பெற்ற குடியானவன் புது இடத்தில் கிணறு வெட்டினால் நீர் ஊற்று இருக்குமோ இராதோவென்று நீர் ஊற்றுள்ள துர்ந்துபோன கிணற்றை வெட்டினால் அதிகாரிகள் அதை ஒத்துக்கொள்ள மறுக்கிறார்கள். விவசாயத்தில் அனுபவமில்லாதவர்கள் அதிகாரிகளாக இருப்பதினாலேயே அவர்களுக்கு இந்த சூக்ஷ்மம் தெரியவில்லை. ஆகையால் அந்த அதிகாரிகளுக்கு இந்த விஷயங்கள் எல்லாம் தெரியவேண்டும். இதற்கு என்னுடைய யோசனை என்னவென்றால் ஒவ்வொரு I.C.S. ஆபீசர்களும் உத்தியோகம் ஏற்பதற்கு முன் விவசாயத்தில் 6 மாத காலமாவது பயிற்சிகொடுத்தால் தான் அவர்களுக்கு அந்த கஷ்டங்கள் எல்லாம் தெரியும்.

"இதோடு விவசாயம் அதிகம் உற்பத்தி செய்யவேண்டுமென்பதற்காக விவசாயிகளுக்குப் போனஸ் கொடுத்தார்கள். இப்போது போனஸும் இல்லை. விலையும் மிகக் குறைவாகக் கொடுக்கிறார்கள். இதனால் black market அதிகமாகிறது. மூட்டைக்குப் 14 ரூ. சொச்சமே தருவதால் விவசாயிகளும் தங்கள்ளுக்குச் சொகர்யமாக விற்றுக்கொள்ள நெல்லைப் பதுக்கு கிறார்கள். இப்போதுள்ள விலையினால் மொத்த வியாபாரிகள்தான் மூட்டைக்கு 3, 4 ரூபாய் லாபம் அடைகிறார்கள். நான் சொல்வது என்னவென்றால் மூட்டைக்கு 12 ரூபாயாக இருப்பதை 20 ரூபாயாகக் கொடுத்தால் விவசாயிகள் நெல்லை கட்டாயமாகப் பதுக்கமாட்டார்கள். black market-ம் ஏற்படாது. உணவுத்தட்டும் ஏற்படாது என்று சொல்லுகிறேன்.

"அடுத்தபடியாக விவசாயத்திற்கு மிகவும் தேவையான தண்ணீர்தான் இப்போது பல இடங்களில் கஷ்டமாக இருக்கிறது. இந்தத் தண்ணீர் பஞ்சத்தைப் போக்க கிருஷ்ணா ஆறு திட்டம் கொண்டு வருவதாகத் தெரிகிறது. அந்த ஆற்றை வட ஆற்காடு ஜில்லா, செங்கற்பட்டு ஜில்லாக்களுக்கும் வரும்படி செய்ய வேண்டும். யாராவது அதிகாரி ஒருவர் அது முடியாது என்று கூறி விட்டால் உடனே அதைக் கொண்டு வருவது மிகவும் கஷ்டம் எனச் சொல்லிவிடக் கூடாது. பிரயத்னம் செய்தால் மனிதனால் ஆகக் கூடாது ஒன்றுமேயில்லை. நாம் பிரயத்னம் உண்மையாகச் செய்தால் எதையும் செய்யலாம். கனம் பக்தவத்சலம் அவர்கள் ராமண்ணப்பட்டியில் பேசும் போது சொல்லியிருக்கிறார். அந்த ஆறு திட்டத்தை செய்யும்போது நன்றாகக் கவனிப்பதாக. ஆகையால் இந்த முறையில் இந்தப் பாலாற்றை செங்கற்பட்டு ஜில்லா, வட ஆற்காடு ஜில்லா வழியாகப் போகும்படி செய்தால் பஞ்சம் தலை காட்டாது.

"அத்துடன் விவசாயத்திற்கு தண்ணீர் இறைக்க, மற்ற காரியங்களுக்கும் மின்சார வசதி கொடுக்கவேண்டியது மிக அவசியம். மின்சார வசதி ஏராளமாக அளித்தால் உற்பத்தியை நிச்சயம் அதிகப்படுத்தலாம். அங்கங்கே சர்க்காரும் மின்சார வசதிகள் கொடுத்து வருகிறார்கள். குறிப்பாக செங்கற்பட்டு, திருவள்ளூர் தாலுகாவிலே 12,000 விவசாயிகள் மின்சார வசதி கொடுக்க வேண்டுமென்று கேட்கிறார்கள். 12,000 பேருக்கும் மின்சார வசதி கொடுத்தால் ஏறக்குறைய பல லக்ஷக்கணக்கான மூட்டைகள் உற்பத்தி செய்யக்கூடும். இதையெல்லாம் சர்க்கார் கவனிக்கவேண்டும். எப்படி யுத்தத்தைத் தடுப்பதற்கு தீவிர முயற்சிகள் எடுக்கிறோமோ அதைப் போல உணவுப் பஞ்சத்தையும் ஒரு யுத்தமாகக் கருதி அதைப் போக்கடிக்கத் தீவிரமாகப் போராடவேண்டும். சென்னையில் பார்க்கிறோம் ஏராளமான மின்சார சக்தியை வினாக சினிமா தியேட்டர்களிலெல்லாம் செலவழிக்கிறார்கள். இந்த சினிமாவினால் என்ன பலன் ஏற்படுகிறது? சினிமா ஒரு கலை என்கிறார்கள். உண்மையில் கலை வளர்ச்சிக்கு இன்றைய படங்கள்

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என்ன செய்கின்றன? உண்மையில் சினிமா பார்த்து வருகின்ற மாணவ, மாணவிகளும் மற்றவர்களும் வீணாகிக் கெட்டுப் போகிறார்கள். இந்த சினிமாக்களினால் உண்மையில் நாட்டில் விபசாரம்தான் அதிகரித்து வருகிறது. இவைகளுக்கு மின்சார சப்ளைகைக் குறைத்து விவசாயத்திற்கு அவைகளை யெல்லாம் உபயோகப்படுத்த வேண்டும்.

"இத்துடன் நம் நாட்டின் கல்வி வளர்ச்சிக்காக முதியோர் கல்விக்கு அதிக வசதிகள் செய்திருக்கிறார்கள். ஆனால் இந்த முதியோர் கல்விக்கு உழைக்கும் உபாத்தியாயர்களுக்கு 8—12 ரூபாய் சம்பளம் கொடுக்கிறார்கள். 8—12 ரூபாய் அவர்கள் வாழ்க்கைக்குப் போதாது. முதியோர் கல்வி சொல்லிக் கொடுக்கக் கூடியவர்களுக்கும் போதாது. அந்த உபாத்தியாயர்களுக்கு அதிக சம்பளம் கொடுக்க வேண்டும். மேலும் காலேகளில் விவசாயிகள் வேலைக்குப் போய் விடுகிறார்கள். குழந்தைகள் ஆடு மாடுகள் மேய்க்கப் போய் விடுகிறார்கள். ஆகையால் அவர்களும் கல்வி கற்கக்கூடிய வகையில் இரவு பள்ளிகளை அதிகமாக்கவேண்டும். திண்ணைப் பள்ளிக்கூடம் போன்ற இரவு பள்ளிகள்தான் மிக அவசியம்.

"இப்படி பல விஷயங்களிலும் சர்க்கார் கவனம் செலுத்தி பஞ்சம் தலை தாக்காதபடி செய்ய வேண்டுமென்று கேட்டுக்கொண்டு என்னுடைய சொற்பொழிவை முடித்துக் கொள்ளுகிறேன்."

MR. SPEAKER:—"The House will now rise to meet again at 2-30 p.m."

(After lunch—2-30 p.m.)

MR. SPEAKER:—"I am going to reduce the time-limit to ten minutes. Now Janab Mahboob Ali Baig will speak."

JANAB MAHBOOB ALI BAIG:—"Mr. Speaker, Sir, when I was speaking last time on the Address of His Excellency, I mentioned that there were two main reasons why there was unrest in the country. One of them was stated to be that there was insecurity of life and property. Secondly, there was non-availability of food. Now speaking to-day, I am glad to be able to state on the floor of the House that the former cause, namely insecurity with regard to life and property has been tackled by the Government in a very efficient way, and thanks to the Government which has given opportunities to the hon. Members of the Legislature though not to associate themselves with the authorities in the district, but at least to meet these authorities once in a month and be informed about the work that has been done by them to meet the menace and preserve law and order. As I said, I am glad to be able to say that the menace has to a great extent lessened. From my personal knowledge of the affairs in the country, especially those districts which are infected by that party called the Communist party, I am convinced that much has been done by this Government in all directions and I wish to congratulate the Government for the active steps that they have taken to put down lawlessness. It is inevitable that in this process of putting down terrorism of a militant and aggressive party, there is bound to be some lapses. The question is whether a responsible Government and a civilised Government cannot minimise the chances of the police going beyond the necessary limits in putting down the Communist menace. This aspect of the question has been agitating the minds of many hon. Members of this Assembly and also many public men in the country. I want this Government to give

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an assurance to us in this Assembly as well as to persons outside it that all possible steps will be taken both to minimise the chances of the executive overstepping their limits and infringing on the liberties of persons whose co-operation they need more than before. It should not be said that the Government while trying to suppress a dangerous movement has fallen into the trap of allowing their officials to commit excesses which will naturally alienate the sympathies of the people, which as I said they need most at the present time.

"Now, with regard to the second cause which I mentioned last time, namely, non-availability of food, much has been said on the floor of the House these two days and much will be said on the day which is allotted for discussion of food situation. It will be sufficient for me now to indicate the problem so that on the day when we meet for general discussion on food, people might think over the matter and the Government might come out with certain fixed ideas. I have seen in the newspapers that not only the Minister for Food of the Central Government but also the Ministers for Food of this State as well as other States have clearly admitted that food is not made available to the people. People there are, I know, here as well as in the Central Government who say that there is sufficient food, but it is not being distributed properly. There are others who hold the view that food is not sufficient and even the food that is available is not distributed properly. There is yet another class of people who think that food is not sufficient at all and the distribution also is not properly done. Now, whatever may be the reason and whatever may be the correct view, the fact remains that food is not available. Is it open to any Government to excuse itself by saying, 'Well, we have tried our best and we cannot do any more'? I do not think that any Government, I mean any responsible Government, can afford to take up that attitude. The moment any Government said that, it has no business to be on the Treasury Bench. If the Government said, 'Well, we have made all efforts and we are not able to meet the demand', then it has no place on the Treasury Bench. It is from that point of view that I say further efforts must be made. I know we are human beings. It is not possible for us to overcome elements of nature, overcome the innate nature and the bad nature of human beings, the profit-making temptations of the merchants or the avaricious persons. It is true that it is not easy to overcome all these all on a sudden. But you cannot afford to say that, 'We have done our best and we can do no more'. The Central Government announced that after 1951 there should be no imports. May I recount to you the circumstances under which this announcement was made? It was in the year 1948, when on account of extraordinary circumstances India's balance of trade was adverse by about Rs. 200 crores. It was an alarming situation then and it was considered that the Government would collapse economically. That again was due to an irresponsible method of handling the administration of the Trade and Commerce Ministry previously. They gave indiscriminately what were called Open General Licences. Naturally, people who had money with

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them began to import into the country all sorts of things. So there was an adverse balance of trade to the tune of Rs. 200 crores. It was an alarming thing and Rs. 130 crores was the amount that was spent on food. Therefore, they thought it was imperative that they should cut down these imports. When a Government wants to cut down its adverse balance, it must seek out some method. So they thought of cutting down the adverse balance by prohibiting the import of foodstuffs from 1951. That is the position. If we are convinced that in India there is insufficiency of food, should we allow import of foodgrains after 1951 or not? This is a point which is a very important one and this State Government must address itself to this problem in a serious manner and tell the Government of India that whatever they may do with regard to other States—other States are quite different from ours—and whatever may be their view, we cannot agree to this. Unless you do that, you will be running the risk of exposing millions of persons in this State to starvation and misery. Thank you, Sir."

* SRI PYDAH VENKATANARAYANA :—"Mr. Speaker, Sir, 2-45 p.m.
I am glad there will be a food debate on the 7th instant, but I may not be here on that date and even if I am here I may not get a chance then to speak on the subject. Further the food position in the State, particularly in East Godavari and Kakinada, which I represent, is so bad that I feel I should take the earliest opportunity of placing the facts before the House."

MR. SPEAKER :—"Regarding food, the hon. Member will have another opportunity of speaking on the question."

SRI PYDAH VENKATANARAYANA :—"I am submitting, Sir, that I may not be here on the 7th instant and further that the food situation in my district is such that I feel that I must take the earliest opportunity of placing some facts before the House and urge upon the Government to take the necessary action immediately. Sir, I heard His Excellency's address to both the Houses of the Legislature day before yesterday and also the speeches made by my hon. Friends Mr. Tatachariar and Mr. Pattabhiraman on the motion of thanks to His Excellency. I do certainly join them in their thanks with great pleasure. But there is the other side of the picture as well which we have to see. Sri Rajendra Prasad, our President, in his address to the Union Parliament the other day has stated that the food position in the country is very unsatisfactory. Unfortunately the Union Food Minister, Sri K. M. Munshi, when he visited this State some time ago had come to a different conclusion and made a statement contrary to that of the President of the Union. I am glad that the *Mail* has, in its editorial, corrected the statement and given a vivid picture of the real situation in regard to food in this State. Of course, there is one thing which Mr. Munshi has said, namely, that all the foodgrains particularly paddy have not been properly and fully procured and that is correct. That is the state of affairs in this State and that is because of the officials of the Food Department. I may say that many officers in this department from the

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District Supply Officer down to the Firka Supply Officer and the chowkidar are inefficient, corrupt and dishonest. Naturally the large-scale producers and the big miller procurers, with a view to benefit themselves and in their own interest try to offer all attractions to these officers. When these officers are being paid fatly by the Government, they are expected to be above such attractions and considerations. It is the most important duty of the popular Government to see that these officers discharge their duties efficiently and honestly, without fear or favour. The popular Government should also make strong representations to the Central Government to give us sufficient supplies quickly. Even His Excellency has not stated that the food position in our State is not bad. Our Food Minister, when he visited the southern districts of our State, has stated that the food position is bad. Therefore, it is an admitted fact that the food position in our State is not at all satisfactory. We have also been receiving reports from Erode, Karur and several other places about starvation. I hope the Food Minister and the hon. Members of this House have followed the recent proceedings of the food committee of our district. The conditions there are miserable. The people have to wait in front of the rice ration shops in sun and rain for several hours; several times they are asked to return home empty-handed. Once in a way they are given a small ration and that too is rice of a very bad quality. The second crop paddy is intended for boiled rice is not consumed locally and it is intended for export purposes only. The main crop raw rice should be distributed locally. I am glad that the Collector of the district has assured us that he would introduce the family card system and arrange for the distribution of the first crop raw rice to all the card-holders fully. I request the Government to instruct the Collector to implement his assurance immediately. The rice we are getting is not at all polished; it is only de-husked. Single-polished rice or de-husked rice is of no use in my district. There should be double polish. Then we can save the paddy-bran which will be a vital food material for the cattle. I hope that the Government will act quickly and see that the food position in the State is improved. With these remarks, I conclude."

MR. SPEAKER:—"Before I call upon Mr. Salam to speak, we will hear about the programme of this session from the Hon. the Leader of the House."

THE HON. SRI B. GOPALA REDDI:—"Hon. Members have been asking about the programme of the House. We disperse on the 14th in order to enable our Speaker to go to Delhi and attend the Conference of Speakers."

MR. SPEAKER:—"Whatever conclusion the Hon. Minister comes to, he may announce after Mr. Salam has spoken. I will now call upon the hon. Member Mr. Salam to speak."

JANAB MOHAMED ABDUL SALAM:—"Mr. Speaker, Sir, while congratulating His Excellency for his Address, I have also given notice of my amendment. By this time I think the Hon. Ministers and the Members would have read the amendment. It

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is true, Sir, that the amendment is self-explanatory and as Mr. Hameed Khan has said, it speaks for itself. How glad I will be if only the amendment speaks for itself and our Hon. Ministers and Members take note of it and behave differently in future. Sir, some hon. Members have been saying that I have used very harsh words, but it is only usual with me. I ask the Hon. Ministers to read the amendment moved by Mr. Karanth and the amendment of Mr. Prakasam, who are their own party-men. I ask the hon. Members of the Party in power whether the same ideas are not contained in these amendments given notice of by their own party-men. If some of the members of the party-in-power are not talking in the same strain in which their amendments have been worded, it is because of party discipline and it is because they are afraid to express the feeling of the masses and the people outside.

"Sir, under your leadership and guidance for the last four years we have been voicing the public opinion in the State to the Hon. Ministers. With what result? As there has been no effect on the Hon. Ministers, such words have had to be used. I do not have any hope in this Government even now. What have they been doing all these days? I do not know whether the Hon. Minister for Food is here now. (An hon. Member: 'He is not here now.') I do not know whether this Hon. Minister is a discovery of Mr. Kamaraj Nadar or our Premier. It is a poor choice. Everybody knows we will be discussing the food problem, yet he has not chosen to be here. It has been found that we are in a very bad situation in regard to the food problem and yet the Hon. Minister in charge of Food is not here, so that he may at least hear what the hon. Members have got to say on it. Though hon. Members have been clamouring about it for the last two days, I do not think there will be any effect. I ask the Hon. the Leader of the House who is here to speak on behalf of the Government, whether there is statutory rationing or non-statutory rationing in my district and what is the system adopted there? I ask him whether Guntur is a surplus or a deficit district. The figures show that it is a surplus district. The District Food Advisory Committee has met four times in four months and submitted reports to the Government saying that it is a deficit district and that it will not be able to send rice outside. No reply has been received by the Food Committee or the Collector as to whether the proposal of the Committee has been accepted or not. As regards the food situation, I can read hundreds of telegrams and letters as Mr. Karanth has been reading. Even the Hon. Minister and the Government are not sure under what system they are distributing rice in my district. Only yesterday, the Collector was pleased to say that he was going to have a pooling system. (An hon. Member: 'Pooling system?') No, it is not a fooling system, for the Government will not be able to fool all the people all the time. It is not possible at all.

"Sir, all the speeches made here are of no use, because we know that the Hon. Ministers are busy with their tours and they

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are obsessed with only one thing and that is how to continue in power after the next elections. They are anxious to exploit the present position and continue in power in future also. They do not know that it will not be possible for them to do that after the introduction of adult franchise. I ask hon. Members who tell me that I have used strong language in my amendment whether Mr. Prakasam has not said the same thing in his amendment about the police excesses. Hon. Ministers sitting on the treasury benches, in their past political life, have been attacking and agitating against the police excesses. But during the last four years they have been in power and during which we have been deliberating in this House under your leadership, I have not come across one single instance where the Government have ordered an enquiry into police excesses. You will be surprised to know, Sir, that some people in my district have been missing and that there are concentration camps in my district and in Krishna district, just like the concentration camps of Germany. Even to-day some people who have been arrested have disappeared and they have not been produced in court. People have been shot dead in some places on the plea that they attacked the police. May be, some of these persons are missing."

THE HON. SRI B. GOPALA REDDI:—"Why not bring a habeas corpus application?"

JANAB MOHAMED ABDUL SALAM:—"We know it and we may have to go to the High Court also. Sir, we have seen how this Government have tried to tackle the problems facing them. I was searching every line of the Governor's Address to find this out. But it was said that it was a statement prepared by the Government. So, I have nothing to say except that it is another form of Madras Information which is published every month and on which a lot of money is wasted by the Hon. Mr. Bakthavatsalam, as stated by the hon. Member Begum Sultan Mir Amiruddin. It is nothing but the Madras Information with the addition of some information about the legislation that will be coming up before the House. It gives no hope about the future programme before the country. Yet we are asked to wait. As the Leader of the Opposition has said, will this Vanamahotsava or planting of trees give food? Is there anything else which the Government have done? I have said in my amendment that this Government is incapable of solving any problem, because it is busy with factions among its own members, busy with elections in the constituencies. Mr. Pattabhiraman has said, and the Hon. the Leader of the House is not tired of repeating, that they have won all the by-elections."

THE HON. SRI B. GOPALA REDDI:—"I did not say it in recent months."

3 p.m. JANAB MOHAMED ABDUL SALAM:—"Some people are not tired of saying that they have won all the by-elections. But they are all on limited franchise. I give you one test to find out whether the Government is popular even to-day. The Minister for Law has been elected, not five years ago or ten years ago,

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but he was elected some thirteen years ago. He has been elected, not by the best organization, the Congress organization, that stands for the country; yet, he holds one of the biggest portfolios in the Government. That is the fate of some other Ministers too, which I will prove if only I am asked to substantiate. Sir, every word of what I have said in my amendment is true, and I would have proved it to the hilt if only, I was allowed some time by you. (Mr. Speaker: "No, I cannot allow now.") It is true you cannot allow, Sir, but I do ask the Government that they should read every word of what I have stated, examine their hearts and try to face the future with confidence."

SRI T. VISWANATHAM:—"Sir, I thought the Hon. Leader of the House would give us the programme of the House."

THE HON. SRI B. GOPALA REDDI:—"We will disperse on the 12th Saturday, and meet again perhaps on the 28th of this month."

SRI T. S. AVINASHILINGAM CHETTIYAR:—"May we know when the food discussions are to take place?"

MR. SPEAKER:—"On the 10th."

THE HON. SRI B. GOPALA REDDI:—"I originally said on the 7th, but in order to suit the convenience of the Upper House which is meeting on the 7th, the Speaker is suggesting the 10th."

MR. SPEAKER:—"No, I am not suggesting; the Hon. Minister said so."

THE HON. SRI B. GOPALA REDDI:—"I have no objection, Sir, just to enable the Upper House to meet on the 7th."

SRI K. R. KARANTH:—"So far as education is concerned, as I already submitted, orders have not yet reached the districts; I knew up to three days back, orders have not reached them. I think even a two-hours debate will do. We will give certain suggestions. Any day which is convenient to the Minister is not too much to ask. There is no use having a debate in September when all the orders will have gone out and the classes will have begun."

MR. SPEAKER:—"Let me hear the Hon. Leader of the House."

THE HON. SRI B. GOPALA REDDI:—"Sir, we have a very heavy agenda, and we are dispersing on the 12th instant."

DR. S. SUBRAHMANIAM:—"Have it on Saturday."

THE HON. SRI B. GOPALA REDDI:—"We shall consider about it; we shall see if we can allot two hours on any evening, perhaps between 4 and 6 or between 5 and 7 and tell you, later on."

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SRI M. S. PATTABHIRAMIAH :—" I strongly object to the discussion being limited to one or two hours after 5 o'clock. We should have sufficient time to discuss the food situation."

MR. SPEAKER :—" What is it that the hon. Member suggests? "

SRI M. S. PATTABHIRAMIAH :—" I want two days."

* SRI T. VISWANATHAM :—" Mr. Speaker, Sir, the first thing, of course, that has been agitating the mind of everybody is the food situation. As however there is going to be a debate on food, I am not going to speak much upon food just now, except to say that there is sufficient food in our province, that if only it is properly distributed, if only proper facilities are given by the Government for food to flow from place to place and from month to month, there is sufficient food available. I am fortified in my statement by the assertion made by the hon. Food Minister of the Government of India. I have also gathered some information and I am submitting the following figures for the information of the Minister who may contradict me, if necessary, on the date of the food debate. Sir, the normal production of this province is given as 72 lakhs of tons of paddy. If that is distributed at the rate of 16 ounces per head, it will feed 4 crores and 86 lakhs of persons per year. That is according to the figure given by the Government themselves. The number of persons who eat rice, in terms of adults, is put at 3 crores and 38 lakhs in a book published by the Government of Madras. Even if we put the figure at 4 crores, we have sufficient food. I want the Minister to note these figures. Again, even if production has fallen on account of seasonal conditions, if you distribute food at 16 ounces, we will still have food enough for 4 crores of adults, whereas the number of people eating rice in terms of adults calculated by the Government comes to only 3 crores, 38 lakhs. I ask, why have we come to this desperate position of having to give 7 ounces, and even that, not to everybody? I submit it is because the system of control, your system of control, your system of procurement, your practice of restricting movements from place to place, your method of giving monopoly of procurement to this and that particular person or particular body—all these are responsible for this situation. If only you leave conditions to adjust themselves, to go back to the conditions existing before the war, I am quite certain that people will have sufficient food. I am only speaking, Sir, with reference to the production in the country and I am not referring to the extra imports which we have been having, of two, three and four lakhs of tons from outside our province. I submit, therefore, there is sufficient food. I request the Government to give us an over-all statement of the quantity produced, the quantity of paddy converted into rice, the population which is in need of rice, the quantity of rice imported, etc.—let us have an over-all picture of all this information, so that basing our information on a telegram received from this or that place, we may not cry out that we

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have not got sufficient food in our province, that we should therefore work the controls, even if corruption, etc., should result therefrom. I suggest, Sir, this is a vicious circle and unless the Government can give us an over-all picture of the correct facts, it will be difficult for us to assess the true situation. There is no use going always in the same groove which we know has proved a failure in our four-year's experience. I submit these figures I ask for are absolutely necessary. As a matter of fact, I am not able to get the latest figures; I may tell you for your information that as I was anxious to know the latest position, I got a telephone call made to one of the Assistant Secretaries to tell me if he could give me the quantity of, production and imports. I did not ask for any State secret or official secret, I only wanted to know the total quantity of production of paddy during 1949-50 and the quantity imported into the province during the same year from outside the State. The Assistant Secretary was good enough to act the loyal servant—he said 'I cannot supply the figures, for the figures may be used against the Government.' Sir, this is the state of affairs under which we live at present, and I want the hon. Members to note the particular way in which the administration is being run just at present. I am not going into the details of the food administration; I only submit that the Government are now in the hands of some people behind who, are in league with black-marketeers and the Government are becoming victims and along with them the five crores of people of the province are also becoming victims. I ask the Government therefore to see what is happening actually before their very eyes. I shall not go further into the details. This morning, one friend of ours, for whom I have great respect, the hon. Mr. Majid, when he was speaking, let fall a remark that the northern districts are not giving their surplus grain to the southern districts, thereby insidiously suggesting—possibly he did not intend to suggest anything—that the northerners are anti-social, that people belonging to the northern areas are not giving their surplus food to the southern areas where it is in need. I submit, if anything was intended, I repudiate that statement with all the emphasis at my command. I submit we are not anti-social; we are treating the entire province as one unit so long as we live together; when we finally part, that of course is quite different. At the same time, we want the Ministers and the other Members to note the amount of frustration which the Andhras are feeling. People living in the northern districts do have their own feelings about the administration going on in this province; day in and day out we are made to feel that we are in a perpetual state of minority. Whether you take the educational facilities afforded, or you take the schemes to be carried out or even the services or even the industrial development, the story is the same. For example, take the Telugu educational facilities afforded in this City. This Government appointed a committee some time ago and it made certain valuable recommendations. I want to ask the

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Government how many of those recommendations have been implemented and what facilities for Telugu boys have been extended, as recommended by that committee. I do not ask for more than what their own committee has recommended, although I am entitled to ask for more. Again, as regards schemes. I do not want to make any particular criticism of the Hon. Minister Sri Bhaktavatsalam who is here. But I do say there is something wrong somewhere in his department. I want to know why we are discriminated against, for example in the matter of an excavator which had been brought to the Romperu drain, why it has been removed from that place to another area; why schemes that were sanctioned already have not yet seen the beginning of execution. I want to know again what has happened to the Rallapad project which had been sanctioned. What happened to the schemes for which foundation stones were laid in Anantapur district? What has happened to the Polapalli scheme in Visakhapatnam for which detailed plans and estimates have been pending before the Government for a long time? With regard to Vamsadhara, are their engineers still physically seeing with their eyes how much quantity of water is flowing perennially in that river, are they still going on with the preliminary investigations especially when we have need for producing more and more food and when we are suffering for want of food? I want again to draw the attention of the Minister for Public Works to the fact that the Visakhapatnam electric supply station is not being served properly; I want to tell him that in spite of his own hopes and my aspirations and the promises which his officers made before him, it has not yet received any attention and we are still suffering. These are only a few of the instances: schemes are sanctioned, promises are made, and still we do not see their translation into facts. For example, if you take the services, there is a sense of frustration in the minds of the Telugu officers. I am not voicing the grievance of any particular officer, no particular officer comes to me in this regard; but I would draw the attention of the hon. Minister for Agriculture to one example, and he might, if he were here have been able to enlighten us. There is a sugarcane farm at Anakapalle which has got a key-post of sugarcane expert attached to it. Have you heard it in the annals of our administration that a post has been kept for nearly 1½ years vacant? Why is it? Because the next man to get it is an Andhra, and the next man in the scheme is again an Andhra, and therefore the post is kept vacant and a junior who is not an Andhra is kept in charge. Is this the way of conducting administration? What is the good spirit with which the Andhra officers will work in these circumstances? I do not want to go into any further details and draw differences between one section of the province and another section of it. But for the remark which Mr. Majid let out this morning that the northerners are not giving rice to the southerners. I would not have referred to all this. I repudiate that remark. The northerners have no power to refuse rice to the south even if they want to.

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They have no power to stop the Tahsildar or the Supply Officer or the Policemen and say 'do not take our rice or paddy.' I submit, Sir, the Andhras are not such persons to withhold their rice from their neighbours.

"Again, Sir, the Government talk about improved production of rice. Let the Hon. Minister for Public Works note this: why should there be differential treatment regarding water-rates as between the Godavari delta and the Kistna delta and the southern areas? While the general water rate is Rs. 5 per acre, why should it be Rs. 6-4-0 in the case of the Godavari delta or Kistna district. They are already paying 16 to 20 per cent of revenue, and yet they have got to pay a higher water-rate. (At this stage the hon. Speaker sounded the gong.) I request two or three more minutes, Mr. Speaker, and I shall finish. What I am submitting is, although the tenants under the Mettur project promised to pay a rate of Rs. 15 for the supply of water, they are now paying only Rs. 5 because the Government extended to them the concessional rate of Rs. 5. But in the case of tenants under Godavari and Krishna they are obliged still to pay Rs. 6-4-0. Should not again the concession be extended to the Ceded districts and why should they be asked to pay Rs. 7, 11 or 14 under the Kamalapuram project or the Cuddappah Canal project and yet the Mettur people pay only Rs. 5? Those who read Administration Reports published and supplied by the Government will be able to see what the facts are and yet, they say, the people in the northern districts do not supply the food that is necessary for people in the south. Let not such statements be made, whether they be for rhetorical effect or otherwise, because such statements will lead to unnecessary bickerings and bitterness.

"I raised, Sir, another point in my amendment and that is with regard to local administration. I heard the speech of the hon. Mr. Chandramouli in the Conference of the Chamber of Chairmen. It was a very sincere speech and he was anxious to devolve powers on local bodies."

MR. SPEAKER:—"The hon. Member's time is up."

SRI T. VISWANATHAM:—"Just one minute more, Sir, I am therefore, requesting the Government to take immediate steps to give more powers to their Municipalities. I am not asking them to give more powers to the chairman over Commissioners, Engineers or Health Officers. Municipalities as such have no powers at present and they are all concentrated at Madras. I say, Sir, the Major panchayats, towns and villages can never improve unless the Government delegate their powers and trust their men in these areas. I thank you, Sir, for having given me these ten minutes."

JANAB N. MUHAMMAD ANWAR:—"Sir, on a point of explanation on behalf of my hon. Friend, Mr. Majid. . ."

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MR. SPEAKER:—"The hon. Member cannot make a personal explanation on behalf of another Member."

* JANAB K. M. SEETHI:—"Mr. Speaker, Sir, in supporting the amendment moved by the hon. Leader of the Opposition, I also join my hon. Colleagues in bringing to the attention of the Government the very serious food situation in which the country is placed. We are faced with food scarcity. In the matter of food scarcity the district of Malabar is better than no other district and it is really faced with a very acute and critical situation. As my hon. Friend, Mr. Govindan Nair, explained to this House, telegrams and messages have been received from Malabar announcing the breakdown of rationing in several localities. With regard to the constituency which I have the honour to represent, namely, Ernad and Walluvanad, people are faced with starvation and there have been pathetic appeals from different localities of that constituency for relief. I would therefore press upon the Government the urgent necessity of rushing foodstuffs to Malabar to relieve the distress of the people. The serious food crisis is due to the wrong policy that has been followed by the Government and it might be too late in the day for me to say that the disturbance of the ordinary trade channels made by the Government is mainly responsible for the crisis that has come about in the country.

(At this stage the Deputy Speaker occupied the Chair.)

"Now, Madam, as for the solution found by the Government for liquidating blackmarketing and irregularities in the supplies of food commodities, namely, the formation of producer-cum-consumer societies in Malabar, I should say, these societies have proved a worse remedy than the disease itself. In fact, this has caused greater troubles to the consuming public than the old individual merchants who were dealing in foodstuffs. If you go to the Municipal towns of Kozhikode and other towns, where these producer-cum-consumer societies are working, you will find blackmarketing in commodities widely practised. I have got instances to prove it. A man who has a long purse can get anything from these producer-cum-consumer societies, while an ordinary man will be denied even his ration. If you want wheat and good rice, they can be got from the producer-cum-consumer societies at blackmarket prices. Such open violation of rationing rules was not practised by individual merchants while they were dealing in foodstuffs. I therefore, respectfully submit to the Government that they have to revise their policy if they want to solve the food crisis. They have to relax the rules relating to controls and associate the private trade agencies with this work under strict vigilance and control of the Government. It is only if they give a stimulus to private trade agencies that they will be able to supply the commodities that the country needs, as it might induce them to bring commodities from any part of the world and at any sacrifice. The machinery of the Government is slow to move and red-tapism is responsible for 50 per cent of the misery we are now facing.

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For instance, my hon. Friend, Mr. Govindan Nair, was telling this House that even though there was the stock of wheat in Malabar, because the price was not fixed by the authorities for about one month, wheat was not available to the consuming people. That is the sort of experience we are having when Government deals with these matters. Though food was available yet it was not made available to the people for consumption for the simple reason that the price was not fixed. That is why I say the machinery of the Government is slow to move and it is the slowness of the Governmental machinery and the red-tapism of the Government that are responsible for maladministration and inefficiency in the matter of distribution of foodstuffs. I therefore, respectfully urge upon the Government the necessity of either enforcing the control regulations strictly or relaxing the control regulations and taking into association private trade channels also. Then there is also the urgent necessity of importing foodstuffs from foreign places through whatever available channels the Government may think of. It is absolutely necessary to resort to it instead of running after chimerical schemes of self-sufficiency which they aim to attain in one year. In the name of self-sufficiency, the practical and urgent steps which the Government must take in the matter of importing foodstuffs are neglected. I earnestly urge upon the attention of the Government that they should not neglect this solution of the food trouble by imports any further.

"I would also in this connection invite the attention of the Government to the widespread complaint in Malabar about not only the scarcity of rice supply but also about the very bad and intolerable quality of rice supplied by the ration shops. So, in this matter it is absolutely necessary that there should be greater care and supervision by food authorities to ensure the supply of good rice fit for human consumption.

"Madam, I respectfully invite the attention of the Government to the great necessity of providing further encouragement and support to the educationally backward communities. I am grateful to the Government for what they have done recently in the matter of sanctioning scholarships to Muslims generally and in particular to the Moplah community which is educationally backward. Greater encouragement, help and concessions have to be given to these communities that have to be educationally brought up to the level of other communities which had a start in education and are highly advanced in education. I refer to this matter because there is reference made in His Excellency's Address to the efforts made by the Government to promote the education of Harijans and the educationally backward communities. In this connection, I have to state with regret that a great set-back has been given to Muslim education especially Moplah education by the recent order of the Madras Government stopping provision of religious instruction in Government schools. What I would respectfully urge on the attention of the Government, if the

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Constitution is considered to be a stumbling block in the way of spending State funds for providing religious instruction in public schools, at least permission may be given for imparting religious instructions in schools by private arrangements so that Muslim boys and girls may be given opportunities of getting religious instruction. I urge this point with emphasis as I know that the enforcement of this Government order has already caused considerable havoc to Moplah education. I know, as a matter of fact, that in the case of several schools, boys and girls have stopped attending classes after stopping of religious instruction. It may be easily said that religious instruction can be given in homes and that provision for it may be made privately. But that will be found impracticable in actual experience. I hope the Hon. Minister for Education will have some sympathy for the difficult position in which the Muslim community is placed in this matter and will help them in finding a solution.

Then, Madam, about Public Health, I must say that the Health Department has to be more vigilant and prompt at least in the matter of providing relief already sanctioned by the Government. There is a World Health Unit established in Eastern Ernad in Malabar for combating malaria. Much was made of it by this Government and reference was made by the Government more than once about the establishment of this unit on the floor of this House. There has been widespread prevalence of malaria of late in and around Nilambur and other villages in Ernad and the complaint is that even quinine is not available to the suffering people in time. If that is a fact, it is a very serious matter and the Government have to contact the health authorities in Malabar and see that immediate relief measures are undertaken in that area because it is a highly malarial area. I also hear that in some localities, deaths have taken place for want of adequate and timely medical aid.

Then, Madam, with reference to the communal rule regarding admission to colleges, some references were made. I am not impressed at all by the lawyer members' argument in this House and who joined issue with hon. Leader of the Opposition for having made a reference to the recent High Court judgment on the communal rule. I fail to see how this elementary principle of law is forgotten by them that after a judgment is pronounced by a Court, it is open to fair comment and criticism by the public. In fact, it is only by fair comment of the judgment that the various questions of law and fact dealt with by the Court will become known, understood and appreciated by the public. In fact, we find every other day law journals published with the sanction of the High Court making trenchant and severe criticisms on certain judgments pronounced by the High Court. It is not a disparagement of the High Court to comment on its judgments. Fair criticism is a great help to courts to decide questions correctly. I respectfully urge upon the attention of hon. Members that they should not confuse matters and forget this fundamental fact when they refer to the High Court judgment. The High Court would

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never expect that comments should not be made on its judgments. The hon. Leader of the Opposition is perfectly within his rights when he explained certain constitutional aspects of the problem that were involved in the judgment. I submit that in following the communal rule regarding admissions, Government are only following an equitable practice and doing justice to the various sections of the public. I would urge upon the Government to take this matter to the Supreme Court and if they fail there to get the Constitution amended so as to remove the constitutional obstacles, if any. Otherwise, as pointed out by the hon. Leader of the Opposition, there will be an intellectual oligarchy which will be a negation of democracy in this State.

One word more, Madam. Some hon. Friends were heard just now to refer to the claims of Telugu officers having been neglected by the Government. I respectfully submit, if claims linguistic of areas can be safeguarded without prejudice to the constitution claims based on the educational progress of particular communities on the ground of backwardness and forwardness would also be perfectly legitimate. The Government has to provide under Article 46 of the Constitution for the educational encouragement of backward communities. Thus there is every justification for the Madras Government to follow the communal G.O. in the matter of admissions. I once again urge on the Government that they should not fail to take up the matter to the Supreme Court and also if necessary approach the Indian Parliament to get the Constitution amended so that social justice may be done in this State."

SRI M. G. NATESA CHETTIYAR :—" Madam, Deputy 3-30 p.m.
Speaker, enough and more speeches were made, statistics were put forth, schemes were promulgated and moneys were obtained but I wish to say, Madam, that all these things are not going to feed the people; it may be useful for the future but regarding the present, the position is that we must urge upon the Central Government to supply us food immediately. Having taken all we could from the producer, it is the duty of both the State Government and members of this House and the people to demand on the Centre to give us enough food. It is rather regrettable that the Government had not taken action earlier. Normally every year even in normal ones, you will find the earlier part of July, August and the earlier part of September to be the stiff period in point of food supply and the proceedings of this Assembly will show that the food shortages had arisen mostly during this period. If the Government had only taken note of this stiff period and how the failure of the monsoons will aggravate the position, they would, not at all have followed the policy they have followed which has landed the common man in the rural parts in this predicament when starvation is staring him in his face. Irrigation schemes could have borne fruit had you taken them up earlier. For production to be obtained next year even from small schemes, you have to take them up to-day and what is the use of speaking about schemes, plans and borrowings or the confidence which this Government or this party or that has with the people? It is sure we are now possessed of one thing; I shall

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not say we are possessed with the devil; we are having this evil. I do not want that we should become devils; let us not be named by the people who preferred us to others to work for the common man as having become devilish in nature after coming into office. Control, as a matter of fact, is certainly an evil."

SRI V. RAGHAVAYYA :—" Madam, Deputy Speaker, on a point of order. What is the point in the hon. Member telling that members on the treasury benches have become devilish. I want to know whether that word is a proper term to be used even to the members on the treasury benches? "

THE DEPUTY SPEAKER :—" Let me at the outset tell the hon. Member that that term is not unparliamentary; I do not think it is out of order."

JANAB N. MUHAMMAD ANWAR :—" On a point of order, Madam, Deputy Speaker, The hon. Member said we have become devils. Some of us are still angels; is the hon. Member right in calling us devils? "

SRI M. G. NATESA CHETTIYAR :—" I never said that, Madam. What I said was: Let not the people call us devils. There are many instances in which I was called a devil in respect of the food question alone; what the people have called me, let them not call us all like that and let us not, therefore, behave and continue to behave as we have been doing. I know the Madras State has made very great efforts in the matter of food procurement and they have even approached the Government of India. It is only to help our Government that this chance has been afforded by the Constitution to us so that we may unanimously pass an amendment to the Address regarding this matter and I am sure it will strengthen the hands of the Government by giving the support that they deserve in this matter. For that purpose, we have to state what our constituencies have been repeatedly telling us. Of course His Excellency the Governor has stated that all possible steps to maximize production are being taken and they have also pressed upon the Centre to give us more foodgrains. But they have not responded to that appeal but on the contrary, they have been finding fault with procurement and other schemes that this Government has been promoting. There may be differences of opinion between this Government and the Centre; it is likely. They promised some financial help but afterwards they have refused it. We have strengthened the hands of our Government by subscribing over and above the loan amounts asked for—by what methods that has been carried out. I do not care; but we have succeeded in showing that we have the confidence of the people and we have got a right to rule the Province as long as we do our duty by the common man. Let us at this critical juncture make a supreme effort and get from the Union what we should; let us not be treated as we have been treated in the past and let us tell them: We have done what we have to do on the basis of your instruction and in co-operation with you; we have taken away all the grains from the

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common man and so we have to provide him with food and starvation will be a matter for shame for the Government. For that purpose, it is necessary that we have to propose amendments to the Address to strengthen the hands of the Government. True, we have taken steps to maximize procurement; it is of course an argument to show that we have tried our best to get the foodgrains we need from our part of the country but there is another side of the question to which I wish to refer. The procurement officials act very harshly and in an inhuman manner. Subject to correction, it is only two or three years ago that we prided ourselves upon the fact that we obtained the first place in point of procurement figures. To-day what is the position? It has drained the grains from the villages. Human touch was entirely absent in the procurement operations and I have got an instance where not even a single grain was left in a household of 18 members and in the place of rice he was given the B card, which is the card supplied to cultivators for enabling them to take rations. There are so many instances like this and if complaints are made what happens? "

THE DEPUTY SPEAKER :—" The time for the hon. Member is over. He can speak when the discussion on the food situation is taken up."

JANAB S. MUHAMMAD ISMAIL :—" Madam Deputy Speaker, I venture to support the amendment of my hon. Friend Mr. Salam although it may seem unfair to some hon. Members. But I have to support it as after deep thinking I felt that it expresses and gives in essence the general feeling of the masses, the common man of the State. When I say this I am excluding industrialists, capitalists, those people who are called Shylocks and sharks on the poverty-ridden and disease stricken humanity. The amendment mentions about factions in the party. Before I go into the details of the amendment, I want to make it clear that I have no concern with the factions within the party in power. But the fact remains that it is there and the faction is there. We have a war in Korea and though this war goes on between two nations, the effect of the war is felt by the people. In the same manner, though the factions exist within the party, the effect is on the people and the existence of the faction in the party is manifested in so many directions and the innocent are the people to suffer. I can give you example after example to show that it is the innocent who suffer but for want of time, I shall not do it. Yesterday when the hon. Gentleman Mr. Varadachari was speaking on procurement, he said that there is some mistake in the procurement policy of the Government. The question we have to consider is whether we are really producing enough grains to sustain our population or we have not got enough grains for that purpose in our Province. As far as 3-45 I am aware the seasonal conditions and the cyclone that ravaged p.m. this Province recently had not been taken into consideration. There are no figures for the surplus available in this Province. In the absence of that, Government are trying to milk an already milked cow. For my district, which is a surplus district, a target of 85,000

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tons or a lakh of tons has been fixed as the target for procurement. I submit the basis of the calculation for that is wrong, as no allowance has been made for the havoc done by the cyclone recently to my district. I request Government to revise their figures and find out where the fault lies.

"Then, Madam, Deputy Speaker, about corruption, I do not want to say much, as it is common knowledge that it does exist in the Province. In session after session, member after member has risen and spoken about corruption. May I know what Government have done to eradicate it? No doubt, there is an X-branch, which investigates into cases of blackmarketing and corruption and brings to the notice of Government offenders; no doubt there is a tribunal set up to try such cases and frame charges and make recommendations to the Government. But have Government carried out the recommendations of that tribunal in all cases? That tribunal has recommended in certain cases removal of the incumbent from service, and in certain others they have recommended reversion to a lower post. Have not Government in several cases reinstated persons who had been removed from service on the recommendation of the tribunal?

"Then a word about labour. Nothing was mentioned about it in His Excellency's speech. To-day labour is groaning under heavy odds. Of industrial labour and agricultural labour, there is no mention. This is an agricultural country and so we have to see that agricultural labour is paid properly. The Minimum Wages Act is there, and it has not been implemented. If at all it is implemented, it is implemented only in a few industries. I request Government to implement it in every department, in every industry and in every sphere of life throughout the Province.

"Then, Madam, I turn to the Communist menace in the Province. I know there is looting and murder committed by the Communists in the Andhra Desa. The steps that Government have so far taken have not suppressed this menace. On the other hand, because of the factions in the Congress party, innocent people have come to be involved and they have been sent to jail. If only Government examined the several cases where people have been sent to jail in the last few months and years or inquire in what circumstances some of these people had been killed, they will realise the force of my statement. Then, Madam, there is mention in the amendment about communalism and sub-communalism. Whether those two words mean anything or not, I leave it to the Hon. Ministers. Whether they have got this policy or not is known to the public and the people of the Province. So I need not dilate on that point.

"Coming to another point, I wish to ask Government, 'where is freedom of expression and freedom of speech in the Province to-day?' The general elections are fast coming. Though Government declare that there is political justice allowed in this country, yet they never allow any other party to make propaganda; they suppress the voice of the other parties on the pretext of Communism or security of the State; they send people to jail in hundreds on that

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score, and in that way there are several people undergoing hardship in jail to-day, who, if free, would do propaganda for the elections. Some hon. Members contended that the successful notation of the loan recently is the barometer of the confidence of the people in the Government. Madam, permit me to ask, 'who are these people who subscribed to the loan?' Madam, the loan has been subscribed to by industrialists, capitalists and landlords, who having money did not know how to invest it? Have the poor people subscribed to it. No, they have not done so. Therefore one cannot say that the people have confidence in Government. Madam, this amendment says that Government have lost the confidence and support of the people. If it is not already lost, at least it is slipping away for not doing something to ameliorate the condition of the masses. With these words, I second the amendment."

SRI B. S. MURTHI :—Madam, Deputy Speaker, I wanted to speak on the food problem, which is the burning topic of the day; but as the Leader of the House has been pleased to allot a day for that, I will pass on to another equally important and burning topic, the agrarian disturbance in the Province. Madam, our hon. Ministers have been very good in their professions and their promises. But unfortunately, they are not quick enough to realize their duties by the suffering millions. Last time when the amendment to the Agriculturists' Debt Relief Act came up for consideration in our party meeting, most of the labour members requested the Hon. Mr. Madhava Menon to allow us to move an amendment, which would have given relief to the toiling and moiling millions of this Province. But he said he was trying to bring another Bill which would wipe out all the debts of these tillers of the soil and hewers of wood. But so far, no action has been taken on that. Further, many more difficulties are being propped up on the agricultural labourer, and one of them is the political sufferers' bogey. Madam, it is a stunt created by my hon. Friend, Mr. Kala Venkata Rao. If you take the statistics of how many political sufferers there are in this Province, how many of them fought for the country, how many of them have been granted land, what sort of land is that, whether occupied or unoccupied, whether under cultivation under Grow More Food Campaign by Harijans and other agricultural labourers—all these things, if anybody is prepared to investigate, he will certainly agree with me, that it is a stunt, a huge hoax that is played upon the credulous masses in the rural areas. It is high time for the Ministry to call a halt to thus defrauding the public and declare that there is no land which can be granted to the political sufferers, if they are bold enough. Now, I can cite many instances where land that has been brought under cultivation by Harijans has been taken away and given to a very rich capitalist, who must have gone from place to place and told people that he is a political sufferer. In this connexion, I have to call the attention of the House to fact that two Collectors in the Andhra have openly declared that if the lands granted to political sufferers were not allowed to be cultivated by them, Police force would be used. I must tell the Collectors, and the Ministers behind them, that they should look to Belgium and

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see the fate of Leopold. Perhaps the Ministry may be very complacent to-day and may think that by machine guns and lathis they may be able to drive those people who go to land to eat the very soil of it. To-day the Ministers are asking us to eat herbs. There are people who are eating the sand of the soil and trying to live. It is a miracle how they are surviving all these difficulties. Now, the fate of Leopold will tell these Ministers that they are sitting on a volcano, and the unrest of those people, whose confidence the Ministry is fast losing, is there. When they sent them to power they did so in the belief they would be given food and raiment. But now they see that they are playing ducks and drakes with them. So, Madam, I say, it is high time the Ministers should halt. (Interruption.) I shall leave it to them. They know when to halt and when to start. Now, they must know where exactly is the trouble. The trouble is in the lack of planning. Unfortunately, it is a fact that the Congress Party has been divided, and it is to-day more or less a house on fire, and in our eagerness to grab leaves and fishes we are forgetting our duty to the people who were responsible to put us in power and who were responsible to win our country freedom.

"Madam, there is one more point I would like to dwell. That is about the social boycott of Harijans by some caste-Hindus."

THE HON. SRI B. GOPALA REDDI:—"Bourgeoise."

SRI B. S. MURTHI:—"Bourgeoise is the term the Hon. Mr. Gopala Reddi would call it. No, it is callousness."

THE DEPUTY SPEAKER:—"You are to address nobody else except the Chair."

SRI B. S. MURTHI:—"The Hon. Mr. Gopala Reddi would call it Bourgeoise but I would say it is not the proper term; but callousness is the term best suited for those people who day-in and day-out think of untouchability as a citadel for pure Hinduism. Hinduism has been purified by the lifeblood of Mahatma Gandhi. No more purification is necessary; and the Harijan to-day is the chosen child of God, and anything done to him is sacrilegious. It is something like sinning against the Holy Ghost; for sinning against the Holy Ghost is the worse sin which anybody can commit according to the Bible. (Interruption.) For Bible should be taught to everybody who does not know how to treat his neighbour, as an equal and a brother. Now there are several cases where Harijans are being socially boycotted. Their houses are being pillaged; there is arson and looting going on there. Recently in Sompeta taluk, such treatment went to the depths of degradation. In Makennapuram, the Harijans were driven away from their houses with lathis and dangerous weapons. The support of the Deputy Tahsildar was sought; and it did not produce any fruitful result. So on the 25th of May last, the Harijans left their houses and ran away to a far off place and took shelter in Sirdarpuram, away from the wrath of the infuriated caste-Hindus. Afterwards several appeals were made and

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deputations waited on the Revenue Divisional Officer and the Collector of Visakhapatnam. As there was no response, at a meeting held on the 9th July, Mr. Punniiah, a young Harijan, decided to go on a fast. Mr. Punniiah's decision was conveyed to the Collector and the other officials concerned. But no action was taken." 4 p.m.

THE HON. SRI B. PARAMESWARAN:—"I would like to inform my hon. Friend from East Godavari that the moment the Collector received information about some disturbance there, he did take action. The Government also took action. There were only a few days left before them. Mr. Punniiah went on a fast voluntarily. Now everything has been settled, Mr. Punniiah broke his fast, and the Harijans and Caste Hindus there are living amicably. There are only a few houses there."

SRI B. S. MURTHI:—"I thank the Hon. Minister for this explanation. But let me remind him that the wound may heal but the scar will not. The scar will be there as a reminder of how it had been caused. Mr. Punniiah is safe, thanks to the action taken by the Minister. I have been seeing the Hon. Sri B. Parameswaran regularly every day from the 26th onwards. He and his Secretary were very kind to me. I am not referring to that. I am referring to the district officials. They knew that a responsible worker and a member of the Andhra Provincial Congress Committee was going on a fast but did not take any action until the Secretariat from Madras goaded them. Similar instances in Sirkali in Tanjore district, Kasikuli in Guntur district and Attur in Krishna district were narrated by my hon. Friends. All these are cancers which will eat into the vitals of the body politic and the Ministers by manthrams or thanthrams cannot bring amity and confidence which are necessary for the smooth running of administration."

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—"Madam, Deputy Speaker, I should like to make a few observations on the address delivered by His Excellency the Governor. Whether it has been prepared by the Government or by His Excellency himself, I should like to thank all concerned. It may be good but it is like meat without salt. Important matters which vitally concern the several millions of this State have been left out. So many Members have been making representations in this House on behalf of the millions of people of this State and urging the Government to do this thing or that thing. My speech will be directed to safeguard the interests of not only the people of this State but also of the Ministers. We should take a very serious view of things. We may have plenty of food and clothing, we may maintain law and order well and everything may be in a tip-top condition. Unless and until we eliminate certain social vices, this State will go to ruin. I should like to say that the conditions existing in India especially in our State to-day are similar to the conditions which prevailed during the time of Chiang-kai-Shaik in China and in Russia before the 1917 Revolution. Corruption, nepotism, blackmarket and food shortage are rampant in our State. Our Ministers have been trying

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their level best to put an end to these things. Still the position has not improved. I should like to say that their hasty schemes and hasty programmes have more or less ruined this State. Things should be done properly and with foresight. In this connection, I am reminded of a story. Once a calf got its head stuck up in a pot. The owner was very anxious to save the calf. He cut off its head. But then he found that he could not take away the severed head from the pot. So he broke the pot. A similar policy is adopted by this Government. They sanction several crores for so many irrigation schemes. But after the work is completed, there is no rain. I am not saying this for argument's sake; this is what is actually happening. Their solution for the food problem is like touching the nose in a roundabout way instead of directly. The easiest course is to take the shortest route. We are not accustomed to eat wheat. When we ask for rice, the Government supply us with wheat. This is so because the control is in the hands of the people at the Centre who are accustomed to wheat. If they had been accustomed to rice, they would have imported and stocked a large quantity of rice and supplied us whenever we wanted.

"The next thing I would like to speak about is the communal G.O. I am not a lawyer. But after all law is based on common-sense. I tell the hon. Members in this House and millions of people outside that the communal G.O. is a blessing for all. Those who think that they have won their case will be the losers and those who think that they have lost will be the gainers in the long run. If we want to maintain communal harmony, that G.O. must be there. What is the harm in having it? When one takes his food and I, who have no food, ask for a morsel, he replies 'no'. Can there be any moral or legal justification for the reply? Our Ministry consists of Messrs. Kumaraswami Raja, Bakthavatsala Mudaliar and Gopala Reddi and so on. It is formed on the basis of community. Some people say that the communal G.O. should not be there. This high-sounding philosophy and tall talk is nothing but hypocrisy. The selection to the High Court Bench is made on the basis of community. Mr. Basheer Ahmed Sayeed is there not because he is the greatest man in this State but because he belongs to a particular community. Without that G.O. one community will go on advancing while the other communities will continue to be in their backward state. The operation of the communal G.O. gives scope for all communities to advance.

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

I wish to say a few words regarding religious instruction in schools. Religious instruction is necessary unless we want to make the people godless as the people in Western Countries have become. People interpret theocracy in a different way. Theocracy is the best form of government. The fundamental principle of theocracy is that the State belongs to God and that the Government are the custodians or trustees. Theocracy does not mean government by religious laws and rules. In Turkey

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Mustafa Kemal Pasha abolished all religious instruction. Subsequently the Government of Turkey introduced religious instruction in every school. Religion is what makes a man a man. Religious instruction is to a man what cutting and polishing is to a stone."

SRI A. VAIDYANATHA AYYAR:—"On a point of order, Sir. I want to know whether the learned Member is pleading for the Indian Union to become a theocratic State."

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—"My argument was that under a theocratic form of government, the administration will be fair.

"As I have already said, the Address is like meat without salt. Whoever has prepared it, many problems vitally concerning the people have been left out. It is like forgetting to tie *thali* in the hurry-scurry of the marriage. Unless you find out some means by which you can root out this corruption from top to bottom and unless you stop this nepotism and blackmarketing that is going on in this Province, there is no salvation for this province. It is the blackmarketeers who are evading to pay taxes. Recently we have seen in the papers, charges against the Birlas and Dalmias. I was told that an honest officer who made inquiries and reported to the Government of the tax evasion by these two magnates was either suspended or dismissed. You know, Sir, that it was openly challenged by Seth Ramakrishna Dalmia that they had to give so much money to the Gandhi Memorial Fund, on account of compulsion by the Government. Therefore it comes to this that the Government are giving licences to these people to evade taxes and to indulge in corruption and blackmarketing, because they have been helping and financing Congress organizations and are the friends of Congress leaders.

"With these words, Sir, I close my speech."

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, after four months of interval, we are meeting again to-day and the debate on the Address of His Excellency the Governor has afforded an opportunity to us all to take stock of the situation in the State and in the districts and in that way, Sir, the debate has proved itself very useful, so that Members from the various districts were able to ventilate their grievances and difficulties on the floor of the Houses and thus bring them to the notice of the Government. Sir, the Government will certainly examine the various points raised by hon. Members in their speeches during these two days, because I find that all the Departments are taking notes of the speeches of the members and I am sure they will scrutinize them and take necessary action on them. And therefore, hon. Members will forgive me if I do not reply to all the points raised by them in the course of my present reply.

"Sir, while I am on this point, I do not know, whether whenever there is a Governor's Address to the Legislature we should have two days debate as a rule. I know that we may have

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to debate on His Excellency's Address under the Constitution. But whether two days should be allotted for the debate every time is a matter about which I am not quite sure, but I find that in the Indian Parliament they have allotted only one day previously and this time as a very special case, they have taken the debate to the next day till 3 p.m. Whatever that be, Sir, that is a matter entirely for you to decide in consultation with the various leaders of parties, but my own opinion is that one day should suffice."

MR. SPEAKER:—"Some hon. Members are not satisfied with even two days debate. They want three days."

THE HON. SRI B. GOPALA REDDI:—"Sir, some hon. Members rightly referred to the success of the loan, while certain others criticized it from their own point of view. I think, Sir, there are several reasons for the success or failure of a loan. It may mean anything or it may mean nothing. Some members asked why the issue price of the Bombay loan should be 99/8, while this Government's loan should be 99 and that of the Madhya Pradesh, 98/8. I do not think, Sir, that the issue price of any loan has anything to do with the financial strength or stability of a State or that it is an index of the solvency of the Government. I think, Sir, that the success or otherwise of a State loan depends upon so many factors, and particularly upon the inclination of the investing public, to invest their funds on these loans. Sometimes it is the local patriotism of the investing public that is responsible for its successful flotation; sometimes it is the easy liquidity and transferability that counts and sometimes it is the duration of the loan that counts for its success. Suppose, for instance, it is a ten-year loan; perhaps some investors might require money at the end of two years. If they dispose it of at the end of two years, perhaps it might sell at a premium, sometimes it might be at par or at a discount. Therefore, the investors take all these factors into consideration and also the issue price, and if they think it is advantageous to them, they subscribe to it. Some loans are over-subscribed, while some are not subscribed at all. I do not say that the United Province Government had no solvency at all, because their loan was not fully subscribed. It is a much bigger province than ours, and there are more industrial magnates there; there are very many sugar factories making huge profits and there are great businessmen, commercial houses and banks in that province. But still if the loan had to be written down by the underwriters, I cannot say that the United Province Government is less credit-worthy than the other Governments. Perhaps it is an inscrutable mystery, and I do not claim to know anything about its intricacies and perhaps people in the stocks and share-markets would be able to explain it."

SRI V. RAGHAVAYYA:—"You may ask your Economic Adviser."

THE HON. SRI B. GOPALA REDDI:—"I don't think he knows anything about it. But, anyway, Sir, I am glad that our

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loan had gone through and as my hon. Friend the Leader of the Opposition said, it is not merely the richer people alone that have subscribed to it, but also many common people from the districts have contributed to it. Sir, I had occasion to scrutinize what every district had contributed towards this loan and I find that the response from the rural areas and especially from the Telugu districts has been particularly good. Of course poorer people do not generally go in for these loans, because these loans are mainly intended for the bigger investing classes and for banks and insurance companies and therefore there is no special meaning or significance in banks and insurance companies having responded to it. Anyway, Sir, we are happy at its success, because we have now before us some big schemes involving huge capital expenditure and last year we did not get anything from the Government of India or from open market loans, and it put us under a very severe strain so far as our ways and means position is concerned, because we had to overdraw our requirements from the Reserve Bank. Last year, even from the first week of April we had to take an overdraft from the Reserve Bank. According to their restrictions, whatever we overdraw, we must clear before the end of the quarter; and so we had to clear the overdraft before the first week of July and we were then spending very anxious days as to how to repay that overdraft from our revenue receipts. Every year we are drawing nearly Rs. 4 to 5 crores from our revenue account, apart from what we spend on our capital expenditure programme. But this year, I am sure, our ways and means position will be improved considerably by this loan and therefore we are particularly happy because our programme for rural electrification and other hydro-electric schemes and also some of our irrigation projects can be pushed through with less amount of anxiety. But at the same time, I must say, that even now we are not yet out of the woods, because, as I said last year, we spent Rs. 10 crores on capital expenditure and again this year we have programmed for an expenditure of Rs. 12 crores and so, we have to find Rs. 22 crores by some means or other, but now we are getting only Rs. 4½ crores by these loans, and therefore we have either to sell our securities or get a loan from the Government of India to meet the remaining portion. We have till now sold our securities to the tune of Rs. 44 crores, but the Government of India and the Reserve Bank would not permit us to do so, as and when we require money, because it would depress the money market and produce adverse repercussions on other shares and securities. Therefore it was with very great difficulty that we had to persuade the Reserve Bank and the Government to permit us to sell the securities we held in our hands. But now it seems that floating a loan is easier than selling our securities. From this point of view also, we are happy that our loan has gone through, much beyond our expectations. People were very nervous whether it would be a success. Ever since 1939 when we began floating open market loans, we had to resort to the institution of underwriting, because somehow or other, our previous loans were not

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a complete success. In 1939 when we first floated a loan, we had to draw on the underwriters to the tune of 15 per cent and in the next loan, we had to requisition 20 per cent on the underwriters. Therefore, Sir, in view of the past history of our floatations, we were afraid that we had to draw upon the underwriters, this time also. But I am glad that we need not have to do so this time, and our ways and means position will also be considerably eased and we can go on with our capital programme with courage and confidence.

"Sir, last year the Government of India promised to give us a loan of Rs. 6 crores, but they could not do so for various reasons. This year we are again requesting them to give us a loan, so that our bigger irrigation schemes may be pushed through without any financial difficulty.

"Sir, I cannot but mention, in this connection, the great interest taken by our various friends in making this loan a success. In particular, I am glad to say that my hon. Friend Mr. C. M. Kothari, apart from being a member of this House, even as a friend, with his long experience in the field as an underwriter and as a stock and share broker, had taken a keen interest upon himself in making this loan a success and he was canvassing support for it from various quarters and various institutions. I think it is exceedingly kind of him to co-operate with the Government in this respect. As an individual, as a Member of this House and as a friend, he has done what he could to make this loan a great success.

"Sir, the next important subject which is naturally uppermost in the minds of hon. Members is the food situation and it is but natural that they have taken this opportunity to express their difficulties and grievances on the floor of the House, because of the harrowing tales of starvation and suffering which had reached their ears in the districts. Sir, we are ourselves quite alive to this situation and we are not at all happy over what is happening in the districts. I know, that when our Chief Minister had been to Courtallam, he had himself seen the sufferings of the people there on account of scarcity of food and had studied the situation there first-hand and he also informed us at the Cabinet meeting how things were not going on according to our expectations and urged that we must do something immediately to relieve the situation in those districts where there was keen food scarcity. We have therefore sent a personal letter to the Food Minister of the Government of India and we have also sent our Food Secretary there, who is expected to meet the Food Minister in conference this afternoon in Delhi and we will know what the result will be in a few days. So, Sir, we are certainly taking all possible steps to relieve the distress in those districts. As I said, we are not at all happy over the food situation in this province and hon. Members need not be under the impression that we are either very complacent or indifferent to what is happening in the districts. We have already taken the necessary steps in the matter, we are on our oars and we are pushing with all

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energy and vigour our programme of procurement and distribution and we shall do what we can to rush stocks to those districts which are in need, and see that the sufferings of the people are mitigated. Sir, we have been unlucky during all these years, owing to the failure of monsoon and floods, and this year too, we are a bit unlucky. The north-west monsoon which was expected in June-July came a little later than usual in the Telugu districts and in the West Coast and also in the southern districts. That has upset our time-table. We knew that on account of the cyclone in the Andhra districts, production would be less by 3½ lakhs of tons, and hence we had to reduce our procurement target in those districts. Originally the Government of India were giving us 3 lakh tons of rice, wheat and wheat products. But this year on account of our repeated representation and on account of the pressure brought to bear upon them, they have increased their quota to 5.4 lakhs of tons. Originally the rice quota was 80,000 tons, but later on they have increased it to 2.5 lakhs of tons.

"Sir, I must say, at the same time, that it is not at all true that in the Circar districts procurement has broken down and that people are not prepared to part with their grain. Just now I had a conference with the Deputy Commissioner of Food Production and other officials of the Food Department and they have given me certain facts and figures and they are not at all dissatisfied with the procurement in those districts in spite of the havoc wrought by the recent cyclones. But the cyclone had its own effect, no doubt, on the second crop. The grains and seeds that they reserved for the second crop had to be used for paying agricultural wages because of the delay in the rains this time and so there was some difficulty in procurement on that account and although the second crop this year is not as good as before, yet it is not entirely bad. Sir, in the East Godavari district, for 90,000 tons, they have procured about 67 per cent and they have so far removed only 37 per cent. In West Godavari, for an estimated production of 165,000 tons, they have procured 62 per cent and moved only 41 per cent. Moreover, Sir, even what the Government of India had promised, they could not deliver in time. That is another difficulty. Their quota of wheat, milo and other things came only in June-July, while we were expecting them even earlier and therefore in some parts of Coimbatore, we could not give the additional 4 ounces of wheat and wheat products, and we were obliged to give the full ration in the form of rice only. That has to some extent added to the deficit in rice. Again there were so many bottle-necks in the way of transport. As my hon. Friend, the Rajah of Chettinad, explained yesterday, it is true that owing to lack of water, the railways could not run a larger number of trains, because some of the wells which were supplying water to the engines had dried up. Besides, we had also the difficulty of transshipment from the broad-gauge to the metre-gauge lines. Suppose, for instance, rice had to be rushed from Bezwada to Ramnad, there is no regular broad-gauge trains from Bezwada to Ramnad. We had

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to take the stocks through the broad-gauge to Arkonam and from there we had to tranship them into the metre-gauge waggons and then send them to Ramnad through various stations and junctions, which involved delay and great difficulties in transshipment. Waggons and delays in siding waggons also increased our difficulties. Apart from all these difficulties, as I have already mentioned, owing to the failure of monsoon in June-July this year, our timetable in regard to procurement has been a little upset, because people could not begin their agricultural operations earlier and they had therefore to pay their labour extra grains. But if the rains had come in time, the strain on our ration shops would have been lessened. But because rains have been delayed, they are unable to begin their agricultural operations. They are not able to distribute grain to agricultural labour, and all of them have to resort to the ration shops. Thus, so many difficulties have arisen. We anticipated all these difficulties. We have been repeatedly requesting the Government of India to give us more rice. When they increased the quota to 5.5 lakhs of tons, the rice quota was increased to 2.5 lakhs of tons. We wanted more of rice to be given to us, and that stocks of wheat and milo were sent to us in time. Our Deputy Commissioner of Food Production was with me this afternoon at lunch time. He was confident that things were moving now, and that we also would move the quantities to the required places. The Food Secretary, Mr. Kuttalalingam Pillai, will be arriving here from Delhi this evening, and we will know the position then. We are alive to the situation.

"Of course there is the procurement drive. For the last three or four years we have been hearing harrowing tales of how procurement is made, how the officials are hard-hearted and cruel to the people, etc. Whatever that is, our instructions are clear that the procurement officers should not harass people. But we did give them a drive, especially in the present situation, that they must procure more and more in the surplus districts. In East Godavari and West Godavari all our officers are trying to procure more and more, and they are trying to move the paddy to districts which are in need. I am told that South Kanara and other districts are receiving supplies. Some of the ships are sent from Kakinada to Tuticorin and to Cochin so that the distribution may become easier, and there may not be much strain on the railways. As I have already said, we are unlucky, because the monsoons have not favoured us for a number of years. This year, we do not know how the monsoons are going to behave, especially in the southern districts, and this has created a large amount of trouble for us. Hon. Members may rest assured that we are trying to do our best, though, of course, we are not complete masters of the situation. We are at the mercy of the Government of India. I say again there is no lack of sympathy on their part. They are trying to do their best. Just now our officials tell us that because there were some cases of deaths due to starvation in Bihar—at least reported deaths due to starvation—the Union Food Minister became very anxious, and he rushed

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large amount of grain to Bihar, where procurement is not as good as it is in Madras. I think that even before we reach that stage of death by starvation, we would receive more supplies, and we would see that nobody in this State dies of starvation. It is no use blaming the Government of India. They have their own difficulties—sometimes financial difficulties, sometimes exchange difficulties, shipping difficulties, etc., and they are battling with a hoard of difficulties. Let us hope that the Government of India will come to our rescue and save our starving people.

"The next point that was raised was the law and order question. This is agitating the minds of our people for a long time. Some people say that there is police excess, and that police have been given the utmost liberty to deal with the rights of citizens as they like, and in some quarters they say that our officers have not firmly dealt with Communists and all other anti-social elements. There are always two sides to the picture. There may be some truth in both of them. As I said last time we never would allow our police officers to harass innocent people by lathi charging them or imprisoning them. But at the same time there are instructions to them that they must deal strongly and firmly with all the anti-social elements, and that they should not be lenient towards them. I think firm action by the police in the Circars has had its effect. I had talks with the Inspector-General of Police and the Deputy Inspector-General of Police. I have also seen some of the arrangements they have made in Krishna district. (Interruption by Sri V. Raghavayya.) The hon. Member may put a question on this, and whatever information we have will be supplied. I am not dealing with any particular case. There is very great difference between what is happening now and what was happening three months before. Even now, people do come out and occasionally they kill a karnam and then they try to steal away property. But the raids which were taking place four months before, had the speciality about them. Every raid then meant 200 or 300 people coming out with firearms and other deadly weapons, and trying to raid the village. Nowadays the people have seen the firm action of the police. Members of the Communist Party are not supporting the people to raid now. Only about 7 or 8 people come under cover of darkness, and they, after killing one or two people and stealing property, run away. The police have been observing every night how many people are coming, what their number was previously, and what their number to-day is. The police have organized the villagers. I was travelling from Gudivada to Bezvada, and I saw how every village was being protected by the villagers themselves. The villagers keep vigil the whole night by turns of two hours for every batch, and they are protecting their village. They have their own alarm signals; and if they spot out anybody who is a suspect, they immediately sound the alarm, and then all of them gather together to protect the village from the raiders. In this way, people are coming forward to help the Police in saving themselves from the Communists. Communists have become a menace, it is true. They have become desperate in a way, and they have also firearms and

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they are using all tactics. Therefore, the police and the people also had to organize themselves in order to resist their invisible overnight aggression. The District Superintendent of Police in Krishna told me how things had changed now, and how after the formation of the village protection committees many of the Communists in the district were now dispersing into various other districts, because they found conditions there were very hot for them. They are now trying to cross over into the other districts of Nellore and Guntur and also Hyderabad. Therefore they think it is really a good sign of improvement for us at least as far as Krishna district is concerned. I think in the border areas of Hyderabad and Guntur also people will come forward to assist the police in trying to form village squads so that the Communists may not attack innocent people. In my own district I have heard people saying that the police are given a free hand, that they sometimes implicate innocent people, and that they harass innocent people because they suspect some of them to be Communists. Of course it is deplorable that innocent men should be harassed, but yet we must allow people on the spot a little latitude not to harass people, but to have their own methods of investigation, and to book only those people who are really guilty. It is no use interfering at every stage with their discretion, and with their knowledge of local conditions. It may sometimes appear that innocent people are being implicated, but the police people have their own records and evidence. Before doing anything to any particular person, they generally verify all facts. Therefore, it is best in these circumstances to allow the police a little latitude. Of course it is true that in any case if they have done anything in excess, certainly the departmental officials and the Government would deal with them in a severe manner. Otherwise, things will go wrong, and it will become really a Police Raj and police zoolium will prevail in the districts. That is not our intention at all. Yet it is our desire that the police should be firm and they should not vacillate when dealing with people who are out to destroy property and kill innocent people. They must certainly be dealt with in a firm manner.

"The hon. Gentleman Mr. Hameed Khan was referring to the Rs. 3 crores saving and he ridiculed the idea of retrenchment. I know his general views. He does not like retrenchment, because unemployment in the country will increase. He wants the Government to go ahead with their programmes so that we can employ more and more people and give them employment. What we did say was not as though we tried any drastic retrenchment, and that we were going to save Rs. 3 crores from the budget allotment. Some of our programmes on road maintenance or capital expenditure or even revenue expenditure have been deferred or staggered so that it may not put a severe strain on our ways and means position. Suppose we have decided that Rs. 15 lakhs should be spent on any particular plan this year. We have only asked the departments to spend Rs. 8 lakhs this year, and the rest next year, so that there may not be any severe strain on this year's ways and means position. By this we have tried to work out a small saving.

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It does not mean any drastic retrenchment. We have not thrown out people. We have only deferred some programmes, and thus we have tried to bring about a small saving in this year's revenue expenditure to the tune of Rs. 8 crores.

"The hon. Member Sri A. Vaidyanatha Ayyar referred to the question of compensation to a large number of under-tenure holders, whether they were likely to get compensation or whether they would get 'nil' compensation, when their estates were taken over, etc. These cases have come up before the Government. We are examining this question. The Hon. the Minister for Revenue has already promised or is thinking of bringing in legislation to deal with such hard cases. Because as Mr. Vaidyanatha Ayyar pointed out, sometimes when the estate is taken over, instead of the Government paying the estate holder any compensation, he is asked to pay some compensation to the Government. Those hard cases are being examined. Certainly suitable legislation will be brought forward to deal with such hard cases."

SRI A. VAIDYANATHA AYYAR:—"What about soaring prices?"

THE HON. SRI B. GOPALA REDDI:—"Soaring prices is another question which has been debated very fully in the Parliament of the Indian Union. For the last four or five years I think all the Ministers of the Government of India, economists, and the officials have been battling with this huge problem of soaring prices."

SRI V. M. RAMASWAMI MUDALIYAR:—"All of them have gone wrong."

THE HON. SRI B. GOPALA REDDI:—"If all of them have gone wrong, I cannot do better, and I do not think it will be possible for me to do better. It must be a co-ordinated action between the Centre and the States. Economists are advising us. There are other people also advising us. In spite of all this advice, we do find that prices are soaring in certain commodities which have no relation to international or even national markets. Without any reason or rhyme prices go up and up. I do not know what this Provincial Government can do to combat this spiral of soaring prices. Mr. Majid always speaks on this point."

SRI A. VAIDYANATHA AYYAR:—"Ours is a sovereign Government with full powers."

THE HON. SRI B. GOPALA REDDI:—"I wish it were so. We are told that we are not fully sovereign and that for every little thing we have to look to the Government of India for their co-operation and for their instruction, and after the Constitution came into force, we have to get the permission of the Government of India for certain things. Now we are not under the old Government of India Act of 1935. I do not think that under the new Constitution it is undiluted provincial autonomy that is recognized. While the States are absolutely sovereign, they have to fall in line

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with the Government of India with regard to certain matters. There are instructions issued by the various Ministries of the Government of India and they are trying to check us in every matter and so I do not think that we can claim that position for our Government. But yet we will certainly co-operate with the Government of India in whatever they do and I do not think they have any complaint with regard to our attitude generally in their efforts to combat inflation."

SRI A. VAIDYANATHA AYYAR:—"On a point of information, Sir. Have this Government pressed upon the Government about the rising prices and the urgency of the need to bring them down?"

THE HON. SRI B. GOPALA REDDI:—"That is the only thing we do whenever the Government of India Ministers come down to Madras. Mr. Natesan was complaining about the visits of the Central Government Ministers and I must inform this House that we do transact very useful business when those Ministers come and certainly inflation has been one of the points raised. Even without our raising the question, they know the things well. They tour the whole country, Assam, Bombay, Bengal and every place and they do know that there is this high cost of living, that prices are soaring and that they must battle with this problem. When the Hon. Mr. Deshmukh was appointed as Finance Minister, everybody thought that 'here is a wizard who is coming into the Finance Department and he will work wonders'. But last night he said that he was only a worker and not a wonder-worker. Therefore, we cannot expect too much from the Central Minister also."

SRI A. VAIDYANATHA AYYAR:—"Can we not expect wonders from our financial wizard?"

THE HON. SRI B. GOPALA REDDI:—"Our Finance Minister has been functioning for the last three years and I think he has not been able to work any wonders at all."

SRI C. M. KOTHARI:—"What about the handloom cloth problem?"

THE HON. SRI B. GOPALA REDDI:—"With regard to yarn and handloom cloth, we know again the difficulties confronting us. We know the cotton position in the country. We know that in the next few weeks there will be a little crisis because for lack of cotton many of our textile mills had to be closed down sometime ago. We had to ask them to slow down production because there was scarcity of electricity."

SRI A. VAIDYANATHA AYYAR:—"Would the Government permit the people to take it into their own hands to see that by direct action rising prices are brought down?"

THE HON. SRI B. GOPALA REDDI:—"Does it mean violence?"

SRI A. VAIDYANATHA AYYAR:—"It is open to the people to see that merchants who are selling things at higher prices do

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not do so just as we did during the Congress movements in the past with regard to foreign cloth. Would the Government co-operate with the people if they try to start organizations street by street and shop by shop?"

THE HON. SRI B. GOPALA REDDI:—"As long as the propaganda or picketing is non-violent, certainly the Government will co-operate and help these non-official agencies. We will certainly welcome non-official people, our own volunteers, our own Congress Committees, our own friends from the Muslim League to co-operate with us and try to organize some propaganda so that public opinion can assert itself on those people who are responsible for creating these higher price conditions. As long as it is peaceful, the Government will certainly support them instead of thwarting them at all."

SRI V. RAGHAVAYYA:—"Is not control of prices essential?"

THE HON. SRI B. GOPALA REDDI:—"The cry is not to have these controls. They create their own problems. If the Government introduce control with regard to chillies, the chillies will go underground. The underground mischief of the chilli will be much more dangerous than the surface danger. Therefore, it is not so easy. Suppose we simply pass an order that chillies shall not be sold at more than a specified price, they will go underground and when you go to the market, they will not be available. Somebody will come and say that if you give him 8 annas more he will give you chillies. So, these are the problems which we have been experiencing for the last three or four years. There have been experts advising us not to have any controls but to allow everything to have its own free movement and there are other people who say that if you do that, there will be a crisis, and we cannot afford to take the risk."

SRI V. M. RAMASWAMI MUDALIYAR:—"Is it not possible for the Government to collect information as to what quantities of necessary commodities are available in the market and publish statistics as to what the reasonable prices will be, so that public opinion may be created and the people may know who are the merchants that are black-marketing and selling things at higher prices?"

THE HON. SRI B. GOPALA REDDI:—"If I want to find out how much of tamarind and chilly is in the market in all the districts and in all the villages, I might require an army of officials and I am sure this Assembly would not sanction it when we come forward with a supplementary demand. This work will require an elaborate machinery and I think that the results would not be commensurate with the trouble we take. There is a danger in doing this and in doing that. Therefore, I think we will have to take a fair and cautious course in all these matters. (Dr. S. Subrahmanya Ayyar: 'To avoid danger, we must allow things to take their own course.') Yes, without violating Gandhian principles of non-violence."

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SRI C. M. KOTHARI:—"What are the steps taken to prevent the crisis with regard to handloom cloth?"

THE HON. SRI B. GOPALA REDDI:—"I have no views on this cotton matter. I think my Hon. Colleague Mr. Perumalsami Reddi will be in a better position to know about the cotton crisis which is likely to come. But there again we are absolutely at the mercy of the Government of India. We have to follow every instruction and directive issued by them and whatever directive is issued must be obeyed by us and implemented. Therefore, we have not much of an opinion in the matter and freedom of action. We are only co-operating with the Government of India in trying to solve these problems.

"I am really sorry that Mr. Raghavayya referred to the High Court judgment. I wish he had not referred to it. Things would have taken their own course without any mention from Mr. Raghavayya or without any reference to any compliments paid to the Chief Justice or Mr. Justice Somasundaram Pillai. No Government can issue orders which are repugnant to the provisions of the Constitution. It is a well-known principle that whatever is repugnant to the Constitution cannot have any force at all. But whenever the communal question is raised, passions are roused, somehow it is a very controversial matter and people talk vehemently and think violently about it. There are people who support the Communal Government Order and there are others who oppose it tooth and nail. It has been the sorry story of our State for the last several years. So the less we talk about the Communal Government Order the better for all. Of course, there are the forums, the press and the platform where these things can be discussed. There are the people who are also thinking about this. They are also offering their advice. Therefore, if you want to avoid any heat in this House, the less we say about the Communal Government Order the better. The other things will have to be examined and necessary action will be taken. Now I can only say that the Government cannot ignore the wishes of the people. The interests of the backward people and the weaker sections of the community must be also looked after by the State. That is a well-known principle and this Government also cannot ignore it and we shall certainly see what can be done with regard to the judgment. I think the Members may trust the Government to do the right thing."

SRIMATHI C. AMMANNA RAJA:—"I want to know whether the same principle does not hold good with regard to separation of linguistic areas."

THE HON. SRI B. GOPALA REDDI:—"I only appeal to the Members with regard to the Communal Government Order or with regard to language things not to create any heat. There are things which can be said without creating any heat in the House. There are other things which cannot be done likewise. Therefore, as far as possible if we can avoid heat either in the matter of religion, community or language, the better for all of us. There are things, of course, which must be said and to which the

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attention of the Government must be drawn. If there is some injustice done to any particular area, language or religion, certainly it is the duty of the concerned representatives to bring it to the notice of the Government. If something wrong is done to a mosque in Gudalur, Nellore or Vellore, it is the duty of the Muslim League representatives to bring it to the notice of the Government and see that prompt action is taken. Likewise, there are certain things which must be represented to the Government with regard to language matter also. Otherwise, we may not know about them. So, that is the function of the Members coming from the districts. But there are ways and methods of doing things and unfortunately this Communal Government Order is a thing which always creates a little excitement whenever we speak about it. People are thinking about it and we are also thinking about it. But I do not know whether the Government have received a copy of the judgment and examined it. It is too early for me to say what is going to be done, whether we are going up to the Supreme Court or not. It is now too premature for me to announce those things but this much I can say to all these Friends who are unnecessarily getting excited by demonstrations that they need not be frightened. (Interruption.) It is our duty to tell them that they need not get excited. They need not make this a political issue to beat the Congress and they need not organize any violent or abusive demonstrations. When young people go on demonstrating, they are likely to be misled also sometimes by political leaders who want to utilize it for their own purposes. We can only say that we shall take all steps possible to see that people are given opportunities for education, appointment, etc., and as we have been doing in the case of the Harijans, we shall certainly stand by the weaker sections of the community. That is all we can do for the present.

"I request all the hon. Members who have moved amendments in order to draw the attention of the Government to the various aspects of the situations developing in the districts to kindly withdraw their amendments and to allow the motion moved by Mr. Tatachari to go without any division."

SRI V. I. MUNISWAMI PILLAY:—"What about evictions of Harijans that are taking place in Tanjore about which speeches have been made?"

THE HON. SRI B. GOPALA REDDI:—"I think the hon. Member will do well to raise specific questions so that the Land Revenue Minister can answer them suitably.

'Then, the amendments of Messrs. M. Mohammad Ismail K. R. Karanth, Mohammed Rafeeuddin Ahmed Ansari, Pydah Venkatanarayana, M. A. Salam, T. Viswanatham and M. G. Natesa Chettiar were withdrawn, with the permission of the House.

The amendments of Messrs. Govindaswami Naidu and B. S. Murthi were deemed to be withdrawn as they were not in their seats."

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MR. SPEAKER:—“I now put the motion to the vote of the House—

‘That an humble address be presented to His Excellency as follows:—

“May it please Your Excellency,

We, the Members of the Madras Legislative Assembly beg leave to thank Your Excellency for the Address delivered to both the Houses of the Legislature.”

The motion was carried *nem-con*.

MR. SPEAKER:—“I adjourn the House till 11 o'clock on Saturday, the 5th August 1950.”

The House then adjourned.

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

1. Statement containing particulars etc., of education tax.
2. Complaint against the Firka Supply Officer regarding procurement from Sri S. Ranganatha Iyer of Kotlambakkam village—Information laid on the table with reference to the answer to the Legislative Assembly Question (Starred) No. 237.

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, the 5th August 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Communist menace in the Andhra area.

* 1. Q.—JANAB MOHAMED ABDUL SALAM: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that the Central Government have sent certain instructions to the State Government in the matter of putting down the communist menace in the Andhra area; and

(b) if so, what the instructions are?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Chief Minister):—“(a) No.

“(b) Does not arise.”

JANAB MOHAMED ABDUL SALAM:—“May I know whether the steps that the Government have so far taken to meet this communist menace are not the proper methods and whether the Government are thinking of some other methods to meet the situation?”

THE HON. SRI K. MADHAVA MENON:—“I do not know what the hon. Gentleman means by ‘some other methods’?”

MR. SPEAKER:—“The question is vague.”

JANAB MOHAMED ABDUL SALAM:—“May I know whether the factions among the party in power in Andhra Desa have anything to do with the Government's failure to meet the situation?”

THE HON. SRI K. MADHAVA MENON:—“I do not at all accept his suggestion that there is Government's failure in the matter. We have not failed in spite of the hon. Member.”

SRI V. RAGHAVAYYA:—“Is the Hon. Minister or the Government aware of the general impression in the Andhra Desa where we find large communist outrages, that most of the people that are reported shot down by the police have been shot down while in custody by the police officials and not in self-defence as has been given out in various press communiques from time to time?”

MR. SPEAKER:—“The original question is, ‘whether it is a fact that the Central Government have sent certain instructions to the State Government in the matter of putting down the

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communist menace in the Andhra area'. The question does not mention about the menace and other things, but it relates only to instructions, if any, given by the Central Government."

THE HON. SRI K. MADHAVA MENON:—"Sir, I would request your permission to answer this particular question."

MR. SPEAKER:—"I have no objection."

THE HON. SRI K. MADHAVA MENON:—"It is a false allegation that people are shot while in custody. If my hon. Friend thinks that there is any such rumour there, he will take the earliest steps to repudiate those rumours."

SRI S. NAGAPPA:—"May I ask the Government whether they would assure the public of this State, particularly the public of Andhra, that the communist menace has been brought under control and life and property would be kept secure?"

THE HON. SRI K. MADHAVA MENON:—"That is a fact and I wish my hon. Friend will also try to give publicity to that fact."

SRI V. M. RAMASWAMY MUDALIYAR:—"May I know whether the attention of the Government has been drawn to the latest recrudescence of trouble in the border of Andhra districts and Hyderabad and whether the Government will take adequate steps to prevent any infiltration into this State from the other side?"

THE HON. SRI K. MADHAVA MENON:—"We have been taking every step that is humanly possible."

JANAB MUHAMMAD RAZA KHAN:—"Is it not a fact that Mr. Iyengar, the Home Secretary to the Government of India, visited these areas and naturally gave certain instructions and advice to the State Government?"

THE HON. SRI K. MADHAVA MENON:—"The Home Secretary to the Government of India, the Inspector-General of Police and other officers visited these areas. Whatever instructions or advice the concerned officers gave—it was legitimate and right that they should give necessary instructions—we are not in possession of them nor can we divulge them here."

SRI T. VISWANATHAM:—"May I request the Hon. Chief Minister who is present here and who has personally toured in the area to make a statement on the present position?"

THE HON. SRI K. MADHAVA MENON:—"It is not a supplementary question."

MR. SPEAKER:—"It is merely a request."

SRI T. VISWANATHAM:—"I submit that it is not a request. May I ask the Hon. Chief Minister whether he is willing to make a statement on the floor of this House on this question."

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SRI B. S. MURTHI:—"May I know whether there is any element of truth in the rumour that a well-known communist has been arrested in Vizianagaram and brought to Kondapalli near Vijayavada and has been shot at there?"

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

JANAB M. S. ABDUL MAJID:—"Is it not a fact that the Hon. Leader of the House himself has conceded on the floor of the House that the Ministers of the Central Government while visiting the Provinces and States give such instructions?"

THE HON. SRI K. MADHAVA MENON:—"I do not understand what the hon. Member means by such instructions. Whenever instructions are sought for, they will certainly be given. I do not exactly know what he means by his question."

JANAB MOHAMED ABDUL SALAM:—"May I know whether the attention of the Government has been drawn to a resolution of the Andhra Provincial Congress Committee that this Government is incapable of meeting this situation and that the Central Government should take up that area?"

THE HON. SRI K. MADHAVA MENON:—"Many such otiose resolutions are passed by many such bodies."

SRI V. RAGHAVAYYA:—"Are the Government aware that in these areas, particularly in Guntur and Krishna districts, hundreds of adults in the villages are compelled by the police to keep watch the whole night in addition to their daily work during the daytime and if these people do not keep watch they are beaten and insulted?"

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

Purchase of radium needles.

* 2. Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Health be pleased to state—

(a) what the total cost is of the radium needles purchased by the Government;

(b) who the persons responsible for the purchase of these needles are; and

(c) whether the expert committee constituted to examine the needles has submitted its report and, if so, what its findings are?

THE HON. DR. T. S. S. RAJAN:—" (a) Three hundred and fifteen needles with a total content of 694.70 milligrams of radium were purchased in 1947 from a firm in New York at a total cost of Rs. 67,322-14-7.

" (b) The Superintendent, Government General Hospital, and the Director, Barnard Institute of Radiology, Madras.

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"(c) The expert committee constituted to examine the needles has submitted its report. The committee considered the distribution of radium in the needles to be unsatisfactory, and that the use of all the needles for purposes of treatment cannot be justified, and recommended that all the needles should be reautographed and classified into bad ones, which should not be used at all, those approaching the standard distribution which might be used safely, and border-line cases which should be classified according to the length of their active part and the distance of their ends from that part, and used accordingly. The committee further recommended that the second and third category of needles should be put into use only as a temporary measure with due regard to the distribution of radium in them, pending the rectification of the entire lot of needles."

SRI A. VEDARATNAM PILLAI:—"May I know whether the cost of the needles which were rejected by the expert committee has been recovered from the person who was responsible for their purchase and, if not, why not?"

THE HON. DR. T. S. S. RAJAN:—"The whole matter has been referred to an expert committee and the quality of the needles have been verified and such necessary action as may result from these investigations shall be undertaken."

SRI V. RAGHAVAYYA:—"May I know how long after the receipt of these needles by the hospital concerned that the defects were noticed and why it took so much time for the specialist to wait until a committee examined the question and given its verdict?"

THE HON. DR. T. S. S. RAJAN:—"It was months after the needles were received that this question was raked up and an enquiry instituted."

SRI S. NAGAPPA:—"May I ask whether it was not possible for the Government to return these needles back to the companies which supplied these useless needles and claim back the amount paid?"

THE HON. DR. T. S. S. RAJAN:—"The Government will have to satisfy themselves that the needles are bad ones before they can lay claim for any compensation."

DR. U. P. MALLAYYA:—"May I know whether, when this question was asked on a previous occasion, the Government answered that there was nothing wrong in the use of these needles and that no ill-effect has taken place at all on account of these radium needles?"

THE HON. DR. T. S. S. RAJAN:—"Yes, Sir, no ill-effects have resulted by the use of these needles. But a question was raised as to whether we are right in using some of these needles. That is why an enquiry has been made."

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SRI B. S. MURTHI:—"It is not a fact that the committee was constituted with due deference to public agitation to go into this question and whether early action would be taken by the Government in this matter?"

THE HON. DR. T. S. S. RAJAN:—"The Government have already taken action in this matter and all possible steps with regard to the verification of the quality of these needles are being taken."

SRI L. C. PAIS:—"May I know who the members of this expert committee are?"

THE HON. DR. T. S. S. RAJAN:—"If I remember right, there are three members who come from various parts of the country, mostly from Bombay, Madras and Calcutta."

SRI S. NAGARAJA MANIGAR:—"May I know whether the committee found fault with those people who were responsible for the purchase of these needles and if so what the findings of the committee are against them?"

THE HON. DR. T. S. S. RAJAN:—"The matter is still under correspondence with the Government and the authorities concerned. As soon as a definite decision is taken, the matter can be given to the public."

SRI V. M. RAMASWAMY MUDALIYAR:—"Arising out of the answer given by the Hon. Minister that the Government have not come to a conclusion with regard to the suitability or otherwise of these needles, may I ask whether the Government, after receipt of the recommendations of the expert committee that these needles are not suitable for the purpose for which they were intended, would further go into the question themselves and arrive at their own conclusion? Also, may I ask whether the manufacturers of these needles have not given a guarantee that these needles are meant for the purpose for which they were intended and if so whether the Government could not insist upon that guarantee being fulfilled?"

THE HON. DR. T. S. S. RAJAN:—"The Government are in correspondence with the companies that have supplied these needles and we have called for necessary explanation with regard to the defects of the needles concerned."

SRI S. NAGAPPA:—"If the company is not willing to pay 11-15 back the amount, at least will they be asked to send better needles a.m. than the existing ones?"

THE HON. DR. T. S. S. RAJAN:—"The company have agreed to rectify such defects as could be rectified. They have agreed to take back some of the needles also which are not good."

SRI L. N. GOPALASWAMI:—"May I know, Sir, the percentage of the needles that have been declared to be fit, for rejection and those on the border-line?"

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THE HON. DR. T. S. S. RAJAN:—"Those that are on the border-line will be one-third, those that are fit will be a little over one-third and the rest come in between the two."

SRI B. S. MURTHI:—"May I know whether the needles which have been found to be defective have been already sent back to the company which supplied them?"

THE HON. DR. T. S. S. RAJAN:—"The needles have been sent back to the company so that they may be properly rectified."

JANAB MUHAMMAD RAZA KHAN:—"Is it not a fact, Sir, that the authorities who got these needles never bothered to see whether they were good or bad and that it was only after an agitation was started that the Government moved in the matter and ascertained their quality?"

THE HON. DR. T. S. S. RAJAN:—"The needles were received by the Director of the Institute and they were being put to use. But as satisfactory results were not evident, the investigation was started."

SRI P. KANDASWAMI PILLAI:—"Arising from the answer of the Hon. Minister, may I know who raked up this question first, the doctors or the general public?"

THE HON. DR. T. S. S. RAJAN:—"There is no general public in this matter. It is purely a question to be decided by the experts who know something about these needles."

DR. U. P. MALLAYYA:—"May I know the qualification of the Members who constituted the expert committee and whether they have been in independent charge of any radiological institute?"

THE HON. DR. T. S. S. RAJAN:—"They have been so and they have been put on the committee simply for the reason that they can speak with authority on this question."

JANAB MOHAMED ABDUL SALAM:—"May I know whether it is a healthy convention for one Hon. Minister to enquire into a matter which has been done by his predecessor in office?"

THE HON. DR. T. S. S. RAJAN:—"The Government is a continuous one and it does not depend entirely on the Minister in charge of the portfolio."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, whether the same expert committee is investigating the matter or whether it is a different committee? If so, who are the members?"

THE HON. DR. T. S. S. RAJAN:—"The expert committee has given its opinion and the Government are acting on the opinion which it has given."

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JANAB MUHAMMAD RAZA KHAN:—"Is it not a fact, Sir, that the affairs of the General Hospital have got deteriorated and the Hon. Dr. Rajan who was in charge of Food had to make an enquiry and submit a report to the then Government?"

MR. SPEAKER:—"How does this arise out of that question?"

THE HON. DR. T. S. S. RAJAN:—"I do not think this question arises as a supplementary question."

Brahadambal High School, Pudukkottai.

* 3 Q.—SRI R. NATESAN: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Brahadambal High School building constructed at a cost of one lakh by the then State Government, remains incomplete;

(b) whether it is a fact that the building is slowly becoming dilapidated due to negligence; and

(c) if so, whether the Government propose to take immediate steps to complete the building?

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

" (b) No.

" (c) The work will be resumed and completed soon."

SRI R. NATESAN:—"In view of the coming monsoon, may I ask whether the Government will take up the repair of the building immediately?"

THE HON. SRI K. MADHAVA MENON:—"The repair of the building has already been started, Sir. Tenders have been accepted and orders given to start the work."

SRI S. NAGAPPA:—"May I know, Sir, how much the portion that is to be completed will cost the Government and how much has already been spent on it?"

THE HON. SRI K. MADHAVA MENON:—"The total revised estimate is Rs. 1,20,000. I think about half of it has been spent. I am not quite sure of the actual figures."

Constitution of certain major panchayats into municipalities.

* 4. Q.—JANAB MOHAMED ABDUL SALAM: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Government have decided to constitute certain major panchayats into municipalities;

(b) the basis on which such selection of major panchayats was made;

(c) the names of such major panchayats selected by the Government for the above purpose;

(d) whether it is a fact that certain panchayats so selected by the Government have protested against such a move of the Government; and

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(e) if so, the names of the panchayats that have protested against the above move of the Government?

THE HON. SRI K. CHANDRAMOULI:—“(a) Government propose to constitute certain major panchayats into municipalities. Preliminary notifications inviting objections have been published in these cases as required by section 4 (1) of the Madras District Municipalities Act, 1920. The question whether the municipalities are to be constituted will be settled after the expiry of a period of six weeks from the date of publication of the preliminary notifications in the District Gazette in the light of such objections or suggestions as may be received during the period.

“(b) The panchayats referred to in the answer to clause (a) have been selected on the basis of population, annual income and the urban nature of the area.

“(c) The following major panchayats have been selected:—

- (1) Samalkot (East Godavari).
- (2) Arkonam (North Arcot).
- (3) Sivaganga (Ramanathapuram).
- (4) Salur (Visakhapatnam).
- (5) Parvatipuram (Visakhapatnam).
- (6) Bobbili (Visakhapatnam).
- (7) Dharmapuri (Salem).
- (8) Satyamangalam (Coimbatore).
- (9) Kollegal (Coimbatore).
- (10) Bapatla (Guntur).
- (11) Gudur (Nellore).

“(d) & (e) Of the panchayats mentioned in the answer to clause (c), Arkonam, Sivaganga, Bobbili, Satyamangalam, Kollegal, Dharmapuri and Parvatipuram panchayats have protested against the constitution of municipalities for their areas.”

JANAB MOHAMED ABDUL SALAM:—“May I know why, in spite of the protests of the concerned panchayats, the Government propose to convert them into municipalities?”

THE HON. SRI K. CHANDRAMOULI:—“When there are any objections from the people or the institutions concerned, all the objections will be considered, and if they are proper and justified, the Government will not constitute them into municipalities.”

SRI B. S. MURTHI:—“Sir, when the cry of the country is for ruralization, I do not know why the Minister is anxious to urbanize the major panchayats.”

THE HON. SRI K. CHANDRAMOULI:—“I am very sorry for the hon. Member. There are certain people who want municipalities.”

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SRI S. NAGAPPA:—“May I know, Sir, what are the extra benefits that these panchayats are expected to derive by being constituted into municipalities except that they will have some Municipal Commissioners thrust on them? Is it because of the increased number of appointments of Municipal Commissioners that this move has been devised, or is it to give any additional benefit to these places?”

THE HON. SRI K. CHANDRAMOULI:—“If they are constituted into municipalities, they will get all the amenities of the municipalities.”

SRI V. RAGHAVAYYA:—“Sir, what are the reasons which prompted this Government suddenly to think of converting the major panchayats into municipalities? Is it due to merely following the rules regarding population, etc., mechanically or is there any idea of conferring additional benefits on the people?”

THE HON. SRI K. CHANDRAMOULI:—“I may inform the hon. Member that as a matter of fact there have been certain petitions from the people concerned that some of these panchayats should be constituted into municipalities. There are certain panchayat boards that wanted these to be converted into municipal councils.”

JANAB M. S. ABDUL MAJID:—“Sir, when it is not possible for the Government to finance several of the recently constituted municipalities, what is the use of increasing the number of municipalities?”

THE HON. SRI K. CHANDRAMOULI:—“As far as the financial position is concerned, what all the municipalities ask for cannot be given by the Government, but there are, as I have said, certain benefits which the municipalities receive.”

SRI A. KALESWARA RAO:—“May I know, Sir, whether from these areas from which protests have come now, any petition was received that they wanted to be constituted into municipalities, before the Government took up the question?”

THE HON. SRI K. CHANDRAMOULI:—“As I have said, there were certain petitions from the people concerned that these areas should be constituted into municipalities. Later on, after notification, certain objections have come. The Inspector of Municipal Councils and Local Boards and the Local Administration Department are considering all the objections. If the objections are reasonable and proper, the Government will not be very anxious to constitute these areas into municipalities.”

SRI L. N. GOPALASWAMI:—“May I ask, Sir, whether the Government will be prepared to reconsider the cases of such of those major panchayats which have passed a resolution protesting against their being converted into municipalities?”

THE HON. SRI K. CHANDRAMOULI:—“The matter is under consideration.”

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SRI D. V. RAMASWAMI:—“ May I know, Sir, in view of the fact that even some of the requests for grants from the existing municipalities are not met by the Government yet, whether the idea of increasing the number of municipalities will be deferred? ”

THE HON. SRI K. CHANDRAMOULI:—“ It does not mean that we should deprive such places of the opportunity of being constituted into municipalities because we are not able to help fully the existing municipalities.”

SRI S. NAGARAJA MANIGAR:—“ May I know, the reasons for the protest of the people of Dharmapuri? Is it because they think that remaining a panchayat board is more beneficial to them than becoming a municipality? ”

THE HON. SRI K. CHANDRAMOULI:—“ There may be several reasons which a panchayat board which has to be constituted into a municipality may have.”

SRI L. C. PAIS:—“ Now that the Village Panchayat Act is coming into operation, will it not be advisable to take action in all cases under the new Panchayat Act and have these boards constituted into municipalities? ”

THE HON. SRI K. CHANDRAMOULI:—“ That is a separate question, Sir.”

JANAB M. S. ABDUL MAJID:—“ Is it not a fact, Sir, that because the Government are not giving the necessary finance to some of the newly constituted municipalities and are also not helping them to get more revenue, these municipalities are trying to get back to the status of panchayat boards? ”

THE HON. SRI K. CHANDRAMOULI:—“ I do not accept the hon. Member's contention that the Government are not helping the municipalities to have some financial resources and other things. The Government are doing what they can to help them in the matter.”

JANAB MUHAMMAD RAZA KHAN:—“ Is the Hon. Minister aware of the public feeling, Sir, that whenever a major panchayat is converted into a municipality the taxes increase considerably and the amenities decrease? ”

THE HON. SRI K. CHANDRAMOULI:—“ Naturally, when a panchayat is converted into a municipality, taxes will increase to some extent.”

SRI A. KALESWARA RAO:—“ Is it not a fact, Sir, that in the municipalities a major portion of the income is consumed by the expenditure on establishment and therefore the people do not get much benefit by their areas becoming municipalities instead of remaining as panchayats? ”

THE HON. SRI K. CHANDRAMOULI:—“ As I have said, in each locality, the people have got their own views and they have adduced their objections. All these matters are under the consideration of the Government.”

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SRI K. BRAHMANANDAM REDDI:—“ Are the Government aware of the fact, Sir, that the increase of taxes which would result if a panchayat is constituted into a municipality, would benefit the poorer sections of the municipality? ”

THE HON. SRI K. CHANDRAMOULI:—“ It may be so, Sir.”

SRI S. NAGAPPA:—“ What is the minimum population and minimum income that a panchayat board should have if it wants to be constituted into a municipality, Sir? ”

THE HON. SRI K. CHANDRAMOULI:—“ About 20,000 and more of population and Rs. 50,000 and more of income.”

Agreement with the Mysore Government for the distribution of the Cauvery water.

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

(a) whether any agreement has been entered into with the Mysore Government recently regarding the distribution of the Cauvery water; and

(b) if so, what the reason is for reopening the old agreement which was existing so far and what the advantage of the present agreement is, so far as our State is concerned?

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

“ (b) Does not arise.”

SRI A. VEDARATNAM PILLAI:—“ May I know, Sir, the gist of the old agreement between the Mysore Government and the Madras Government, whether that agreement is alterable or unalterable, and, if it is alterable, whether the Government have got any proposal to modify the agreement according to the needs of the times? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ The Government have not considered that question at all.”

Alleged molestation of the Harijans in Shiyali and other taluks in Tanjore district by the Police.

* 6 Q.—SRI A. S. SAHAJANANDAM: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that Harijans were belaboured and molested by the Police in Shiyali taluk, Nagapattinam taluk and the other taluks of Tanjore district in the month of May 1950; and

(b) whether it is a fact that the Police in the abovementioned taluks have taken sides with the caste Hindus as against the Harijans, in the month of May 1950?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. Chief Minister):—“ (a) & (b) The answer is in the negative.”

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MR. SPEAKER:—"இலலை."

SRI A. S. SAHAJANANDAM:—"ரொம்பவும் பெரிய அக்கிரமங்கள் எல்லாம் நடந்திருக்கின்றன. ஹரிஜனங்களை ரொம்பவும் ஹிம்சித் திருக்கிறார்கள். இந்த உலகத்திலேயே காணமுடியாத அக்கிரமங்களை எல்லாம் செய்திருக்கிறார்கள். ஹரிஜன, ஆண்கள் பேரிலும் பெண்கள் பேரிலும் மூத்திரம் பேய்ந் ஹிம்சை செய்திருக்கிறார்கள். ஆகையால் அதைப்பற்றி சொல்ல அரை மணி நேரம் விவாதத்திற்கு டயம் கொடுக்க வேண்டும்."

MR. SPEAKER:—"அரை மணி நேரம் விவாதத்திற்குக் கொடுத்திருக்கிறேன்."

11-30 a.m. THE HON. SRI B. GOPALA REDDI:—"The answer to both (a) & (b) is in the negative, and what is the use in having a half-hour debate?"

SRI A. S. SAHAJANANDAM:—"அரை மணி நேர விவாதத்திற்கு டயம் கொடுக்குமாறு வற்புறுத்தி கேட்டுக்கொள்கிறேன்."

MR. SPEAKER:—"All right, we shall have a half-hour debate in the evening."

THE HON. SRI B. GOPALA REDDI:—"Sir, my answer is to the effect that no such thing has happened in the Tanjore district?"

MR. SPEAKER:—"But we must take the other side also?"

THE HON. SRI B. GOPALA REDDI:—"We referred the matter to the District Collector and he has said that no such thing has taken place in the district."

MR. SPEAKER:—"The hon. Member evidently is not satisfied with the answer given, and that is why he wants a half-hour debate."

THE HON. SRI B. GOPALA REDDI:—"Then, what is it you expect me to say in reply to the debate, Sir?"

MR. SPEAKER:—"I do not want the hon. Member to say anything at all in the matter." (Laughter.)

Scales of pay of the Secondary grade and Higher Elementary grade trained teachers.

* 7 Q.—JANAB MAHIN SCHAMNAD: Will the Hon. the Minister for Food be pleased to state—

(a) the scale of pay for the Secondary grade trained teachers;
(b) the scale of pay for the Higher Elementary grade trained teachers;

(c) the salary paid to the Secondary grade trained teachers and also Higher Elementary grade trained teachers in the Fisheries department; and

(d) whether the pay of the teachers in the Fisheries department is less than the pay of the teachers in other departments and, if so, the reasons therefor?

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THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a) The scale of pay of the Secondary grade trained teachers in the Education department is Rs. 45—3—60—2—90 per mensem.

" (b) The scale of pay of the Higher Elementary grade teachers in the Education department is Rs. 30—1—50 per mensem.

"The above scales were fixed in July 1947, and were intended to be admissible to persons qualified in any of the prescribed crafts and such of the then existing staff as were not qualified were required to acquire the qualification within two years.

" (c) The scales of pay of the teachers in the Fisheries department are as follows:—

Secondary Grade trained teachers.—Rs. 45—3—60—2—90 for those with craft training and Rs. 40—3—55—2—85 for those without craft training.

Higher Elementary grade trained teachers.—Rs. 25—1—45 plus Rs. 5 for those with craft training and Rs. 25—1—45 only for those without craft training.

" (d) It will be seen from a comparison of the scales of pay mentioned above that there is no difference in the emoluments paid to the teachers with craft training. In the case of teachers without craft training the scale in the Education department allows a higher initial pay than that in the Fisheries department. But if the teacher in the Education department fails to acquire the qualifications within the period fixed, he incurs the penalty of postponement of increment while in the Fisheries department the teacher will continue to draw the increments in the scale applicable to him although he has not acquired the craft qualifications. Proposals for putting the scales of pay of the teachers in Fisheries department on a par with those in the Education department are under the consideration of the Government."

SRI N. M. R. SUBBARAMAN:—"May I know whether the Fisheries department run schools separately? If so, what is the reason?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"As part of their work, the Fisheries department is conducting several schools for the fishermen population in certain areas."

SRI S. NAGAPPA:—"May I know whether fishing is taught in these schools and whether the schools are run for fishermen only?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"They are not entirely meant for fishermen alone; the education given there is based on fishery matters, and some special subjects also are taught and special facilities are also given to the pupils."

[5th August 1950]

Supply of oil engines on hire or lease basis.

* 8 Q.—SRI R. NATESAN: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that representations have been made to the District Collector, Tiruchirappalli, and the Government of Madras on behalf of the ryots of Pudukkottai that oil engines should be made available to them on hire or lease basis by the Government; and

(b) if so, what action has been taken on that representation so far?

THE HON. SRI A. B. SHETTY:—“(a) In December 1949, two ryots of Pudukkottai applied to the District Agricultural Officer, Tiruchirappalli, for the supply of oil engine pumpsets to them on hire basis. At that time there were no oil engines available with the District Agricultural Officer for hire purposes. This fact was made known by the Joint Director of Agriculture to the Collector on an enquiry from him. In lieu of the oil engines asked for petrol pumpsets were however offered to the applicants.

“(b) Six oil engine pumpsets have since been supplied by the Joint Director of Agriculture to the district.”

SRI S. NAGARAJA MANIGAR:—“May I ask, Sir, whether high rates are charged for these engines on hire and whether the District Food Committee of Salem has requested the Government to lower the present hire charges?”

THE HON. SRI A. B. SHETTY:—“A separate question may be put.”

SRI R. NATESAN:—“In view of the answer given that a few oil engine pumpsets have been made available since and in view of the anxiety of the ryots to improve well irrigation, will the Government be pleased to make available to the ryots sufficient number of oil engines?”

THE HON. SRI A. B. SHETTY:—“Yes, Sir, to the extent they are available.”

SRI V. M. RAMASWAMY MUDALIYAR:—“In reply to the question whether the ryots of Pudukkottai would be entitled to get the oil engines, the Hon. Minister said that six oil engines have been sent to the Tiruchirappalli district. May I know whether Pudukkottai which has been merged with the Tiruchirappalli district could have the benefit and gets the benefit of these oil engines?”

THE HON. SRI A. B. SHETTY:—“Since Pudukkottai is part of the Tiruchirappalli district, the ryots of Pudukkottai will get their share of the engines supplied to that district.”

SRI L. C. PAIS:—“In the matter of the hiring or leasing of these engines, are the directions of the Government strictly adhered to, or have the officers concerned got discretion to do as they like in the matter?”

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THE HON. SRI A. B. SHETTY:—“The officers have to take into consideration the necessity for the engines in each case.”

Audit of local boards' accounts.

* 9 Q.—JANAB MOHAMED ABDUL SALAM: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the accounts of local boards are audited by the Local Fund Audit Department only for a period of three months in the year;

(b) the reasons, why the accounts of local boards are not audited for the remaining nine months in the year; and

(c) whether it is a fact that the Government have decided that in future all panchayats, major and minor, will be audited by the Local Fund Audit Department?

THE HON. SRI B. GOPALA REDDI:—“(a) Yes. Only a test audit of transactions covering a period of three months is being done.

“(b) Non-availability of hands to take the place of persons deputed to audit the accounts of the State Trading Schemes and the Intensive Khadi Scheme, etc.

“(c) The accounts of the major panchayats are now audited by the Examiner of Local Fund Accounts and the accounts of the minor panchayats are audited by the Inspector of Municipal Councils and Local Boards. Under Section 74 of the Madras Village Panchayat Act, 1950, auditors to be appointed by the Government will have to audit the accounts of all the panchayats in the State.”

JANAB MOHAMED ABDUL SALAM:—“Three months only is the test period. What happens to any shady transactions which may happen in the other nine months?”

THE HON. SRI B. GOPALA REDDI:—“It is a test audit. Any three months will be taken up at random and they will have to satisfy themselves whether the accounts are being properly maintained or not.”

SRI L. N. GOPALASWAMI:—“In view of the large sums of money involved in these matters, will the Government see that sufficient number of men are deputed to do the audit, so that they may see that as much money as possible is saved for the Government?”

THE HON. SRI B. GOPALA REDDI:—“It is a question of availability of personnel and availability of funds, and for the salaries that we are now offering, not many persons are coming forward to take up the auditors' duties.”

SRI C. M. KOTHARI:—“If during the three months' period, the audit shows any discrepancies or irregularities, will the audit be continued for the other nine months also?”

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THE HON. SRI B. GOPALA REDDI:—"Certainly, some more months will be taken up if grave discrepancies of accounts are found out by the auditor."

SRI B. S. MURTHI:—"Are there any instances where discrepancies have been found; and may I also know what are the municipalities and district boards concerned, and what action has been taken on them?"

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

*Andhra Rashtra Elementary School Teachers' Federation,
Vijayavada.*

* 10 Q.—JANAB MOHAMED ABDUL SALAM: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Andhra Rashtra Elementary School Teachers' Federation, Vijayavada, has recently applied to the Government for recognition; and

(b) whether it is a fact that the Government have refused to accord recognition to the above federation for the present?

THE HON. SRI K. MADHAVA MENON:—" (a) Yes, in 1948. (b) Yes."

JANAB MOHAMED ABDUL SALAM:—"May I know the grounds on which the Government have refused recognition?"

THE HON. SRI K. MADHAVA MENON:—"Sir, we were satisfied that it was more a political organization which they wanted recognition for, than an educational organization."

SRI B. S. MURTHI:—"May I know whether after 1948 this Teachers' Federation have repeated their application for recognition?"

THE HON. SRI K. MADHAVA MENON:—"Not to my knowledge, Sir."

SRI V. RAGHAVAYYA:—"Arising from the answer of the Hon. Minister that it is on political grounds that this association was not recognized . . ."

THE HON. SRI K. MADHAVA MENON:—"I said it was more a political organization."

SRI V. RAGHAVAYYA:—"And that was why recognition was not given, may I know what sort of politics did the federation follow and in what respects they were repugnant to the rules of the Government so as to deny them the recognition?"

THE HON. SRI K. MADHAVA MENON:—"Whatever may be the nature of the politics they wanted to follow, the Government would not recognize any teachers' organization constituted on a political basis."

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*Damages caused by the floods in the Krishna river at
Vijayavada.*

* 10-A Q.—SRI A. KALESWARA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the height of water in the Krishna river at Vijayavada during the recent floods that caused damage;

(b) the number of houses or huts that have been submerged by the floods;

(c) the number of families rendered homeless by the floods;

(d) the relief given by the Government so far to the distressed in the matter of feeding; and

(e) the relief sanctioned by Government for the re-building of the houses or huts?

THE HON. SRI H. SITARAMA REDDI:—" (a) 15.4 feet above the level of the anicut at Vijayavada on the 3rd August.

" (b) Three thousand inclusive of both houses and huts.

" (c) Three thousand families have been rendered homeless but they have reached places of safety.

" (d) & (e) The Government have sanctioned an allotment of Rs. 50,000 (Rupees fifty thousand) as applied for by the Collector. Further proposals are awaited."

SRI A. KALESWARA RAO:—"Is it a fact, Sir, that very recently there has been a rise in the floods?"

THE HON. SRI H. SITARAMA REDDI:—"I have got the latest information gathered from the morning papers. As reported in the *Hindu* of to-day, I believe it is coming down, the Krishna flood level is on the decline. According to a forecast, the level is expected to come down to 13.5 feet within the next 36 hours. This is a report as published in the *Hindu* from their correspondent."

SRI A. KALESWARA RAO:—"Do the Government propose to give better sites in some other place to the families that have been rendered homeless by the floods?"

THE HON. SRI H. SITARAMA REDDI:—"The hon. Member as he comes from that place is fully aware of the efforts made by the Government to see that alternate good sites are given to these people; he is also aware of the fact that some of these people are persisting in remaining in their places although it is dangerous for them; he also knows the various difficulties there; but I can assure him that the Government are prepared to help the people, if the people are prepared to come to a better place, and the Government will provide as good a place for them as can be acquired in the area."

SRI A. KALESWARA RAO:—"If they persist in remaining in the place, will the Government be pleased to take them away by force to the new place, because they may after all persist only on the wrong advice given to them by some others?"

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THE HON. SRI H. SITARAMA REDDI:—"Sir, I do not think there is any need for using force. I am sure the good offices and persuasion of my hon. Friend will enable them to choose the right line."

SRI B. S. MURTHI:—"Sir, according to the answer given by the Hon. Minister, 3,000 houses and huts have been submerged and three thousand families have been rendered homeless. Now the Minister says that he culls out the answer from the *Hindu* that the Krishna level is decreasing. Is he not in constant touch with the Collector to find out what these three thousand families are doing now, how many more houses have been submerged and how many more families are likely to be effected?"

THE HON. SRI H. SITARAMA REDDI:—"I appreciate the anxiety of my hon. Friend, and I may assure him I am as much anxious as he is."

SRI C. M. KOTHARI:—"Arising out of the answer given by the Hon. Minister, may I know if the Government are so callous as not to get day to day information about the floods and they have to rely on the papers?"

THE HON. SRI H. SITARAMA REDDI:—"The Government are getting information day to day; but there is nothing wrong in quoting from a newspaper when the information is correct."

SRI A. KALESWARA RAO:—"May I know whether the Government are prepared to help these families fully for rebuilding their huts or houses elsewhere, without merely doling out to them Rs. 5 or Rs. 4 per family?"

THE HON. SRI H. SITARAMA REDDI:—"As I have said, the hon. Member is aware that some of these people have voluntarily, in spite of the advice of the Government, taken certain risks."

Delimitation of Constituencies in this State.

* 10-B Q.—JANAB MUHAMMAD RAZA KHAN (on behalf of Begum Sultana Mir Amiruddin): Will the Hon. the Chief Minister be pleased to state—

(a) why this House has not been consulted in regard to the delimitation of constituencies in this State;

(b) whether the scheme for the delimitation of constituencies has been finalised;

(c) if the answer to (b) is in the affirmative, whether the same will be placed on the table of this House; and

(d) whether the scheme for the delimitation of constituencies has been forwarded to the Chief Election Commissioner at New Delhi?

[5th August 1950]

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—" (a) Under Section 13 of the Representation of the People Act, 1950, it is for the Election Commission, New Delhi, to submit proposals to the President for the delimitation of constituencies in consultation with the Parliamentary Committee appointed under that section, and this Government are only complying with the Election Commission's request for assistance in the matter. A Government motion relating to both 'Delimitation of Constituencies' and 'Conduct of Elections' will, however, be moved in both the Houses during the present Session of the Legislature. The Hon'ble Members will thus have an opportunity to discuss the principles of the delimitation proposals in a general way.

" (b) The detailed proposals based on the views of this Government will be finalised shortly and forwarded to the Election Commission as requested by it.

" (c) The Election Commission has decided to publish the proposals of this Government and when they are so published, arrangements will be made to make copies available to members of this Legislature.

" (d) Please see the answer to clause (b) above."

JANAB MUHAMMAD RAZA KHAN:—"Sir, while appreciating the Government's anxiety to give an opportunity to this House to discuss the matter, may I ask whether it was fair on the part of the Hon. Chief Minister to attribute motives to such persons who gave evidence before the Chief Election Commissioner?"

MR. SPEAKER:—"I do not understand the question."

THE HON. SRI B. GOPALA REDDI:—"I do not know what was said by the Chief Minister."

JANAB MUHAMMAD RAZA KHAN:—"Sir, may I ask whether it was proper on the part of the Hon. Chief Minister to attribute motives to the persons who gave evidence before the Chief Election Commissioner or for the suggestions they have made, at a Press Conference in Madras."

MR. SPEAKER:—"How does this arise out of this question? I do not know what the Hon. Chief Minister said at the Press Conference."

JANAB MOHAMED ABDUL SALAM:—"Sir, when the Hon. Leader of the Opposition made some suggestions on this matter the Hon. Chief Minister was pleased to say that those suggestions were made by the leaders because they wanted to enter the Legislature by the back-door. Is it not a reflection on the Members of this House?"

MR. SPEAKER:—"I know nothing about it. The hon. Member may put a separate question if he likes."

[5th August 1950]

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

II.—ADJOURNMENT MOTION RE REDUCTION OF RICE RATION.

MR. SPEAKER:—“The hon. Member, Sri T. Viswanatham has given notice of an urgent motion under Rule 41 of the Assembly Rules for the adjournment of the House to discuss a definite matter of urgent public importance. The motion reads as follows:—

‘I wish to move under Rule 41 of the Legislative Assembly Rules for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, viz., the grave situation arising out of orders of the Board of Revenue, as appearing in the newspapers of this morning, directing all officers in charge of food distribution in all the 20 taluks of the District to reduce the rice ration to 3 oz. per day in the rural areas with immediate effect and the failure of the Government to appreciate or foresee the disastrous consequences of such an order.’

“I would advise the hon. Member that since we are going to have the food debate on Thursday next, to wait till then, so that we can have a full-dress debate. On that day it is proposed to sit till 8 o'clock in the night and the hon. Member may then have everything to say on the question.”

SRI T. VISWANATHAM:—“Yes, Sir. While thanking you for the suggestion that this can be taken on the food debate day, I thought it would be more useful if I drew your attention immediately after the event had happened. I do hope that the Government will take immediate action also and I abide by your advice.”

MR. SPEAKER:—“The hon. Member is not pressing the motion.”

SRI L. N. GOPALASWAMI:—“On a point of information, Sir. Many hon. Members want to take part in the food debate and time is rationed as food is rationed; we are given 5 minutes and 2 minutes and so I would suggest that two days may be given for the debate instead of one day.”

MR. SPEAKER:—“It is for the hon. Member to arrange for it with the Hon. Leader of the House. As a matter of fact, it was agreed that the House should sit till 8 o'clock on that day, so that we may have a full-dress debate.”

THE HON. SRI B. GOPALA REDDI:—“If necessary we can go even beyond 8 o'clock.”

SRI L. N. GOPALASWAMI:—“A whole night Session.”

MR. SPEAKER:—“It is a good suggestion.”

III.—MESSAGE FROM THE GOVERNOR.

MR. SPEAKER:—“I have to announce to the House the following message from His Excellency the Governor of Madras, dated the 17th May, 1950:—

‘In pursuance of Article 207, Clause (1) of the Constitution of India, I, Krishnakumarsinhji Bhavsinhji, Governor of Madras, hereby give my recommendation to the introduction in the Madras Legislative Assembly of the Legal Practitioners (Madras Amendment) Bill, 1950.’

5th August 1950]

IV.—GOVERNMENT MOTION.

ELECTION OF A MEMBER TO THE MADRAS PROVINCIAL LIBRARY COMMITTEE.

THE HON. SRI K. MADHAVA MENON:—“Sir, I move—

‘That in pursuance of rule 2 (1) (v) of the Madras Public Libraries Rules, 1950, the Assembly do proceed on a date to be fixed by the Hon. the Speaker to elect one person to the Provincial Library Committee constituted under section 3 of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948).’

“Sir, under the rules framed under the Act, one Member has to be elected from this House and another Member from the other House. Hence this motion.”

MR. SPEAKER:—“Motion moved—

‘That in pursuance of rule 2 (1) (v) of the Madras Public Libraries Rules, 1950, the Assembly do proceed on a date to be fixed by the Hon. the Speaker to elect one person to the Provincial Library Committee constituted under Section 3 of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948).’

JANAB M. S. ABDUL MAJID:—“Sir, I am not speaking on the motion, but am just making a suggestion with regard to the name of the Committee. We are calling it the Provincial Library Committee, but now that they are altering the word ‘Provincial’ into ‘State,’ why not they do it even now instead of bringing in an amendment later on.”

THE HON. SRI K. MADHAVA MENON:—“But, unfortunately, that is the word in the Act and it will have to be amended.”

JANAB MUHAMMAD RAZA KHAN:—“Sir, I take objection to the wording in the motion, viz., elect one Member by the House. It would be more appropriate if it is put as, one Member to be elected by the party in power.”

THE HON. SRI K. MADHAVA MENON:—“The hon. Member is at liberty to have his own views in the matter.”

The motion was put and carried.

MR. SPEAKER:—“With reference to the motion of the Hon. Minister for Education and Law regarding the election of one member of this Assembly to the Provincial Library Committee, I am to state that the nominations should be handed over to the Secretary before 3 p.m. on Thursday, the 10th August, 1950. The nomination forms can be obtained from the Secretary.

“There will be an election on a date to be announced in due course, if the number of candidates nominated exceeds one. The election will be by the ordinary method and not according to the method of single transferable vote.”

[5th August 1950]

V.—GOVERNMENT BILLS.

(1) THE MADRAS WEIGHTS AND MEASURES (AMENDMENT) BILL, 1950.

THE HON. SRI A. B. SHETTY :—“ Sir, I beg to introduce the Madras Weights and Measures (Amendment) Bill, 1950 and move—

‘ That the Bill be taken into consideration at once. ’

“ Sir, the Statement of Objects and Reasons relating to this Bill explains the need for this amending Bill. It has been represented to the Government by the Southern India Chamber of Commerce that the entire business in gold and silver in South India is done in pagoda weights and pagoda has not been included as a standard weight in the Madras Weights and Measures Act, 1948. ‘ Pagoda ’ is not an integral multiple or sub-multiple of any of the standard weights mentioned in the Standards of Weight Act, 1939 and cannot, therefore, be regarded as a standard weight. ‘ Establishment of Standards of Weight and Measure ’ is a subject in the Union List and is outside the purview of the State Legislature. We cannot therefore, amend the Madras Weights and Measures Act so as to make ‘ pagoda ’ a recognized weight. The immediate abolition or prevention of the use of ‘ pagoda ’ weight in the trade in gold and silver is likely to cause hardship to the trade in these commodities. In order to enable the traders in this State to adjust their trade by the use of other weights allowed under the Act, it is now sought to exempt the ‘ pagoda ’ weight from the penal provisions of the Act for a period of two years from the date this Act comes into operation in any area in this State.”

MR. SPEAKER :—“ Motion moved—

‘ That the Madras Weights and Measures (Amendment) Bill, 1950, be taken into consideration at once. ’

* JANAB H. S. HUSSAIN :—“ Mr. Speaker, Sir, of course, we have to welcome the proposed amendment in the Weights and Measures Act and we also know that it is for the benefit of the traders exclusively. While we have to adopt such measures for facilitating trade and commerce, I would suggest to the Hon. Minister that he should consider the desirability of adopting a uniform system of weights and measures for the State. We have got different kinds of weights and measures in different parts of the State and that is causing a lot of inconvenience and confusion. We have got, for example, in my own district weights and measures of a different kind from those that are prevailing here in Madras. Here we have got ollocks and visses, whereas in our district we have got seers and kuduthas and things like that. Therefore, Sir, it would be a really unifying factor if we have got a uniform system of weights and measures throughout the State and I believe it will be very convenient and easy for

* Published in the Fort St. George Gazette, dated 16th May 1950.

5th August 1950] [Janab H. S. Hussain]

the internal commerce, traffic and trade within the State. With these few observations, I would like to welcome the measure now proposed by the Hon. Minister.”

SRI P. NATESAN :—“ Sir, I support the motion. I would like to request the Hon. Minister that instead of allowing a period of two years, he would find it possible to make it a period of five years, because as every one knows trade is in the hands not only of literate persons but also, as in the case of shroffs in the bazaar, it is in the hands of illiterate persons. I would, therefore, request the Hon. Minister to see that he extends this period to five years instead of two as proposed in the Bill. With this remark, I support the motion.”

*SRI N. S. VARADACHARI :—“ Mr. Speaker, Sir, while I support this amendment, I shall say this. Under the original Act that we passed we considered the inclusion of various alternatives in the schedule and then came to the conclusion that it was better to reduce the number of alternatives than increase the number indefinitely. It was also then suggested that the pagoda weight, not being easily reduceable to various other weights and weighing now being carried on according to custom by what is known as kundumani and so on and there being a lot of difference in weight between one set and another set it was fair to return to a uniform standard of some sort or another in the matter of gold and silver. The objection was with reference to this. Most of such transaction is between women in families and individual goldsmiths. They call it ‘ chetharam ’ and take away 2 or 3 kundumanies. Then, they weigh it in the presence of women and neither the person who weighs nor the person who looks at the weighing completely knows the details of the weight used, but still the transaction is going on, I think, on the whole, in a very fair manner. But, in order to put an end to any possible evil that might arise, we suggested deliberately enough that all gold and silver, bullion especially, should be weighed only in terms of known and recognized weights. I think two years seems to be reasonable for any reform to take place. A period of five years would defeat the very object of the measure. But, within two years it must be our endeavour, by propaganda on the one hand and by making a safe system of weights available to the remotest corners of our State to see that this reform is introduced. It is a very desirable reform and I commend it for both the workman and for the users of the articles made by the workmen. So, I support this amendment and I hope that within the two years the Government will not have to sit quiet, neither doing propaganda nor making standard weights available, so as to immediately put an end to this and revert to some kind of known measurements and weights.”

SRI T. VISWANATHAM :—“ Mr. Speaker, Sir, the pagoda is our State emblem and we also wish to retain the pagoda weight as one of the standard weights and measures in the State. In the Seventh Schedule, we find the entry ‘ Weights and measures ’

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and the subject is within our legislative competence but only standardization is a Central subject. There is no harm if we include the pagoda weight as a standard weight for the very weighty reason that the pagoda is our State emblem."

SRI V. RAGHAVAYYA:—"Mr. Speaker, Sir, I must observe that the Government are so solicitous about the conveniences of the gold and silver sellers. But what I am at a loss to understand is why they have not brought forward a comprehensive amendment regarding weights and measures. This act seems to apply to cases where purchases are made and sale is effected but in the matter of wages, it cannot be understood to be a question of sale and purchase and there is much injustice there. In our villages, wages are being doled out by measure which varies from place to place and from district to district and there is no standardization. I pointed out this aspect of the matter some time before and the answer that I got to my request was that a Bill would be brought to benefit all but till now it has not been brought forward. May I bring it to the notice of the Hon. Minister concerned that instead of wasting time over the weightment of gold and silver, which we have none, they will be doing greater justice to the poor people who are being cheated every day by intelligent ryots if payment of wages by means of measure is also regulated so that they will not be cheated of their fair wages. That is more important than some of these things but still, I support the Bill before the House."

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, our country was known to be a land of pagodas; it was at that time that the East India Company came and they shook the tree and carried away all the pagodas. It is very good of our Government that they are keen on reverting to the pagodas but we have got the pagoda standard weight and not the other pagodas. As observed by my hon. Friend Mr. Raghavayya, the Government ought to have been solicitous about reforming the weights and measures which are applicable to the common people of the State in day-to-day life. There is cheating going on everywhere and the Government does not seem to have been anxious about putting an end to these evils and the cheatings and the losses that the poor people are subject to. Of course they have come forward with a measure applicable to the purchase of gold and silver which must be very few and must be becoming less and less in number. Particularly as democracy comes into the country, gold and silver would have disappeared from this country altogether; I do not know and that is a different matter. Here the Government say that two years may be allowed for the weight to be used and within that period of two years the Government may consider the whole question again and do whatever is equitable even in this matter."

* THE HON. SRI A. B. SHETTY:—"Mr. Speaker, Sir, let me say in reply to the hon. Gentleman Mr. Hussain that the object of the Madras Act of 1948 was to have uniform standard

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weights throughout the country. I have already explained why the pagoda is proposed to be retained for two years. It is because it is not possible for this Government to amend the Act so as to make the pagoda weight a standard weight inasmuch as this is not an integral multiple or sub-multiple of any of the standard weights laid down in the Central Act of 1939. The question was considered whether we should give five years' time to enable people to adjust themselves but after careful consideration, it was thought that two years would be sufficient and people must quickly come into line with other states in regard to the matter."

MR. SPEAKER:—"The question is—

'That the Madras Weights and Measures (Amendment) Bill, 1950, be taken into consideration at once.'"

The motion was carried.

MR. SPEAKER:—"As there are no amendments, I will put clauses 2, 1 and the Preamble to the vote of the House."

Clauses 2, 1 and the Preamble were put and carried.

THE HON. SRI A. B. SHETTY:—"Mr. Speaker, Sir, I move—

'That the Bill be passed into law.'"

MR. SPEAKER:—"The question is—

'That the Madras Weights and Measures (Amendment) Bill, 1950, be passed into law.'"

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

(2) THE DANGEROUS DRUGS (MADRAS AMENDMENT) BILL, 1950.

THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, I beg to introduce the Dangerous Drugs (Madras Amendment) Bill, 1950, and move—

That the Bill be taken into consideration at once."

"This is a very simple amendment. Police and Excise officials are competent to deal with investigation of offences under this Act but unfortunately Excise people who are Prohibition officials cannot exercise these powers under the Act. No new power is taken but power is being given to them under the Act. It is a very simple thing and I submit the Bill for the consideration of the House."

MR. SPEAKER:—"Motion moved—

'That the Dangerous Drugs (Madras Amendment) Bill, 1950, be taken into consideration.'"

SRI V. RAGHAVAYYA:—"May I know, Sir, why powers of investigation are sought to be given to Excise officials. It is

* Published in the *Port St. George Gazette*, dated 13th June 1950.

[Sri V. Raghavayya]

[5th August 1950]

a different department and it is an innovation to give them such powers. It is a dangerous thing and it is against the principles of law; it is not necessary at all."

THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, there are some Excise people who are called Prohibition officers. As I said the Excise people who are now Prohibition officers will also have the power to deal with these cases. It is no new power that is sought to be given to them."

SRI V. RAGHAVAYYA:—"I should like to object to the amendment. It should be wrong in principle to clothe Excise officials with the duty of investigation, which is an item of work which will pertain more to the Police officials. They have got certain guaranteed principles which the Excise officials may not follow. They are given training in Fundamental Law, the Criminal Procedure Code, Evidence Act and other things and so far as the Excise officials are concerned, I do not think they are given this kind of training pertaining to investigation work."

THE HON. SRI N. SANJEEVA REDDI:—"Presumably, my Hon'ble Friend is under a misapprehension. Excise people have got powers already and I am not asking for any new powers for them; it is only the change of name from Excise to Prohibition that is involved here and it is nothing new. I am sure that now the Hon'ble Member would have followed me and would withdraw his objection."

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, I think that this matter has been directly taken up as a result of some question raised in the last session of the House. It was found that Prohibition officials could not exercise the powers which the old Excise official had under the Act. It was then pointed out that in order to help the investigation of offences, power should be given to Prohibition Officers also. The Police are actually administering in some areas while in others the Excise people are functioning and they are empowered with Police powers except this one particular purpose of investigation of offences. It would be unfair to deprive these officers of these powers which they ought to have to help the administration. That is the point, Sir, and I am glad that this Bill has been brought forward and the investigation of prohibition offences will considerably be advanced by means of this amendment."

SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, there are two agencies addressing themselves to prohibition work: in some districts the work is in charge of the Police and in others, in charge of Excise officials. The Excise people have been under a handicap for want of the powers that are now proposed to be given to them. In order to prevent offences against the Prohibition Act it has been felt that this sort of power is absolutely necessary for them and I feel, Sir, it is not till now being given freely. Therefore, I support the amendment as it is a very necessary thing."

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*BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, I support this amendment since I consider it desirable. I am afraid that Mr. Raghavayya was under some sort of misapprehension in regard to this matter. Prohibition offences are now similar to other offences punishable under the Indian Penal Code, hence a Prohibition Officer should be empowered to deal with them like a Police Officer. As the Hon'ble Minister pointed out, the power that is being granted to Prohibition officers are not new as they had similar powers as Excise officials, since both Prohibition officers and Police officers are discharging similar duties, the former need to be vested with the same powers as the latter. The differentiation between a Police officer and a Prohibition officer has given rise to certain anomalies. For instance, the evidence given before a Police Officer is not admissible in a Court of law whereas that given before a Prohibition officer stands on a different category. Such differences should be done away with. This the amendment seeks to do. I therefore, support this measure."

THE HON. SRI N. SANJEEVA REDDI:—"Sir, I must thank Hon'ble Members for the support that they have given to the Bill; it is a very simple thing and there was no need for even the few minutes it has taken up."

MR. SPEAKER:—"The question is—

'That the Dangerous Drugs (Madras Amendment) Bill, 1950, be taken into consideration.'

The motion was carried.

MR. SPEAKER:—"As there are no amendments, I will put clauses 2, 1 and the Preamble to the vote of the House."

Clauses 2, 1 and the Preamble were put and carried.

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

'That the Dangerous Drugs (Madras Amendment) Bill, 1950, be passed into law.'

SRI T. VISWANATHAM:—"Mr. Speaker, Sir, people have voiced the feeling quite a number of times that there is a great amount of violation of the Prohibition Act owing to the laxity of the persons or personnel in charge of the enforcement of Prohibition, whether it is the Police or the Prohibition Department. I have heard the Hon'ble Minister to say that the Government are seriously considering the question of transferring the enforcement of Prohibition to the Police within a short time. I believe in some districts it is the Police and in some others it is the Prohibition staff that is functioning as a separate enforcing body of Prohibition scheme. I believe when the Government have got the intention of handing over the entire enforcement of Prohibition to the regular Police, there is no meaning at this stage for the Government to invest more powers with the Prohibition staff. Anyway, I am not raising any objection at this stage to this Bill. But I want to tell the Hon'ble Minister and through him the

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Cabinet that the more branches they create for enforcement the more scope there will be for leakage. Now, there are not only Police officers but excise officials also in the province to stop illicit drink. In my own place—and here, I am talking of the whole district—everyday reports are coming that a lot of leakage is due to and is being done with the connivance of the Prohibition staff itself. I request the Hon'ble Minister to be more vigilant in giving more powers to the staff. In fact I have no objection to giving more powers, but I want him to be vigilant how they use them, so that the Prohibition staff might not justify the charge or criticism that they are responsible for the partial failure of the scheme of Prohibition. I only request the Hon'ble Minister to have a good watch over his department in discharging the functions and exercising the powers invested with them."

JANAB H. S. HUSSAIN:—"Mr. Speaker, Sir, while it is good to authorize officers of the Prohibition Department in the matter of control of dangerous drugs, so that the prevention of crimes under the Dangerous Drugs Act may be effectively prevented, I would like to draw the attention of the Hon'ble Minister to the harassment that Prohibition officers are causing to the Ayurvedic medical practitioners. I appeal to the Hon'ble Minister to give those practitioners every facility to manufacture *asavas* and *arishtas*; for they now feel they are made the target of harassment by the Prohibition officers. Therefore, Sir, it is very necessary to see that while giving more powers to the Prohibition staff they do not cause unnecessary harassment to Ayurvedic physicians or those who stock drugs for the purpose of business. With these words I support the measures."

SRI P. NATESAN:—"Sir, I support the measure. (Laughter.) But now that we are giving more powers to Prohibition officers. I would like the Hon'ble Minister to see that men of character and integrity are appointed as officers. I have seen with my own eyes, all these days, ever since Prohibition was introduced, officers who come to check, have their drink and go away. (Laughter.) I am not exaggerating; I am really saying facts. So I request the Hon'ble Minister to post men of character and integrity or probably men who do not drink. For, as I have always maintained, otherwise the money spent on enforcement of Prohibition is a sheer waste. I would like at some time this is handed over to the ordinary Police force and the Prohibition offenders are tried by the ordinary Courts of law."

* THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, this is a very simple amending Bill, and so I do not think we need discuss the general Prohibition policy now. Mr. Viswanatham referred to the transfer of enforcement of Prohibition to the ordinary Police. It is our intention to do so gradually. But until then it is necessary to give the Prohibition staff power. Till now, such officers were called Excise officers, but now we call them Prohibition officers. If any lapses are brought to our

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notice we will certainly look into them. Mr. Natesan spoke of Prohibition officers taking a drink. It is quite possible that here and there friends like Mr. Natesan (laughter) might offer them drink. I would only request such persons not to do so, and report lapses to the higher authorities. Finally, Sir, I thank hon. Members who have given their support to this Bill."

MR. SPEAKER:—"The question is—

'That the Dangerous Drugs (Madras Amendment) Bill, 1950, be passed into law.'

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

(3) THE LEGAL PRACTITIONERS (MADRAS AMENDMENT) BILL, 1950.

* THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I beg to introduce the Legal Practitioners (Madras Amendment) Bill, 1950, and move—

'That the Bill be taken into consideration at once.'

"This amending Bill is rendered necessary by the merger of Pudukkottai. Certain pleaders in Pudukkottai who have enrolled themselves for life as vakils there by paying a specified fee are now enabled to continue their pleadership *sanads* without paying any further annual renewal fee."

MR. SPEAKER:—"Motion moved—

'That the Legal Practitioners (Madras Amendment) Bill, 1950, be taken into consideration at once.'

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, I am glad the Government have come forward to remove an injustice. I would request them to remove another injustice with regard to retired people who wish to enrol themselves as advocates. They are asked to pay a sum of Rs. 500 to qualify themselves under the articles of apprenticeship and again a sum of Rs. 700 when they enrol themselves as advocates. In the case of pleaders they are asked to pay Rs. 700 only at the time of enrolment. So this is clear hardship caused to retired persons who wish to enrol themselves as advocates. I request the Hon. Minister to look into the matter and remove the injustice."

* SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, one of the hard-hit States on account of the formation of the Indian Union and the attainment of independence is the poor State of Pudukkottai. The population there is sharply divided into two classes, one, consisting of a very small but rich community of Nattukottai Chettiyars and the other, consisting of very poor persons of the peasant class, who have neither any good land to cultivate nor any good industry or business. Fortunately, during the time when it was an independent State, the State had its own Ministers, its own Legislature, its own courts up to the Privy Council. There was then a great deal of importance attached to

[Sri A. Vaidyanatha Ayyar]

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that State itself, with the result, that most of the rich population had their own residential quarters and their business at Pudukkottai itself; and there was a tendency by which all the money that the rich had to spend, used to come down and filter to the poorer classes of people. Unfortunately owing to the merger, the whole importance of the State as such was scattered and shattered, with the result that even for small remedies, people there have to go to Madras. If a small tank has to be repaired the people have to go to Madras; if a breach has to be set right, the people have to go to Madras; and then, things which used to take a few minutes in the past to set right, it took two to three months now. Again, on account of the merger, the officers there have to be paid a higher salary. There again, the officers who were transferred to that place had their salary readily fixed, while, in the case of the officers who were serving in the State itself, it took two to three months before their salary could be fixed. For school teachers, though there is an increase in their salary, such teachers serving in the Government schools do not get that benefit. Free education imparted to State children in certain schools has ceased to exist now. The whole State has now dwindled in importance. The litigant population also has been hard hit. Because till now, their first appeal court was there, their second appeal court was there. There was a big Bar which had considerable practice and they had a large amount of income. Now the State has been reduced to the position of a second class mufassal station. Attempt was made to make the State a separate district. The Central Government was moved in the matter; but by some mishandling the proposal fell through, and ultimately, it has been reduced to a mere revenue divisional headquarters. The whole State has been reduced to a shadow of its past. I am glad the present Government want to remedy the grievance of lawyers. I would request the Government to see that at some stage or other they raise the status of the State. The richer classes of people have left the place and settled in Madras, and thereby the poorer class are hit hard. The Nattukottai Chettiyars have ceased to reside in Pudukkottai and have moved to Madras. For these reasons, I hope the same sentiment which moved the Cabinet to come forward with the present amending Bill would make them proceed further so as to make the State to be constituted into a district as soon as possible."

12-50
1.m.

* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I wholeheartedly support the Bill. I only seek some clarification from the Hon. the Law Minister. I want to know whether the pleaders, who come within the scope of this Bill, can practise in all the courts in the Madras State like the pleaders enrolled in Madras or whether they can practise only in those courts which lay within the Pudukkottai State before its merger with Madras."

* SRI M. P. GOVINDA MENON:—"Mr. Speaker, Sir, I see from this Bill that the Government are anxious to help the pleaders who were practising in Pudukkottai which has fortunately or unfortunately become merged or submerged in our State.

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The benefit of exemption from the payment of the annual renewal fee is given to the pleaders in Pudukkottai who had paid a consolidated fee of Rs. 350 and got enrolled for life. I may bring to the notice of the Hon. Minister that there are pleaders in this State who have paid Rs. 500 or 600 and they have to renew their certificates on payment of Rs. 25 per year. Pleaders who have put in 25 years' practice and more would have given a larger amount to the Government by way of stamp paper for renewal of their certificates. Why should not the Hon. Minister give to such pleaders in this State the benefit of enrolment as advocates without the payment of the fee which he wants to give to the pleaders in Pudukkottai. As an alternative I suggest to him to have a uniform law throughout the State."

JANAB S. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, while I support the amendment, I wish to point out a great injustice that is done to our Law students. I think it is relevant to the subject under discussion. Students who pass the Law examination here have to undergo apprenticeship course for one year and then pass the Bar Council examination. Those students who pass the Law Degree course in Travancore are enrolled here without insistence upon their passing the Bar Council examination. I think we must insist upon the Law students of Travancore who want to get themselves enrolled in Madras to pass the Bar Council examination."

MR. SPEAKER:—"This Bill relates to Pudukkottai and not to Travancore."

THE HON. SRI K. MADHAVA MENON:—"I must confess that I was not prepared for a discussion on the effects of the merger of Pudukkottai with our State when I moved this Bill. I agree with the hon. Member Sri A. Vaidyanatha Ayyar that Pudukkottai people have lost a good deal of the facilities in respect of certain matters on account of the merger like the facility of getting things done quickly because the Government from the highest to the lowest was within the State. Now they have to undergo all the difficulties that the people of this State have to undergo."

"In the matter of teachers' pay, the aided school teachers have been given the same scale of pay as the aided school teachers in our State and the Pudukkottai teachers have gained almost doubly by this. The other schools are taken over by the Tiruchirappalli District Board and the teachers therein are given the district board scale of pay which is also considerably higher than what they were getting formerly. In regard to schools which have been taken over by the Government—I think only one school has been taken over—we are examining the pay of the teachers therein and trying to absorb them in Government service."

"In the matter of scholarships, a large number of scholarships were given by the Pudukkottai Durbar, and for women no fee was charged at all in the Pudukkottai Girls' School. We have given the

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privilege to those who have been enjoying it at the time of the merger and they will continue to get it till they leave the school or hostel. But we are not giving that privilege to future entrants as it will have to be applied to every school in the State.

"While the people of Pudukkottai have lost some facilities which they were enjoying before the merger, they have also gained a good deal. The people of many States were undergoing considerable suffocation under the Indian Princes. The people of Pudukkottai can now breathe freely. But it is only fair that we minimise their hardships to the extent possible. That is my answer to Sri A. Vaidyanatha Ayyar. The other matters require detailed examination.

"Regarding the point raised by Sri L. N. Gopalaswami, the pleaders of Pudukkottai have to apply for renewal and can practise in the courts of any three districts exactly like the pleaders enrolled in the Madras State.

"I was rather amazed at the suggestion of Sri M. P. Govinda Menon. He said that there were pleaders in Madras who had paid far more than Rs. 350 by way of fee for renewal of their certificates and asked why they should not be allowed to enrol themselves as advocates without payment. Every advocate has to pay about Rs. 800 at the time of enrolment. If we calculate interest at 3 per cent on the Rs. 800 paid by an Advocate and the Rs. 25 paid annually by a pleader, the difference will be far great. Still we have taken this into consideration and allowed the pleaders with more than twenty years' standing to pay the difference to make up Rs. 200 and those with less than twenty years' standing to pay the difference to make up Rs. 300 to get themselves enrolled as advocates. Nothing could have been fairer. We have allowed the Madras pleaders a privilege which other people were getting at a higher cost. I am glad the opportunity was taken to vent these matters.

"As regards the point raised by Sri K. Bhashyam, we are examining the matter."

MR. SPEAKER:—"The question is—

'That the Legal Practitioners (Madras Amendment) Bill, 1950, be taken into consideration at once.'"

The motion was carried.

Clauses 1 and 2 and the Preamble were put and carried.

THE HON. SRI K. MADHAVA MENON:—"Sir, 1 move—

'That the Bill be passed into law.'"

MR. SPEAKER:—"Motion moved—

'That the Legal Practitioners (Madras Amendment) Bill, 1950, be passed into law.'"

JANAB K. M. SEETHI:—"Mr. Speaker, Sir, I rise just to clear a misconception that has been created in the House by my

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hon. Friend Janab S. Muhammad Ismail. He referred to the Law graduates coming from Travancore being enrolled here without being asked to undergo the apprentice course and pass the Bar Council examination. This is based upon a misconception. As a matter of fact, in the Bar Councils Act of the United States of Travancore and Cochin, there is provision for undergoing apprentice course and passing the Bar Council examination before enrolment. As a matter of reciprocal arrangement, the Travancore lawyers are enrolled in this State. Otherwise, Madras lawyers going for enrolment in Travancore will have to undergo apprentice course and also pass the Bar Council examination. The suggestion made by him is very dangerous and I hope he will not press it."

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

(4) THE ANDHRA UNIVERSITY (AMENDMENT) BILL, 1950.

THE HON. SRI K. MADHAVA MENON:—"I introduce the Andhra University (Amendment) Bill, 1950 and move—

'That the Bill be taken into consideration at once.'

"Under the Andhra University Act, 1925, as it stood before 1944, the Maharaja of Jeypore had the right to nominate one member to the Senate of the Andhra University in virtue of his annual contribution of one lakh of rupees to the University. In 1944, the Senate of the University recommended that he should be given the right to nominate two members to the Senate and that two members should also be nominated to the Syndicate on his recommendation. During the Advisers regime, an amending Act was passed to give effect to the above recommendation. At the time of re-enactment of that Act in 1948, the Government for some reason considered that although the Maharaja might be allowed to nominate two members to the Senate, he need nominate only one member to the Syndicate. The Senate of the Andhra University has now passed a unanimous resolution urging the Government to let the Maharaja have two representatives on the Syndicate as provided in Madras Act XV of 1944. It is only fair that such a munificent donor should have a proper voice in the management of the University and he has never abused his power at any time. The Government have revised their view and accepted the resolution. The Bill gives effect to it."

SRI A. KALLESWARA RAO:—"Sir, as a member of the Syndicate of the Andhra University, I have very great pleasure in supporting the Bill. The Maharaja Saheb of Jeypore has been most helpful in building up the University. He has donated very largely. He is responsible for the establishment of the Science College and the Technological College at Waltair. He is also the Pro-Chancellor of the Andhra University. It is but right and just that we should honour him and give him the power to

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nominate at least two members to the Syndicate of the University. Therefore I support the recommendation of the Senate and the amending Bill moved by the Hon. Minister for Education."

SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I have great pleasure in supporting this Bill. The Government have been pleased to say that the Maharaja has been and continues to be the biggest donor of the Andhra University, next only to the Government. Great benefit has accrued to the student-population of the Andhra State on account of the munificent benefaction of the Maharaja of Jeypore. With these words, I support the Bill."

12-45 p.m. * SRI K. BASHYAM:—"Mr. Speaker, Sir, after hearing the speeches of the two previous speakers commending the Bill to the House, it will perhaps be thought not proper if I say a few words about the danger of accepting recommendation for nominations to bodies like the Syndicate of a University. Universities want to be autonomous and they do not want interference from anybody. I rather think that all members of the Syndicate and even of the Senate should be democratically elected and that no member should be nominated either by the Government or by any donor however generous he might have been. I have seen the evil of allowing nomination in one University with which I am connected. I do not want to go into details. The nominated bloc always takes sides with the official bloc in all matters. I hesitate to oppose this measure because the members of the Senate of the Andhra University have recommended it. I should like to point out one thing however. I take it that they are departing from the democratic principle in accepting nomination only because the Maharaja of Jeypore is a good man who is taking a keen interest in education and one who has been connected with the University and has contributed to it largely in the shape of money, and personal labour which cannot be measured in terms of money. Therefore, Sir, I take it that the recommendations of the Senate to allow the Maharaja of Jeypore to nominate two representatives to the Senate of the Andhra University is on personal grounds and not because he is the biggest donor of the University. Sir, if this is the argument for entrusting the Maharaja of Jeypore with the power of nominating two members of his choice, then I do submit that the Government whose contribution to this University is far greater, should be entitled to nominate thrice this number. Therefore, if two members could be nominated by the Maharaja, the Government could nominate six members. I submit, Sir, that it is not a right principle that the power of nomination should be based upon the contributions of the donors. Perhaps the present Maharaja is a very good man, and a very generous and a very philanthropic man and is interested in the cause of education in the Andhra Desa. On that ground alone, I have no desire to oppose the Bill. But at the same time, I must point out that it is a dangerous principle if the power of nomination is to be entrusted to persons simply because of their donation to the University. Universities are

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autonomous bodies. They are autonomous in the sense that their members are elected and we should not in any way interfere with or seek to disturb their autonomous character.

"Sir, one more point I should like to mention, which is a natural corollary to the recommendations of the Senate. I believe they had passed this resolution purely on personal grounds. If so, I should like to see that this power of nomination is not given to the Maharaja's successors. We do not know who the successor will be and whether he will take the same amount of interest in the University as the Maharaja. We need not even now speculate about it, but leave it for the future. I should therefore like my Andhra friends to consider these two points deeply and do the right thing. For the present, I am not opposing this motion, but I merely support it."

* KUMAR ZAMINDAR OF VUYYUR:—"Mr. Speaker, Sir, as my hon. Friends who have preceded me have pointed out, the Maharaja of Jeypore is the greatest benefactor of the Andhra University and has been taking very great interest in the cause of education in the Andhra Desa. Some of my hon. Friends also referred to Rajah Annamalai Chettiyar of Chettinad as the greatest benefactor of the Annamalai University in the same way as the Maharaja of Jeypore is, of the Andhra University. I have no doubt about it and both are very great benefactors. According to the Andhra University Act as it stands any person who contributes twenty-five thousand rupees to the University is entitled to nominate one life member to the Senate. In 1944, the Act was amended, and the Senate recommended that in view of the total contribution of over Rs. 25 lakhs to the University, the Maharaja of Jeypore should be given the right to nominate two members each to the Senate and the Syndicate. He could have therefore nominated four persons as life-members every year, by virtue of his contribution during the last 15 years. But he did not take advantage of it and the Senate was not getting any representatives nominated by him. Now this recommendation of the Senate is not at all designed to give him any special privilege to dominate the University. It is simply an act of recognition for his help and services to the cause of education in the Andhra Desa and for his great interest in the University. My hon. Friend Mr. Bashyam need have no fear that his successor would also be given the same privilege. There is no danger of that at all, because I am sure, it is privilege conferred on the present Maharaja only and not his successors. I therefore request the members of the House to support this Bill, which has been brought forward by the Government."

SRI S. NAGAPPA:—"Mr. Speaker, Sir, in these days of democracy when we are thinking of giving representation to the people of the country in all public bodies and educational institutions, we should see that as far as possible, proper representation is given to Harijans and other backward communities in the Senate of the Andhra University also. No doubt, Sir, it is only

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right and proper that we should honour the Maharaja of Jeypore for his great philanthropic qualities and for his munificent donation to the Andhra University and the Senate of that University has also rightly recommended that he should be given the privilege of nominating two members of his choice to it. My only request of the Maharaja in this connection is this. This is the only institution in the province where there is no communal representation and so, the interests of the Harijans is likely to be neglected. The Maharaja should be made aware of this fact, and in making his two nominations to the Senate, I would request him to choose one member from the Harijan community. We have very few well-educated Harijans in the Andhra districts and if there is no Harijan member in the Senate, Harijan boys in the Andhra Desa would not get any encouragement for collegiate education. I am not concerned whether the Maharaja nominates a Muslim or a Christian or a Brahman or a non-Brahman for the second seat in the Senate, but my point is that he should be pleased to nominate at least one member to the Senate from the Harijan community. With these words, Sir, I support the Bill."

* JANAB M. S. ABDUL MAJID:—"Mr. Speaker, Sir, while thanking the Government for the power given to the Maharaja Sahab of Jeypore under this Bill to nominate two members of his choice on the Syndicate of the Andhra University, I wish to bring one important point to the notice of the Hon. Minister for Education. The Hon. Minister is aware that the Muslim Educational Association of Southern India has got representation both on the Madras University and the Annamalai University. Sir, this Association has been in existence for the last fifty years and has been doing very useful service in the field of education. The Hon. Minister himself had on several occasions visited this Association and had seen for himself its working and he had also given a very valuable message to it. I take this opportunity of requesting the Hon. Minister to see that representation is given to this Association on the Senate of the Andhra University also, because, as he knows already, we have been enjoying the privilege of sending our representatives to the other two important Universities of this Province."

JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, I support the request made by my hon. Friend Mr. Abdul Majid that the Muslim Association of Southern India should be given representation on the Andhra University also. Sir, this request has been before the Government for a very long time now, and it is only fair that such an Association which has been working so very assiduously and taking very great interest in the advancement of education in this Province among the backward classes for the last fifteen years should be given recognition in the field of education all over the province. Sir, the Andhra University is an important body concerned with the education in the Andhra Desa, and as such, it is only right that this important association which

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is one of the very few working in this State should be given its due. I therefore hope that the Government will view this request with sympathy and consideration which it deserves."

* JANAB H. S. HUSSAIN:—"Mr. Speaker, Sir, I heartily support this measure which has been brought forward by the hon. Minister for Education to give power to the Maharaja of Jeypore, who is perhaps the biggest benefactor of the University to nominate two members of his choice on the Syndicate of the Andhra University. I hope, Sir, that the Maharaja will continue his contribution to the University in the future years also, and I am sure that he will always have the interest of the University at heart and that his affection towards it would become greater and greater as years go on. Sir, this is a measure which ought to be welcomed by all sections of the House. The hon. Gentleman Mr. Nagappa wants that a Harijan should be nominated to one of the two seats by the Maharaja. I am only sorry to find that he is still clinging to his same old fashion of requesting Harijan representation even on the Syndicate of the Andhra University on the ground of the backwardness of his community, and thus making invidious distinctions between one community and another. No doubt Harijans have got a place everywhere and they have got a place under the sun. But hereafter they should shed their inferiority complex and claim their share on equal footing with other communities. They should claim representation on these bodies on the footing of equality alone. Harijans have already been getting educational facilities and special concessions in the other fields also. It is not doubt necessary that special concessions should be given to them in those fields on account of their backwardness. But so far as representation on such bodies as the University is concerned, I think, they must claim it on the footing of equality and not on the ground of their backwardness."

"Now, Sir, while supporting this measure, I should like to endorse heartily the plea put forward by my hon. Friend Mr. Abdul Majid for giving representation to the Muslim Educational Association of Southern India. That association represents the whole of Southern India in respect of educational matters. There is no reason why it should not be given representation on the Senate of the Andhra University which covers an area which is an integral part of this State. Our association has been given representation on the Senates of the other two Universities. And therefore it stands to reason that it should be represented on the Senate of the Andhra University also. I therefore strongly support the plea put forward by my hon. Friend Mr. Majid."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I am glad that this Bill has received the support of all sections of the House, except perhaps for a jarring note by my hon. Friend Mr. Nagappa. My hon. Friend Mr. Bashvam, though he did not oppose it in so many words pointed out that the University was an autonomous body and that we should not interfere with the autonomous character of the University. I do not know,

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Sir, what exactly is his definition of an autonomous body. In this case, the Senate of the Andhra University is the supreme body, whose autonomous character has never been questioned by anybody. It has passed a unanimous resolution asking the Government to let the Maharaja of Jeypore have two representatives of his choice to the Syndicate of the University. All the members of the Senate have unanimously accepted the resolution. Where does the question of interference with the autonomous character of the Senate arise? I do not know how it goes against the principle of autonomy and I am really unable to understand the argument of my hon. Friend Mr. Bashyam.

"Regarding my hon. Friend Mr. Nagappa's objection that in these days of democracy, we should not entrust the power of nomination in the hands of any individual, I submit that it is beside the point. In this case the Maharaja did not ask for it. It was given by the Senate in recognition of his being a great benefactor of the University without his asking. The Senate having given him this right, it is not for us to fetter his discretion in the matter of choosing his nominees. I do not think that it is proper for us to advise or request him to nominate one of his members from a particular community. That is my answer to Mr. Nagappa.

"As regards the suggestion of the hon. Gentleman Mr. Majid, and the support given to it by the hon. Leader of the Opposition and Mr. H. S. Hussain Sahib, namely that the Southern India Muslim Educational Association should be given representation on the Senate of the Andhra University, all I can now say is, that I will have to look into the matter. If the request is made on the basis of the Muslim population in the State, then I must say that not even one-third of the entire Muslims of this State would be in the Andhra Desa, while in the Tamil Nad and Malabar, their number will be more than two-thirds of their population. I do not know on what exact basis was the Association given representation in the Madras and the Annamalai Universities, but I must look into those papers."

JANAB MAHBOOB ALI BAIG:—"May I interrupt, Sir, for a minute. The Hon. Minister for Education was saying that he was not certain how much of the Muslim population is in the Andhra districts. He said that their number in the Andhra districts would not be even one-third of their entire population in this State. I may correct him by saying that it is certainly one-third if not more of the Muslim population of the State."

THE HON. SRI K. MADHAVA MENON:—"Sir, I am not sure about it, but that is not very material for our present discussions. But, as a matter of fact, I know that in my district, the Muslim population is one-third of the entire State. That being so, I do not think that they can be more than one-third in the Andhra districts. It is only an inference, because there is a larger concentration of the Muslim population in the West Coast and the Tamil Nad than in the Andhra. But I have no figures

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in my hands to prove my statement. Whatever that may be, personally I am against giving representation on the Senate of Universities on communal basis. But, as I said just now, I do not know on what principle and for reason, the Muslim Educational Association has been given representation in the Madras and Annamalai Universities, and I cannot say without looking into the papers. For the present, I can say nothing more in reply to their request."

MR. SPEAKER:—"The question is—

'That the Andhra University (Amendment) Bill, 1950, be taken into consideration at once.'

The motion was carried.

Clauses 1, 2 and 3 and the Preamble were put and carried.

THE HON. SRI K. MADHAVA MENON:—"I move— 1 p.m.
'That the Bill be passed into law.'"

MR. SPEAKER:—"The motion is—

'That the Andhra University (Amendment) Bill, 1950, be passed into law.'

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I support the motion moved by the Hon. the Minister for Education that this Bill be passed into law. I wish only to make one observation with regard to the remarks made by my hon. Friend Mr. Nagappa and also by some hon. Gentlemen of the Muslim League. The Andhra University under the able leadership of Dr. C. R. Reddi has been kept completely free from communal representation with regard to the admission of students into the various colleges affiliated to it or aided or controlled by it. That is the one University that is free from all this communal rancour and jealousy. We have been getting on very well, and the Andhra University has got a high place among the Universities of the whole of India if not of the whole world. So, I do not like to introduce anything like this communal question into the Andhra University. But if there is any particular association which has been doing specially good work in the progress of education of this whole Province, then the question may be brought before the Andhra University Senate. Its opinion may be taken. The Senators will be liberal, and they will support any measure to give any nomination or representation to any good association doing good work in the cause of education, either of all the communities, or even of the Muslim community. Any association doing good work in the cause of education deserves representation not on communal lines, but because it is doing good work for promoting education. So, this question may be brought before the Andhra Senate, and if the Senate passes a resolution—Some of our members are interested in it—that resolution may be forwarded as a recommendation to this Government, and then the Government may consider the question. With these observations, Sir, I support the motion of the Hon. Minister."

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* **BEGUM SULTAN MIR AMIRUDDIN** :—“ Mr Speaker, Sir, while supporting the motion of the Hon. Minister I wish to express my thanks to him for his having kindly informed us that he would look into the question of granting representation to the Muslim Educational Association in the Andhra University. As the hon. Member Mr. Majid pointed out, it is an anomaly that an Association of this nature, which has rendered yeoman service to the cause of education of which the Hon. Mr. Madhava Menon is aware, should be denied representation on the Andhra University. This question, as you know, Sir, came up before the Government some time ago also. We are grateful to the Hon. Minister for the assurance that he has given us now and I hope due justice will be done in the case of this Association. In this connection, I may assure the previous speaker, Mr. Kaleswara Rao, that though the Association is named ‘ Muslim Educational Association ’ it is not at all communal. You will be glad to learn that non-Muslims and also Members of this Association and that it is giving scholarships to non-Muslims also including Harijans. Therefore, let not Mr. Kaleswara Rao be deluded by a wrong notion that this Association is exclusive. I may mention that this Association has been in existence for nearly a century and that it will be celebrating its centenary in 1952. The Hon. Minister has visited the Association and he is well aware of its activities. I am sure that he will come to the conclusion that on the basis of work and service both past and present the Muslim Educational Association deserves representation in the Andhra University just as it has representation in the Annamalai and Madras Universities.”

THE HON. SRI K. MADHAVA MENON :—“ Sir, I have not got anything more to say about the request of the South Indian Muslim Educational Association. But I must join issue with Mr. Kaleswara Rao on one remark which he made that the Andhra University was the only University in this State where no communal considerations were taken into account in admitting students into colleges affiliated to the Andhra University. I have the greatest admiration for the Andhra University, but let not Mr. Kaleswara Rao lay the flattering unction unto his soul by saying that it is only the Andhra University that does not take into account communal considerations. Neither the Madras University nor the Annamalai University has anything like that. In Government professional colleges like the Engineering College and the Medical College, there is communal representation. The Medical College at Visakhapatnam is affiliated to the Andhra University, and communal representation observed there too. Therefore there is no need to cast any aspersion on the other two Universities and say that they are following a different principle. It is not so. In the case of colleges other than Government professional colleges, it is completely in the hands of the Universities. It is not right to attribute to Universities things which the hon. Member may and has been attributing to the Government.”

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MR. SPEAKER :—“ The question is—

‘ That the Andhra University (Amendment) Bill, 1950, be passed into law.’ ”

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

VI. MOTION UNDER RULE 22 (3) OF THE ASSEMBLY RULES.

THE HON. SRI K. MADHAVA MENON :—“ With your permission, Mr. Speaker, Sir, under Rule 22 (3) of the Assembly Rules, I beg to move—

‘ That the Indian Criminal Law Amendment (Madras) Bill, 1950, contained in the supplemental Agenda be taken up for consideration before item 5 on the Agenda.’ ”

MR. SPEAKER :—“ The motion is—

‘ That the Indian Criminal Law Amendment (Madras) Bill, 1950, contained in the supplemental agenda, be taken up before item 5 in the agenda.’ ”

SRI K. BHASHYAM :—“ Sir, I think it is usual to make this motion earlier in the day so that hon. Members may be prepared. It is not that we are not prepared now. But such motions should not come up again. I should submit to you to say that these motions should be moved earlier in the day.”

THE HON. SRI K. MADHAVA MENON :—“ The hon. Member Mr. Bhashyam said that people might not have the time to study the Bill. But this Bill is not a controversial matter. It requires to be treated urgently, and that is why I have moved the motion.”

The motion was then put and carried.

V.—GOVERNMENT BILLS—cont.

(5) THE INDIAN CRIMINAL LAW AMENDMENT (MADRAS) BILL, 1950.

THE HON. SRI K. MADHAVA MENON :—“ Mr. Speaker, Sir, I beg to introduce the Indian Criminal Law Amendment (Madras) Bill, 1950, and move—

‘ That the Bill be taken into consideration at once.’ ”

“ Sir, the very mention of the Criminal Law Amendment Act is a thing which is most unpalatable to us. It was passed in 1908, and it was frequently resorted to by the former Governments. In spite of the various provocations, we have not been using the provisions of the Criminal Law Amendment Act. When the Communist Party and its allied organisations wanted to indulge in a policy of violence, murder, loot and arson, the Government in September last, were compelled to declare that organization as an unlawful association under the provisions of the Criminal Law Amendment Act. The provisions of this Act are indeed drastic. The question was taken up to the Supreme Court by one of the

* Published in the Fort St. George Gazette, dated 28th July 1950.

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persons arrested under this Act. The question there is whether certain provisions of the Criminal Law Amendment Act are consistent with the provisions of the Constitution regarding Fundamental Rights. It was not decided there as the matter went up on a preliminary point. So, we examined the matter again, and apart from the question whether any section of this Act is inconsistent with any of the provisions of the Constitution regarding Fundamental Rights, we thought it better to liberalize the provisions of this Act in such a way that the rigour of the Act might be taken away to the maximum extent possible. It is with that idea the amendments are brought before this House. The amendments, as I said, are only for liberalizing the provisions of the Criminal Law Amendment Act in favour of the subject. Under the existing Act, the Government may declare by an executive order an association as an unlawful association. The Government need not say that they are satisfied in the matter. If the Government simply declare that it is an unlawful association, it automatically becomes an unlawful association. Section 16 of the Act says—

16 (1). If the State Government is of opinion that any association interferes or has for its object interference with the administration of the law or with the maintenance of law and order, or that it constitutes a danger to the public peace, the State Government may, by notification in the Official Gazette, declare such association to be unlawful.

We are now amending this provision. The amendment to sub-clause (b) is—

(b) which has been declared by the State Government by notification in the Official Gazette to be unlawful on the ground (to be specified in the notification) that such association—

- (i) constitutes a danger to the public peace, or
- (ii) has interfered or interferes with the maintenance of public order or has such interference for its object, or
- (iii) has interfered or interferes with the administration of the law, or has such interference for its object.

By this amendment, the Government must specify the grounds to the person or the office-bearer of the Association. This is one amendment. The other amendment is that after the expiry of the time fixed in the notification for the making of representations the Government must place these representations before an Advisory Board consisting of three people who are Judges or retired Judges or are qualified to be Judges of the High Court, and their advice the Government must accept and act upon.

The amendment proposed to Section 17 (A) is—

(2 A) Any person aggrieved by a notification issued under sub-section (1) in respect of any place may, within, thirty days from the date on which such notification is published in the Official Gazette, file an application to the District Judge of the District in which such place is situated, or if such place is situated in the Presidency Town, to the Chief Judge of the Small Cause Court, to establish that the place is not liable to be notified under sub-section (1); and if such District Judge or Chief Judge decides that the place is not liable to be so notified, the State Government shall cancel the notification in respect thereof.

Sir, these are the amendments that I have placed before this House. Irrespective of the question whether the existing provisions in the Criminal Law Amendment Act offend the

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provisions of the Constitution, we are only trying to do natural justice by giving an opportunity to the person to prove that the association is not an unlawful association under the law. Sir, I move."

MR. SPEAKER:—"Motion moved—

'That the Indian Criminal Law Amendment (Madras) Bill, 1950, be taken into consideration at once.'"

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* SRI K. BHASHYAM:—"Mr. Speaker, Sir, I am glad that the recent decision of the Supreme Court has set the Government think about some of the measures that they have so far been enacting. It is really right and proper on their part to make an Act constitutional, fair and just to the people against whom it is directed. Some remarks in the Supreme Court judgment have made this Government think whether they have so far been acting justly towards the persons concerned. Therefore, I welcome this measure as a sign of awakening on the part of the Government that they also should act constitutionally and that they should also not act unconstitutionally. But while liberalizing the provisions of the Act to some extent, the Government have in some other respects narrowed down the provisions considerably. While they have provided for the constitution of an Advisory Board for the review of a notification issued by the Government under clause 15, the provision as regards representation before the Advisory Board if any person or association is aggrieved by the notification is wholly inadequate and wrong in character. For, that clause provides that 'nothing in this section shall entitle any person to attend in person or to appear by any legal representative in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board and its report . . .'. Therefore, to the extent to which the opportunity is not given to the person for representation against the notification issued against him or against the association with which he is connected to show that he or the association has not acted unlawfully, I think it is a denial of justice. Therefore, while to some extent they are fair and constitutional, they are still unconstitutional in making such a provision as to deny audience to the person concerned or to any other person on his behalf. That is one thing I should like to emphasize. This question of giving opportunity for representation to the various parties has to be thought over seriously by the Government if they want to act fairly. In all these cases of examination by the Advisory Boards and other consultative bodies which the Government set up, the person complaining against the order of the Government should have an opportunity of being heard himself; it is absolutely necessary. I can understand if it is said that a lawyer is a nuisance before the Board. At any rate, the person who makes representations should be given a chance to appear before the Board.

"As regards the constitution of the Board, it is proposed that it shall consist of three persons who are, or have been, or are

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qualified to be appointed as Judges of the High Court, and that one of them shall be its Chairman. I do not like these old High Court Judges to be put on these Boards because they have lost touch with the law and they do not know how things move. They do not concern themselves with politics or with the movement of the time. In this case, I should like that for the purpose of complying with the section one of them may be a Judge, whether he is retired or not, and for the other two places there should be two persons who are conversant with public affairs and who are, of course, qualified for the purpose. After all, the Advisory Board only deals with questions of fact. Such sifting of facts can be done by a person conversant with public affairs better. It is also necessary that the public should have confidence in the Board that is set up. So it should be constituted in such a way as to inspire the confidence of the public. One may be a Judge; the other two members need not necessarily be Judges. They may be public men who command the confidence of the public and who can competently sift the evidence placed before them and come to correct conclusions. It will not be fair if no opportunity for representation in person by the person concerned or by any lawyer on his behalf is given. Sifting of evidence merely on paper submitted by the police is wholly illusory and cannot serve the purpose intended.

"Another matter to which I would like to draw the attention of the Law Member is this. It is one which will really affect the constitutionality or the validity of some of the provisions. It is with regard to sub-clause (2) of the proposed clause 16. It says, 'Nothing in sub-section (1) shall require the State Government to disclose any facts which it considers to be against the public interest to disclose.' In view of the various remarks made in respect of some similar provisions in the Public Safety Act, I do not know whether this provision can be held to be constitutional. I should like the Hon. Minister for Law to think about it over again.

"One other clause which I am not able to understand is sub-clause (4) of new clause 16-A. It says as follows:—

"The report of the Advisory Board shall specify in a separate part thereof its opinion or that of the majority of its members as to whether or not there was sufficient cause for the issue of the notification in respect of the association concerned."

Should this separate part contain the reasons for its decision or the advice that it gives to the Government or merely the opinions? Is it to contain the reasons or opinions recorded or does it mean that it should contain any advice with regard to the future conduct of the Government in matters of that type? All these matters require deep consideration. I would, therefore, like the Hon. Minister to examine whether some amendments are not necessary."

SRI V. RAGHAVAYYA:—"Mr. Speaker, Sir it may be profitable for us to remember that the Criminal Law (Amendment) Act of 1908 is one of the obnoxious pieces of legislation trouble-

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us for the past several years. We, Congressmen, had been waxing eloquent always over the application of this Act and we used to wonder why the law of 1908 should be continued to be made applicable for all time to come. I am not going to enter into a discussion as to what justifies our Government to fall back upon this Act. But what I wish to suggest is this. In applying a very bad law, why not at least make good some of the provisions which are obnoxious on the face of it? For instance, in clause 2, three conditions are inserted to bring an association within the scope of it. They are—

- (i) constitutes a danger to the public peace, or
- (ii) has interfered or interferes with the maintenance of public order or has such interference for its object, or
- (iii) has interfered or interferes with the administration of the law, or has such interference for its object.

I submit, Sir, that no known principles of jurisprudence have yet banned the object of a man as being criminal. The language of sub-clause (i) is already vague. The provision if it constitutes a danger to the public peace is wide enough to catch anybody. It is undefinable, it is not precise. Anything may be thought to be a danger to the public peace. The Government are there to accuse us and also to some extent the executor. Not satisfied even after taking such wide powers, the Government have proceeded even to make the object of a man a crime. This is a thing which cannot be justified. I think even if the Government omit the object of a man to interfere with the maintenance of public order or with the administration of the law, the power of the Government to declare an association unlawful would not in any way suffer. In the interests of justice and in view of the various pungent remarks with regard to the several measures that the Government have from time to time been enacting and in view of some of the recent judgments of the High Court, I think it would be well for the Government to withdraw some of the very offensive portions and confine themselves to general accusations that 'the association may constitute a danger to the public peace'.

"Secondly, as has been usual with this Government, they try to get away from the clutches of a lawyer. There seems to be a dread, an unforgettable dread, for this Government that a lawyer may sometimes poke his nose into the illegalities and flaws of legislation and set at nought the salutary effects of legislation. Such a fear may be justified in infancy. But this Government have been in power for the last three years and they should have selected their legal advisers sufficiently well. I do not think it is good for the Government to go on invoking such sort of arbitrary powers for any length of time. I think it should have been possible for this Government by this time to secure able advisers of law so as not to create too many flaws to invoke trouble from the High Court. What are the circumstances that have made it necessary for the Government to invoke such wide powers as 'Nothing in sub-section (1) shall require the State Government to disclose

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any facts which it considers to be against the public interest to disclose.' The Government are prepared to disclose these facts to the Advisory Board. That Board will consist of three persons who are, or have been, or are qualified to be appointed as, Judges of the High Court. That means they may be present Judges or ex-Judges. I do not know what the Government really mean by this. I can understand if it is said 'persons who are Judges.' Mr. Bhashyam has said that they may be Judges who have no living touch with the existing conditions of the world. I can understand even such persons. But who are the people belonging to this category 'or who are qualified to be appointed as Judges of the High Court'?"

THE HON. SRI K. MADHAVA MENON:—"People like Mr. Raghavayya."

SRI V. RAGHAVAYYA:—"I do not command so much of confidence. Perhaps it refers to several people. Whatever it be, if I deserve it or not, it is a very dangerous category of people to be entrusted with these powers. If the guarantee to get a Judgeship of the High Court is to do an injustice to people or if it is a guarantee to be appointed Member of the Advisory Board, then that day . . ."

THE HON. SRI K. MADHAVA MENON:—"Sir, it is not a fair remark to make with reference to any sort of tribunal that one must do injustice to a category of people to get a Judge's place."

SRI V. RAGHAVAYYA:—"I have not said that. I have said only 'if.' I have been more careful enough than the Minister himself. (Sri T. S. Pattabhiraman: 'Irresponsible'.) I wish the Member understands the meaning of the word. What I mean to say is (—) here is a clause which can cover a wide category of persons. If it means every lawyer, I can understand. They may say 'a member of the legal profession'. That is a more honest and plain way of putting things than leaving a loophole there to enable the Government to appoint anybody and everybody they want. In the interests of justice and fairplay, I wish the Government would clarify that suspicious category which sneaks in 'those qualified to be appointed. . . . Now-a-days people are easily getting appointed as Judges. I am not going to discuss the merits or ability of the persons concerned or of the Government in appointing them. They could have said 'any member of the public with a judicial experience'."

MR. SPEAKER:—"Will the hon. Member finish within one or two minutes?"

SRI V. RAGHAVAYYA:—"I may take about 10 minutes, Sir."

MR. SPEAKER:—"Then he may continue after lunch. The House will now rise and meet again at 2-30 p.m."

The House then adjourned.

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(After lunch—2-30 p.m.)

SRI V. RAGHAVAYYA:—"When I was trying to draw the attention of the Government to the third category of members on these advisory boards, I had in mind the category of people called non-officials. I do not agree with my hon. Friend Mr. Bhashyam when he said that instead of Judges who may not be acquainted with the conditions of the present day, non-officials can be taken into these boards. Sir, it will be a dangerous precedent, particularly in these days when political interests clash violently and very often we come across districts which are divided into two or more divisions. Unfortunately things are getting worse and controversies are raised everywhere. Under such conditions, it is difficult to come across many persons who can take a judicious and independent view. So it is always safe to entrust this job which is a very onerous and responsible one to ex-judicial officials, or better to present judicial officials. The Hon. Sri Madhava Menon in his opening remarks illustrated the necessity for this legislation to deal with some of the unlawful associations. But the definition given in Section 15 is so wide as to include many associations which are even innocent. The definition of 'association' given in Section 15 is 'association means any combination or body of persons, whether the same be known by any distinctive name or not.' According to this, any group of persons even though it may not be functioning as a body and even though it does not possess any particular distinctive name can be brought under the purview of this legislation. That is a very risky and dangerous way of interfering with the elementary liberties of a citizen. Already there is a great cry in the land that every legislation that is being brought into existence in the past one or two years is a flagrant encroachment upon the civic rights and fundamental rights of the citizens. It is not for nothing that our Constituent Assembly laboured so long for the preservation of these valuable rights. According to the Government, if a body of persons—even if it be five persons—think alike, and God only knows how the Government will gauge that they are thinking alike, they would be deemed to interfere with law and order and maintenance of public peace and immediately would be brought under the purview of this section."

THE HON. SRI K. MADHAVA MENON:—"The hon. Member is talking upon a Section which the Government are not seeking to amend."

SRI V. RAGHAVAYYA:—"When I want to explain the mischief that is likely to be caused by Section 16 in which the word 'association' is used, I have necessarily to refer to Section 15 in which we find the definition for the word 'association'. I am sorry the Hon. Minister is touchy when I refer to this point. I feel that he ought not to feel like that. So if we read both Sections 15 and 16 together, we may see that even three or four persons may be brought within the purview of this Act under the pretext that they are likely to interfere or have for their object interference

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with the administration of the law or with the maintenance of law and order and so on. I want to emphasize that such encroachment on the liberties of the citizens, even if they are communists, is not warranted.

There is another provision to which I wish to draw the attention of the hon. Members by which the Government want to deny any legal aid to the victims of this Act. Sub-section (5) of Section 16 reads as follows:—

Nothing in this section shall entitle any person to attend in person or to appear by any legal representative in any matter connected with the reference to the Advisory Board.

MR. SPEAKER :—“ Is the hon. Member reading the original Bill ? ”

SRI V. RAGHAVAYYA :—“ No, Sir. I am reading the amendment. This provision would work very great hardships. Suppose a person is kept as a detainee in Vellore or some other jail. No means of communication will be available to him except through the police and through the jail authorities. According to this provision, he is denied the opportunity of engaging a lawyer to plead his case before this Board. If a person belonging to an association is arrested and kept in detention, there will be no chance for him to engage a lawyer. Take for instance the Secretariat Association. If there was a case against any of its members, he will be left with no chance of explaining to this Board that his association has been innocent and that he has not been dobbing in controversial matters. The Government is not prepared to help these people with legal aid. Somehow, when I talk on this subject, the Hon. Minister feels touchy, which he ought not to. When he refers to associations, he must remember that they consist of human-beings. When an association is declared unlawful, its secretary is bound to be arrested and after his arrest, he must have the right to plead his case before this Board. To enable him to do so, he must be given necessary legal aid. I do not understand why this Government should feel shy of facing a lawyer of all the persons in this world. When the Government have got their own officers to help them in drafting, codifying and administering the various laws enacted by them, I fail to understand the Government's unwillingness to help these poor people with legal aid.”

MR. SPEAKER :—“ One more minute for the hon. Member.”

SRI V. RAGHAVAYYA :—“ That is enough, Sir, and I will finish within that. There are ever so many associations. There is the Kisan Association and there is the Youth Association and Mr. Madhava Menon is very fond of Youth Associations. Again there is the Sanskrit Association. Of late Mr. Madhava Menon has developed a sort of fondness towards Sanskrit and perhaps he knows much of it. That Association may say that Hindi should be made compulsory. Then it is open to this Government to say that it is an unlawful body and it will interfere with public peace in the land and also

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interfere with the administration of law and order. Under these pretexts, the office-bearers of this Association may be arrested. When the Government is trying to arm and clothe itself with arbitrary powers, let there be at least some show of justice if not the actual practice of it. In trying to step into the toes of others let them beware what the effect will be when others step into their toes. When we look into clause 16 (2) which says, ‘ nothing in sub-section (1) shall require the State Government to disclose any facts which it considers to be against the public interest to disclose,’ it clearly shows that administrator steps into the role of prosecutor also. I appeal to the Government to think over these matters.”

JANAB MAHBOOB ALI BAIG :—“ Mr. Speaker, Sir, the Minister for Education and Law, while moving the motion observed that with a view to liberalise the provisions contained in the Criminal Law Amendment Act, these amendments have been brought in under the present Bill and also made a reference to certain doubts arising out of some proceedings before the Supreme Court. He said that he had the matter examined by his office and has brought the present amendments as he considered that they are necessary for liberalising the provisions of the Criminal Law Amendment Act. In this connection, I would like to refer to one or two Articles of the Constitution Act, which will clearly show that the amendments which are sought to liberalize the law run counter to the provisions of the Constitution Act itself. If I am not in order in saying that the Criminal Law Amendment Act itself is illegal, I would like to content myself by referring to the provisions that are before us. Article 13 of the Constitution Act says: ‘ All laws in force in the territory of India immediately before the commencement of this Constitution, in so far as they are inconsistent with the provisions of this Part, shall to the extent of such inconsistency, be void.’ Another Article says that no State can make any law which is inconsistent with the provisions of the fundamental rights mentioned in Chapter III. Then comes Article 19 which is a very important article and which deals with the right to freedom. Sub-clause (1) (b) of Article 19 deals with citizens' right to assemble peaceably and without arms and sub-clause (1) (c) of the same Article deals with forming of associations or unions. Then there is a proviso with regard to these rights in clauses (3) and (4). Clause (3) says: ‘ Nothing in sub-clause (b) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevents the State from making any law imposing; in the interests of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.’ Again, clause (4) says: ‘ Nothing in sub-clause (c) of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interests of public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub-clause.’

“ So it follows that the State can impose only reasonable restrictions.

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2.45 p.m. “ Sir, I should like to invite your attention to Article 358 of the Constitution under the emergency provisions. It reads:

“ 358. While a proclamation of emergency is in operation, nothing in Article 19 shall restrict the power of the State as defined in Part III to make any law or to take any executive action which the State would, but for the provisions contained in that part be competent to make or to take, but any law so made shall, to the extent of the incompetency, cease to have effect as soon as the proclamation ceases to operate, except as respects things done or omitted to be done before the law so ceases to have effect.”

From this it is clear that it is only under circumstances described in Article 358, Article 19 will stand suspended. An emergency must be proclaimed and then only the State has got a right to suspend Article 19 and make any law not consistent with the rights mentioned in Article 19. Now there is no such proclamation.

“ Sir, according to me, the Criminal Law (Amendment) Act itself is illegal. Anyhow let us see whether the amendments brought before us are consistent with the provisions of Article 19. Now, clauses (3) and (4) of the Article abridge and modify the rights mentioned in the earlier portions of the same Article. The proviso itself has been very carefully worded. After great deliberation and discussion the Constituent Assembly inserted the words ‘ reasonable restrictions.’ The motion before the Constituent Assembly was that these provisos must go, but anyhow as a compromise and to satisfy the liberal-minded persons, the words ‘ reasonable restrictions ’ were introduced. The question is, what is meant by ‘ reasonable restrictions? ’ I do not think that the banning of an association can be said to be imposing reasonable restrictions. ‘ Reasonable restrictions ’ are different from banning the association actually. You can ban it only under Article 358 when an emergency exists. So long as Article 358 does not apply, Article 19 applies and you can only impose reasonable restrictions. Therefore it comes to this that the State Government has no right to ban an association. That is my view of the matter. Because when there is not in existence the association itself, you cannot say you are imposing reasonable restrictions on an association which you have banned. It contemplates the existence of an association and your imposing reasonable restrictions on it. That is the view that I take. However, even if you think that an association of that kind can be banned, what is the remedy that you have suggested? You suggest that by notification, the State will have the power to ban an association on some grounds. We must thank the Government that they give some grounds, though not the proof therefor. That is a different matter. You place the matter before an advisory board and the board goes into the matter and sends a report to you whether you are justified in banning it or not. That is the provision you want to make. But who is to judge whether the restrictions are reasonable restrictions? I am glad that the Government are not taking upon themselves to decide whether the restrictions are reasonable and that they are handing the matter over to an advisory board. Ordinarily, is an advisory board a good substitute for a court? An advisory board is set up. So far so good. I certainly appreciate it. It is liberalizing the provisions

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of the previous enactment. But, are the Government acting legally, if instead of allowing the parties to dispute the matter in a court of law, they want to substitute the advisory board? It may be said that Article 22 of the Constitution provides for an advisory board. Where the Constitution itself provides for an advisory board, that is all well and good. That is a good substitute for a court. But, where the Constitution does not provide for advisory board, who is to judge whether the restrictions are reasonable or not? Naturally and legally it is the court that has to judge whether the restrictions that are imposed on a body are or are not reasonable. In the absence of a separate, clear and distinct provision in the Constitution itself that the reasonableness of the restrictions shall be decided by an advisory board as is provided under Article 22, my submission is that such an institution as an advisory board is not a legal substitute for a court. It may be a fair body. I am not going into the question of the board not acting properly. I know in very many cases the board is composed of very good gentlemen, much better than others. Let me not be misunderstood. I am not opposed to the advisory board as such, because eminent men will be there on it, who will not be influenced this way or that. If retired men are put on it, what have they got to look forward from the Government? I am only looking at it from this point of view. Where the Constitution does not provide for an advisory board to decide whether the restrictions are reasonable or not, the question should be decided by the courts and courts alone. Even the Legislature of the State has no power to create tribunals to judge the reasonableness of the restrictions according to Article 19 of the Constitution.

“ Therefore, firstly the Criminal Law (Amendment) Act that is sought to be amended now is itself inconsistent with Articles 13 and 19 of the Constitution. The Government can only impose reasonable restrictions and not altogether ban the association. Anyhow that is a different matter. But in regard to cases where the Constitution does not provide for a separate advisory board to go into the question whether the restrictions imposed by the Government are reasonable or not, the legal tribunal that is to decide the matter is the ordinary court of law.

“ Sir, I am glad that where the question of taking over the property or the house of such an association is dealt with, the Government have provided that the matter should be decided by the courts which have jurisdiction—the courts of District Judges in the mufassal and Chief Judge of the Small Cause Court in the City—and that the procedure that will be followed for the investigation of the claims will be the procedure laid down in the Code of Civil Procedure, 1908. So far so good. A forum which is consistent and legal has been created in the case of property which is taken over by the Government. But in the other case, a doubt has arisen in my mind and I have thought it necessary to place it before the Government so that the Legal Department may examine the matter. After all the Hon. the Law Minister has come out with good intentions. The Criminal Law (Amendment) Act is,

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old Act and it is reproduced here. My objection is to its reproduction here. The object of 16 (1) is to allow the persons who are aggrieved, to file a representation and get the order of notification cancelled. Now, when we say that the notification shall 'specify the ground on which it is issued, the reasons for its issue, and such other particulars, if any, as may have a bearing on the necessity therefor', naturally all the material grounds on which it has been issued have got to be set forth. But sub-section (2) reads 'nothing in sub-section (1) shall require the State Government to disclose any facts which it considers to be against the public interest to disclose'. That exception is to the specifying, even if those objectionable facts happen to be grounds for the notification. Otherwise, this need not come in as exception to 16 (1). When 16 (1) intends that the grounds should be specified, 16 (2) says that public interest may prevent the disclosing of any facts. As a question of political or State policy, it can be understood; but as affording a banned association the right to make a representation if any material fact which moved the Government to ban the association and which formed a ground on which the notification was issued is not set forth, it cannot be correct. The only logical result will be that the persons who may have to complain against it would not know the particular important fact: very important facts may have been known to the Government and those facts the Government may not disclose. The result would be that the most important fact would not be within the knowledge of the persons who has to make the representation. When we give the person a right to represent, under 16 (1) (b), by fixing a 'reasonable period for any office-bearer or member of the association or any other person interested to make a representation in respect of the issue of the notification' he would not be in full possession of the materials against which he will have to make the representation. So, that exception will have to be deleted.

Again, what transpires before the Advisory Board is this: The Government place their own materials before the Advisory Board as well as the representation that they have received. Therefore, if any fact is not known to the person who objects, he would not make any due representation with regard to that. Ultimately, it is only the Advisory Board that would have to call for such materials as it may deem fit and also call 'for such further information as it may deem fit from the State Government or from any office-bearer or member of the association concerned', etc. Therefore, the further material which the Advisory Board could get could be from the persons who know very important facts, and the ultimate result would be futile if the Government do not give the facts even in the first instance. It may be stated that there may be some danger in giving the grounds for detaining a person, as in the case of an association which is banned. Nevertheless, under Article 22 we have seen that the Supreme Court has declared that in a similar clause as now found here, facts which may be in the public interest must nevertheless be disclosed, because otherwise it will be a denial of rights. I therefore submit that in all fairness,

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it is better to delete this clause. If the facts are such that it is necessary to issue a notification based on them, the person concerned who will be afforded an opportunity should be in full knowledge of the facts, so that he may press them.

"The third thing which I cannot understand is the Government's reason for putting in clause 16-A (5) which says:

'Nothing in this section shall entitle any person to attend in person or to appear by any legal representative in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board and its report, excepting that part thereof in which its opinion or that of the majority of its members is specified, shall be confidential.'

Sir, this is preventing personal representation. I believe the Hon. Minister would have been aware that at the time when we were all under detention, we were all pressing, and I myself remember having sent a memorandum on behalf of every person to the then Government, that I must be personally put before the Judge or before the committee, in order to see what the charges were against me and who were the persons to depose against me. Similarly, if the persons here cannot appear in person—in these modern days with so many laws and so many rules—it is not possible to expect a layman who may be a member or an office-bearer of an association, to be able to know exactly how the matter should be tackled before the Advisory Committee. Therefore, the denial of the right of personal audience or the right to appear by legal representative, i.e., a lawyer or counsel, is one which should not be included in the Act. I know the Government have gone nearly 80 per cent towards trying to make this harsh law as much humane as possible, consistent with the present conditions; but at the same time, I would venture to advise that it should not be reduced to a farce by making the right of representation illusory, by taking away some of the main facts which will be put against the person or by denying the right of representation. These are things which I hope the Hon. Law Minister will consider and see that they are rectified accordingly. The portion relating to the representation of the office-bearer is one which may possibly be corrected by a short amendment or by change of language, but with regard to the other two points raised by me, I would request the Hon. Law Minister to see whether clauses 16 (2) and 16-A (5) which are offensive, cannot be rectified."

JANAB MOHAMED ABDUL SALAM:—"Mr. Speaker, Sir, it must be an irony of fate that the Hon. Mr. Madhava Menon and his party in power who were victims of persecution and prosecution under the same Criminal Law Amendment Act by a foreign Government, should now come forward to rectify, modify and perpetuate that Act in this State. Sir, Heavens are not going to fall if things are left to the ordinary law Courts in the State. In his opening remarks, the Law Minister has not made out a good case for taking shelter under this Criminal Law Amendment Act for the present amendments. He has not proved that the amending Bill is essential and that without it, something very serious will happen."

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"Mr. Speaker, Sir, Mr. Baig and Mr. Vaidyanatha Ayyar have proved that some of these amendments run counter to the Constitution Act. We have been seeing that our Law Minister is a reasonable man; when he brought forward some amendments to the Public Safety Act and when questions were raised by me and Mr. Viswanatham, he accepted our suggestions and our contention was proved to be correct when the judgment of the Supreme Court came in. Now, the suggestions of Mr. Vaidyanatha Ayyar and Mr. Baig are before him; I should like the Hon. Minister to think over the suggestions, consider them, take proper legal advice and then decide, before he persists in proceeding with this Bill.

3-15 p.m. "Now, Sir, the suggestions made by the hon. Mr. Vaidyanatha Ayyar and the hon. Mr. Baig are before the Hon. Minister and I would like him to think over them, consider them and if necessary, take proper legal advice before he proceeds with the Bill, for nothing will be lost if this Bill is not passed. But, on the other hand, it will be a great reflection on this House and on the legal knowledge of the Department and the Hon. Minister himself, if later on, it is declared that this very same amendment runs counter to the Constitution Act.

"Then, Sir, Mr. Vaidyanatha Ayyar has said that some of the rigours of the Act have been removed. But, what is it that has been removed? Is it not a fact that there is scope for this Government to declare any association illegal? It is still there? They have not defined the term 'interferes with the administration', or 'interferes with the law' or 'with the object of doing anything' against the Government! So, any association which interferes with the maintenance of public order, or with the administration of the law, can be banned. I do not know whether the self-same Act will be used against any party in power in the future elections. Of course, I do not presume that. But, it would be better for the Law Minister to define what he means by interfering with his actions. To illustrate only one case, people say that about 20 or 30 innocent organizations in this Province have been banned, because they have refused to join the Indian National Trade Union Congress an organizations organized by the Congress Party in Delhi. Because some of these organizations have refused to fall in line and join the Indian National Trade Union Congress they have been banned. I would like to give another illustration. The Commercial Employees' Union in this State has been banned recently under this self-same Criminal Law Amendment Act. If only the Government had enough information, they would have taken them before the Court. Neither the Secretary nor the office-bearers of this Union have been brought before the Court and there was also no charge-sheet against them, but they simply banned it. It is easy for the Government to say that an association is banned, and they are not tired of saying in season and out of season that this or that association has got communist leanings. Only this morning, Sir, the representative of a Peoples' Government, the Congress Government was saying in the matter of the Elementary School teachers, that they are taking part in politics also. Is it the object of this Government to ban any organization

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which has any political activity? The elementary school teachers of the Andhradesa wanted permission to organize themselves, but it was refused saying that they have taken part in politics. I ask, is taking part in politics the right only of the party in power? And what is the harm in the teachers taking part in politics? If they ask for more allowance, less hours of work and expose the activities of the Government or of some of their stooges in the districts, what is wrong in that? If only the Hon. Minister for Law has got enough information, the Government would have said that for these reasons, they refused to give permission for the teachers to join the federation. But, he simply said, it was refused for their political activities. I ask, is political activity the prerogative only of the Hon. Mr. Madhava Menon or his party? I say it is the prerogative of every person and every union. My hon. Friend, Mr. Baig, rightly said that this runs counter to the Constitution. Well, if the Commercial Employees' Union has interfered, it ought to have interfered with the administration because this Government is in the hands of Parry and Company or what ever it is. We have seen proof that this Shops and Establishments Act is not properly implemented. If this teachers' association comes forward and says to the Hon. Minister, here there is a flaw and Government have to decide it, you say, it interferes with his administration. What is it that they have interfered with? You can hang them if you have any proof. But, you do not touch them, you have nothing to prove and there is not even a charge-sheet against them, but the entire association goes fut. So, Sir, my point is, instead of merely copying from the old Criminal Law Amendment Act, which the Hon. Mr. Madhava Menon and the party in power were never tired of criticising and condemning in the past—if only I have enough time, I would quote chapter and verse about the way in which they were agitating for the last 20 or 30 years—and saying that because a particular organization is interfering I will ban it, they should drop this Bill. But what they do is, they merely copy chapter and verse from some other Act and come and say, we are doing some good.

"Now, coming to the amending Bill proper, if this Government are only anxious that they should do justice to the people—but they are mere victims of capitalist organizations—they should have devised ways and means to give a correct solution. After all the definition is intended only to guide them, and you have merely to decide whether an organization is interfering with your administration or not. So, should you not have the yard-stick to measure your own mind or your capacity to do justice in the proper sense. It is quite possible that an organization may have indulged in some subversive activities and possibly this Government may be victims of certain interested persons. First of all there is nothing new in this Bill and you have simply copied it from some other Act.

"Coming to the amendment itself, Mr. Speaker, the whole proceedings before the Tribunal are confidential. What is it that gives a sense of security to the accused or some other party in a Court. After all the Court is so public. And, Sir, what is it that gives dignity to this House? It is the Press which takes down

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every word that is uttered and what is done here and gives publicity. That gives dignity to the Chair and the proceedings of this House”

MR. SPEAKER:—“Does the hon. Member think that giving publicity in the Press about what is happening here, gives dignity to the Chair ?”

JANAB MOHAMED ABDUL SALAM:—“Yes, it does.”

THE HON. SRI K. MADHAVA MENON:—“The hon. Gentleman did not mean the Speaker sitting in the Chair, but the Speaker himself who is speaking.”

JANAB MOHAMED ABDUL SALAM:—“The success of anybody or even the Court of justice depends on the question of publicity. In fact, the public is a greater judge than the Government and the Tribunals. I know the Tribunals that have been set up in this State have no good name, because judgment after judgment of the High Court or the Supreme Court have proved that everything is not all right with these tribunals. In regard to the Salem incident, when the hon. Member said he was setting up a Committee of Enquiry, I said it was all a hoax, because they appoint their own men on the committee and it is not open to the Press. The accused persons or the parties concerned have no right”

THE HON. SRI K. MADHAVA MENON:—“I may point out that the Salem incident is before a Court of Enquiry and so it is *sub judice*.”

JANAB MOHAMED ABDUL SALAM:—“Whether it is in regard to the Salem incident or anything I am only asking the Hon. Minister that unless the proceedings before a tribunal are open to the public, and unless the parties concerned have a right to appear before it through their advocates, it is not possible for justice to come out. Here is this Government coming forward to-day in 1950 saying that our enquiries shall be confidential. The amendment says, except the operative portion, the whole proceedings must be secret. I cannot understand this Government saying even to-day, we will have an enquiry made against you and it shall be confidential. I ask, is it proper? After all, what is going to happen if the proceedings are made public? If only your information is correct and after all you have got all the information before you, nothing will be lost if it is known to others. Now, recently about 20 or 30 associations have been banned because they refused to join the Indian National Trade Union Congress. It is up to the Minister to prove with all the facts he has before him before taking action against them. After all, judgment is a judgment and it is not a final judgment until the case is tried in a Court of Appeal. Our Government are going to take up the High Court judgment on the Communal G.O. to the Supreme Court. But, what would have happened, if there is no appeal to a higher Court? Rightly there is an appeal in this case and they are going to take it on appeal. But, in this matter, there

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is no appeal because this amending Bill says there is no appeal from the tribunal. After all, it is possible that in some cases somethings might happen, for instance, some information might be lacking or some representations lacking and the Courts might decide in a particular way.* So, in such a case, what does the Government lose in allowing an appeal. After all, an appeal will lie from the tribunal to the High Court or the Supreme Court.

“The Hon. Minister for Law is not tired of saying in some school or college, we must respect the High Court judgment and we follow it and so on. Similarly, in this case also, where an association has been declared illegal, if there is the right to appeal against the judgment of the tribunal to a Court, it would give an opportunity to the persons concerned to appeal through a person who knows law. If such an opportunity is denied, what is the meaning of saying that the rigour of the Act have been removed by this amendment. It is not correct. That is why I think I am right in having introduced an amendment to His Excellency's Address charging this Government of Fascist tendency. If any proof of it is needed, here is the proof. If an organization has no right to go to a Court of Law or a tribunal, what is the meaning in saying, here is something which is charitable. It is this that I had in my mind when I said that this Government have a Fascist tendency. Sir, this Government are not tired of passing Acts and then saying that they will have retrospective effect. For instance, clause 17-A (3) says that unless the Government modify their own orders of notification, it is valid under this amendment. Suppose, they have passed an order and declared an association illegal, they might modify it and subsequently frame charges. But, if they do not do so, it is supposed to be a proper declaration under the Criminal Law Amendment Act.

“Now, what is this retrospective effect? This Government are not tired of doing such a thing and we have known three or four instances where they have said that whatever might have happened in the past, it should be taken as correct. Sir, it is not proper on the part of the Government to have come forward to amend the Criminal Law Amendment Act. On the other hand, it would also have been better in their own interest, because they are going to face the elections in the future. In fact, they themselves argued and canvassed for its repeal in the past. It is therefore but proper that they drop this amendment. Now, as far as this Government is concerned, they are perfectly competent to do it. We want something better to-day and it is better for them that they do not do things in such a Fascist way.”

* SRI T. VISWANATHAM:—“Mr. Speaker, Sir, I am very glad that two or three hon. Members have already drawn the attention of the Hon. Minister for Law that there is some legal and constitutional flaw in the Bill before this House. I want the Hon. Minister to give me a sympathetic ear and not feel that I am standing here just to criticise him, but I want him to understand my point of view. I have often pressed on the floor of this House

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that when we pass legislation we must try to do everything perfectly right, at least as nearly right as it is humanly possible. It is only with a view to draw his attention to this aspect that I am addressing a few remarks. I entirely agree with the view that the Criminal Law Amendment Act itself is in violation of the Constitution. It is certainly repugnant to clauses (b) and (c) of Article 19 of the Indian Constitution. Banning an association is not imposing reasonable restriction within the meaning of the proviso to Article 19. It is one point on which I want the Hon. Mr. Madhava Menon to concentrate his mind.

3-30 p.m. "Next, Mr. Speaker, something has been pointed out with regard to the nature of this clause and I do not like to repeat exactly what the other hon. Members have said, but I am addressing the Hon. Mr. Madhava Menon particularly on a new point. I draw his attention to section 15 of the Original Act.

"Section 15 is not the operative portion of the Act; it is a section which contains definitions; it contains two sub-sections, the first one defines 'associations' and the second defines 'unlawful associations'. Now according to clause 2 of the present Bill, it seeks only to amend the definition. The original 'unlawful association' is defined as:

"unlawful association" means an association—(a) which encourages or aids persons to commit acts of violence or intimidation or of which the members habitually commit such acts, or (b) which has been declared to be unlawful by the State Government under the powers hereby conferred."

The words are, Mr. Speaker, very important and I repeat them 'which has been declared to be an unlawful association under the powers hereby conferred.' This relates only to the definition of what is an unlawful association, how the unlawful association comes into existence and it arises by a declaration made by the Provincial Government under the power hereby conferred. That is, after defining what it is, certain powers have been given to the Provincial Governments to declare associations unlawful under subsequent sections and that is section 16 (1). The definition makes mention of powers granted to the Provincial Government and the Government derive their powers from section 16 (1) of the original Act. This Bill unfortunately takes away the operative portion of the original provision and puts it into the definition clause. I have heard that the draftsmen of the Legal Department of Fort St. George are very clever and shrewd but I do not know why they have followed this course. As already pointed out by my hon. Friend Mr. Vaidyanatha Ayyar, they take away the wording of section 16 (1) of the original Act, and put it into a definition clause. What were the powers of the Government under the old Act? If any association has for its object the interference with the administration of law, with the maintenance of law and order or engage in activities dangerous to public peace, the Provincial Government may, by notification in the Fort St. George Gazette declare such association unlawful. By the process of amendment under the new Bill, what the Legal Department of the Government have done is that in a very confused way they have removed the wording of that section into the

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definition clause. Now, where is the power of the Government to declare any association unlawful; that was in original section 16 (1) which has been deleted. If that is deleted, the Government loses altogether the power to say that a particular association is unlawful. They have definition; they have got an ideal; they have got a directive principle but have they the power to declare any association unlawful as they had under section 16 (1) and there is nothing for the Government upon the basis of which they can proceed. I am, therefore, asking the Hon. Minister for Law to bring the Bill for reconsideration to-morrow after proper amendment. I have got other points to submit but if I am able to convince him I am sure he would be willing to bring the matter up for discussion to-morrow. The Hon. Minister shakes his head. I am very sorry that he is not convinced in spite of the great sympathy he has shown to our point of view. I submit that this is an ill-drafted and worthless Bill. If I am not a friend of the Government and if I did not belong to the party to which I have the honour to belong, I would have said: By all means pass the Bill; apart from its unconstitutionality in the face of Article 19 of the Constitution, there is no offence at all. All this big paraphernalia will prove useless because the substantive section has been removed into a definition clause. The original definition clause contains the words 'which has been declared unlawful by the Provincial Government under the powers hereby conferred' and that 'power hereby conferred' are nowhere. In the over-enthusiasm of the Legal Department, it has been removed. It is my misfortune and the misfortune of the several associations which are and will be declared unlawful by the Government. Certainly, they are unfortunate; to the extent that they are able to go to a Court and get their decision, this Act will be there; the Supreme Court may declare it void but the Government would have taken action under the Bill and prosecution will stand. Notwithstanding the Hon. Minister shaking his head, I would earnestly ask him to reconsider. My submission is that the Criminal Law Amendment Act itself is void; there may be a suit very soon and there will be petitions to test its validity very soon as it is clearly against Article 19 of the Constitution. I was first hesitating if you will call upon me to speak first. If I had been called upon earlier, I would have spoken in a very hesitant mood; but you were pleased to call two or three lawyers and I am rather heartened that they have expressed the same opinion and, therefore, I am more confident that this is an illegal Act and there is no purpose in proceeding with the amendment.

"Referring to Advisory Boards and the other machinery invented for the first time, I have to submit that the right vested in a citizen to go directly to a Court of Law under the Criminal Law Amendment Act—in the original Act there is a provision and as soon as you prosecute a person, he has got a right to defend himself in a Court of Law and if he does not get justice there he can take it in appeal to the High Court—the right to go to the

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Court directly is interposed unnecessarily and that right, a valuable right, is obstructed. Perhaps it has been thought that the provisions applicable to detentions might also be transferred in the case of unlawful associations under this Act. Possibly, it might have been started with good intentions but it is only obstructive and it does not fulfil the object that the Hon. Minister might have in view. Therefore, I suggest that he reconsiders the matter. Even if he does not reconsider, I do not mind because under the amended Bill there will be no power for them to declare any association unlawful. If he does not do it, it is, as I said, the misfortune of these associations against which he wants to take action, for sometime."

SRI A. KALESWARA RAO :—"Mr. Speaker, Sir, I have always been known to be one of the staunchest opponents of the Communists in our State and I am perfectly alive to the gravity of the Communist menace both in the Andhra districts as well as in the Telangana. They got encouragement from the international situation which is growing worse day by day. There is no use of remaining complacent and over-confident in the belief that the Communists had been suppressed. They are a permanent menace to the whole of Asia, of India and of our State and particular parts of the State. Being alive to this, I am supporting the Government in the various measures that they are taking against them; I am supporting their Law and Order Department not oblivious of the Police excesses that had happened; I am not going to the Press about it but, on the other hand, I have been telling the officers of the department about them and I am glad they are correcting them and I am glad that since the officers were changed in March 1949, there has been an improvement in morale of the Police, the Magistracy and the Revenue Department. Yet, with regard to this law, I must express my opinion. Our new Constitution has introduced fundamental rights. On the lines of the Constitutions of the United States and of the various countries that obtained freedom after World War I—take the Constitution of Czechoslovakia, the Weimar Constitution of Germany, Poland and the Irish Free State, in all these Constitutions you will see a Chapter on Fundamental Rights. Such rights do not find a place in the older Constitutions, particularly of England and the Dominions that have followed England. In the United States they have the Fundamental Rights in their Constitution and sometimes they got it done by way of an amendment to the Constitution. According to our Fundamental Rights, nobody can be kept in prison by the executive Government without trial in a Court of Law and any law repugnant to that is void. When we do anything repugnant to the Constitution, we have to be extremely careful. In my humble opinion, the Criminal Law Amendment Act is void. It was an Act which was passed in the days of repression and suppression of the national movement in the days of Vande-mataram and it has been amended from time to time and the

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Congress Government itself with very great reluctance used it against the self-respectors. But now that law has become void in the face of the Constitution. I therefore suggest that instead of amending an old law, let a new law be brought in. I was travelling with a Judge of the High Court and he was telling me, 'If you want to deal with the Communist, you deal with him by means of a separate law.' I asked him, 'why are you lenient to the Communists?' He said, 'what can we do; you want a law in a vague and general way; you do not want to be strict and direct; it is not as if we have no sympathy; if we interpret it liberally, you will later on apply it to innocent persons; therefore we have to be strict.' So, Sir, it would be better if the Government attempted to bring a Bill without reference to the Criminal Law Amendment Act dealing directly with the Communists. Sir, that is one point I wish to submit.

3-45
p.m.

"Then, Sir, there are two other aspects with which I want to deal. Some of my friends who spoke before me have dealt with Article 19 of the Constitution and rightly stressed that the right of association is a fundamental right along with the right of speech. Now, with regard to that right, only reasonable restrictions can be made. I do not know whether what is contemplated in the present Bill is reasonable restriction. If it is not, then we have to resort to Article 358, which gives power to deal with an emergency. I suppose all of us will concede that the Communist menace is an emergency; because the Red menace in Korea is advancing; the whole of East Asia is getting Red; thereby the Communists here get encouraged; they secretly and suddenly appear here and there, not only in my part of my country, but also in parts of the country to which the Hon. Law Minister belongs. Therefore what appears to me to be done is this: declare any association as unlawful which is a danger to public peace and see that association is suppressed immediately. Then, with regard to the words 'interference with the maintenance of law and order', what do they mean? They are too vague. I do not think they ought to be there. The words 'constitutes a danger to the public peace' are quite enough.

"Then, Sir, I have only one word to say and I will finish. With regard to representation, it is wrong not to allow representation, personal or legal. When a man files a petition before a tribunal, what is the meaning of the tribunal seeing merely the records and passing orders? It is wrong; it is against fundamental rights to do so; he should be given a hearing. Therefore, I request the Hon. Minister to reconsider whether he should not be allowed not only to be present but also take his lawyers. With these words I neither support nor oppose the Bill."

* **THE HON. SRI K. MADHAVA MENON :—**"Mr. Speaker, Sir, we have heard various comments and criticisms on this Bill; and I propose to answer only criticisms based on the amendments before us and criticisms based on reason. I cannot answer effusions of sentiment or deprecations or imprecations or curses. For what Mr. Salam said amounts to that. He said, 'beware of the next

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election'. And he indulged in sentimental effusions by saying, 'you are against all civil liberty; everything that you do is bad; and if you pass a Bill like this, mind you the elections are coming, you will reap the result'. Sir, such things, however wishful thinking it may be, however provocative it may be, I do not think there is any necessity to answer them. Mr. Salam said that nothing will happen if there is no such law. He may feel that nothing will happen to him, whether this country goes to dogs or not; and it may be so, but that is not the case with many of us. I have read the speech of Mr. Salam at the recent social conference, which only betrays lack of knowledge. I may tell him, nothing bad will happen if this legislation is there to prevent mischief being done.

"Regarding the objections raised and advice tendered to me, I do not want to take much time of the House over the question whether the Criminal Law Amendment Act, as it stands at present, offends the Constitution Act; for it is not material for the purpose of this Bill. For I am aware that there are two other States other than Madras, which have used the Criminal Law Amendment Act and did things under it, and the validity thereof has not been questioned in any Court of Law. I am primarily concerned whether the amendments that I have proposed are against the Constitution or the fundamental rights mentioned in the Constitution Act. I have, with my limited knowledge of law, examined the question; I have also the advice of the law officers of Government on the subject; I have been in consultation with the Government of India and their legal advisers also; and with all that that I can only say that we have been advised that the amending Bill does not offend against the Constitution.

"Then, Sir, the remarks made by Mr. Raghavayya are a good deal uninformed criticism. Because he did not try to understand what the original Criminal Law Amendment Act was and what the proposed amendment is. All his arguments were based on the apprehension that this is a new legislation by itself and so we are having a new Criminal Law Amendment Act and so the whole thing is a restriction on liberty of one kind or other. I wish he had read the original sections 15 and 16 and compared them with the amended ones proposed; then he would have come to a different conclusion. In fact, the only conclusion to which any one would come is, what Mr. Vaidyanatha Ayyar said—at least he was kind enough to say that—that to the extent of eighty per cent the amendments proposed were humane. To the remaining extent of twenty per cent, he did not agree. It may be so; but I am glad, to the extent of eighty per cent, we have made them humane. (Interruption by Mr. V. Raghavayya.) I am glad you are becoming wiser. (Laughter.) Mr. Raghavaya took objection to the proposed section 16-A (2). That sub-section runs as follows:—

'(2) The State Government shall, whenever necessary, constitute one or more Advisory Boards; and each such Board shall consist of three persons who are, or have been, or are qualified to be appointed as, Judges of the High Court, and one of them shall be its Chairman. The Chairman and the other members of each Board shall be appointed by the State Government.'

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Mr. Raghavayya said that any person who has passed the B.L. degree examination and is a lawyer can be appointed and he deprecated it in strong terms. He is wrong in his interpretation of the sub-clause. What we have said is, 'persons who are, or have been, or are qualified to be appointed as Judges of the High Court'. Mr. Raghavayya said it is an attempt to sneak in some people whom we want. Sir it is a sneaky remark; for it shows his utter ignorance of the Constitution. For the Constitution Act gives a definition for whatever term it uses. So, I can only say that it is a sneaky remark he has made. Let him look at Article 217 of the Constitution Act, which says who shall be qualified to be Judges of the High Court. If he does so, he will see the identical words of that article are used here. So, we are not attempting to do a sneaky thing, but my hon. Friend is only making a sneaky remark.

"Then, Sir, I shall take up the more material objections mentioned. It has been mentioned by some hon. Members that the whole of clause 3 of the Amending Bill, that is to be more specific, the proposed sub-clauses 16 (2) and 16-A (5), offend against the fundamental principles of the Constitution. Sir, those two sub-clauses read as follows:—

'16 (2) Nothing in sub-section (1) shall require the State Government to disclose any facts which it considers to be against the public interest to disclose.'

'16-A (5) Nothing in this section shall entitle any person to attend in person or to appear by any legal representative in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board and its report, excepting that part thereof in which its opinion or that of the majority of its members is specified, shall be confidential.'

I may say at once that these two sub-clauses are quite valid under the Constitution Act. In fact these identical words are taken from the Preventive Detention Act passed by the Parliament on the 26th February 1950. It was also a subject-matter before the Supreme Court, whether the Preventive Detention Act was against the Constitution Act. Section 7 of the Preventive Detention Act has been held to be valid by the Supreme Court. The two sub-sections are merely reproduction of sub-section 2 of section 7 and sub-section (3) of section 10 of the Preventive Detention Act. I shall read it for the benefit of the House. It runs as follows:—

'7 (2) Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against public interest to disclose.'

'10 (3) Nothing in this section shall entitle any person against whom a detention order has been made, to attend in person or appear by any legal representative in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board and its report, excepting that part of the report in which the opinion of the Board is specified, shall be confidential.'

Thus it will be seen I have taken the entire sub-sections from the Preventive Detention Act, whose sections have been held to be valid, and so the argument that they offend against the fundamental rights is to my mind not a sound argument.

"Then, Sir, Mr. Vaidyanatha Ayyar wanted me to consider whether it is fair that sub-section (2) of section 16 should remain. I want him to understand the distinction between grounds of detention and the facts on which those grounds are based.

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4 p.m. "Sri A. Vaidyanatha Ayyar wanted me to consider whether it is fair to retain clause 16 (2). He will certainly understand the distinction between the grounds for notification and the facts on which the grounds are based. We have banned the Communist Party in this State under the Criminal Law Amendment Act long before the Constitution came into force. Suppose a document of that party contains information about the method of derailing a train, tampering with the points on the rail, manufacturing a bomb and so on. The ground that could be communicated would be that the party is attempting to derail a train or manufacture bombs. It will certainly be not in the public interest to disclose or give publicity to the actual method of derailing a train or manufacturing a bomb, as even other people would come to know of it. That is the reason for incorporating sub-clause (2). There is a similar provision in the Preventive Detention Act which has been held valid, and that has been copied by me."

* SRI A. VAIDYANATHA AYYAR:—"I see the point. But, how is the person appearing on behalf of an association or party to know the facts and defend unless he is told that the association or party has attempted to sabotage a train by placing a bomb or dynamite and so on?"

THE HON. SRI K. MADHAVA MENON:—"What is intended is to give him the grounds on which the order is based. Suppose the object of an association is to do sabotage. The ground that can be communicated is that the association has for its object the sabotaging of a train and so on. The Advisory Board is entitled to call for any record and the Government are bound to furnish all facts in support of the information that they have about the grounds. I do not mean to say that all facts should not be given. Only such facts as cannot be disclosed in the public interest will not be given. That discretion has to be given to some person at some stage. That is the reason for making the provision and not that the Government are afraid of, or distrust, law courts as Sri V. Raghavayya said."

"Sri T. Viswanatham was very vehement and he said that he would characterise this as a worthless piece of legislation, but for the fact that he had some regard for the party and was a friend of the Government. He said that the whole of the operative section, namely, section 16 (1) was not there and that, therefore, the Government could not act. I had some doubt like that and I had the matter examined. I refer Sri T. Viswanatham to section 15 (2) (a) and (b) of the original Act. It contemplates two things. Item (a) says—

"unlawful association" means an association which encourages or aids persons to commit acts of violence or intimidation or of which the members habitually commit such acts."

Item (b) says—

"unlawful association" means an association which has been declared to be unlawful by the State Government under the powers hereby conferred."

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What is contemplated in item (a) does not come in for declaration by the Government in the Provincial Gazette. In item (b) the words 'under the powers hereby conferred' are omitted in the amendment.

"The issue of a notification is contemplated in clause 15 (2) (b) of the amending Bill. There is clause 16-A (1) which says 'After the expiry of the time fixed in the notification'. Therefore, there does not arise any difficulty and we can act with the amendment as it stands. That is the opinion that I hold. I do not agree with Sri Viswanatham's argument that it will make the Act invalid."

"Sri A. Vaidyanatha Ayyar said that Article 19 (4) of the Constitution contemplates public order and morality. The amending Bill lays down three conditions:

- (i) constitutes a danger to the public peace, or
- (ii) has interfered or interferes with the maintenance of public order or has such interference for its object, or
- (iii) has interfered or interferes with the administration of the law, or has such interference for its object.

The term 'public order' is so wide that unmoral acts will come under it. So, the requirement of Article 19 (4) is satisfied and the provision made does not in any way go against the Constitution."

"The question of substituting the words 'ex-office-bearer' and 'ex-member' for the words 'office-bearer' and 'member' in clause 16 (1) (b) was raised. The wording as it stands only means the office-bearer or member of the association which has been declared unlawful. Suppose there is the secretary of an association which has been banned. The notice will go to him. It is not at all necessary to call him as the ex-secretary of the association. If he says that he still continues to be the secretary of the association which has been declared unlawful, he commits an offence. I do not think there is any difficulty in the matter."

"These are the main objections that have been raised. I do not feel that there is much substance in the other objections raised."

"Mr. Salam committed a very big mistake when he said that I was attempting to give retrospective effect to this legislation. On the other hand, what has been done is that all notifications and orders already issued should be treated as if they have been issued after this Bill comes into operation. That gives the party concerned a right to be heard. This is favourable to the party concerned."

* SRI A. VAIDYANATHA AYYAR:—"I want to place one point before the Hon. Minister for Law. There seems to be some doubt about the validity of the Criminal Law Amendment Act in its original form after the passing of the Constitution. By bringing an Act to amend that Act, we may be placing ourselves in difficulties. The amendments by themselves may form a compact Act, so that its validity may not be liable to question."

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* THE HON. SRI K. MADHAVA MENON :—“ The whole of the Criminal Law Amendment Act has not been held to be against the Constitution by any court till now. Certain sections like section 16 (1) may be open to objection. Section 16 (1) says that, if the State Government is of opinion that any association is indulging in the subversive activities specified in it, the Government may declare such association to be unlawful. Whether action can be taken merely on the basis of an opinion may be open to doubt. The validity of only some sections and not of all sections has been held to be doubtful. Whether it offends the Constitution or not, it is in line with the present trend of thought to give an opportunity to make representation to an affected person.

“ How can the amending sections alone form an Act? Provision for penalties is made in certain other sections. So all other sections of the Criminal Law Amendment Act will have to be embodied.”

SRI V. RAGHAVAYYA :—“ The Hon. Minister was chuckling over the fact that 80 per cent of justice has been done by this Bill. I wish to know what made him give up the remaining 20 per cent to make it a cent per cent justice.”

* THE HON. SRI K. MADHAVA MENON :—“ Eighty per cent justice was the concession given by Sri V. Raghavayya and Sri A. Vaidyanatha Ayyar. If they agree that it is cent per cent, it is all right.”

MR. SPEAKER :—“ The motion is—

“ That the Indian Criminal Law Amendment (Madras) Bill, 1950, be taken into consideration at once.”

The motion was carried.

MR. SPEAKER :—“ I shall take up the Preamble and clause 1 at the end.”

Clause 2.

MR. SPEAKER :—“ The motion is—

“ That clause 2 do stand part of the Bill.”

SRI T. S. PATTABHIRAMAN :—“ Mr. Speaker, Sir, I move—
“ That in item (b) of clause (2), omit the words and brackets
“ (to be specified in the notification) ”.”

My object in moving this amendment is not to make any revolutionary change in the clause, but only to improve the language. I request the Government to accept the amendment.”

* THE HON. SRI K. MADHAVA MENON :—“ Sir, because the words were thought to be slightly redundant, we have put them in brackets. I want that there should be no doubt in the matter. Even at the risk of redundancy, it is better to retain those words.”

MR. SPEAKER :—“ Is the hon. Member withdrawing the amendment?”

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SRI T. S. PATTABHIRAMAN :—“ Yes, Sir. I beg leave of the House to withdraw my amendment.”

The amendment was, by leave, withdrawn.

SRI T. VISWANATHAM :—“ Mr. Speaker, Sir, as I have already submitted during the general discussion of this Bill, what will happen is that the power given to the Government to declare an association to be unlawful has been taken to the definition clause. The fact that notification has been referred to in the definition clause does not by itself give the Government the power to declare an association unlawful. The power to notify and the power to declare an association unlawful are different. If you take the relevant article relating to the issue of proclamation in our Constitution Act, you will find that there is a particular article therein under which alone the Government or the President is given the right to issue proclamations. But, supposing that particular article is not there, and the remaining articles are there, what happens? The Government or the President has no power to issue a proclamation. For a notification to be issued under section 15 of the Criminal Law Amendment Act, there is no power given in this clause. That is to say, section 15 of the Act is not the section giving the power to issue a notification. It is only a section dealing with the definition of an unlawful association. What an unlawful association is, is defined in section 15 (2) (a). Section 15 (2) (b) is yet another amplification of the definition of an unlawful association and that does not give power to the Government to declare a particular association unlawful. Any provision of the law that gives power to the Government to do a certain thing should not come under the definition clause, but in the main body of sections. I thought, Sir, that I should make this position clear to the Hon. Minister and that is why, I have just now risen to speak.”

* THE HON. SRI K. MADHAVA MENON :—“ I am sorry, Sir, I did not make the position clear. There are two clauses under sub-section 15 (2) relating to the definition of an unlawful association. Clause (a) states that an unlawful association means, an association which encourages or aids persons to commit acts of violence or intimidation or of which the members habitually commit such acts. This clause remains as it is in the original Act. Clause (b) alone has been sought to be amended by clause 2 of this Amending Bill. It says that an unlawful association means an association, which has been declared by the State Government by notification in the Official Gazette to be unlawful on the ground (to be specified in the notification) that such association—(i) constitutes a danger to the public, (ii) has interfered or interferes with the maintenance of public order or has such interference for its object or (iii) has interfered or interferes with the administration of the law, or has such interference for its object. Section 16 (1) which is amended by clause 3 of this Amending Bill runs as follows :—

“ 16 (1) A notification issued under clause (b) of sub-section (2) of section 15 in respect of any association shall . . . etc.”

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It is therefore clear, that section 15 (b) does give power to the Government to issue a notification declaring an association unlawful under certain conditions, which are detailed therein.

"For instance, take section 17. It states—

'Whoever is a member of an unlawful association, or takes part in meetings of any such association . . . etc.'

"Therefore, 'whoever is a member of the unlawful association within the definition of section 15 (2) (a)' is covered by the subsequent sections and hence the power to declare an association unlawful is already there and is implicit in the power to notify. There is, therefore, nothing wrong in the Amending Bill, remaining as it is."

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 4.

MR. SPEAKER:—"The motion is—

'That clause 4 do stand part of the Bill.'"

SRI T. S. PATTABHIRAMAN:—"Mr. Speaker, Sir, I beg to move—

'That in clause 4, for the words "file an application", substitute the word "apply" and for all the words "Small Cause Court" substitute "for a declaration that the place has not been used for the purpose of any unlawful association and if such District Judge or Chief Judge makes such declaration, the State Government shall cancel the notification in respect of the place".'

"Sir, this amendment is only a verbal amendment in order to improve the language of the clause and to make it more clear. I, therefore, request the Hon. Minister to accept it."

SRI M. P. GOVINDA MENON:—"I second the amendment, Sir."

THE HON. SRI K. MADHAVA MENON:—"I have no objection to accept the amendment, Sir, which is simply a verbal one to improve the language."

* SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, I would request the Hon. Minister for Law to retain the original wording. I do not object to the substitution of the word 'apply' for the words 'file an application', but my objection is to the other amendment proposed. Sir, the original wording of this clause in other respects, is clear and I think it admits of greater scope. It does not very much matter to allow the clause to stand as it is. It is all-embracing with regard to relief. If the Chief Judge decides that the place is not liable to be so notified under sub-section 17-A (1), there may be several other grounds on which he might so decide, besides the fact of its not having been used for an unlawful association, whereas the amendment proposed by

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my hon. Friend Mr. T. Pattabhiraman refers to only one reason and one purpose, namely, for declaration that the place has not been used for the purpose of any unlawful association. While the original wording is a little more liberal, the amendment proposed makes it narrow. I would, therefore, oppose the amendment and request the Hon. Minister for Law to stick to the original wording."

* THE HON. SRI K. MADHAVA MENON:—"Sir, with due deference to my hon. Friend Mr. Vaidyanatha Ayyar, I should like it to be narrow, because if a Judge finds that it has been used for the purpose of an unlawful association, certainly the Government or the public in general should have the advantage of it and not the person who wants to commit an unlawful deed. That is why I prefer to accept the amendment, Sir, because it is narrow."

The amendment was put and carried.

Clause 4 as amended was put and carried.

Clause 5.

MR. SPEAKER:—"The motion is—

'That clause 5 do stand part of the Bill.'"

* SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, section 17-F as it stands contemplates even forfeiture of property, etc. The amendment by the addition of one word, namely, section 17-A, seeks to include forfeiture of property also, which I think, is not permissible after the advent of the new Constitution. Article 19 (f) of the Constitution states that all citizens shall have the right to acquire, hold and dispose of property, and Article 19 (5) states:—

'Nothing in sub-clauses (d), (e) and (f) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, reasonable restrictions on the exercise of any of the rights conferred by the said sub-clauses either in the interests of the general public or for the protection of the interests of the Scheduled Tribes.'

"I am not, therefore, sure, whether the forfeiture of property which is referred to in section 17-F of this Act does not offend the Constitution and goes against the spirit of the Right to Freedom granted under the Constitution Act. I, therefore, oppose this clause 5 of the Bill."

* THE HON. SRI K. MADHAVA MENON:—"Sir, I have nothing to say by way of reply to the doubt raised by my hon. Friend Mr. Vaidyanatha Ayyar. He thinks that this amendment would offend the Constitution. That point has been examined by the best of legal advisers that I have got and they have said that it does not in any way offend the Constitution. That is all I can say in answer to the point raised by Mr. Vaidyanatha Ayyar, Sir."

Clause 5 was put and carried.

Clauses 6 and 1 and the Preamble were put and carried.

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* THE HON. SRI K. MADHAVA MENON :—“ Mr. Speaker, Sir, I move—

‘That the Bill as amended be passed into law.’

“ Sir, it is but natural that there is considerable apprehension in the minds of hon. Members in our still having the Criminal Law Amendment Act on the Statute Book. The hon. Gentleman Mr. Salam’s objection was that we are trying to restrict the liberties of citizens by means of this Act. No doubt, Sir, we have been trying our best to liberalize some of the drastic provisions of this legislation and in the words of my hon. Friend Mr. Vaidyanatha Ayyar, we have been trying to make it as humane as possible. It is not all associations that we have declared unlawful and it is not in every case that we have declared an assemblage of persons as an unlawful assembly. It is only very few associations that have been declared unlawful, because they have done so much havoc to public order and morality, and because their avowed object is to disrupt society and bring about chaos in the country. We have not interfered with any association, whose activities are lawful and peaceful. You know, Sir, that all communal organizations were not declared unlawful, immediately after the assassination of Mahatma Gandhi, even though some people belonging to such communal organizations were convicted of acts of violence, murder and things like that. The hon. Gentleman Mr. Salam referred to the Elementary School Teachers’ Association. He said that because they were taking part in politics, no recognition was given to it by the Government. I must submit, Sir, that it is simply a caricature or a travesty of the true meaning of the answer that I gave to a question, this morning. He asked me whether it was not a fact that the Andhra Rashtra Elementary School Teachers’ Association had applied for recognition and that it was refused, and if so, why it was refused. I said in reply that it was not a teachers’ organization in the true sense. They wanted to have a political organization and none of the objects which they have stated in their application pertained to education, and under the cloak of a teachers’ association, they wanted to indulge in political activities and things like that. That answer has been caricatured as something like this that I have banned that organization, because they were indulging in politics. It looked as though we are banning all associations taking part in politics. You may remember, Sir, that it was only in last September that the Communist Party was declared unlawful, because they indulged in anti-social activities, such as sabotage, arson, murder, loot, etc., and we had ample reason to declare it as an unlawful association. On that score, it should not be thought that we are attempting to restrain the liberties of citizens, or putting down opposition parties. We want to have certain reserve powers by means of this Bill for meeting certain emergencies and that is the purpose of this Bill, Sir.”

MR. SPEAKER :—“ Motion moved—

‘That the Indian Criminal Law Amendment (Madras) Bill, 1950, as amended, be passed into law.’”

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JANAB M. MUHAMMAD ISMAIL :—“ Mr. Speaker, Sir, so far in the first two stages of the Bill, the lawyer members of this Hon. House have appropriated the discussions, and it was right that they did so. At this stage I want to have some clarification on certain aspects of the Bill, because I am a lay man and only a man of commonsense. Sir, in clause 3 of this Bill, i.e., the amendment proposed to Section 16 (1) (b) it is stated, ‘that a reasonable period should be fixed by the Government for any office-bearer or member of the association or any other person interested to make a representation to the State Government in respect of the issue of the notification’. Here I think, Sir, it would be much better and more preferable if the Government had fixed a definite period within which such representation should be made by the party. They have fixed in clause (4) the period of 30 days for the party to take certain action. So also here, if they had fixed a definite time within which the action contemplated, should be taken by the party, it would save much of the time and trouble of the courts in the future. Then, Sir, take the term ‘reasonable period’. Different people might have different views over this term, and this matter would be taken to the court, by parties, which would involve unnecessary expenditure and waste of time by the courts. Therefore, Sir, to avoid unnecessary litigation, it would be much better if a definite period had been specified in the clause.

“ Then again, Sir, take section 16-A (2) which is to be newly introduced by clause 3 of this Bill. It says, ‘The State shall, whenever necessary, constitute one or more Advisory Boards, etc.’ Here too, Sir, the wording should be more definite, instead of putting it as ‘whenever necessary’. Who is to say, ‘which is the necessary time’. Here again there may be trouble and there may be difference of opinion. To avoid this, the wording should be more definite, and a definite time-limit fixed.

“ Therefore, to avoid such trouble and such difference of opinion, the Government might have specified the time. On one other matter, I want clarification. It is said that the Government would fix a reasonable period for making representation by the parties aggrieved. Again they say that whenever necessary they shall constitute one or more Advisory Boards. Suppose the Government do not constitute the Board at all. Will their order, under the provisions of this Bill, become void then? What about the order banning a certain association or confiscating or dealing with the property belonging to that association? These points should be made clear by the Government.”

* BEGUM SULTAN MIR AMIRUDDIN :—“ Mr. Speaker, Sir, I am sorry I cannot lend support to the measure which the Hon. Minister in spite of opposition from all sections of this House, wishes to push through to-day. The reason for this is that I feel that this Bill, if passed into law, will not be able to stand the test of scrutiny in a court of law. It has been mentioned on the floor of this House by lawyer Members, one after another, that the Criminal Law Amendment Act is repugnant to the provisions of

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the Constitution. When the original Act itself is illegal I do not see how the Hon. Minister can make it by bringing in these amendments. The proper course would have been, as has been suggested by Mr. Vaidyanatha Ayyar to bring a separate Bill altogether in regard to this matter. This is not the first time that a Bill is being passed which is likely to be declared *ultra vires*. We, Members of this House look ridiculous in the eyes of the public and in the eyes of the Hon. Judges of the High Court when judgment is pronounced on such ill-conceived measures since we also have a responsibility in such matters we must oppose a measure, which detracts from our knowledge and intelligence. There is no need to rush through this piece of legislation. The Government would have been well-advised to consider the suggestions made to them on the floor of this House and deferred the Bill. I reiterate that we cannot support this Bill, for we feel that it is not likely to stand the test of scrutiny in a Court of law.

"I find that the Hon. Minister in order to remove the rigour of the Criminal Law Amendment Act, proposes to appoint an Advisory Board. But, it would be more in consonance with the Constitution if the courts of law were allowed to deal with this question instead of the matter being delegated to an Advisory Board which the Government are not compelled to constitute the matter being left to the sweet will of the authorities. According to the Constitution a criminal has got the right to defend himself and to engage a counsel for this purpose. To-day criminals, even murderers, are defended in courts of law. If they have not the means to do provide for their defence themselves the State appoints a counsel to look after the interests of the criminal or the murderer. Such being the case, I cannot understand why defence is not allowed for an offence such as that mentioned in the Bill which undoubtedly is not so heinous as murder. In view of all this, I am afraid I am unable to lend my support to the passage of this Bill."

JANAB MAHBOOB ALI BAIG:—"Mr. Speaker, Sir, the Hon. Minister in his reply did not advert to the points raised by some of the hon. Members that the Criminal Law Amendment Act itself was illegal. May be that he thought that it was not relevant for the purpose of this Amending Bill. But as the hon. lady Member Begum Sultan Mir Amiruddin pointed out, if the Act itself is illegal, the Amending Bill would necessarily be illegal. At least from that point of view if the Government had had the matter examined, the Government must have told us that it is the view of the Government that it is not illegal. The Hon. Minister went on saying that the matter had not gone before the Court. and therefore, he was not in a position to say anything at all. Article 19 of the Constitution can be suspended in grave emergencies under the provisions of Article 358. Any enactment passed by a State Legislature which is opposed to Article 19 of the Constitution becomes void under Article 13. Under the Criminal Law Amendment Act the Government can straight way ban an association. Is there any provision in the Constitution Act, except the emergency Article 358, for the Government to ban an association? The utmost

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that the Government can do under Article 19 (4) is that they can impose reasonable restrictions on an association. If the Government are banning an association, can it be called imposing reasonable restrictions? These two things are quite different. The Government can impose reasonable restrictions on an association in existence, allow it to continue, and then only impose reasonable restrictions. The Government cannot impose reasonable restrictions on an association which they have banned, except, as I said, under Article 358 which gives them powers to do anything. That point has not been met. I do not know what is the view of the Government.

"Secondly the Hon. Minister has not also answered to my objection that unless the Constitution itself provides for an Advisory Tribunal, the ordinary law must have its course. The courts must judge whether the restrictions that have been imposed are or are not reasonable. No other tribunal should judge. The hon. Member Mr. Vaidyanatha Ayyar was saying 'well; you are following what is stated in Article 22; you are giving a favourable turn to this'. My point is whether it is or it is not a favourable turn, and whether the Government are entitled to set up a tribunal which is not contemplated by the Constitution itself, and whether that tribunal is to decide what are 'reasonable' restrictions. These are the two points I stated. The Hon. Minister has not answered them. I hope he will explain the position now."

* SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, though the facts are there which render the bringing in of amendments of this kind in this form necessary, I would have very much liked the Hon. the Law Minister to have framed a separate Bill instead of trying to tinker with an Act the validity of which is very much in doubt. There is a great advantage in taking it separately. Before the Constitution all kinds of things were permitted, there being nothing to restrict a Bill being passed in any form whatsoever, and one of the courses of that system was the Criminal Law Amendment Act (of which we all know) which sanctions not only the banning of associations but also the forfeiture of property and also making the orders of any particular person final without resort to law courts. It is only a pity that whenever we have got to pass any Bills like this we should not try to bring a fresh mind and, having seen the restrictions of the Constitution, try to apply and see if we cannot draft an Act which cannot be questioned. It is in the interests of Government, and of this very Government, that I am pressing this point of view, because Acts that are hastily made, or merely added on or merely passed by way of tinkering with the previous enactments are not found to bear the criticism of either the High Court or the Supreme Court. In this Act, with regard to a person who says that his place should not have been notified in the way the amendment seeks to do it, unless it is shown that it was not used for such purpose, the decision of the District Judge or the Chief Judge of the Small Cause Court, as the case may be, shall be final. We find also in the original Act that there is a provision in section 17 (c) with regard to

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forfeiture of property. I doubt very much whether under the Act as it at present stands, unless a section of punishment is introduced in the Indian Penal Code, the Government can apply the law of forfeiture. There is also something to be scrutinized. Hon. Members from the Opposition mentioned that while in the case of detention or restraint of liberty of persons there were specific provisions stating in what cases people could be detained, in the case of banning of associations or placing restrictions on the right of association, the language used had not been clear. It does not contain statutory restrictions—restrictions even under the Constitution itself. One would have very much liked that all these matters might have been independently considered instead of the old rotten Act being used for the purpose of building on a new structure in the new Constitution itself. One other difficulty which we had to battle with, which I believe even the Hon. the Law Minister felt, was in some of the cases where they had objections, it has not been possible to meet the argument, except by saying that the legal officers of the Government were giving the opinion that this was right or that was right. The Assembly has not been enlightened. I do not blame the Law Minister or the Department. At the same time one would have very much liked that we should have light thrown on why this or that was done or why this or that was not done.

"It is only with regret that I support this Bill."

SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I support the Government entirely in the proposition that in these days of trouble and turmoil they must have as wide and ample powers as possible to discharge the responsibilities of maintaining law and order. A serious responsibility is laid upon the Government. Speaking on behalf not merely of the Government but also of the people, I say that we have to be careful to see whether we are within our rights, and whether we are within the limitations imposed by ourselves on ourselves under the Constitution. The Constitution has been framed only to prevent hasty legislation. Restrictions have been placed so that we may think once, twice and thrice before we launch upon legislation curtailing the liberty of the citizens. I submit, therefore, that while I am with them and support them in giving them wide powers, I am against passing any hasty legislation. Any legislation which contravenes the Articles of the Constitution, which violates the Fundamental Rights of citizens contained in the Constitution, or which abridges those rights conferred in that Chapter, is a serious matter. When we raised objections we did not expect the Hon. the Minister merely to find a counter-argument and then say 'all right; if it is like this it would be like that; it does not matter'.

"That is not the spirit with which we offer criticism. We can do it elsewhere. But on the floor of the House, Mr. Speaker, when we express certain doubts, we do it with a serious purpose. There is great doubt whether the main Act itself is constitutional, whether it does not offend the provisions of the Constitution.

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Other Members have also tried to explain this. The point is that we do not have the power to ban an association. I myself would like that the Government should have power to declare associations unlawful when it becomes necessary in the interests of the State. But 'how' is the question. Have we got the power to declare associations unlawful within the limitations imposed by the Constitution? That is the point which I am addressing myself and I want the Government also to consider. It is not that we are against declaring unlawful, associations which are dangerous to the interests of society or which commit acts of violence or which otherwise are detrimental to the progress of the society or to the internal or external security of the State. It is not my contention that such associations should not be banned. But have we got the power to do so? On reading the Constitution, I find a great 'lacuna' if I may say so; we have got the power only to detain persons but we have no power to ban associations. We have got the power to punish citizens for violating a law framed within the terms of the Constitution but we do not seem to possess the power to declare associations or bodies as such unlawful. That is the difficulty and several of us have placed that before the Government. It is the third reading stage but nothing is too late for the Government to rectify. They may yet reconsider the matter.

"I also want to refer one term in sub-clause (5) of clause 16-A which is a very repugnant clause and to which I also take objection. It is said, 'Nothing in this section shall entitle any person to attend in person or to appear by any legal representative in any matter connected with the reference . . .'. I am not quite sure whether the term 'legal representative' is a happy term there. That term has got a certain meaning and connotation in law. Probably the Government meant 'legal practitioner or counsel'. There is no objection if it is amended afterwards, or if the Hon. Speaker permits us to revert to the second reading stage. I submit it would be well for the Government to amend it. The term 'legal representative' does not mean a legal practitioner or counsel. The whole clause itself is bad. The Constitution says that even detenus have got the right to make representations. It does not prevent them at all from doing so. It does not say that they should not send their lawyers or any such thing. But in this Bill, it is said that the aggrieved persons can make their representations but after they are received, they have no right to appear before the Advisory Board. I submit that this is not fair. As a matter of fact, this is an unnecessary intruder. This is a third party in the bargain. Let us assume that the Government have got the power to declare an association unlawful. Clause 16 gives them that power. Section 17 says that when once the declaration is made, a member of such an association is punishable. Immediately the Government go to prosecute him for it is a cognizable offence. The person has got the right of putting forward his defence. Here in the name of mercy and soft-heartedness, what is done? The whole thing is delayed. Let us assume that an honest and innocent man has been dragged into

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a case either by mistake or by design. The matter is delayed for a long time. We do not know what time will be given for making representations, what time the Advisory Board will take to decide the matter and what time the Government will take to pass final orders. During all these periods the man will be in unlawful custody, if I may say so, notwithstanding the provisions of this Act. Under the original Act, immediately you prosecute him, the man has got the right to defend himself to establish his innocence. Here that right is taken away. I submit these are matters which the Government might very well consider, even at this stage."

THE HON. SRI K. MADHAVA MENON:—"Sir, the arguments and speeches that were made at the first reading stage have practically been repeated, except perhaps in the case of Begum Sahiba who is not here. She rightly said that she wanted at least the public to know that a voice of protest had been raised. In other respects, the matter has been discussed in detail and I have not anything more to say than what I have already said. Mr. Viswanatham referred to the term 'legal representative' in sub-clause (5) of clause 16-A. I know the connotation of that term, and that it may mean someone other than a lawyer. But I find the same identical term used in the Preventive Detention Act, 1950. 'Legal representative' is the term used there and the Central Act also uses that term. I do not think it will be such a bad expression as Mr. Viswanatham tried to make it out to be."

"Regarding Mr. Vaidyanatha Ayyar's objection to clause 5 of the Bill, we have only tried to bring the amended Section 17-A also within the scope of Section 17-F. It is only a little more in favour of the subject than restricting its right in any way. His objection seems to be that Section 17-F itself is against the Constitution. That provision is about forfeiture of property or the funds of the association. Mr. Baig also said that I did not answer that question whether it was within the Constitution. I did answer that. There is no use of my asserting that it is within the provisions of the Constitution and some other people asserting that it is not so. I can only say that the matter has been examined not only by this Government but also by the Legal Advisers to the Government of India. I may say, for the information of the House, that there was an occasion when it was thought that it might be necessary to issue an Ordinance. The Government of India were apprised of it and a draft of the Ordinance was sent to them on these lines. Their Legal Department also examined it and permitted us to issue it. By that time we called for a meeting of the Assembly. So, we thought that it would be better to place it before the Assembly than to issue an Ordinance."

"It was argued that the Criminal Law (Amendment) Act itself was against the Constitution. I can never agree to it. Some provisions may offend and in my opinion, such provisions as offend the Constitution, have been dealt with in this Bill. It is not a matter which can be decided by assertions on either side. There may be as weighty legal opinion outside this House as there is

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inside this House. With the knowledge and advice that we have got, I think it does not offend the Constitution. (Interruption.) The Government have said that they shall constitute an Advisory Board and that they shall place the matter before it. So, it is not a thing which the Government can avoid."

MR. SPEAKER:—"The question is—

"That the Indian Criminal Law Amendment (Madras) Bill, 1950, as amended be passed into law."

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

(6) THE MADRAS BUILDINGS* (LEASE AND RENT CONTROL) SECOND AMENDMENT BILL, 1950.

MR. SPEAKER:—"Mr. Sahajananda says that he is not pressing his request for half-an-hour debate. We have got the Bill of the Hon. Sri N. Sanjeeva Reddi. We can sit for half-an-hour more and finish that Bill for his motion is only for reference of the Bill to a Joint Select Committee. Before we take up the Bill, I shall ask Mr. Sahajananda whether he is pressing for the half-hour debate."

MR. SPEAKER:—"இப்பொழுது காலை 5 அளவில் 5 நிமிஷங்கள் இருக்கின்றன. நீங்கள் உங்களுடைய அரை மணி நேர debate-ஐ move பண்ணப்போகிறீர்கள் என்பதை தெரிவிக்கவேண்டும்."

SRI A. S. SAHAJANANDAM:—"எனம் தலைவர் அவர்களே, சீயாபி, தஞ்சை ஜில்லா முதலிய இடங்களில் நடந்த சம்பவங்களைப்பற்றி சொல்லத்தக்க நான் அரை மணி நேரம் விவாதிக்கவேண்டுமென்று கேட்டேன். அப்படி நடக்க வில்லை என்று, காலையில் சொவிக்கு பதில் சொன்னதிலிருந்து, நாங்கள் (சுலையர்கள்) எல்லோரும் சலங்கியிருந்தோம். பிறகு மீதம் மந்திரி அவர்கள் அதைப்பற்றி enquiry பண்ணுகிறேன் என்று சொன்னதன்மீதம் அவருடைய வாத்தையின் நம்பிக்கை வைத்து அவரும் இது சம்பந்தமாக enquiry நடத்தலாம் என்று எண்ணிக் கொண்டு என்னுடைய அரை மணி நேர debate கொண்டுவந்து சொல்கிறேன். press பண்ணுமல் காலை 5 அளவில் காங்கிரஸ் கூடுகிறது."

MR. SPEAKER:—"There is no half-an-hour debate. So, we can sit for half-an-hour and finish the Bill."

SRI T. VISWANATHAM:—"Sir, I submit half-an-hour will not suffice although the motion will be only for reference to a Joint Select Committee."

* THE HON. SRI N. SANJEEVA REDDI:—"Sir, such a Bill was before the House and it was referred to a Select Committee. In view of some decision of the High Court, we could not move it last time. I am going to move the same Bill. Some Friends have agreed to refer it to a Select Committee. It has already been very much discussed and has been pending for the last one year. The House will again have an opportunity of discussing it after the Select Committee reports."

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JANAB. M. MUHAMMAD ISMAIL:—"I have no objection, Sir, if the motion is for reference to a Select Committee."

* THE HON. SRI N. SANJEEVA REDDI:—"If I do not move it now, it will not be possible to arrive at any decision and it has already been delayed for a year. If my motion is accepted, we shall be able to discuss it when we meet again on the 28th. After all, the motion is only for reference to a Joint Select Committee. I see no reason why anybody should stand in the way of this Bill being taken up immediately."

MR. SPEAKER:—"If desired, we can sit for 40 minutes."

SRI T. VISWANATHAM:—"May I submit that we have absolutely no objection to the Bill being introduced now? We want time for a day or two before discussing the Bill. It is not a short Bill; it is a big one."

MR. SPEAKER:—"The original Bill was before the House and it was also discussed. Now the Bill has been slightly amended and the motion is for reference to a Joint Select Committee."

SRI T. VISWANATHAM:—"If the Government want to hear our views, I submit we may be given time. There are a good many amendments proposed by the Government and Members are also desirous of moving many amendments. We are flooded with literature just now. A big book printing the original sections and the amendments was given just quarter of an hour ago. So, let the Bill be introduced now but we may be given time before we discuss it. However, I have no objection if the whole House agrees to discuss it now."

SRI K. R. KARANTH:—"Sir, it appears that there was an earlier Bill which was referred to a Joint Select Committee, but because of some legal defect the whole Bill had to be dropped which was in the shape in which it was prepared by the Select Committee. I for one find that there are some defects in it which are of a serious nature. There are very drastic provisions, such as, an officer to be authorized by the Government to go and take summary possession of buildings. I feel that it would be better, instead of moving any number of amendments of times to about 20 clauses, if the Bill is referred to a small Select Committee, not a big Select Committee as before."

P.M. "I think it would be better if it is referred to a small Select Committee. Otherwise a number of amendments will have to be moved. Already Mr. Vaidyanatha Iyer has given notice of 20 amendments. I have spent over two hours on drafting such amendments and I find the Bill very unsatisfactory."

MR. SPEAKER:—"The hon. Leader of Opposition has no objection. Now, the Hon. Minister may move his motion."

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THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, in view of what has been said here I do not want to make any speech. So I introduce the Madras Buildings (Lease and Rent Control) Second Amendment Bill, 1950, and move—

1. That under rule 116 of the Madras Assembly Rules, the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of nine members to consider the Bill (6 Members from the Assembly and 3 Members from the Council) and
2. That the following members of the Assembly be nominated as members of the Joint Select Committee:—
 - (1) The Hon. Sri N. Sanjeeva Reddi,
 - (2) Sri K. R. Karanth,
 - (3) Sri K. Bhashyam,
 - (4) Sri K. T. Kosalram,
 - (5) Janab Abdul Hameed Khan, and
 - (6) Janab Muhammad Raza Khan.

"I hope the House will accept the motion."

MR. SPEAKER:—"Motion moved—

1. That under rule 116 of the Madras Assembly Rules, the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of nine members to consider the Bill (6 Members from the Assembly and 3 Members from the Council) and

2. That the following members of the Assembly be nominated as members of the Joint Select Committee:—

- (1) The Hon. Sri N. Sanjeeva Reddi,
- (2) Sri K. R. Karanth,
- (3) Sri K. Bhashyam,
- (4) Sri K. T. Kosalram,
- (5) Janab Abdul Hameed Khan, and
- (6) Janab Muhammad Raza Khan.

* SRI A. VAIDYANATHA AYYAR:—"I am glad the Hon. Minister has agreed to refer the Bill to a Joint Select Committee. On the main question itself, I would like to say that at present the Act seeks to protect only those who are residing as tenants in buildings. I have been urging on the House that the main purpose of the Act should have been to protect the poor people who have themselves taken leases of vacant sites for the purpose of building small huts of their own and from which they are periodically evicted. I have been putting this subject quite often before the House. But unfortunately, it has not found a place in the present Bill."

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"Regarding the provision for requisitioning of buildings for Officers and Offices of the Government, this is sought to be extended to local bodies also. I believe local bodies can sufficiently take care of themselves and their own interest. They are no more than Corporations and there is no reason at all why this provision should be extended to them also.

"Another crying question is with regard to the fixation of fair rent. This is fixed on the basis of tax paid in 1939 as shown in the assessment books. But within the space of ten years, these assessments have been revised. The assessments have gone up considerably irrespective of the fact whether the rent is raised or not. While the house-owners are prepared to take such fair rent as may be fixed, the Government should provide that in cases where the taxes have been increased by three times or more, necessarily some portion at least of these taxes has to be borne by the tenant. Again, when the assessing authorities fix the assessment, they should take the fair rent into consideration.

"There is another provision in the Bill which is very harsh upon the house-owner. When a house-owner finds that the Government is not requisitioning or taking possession of his property within the prescribed period, he is at liberty to let it to any tenant without asking anybody. But if he wants to occupy it himself, he must obtain the express permission from the authorised officer. This places the house-owner at a great disadvantage. I do not believe that this is a fair method of treatment that should be accorded to a house-owner.

"With regard to the selection of buildings, I want to say that there are persons who have got their own brothers and sons living apart in the same town. The present Bill provides that where a landlord has a number of houses vacant in a particular place, he must prefer only one house and not more than that. Suppose he has got a son, a divided son, who prefers to live away from his father. Why should the law penalise the property-owner for giving his house to his own son or brother, whereas he is free to give away his house for occupation by a tenant? This is really quite understandable. There ought to be some concession to the house-owners, in this matter.

"As regards compelling the owner to give a receipt, the word 'authorised agent' is used in the section dealing with this. Generally 'authorised agent' means an agent with a power of attorney. I feel that it should specifically make mention of the person as a person who usually collects the rent or the person who is directed by the house-owner to do so. Otherwise there will be difficulty and trouble.

"Regarding eviction of tenants for default in payment of rent, a new clause is sought to be introduced by which a house-owner is required to issue a registered notice to the tenant intimating the default and if the tenant has failed to pay the rent within 15

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days of the receipt of the notice or from the refusal thereof, a landlord can institute proceedings against him for eviction. Ordinarily the recalcitrant tenant can evade this issue for a long time by not coming under either of the heads, 'refusal' or 'service'. There must be a provision by which this defect has to be rectified. I would suggest that a clause must be added whereby if a tenant was evading the receipt of the notice, he should be deemed to have received it within, say, a week of the issue of the notice and the period of default to tender the rent fixed at 15 days must be calculated with reference to that date.

"Again there are cases where the owner might have let out one of his houses to a tenant some ten years back and within these ten years the owner's family might have grown up and his sons might have become fathers. Consequently, he would require larger space to live in. I know of many instances where in actual practice a man finds it very difficult to live in a small house as his family has grown large. Therefore, there must be a provision according to which a man who is living in one house, when he finds the house not sufficient to accommodate all the members of his family, should be allowed to take up another convenient house of his own. At present great difficulty is experienced by a new purchaser of a house. When a property is sold by one person and another purchases it, according to the present Bill, the new purchaser is prohibited for one year from the date of registration from occupying the house. Apparently, the provision is intended with a view to see that there are no *mala fide* transfers. The Hon. Minister may perhaps know that at present within the municipal limits the stamp duty is 8 per cent and outside the municipal limits it is 7 per cent. So, a man would not be foolish enough to purchase a property and pay the stamp duty and all that, simply to let another person live in it. Only when he is in dire need of a house, he purchases it and the period of one year fixed under the new Bill is extremely long.

"Then, there is the provision saying that where the tenancy is for a specified period agreed upon between the landlord and the tenant, the landlord shall not be entitled to take eviction proceedings during the period of such tenancy, that is before the expiry of the period agreed upon. At the same time, it should be remembered that even in fixed period tenancy, there may be conditions of breach of agreement. There must be a provision to deal with such cases.

"According to sub-clause (ii) of clause 10 there is a proviso saving, 'provided that no order passed in execution under this section shall be subject to appeal'. So, the present Bill provides that there should be no appeal against any order of execution. I am afraid that this provision will handicap justice in many cases where the parties have genuine grievances against a wrong order.

"Then, sub-clause (ii) of clause 15 says, 'or for the contravention of any rule made punishable under section 17 (3)'. In the

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subsequent sections, a special provision is introduced whereby the rule-making authority, that is, the Government, authorise themselves not merely to make rules but also to provide for punishment to be levied in cases where the rule is contravened. I doubt very much whether that would be a proper method of disposing of the thing. It practically amounts to legislating and not rule-making. If the Government prescribe by notification that such and such punishment will be given, then that will be legislation by the Government which is not generally favoured by Courts of Law. Therefore I request that so far as this is concerned, it may be amended so that the question of punishment and other things might be provided by the Statute itself and not allow the rule-making authority to prescribe such punishments.

"Then there is a provision relating to giving retrospective effect to the proposed legislation. Unless this provision is carefully administered, there will be disastrous consequences. For instance, all pending petitions are to be governed by the present Bill. Under the new Bill, there is a provision that notice should be given by the landlord to a tenant in case there is default in the payment of rent. If the provision relating to retrospective effect is to be applied to pending petitions, I am afraid several of these will have to be dismissed for want of a notice by the landlord. According to the new Bill, parties who contravene any of the provisions contained in the Bill are made punishable. In such cases, if retrospective effect is to be given, the result would be that a man will be punished for an offence which was not an offence at the time when it was actually committed. So what was not an offence sometime back would be treated as an offence. Such a thing is prohibited by the Constitution Act. I do not remember the exact Article. In one of the Articles, it is said that a person can be convicted of an offence only in the case of violation of a law in force at the time of the commission of the act. Regarding the provision for ex parte decisions, I think it should be suitably amended so as to make it favourable to either party. I am glad the Hon. Minister has agreed to send the Bill for consideration by a Select Committee and I hope all these suggestions will be considered by them."

SRI T. VISWANATHAM:—"Mr. Speaker, Sir, as I submitted just now, it is very difficult to speak on this Bill. Because it consists of provisions considered by certain Select Committees long ago and which are long-forgotten things. However, in order to enable the Bill to go before a Joint Select Committee, I would like to offer a few suggestions, within the short space of time at my disposal, for the consideration of the Government and the members of the Select Committee. According to the present Act, 'Controller' means any person appointed to perform the functions of a Controller. It is not clearly defined. However, it has been the practice to appoint Revenue Divisional Officers as Rent Controllers. I would submit that this has worked very great hardships to the people. These Revenue Divisional Officers with their multifarious duties are not able to cope up with this work. If the

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Hon. Minister can only kindly call for returns relating to the filing, disposal and pendency of applications under this Act, before the Revenue Divisional Officers of places like Visakhapatnam, Vijayavada and Coimbatore and place these returns on the table of the House, the Government as well as the hon. Members of this House will be in a position to realise how the work has been slackening resulting in great injustice to the people. A number of applications are pending for months and months because the Revenue Divisional Officer has got multifarious duties. Local inspections are ordered but they are not made. Judgments are pronounced but they are not written in several cases. In 70 to 80 per cent of the cases, judgments are only pronounced without being written. You may ask me how I can assert these things. If we ask for an official copy of the judgment, it is not given to the party concerned until after 3 or 4 months. Therefore there is no other conclusion than that the judgments are not written, and that the officers are taking time to write out the judgments later. It is a most illegal thing. But they are not to blame for it either, because they are burdened with so many kinds of work. Last time, we pleaded that the Official Receivers if they had the time, or the District Munsifs might be appointed as Rent Controller. That will give a sense of security and satisfaction to the parties that they are going before a court which would interpret the sections of the Act. Both the landlord and the tenant must have the satisfaction that they are going before a court which will interpret the sections of the Act for the benefit of the parties. In a Revenue Divisional Officer's Court, the parties do not feel that they are before a court of justice. The Revenue Divisional Officers themselves do not feel that they are persons functioning as Judicial Officers. They move in an executive atmosphere. They feel everything about them in an executive way. They develop an executive sense. It is not possible for them to do justice. I submit that the definition of the word 'Controller' may be changed so that all these matters may go either before the court of small causes where it exists in the mufassal or before the local District Munsif's Court. That is one thing which must be done.

"Then Sir, there is divided opinion on the question whether in rent control cases the landlord has to give further notice to the tenant. The Rent Control Act itself is a special Act. There is definite notice in it. Every tenant knows when he has to go out of the house. The difficulty of course comes in when the landlords adopt very devious ways of rejecting the rent or evading the receipt of rent, so that the penalty for default may attach to the tenant. It is true. At the same time when there is a special Act which provides for two months' notice and another one month is given under the existing Act itself, there is no point in saying that the landlord must give another 15 days notice. It will prolong the suffering both of the landlord and the tenant. When I discussed this matter with some of my friends, there was divided opinion. It is a matter which should be carefully considered by the Joint

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Select Committee, especially when the limit of rent is now reduced to Rs. 15. It is a very good thing. I like it. But what is the period or the duration of this Act? Section 3 is not amended. Then it will be extended only up to 30th September 1951. Why should we, after all this prolonged discussion for two years extend the life of the Act by one year only? Let us carefully consider the matter and put the Act on the Statute Book until house scarcity conditions cease to exist in the country. There is no point in year after year extending the Act by one year, then prorogue the Assembly and extend it by another year, always hurrying up and never allowing ourselves time to carefully consider all these provisions. Do we require house rent control and accommodation control in this country or not? Just as we require the control of the relations between the landlord and tenant with regard to land, do we require the control of the relations between landlords of buildings and tenants? If we do, let us pass a good and comprehensive measure so that it may be useful to all tenants and landlords and there will be no harassment of the landlords. In the working of the present Act, I have seen a number of cases coming up before the courts. The lawyers who appear in the courts—both those who appear on behalf of the landlords and those who appear on behalf of the tenants—tell me that they are finding it very difficult. The tenants are not receiving the benefits of the good intentions of the Act and the landlords are very often put to unnecessary harassment and this harassment will increase as the limit of rent is now reduced to Rs. 15. A portion of a house is defined to be a house and small portions of houses will come under this Act. You know the conditions in the City. In Triplicane, for instance, what looks like a big building may contain 7, 8 or 10 portions in which tenants are living, paying Rs. 15 or Rs. 20 each. The difficulties of landlords and tenants occupying big houses or big portions or flats, are different from the difficulties which will arise in the case of these people. I submit that 60 per cent of the population here live in houses which are tenanted not by single tenants but by 2, 3, 4 or even ten tenants. In Triplicane, an ordinary-looking house accommodates ten tenants. The working of the Act will become difficult if the right of putting in a tenant is placed in the hands of the Rent Controller and he puts in somebody there without the consent of the existing tenants or the landlord. The difficulties that will be created will be tremendous and far beyond what we know at this stage. Where there are more tenants than one, provision should be made that no tenant should be inducted into the house except with the consent of the existing tenants or the landlord. Otherwise it will lead to several difficulties which I do not want to describe in detail. There may be absolute incompatibility. I can imagine such a thing in Car Street, Triplicane, for example, if the Rent Controller merely arranges the Government servants in the order of priority and allots them the portions. There will be social quarrels—vegetarian and non-vegetarian quarrels and so on. All these things may crop up. Therefore, some provision should be made to take the

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consent of the existing tenants or the landlord in inducting tenants in small houses. It may be said: 'If we depend on the consent of the landlord or the tenant, we will be able to do nothing.' But are we not doing such a thing in getting accommodation in trains? Do we not get the consent of the people already there? Supposing a military man wants to get into our compartment and do mischief, do we not tell the guard? And the guard puts him in some other compartment though the passenger has every right to get into any compartment. If the Rent Controller is given the discretion, he will make a wise and proper use of it and see that the various tenants who are occupying the house are not put to any great inconvenience.

Then, Sir, I submit to the Government and the Members of the Joint Select Committee that they should introduce provisions for allotting accommodation for all. The difficulty does not arise only in the case of Government servants. The difficulty arises not only in regard to Government servants but also in the case of other civilians who need not necessarily be Government servants. They might belong to absolutely essential services. There are clerks and officers in several industrial concerns and big companies. They also require accommodation. I submit, therefore, that the provisions may be introduced to make this not merely a Rent Control Bill but also an Accommodation Control Bill.

Sir, the hon. Member Mr. Vaidyanatha Ayyar said that the municipalities and the local bodies could take care of themselves and that the Government need not take any particular care of them. Even in the old Act there were provisions under which the Rent Controller can allot accommodation to local bodies. Curiously enough when I wanted a building for the location of an elementary school in the municipality, the Revenue Divisional Officer said that it was not possible for him to allot one. I told him that the Act authorized him to allot a building to the municipality when there was a building available. I suppose I am not giving out any official secret when I say that the Revenue Divisional Officer informed me that there was a secret and confidential circular saying that he should not allot accommodation to municipalities and local bodies. Sir, I submit, it is a very strange method of administration. When the Act says that accommodation may be given to the municipalities and local bodies also, there is a secret circular like this. These things are happening in every department. In the Revenue Department there are secret circulars which go beyond the provisions of the Act. People are suffering and the officers are suffering under such circulars. I want that power should be given to the Rent Controllers to allot buildings to municipalities and local bodies also. The municipalities now are not very rich and they are not able to build buildings for the schools and the various institutions which they have got to maintain under the law. Therefore they should be included in the list of those who are to receive the benefits of this Act.

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"Sir, several friends have been complaining to me about the rate of assessment. When a party applies for fixation of fair rent for a residential house, the standard is taken as the rent paid in 1940. It is very unfair. But when the municipal-assessment has to be made, it is made on present values. They suggest that both of these should be equalised. If the fair rent is fixed on the basis of 1940 rents, both the landlord and the tenant must have the same benefit. They are not having it now. That also might be looked into in the Select Committee.

"Then there is another point which has already been pressed by Mr. Vaidyanatha Ayyar, with regard to the period of one year that is given to the tenant to vacate the house if a man who has purchased it wants to occupy it. I certainly submit that the period is too long. For example, Sir, I want to purchase a house in Madras as the accommodation in the Government House is not convenient. If the tenant is not going to move out of the house for one year after I purchase it, what is the use of my purchasing the house after investing a lot of money on it? One year is too long a period. One or two months should be a sufficient period for asking the tenant to vacate the house if the person who has purchased it wants it for the bona fide purpose of occupying it. If he is not occupying it, you have got other sections under which you can punish him for mala fide or collusive actions. The Select Committee may, therefore, consider the question of reducing the period of one year to two months or at the most three months. Sir, I submit that these are some of the things which the Government and the Select Committee should consider."

MR. SPEAKER:—"Mr. L. C. Pais will now speak. I allot five minutes for the hon. Member."

SRI L. C. PAIS:—"Sir, within the five minutes allotted to me, I shall refer to a few important matters. Sir, I am in entire agreement with most of the amendments suggested by Mr. Vaidyanatha Ayyar. They are all very necessary and very important. They must all be considered by the Select Committee. Especially the provision with regard to giving retrospective effect to the Bill will spell disaster. I do not want to go more into this matter at this stage.

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p.m.

"At this stage, when laws are entirely different—and they are different at least to a very great extent—it will mean plenty of confusion, trouble and harassment to the tenants and also to the landlords. I shall refer to one or two other matters.

"The first is that the definition of the word 'tenant' must be such as to include the wife and children of a deceased tenant. I shall explain myself. Suppose there is a tenant who has paid the rents regularly and there is no default and there is no reason for the landlord to evict him. When that tenant dies, what happens to the wife and children? Does the benefit apply to them? I had been engaged in a case the other day where arguments were advanced, not that the Act is very clear in this respect, that the

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monthly tenancy was to be considered as a heritable household, that the persons who inherit the household must be treated as tenants. I would submit, Sir, this should be made clear.

"I would now refer to one of the letters written to the Editor of the 'Hindu', where this point has been made very clear:—

"It is sometimes argued that the protection of Rent Control Act is not available to the widow or sons or other members of a tenant's family upon his death as there is no express provision in the Rent Control Act and the Act applies only as between the original parties. In the Amending Bill, provision has been made for bringing on record the legal representatives of a deceased landlord or tenant. As such, it is most appropriate that statutory provision may be expressly made entitling the members of a deceased tenant's family to the benefits of the Act by enlarging the definition of the word 'tenant' in Section 2 (4) of the Act or elsewhere in the Act, so as expressly to include the members of a deceased tenant's family. Such express provision is made in the English Rent Restriction Acts also and 'tenant' is defined so as to include members of his family living with the tenant at the time of his death. Otherwise, the family will be rendered homeless in these days of scarcity of house accommodation. If protection of their interests is allowed to depend upon implication and argument, the result is merely avoidable litigation."

That is the point I am now pressing, Sir.

"The second point I wish to press is one that was pressed by my friend Mr. Vaidyanatha Ayyar, i.e., that the Act must also apply to the lease of vacant sites. In South Kanara, there are plenty of such sites. Small sites of 2 or 3 cents are leased out and the tenant builds upon them. Under the law, he is not entitled to the value of improvements made, he is only entitled to remove them. Are you not going to extend the benefit of this Act to the poor man who out of his own funds has put up a building and he has to go leaving the building, or he is removed from the building by the landlord? I would suggest that in the interest of these persons, the benefit of the Act should be extended to them.

"Lastly, I have been pressing this point for some time now, viz., that in the municipalities we have got even now some good number of thatched houses. The question arises whether the provisions of this Act should be made applicable to them also. Supposing the monthly rental of a thatched house is Rs. 3, the landlord gets Rs. 36 in a year, but the cost of the thatch, bamboos, etc., will come to Rs. 50 or Rs. 60. It is a building which has got to be re-thatched almost every year. So, if the same principles which apply to other buildings are to be applied to these also, it will mean hardship to the landlord. I suggest that such cases should also be considered by the Government.

"I agree with the remarks made by the previous speaker that there is a lot of delay so far as disposal of applications is concerned. In Mangalore, there is one officer, an Revenue Divisional Officer who attends to this kind of work. There are a number of cases on his file for a long time now and there is nobody to attend to them. They cannot be transferred to any other person and no attempt is made either by the Official Receiver or by the Small Causes Court to see that they are taken up and disposed of, with the result that all the papers are lying idle.

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These are matters, Sir, which the Government must bestow some attention upon and see that speedy relief is given to the distressed people."

Sri N. M. R. SUBBARAMAN :—“கனம் சபாநாயகர் அவர்களே, அவைகளைத் தீர்க்கவேண்டுமென்றும் பூர்வதயை என்னென்னவென்றும் அங்கத்தினர்களும் கூறினார்கள். அவைகளை யவையுமும் இன்னும் மற்ற யார் பரிசீலனை செய்து இப்பொழுதிருக்கும் மனோதாவை தகுந்த திருத்தங் களுடன் கொண்டு வருவார்களென்று நம்புகிறேன்.

“இப்பொழுதுள்ள நிலைமையில் வீட்டுவாடகை சம்பந்தமாகக் கொட்டு இதை மசோதாவை தகுந்த முறையில் திருத்தி மாசு இடுகிறது. தகுந்த முறையில் திருத்தியமைக்கப்படும்படியாக”

இந்த மசோதா சம்பந்தமாக முக்கியமாக ஒன்றை சொன்ன விரும்புகிறேன். இப்பொழுது இருக்கும் மசோதாவில் காலி மனைகளைச் சேர்த்துக்கொள்ளும் அளவையும் அகதியமாக சேர்த்துக்கொள்ளவேண்டுமென்பதால், தேர்தல்கொள்ளுகிறேன். குறிப்பாக மதுரையை எடுத்துக்கொண்டால், தேர்தல்கொள்ளும் காலி மனைகளில் அநேகம் போர்கள் எடுத்துக்கொண்டால், தேர்தல்கொண்டு குடியிருந்து வருகிறார்கள். சொந்த சிலவிலேயே வீடுகள் கட்டிச் சொந்தக்காரர்கள் அவ்விதம் பணம் சிலவுசெய்து வீடு கட்டிக்கொண்டிருக்கின்றவர்களிடம் மூன்று மடங்கு அல்லது நான்கு மடங்கு வாடகையைக் கேட்கிறார்கள். அவ்விதம் கொடுக்க சம்மதிக்காவிட்டால் உடனே வீட்டைத் தள்ளுபடி சொந்தச் சிலவில் வீடு கட்டிக்கொண்டிருந்தால் அந்த வீட்டையும் எடுத்துக்கொண்டு போய்விடலாம் என்றும் சொல்லி விடுகிறார்கள். ஆனால் கட்டித் தரவில்லை என்றும் எடுத்துக் கொண்டு போகமுடியும் என்றும் சொல்லும். அதை மனையின் மையிலே வாடகைக்காரர்களுடைய நிலைமை ரொம்பவும் மோசமானாக இருக்கிறது. இவர்களுக்கு பரிசாரம் தேடிக்கொள்ளுவதற்கு நம் மசோதாவில் இடம் கொடுக்கிறது. ஆகவே காலி மனைகளில் கட்டிடம் கட்டிக்கொண்டு அதற்குப் போர்கள் கட்டப்படுகிறார்கள், ஏனென்றால் நம் மசோதாவில் காலி மனைகளையும் சேர்க்காமலிருப்பதனால் தான். ஆகவே காலி மனைகளையும் மசோதாவிற்குப் படுத்த வேண்டியதவசியமாக இருக்கிறது. இன்னும் வீட்டு வாடகையை மதிப்பிட்டதை அல்லது 15 சதவீதம்

[illegible]

[Sri M. R. Subharaman]

வருகிறது. இம்மாதிரி சட்டத்தை ஸ்தலச் சூதாபனம் பூறுவிற்கும் எல்லா பஞ்சாயத்துகளுக்கும் சேர்த்துக்கொண்டால் ஒருவித ஆட்சேபனையும் இல்லை. ஒரு தனி சட்டத்தின் மூலமாகக் கொண்டு வந்தாலும் சரி அல்லது இதுவேயிை கொண்டு வந்தாலும் சரி. காலி மனைகளில் வீடுகள் கட்டிக் கொண்டிருந்தால் அவைகளும் இந்த சட்டத்தின்படி அன் வகிக்கும் என்று ஒரு சட்டம் கொண்டுவந்து காலி மனைகளையும் இந்த மசோதாவின சேர்த்துக்கொள்ளவேண்டும். முக்கியமான விஷயங்கள் எல்லவளுவோ கொல்ல வேண்டியதாக இருக்கிறது. இப்பொழுது அதிக நேரமில்லை, காலதாமத மாகிறது. ஆகவே இவைகளை மட்டில் இப்பொழுது தெரிவித்துக்கொண்டு மற்றவைகளை பின்னுடி தெரிவித்துக்கொள்ளுகிறேன் என்று சொல்லிக் கொண்டு இத்துடன் நிறுத்திக்கொள்ளுகிறேன்.”

* THE HON. SRI N. SANJEEVA REDDI :—“ Mr. Speaker, Sir, I must thank the hon. Members for the valuable suggestions they have made, to be borne in mind, so that we may discuss them while we are in the Select Committee. I wish Mr. Vaidyanatha Ayyar came into the Select Committee, but it was not possible to include his name. We will certainly remember all that he has said just now. Mr. Viswanatham also has given some points to be considered. We do not know whether all the defects and complaints pointed out by him can be removed, particularly that relating to the pronouncing of judgments and their being written out some time later on. But the complaint is there even with regard to judicial officers that they have also been doing it. I do not know, Sir, if we can rectify it; if it is possible, any honest officer will write out the judgment, and we expect all our officers to do it.

"As regards the extension of the life of this Act, I too feel it may be extended for one or two more years; I do not mind if it is to be extended until the situation improves. But at the same time we cannot fix a period, say 1951, 1952 or even 1953. Whatever it is, we may discuss that point also in the Select Committee and try to do the best. We do not want to hurry up the Bill; it has been pending for the last one year, and it is therefore uncharitable to say that we are hurrying this Bill. We are only giving another small lease of life to this Act which has been before the Members for the last one or two years, and so it is definite that we are not hurrying it up. Even now, I am agreeable to discuss this point in the Select Committee, and if any hon. Members will give us valuable suggestions in this regard, certainly they will be considered, if they are useful and agreeable from the administrative point of view.

“ One of the remarks made was that sanction of the existing tenants should be obtained before you put a tenant in; that will be impossible. If there are two or three families already living in a house, it may not be possible to get the consent of all the three families for the new tenant coming in. If one tenant agrees or even if two of them agree, the third tenant may say ‘no’. In such a case, how can any new tenant be brought in at all? Again, Mr. Viswanatham referred to the question of reservation in trains. I do not think the railway authorities, when they reserve seats, take the consent of the other passengers in the compartment for

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somebody coming in. I have never heard of such a right being given to the passengers, that consent of the other persons occupying the compartment should be taken to a newcomer coming into the compartment. After all, they may comply with the request, but if there are, for instance, persons A and B in one compartment and if C wants reservation there, the railway authorities naturally cannot take the consent of A and B to C coming in. Likewise, if already there are two or three families living in a house, it is impossible to take the consent of those people, although it may be that we will think of other considerations such as for instance the type of living of the people, the sentiments of the people, etc.

"Mr. Viswanatham also spoke about some secret circular. Sir. If it came to his notice, certainly it could not be a secret circular at all."

SRI T. VISWANATHAM:—"It was marked 'confidential' and I saw it."

* THE HON. SRI N. SANJEEVA REDDI:—"If it was marked 'confidential' and was really kept confidential, I say it would not have come to his notice. Evidently, it was not so. A secret circular is not to be revealed to any one. Again, there was reference made to municipal taxation and other things. Sir, taxes are based on the income. Mr. Viswanatham must be more in a position to enlighten us on this question. If taxation is based on the rent of the house and if the rent is increased, naturally the tax also will be increased. If the rent is low, there is no reason why the authorities should increase the tax. Anyway, that point also will be considered by the Select Committee."

SRI N. M. R. SUBBARAMAN:—"In municipalities, even though houses are not let and the owner is living, taxes have been raised."

THE HON. SRI N. SANJEEVA REDDI:—"I am afraid, Sir, they will have to fight it out in a different place and perhaps they will do so. When the income is not increasing, I do not know how the tax can go up; you may refer the matter to eminent lawyers like Mr. Vaidyanatha Ayyar."

"I shall certainly remember the good points which Mr. Pais has raised. All that I can say now is that we will give careful consideration to the suggestions made and try to bring back this Bill before the Assembly by the end of this month; we shall see if we cannot submit the report of the Select Committee by the 28th of this month, and I trust the report will be agreeable to most of the Members of the House."

MR. SPEAKER:—"The motion is—

(1) That the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of nine members to consider the Bill (6 Members from the Assembly and 3 Members from the Council), and

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(2) That the following Members of the Assembly be nominated as Members of the Joint Select Committee, viz.:—

The Hon. Sri N. Sanjeeva Reddi,
Sri K. B. Karanth,
Sri K. Bhashyam,
Sri K. T. Kosalram,
Janab Abdul Hameed Khan, and
Janab Muhammad Raza Khan'."

The motion was carried.

MR. SPEAKER:—"I now adjourn the House to 11 a.m. on Tuesday, the 8th August 1950."

The House then adjourned.

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, the 8th August 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Alleged raid of Harijan villages by the Police.

*11 Q.—SRI V. I. MUNISWAMI PILLAY (on behalf of Sri A. S. Sahajananda): Will the Hon. the Chief Minister be pleased to state whether it is a fact that the Police in Shiyali taluk, Nagapattinam taluk and other taluks of Tanjore district have in the month of May 1950, entered the Harijan villages and threw on the road, paddy and other things stored by the Harijans?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“In May 1950, the Police raided a number of Harijan villages in Tanjore district in the course of their search for absconding accused persons wanted in a number of crimes. But on no occasion did they throw on the road paddy or other things stored by the Harijans.”

SRI V. I. MUNISWAMI PILLAY:—“Is it not a fact, Sir, that sworn statements from such Harijans who have incurred losses in this way have been sent to the Hon. the Chief Minister?”

THE HON. SRI B. GOPALA REDDI:—“I do not know what has been sent to the Hon. Chief Minister, but our Collector says that these things have not happened.”

SRI S. NAGAPPA:—“May I ask the Government, Sir, why the police singled out the Harijan villages for the search for absconded persons and why they did not select Reddi houses?”

THE HON. SRI B. GOPALA REDDI:—“There are not many Reddis in Tanjore district. If the police have information that these persons are hiding in some of the Harijan cheris, it is up to them to go and search these cheris. If they have information that they are hiding in some Mudaliar houses, they will go and search Mudaliar houses.”

JANAB ABDUL HAMEED KHAN:—“Will the Hon. Minister tell us the crimes alleged to have been committed by these persons for whom this search was conducted?”

THE HON. SRI B. GOPALA REDDI:—“That is a different matter altogether. There are various crimes in which the accused are wanted and the police went and searched for them. But here the point is whether the police threw out on the road paddy and other things from these houses. I say, ‘No’.”

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SRI B. S. MURTHI :—“May I know, Sir, how many times the police raided the Harijan quarters?”

THE HON. SRI B. GOPALA REDDI :—“A separate question may be put, Sir.”

SRI V. I. MUNISWAMI PILLAY :—“As the Hon. the Chief Minister has promised to Sri A. S. Sahajananda, will he include this matter also in the enquiry that will be made?”

THE HON. SRI B. GOPALA REDDI :—“Yes, Sir, we will consider the matter.”

JANAB ABDUL HAMEED KHAN :—“Arising from the earlier answer of the Hon. the Leader of the House, may I ask, Sir, whether he has not consulted the Hon. the Chief Minister before he started to answer this question, for I cannot understand him when he said that whatever might have been sent to the Hon. Chief Minister, the Collector says this and the Collector says that?”

THE HON. SRI B. GOPALA REDDI :—“The answer that I have given on behalf of the Chief Minister has certainly been approved by him. Without his approval no answer can be sent to the Legislature Secretariat.”

SRI V. RAGHAVAYYA :—“Sir, was anything incriminating found in the houses of these Harijans? If it was not found, did the police apologise to them?”

THE HON. SRI B. GOPALA REDDI :—“That again is a separate question to be put. The question is whether paddy was thrown out of the Harijan houses which were raided. As regards the point whether anything incriminating was found or not, I can only answer, if a separate question is put.”

SRI S. PARAMANANDA RAYAR :—“Sir, in view of the widespread discontent and apprehension prevailing in the minds of the Harijans of Tanjore district, why not the Government set up a committee to enquire into the matter?”

THE HON. SRI B. GOPALA REDDI :—“Since 1946, we have been holding many consultations with the District Officers. I think the Hon. the Minister for Revenue went repeatedly to the Tanjore district and tried to solve the agrarian question. But I think it cannot be done so easily as that. The Agrarian Reforms Committee was also considering this question.”

SRI M. S. PATTABHIRAMIAH :—“Arising out of the answer of the Hon. Minister that the police raided the Harijan villages for arresting some of the wanted persons, may I know whether any of the persons wanted by the police were found in any of the cheris raided by them?”

THE HON. SRI B. GOPALA REDDI :—“I think that is what Mr. Raghavayya also wanted to know. For that a separate question may be put, Sir.”

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SRI P. NATESAN :—“May I know what was the particular incident, whether there was a murder or looting or something else, which made the police go and raid these villages?”

THE HON. SRI B. GOPALA REDDI :—“It is not any particular isolated criminal act but a series of crimes in which a large number of people were wanted and they were absconding and hiding somewhere. The search was made for them.”

JANAB N. MUHAMMAD ANWAR :—“May I ask the Hon. Minister why we should establish this noble and exclusive tradition in our State of the Hon. the Chief Minister keeping mum when questions concerning his portfolio are addressed to him?”

JANAB H. S. HUSSAIN :—“May I know if any complaints have been received from the Harijans either by the Collector or by the Government with regard to the alleged throwing out of the paddy, etc. on the road?”

THE HON. SRI B. GOPALA REDDI :—“According to Mr. Muniswami Pillay, some representations have been sent to the Hon. Chief Minister.”

SRI D. V. RAMASWAMI :—“May I know whether the wanted persons belong only to the Harijan community or to other communities also?”

THE HON. SRI B. GOPALA REDDI :—“I have never said that the wanted persons were all Harijans. I only said that the police raided a number of Harijan villages in Tanjore district in the course of their search for absconding accused persons wanted in a number of crimes. They may be Harijans or non-Harijans.”

SRI B. S. MURTHI :—“Sir, the answer of the Hon. the Leader of the House is evasive as regards the representations made by the Harijans to the Hon. the Chief Minister. May I therefore know from the Hon. the Chief Minister whether any representations have been received by him from the Harijans to the effect that the police not only raided their houses but also threw the grains outside?”

THE HON. SRI B. GOPALA REDDI :—“It is true that some representations were received by the Hon. Chief Minister and they are being looked into.”

JANAB ABDUL HAMEED KHAN :—“May I know whether the persons suspected belong to the Harijan Community?”

Tenders for the Coleroon Bridge work.

*12 Q.—SRI B. S. MURTHI (on behalf of Sri T. Viswanatham) : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether tenders were called for for the Coleroon Bridge work;

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- (b) the names of the tenderers and the tender amounts;
 (c) when the tenders were received and when they were disposed of;
 (d) who the person entrusted with the work is and whether he was one of the tenderers; and
 (e) the reasons for choosing him to do the work?

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

“(b) The tenderers and the amount of their tenders are :

	RS.
1. Messrs. The Gannon Dunkerley & Co., Ltd. ...	37,33,116
2. Mr. Viswanathan, Engineer & Contractor, Thiruchirappalli ...	36,27,206
3. Messrs. The Modern Housing Construction & Properties, Ltd. ...	27,47,225

Though the lowest tender was accepted by the Government subject to certain conditions, the tenderer withdrew the offer and fresh tenders were called for. The names of the tenderers who tendered a second time and the amount of tenders are given below.

	RS.
1. Messrs. Hindustan Construction Co., Ltd. ...	49,39,024
2. Messrs. Gannon Dunkerley & Co., Ltd. ...	38,99,548

“(c) The date fixed for the receipt of tenders at the first tender call was 23rd March 1949 and that for the second 25th October 1949. Orders on the first tender were issued on 15th July 1949 and on the second tender on 20th April 1950.

“(d) & (e) The rates quoted by the lowest tenderer in the second tender call were very high. It was therefore decided that the work should be executed departmentally through piece work contractors. A part of the work, namely, foundation and sub-structure has been entrusted to Sri K. Veeraswami Naidu, a local contractor, at rates quoted by him which work to about 10 per cent above the estimate rates. He is not one of the tenderers for the main work. It is considered that departmental execution will have profound effect in keeping future tenders for other works within reasonable limits.”

SRI B. S. MURTHI :—“May I know, Sir, why the lowest tenderer had withdrawn his tender?”

THE HON. SRI M. BHAKTAVATSALAM :—“We did not ask him for his reasons; as he withdrew, we did not question him further.”

JANAB ABDUL HAMEED KHAN :—“May I know, Sir, what the conditions were that were prescribed for the lowest tenderer to whom the tender was given in the first instance?”

THE HON. SRI M. BHAKTAVATSALAM :—“I should like to have notice of the question.”

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SRI S. NAGAPPA :—“May I know whether the tenderer who first withdrew his tender, entered into an agreement to execute the work; if so, how and why did he withdraw later after entering into an agreement?”

THE HON. SRI M. BHAKTAVATSALAM :—“I may tell the hon. Member that agreement is not entered into till the tender is accepted.”

SRI V. RAGHAVAYYA :—“The Government when they decided upon doing the work departmentally, were they actuated by the motive of economy or of efficiency?”

THE HON. SRI M. BHAKTAVATSALAM :—“Both, Sir.”

SRI N. M. R. SUBBARAMAN :—“May I know whether any action was taken against the first lowest tenderer who withdrew?”

THE HON. SRI M. BHAKTAVATSALAM :—“We could not take any action against him, as he withdrew before we accepted the tender.”

JANAB MUHAMMAD RAZA KHAN :—“May I ask what was the tender deposit and whether that deposit in the case of the man whose tender was accepted, was forfeited to the Government?”

THE HON. SRI M. BHAKTAVATSALAM :—“I should like to have notice of the question.”

JANAB M. S. ABDUL MAJID :—“Is there any provision in the conditions under which these tenders were called for, that once the tenderer has submitted his tender and it is accepted, he is bound by the terms of his offer?”

THE HON. SRI M. BHAKTAVATSALAM :—“If the tender is accepted, then he is bound by it; but before we can communicate our final orders, this tenderer withdrew his tender and so we could not proceed further in the matter.”

SRI V. M. RAMASWAMI MUDALIYAR :—“With the experience gained by the Government in this matter, of the lowest tenderer falling back when the agreement is about to be entered into, will the Government take care in the future that such a possibility does not arise, viz., that the lowest tenderer shall not be in a position to withdraw his offer till it is accepted? The offer should be kept open till it is accepted; I know a contract may . . .”

MR. SPEAKER :—“Is the hon. Member making a speech?”

SRI V. M. RAMASWAMI MUDALIYAR :—“No, Sir; I am asking the Government whether they will take steps in the future to ensure that a tender once offered cannot be withdrawn by the tenderer?”

THE HON. SRI M. BHAKTAVATSALAM :—“I have already said that before we accept a tender, it is open to the tenderer to withdraw his offer; in this case, we could not accept even the lowest tender absolutely; and so we had to negotiate with the

[Sri L. C. Pais]

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"These are matters, Sir, which the Government must bestow some attention upon and see that speedy relief is given to the distressed people."

SRI N. M. R. SUBBARAMAN:—"கனம் அமைச்சர் அவர்களே, அவைகளைத் தீர்க்கவேண்டுமென்றும் மூலமாகக் கொண்டு வந்தாலும் சரி அல்லது ஒரு தனி சட்டத்தின் மூலமாகக் கொண்டு வந்தாலும் சரி, காலி மனைகளில் வீடுகள் கட்டிக் கொடுக்கவேண்டும். அவைகளையும் இந்த சட்டத்தினால் அன் வகிக்கும் என்று ஒரு சட்டம் கொண்டு வந்து காலி மனைகளையும் இந்த மசோதாவில் சேர்த்துக்கொள்ளவேண்டும். முக்கியமான விஷயங்கள் எவ்வளவுவோ சொல்ல வேண்டியதாக இருக்கிறது. இப்பொழுது அதிக நேரமில்லை, காலதாமதமாகிறது. ஆகவே இவைகளை மட்டில் இப்பொழுது தெரிவித்துக்கொண்டு மற்றவைகளை பின்னாடி தெரிவித்துக்கொள்ளுகிறேன் என்று சொல்லிக் கொண்டு இத்தான் நிறுத்திக்கொள்ளுகிறேன்."

"இப்பொழுதுள்ள நிலைமையில் வீட்டுவாடகை சம்பந்தமாகக் கொண்டு வருவதுபோலவே கேஸ்களில் சரியானபடி நியாயம் கிடைப்பதில்லை. ஆகவே இந்த மசோதாவை தகுந்த முறையில் நிறுத்தியமைக்கவேண்டியதாயினும் மாக இருக்கிறது."

"இந்த மசோதா சம்பந்தமாக முக்கியமாக ஒன்றை சொல்ல விரும்புகிறேன். இப்பொழுதுக்கும் மசோதாவில் காலி மனைகளைச் சேர்க்கவில்லை. அவைகளையும் அவசியமாக சேர்த்துக்கொள்ளவேண்டுமென்பதும் கேட்டுக் கொள்ளுகிறேன். குறிப்பாக மதுரையை எடுத்துக்கொண்டால் மட்டுமே காலி மனைகளில் அநேகம் பேர்கள் ஆவிரக் கணக்கான ரூபாய் கொண்டு குடியிருந்து வருகிறார்கள். பிற்பாடு அந்த காலி மனைகளில் சொந்தக்காரர்கள் அவ்விதம் பணம் செலவுசெய்து வீடு கட்டிக்கொண்டிருக்கின்றவர்களிடம் மூன்று மடங்கு அல்லது நான்கு மடங்கு வாடகையைக் காலி செய்யவேண்டுமென்றும், இவ்வாறிட்டால் வாடகைக்கு இருக்கிறவர்களிடம் தன்னுடைய சொந்தச் செலவில் வீடு கட்டிக்கொண்டிருந்தால் அந்த வீட்டையும் எடுத்துக்கொண்டு போய்விட்டால் என்றும் சொல்லி விடுவார்கள். ஆனால் கட்டின வீட்டை எவ்விதம் எடுத்துக் கொண்டு போகமுடியும் என்ற கேட்டாலும் அதை மனையின் சொந்தக்காரர் கொடுப்பதில்லை. இந்நிலை இவர்களுக்கு பரிசாரம் தேடிக்கொள்வதற்கு நம் மசோதாவில் இடம் இல்லை. ஆகையால் கட்டின வீட்டை இழக்கும்படியான நிலைமையும் ஏற்படுகிறது. ஆகவே காலி மனைகளில் கட்டிடம் கட்டிக்கொண்டு அதைப் பேர்கள் கஷ்டப்படுகிறார்கள், ஏனென்றால் நம் மசோதாவில் காலி மனைகளையும் சேர்க்காமலிருப்பதனால் தான். ஆகவே காலி மனைகளையும் இம் மசோதாவில் சேர்த்துக் கொள்ளவேண்டியதாயினும் இருக்கிறது."

"இன்னும் வீட்டு வாடகையை மதிப்பிடும்பொழுது 1929-ம் வருஷம் வாடகை மதிப்பிட்டதை வைத்துக்கொண்டு அதற்கு மேல் 5%, 10%, அல்லது 15% அதிகமாக வசூலித்துக் கொள்ளலாம் என்று சொல்லப் படுகிறது. இவ்விதம் வாடகையை மட்டில் மசோதாவில் கட்டியிருந்தவர்களுக்கு மானாலும் கொடுக்கலாம் என்றிருக்கிறது. எவ்வளவு வேண்டுமென்று கஷ்டப்படுகிறார்கள். ஆகவே காலி மனைகளையும் இவ்வாறு நிகலும் படுத்தவேண்டிய தவறியதாக இருக்கிறது. அதை அவசியம் சேர்த்துக் கொள்ளவேண்டுமென்று கேட்டுக்கொள்கிறேன். ஆனால் காலி மனைகளில் இனிமேல் கட்டிடம், அல்லது வியாபார ஸ்தலம் முதலிய கட்டிடங்களையும் இதில் சேர்த்துக் கொள்ளக்கூடாது. குடியிருப்புக்கு என்று வீடுகள் கட்டிக் கொள்ளவேண்டுமென்று மட்டும் தான் இந்த மசோதாவில் சேர்த்துக் கொள்ளவேண்டும். சென்னையைப் பொறுத்த மட்டில் குடியிருப்பு பரந்த மென்றால் அதன்மேல் கட்டியுள்ள அந்தந்த காலி மனைகளை வேண்டுமென்று அனுசரித்து, அந்த வீட்டின் விஷயம் கொடுத்துவிட்டு தான் அந்த காலி மனையை எடுத்துக்கொள்ளவேண்டும். இந்த மாதிரியான விதிசெய்தால் வாடகை பாதுகாப்பு சட்டத்திலும் இல்லை என்று தெரிய"

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[Sri M. R. Subbaraman]

வருகிறது. இம்மாதிரி சட்டத்தை வைத்துத் தாமதம் பூறுவிற்கும் எல்லா பஞ்சாயத்துகளுக்கும் சேர்த்துக்கொண்டால் ஒருவித ஆட்சேபனையும் இல்லை. ஒரு தனி சட்டத்தின் மூலமாகக் கொண்டு வந்தாலும் சரி அல்லது இதிலேயே கொண்டு வந்தாலும் சரி, காலி மனைகளில் வீடுகள் கட்டிக் கொண்டு வந்தால் அவைகளும் இந்த சட்டத்தினால் அன் வகிக்கும் என்று ஒரு சட்டம் கொண்டு வந்து காலி மனைகளையும் இந்த மசோதாவில் சேர்த்துக்கொள்ளவேண்டும். முக்கியமான விஷயங்கள் எவ்வளவுவோ சொல்ல வேண்டியதாக இருக்கிறது. இப்பொழுது அதிக நேரமில்லை, காலதாமதமாகிறது. ஆகவே இவைகளை மட்டில் இப்பொழுது தெரிவித்துக்கொண்டு மற்றவைகளை பின்னாடி தெரிவித்துக்கொள்ளுகிறேன் என்று சொல்லிக் கொண்டு இத்தான் நிறுத்திக்கொள்ளுகிறேன்."

* **THE HON. SRI N. SANJEEVA REDDI:**—"Mr. Speaker, Sir, I must thank the hon. Members for the valuable suggestions they have made, to be borne in mind, so that we may discuss them while we are in the Select Committee. I wish Mr. Vaidyanatha Ayyar came into the Select Committee, but it was not possible to include his name. We will certainly remember all that he has said just now. Mr. Viswanatham also has given some points to be considered. We do not know whether all the defects and complaints pointed out by him can be removed, particularly that relating to the pronouncing of judgments and their being written out some time later on. But the complaint is there even with regard to judicial officers that they have also been doing it. I do not know, Sir, if we can rectify it; if it is possible, any honest officer will write out the judgment, and we expect all our officers to do it."

"As regards the extension of the life of this Act, I too feel it may be extended for one or two more years; I do not mind if it is to be extended until the situation improves. But at the same time we cannot fix a period, say 1951, 1952 or even 1953. Whatever it is, we may discuss that point also in the Select Committee and try to do the best. We do not want to hurry up the Bill; it has been pending for the last one year, and it is therefore uncharitable to say that we are hurrying this Bill. We are only giving another small lease of life to this Act which has been before the Members for the last one or two years, and so it is definite that we are not hurrying it up. Even now, I am agreeable to discuss this point in the Select Committee, and if any hon. Members will give us valuable suggestions in this regard, certainly they will be considered, if they are useful and agreeable from the administrative point of view."

"One of the remarks made was that sanction of the existing tenants should be obtained before you put a tenant in; that will be impossible. If there are two or three families already living in a house, it may not be possible to get the consent of all the three families for the new tenant coming in. If one tenant agrees or even if two of them agree, the third tenant may say 'no'. In such a case, how can any new tenant be brought in at all? Again, Mr. Viswanatham referred to the question of reservation in trains. I do not think the railway authorities, when they reserve seats, take the consent of the passengers in the compartment for

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THE HON. SRI J. L. P. ROCHE VICTORIA :—“(a) No. The 1 ounce cut in rice ration applies only to rationed areas and there is no rationing at present either statutory or informal in the rice surplus districts.

“(b) The saving by the cut of 1 ounce of rice ration is estimated at 89,000 tons for the period from 1st July 1950 to 31st December 1950.”

SRI V. RAGHAVAYYA :—“Sir, despite the experts flying between Madras and Delhi for these food conferences now and again, may I know whether this Government could not foresee the crisis passing over the province to-day and build up buffer stocks in the deficit as well as in the surplus areas?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“Sir, ever since shortage was noticed, this Government have been taking all the necessary steps to build up the stocks and the present cut was necessitated by the fact that with sufficient anticipated supplies and the procurement limit, it was not possible to reach the limit required.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“With reference to the statement from the Minister to the effect that there has been an attempt to build up stocks, do they realise that the statement is absolutely false, absolutely untrue, if you compare the Government Order reducing the ration to six ounces in Malabar and the inability of the Government to supply even 4 oz. of rice in many parts of this State? Will the Hon. Minister be good enough to withdraw the statement officially?”

SRI K. R. KARANTH :—“Sir, is it in order for a questioner to say that the statement of the Government is false?”

MR. SPEAKER :—“I think he has corrected himself; he said it is not true.”

JANAB ABDUL HAMEED KHAN :—“Sir, may I know why the Government particularly the department of Food, does not realize the very wholesome and recognized rule of rationing that in a State where there is an emergency, even in surplus areas the same ration should apply?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“We have no rationing in the rice-surplus areas.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“Will the Hon. the Minister for Food state how many are the districts where he has not been able to give even this alleged giving of 6 oz?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“A separate question may be put, because I am not aware of any definite particulars in this regard, though of course there are complaints from here and there that there is not sufficient quantity to meet the regular quota allowed to the ration shops.”

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RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“Sir, will the Hon. Minister admit that his own officials in the districts have reported to him that they are not able to give 6 oz? I am asking him to answer on the basis of official documents which are in his custody.”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“As I have already explained, there is no doubt that there is a shortage in the State, and we are trying to meet the situation as far as possible. It is not possible now to say exactly in what all districts and in what all areas the shortage is very acute.”

SRI S. NAGARAJA MANIGAR :—“Sir, the Hon. Minister just now said that there is no rationing in rice-surplus districts. May I know from him whether there is no rationing in millet-surplus districts as well?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“As I said, it is only in rice-surplus districts that there is no rationing.”

SRI D. V. RAMASWAMI :—“May I ask the Hon. Minister whether when there is a cry even against an one-ounce cut in the ration, there is a four-ounce cut in the ration in the Visakhapatnam district, where it is 4 oz. now?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“There is no official reduction, Sir. It may be that owing to shortages temporarily in particular areas, they might have given less than the prescribed quota.”

SRI G. RAJAMANNAR CHETTI :—“May I know, Sir, whether the Government will consider the imperative necessity of moving the supposed built-up stocks as stated by the Hon. Minister, to those areas which are being under-rationed, such as Malabar, Visakhapatnam, etc.?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“It is being done wherever it is felt there is necessity.”

SRI M. P. GOVINDA MENON :—“At least during this period of emergency, may I ask if the Hon. Minister will be pleased to see that the same kind of ration, i.e., quantity, is given throughout the Presidency, so that people may have equal suffering?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“We are only following the original rate of rationing in the statutory as well as in the informal rationing areas; except for the present cut, the method of rationing is kept up both in the statutory rationing areas and in the informal rationing areas.”

JANAB ABDUL HAMEED KHAN :—“From the answer given by the Hon. Minister, I understand the Government do not know how much ration is given in each district, whether it is left to the officer concerned in each district, or whether directions are sent from the Centre?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“The quantity to be supplied to each district, as the stocks come in, is being

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sent to the district according to usual requirements and the usual requirements of each district are already known to the Government. In certain areas, the food supply might not have reached in time, and naturally some shortage might have occurred."

SRI P. NATESAN :—" I do not know if I heard the Hon. Minister aright; he said in his reply to the interpellation that an one-ounce cut in the rice ration means a saving of 89,000 tons. Is that so? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" That is correct, Sir, from 1st July 1950 to 31st December 1950."

11.30 a.m. SRI B. S. MURTHI :—" Sir, arising out of the answer of the Hon. Minister that procurement has failed, may I know why the procurement has failed, when the Government realised that fact and what steps the Government have taken to see that stocks are built up? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" As I have already said, we have been trying our best to see that the ration is kept up as far as possible, but with regard to the steps taken and so on, it will be a very long answer if I have to give all the different steps or measures we have taken. Now that the House is going to have a full discussion on the food situation in a day or two, the matter can be dealt with then in more detail."

SRI S. NAGAPPA :—" Sir, arising out of the Hon. Minister's answer that there is no rationing in rice-surplus areas, may I know whether the Government will be pleased to give the same facility to millet-surplus areas also and if not, why not? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The whole question refers only to rice rationing. In fact, in millet areas also people want rice and so unless there is rationing it cannot be managed."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Sir, does the Hon. Minister realise that the questions that are being asked this morning are only helpful questions in order to help him to get more food from the Government of India and that his answers, asserting that everything is all right and that there is nothing wrong and so on, will only hamper his attempts to get more food from the Government of India? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Sir, I will be the last person to say that nothing is wrong. I have said that as far as this Government is concerned, we are trying to do our best. Whatever help we expect from outside has not been received either in time or not received in sufficient quantities. That is why our Government feels the difficulty at present."

JANAB MUHAMMAD RAZA KHAN :—" May I ask, Sir, whose statement is correct? The Food Minister says, there is

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shortage and I admit it. The Food Secretary of the Government of Madras says in Delhi there is enough food in the districts but the difficulty is that of transport. The official of the Delhi Government, Mr. Karunakara Menon, says there is plenty of food, but there is only some sort of trouble in the matter of distribution. May I therefore, ask, whose statement is correct? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Sir, the statement of the Food Secretary of this Government when he was at Delhi, has not been correctly reported in the papers. He said, there is some supply available here and he also said that the surplus in certain districts have not been able to be moved owing to the difficulty in the supply of wagons and that if they are moved, the situation might be little improved. But, he did not say, we did not require further supplies. On the other hand, the very fact that he went to Delhi shows that it was only to plead for more and immediate supplies."

JANAB K. M. SEETHI :—" May I know, Sir, whether the attention of the Hon. Minister for Food has been drawn to the alarming reports that appeared in this morning's papers about the sufferings of people in very many villages in Malabar? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir. That is being attended to."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know, Sir, why the Food Department were so slack as not to anticipate the coming emergency in time and take precautionary measures in that regard, instead of waiting until the stocks almost completely ran out? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" As I have already said, we ourselves were disappointed at the quantity of procured grains in this State and we did not get the anticipated quantity which we expected to get from our own State. Added to that, the supplies promised from the Central Government did not arrive in time and we were naturally placed in this position owing to these two reasons."

SRI N. S. VARADACHARI :—" May I ask, Sir, in view of the food debate that is to take place in the House in a day or two, the Government will place on the Table the following information : The target fixed for procurement, the monthly procurement obtained during the last three years and the estimates of production arrived at by the Government on the basis of their Grow More Food campaign? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir. A statement is being prepared and will be presented to the House."

SRI V. M. RAMASWAMI MUDALIYAR :—" May I ask, Sir, whether there is any proposal before the Government to introduce a uniform system of rationing both for rice-surplus areas as well as in other areas, and if not, why not? "

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THE HON. SRI J. L. P. ROCHE VICTORIA :—" That has to be considered further. A separate question may be put, Sir."

SRI M. S. PATTABHIRAMIAH :—" Sir, are the Government aware of the fact well-known to all the people in the State that even the reduced and scanty ration that is now given in cities that ration is not being given in the rural areas, where only one or two days' ration in a week is given in all the ration shops in most districts? And, will the Government confess this fact and confess that the distribution system has collapsed in our State? "

SRI C. M. KOTHARI :—" Sir, when the private individuals from Burma are prepared to sell rice to this country, will the Hon. Minister for Food be prepared to accept tenders from private individuals for rice? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" All the supplies have to be got through the Government of India only and the offers which came to us have been forwarded to the Government of India for their consideration."

JANAB ABDUL HAMEED KHAN :—" Sir, is it a fact that some officers of the Government of India have come down here? If so, will the Hon. Minister for Food arrange for a conference, not only of the officials, but also of some representatives of this House so that we may know directly what position the Government of India is taking in the matter and suggest how to get over this emergency? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" There is no regular representative from the Government of India at present here in Madras."

SRI L. N. GOPALASWAMI :—" Sir, is it not a fact that the District Food Committee of Tiruchirappalli pointed out to the Government that rural rationing has failed and it is in an alarming state and asked the Government to rush supplies to those villages? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir. Along with other districts, we have received representations from Tiruchirappalli also."

JANAB N. MUHAMMAD ANWAR :—" Sir, there is an invidious discrimination between villagers and town-dwellers in the matter of rice supply. So, will the Hon. Minister see to it that since the villagers have as much stomach and appetite as town-dwellers, they also get an equal quantity of rice along with town-dwellers wherever ration is introduced? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The whole basis of rationing is on producers and non-producers. Mostly people living in urban areas are non-producers and naturally they entirely depend on what is supplied to them through ration shops, while the conditions in villages and rural parts are different. That is why the original differentiation was fixed up."

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KUMAR ZAMINDAR OF VUYYUR :—" Sir, in view of the serious food situation in Krishna, will the Government think of stopping any further procurement from that district? "

Permission for the running of bus service by certain municipalities and district boards.

* 15 Q.—JANAB MUHAMMAD RAZA KHAN (on behalf of Janab Muhammad Abdul Salam) : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that certain municipalities and district boards have requested the Government to permit them to run bus service in their respective areas; and

(b) whether it is a fact that the Government have rejected all such applications of the local boards?

THE HON. SRI K. CHANDRAMOULI :—" (a) Yes.

" (b) Yes."

SRI V. M. RAMASWAMI MUDALIYAR :—" May I ask, Sir, why permission to Municipalities to run their bus services, what are known as Town Bus Services, is not accorded? "

THE HON. SRI K. CHANDRAMOULI :—" The whole bus-service policy has been nationalized. Though it has not yet been done, the policy is for nationalization of these services. So, as and when gradually this is implemented, the municipalities and local boards concerned have got their shares and things like that in the scheme and that is why the Government have not permitted them to undertake the business independently of the local bodies."

SRI V. M. RAMASWAMI MUDALIYAR :—" I thought the policy of nationalization would be extended further. If municipalities run their own bus services, it would be easier for the Government to take them over from them rather than from vested interests of these services, because in that case they need not pay much compensation when they take them over."

THE HON. SRI K. CHANDRAMOULI :—" Even the municipalities have got to invest large sums on this business and the Government also have to give them money, because they cannot do the business independently. As matters stand at present, it is the case with most of the municipalities now. That is why permission is not granted."

JANAB MUHAMMAD RAZA KHAN :—" Sir, when conditions in Madras City in the matter of nationalization of the bus service are horrible, does the Hon. Minister think that the municipalities would be able to make it a success? "

THE HON. SRI K. CHANDRAMOULI :—" I do not agree with the hon. Member."

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SRI S. NAGARAJA MANIGAR :—" Sir, if such district boards which have got enough funds to run bus services, and apply for permission, will the Government grant them permission to run such services? "

THE HON. SRI K. CHANDRAMOULI :—" The policy must be uniform, and if there are funds enough for such of the district boards to run the service and they apply for permission, each case will be considered on its merits and my hon. Colleague who is in charge of this matter will consider them and do the needful."

JANAB N. MUHAMMAD ANWAR :—" The Hon. Minister said that the local bodies still have shares and other things with the Government. May I know, Sir, what are the other things? "

THE HON. SRI K. CHANDRAMOULI :—" Other things ", mean profits or losses accruing therefrom."

SRI S. NAGAPPA :—" Sir, is it not a fact that there is what is called a Railway Cess Fund in each and every district board which is intended for running railways. So, Sir, when a district board can run railways, may I ask, whether they cannot run other means of transport like the bus service and why should the Government object to it? "

THE HON. SRI K. CHANDRAMOULI :—" All district boards have not got the Railway Cess Fund, and even those boards which were running their railways, have gradually withdrawn it."

Introduction of Hindi as a compulsory subject in Secondary schools.

*16 Q.—SRI A. VEDARATNAM PILLAI : Will the Hon. the Minister for Education be pleased to state whether the Government have introduced Hindi as a compulsory subject in Secondary schools, and if so, in what forms?

THE HON. SRI K. MADHAVA MENON :—" No."

MR. SPEAKER :—" The Hon. Minister said the other day that there was going to be a separate debate on the subject and so the hon. Members may not put supplementary questions."

SRI A. VEDARATNAM PILLAI :—" May I know, Sir, whether Hindi is an examination subject, and if so, what is the minimum mark and maximum mark fixed for it and how many periods have been allowed for a week? "

THE HON. SRI K. MADHAVA MENON :—" The question is, whether Hindi has been introduced as a compulsory subject and the answer is in the negative. In places where it is not taught compulsorily, I cannot say now whether it is an examination subject, whether it is taken by pupils as an optional subject, the minimum and maximum marks and what is the number of periods it is taught in a week."

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SRI M. S. PATTABHIRAMIAH :—" May I take it, Sir, that the Government upheld the contention of Periyar Sri E. V. Ramaswami Naicker who was always saying that Hindi could only be an optional subject in our State and that they never accepted it. Now, will the Government express their gratefulness to that great man in our State? "

THE HON. SRI K. MADHAVA MENON :—" If my hon. Friend wants to give the credit to Mr. Ramaswami Naicker, I have no objection if he is very anxious about it."

SRI S. PARAMANANDA RAYAR :—" Sir, whether it is a fact that many schools have not carried out the proceedings of the Director of Public Instructions No. R.C. 2747, dated 24th October 1949, if so, the reasons for their not carrying out the instructions and what steps the Government have taken in this direction? "

THE HON. SRI K. MADHAVA MENON :—" My hon. Friend refers to an instruction issued by the Director of Public Instructions in pursuance of a Government Order of 1949. If he could give me more particulars as to which school or schools have not carried out the instruction, I shall enquire. If he merely asks whether some schools have not carried out the instruction, my answer will be, they must have carried out the instruction."

Loan applications to purchase oil-engines.

* 17 Q.—SRI R. NATESAN : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of loan applications received from the agriculturists of Pudukkottai division since merger to purchase oil engines; and

(b) the number of loans that have been granted?

THE HON. SRI H. SITARAMA REDDI :—" (a) Forty-seven loan applications were received from the agriculturists of the Pudukkottai division since merger for the purchase of oil engines and pump-sets.

" (b) Of the 47 applications received, 11 have been rejected, some for reasons of insufficient security offered by the applicants and some were withdrawn by them. The remaining 36 applications are under investigation."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Sir, realizing the fact that Pudukkottai area is a dry area with no irrigation facilities, will the Hon. Minister take steps to expedite passing orders on the 36 pending applications? "

THE HON. SRI H. SITARAMA REDDI :—" A special staff has been appointed for the purpose and it will be expedited."

SRI C. M. KOTHARI :—" May I know, Sir, when the investigation will be completed and how long it has taken to investigate? "

THE HON. SRI H. SITARAMA REDDI :—" This is the sort of standard question by some of the hon. Members; I can

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tenderer as to whether he would agree to certain conditions. Before, however, we could finalise the agreement, he withdrew the offer."

JANAB ABDUL HAMEED KHAN :—" May I know how much amount the Government expect to spend when the work is carried out departmentally? "

THE HON. SRI M. BHAKTAVATSALAM :—" We expect it will be within ten per cent over the estimated rates."

SRI K. R. KARANTH :—" May I know why, if it is to be done departmentally there should be some sub-contractor whose rates are over ten per cent? If it is to be done departmentally, why should there be a sub-contract as mentioned in the answer? "

THE HON. SRI M. BHAKTAVATSALAM :—" Our idea was to do it as piece-work; we could not do every item of work absolutely departmentally; we have to take in some piece-work contractors."

JANAB ABDUL HAMEED KHAN :—" May I know what is the departmental estimate? "

THE HON. SRI M. BHAKTAVATSALAM :—" That is Rs. 26 lakhs."

SRI V. RAGHAVAYYA :—" As a matter of safe general rule as well as to avoid many departmental embarrassments, is it not more useful for the Government to entrust these big works to firms which are contractors who will do the works satisfactorily, instead of taking upon themselves the onerous duty of executing these works at their own will? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have already explained the position in the answer, and I do maintain that the policy that is now pursued is absolutely sound. I do not know of any feelings of embarrassment except perhaps what is imagined by the hon. Member."

JANAB H. S. HUSSAIN :—" Is it not in the discretion of the Government to accept the lowest tender or not, according to the circumstances of each case? "

THE HON. SRI M. BHAKTAVATSALAM :—" That is exactly so."

SRI L. N. GOPALASWAMI :—" May I know, Sir, what percentage the lowest tender worked out over the estimate rates? "

THE HON. SRI M. BHAKTAVATSALAM :—" Roughly about 40 per cent of the estimate."

JANAB MUHAMMAD RAZA KHAN :—" Is it not the policy of the Government that while accepting tenders, they make it a rule that these big works are given in contract to firms or companies which can complete the works within a reasonable time and turn out the work to the full satisfaction of the Government? "

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THE HON. SRI M. BHAKTAVATSALAM :—" That is so; but we cannot accept any tender, whatever the rates, except the lowest tender."

JANAB M. MUHAMMAD ISMAIL :—" In the work that has been carried out so far, may I know whether the departmental estimate is being kept up? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir; that is kept within a limit of 10 per cent over the estimated rates."

SRI A. VEDARATNAM PILLAI :—" May I know whether the Government can complete the work before the stipulated time? If so, when the work is expected to be completed? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do expect that the work will be completed within a period of three years."

All-India Basic Education Conference.

*13 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have considered the decisions of the All-India Basic Education Conference which was held at Angul, Orissa;

(b) what those decisions are and what action the Government have taken to carry out the decisions; and

(c) if no action has been taken, the reasons therefor?

THE HON. SRI K. MADHAVA MENON :—" (a) The proceedings of the All-India Basic Education Conference held at Angul, Orissa, have not so far been received.

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

SRI A. VEDARATNAM PILLAI :—" May I say Sir, the Hon. Minister himself who presided over that conference might have known the decisions personally; if so, may I know whether the Government have taken up the question and introduced it on the basic education lines? "

THE HON. SRI K. MADHAVA MENON :—" It is true that I presided over the conference; but I am awaiting the official communication of the resolutions on which action has to be taken. On some of the resolutions, I hope that action is being taken on the lines adopted at Angul, and I am still awaiting the official communication of the resolutions."

Application of the one ounce cut in rice ration to the surplus districts.

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

(a) whether the Government have applied the one ounce cut in rice ration to the surplus districts also; and

(b) the total quantity saved by this cut for this State?

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only state that I anticipated such a thing and said that special staff has been appointed and it is going into this question."

SRI P. NATESAN :—" May I know, Sir, what is the value of each loan that is asked by each subscriber? "

THE HON. SRI H. SITARAMA REDDI :—" It ranges from Rs. 1,500 to Rs. 8,000."

SRI K. KOTI REDDI :—" Is it a fact that the Government or the Director of Agriculture has issued instructions to the subordinates that no more applications for oil engines should be received? "

THE HON. SRI H. SITARAMA REDDI :—" May I suggest to the hon. Member to address that question to the Hon. Minister for Agriculture."

SRI N. S. VARADACHARI :—" Will the Hon. Minister be pleased to look into the difficulties experienced by ryots especially in dry districts in obtaining the necessary solvency certificates before loans are sanctioned and if food production is urgent, should not the Government advance the engines against the security of the stock hired out and the land on which it is about to be worked? "

MR. SPEAKER :—" The hon. Member is putting a general question when the question refers to Pudukkottai."

SRI N. S. VARADACHARI :—" When I refer to dry lands, it includes Pudukkottai also."

THE HON. SRI H. SITARAMA REDDI :—" The very valuable suggestion will be considered."

Alleged refusal to give medical aid to certain wounded Harijans.

* 18 Q.—SRI A. S. SAHAJANANDA : Will the Hon. the Minister for Health be pleased to state whether it is a fact that in the month of May 1950 the hospitals in Shiyali taluk, Tanjore district, refused to give medical aid to certain Harijans, who were wounded?

THE HON. DR. T. S. S. RAJAN :—" No Harijans were refused treatment in the medical institutions in Shiyali taluk in May 1950 or any other period."

" In April 1950, 32 Harijans alleged to have been beaten and wounded with sticks by the police reported to the Medical Officer, Local Fund Hospital, Shiyali, for treatment. The injuries were simple in nature and the Harijans were given the necessary treatment as out-patients. Their request for admission as in-patients was not complied with as their condition did not warrant in-patient treatment."

SRI V. I. MUNISWAMI PILLAJAY :—" May I know, Sir, whether it is within the discretion of the District Medical Officer or the officer-in-charge of the hospital to admit the people who are wounded? "

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THE HON. DR. T. S. S. RAJAN :—" The officer in charge of admission has submitted a statement to this effect and it is quite correct."

Quelling of the Communist revolt in the coastal districts of the Andhra area.

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

(a) whether the Government of India have opened correspondence with the Madras Government regarding the resolution of the Andhra Provincial Congress Committee that the Centre should take over the quelling of the Communist revolt in the coastal districts of the Andhra area; and

(b) if so, what the reply of the Madras Government is?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister) :—" (a) No.

" (b) Does not arise."

SRI V. RAGHAVAYYA :—" In view of the too long duration taken by the State Government in combating the activities of a smaller number of Communists, are the Government contemplating on the better and more successful method of approaching them and reasoning with them or do they propose to declare a regular war on them? "

THE HON. SRI K. MADHAVA MENON :—" It is wrong for my hon. Friend to give it the honorific title of ' Communist revolt ' and characterize it as a sort of war that is going on. It is a figment of my hon. Friend's imagination to call the banditry, murders and lootings as a war or revolt and he is unnecessarily giving it a sort of wrong honour or greatness to a set of marauders."

SRI V. RAGHAVAYYA :—" In view of the very elaborate and heroic explanation of the Hon. Minister, might I ask, Sir, why the Government have not been able to touch the fringe of the problem and is still hurling trouble upon two districts in the Andhra resulting in not less than 200 cold-blooded murders of Congressmen? "

MR. SPEAKER :—" How does this arise out of the main question? "

THE HON. SRI K. MADHAVA MENON :—" The question is about the otiose resolution which was wrongly reported the other day and this does not arise out of it."

Representation for the people of Pudukottai in the District Board, Tiruchirappalli.

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

(a) whether it is a fact that Pudukottai area has not been represented in the District Board, Tiruchirappalli; and

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(b) if so, what steps the Government propose to take to give representation to the people of Pudukottai in the above district board?

THE HON. SRI K. CHANDRAMOULI :—“(a) Yes.

“(b) Government propose to arrange for the election of six representatives to the district board from the Pudukottai area. As legislation is required for the purpose, a draft Bill is being prepared.”

SRI S. NAGARAJA MANIGAR :—“When the Government consider it not necessary to have municipal elections, is it all right to have elections for district boards now?”

THE HON. SRI K. CHANDRAMOULI :—“This is in respect of a particular area which has been deprived of its representation; it is not a general election and that is why the Government wanted to bring in legislation.”

SRI S. NAGAPPA :—“Will the same facility be afforded to Banganapalle and Sandur which merged into the State along with Pudukottai?”

THE HON. SRI K. CHANDRAMOULI :—“The question is under consideration along with Pudukottai.”

SRI L. N. GOPALASWAMI :—“May I know, Sir, whether the number six has been fixed in proportion to the population of the area?”

THE HON. SRI K. CHANDRAMOULI :—“Area and population and other things are taken into consideration.”

Teaching of languages in secondary schools.

* 20-A Q.—SRI K. R. KARANTH : Will the Hon. the Minister for Education be pleased to state—

(a) whether there has been any recent order passed by Government regarding the teaching of languages in secondary schools and if so, what it is; and

(b) the reasons therefor?

THE HON. SRI K. MADHAVA MENON :—“(a) Yes. According to the latest orders, the study of two languages is compulsory, namely, Part I of the first language (regional language or mother-tongue) and second language (English). The study of two more languages is optional—Hindi as the third language and instead of Part II of the first language, a classical or any other Indian language. Students who do not want to study Hindi can take up an additional craft or occupy themselves in any other approved activity during the periods allotted for the study of Hindi.

“(b) In so far as it related to the study of languages, the reorganized Secondary Education Scheme approved in 1948 was defective as students taking up Hindi had no opportunity to study a classical or any other Indian language and as the

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scheme provided for a compulsory study of three languages. The subsequent orders issued in April last did not provide for the compulsory study of the regional language or mother-tongue as the first language. To remedy these defects, the latest orders were issued.”

SRI K. R. KARANTH :—“May I know, Sir, when the proposed debate is to be held on this matter?”

THE HON. SRI B. GOPALA REDDI :—“Before we disperse on the 12th.”

BEGUM SULTAN MIR AMIRUDDIN :—“On which date please?”

THE HON. SRI B. GOPALA REDDI :—“I have not fixed the particular date but we shall have it before we disperse on the 12th.”

SRI V. RAGHAVAYYA :—“May I know, Sir, while people everywhere in India are anxious to give the first place to Hindi in the curricula of their respective educational system, what made the Hon. Minister to deviate from the general path and give it a place equal to a craft and thus reduce its importance?”

THE HON. SRI K. MADHAVA MENON :—“I am sorry for the ignorance of my hon. Friend, that all over India, they want Hindi as the first language; the entire India wants first the mother-tongue and Hindi is a federal language and it must be our attempt that all people get a knowledge of Hindi.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“While I wish to congratulate the Hon. Minister and the Government on having made Hindi optional in the order that they have initiated now, will the Hon. Minister be good enough to look into it once again with the object of making the mother-tongue non-divisible as it has just now been made and give no option to the student to take parts of the mother-tongue while providing particular facilities for the study of Sanskrit without detriment to the entire study of the mother-tongue?”

THE HON. SRI K. MADHAVA MENON :—“It is not fair to ask me to make a commitment in answer to a supplementary question especially when the debate is to be held very soon.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“I very much appreciate the point of view of the Hon. Minister. I had not intended to ask any question of the Hon. Minister but for the fact that another Member started the question; I am content with the statement made earlier that there will be a full-dress debate and I shall await it, Sir.”

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

II.—MESSAGE FROM THE COUNCIL.

MR. SPEAKER :—“ I have to announce to the House that I have received a message from the Hon. the Chairman of the Madras Legislative Council, dated the 4th August 1950 :—

“ In accordance with rule 99 of the Madras Council Rules, I transmit a copy of the Madras Buildings (Lease and Rent Control) Amendment Bill, 1950 (L.C. Bill No. 1 of 1950), as passed by the Council on the 4th August 1950, and signed by me for the concurrence of the Assembly.”

“ I have also to announce to the House that I have received message, dated the 7th August 1950, from the Hon. the Chairman of the Madras Legislative Council transmitting copies of the following Bills as agreed to by the Council without any amendment and signed by him :—

(1) The Madras Weights and Measures (Amendment) Bill, 1950 (L.A. Bill No. 13 of 1950).

(2) The Dangerous Drugs (Madras Amendment) Bill, 1950, (L.A. Bill No. 14 of 1950).

(3) The Andhra University (Amendment) Bill, 1950 (L.A. Bill No. 16 of 1950).

(4) The Indian Criminal Law Amendment (Madras) Bill, 1950 (L.A. Bill No. 17 of 1950).

“ I have also to announce to the House the following messages :—

(1) I transmit a copy of the following motion passed to-day by the Madras Legislative Council in respect of the Legal Practitioners (Madras Amendment) Bill, 1950 (L.A. Bill No. 15 of 1950) :—

“ that the Bill be passed without any recommendation.”

(2) I transmit a copy of the following motion passed to-day by the Madras Legislative Council concurring with the Madras Legislative Assembly in setting up a Joint Select Committee of both the Chambers to consider the Madras Buildings (Lease and Rent Control) Second Amendment Bill, 1950 (L.A. Bill No. 18 of 1950) :—

“ That this House concurs in setting up a Joint Select Committee of the two Houses consisting of nine members (six members from the Assembly and three members from the Council) to consider the Madras Buildings (Lease and Rent Control) Second Amendment Bill, 1950, and that the following members of this House be nominated to the said Joint Select Committee :—

(1) The Hon. Sri K. Madhava Menon.

(2) Sri H. M. Jagannatham.

(3) Sri P. R. K. Sarma ” ” ”

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III.—MESSAGE FROM THE GOVERNOR.

MR. SPEAKER :—“ I have also to announce to the House that I have received messages from His Excellency the Governor of Madras :—

(1) In pursuance of Article 207 read with Article 199 (1) (a) of the Constitution, I, Krishna Kumarsinhji Bhavsinhji, Governor of Madras, hereby recommend to the Madras Legislative Assembly the introduction of the Madras Entertainments Tax (Amendment) Bill, 1950.

(2) In pursuance of Article 207 (1) read with Article 199 (1) (c) of the Constitution of India, I, Krishna Kumarsinhji Bhavsinhji, Governor of Madras, hereby recommend to the Madras Legislative Assembly the introduction of the Madras Contingency Fund Bill, 1950.”

IV.—ELECTION OF MEMBERS TO PARLIAMENT.

MR. SPEAKER :—“ I have to announce to the House that in pursuance of sub-rule (11) of rule 4 of the Provisional Parliament (Filling of Casual Vacancies and Election Petitions) Rules, 1950, Sri Chakravarthi Rajagopalachariar has been declared duly elected by the Members of the Madras Legislative Assembly, as a Member representing the State of Madras in Parliament, *vice* Sri R. K. Shanmukham Chetty, resigned. I have also to announce to the House that Sri Albert Earnest Thomas Barrow has been declared duly elected, under the said rule, by the Members of the Madras Legislative Assembly, as a Member representing the State of Madras in Parliament, *vice* Sri S. H. Prater, resigned.”

V.—GOVERNMENT RESOLUTION.

DELIMITATION OF CONSTITUENCIES AND THE CONDUCT OF ELECTIONS TO LEGISLATURES.

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

“ That this Assembly request the Government to convey to the Government of India the following as the recommendations of this Assembly in regard to the delimitation of constituencies of, and the conduct of elections to, (a) the Legislature of this State and (b) the House of the People :—

1. Delimitation of constituencies.

(1) Legislative Assembly of the State and the House of the People.—Seats for Scheduled Castes and Scheduled Tribes should be reserved in plural-member constituencies with two seats each, one general and the other reserved for Scheduled Castes or Scheduled Tribes. All other constituencies should be single-member constituencies.

(2) Legislative Council of this State.—There should be not less than two seats in each constituency, with proportional representation with transferable vote.

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II. Conduct of Elections.

- (1) *The coloured box system should be adopted.*
- (2) *The boxes for the General and Reserved seats in plural-member constituencies should be kept in separate compartments in each polling booth.*
- (3) *Watchers need not be appointed.*

12 noon. Sir, these are the five points upon which this House has an opportunity of discussing and sending its proposals before the delimitation proposals are finalized by the President of the Republic. There was some fear expressed whether the actual delimitation proposal would be made available to the hon. Members of this House. I may say, Sir, according to the Constitution, it is the Election Commissioner that has to look into the delimitation proposals, and he has only sought the assistance of this Government, which we have readily agreed to give. When the proposals are received, according to newspaper reports and also according to Dr. Ambedkar's statement in the Parliament, these provisional proposals will be published by the Election Commissioner at Delhi and public opinion will be elicited, and then the Speaker's committee for each State will also scrutinize these proposals in the light of the various public comments. Thereafter they will be submitted to the President of the Republic for approval and within twenty days of his approval, if Parliament wanted, it could reverse the proposals of the President. That is the position. Further, I do not think the actual delimitation of the districts or taluks was ever discussed on the floor of the legislature, whether it be the case of district board election, or municipal election or corporation election. I do not see how the question of wards should be distributed or streets and roads should be distributed in a particular municipality or district board could be discussed here, as we cannot expect the members of this House to be acquainted with the wards of all municipal or local board areas in this Province. So, all these minute details should be left to the Executive; and that was also the practice even before. (Interruption.) I do not think the House had ever before an opportunity of discussing the actual delimitation of the constituencies, i.e., whether a particular taluk should be tacked on to this or that area. I do not think the House had ever debated all those points. Sir, as I said, after we send our proposals to the Election Commissioner, he publishes those proposals and elicits public opinion; then, if the members are so anxious, and if time permits, we may have a debate later on with regard to the actual delimitation. But just now, we are concerned only with the main principles of delimitation and with regard to the conduct of elections, whether there should be the coloured box system and whether there should be watchers and all that. Those broad principles may be discussed now and forwarded to the Election Commissioner. Sir, whenever Reforms were given to us and thereby there has been an expansion of our powers, this question of constituencies and how the elections should be conducted, was debated every time. When we were given the Montford Reforms the Southborough Committee sat on this question and they made elaborate proposals and they recommended that

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Madras should have multi-member constituencies. That was in vogue till 1937. And we had four elections under that system. Later, Mr. Hammond sat on this matter; again it engaged a lot of their time; many members have appeared before that committee, and I find from the records that you, Sir, Mr. Speaker, also appeared before it in 1936 and gave your view as to how the scheduled caste seats should be reserved; and several expressed themselves in favour of the single-member constituency, which was finally adopted on the recommendation of the Legislative Council. We had experience of it in two elections, in 1937 and in 1946. Therefore whenever Reforms were given, whenever there was an enlarged franchise or whenever the strength of the House was enlarged or whenever we were given more powers, this question of delimitation of constituencies and conduct of elections was discussed and there was also an expert committee on that. One such sat in 1917-18 and another in 1935-36. Sir, on the eve of the last elections, a similar discussion took place on the floor of the Legislative Council in March 1936 whether we should have single-member or multi-member constituency (for that was the motion debated on the 11th March 1936) and then the House reversed the recommendation of the Hammond Committee and made a report to Parliament and Parliament agreed with the resolution of the House and declared that the general line of our election system should be on single-member constituency except where a seat is reserved for Harijans. Of course, even then, there were six or seven double-member constituencies; one of which was with regard to Muslims of Malabar. But the general rule was a single-member constituency. I find Mr. Bracken, the then Finance Member, who was in charge of Reforms, moved a motion on this question in the Council, and on that, Mr. A. Ramaswami Mudaliar moved an amendment on behalf of the Opposition, and finally the majority view that there should be single-member constituency in general and only a multi-member constituency where there is a Harijan (General), prevailed. Sir, this point was discussed before at some length in various other countries also; and so, this is not the first time we are discussing this in India. In England, in Ireland, in Canada, in the United States of America and several other countries, people were anxious about the best method of securing proper representatives, whether political or religious, in the legislative chambers. So they bestowed a good deal of thought as to how best to get the various shades of public opinion mirrored in the council. They wanted that the House should mirror all currents and cross-currents in the country, and so they tried to devise a system by which they could get that opinion mirrored in the councils. Sir, there are those who maintain that single-member constituencies are best suited to places where political parties are functioning, and so the electorate should be divided according to political constituencies. Sir, we have seen in England for a long time now, single-member constituency has been in vogue; and, again, in United States of America, which is the biggest power in the world to-day, there also, they have, both for the Upper and Lower Houses, only single-member constituency. In the countries of the Commonwealth, in Australia, Canada and other places also,

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it is single-member constituency that is in vogue, and as far as I know, some of the Continental countries have tried the system of proportional representation with single transferable vote. I think, even in Russia, where till recently they had indirect election, they are also coming to direct election, and the general run of their system is also single-member constituency. So, there must be something good in the single-member constituency system. Otherwise all these great countries could not have adopted this system. They have done it after bestowing a great deal of thought on this system and they have come to the conclusion, that in spite of all the disadvantages they should adopt this system. Here, in Madras, as I said, the Southborough Committee, Hammond Committee and the Reforms Committee, which went into this question, discussed at great length the advantages of multi-member and single-member constituency and finally recommended for Madras and Bombay, due to the various circumstances there, multi-member constituency. The Hammond Committee, in spite of the Government's view (for they preferred only single-member constituency), in spite of the majority view of the Provincial Delimitation Committee presided over by Mr. Muthiah Mudaliyar (they also preferred single-member constituency), agreed with the minority view and recommended multiple-member constituency with cumulative system of voting. And yet, after a debate and discussion of it in the Legislative Council, finally Parliament could not accept Hammond's report and they agreed with the resolution of the Council, namely, there should be ordinarily single-member constituency. Sir, this is the general history of the case. As I said, it is not peculiar to this country alone. It has been hotly debated in various other countries before.

"Now, Sir, the Constitution has taken for granted certain things. It is a new departure from the constitution of 1919 or 1935 constitution. It is very novel and unique in certain respects. We are not familiar with that thing being tried before. We are now embarking on adult franchise. It is incorporated in the Constitution Act, and no Provincial Government or even the Central Government has power to deviate from the path of adult franchise. It is a fresh innovation we have. People with property and people with education were privileged to vote in the previous elections. Hereafter, the privilege of voting goes to anyone who is 21 years of age. Hereafter, a voter is decided not because he owns a house, or owns property or is literate or understands political issues. That is not at all the criterion by which we have to judge him. Of course, I can understand, he should be of sound mind, for if he is of unsound mind, how can he vote? (Laughter.) The actual wording in the Representation of the People's Act is, 'is of unsound mind and stands so declared by a competent court.' So, we cannot simply say, 'he is of unsound mind' and thus make him ineligible. But of course, we presume that everybody is of sound mind. (Laughter.) Unless we can prove that he has been in the mental hospital (An Hon. Member: 'He includes she'.)—yes, unless we can prove that he or she has been in the mental hospital and that he or she has not been cured of his or her illness, we have no power to reject him as a voter.

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"The second point is that after a long and meandering course, 12-15 separate electorate is being given up for the first time. In 1916 p.m. in Lucknow it was agreed to adopt separate electorate. From 1920 to 1937 and again from 1937 till to-day, we have had separate electorates for Christians, Muslims and Anglo-Indians whereby they chose their own representatives to the Legislature. Our Constitution, as we all know, has given up separate electorates and does not recognize any religious or other minority. It does not give any weightage or provide for reservation of seats for religious minorities like Christians and Muslims. They have to merge in the general mass of electorate; they will have to come not as representatives of Christians or Muslims but as representatives of territorial constituencies. The abolition of separate electorates is, according to me, a step in the right direction. It was my grief as it were that I was not allowed to represent all my people in my constituency but only a section of the people. I never had the privilege of representing the Muslims or Christians in my constituency. Whenever I saw them, I used to feel that I was not their representative, that they had some other representative to safeguard their interests and that I was not directly concerned with their problems. Though I am called a representative of the Kavali General Rural Constituency, I am not allowed to represent the Muslims and Christians in it. Hereafter that will not be the position. Each member will represent all the people comprised in his constituency. That is really a step forward.

"The third point is that separate interests like zamindars, commercial magnates, labour, women, university, etc., will not have any separate representation in the Legislature hereafter. They too will have to come under the general electorate and stand for territorial constituencies.

"These are some of the points adumbrated in the Constitution. Whatever we do must conform to the Constitution and we cannot ask for reservation of seats for Muslims or anything of that sort or for separate electorate. The most controversial point is whether, in view of the conditions prevailing in the State and in view of our having given up separate electorates for Christians and Muslims, we should have plural-member constituencies to help the representation of the religious and other sections of the people in the legislature or have single-member constituencies like other democratic countries. Single-member constituencies will enable us to develop our political democracy on sound party lines, provide a congenial atmosphere for parties to thrive and make for stable majorities and things like that."

JANAB ABDUL HAMEED KHAN :—"Develop on one party line."

THE HON. SRI B. GOPALA REDDI :—"One party will be in office for four or five years. It will go to the electorate at the end of the period. If the people are satisfied with its programme, they will give it another lease of life. Otherwise, like Mr. Churchill in England, the party will be defeated. Once a party is installed in power, it is better to give it a decent majority, a reasonable tenure

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of life and see whether it administers well. If the people are not satisfied, they will depose it and instal another party in office. That is what is happening in England and I see no reason why it should not happen here also.

"On behalf of the Government, I have said that single-member constituencies should be adopted. We have every right to represent whether there should be single-member or multi-member constituencies. But I do not know whether the Government of India will agree to the variation of the policy from State to State or have a uniform policy throughout India. As far as I see, they are aiming at a uniform electoral system throughout India including the Indian States whether it be single-member or plural-member constituencies. The method adopted for the Madras State will be adopted in other States also. Everywhere there are Muslims and Christians and communities among the Hindu fold itself who would like to be represented in the Legislature because their number is large in certain constituencies. Under the system of single-member constituencies, they may apprehend that they may not be returned in large numbers. There are grounds in favour of both systems. But the Government prefer single-member constituency and I have moved the resolution on behalf of the Government. We are awaiting the views of the Members on this matter. As far as we can see, single-member constituency has the advantage of being the simplest system of election. There are a large number of illiterate voters in our country and the multimember constituency with single transferable vote or non-transferable vote with the large number of boxes and candidates will confuse them. Other countries have tried single-member constituency. Many candidates contest and the voter is asked to cast his preference for one candidate only. In multi-member constituency, the voter will have a tendency to think in terms of communities and religions without concentrating on the main issues. We want that hereafter the people should not think in terms of religions and castes. We are trying to minimize the mischief of these denominations. Our Constitution stands for a strong nationhood or statehood and that is really a consummation for which we must strive even from to-day. There may be hurdles and handicaps in the way. Yet the Government aim at a casteless society in which political issues are decided on their own merits without bringing in considerations of religion and things like that. Suppose the country is asked to give its verdict on zamindari abolition, temple-entry or prohibition. One of the candidates may be for and another against prohibition. In a multi-member constituency, a voter who is in favour of prohibition may not mind voting for the candidate who is against prohibition if he belongs to the same community as the voter. A Muslim voter will be tempted to vote for a Muslim candidate irrespective of the difference in their views. The view of the candidate so elected may not be a correct index of the popular feeling. In Continental countries like Switzerland, there is a system of referendum on major issues. In a small country that is possible. But in a vast country like India, it is not possible. Once the people elect their representatives to the legislature, the legislature is competent to

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dispose of all matters. The system of referendum does not find a place in our Constitution. In the absence of that, we want a periodical testing of public opinion and the general elections give an opportunity for it. The single-member constituency system has got the advantage of correctly reflecting public opinion, whereas it is not possible in a system of multi-member constituencies.

"Another advantage of the single-member constituency is its manageability. There is no use of asking a person to represent the whole of the Sahara desert in the Parliament or State Assembly. He must be in constant touch with his constituency and this is possible only if the constituency is compact and integral. Now we have a constituency for every 145,000 people on an average. There are 375 representatives for about five crores of people. In England there are 675 representatives in the Parliament for about four crores of people. Comparatively speaking, here the constituency is sufficiently big. If we have multi-member constituencies say constituencies with three members, each constituency will have a population of 435,000 and it will be very difficult for a member to keep in constant touch with the people. From that point of view, single-member constituencies are best suited to our country. Sir, in a democracy many issues will be arising from time to time which will have to be referred to the electorates at the election campaigns and we cannot foresee what is going to happen in the next four or five years. Therefore it is the duty of the member to train the electorates in their constituencies and to elicit their opinion from all sources available by addressing public meetings and by constantly moving with them and knowing their minds. So, when we want democracy and when we want that our elections should be conducted on a democratic basis, we must have a party system and our elections should be conducted on party lines. (Interruption.) Surely, we do not want a dictatorial system. Surely, we do not want a dictator for our country like Mussolini drafting 492 names for his support and asking the people, 'Do you approve the list or not; otherwise you will be hanged'. Even our Constitution says that we are a sovereign democratic republic. We want a party-system to come into being in order to run the elections, otherwise our democracy will not be successful. We will have to delimit our constituencies into sizable units and thus help the candidates in contesting the elections, because our country is a vast country and the majority of our population are illiterate. It is obviously impossible to ascertain the will of the people if we have reservations in the general constituencies."

12-30
p.m.

JANAB M. MUHAMMAD ISMAIL:—"By single-member constituencies, you will not be able to ascertain the real will of the people. It will not make the position better."

THE HON. SRI B. GOPALA REDDI:—"That is why I am awaiting the opinion of the learned Leader of the Opposition. But, anyway, Sir, I think that the party system must be given a chance and the candidates who stand for elections under the

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party system should be given an opportunity to put their case before the electorates and the electorates must be in a position to understand the party manifestoes and judge for themselves to which party they should cast their votes. That is the party-system and that is how electorates are educated by the political parties contesting the elections. Otherwise only one side of the picture will be presented before the electorates and they might go wrong in choosing their candidates, if the other side of the picture is not also presented to them by the other contesting parties. Therefore, Sir, to whatever party we belong, we must see that a healthy party-system is developed in the country for the successful working of democracy.

"Sir, we are in favour of a single-member constituency, because it is simple and gives a straight vote on any single issue. It has got also the advantage of ensuring a stable majority party, and a stable Government. That is not the case, when a party comes into power by the method of multi-voting system. In Ireland where they have been following the system of multi-member constituencies with proportional representation, it happened that De Valera was defeated although people wanted him at the last elections and his party could not command a stable majority and therefore they had to dissolve the Government and go in for a fresh election."

JANAB N. MUHAMMAD ANWAR :—"What about the French constitution?"

THE HON. SRI B. GOPALA REDDI :—"There, I am not sure whether they have been following the single-member constituencies, but however, their constitution provides that any Government that come into power should be there for four or five years, whatever may be their majority in the Parliament.

"Sir, it is true that in England, in spite of the fact that they have single-member constituencies, the present Labour Government command only a slender majority in Parliament and therefore their position is always delicate. Last time the Labour party was returned with a huge majority when Mr. Churchill's Conservative Government was defeated and likewise, in 1939, when the Conservatives came into power, they commanded a large majority, and that is why these Governments have been stable for a number of years, until the electorates choose to change them. As I said, without a stable Government no country could prosper and there will be constant trouble in the country and if by chance a Government continues on a snap vote, the moment that snap votes goes, on any particular issue, the Government has to resign. Sir, at least for the next four or five years we must have a stable Government, in order to make our infant democracy a success and for that purpose, elections by single-member constituencies are the best. At the end of that period, if people want any change, we might make an experiment on any other system of elections.

"Sir, in a multi-member constituency, there are certain disadvantages and I am anticipating the hon. Leader of the Opposition as to what his grounds are in favour of it, although he

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has not formally moved his amendment. Suppose we adopt that system, what will happen? We will still continue to think in terms of our community, in terms of our religion and in terms of our own interests, and not the general interests of the country."

JANAB M. S. ABDUL MAJID :—"Why does the Hon. Minister want to hear the Leader of the Opposition first? Why not he go on with his own argument?"

THE HON. SRI B. GOPALA REDDI :—"Sir, I shall not then anticipate his view. But, however, I shall have an opportunity of replying to him at the end. Now what does a multi-member constituency imply? Where you cannot get a straight vote, you want to get it in an insidious manner, through multi-member constituencies. Suppose there is a multi-member constituency where three candidates belonging to three communities contest, then what happens? The Reddi candidate would go to the members of the Reddi community and tickle their vanity and tell them, "There are three seats to be voted upon. I am the only candidate belonging to your community. Please see that at least one vote of yours is given to me". That is how he would appeal to communal sentiments and try to catch the vote, although he might be a reactionary and a very bad man from the point of view of the general public."

SRI A. VAIDYANATHA AYYAR :—"Would not the same thing happen in the case of single-member constituencies?"

THE HON. SRI B. GOPALA REDDI :—"In a single-member constituency, you know whether a particular community is in a majority or not. But you also know, Sir, no community can claim an absolute or a dominant majority in any constituency, because we are now having adult franchise. Even in Nellore or in Guntur, I can say that in no particular constituency will the Reddi community be in a majority. If suppose a Reddi is a bad man, even if all the other Reddies in a Reddi constituency combine together and vote for him, I do not think he will be able to command more than 20 per cent of the votes, because the entire Reddi community would not be even 20 per cent of the adult population of that constituency. Therefore, when we are running our elections on adult franchise, no one particular community, whether in a Kamma area or a Gounder area or in any predominant Pillai area, could command a majority in relation to the total population and no candidate of any particular community even in such predominantly communal areas could hope to win the election by appealing to communal sentiments. At the most, one community might comprise 25 per cent of the population, and the rest of them would be either Christians, Harijans or members of other backward communities because their population is about 80 per cent; whereas in a multi-member constituency, with plural voting, one candidate can stand for a three-seated constituency and get himself elected by plumping up all the votes of his community by tickling communal vanities. Therefore single-member constituency has

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that advantage over the multi-member constituency. Multi-member constituency would only perpetuate communal feelings and communal considerations, which it is our aim not to encourage, in the general interest of our country as a whole. People should not think in terms of their community, when national and political issues are involved."

JANAB MUHAMMAD RAZA KHAN:—"What have they done in United Provinces?"

THE HON. SRI B. GOPALA REDDI:—"I do not know, Sir, whether the United Provinces Government's proposals will be accepted by the Election Commissioner, but they are at perfect liberty to make their own proposals. But here I am representing the point of view of this Government and I have tried to explain the various advantages which single-member constituencies have over the other systems and why this Government have recommended that.

"Sir, in the resolution we have also said that where there is a reserved seat for the Scheduled tribes and Scheduled castes, it shall be a multi-member constituency with two seats each, one for the general and the other for the reservation for the Scheduled caste. But we have devised a system of voting which is neither distributive nor cumulative. Whenever you take a multi-member constituency, you immediately think of distributive or cumulative voting. But now we have devised a system whereby, even though the seat may be reserved for Harijans in a particular constituency, we do not adopt the cumulative or the proportional system of representation, but there will be separate polling booths and separate compartments and everything separate for Harijan voting, and the Harijan electors will be given two ballot papers and they will be asked to deposit one paper in the box for the general constituency candidate and the other in the other box for the Harijan candidate. Both the candidates are supposed to represent the same constituency. In case the population is less, in the reserve constituencies, then they will be clubbed together so that they might represent 280,000 people. In the nomination papers, the candidate must say, 'I am standing for the general constituency as well as for the Harijan constituency.' They will have to make two deposits and stand for two seats. Suppose for instance two candidates are contesting the general seats and two the Harijan seats, the voters would be given a voting paper first by the returning officer for the general seat and asked to exercise their votes in favour of one or other of the candidate. The voter would next go to the polling booth for returning the Harijan candidate and here he would be given another paper and asked to exercise his franchise in favour of one or other Harijan candidate. This would eliminate the difficulty caused by a voter with two voting papers depositing both the papers in one box. Previously we had difficulties like these with regard to cumulative voting. We find that in a general constituency if a candidate could obtain 20,000 votes, he could manage to get himself returned to the legislature, while a Harijan even though he might be able to secure 15,000

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votes, could not be returned, by means of the cumulative system of voting. Therefore we came to the conclusion that it was not good for this Province. So in 1936 by a resolution in the Legislative Assembly we gave up the cumulative system of voting because we found that that system was a very pernicious one and resorted to this distributive method."

JANAB M. S. ABDUL MAJID:—"What about the elections in South Arcot where a Vanniakula Kshatriya was able to defeat even a Congress candidate in a single-member constituency?"

THE HON. SRI B. GOPALA REDDI:—"If that is so, Sir, it would be much more advantageous if the distributive system is adopted, because the whole of the district would be divided into five or six divisions and they could go and canvass support of their own community and defeat the Congress candidate. I do not say that no Congress candidate would be defeated at all. This system, as I said, is neither distributive nor cumulative. It is a simple method of choosing a candidate between the various contesting candidates, and at the same time avoiding the complications of the other systems. This is a new feature proposed in our elections for which we want the approval of the House.

"Sir, as far as the Council is concerned, the Constitution itself says that proportional representation with single transferable vote should be adopted, for elections to this House. That means that we must have plural member constituencies. There are to be 72 members in the Council, 24 of whom would be elected by the Legislative Assembly, 24 by local bodies, 6 by the Graduate constituencies, and 6 by teachers constituencies. The remaining 12 are to be reserved for being filled up by nomination of experts. In order that a good system of single-transferable vote might be adopted, we should have for each constituency two or more candidates. That is the position so far as elections to the Legislative Council are concerned.

"Of course about the coloured box system. I do not know whether there are many people here who object to it. In the Council we had some objections. We tried this coloured box system in 1937 and also in 1946. Perhaps it is a simple system to help ignorant people who cannot take a paper, mark against the name, and then put it into the box. It is a very cumbersome process to take a paper, mark against the name and then deposit it into the box. The voters know the various colours, namely, red, blue, green and yellow. They can easily vote for the colour they choose and they can simply put the ballot paper in the box they choose."

JANAB M. S. ABDUL MAJID:—"What about those who are colour blind?"

THE HON. SRI B. GOPALA REDDI:—"If they are colour blind, the polling officer will mark out the correct thing. But the number of colour blind people will be less than 0.01 per cent."

JANAB ABDUL HAMEED KHAN:—"Not necessarily."

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THE HON. SRI B. GOPALA REDDI :—“ In our experience not many people came to declare that they were colour blind, that they could not distinguish the various colours, and that they wanted to declare openly. The alternative to the coloured box system is the symbol system or token system. In the Bombay Corporation they have tried this experiment of having some symbol just before or after their names, say, a cycle, or a cow, or a spinning wheel, etc., so that the voter can easily mark against it. That again means difficulty of taking a paper and marking. After all an illiterate voter who has never handled a paper and a pencil is being now asked to handle paper and pencil. He is asked to mark against a cow or buffalo.”

JANAB M. S. ABDUL MAJID :—“ Also an ass! ”

THE HON. SRI B. GOPALA REDDI :—“ The hon. Member has the right to choose any animal he pleases (laughter). The coloured box system is the simplest system. In view of the large number of illiterate voters on our rolls, I think the coloured box system should be adopted. In 1937 elections we had watchers, but in 1946 we did not employ them. The secrecy of the ballot box was not kept up, because the watcher was observing and sometimes was communicating to the candidate outside how a particular man had voted. There are cases where the watchers from behind used to whisper to the voters ‘ please put your vote in the yellow box or green box ’. At that psychological moment the voters were influenced by these watchers. So, in 1946, we gave it up and I think we may continue that coloured box system without the watcher. Otherwise, it will put a great strain on the administrative machinery, because a large number of watchers will have to be appointed.”

SRI L. N. GOPALASWAMI :—“ How are we to prevent the ballot papers from being taken away by the voter without being deposited in the box? ”

THE HON. SRI B. GOPALA REDDI :—“ In some countries they have made it a criminal offence if any voter walks away with the ballot paper so that he can sell it. The polling officer has got the right to search a man if he suspects him. In certain countries it is an offence, if ballot papers are taken away. The voters can be prosecuted. All these precautions are taken, and the polling officers have the general powers of . . . ”

SRI L. N. GOPALASWAMI :—“ Many people walk away with the ballot papers.”

THE HON. SRI B. GOPALA REDDI :—“ Our experience from reports of various polling officers is that not many people do so. It will be one per cent or it will be even 0.05 per cent. Generally, people know that it is an offence to walk away with the ballot paper. It may happen in the case of municipal elections or panchayat elections. But in a large electorate where 70,000 people are going to vote (in a constituency of 145,000 people, 70,000 will be voters) I do not think such things will happen. What happens in regard

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to municipal and panchayat elections is quite different from Assembly constituencies. In a panchayat, there will be 200 or 300 voters, and each vote counts for much. There the voters may walk away with the ballot papers for sale outside. But as far as Assembly constituencies are concerned, I do not think there is much of a danger, and the chances of people walking away with the ballot paper are also less.”

SRI PYDAH VENKATANARAYANA :—“ The seals of ballot boxes are also tampered with.”

THE HON. SRI B. GOPALA REDDI :—“ Even the ballot boxes are carried away by the contesting candidates sometimes. All sorts of perversities do happen at elections. The polling officer may be killed in the election excitement. Anything may happen, but that is a different matter.”

JANAB M. S. ABDUL MAJID :—“ We expect a keenly contested election in the coming year. The Government have got to make provision against all dangers.”

THE HON. SRI B. GOPALA REDDI :—“ In 1937 elections we had watchers, and in 1946, we gave them up. But if hon. Members say that they must be there, we shall make that recommendation, and we shall get the approval of the Government of India for the watchers to be appointed.

“ With regard to delimitation I may say that hon. Members are aware that we are going to have 375 members for the Assembly, 72 for the Legislative Council, and 75 for the House of People. Districts are allotted seats according to population. Here again I must inform hon. Members that population is not reckoned on the 1941 census or on the approximate figures of population of 1951 census. But a rough and ready method, which is given by the President of the Indian Union to all the States in the country, is to be adopted, because a number of people have migrated from Pakistan to India and also from India to Pakistan. Then again some cities like Calcutta and Delhi have become overcrowded. Therefore, a rough and ready method has been adopted. That is, the number of registered voters under the adult franchise scheme in any particular area, is taken up and that number is multiplied by 2.9. Suppose in an area like Ambur there are 50,000 voters, the estimated population of that place is put at 145,000. We take that roughly 50 per cent or 49 per cent of the people will get themselves enrolled as voters. After the 1951 census, we will have to delimit the constituencies in 1960. I think our Constitution envisages the demarcation of constituencies every ten years after the census is taken. For the present, we have taken 1.45 lakhs as the delimiting basis. 1.45 lakhs is the approximate and the average figure need for an Assembly constituency. It may vary with geography and contiguity. It may vary by 10,000 or 15,000. But we shall see that it does not violently vary from constituency to constituency.

“ Wherever there is a reserved seat for scheduled castes, two constituencies are clubbed together. Then 290,000 people will

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have one general constituency and one reserved constituency. It is not as in the case of district boards where in particular constituencies there is an additional Member. It is the clubbing of two constituencies and making one a general constituency and the other a reserved constituency. Therefore, wherever there is a reserved seat, the constituency becomes double the size of an average constituency. For our State Assembly it becomes 290,000, and for the House of People it becomes 1,450,000. Five Assembly constituencies constitute one constituency for the House of the People, and, therefore, the figure for one constituency of the House of the People is 7.2 lakhs. The number of representatives here is 375, and there it is 75. It is exactly five times of what we get in the House of People.

"Wherever there is a reserved seat for Harijans or Scheduled Tribes, ten constituencies will have one general seat and one reserved seat.

"The question of representation of urban versus rural areas was a moot point in both the Southborough and Hammond Committees' reports. This time we have not taken into consideration either the rural or the urban. We went strictly on the population basis of 145,000 people for a constituency. If the Vellore Municipality should have a population of 80,000, then we must club Vellore firka with the other contiguous firkas so that they may give the necessary population. So the question of giving separate representation to towns, by hopping the electorate of Vizianagaram and Visakhapatnam or Masulipatnam and Vijayavada—with the wide space intervening between them—does not arise. It must be a contiguous and compact area, and it must have a population of 145,000 people. That means roughly 70,000 voters.

"We expect, Sir, that under this system public opinion will be reflected correctly, and they will be able to send their proper representatives. Of course, the Constitution does not recognize religious minorities, etc. But ultimately the political parties which come into office will have to take care of some of the special religious minorities so that they may not feel that they have been left behind, and that all the seats have been captured by the majority. Therefore, it is a duty cast upon the majority to see that sufficient number of Christians and Muslims are returned to the legislatures. Likewise it is the duty of the political parties to see that sufficiently large number of labour representatives, commercial representatives, and women representatives are also returned. If women are left behind, they may feel that all the seats have been captured by men, and they did not get any chance of being returned to the legislature. (Interruption by the Hon. Sri K. Madhava Menon.) Outside we will have the coloured boxes and inside we will have colourful scenes. Sir, while the Constitution does not reserve any seats or give any weightage to the people, yet it will be the duty of the political parties to see that all these interests are represented. Otherwise, it will be lop-sided, and it would not conduce to the proper functioning of democracy.

"Another point that has been raised is that there must be assurances that elections will be conducted in a fair manner, and

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that Opposition parties will be given reasonable chances to participate in the elections, and to return their own candidates. I do not think any such assurances are necessary. Some people have raised this bogey in Bombay. I do not think we need take it seriously, because that assurance is always there. I do not think the Government as such or their officers will try to induce the public either this or that way. It is not their business. It is the business of the candidates and their supporters to go and educate them and see that they are returned. Nobody need be afraid that Government or their officers will interfere in any way and say that the voters should vote in a particular manner. In municipal elections, or district board elections, or the various by-elections to this Assembly or even in the last general elections, there was no interference from Government or from their officers. We did not, so far, enter into the question that Government should resign so that there may be free elections. All these things are unheard of. The Government will not use their power or might one way or the other.

"The idea that we should stand in our home constituencies alone should go. I think we must give it up. It may be that two desirable men come from the same place. One of them may be set up as a candidate, and he may be elected. The other man though he is desirable, cannot be elected simply because he belongs to the same constituency. Because of too much of local feeling, he cannot be elected. In England, if there is a desirable man, the constituencies invite him, and then they see that talent is not wasted in the country. I am only laying stress on this point. I should be in a position to go and stand in the Tirunelveli constituency for election. Our political parties must see that talent is not wasted, and that candidates are allowed to stand sometimes in foreign constituencies also. This must be encouraged instead of allowing merely local feeling to prevail saying that the candidate belongs to Kumbakonam taluk, and, therefore he cannot stand for election in Mayuram taluk. That sort of local feeling must be given up and we must encourage political parties to have a free latitude in all these matters. I hope, Sir, that political parties will take all these things into consideration and see that the various minorities, especially religious minorities, are also adequately represented in the House. Otherwise, they may have a ground of grievance and it won't be conducive to the proper functioning of democracy."

MR. SPEAKER:—"The motion is—

"That this Assembly requests the Government to convey to the Government of India the following as the recommendations of this Assembly in regard to the delimitation of constituencies of, and the conduct of elections to, (a) the Legislature of this State and (b) the House of the People:—

I. Delimitation of Constituencies.

(1) Legislative Assembly of this State and the House of the People.—Seats for Scheduled Castes and Scheduled Tribes should

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be reserved in plural-member constituencies with two seats each, one general and the other reserved for Scheduled Castes or Scheduled Tribes. All other constituencies should be single-member constituencies.

(2) *Legislative Council of this State.*—There should be not less than two seats in each constituency, with proportional representation with transferable vote.

II. Conduct of Elections.

(1) The coloured box system should be adopted.

(2) The boxes for the General and Reserved seats in plural-member constituencies should be kept in separate compartments in each polling booth.

(3) Watchers need not be appointed.

"To-day we rise at 1-30 p.m. We won't have evening session. I will call the Leader of the Opposition to move his amendment."

JANAB ABDUL HAMEED KHAN:—"Will we continue to-morrow?"

MR. SPEAKER:—"We will continue to-morrow. But there will be no after-lunch session to-day. The Leader of the Opposition may move his amendment. Then the motion and the amendment will be before the House."

SRI S. NAGARAJA MANIGAR:—"The Hon. Minister says that when reservation is given two constituencies will be clubbed together. May I know from the Hon. Minister the population of that reserved class required for giving representation? Should it be within those two constituencies or may it be from outside the area also?"

THE HON. SRI B. GOPALA REDDI:—"We take the percentage of Harijan voters into consideration and generally try to reserve seats in those taluks where there is the largest percentage of Harijan voters. We have also taken geography into consideration. If in two taluks the percentage of Harijan voters is the highest and if those taluks are contiguous, then the first seat is given in either of them and the second seat is shifted on to some other place in the district where there is the largest population of Harijans. Therefore, the second seat is not necessarily given in the taluk where there is the second highest percentage of Harijan voters."

JANAB M. MUHAMMAD ISMAIL:—"Sir, I want to know the procedure that is being adopted in regard to this question. When I move the amendment and when it is replied to by the Leader of the House, would I have the right of reply? Sir, I move—

"That for clause (1) of paragraph I under Delimitation of Constituencies, the following may be substituted:—

"(1) *Legislative Assembly of this State and the House of the People.*—The area of the whole State is to be

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divided into plural-member constituencies of not less than five members each and the voters be given the right of exercising cumulative voting provided that where a seat is reserved for Scheduled Castes or Scheduled Tribes one vote at least should be given in favour of the candidate of such a Caste or Tribe."

"Sir, I have to thank the Government and the Hon. the Leader of the House for affording this opportunity to the House for discussing this important matter. You know, Sir, from the reports appearing in the Press that the State of Uttar Pradesh has adopted a different procedure. I think that procedure in dealing with this important matter is more helpful, useful and beneficial. There two Provincial Delimitation Committees had been appointed, one by each House of the Legislature. Then these Committees held their meetings and enquiries. These two Committees came together and had a joint discussion. Each of them drafted their reports and passed them and there were dissenting minutes and also notes to those reports. These reports, minutes and notes were placed before each House of the Legislature and there was discussion over the matter. In this way a very great and extensive opportunity was given to the Members of the House and also to the people of the State to express their views on this important matter. The matter is really important because it is upon the arrangements that are made now in connexion with the delimitation of constituencies and the conduct of elections that the proper working of democracy depends.

"Sir, the Constitution provides for 500 seats for a State such as ours, at the rate of not more than one member for every 75,000 population. Before the People's Representation Act was passed by the Parliament, our Government might have and ought to have taken steps to impress upon the authorities that be the necessity of giving us representation to the extent of 500 members, i.e., all that is allowed under the Constitution. This is a very big State with a very large population and very extensive area. It would have been very helpful if we had secured the right of sending 500 members to the Legislative Assembly. I do not know why the Government did not take the initiative in the matter. (Interruption.) I am told that they took the initiative and took up the matter with the Government of India or other authorities concerned. I do not know what reply they gave. Any way under the Constitution, this State is entitled to proper representation. The Leader of the House tried to make it appear that the delimitation of constituencies and the conduct of elections and the affairs connected with these questions were not his concern or the concern of the State Government. According to the Constitution, he said, it is the Election Commissioner that is dealing with this matter and, therefore, they do not very much concern themselves with that. I say, in the interests of the State and the interests of the large population and area of this State, they ought to have taken very much concern in the matter. There is nothing in the Constitution to prevent them from doing that. Only their

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interest and initiative are wanted. If they express their views, they may be accepted or may not be accepted but when they go from the Government of a State, they will have all the force of the people who finally decide the matter. Therefore, the Government ought to have taken up the matter earlier than now and they might have followed at least, the example of Uttar Pradesh in dealing with this subject."

THE HON. SRI B. GOPALA REDDI:—"What is the final result there?"

JANAB M. MUHAMMAD ISMAIL:—"Final results may be one thing. They have not been announced in the State of Uttar Pradesh. Yet they have gone into this elaborate procedure of appointing Provincial Delimitation Committees which have not been tabooed or banned by the Constitution."

MR. SPEAKER:—"A Resolution was passed to that effect and hence they appointed the Committees there."

JANAB M. MUHAMMAD ISMAIL:—"The same procedure might have been adopted here too so that the views of not only the members of this Legislature but also those of important people outside might have had fuller expression on this matter. As I said, everything depends upon how the Constitution is being worked."

"This matter of the delimitation of constituencies and other connected matters have been discussed in the country to some extent for some time. As a result of that and as a result of discussion in our own State, the points have crystallized into certain definite matters. That is to say, the issues have been narrowed. Now the object is to form such a Legislature as would reflect and represent the views of all sections of the people in reality so that the Government might be carried on with the ideas and aspirations of the people in view. It is from that point of view that we have to examine the various proposals made by the Government."

"The Leader of the House expatiated upon the abolition of separate electorates. I am not going into that question in detail now but I want to say that it is regrettable that the system of separate electorates was abolished and the reason behind it was not clearly understood in the prejudice and passion of the moment. I have made out the case for this here and elsewhere previously. I claim that it has not been replied to conclusively except by certain slogans that the spirit of communalism ought not to be developed here or elsewhere. (The Hon. Sri B. Gopala Reddi: 'Do you find communalism in any other country?') Any other country is not our country. The Party system in England was spoken of. When did the party system come? Here they have taken certain things from various countries, which suited them, and their convenience. In such cases they say that such and such a thing is being done in other countries and so we must also have it. But when we point out certain things carried on in other

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countries, they immediately say that those will not suit the conditions obtaining in our country. So this can be argued in either way. In our Constitution, you have taken so many things from various countries. Why not follow one or two countries in this matter and be done with it? Why should you take things from various countries? The argument should hold good in every respect. The Hon. Leader of the House recognized very clearly the fact that it is possible that certain communities and certain interests—political or otherwise—might be ignored and suppressed by the majority community, and that they must be given representation. He was not able to ignore that fact even at this stage and he recognizes and rightly so, the necessity for giving representation to such interests. The surest and most effective way of giving representation to such interests is to have separate electorates. That is what we did and are doing even to-day. Beyond this, I do not want to go into that question at any great length."

"I want to answer one or two points raised by the Hon. Leader of the House. He said that if there was multi-member constituency, people will always think in terms of castes and communities whereas under single-member constituency, they would not think on those lines. I do not quite understand on what psychology, or on what basis he made that statement. Even under a single-member constituency system, people of different communities and castes will think on those lines. All sorts of complications and difficulties are likely to be created even in a single-member constituency. If people are not to think on those lines, it depends on your own party. What have you done so far? You have to do propaganda and you have to train the people to think on different lines. The question finally reduces into this; that is, whether we are to have single-member constituencies or multi-member constituencies. If multi-member constituencies are good, then what is the manner of voting that should be adopted, whether it is distributive voting or cumulative voting. Again in the matter of multi-member constituency, there is another small point. That is, what should be the number of the seats or members allotted to each constituency. These are the points which have crystallised themselves as a result of the discussions which we were having in this State as well as elsewhere."

"Now, taking single-member constituency, one of its advantages is said to be its simplicity. It is said that it is simple and therefore it is the best. I do not understand what is simplicity is. I say that it is the crudest form of election. According to the authorities who have dealt with this subject previously during several stages which were referred to by the Hon. Leader of the House when the reforms were granted to this country and according to other thinkers also, this would give to the people a parochial outlook in various matters as they would think only in terms of their own small constituencies. As it is, we have the village panchayats. There we find the people are thinking only of affairs concerning their own locality. That may be good in a way."

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There are certain other spheres in which we must take them away from their own spheres, make them look up and have a broader outlook. From that point of view, it is much better and desirable in the interests of democracy, and in the interests of nationalism to have multi-member constituencies.

"Another advantage of the single-member constituency is said to be that they are manageable. Manageability is a relative term. The Bombay Government have been insisting and persisting in saying that multi-member constituencies are very easily manageable. They said that, from their own experience in having worked this type of constituencies and not as a matter of theory only. So from the point of view of the Government executive, there is no difficulty in having multi-member constituencies. When they can manage so many single-member constituencies, they can manage multi-member constituencies also. So I do not think that there are any insuperable difficulties in this matter. Again it is said that may be difficulty so far as the candidates are concerned in the matter of canvassing. I admit that. But for a greater good that difficulty has to be undergone, especially when it gives a much better vision to the people under the multi-member constituencies.

"The Hon. Leader of the House spoke of parties again and again. We have got experience of these parties. When a party set up candidates, every candidate need not feel the difficulty of having to canvass over a large area. When you want the party system to be worked, developed and established in this country, where is the difficulty in managing the multi-member constituencies?

"Another advantage of the single-member constituency is said to be the stability that it gives to the Government. But they must understand that this stability is not to the party which is going to the election and not to the majority party. Further that stability is not necessarily to be imparted by single-member constituency system. This stability will be there for that party which emerges successful at the elections. In certain elections, under single-member constituency, there may be more than two members. There are many such cases. What would happen then? The member who is elected from single-member constituency will get a minority of votes from that constituency. Then, a large number of members who have been elected that way will be representatives of only minorities. That has been the case in England in the 1924 elections. Even though conditions are different there, their parties are crystallised into definite things. Whenever they go to elections, they think in terms of parties and they do not think of other things as has been told by the Hon. Leader of the House. Even there, with all the development that has taken place in the last 600 years or so, such a phenomenon is found. The Parliament was constituted by members in 1924 who were elected by a minority. Such happenings might be the order of the day here also. The Hon. Leader of the House has said that here we have party system and therefore

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we want single-member constituencies. But he must understand that what he is aiming at is one party rule and one party system and I may even say fascism and nazism. Let them not be wounded when I say this. My only point is that they are not necessarily going to be returned at the next elections. From that objective point of view they must look at this question. I am suggesting this from their own party point of view, because they are sure to gain in future also if they adopt some of my proposals. These are not intended for my benefit or for the benefit of the interest which I am representing. I am speaking from the general and objective point of view on the merits of the question. They are talking of stability. By adopting their suggestion, there may be stability inside the House. But what about the stability outside the House in the constituencies of the State? A number of people would not have representation here. In any case a very substantial number of minorities would not have representation in the Parliament, Legislative Assemblies and Councils in various States under this single-member constituencies. The result would be widespread agitation in the country. Take the case of the Justice Party. They were in power for 20 years. But now, under the present constituency system, they were not able to send one single-member here. Does this mean that they have no voice in the country and have no adherents to their policies in the State? (Voices: 'Certainly not.') I cannot understand this ostrich-like idea of things. They think that if they close their eyes the whole world has closed its eyes. The fact is there for anybody to see. It is very dangerous and it is not good for anybody, to ignore such facts which stare at us. I beg of the members of the House to beware of this. I want the Government to bear this in mind. They should not look at it from a merely party point of view. They must know that they cannot be hundred per cent sure of being returned again."

THE HON. SRI B. GOPALA REDDI:—"The Justice Party wanted single-member constituencies much against the Hammond Committee's report. We are now working that system which was sponsored by the Justice Party."

JANAB M. MUHAMMAD ISMAIL:—"If the Justice Party had advocated such a system, then they have made a mistake and are now paying for it (laughter). If they have made that mistake, let us try to learn from their mistakes and do the correct thing. I want to impress that from multi-member constituency also, simplicity is not taken away. My proposal is to have multi-member constituencies with cumulative voting. I would straightway say that any other voting will not suit our present-day conditions in the country. For example, there is the proportional representation with single transferable vote. With education at its low level in our country, this system will not suit our masses. This is agreed to by all and so I need not labour on that point. The other methods are all cumbersome and you may perhaps know this from your own experience. They have worked, though not to the detriment of the scheduled

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castes, great hardships, on them. So we must have simple methods, but not as simple as explained by the Hon. Leader of the House. Simplicity is a relative term and it has its limits. We must take various factors into consideration. With the multi-member constituency and cumulative voting, you will certainly have simplicity. There will be no difficulty, as far as the voters are concerned. Suppose there are five candidates and a voter has to vote for these five. He can go and distribute these five votes to the five candidates or he can put all the five votes for only one candidate. Where is the difficulty for the voter and where is the want of simplicity in this matter?"

MR. SPEAKER:—"The hon. Member can continue his speech to-morrow. I now adjourn the House to meet again at 11 of the clock to-morrow."

The House then adjourned to meet again at 11 of the clock the next day.

THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 9th August 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Collectors involved in cases of corruption or other misdemeanours.

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

(a) the number of Collectors who are involved at present in the enquiry for corruption and other misdemeanours; and

(b) the stage at which the enquiry is?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—" (a) one.

" (b) The matter is under departmental enquiry."

SRI V. RAGHAVAYYA:—" In view of the answer given by the Hon. Minister some six months back that the number was less than ten and enquiry was going on even then, may I know why it took so much time for the Government to arrive at a conclusion? Is it because of the difficulty of the question involved or about the status of the person concerned? "

THE HON. SRI B. GOPALA REDDI:—" We have absolutely no difficulty in dealing with the officers concerned, even let them be the highest officers. I did not follow the first part of the hon. Member's question."

SRI V. RAGHAVAYYA:—" On a former occasion the Hon. Minister for Finance, while answering a question on this matter, said that the number of such cases was less than 10. Now suddenly this number is said to be one. My question is, between the two years how many have been hauled up for these offences, how many have been discharged, what is the present number and why it took so much time for the Government to come to a conclusion? "

MR. SPEAKER:—" The hon. Member may read his own question."

SRI V. RAGHAVAYYA:—" My original question is: 'the number of Collectors who are involved at present in the enquiry for corruption and other misdemeanours'. 'Involved' means officers against whom action is pending. What is the number of Collectors against whom enquiry is pending at present? "

THE HON. SRI B. GOPALA REDDI:—" That is only one."

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SRI V. RAGHAVAYYA :—“ May I know why it took such a long time for the Government to come to a conclusion about this matter even though the enquiry was started long ago? ”

THE HON. SRI B. GOPALA REDDI :—“ Cases which might have been pending for a long time might have been disposed of and the present case might perhaps be a new one.”

SRI S. NAGAPPA :—“ May I know whether any Officers of the Grade of Collectors were punished previously and if so what was the punishment that was awarded to them? ”

THE HON. SRI B. GOPALA REDDI :—“ The hon. Member can put a separate question.”

JANAB S. MUHAMMAD ISMAIL :—“ May I know whether that case of corruption has been investigated by the Corruption Enquiry Tribunal or some other particular Officer? ”

THE HON. SRI B. GOPALA REDDI :—“ Since the matter is under enquiry, I request the hon. Member not to pursue the matter just now.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I ask whether the Government will publish the results of the enquiry conducted by them not only in this case but in other cases as well where officials are involved in corruption cases, so that it may act as a deterrent to other officers.”

THE HON. SRI B. GOPALA REDDI :—“ Generally, a list of officers who are punished, is published so that it may act as a deterrent to others. But I don't think it would be possible to publish the entire proceedings, I mean, the evidence and other particulars. I may say that the names of such persons are periodically published.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ I want to know whether the names of the officers punished by the Government after the findings of the Tribunal, will be published.”

THE HON. SRI B. GOPALA REDDI :—“ That is being done.”

SRI V. RAGHAVAYYA :—“ May I know the nature of the offence in which the solitary gentleman is involved and may I know who is the authority that is holding an enquiry into his conduct? ”

MR. SPEAKER :—“ I rule the first part of the hon. Member's question as out of order as the Hon. Minister has said that the matter is under enquiry. The Hon. Minister may answer the second part.”

THE HON. SRI B. GOPALA REDDI :—“ I do not know the exact state of the enquiry. Generally it is being done by the departmental enquiry officer.”

SRI V. RAGHAVAYYA :—“ May I know which is the authority that enquires into this matter? ”

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THE HON. SRI B. GOPALA REDDI :—“ It is not one officer who looks into these matters. It may be more than one officer. At different stages different officers may look into the matter and ultimately the Chief Secretary also looks into the matter. The Departmental Enquiry Tribunal also looks into the matter, examines witnesses, etc.”

Concession for school teachers to appear for the S.S.L.C. Examination without attendance at school.

* 22 Q.—SRI A. VEDARATNAM PILLAI : Will the Hon. the Minister for Education be pleased to state—

(a) whether the Higher Grade Elementary school teachers are permitted to appear for the S.S.L.C. Examination without attending the school and if so, with what object; and

(b) whether this concession has been extended to the Higher Grade Elementary school teachers of municipalities and if not, why not?

THE HON. SRI K. MADHAVA MENON :—“ (a) Yes—With the object of enabling such teachers after obtaining the necessary marks in the S.S.L.C. examination to sit for the Secondary Grade Training School Teachers examination privately without attending a course of training.

“ (b) Yes.”

SRI A. VEDARATNAM PILLAI :—“ May I know why our State alone is not admitting students to appear for the S.S.L.C. and other examinations, who study outside and not in schools, while all the other States are allowing this? ”

THE HON. SRI K. MADHAVA MENON :—“ It is so obvious that our people are much more efficient.”

Extension of the scheme of nationalization of the bus service to certain districts.

* 23 Q.—JANAB MOHAMED ABDUL SALAM : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the Government have decided to extend the scheme of nationalization of the bus service to certain districts;

(b) if so, what the names of such districts are;

(c) the basis on which such districts have been selected; and

(d) the basis on which the Government propose to give compensation to the existing bus operators?

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

“ (b) South Arcot, Chingleput and Nellore.

“ (c) The districts contiguous to Madras City were selected so that the State buses might conveniently run on the routes linking up Madras with those districts.

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"(d) Compensation is payable only if the conditions enumerated in section 2 of the Madras Act No. XX of 1948 are fulfilled, viz:—

- (1) No compensation is payable in respect of spare buses the permits of which are cancelled;
- (2) the permit of a bus which is cancelled should have been held for the area or the route concerned both on the 10th July 1947 (the date on which the Government announced through a Press Note their intention to nationalize the Motor Transport Service in the Province) and the date of issue of the notification in the *Fort St. George Gazette* giving out the Government's intention to engage in the business of road transport in the area concerned or the route concerned.

Compensation is payable on the following scale:—

- (1) Rs. 1,000 for each permit when the unexpired validity at the time of cancellation is not less than 24 months.
- (2) Rs. 700 for each permit when the unexpired validity is not less than 12 months but less than 24 months.
- (3) Rs. 400 for each permit when the unexpired validity is not less than six months but less than 12 months.
- (4) Rs. 200 for each permit when the unexpired validity is less than six months."

SRI L. C. PAIS:—"In view of the dwindling finances of the municipalities, will the Government allow the municipalities to run bus services of their own?"

MR. SPEAKER:—"Yesterday, a similar question was put to Hon. Minister Sri Chandramouli and was answered."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know whether details for the extension of the bus service in the three districts mentioned by the Hon. Minister have been worked out and when the Government propose to put the State buses in those districts?"

THE HON. SRI B. GOPALA REDDI:—"We have reached a decision and we will have to work out details for which I am calling a conference of the officers of the Transport and Finance Departments."

SRI P. NATESAN:—"May I know how many new buses will have to be purchased in the event of extending nationalization to these three districts?"

THE HON. SRI B. GOPALA REDDI:—"It may be anything between 200 and 20."

SRI S. NAGARAJA MANIGAR:—"Besides extending the nationalization of bus service in the three districts, may I know whether the Government have got any scheme to show within how many years they propose to nationalize the bus service in the entire State?"

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THE HON. SRI B. GOPALA REDDI:—"It is too premature now to state anything definitely about that matter."

JANAB MUHAMMAD RAZA KHAN:—"Is it not preposterous on the part of the Hon. Transport Minister to extend nationalization in the mofussal when he is not having sufficient number of buses in the City of Madras to cope up with the present traffic?"

THE HON. SRI B. GOPALA REDDI:—"It is a matter of opinion."

SRI PYDAH VENKATANARAYANA:—"May I know why there is so much delay in extending nationalization to other parts of the State?"

THE HON. SRI B. GOPALA REDDI:—"There are many bottlenecks in this scheme of nationalization."

JANAB M. S. ABDUL MAJID:—"May I know whether the Hon. Minister is satisfied that the nationalization of bus service in the City is working satisfactorily and that it justifies the extension of the same to the districts also?"

THE HON. SRI B. GOPALA REDDI:—"As a Finance Minister, I am more than satisfied with the transport system in the City."

SRI L. N. GOPALASWAMI:—"May I know whether the Government have considered the recommendations of the Three-man Committee that has been appointed by them and propose to give effect to them, before thinking of extending nationalization to the other parts of the State?"

THE HON. SRI B. GOPALA REDDI:—"Some of its proposals have been examined and adopted and perhaps there are some others which were also rejected."

SRI S. NAGAPPA:—"Arising out of the answer of the Hon. Minister that these three districts were chosen as they were contiguous to the City, may I know why Chittoor which is also contiguous to the City, was not taken instead of Nellore?"

THE HON. SRI B. GOPALA REDDI:—"Chittoor is not contiguous to Madras City. It may perhaps be contiguous to Chingleput."

SRI P. NATESAN:—"The Hon. Minister said that he was satisfied with the transport system in the City. May I know whether he is satisfied with the efficiency of the system or with the profit side of nationalization?"

THE HON. SRI B. GOPALA REDDI:—"Obviously with both."

SRI V. RAGHAVAYYA:—"When private operators who ran buses between Madras and Nellore have failed on account of a parallel railway line, may I know—when angels have failed—why this Government should try to experiment on it?"

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JANAB N. MUHAMMAD ANWAR:—"I suppose North Arcot is included; if so, may I suggest to the Hon. Minister that there is a first-class route between *Pernampet* and Madras and the plying of daily bus service in this route will bring considerable revenue to the Government?"

MR. SPEAKER:—"It is only a suggestion to the Government."

JANAB MUHAMMAD RAZA KHAN:—"Is the Hon. Minister aware of the opinion of hundreds of thousands of passengers who daily wait for hours to get a place in the bus and also of the opinion expressed by the various newspapers in the City of Madras to the effect that the public are definitely dissatisfied with the present condition of bus service in the City and in view of this may I know whether the Hon. Minister will increase the number of buses in the City?"

THE HON. SRI B. GOPALA REDDI:—"This problem of peak-hour traffic is not peculiar to Madras City alone. It is a point which has to be considered by all the City Transports. As far as I could see, we are doing fairly well even in the City of Madras."

JANAB M. S. ABDUL MAJID:—"Does the Hon. Minister know that several of the buses still remain without any bus shed for them and are therefore deteriorating? When such arrangements are not made even for the city buses, what arrangements are going to be made when the scheme is extended to the districts?"

THE HON. SRI B. GOPALA REDDI:—"It is not correct to say that all the buses do not have sheds in the body guard lines. I think about a hundred of them are housed in some sheds. Perhaps it may not be necessary that all the buses should be housed in pucca sheds."

11-15 a.m. SRI S. NAGARAJA MANIGAR:—"When the Government have not fixed a time-limit within which they will nationalize the bus services—and it may possibly take a number of years—may I ask the Hon. the Minister, Sir, whether he would have any objection if district boards are permitted to run bus services in the meantime?"

THE HON. SRI B. GOPALA REDDI:—"The question has already been answered."

JANAB MUHAMMAD RAZA KHAN:—"Is it not, Sir, illegal on the part of the Government of Madras to have the monopoly of all the bus services in the City of Madras and try to have as much income as possible therefrom, refusing to allow at least a part of it to be earned by others?"

THE HON. SRI B. GOPALA REDDI:—"Had it been illegal the matter would have been taken to the High Court."

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Tamil Valarchi Conference.

* 24 Q.—SRI R. KUPPUSWAMI: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have given any financial assistance to the Tamil Valarchi Conference which was held on 20th and 21st May 1950 at Coimbatore; and

(b) if so, how much?

THE HON. SRI K. MADHAVA MENON:—" (a) No.

" (b) Does not arise."

Conversion of some minor ports in the State into major ports.

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

(a) the major ports in this State under the control of the Central Government; and

(b) whether the Government have got any proposal for converting any of the minor ports of this State into major ports and if so, which and when?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Visakhapatnam, Madras and Cochin are the major ports in this State.

" (b) No."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, whether the Government have got any proposal to improve any of the minor ports in the south as there is no suitable port for the south?"

THE HON. SRI M. BHAKTAVATSALAM:—"We did correspond with the Government of India about the possibility of converting the minor port of Tuticorin into a deep sea harbour. We have also recommended to the Government of India that it would be desirable to convert the Kakinada port into a deep sea harbour. But the Government of India have not accepted our suggestions as yet in regard to Kakinada. As regards Tuticorin they have stated that it may be deferred by two or three years."

SRI PYDAH VENKATANARAYANA:—"In view of the importance of the Kakinada port, may I know, Sir, whether the Government will renew their recommendations to the Central Government to convert it into a major port?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Government of India have suggested examination of certain technical points and we are doing that."

JANAB S. MUHAMMAD ISMAIL:—"In view of the answer given by the Hon. the Minister regarding Kakinada, may I ask him to request the Central Government to convert that port into a distributory port? Now it is a contributory port."

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THE HON. SRI M. BHAKTAVATSALAM :—“ We are already examining certain aspects of the question. We shall consider the valuable suggestion of the hon. Member also.”

SRI V. RAGHAVAYYA :—“ At least to enable the deficit Tamil districts to get supplies of foodgrains in right time, will the Government, Sir, try to encourage and improve some of the coastal ports in the Northern Circars like Vadarevu, Masulipatnam and Devarajapatnam? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I am unable to comprehend the relationship between the deficit nature of the Tamil districts in the matter of food and the need for improvement of the ports in the Andhra districts.”

JANAB M. S. ABDUL MAJID :—“ As there is a considerable amount of dis-satisfaction among the people in the matter of development of minor ports, may I know, Sir, whether the Government will constitute a Committee of Enquiry to go into this matter with a view to their development? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The present question is about the conversion of some of the minor ports into major ports. Regarding improvement to minor ports, we have drawn up a programme and we are going through it.”

SRI K. T. KOSALRAM :—“ In view of the importance of the Tuticorin Port, Sir, may I suggest to the Hon. the Minister to insist upon the Central Government to take up the work immediately? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I am fully alive to the desirability of converting Tuticorin into a deep sea harbour. But as I have said, the Government of India have suggested that the question of examination may be deferred by two or three years.”

SRI A. VEDARATNAM PILLAI :—“ May I know, Sir, whether the Government of India have instructed our Government to improve Point Calimere and Kuzhikarai Port to facilitate export of salt to Calcutta? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I am not aware of any such instructions received from the Government of India.”

SRI L. C. PAIS :—“ May I know, Sir, whether the Government have any idea of developing Mangalore as an ‘ all-weather ’ port? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ As the hon. Member is aware, the question of having a deep sea port on the West Coast has been under the examination of the Government of India and of their Technical Committee. The Technical Committee has recommended the conversion of the Malpe into a major port. But the Government of India have not pursued the matter further. Meanwhile, we have received some suggestions regarding improvements to be made to the Mangalore Port and they are under examination.”

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JANAB M. V. HYDROSS :—“ May I know, Sir, whether the Government have any proposal to convert Kozhikode and Beypore into major ports, these being ancient important ports on the West Coast? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ There is no such proposal, Sir. We are considering the question of taking up Mangalore or Malpe for conversion into a deep sea harbour and hence there is no possibility of taking up either Kozhikode or Beypore.”

JANAB M. S. ABDUL MAJID :—“ May I know, Sir, whether the Hon. the Minister is aware of the agitation that Nagapattinam is not suitable as an embarkation port and if so what action he has taken in the matter? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I have no information, Sir.”

SRI PYDAH VENKATANARAYANA :—“ May I know, Sir, whether the facilities which were once provided at the Kakinada Port and which had been cut off during the war will be restored—such as dredging, etc.? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I would like to have notice.”

Audit of the State Trading Schemes.

* 26 Q.—JANAB S. MUHAMMAD ISMAIL (on behalf of Janab Mohamed Abdul Salam) : Will the Hon. the Minister for Finance be pleased to state—

(a) the agency or the authority that has been selected by the Government to audit all State Trading Schemes; and

(b) whether the City Transport Scheme has been audited so far since the inception of the schemes?

THE HON. SRI B. GOPALA REDDI :—“ (a) The Chief Auditor, State Trading Schemes (the Examiner of Local Fund Accounts).

(b) Yes; the accounts of the Government Bus Service have been audited up to 31st March 1949. Copies of balance-sheet as on 31st March 1948 have already been placed on the table of the House and copies of the balance-sheet for the year ending 31st March 1949 will be placed on the table of the House in due course.”

SRI S. NAGAPPA :—“ May I know, Sir, what the other State Trading Schemes other than Government Transport are? ”

THE HON. SRI B. GOPALA REDDI :—“ Purchase of foodgrains for distribution, subsidy in that connexion, etc.”

SRI V. RAGHAVAYYA :—“ May I know, Sir, how long after its inception, the accounts of the City Transport were examined and what the delay was due to? ”

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THE HON. SRI B. GOPALA REDDI :—“ There was absolutely no delay, Sir. We had audited up to last year and the report was placed on the table of the House. The accounts were again audited up to the end of March 1949. The accounts up to the end of March 1950 have not been audited as yet since the Accountant-General has not yet deputed one of his officers to look into the accounts. He has to depute an officer since these are Government accounts.”

Starting of Naturopathy clinic in the State.

* 27 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Health be pleased to state whether the Government have got any proposal to start any Naturopathy clinic in our State and if so, where and when?

THE HON. DR. T. S. S. RAJAN :—“ The answer is in the negative.”

SRI A. VEDARATNAM PILLAI :—“ May I know, Sir, whether the Government will consider the desirability of sending some of our medical students to Gorakpur where training in Naturopathy is being given? ”

THE HON. DR. T. S. S. RAJAN :—“ I do not know whether there is any University in Gorakpur which gives training in Naturopathy. This is the first time I happen to know about it. If there is any further information with regard to Gorakpur—the courses of study offered which our students can profitably undergo—which the hon. Member can supply, I shall be obliged to him.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I know, Sir, whether Naturopathy has any place in the scheme of medical relief in this State and whether the Government are aware that the Father of the Nation was a great exponent of Naturopathy and received beneficial treatment at Poona? ”

THE HON. DR. T. S. S. RAJAN :—“ I may inform the hon. Member that Naturopathy is nothing new to us and it is a science which is always with humanity as long as humanity is guided by the principles of Nature.”

SRI G. RAJAMANNAR CHETTI :—“ In view of the low economic condition prevailing in the country and in view of the non-availability of necessary drugs which Allopathy and other ‘ pathies ’ inflict on the people affected, may I know, Sir, whether the Government will consider the possibility of training men in Naturopathy in order to relieve the suffering of most of the people who otherwise are not receiving any medical help? ”

THE HON. DR. T. S. S. RAJAN :—“ This is a very curious question to answer because unless I go into the principles of Naturopathy and find out what place it has in society, it will be impossible to answer the interrogations of hon. Members. But I may say that Naturopathy is a permanent system

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inherent in the treatment of any disease—does not matter what the nature of the disease is. Any system will have to adopt the principles of Nature in its attempted cure.”

SRI D. V. RAMASWAMI :—“ May I know, Sir, whether Naturopathy is the same as ‘ Hydropathy ’, that is water cure? ” (Laughter.)

THE HON. DR. T. S. S. RAJAN :—“ Hydropathy is Naturopathy in the sense that we want water for the preparation of medicines, etc.” (Laughter.)

Basis for allotment and additional allotment of motor spirit to public carriers.

* 28 Q.—JANAB MAHIN SCHAMNAD: Will the Hon. the Minister for Finance be pleased to state—

(a) the basis for the allotment of motor spirit to the public carriers; and

(b) the basis on which additional allotment (supplementary) of motor spirit is made by the Area Rationing Officers?

THE HON. SRI B. GOPALA REDDI :—“ (a) The allotment of petrol rations to public carriers depends on the nature of the commodities transported by them and the nature of work in which they are engaged.

“(b) Additional allotment (supplementary) of motor spirit is made by Assistant Rationing Officers on the basis of the scale prescribed by Government for essential and non-essential users and with reference to the horse power of the car.”

JANAB MAHIN SCHAMNAD :—“ May I know, Sir, the grounds on which additional allotments of petrol are made by the Rationing Officers in the case of private cars, buses, lorries, etc.? ”

THE HON. SRI B. GOPALA REDDI :—“ If carriers are engaged in Government contracts—P.W.D. and Forest contracts—they are given supplementary rations. In the case of private cars it depends upon the nature of the business of the applicant. If the owner wants to attend some special conferences and other functions or if he has to go to other districts on essential private business he is given an additional quota.”

JANAB MUHAMMAD RAZA KHAN :—“ Is it not a fact, Sir, that many of the lorries and public carriers find the petrol supplied hardly sufficient for 7 or 8 days even and they go without petrol and remain idle during the rest of the month? ”

THE HON. SRI B. GOPALA REDDI :—“ That is why, Sir, we have been urging on the owners to go in for diesel trucks. This is the only country where lorries are run on petrol. In most of the foreign countries, only diesel oil is used.”

SRI S. NAGARAJA MANIGAR :—“ Will it not be advantageous, Sir, if more motor spirit is supplied to the public carriers especially when trees are indiscriminately cut for charcoal? ”

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THE HON. SRI B. GOPALA REDDI :—" I do not say ' gas-plant ' lorries. I know the havoc done to the forests by using charcoal. I want lorries to be run on diesel oil."

SRI D. V. RAMASWAMI :—" In view of the fact that rationing rules in regard to petrol have been modified in the City of Madras in the case of private cars will the Government consider the feasibility of derationing petrol in the cases of buses also? "

THE HON. SRI B. GOPALA REDDI :—" Derationing was done only in the City and perhaps in Port Cochin. In all other districts petrol rationing is still in force. Derationing throughout the State depends upon the quantity of petrol made available to us by the Government of India."

SRI M. R. APPA RAO (Kumar Zamindar of Vuyyur) :—" In view of the shortage of petrol may I know what steps are the Government taking to develop power alcohol resources? "

THE HON. SRI B. GOPALA REDDI :—" We have carried out researches in power alcohol in the Engineering College. We have also seen the experience of motorists in Delhi who have used power alcohol in their cars. I do not think we will do well to try any more experiments in power alcohol."

SRI G. RAJAMANNAR CHETTI :—" In view of the anxiety on the part of the Government to economise petrol, may I know how many diesel buses are put on the roads and how many are kept in the shed, and whether in the matter of the purchase of new lorries and vehicles, the Government are going in for diesel engines."

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

SRI S. C. BALAKRISHNAN :—" May I know the reasons why basic coupons are not given to car owners? "

MR. SPEAKER :—" The question is about public carriers. The hon. Member is going away from the main question."

JANAB M. S. ABDUL MAJID :—" When the Government themselves have burnt their fingers with regard to diesel buses, why should they pass on this advice to others? "

THE HON. SRI B. GOPALA REDDI :—" It is not correct to say that the Government's experience of the Italian buses should repeat itself everywhere. In all other countries, especially in the London Passenger Transport, only diesel buses are used. Even these Italian buses are doing very well. That is what Mr. Anantaramakrishnan who had seen them in Italy and other places told me. This is a very popular firm and all over Italy and even in some other countries, these Italian buses are being run."

JANAB MUHAMMAD RAZA KHAN :—" Sir, when the taxes on these lorries and public vehicles are the highest in the world as per the statement of the Hon. the Finance Minister himself, is it

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fair on his part to give a lesser quantity of petrol and ask them to change over to diesel engines which can only be a long-range policy? "

THE HON. SRI B. GOPALA REDDI :—" We are giving less petrol, because we do not have enough petrol. The number of vehicles coming in every month is increasing while the quota of petrol is static. The taxation is a different matter and it has nothing to do with petrol. Whether the taxation is the highest or the lowest, we can only distribute whatever petrol is given to us. I therefore advise owners of lorries and buses to change over to diesel engines as far as possible."

SRI V. I MUNISWAMI PILLAY :—" Arising out of the answer of the Hon. Minister that research in power alcohol has not been successful, may I have a categorical statement from the Hon. Minister that the production of power alcohol is not possible in this province? "

THE HON. SRI B. GOPALA REDDI :—" Sir, I do not say it is not possible. It may be possible, it may not be desirable."

SRI V. KURMAYYA :—" As technical people for the repair of diesel engines are not available, are not the operators of diesel buses in a very disadvantageous position in competing with the operators of petrol buses? "

THE HON. SRI B. GOPALA REDDI :—" Big fleet owners will do well to get some of their workmen trained to operate diesel engines."

JANAB N. MUHAMMAD ANWAR :—" Without prejudice to petrol rationing in the districts, will the Government allow operators of public carriers within 150 miles from Madras City to go over to the City and take petrol from the City? "

THE HON. SRI B. GOPALA REDDI :—" If the route permits allow them, they can certainly come to Chingleput district and go back with petrol. The question of derationing the Arkonam petrol bunk is also being considered by the Government."

Shooting of the Communist detenus in Salem Jail.

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

(a) whether the report relating to the enquiry into the shooting of the Communist detenus in Salem Jail is ready;

(b) if so, when it will be published; and

(c) what the findings are?

THE HON. SRI K. MADHAVA MENON :—" (a) ' Yes ' ; but the prisoners involved in the incident were convicts and not detenus."

" (b) & (c) The hon. Member is referred to the Press Note issued by the Government on 9th June 1950 on this matter which has been published in the newspapers also."

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SRI V. RAGHAVAYYA :—“ Before I put supplementary questions, may I raise a point of order whether it is open to the Hon. Minister to ask the Member who has put a question to refer to the press communiqué? ”

MR. SPEAKER :—“ It is done everywhere. It is open to the Hon. Minister to refer the hon. Member to a previous answer or to a Government Order that has been issued. It is the way in which questions are answered in the House of Commons also.”

SRI V. RAGHAVAYYA :—“ In view of the strong feeling that has been aroused on account of the shooting, may I know why the concerned persons were not punished suitably? ”

THE HON. SRI K. MADHAVA MENON :—“ It assumes that the concerned persons have to be punished. It is absolutely a wrong assumption to make. I cannot give any further information in the matter, as the matter is *sub judice* because it is pending before the court.”

“ *Peda Nandipadu Channel* ” Scheme.

* 30 Q.—JANAB S. MUHAMMAD ISMAIL (on behalf of Janab Mohamed Abdul Salam): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Government have sanctioned the “ *Peda Nandipadu Channel* ” Scheme in Guntur taluk; and

(b) the amount involved in this scheme and the number of acres that will be irrigated?

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

“ (b) According to the rough forecasts made in October 1949, the cost is Rs. 85.76 lakhs and the new area to be benefited is 25,000 acres. These figures may have to be altered after detailed investigation of the project.”

SRI S. NAGAPPA :—“ May I know, Sir, whether this project will be useful for irrigation purposes only or whether some power also will be generated? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ It is only an irrigation project.”

SRI B. S. MURTHI :—“ Will it be useful for navigation purposes also? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I have no information, Sir.”

Postponement of general elections to all municipalities.

* 30-A Q.—JANAB S. MUHAMMAD ISMAIL (on behalf of Janab Mohamed Abdul Salam): Will the Hon. the Minister for Local Administration be pleased to state whether it is a fact that the Government have decided to postpone the general elections to all municipalities in the State?

THE HON. SRI K. CHANDRAMOULI :—“ Yes.”

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JANAB S. MUHAMMAD ISMAIL :—“ May I know whether the postponement of the elections to the municipalities has been necessitated by administrative or political or other reasons? ”

THE HON. SRI K. CHANDRAMOULI :—“ There is nothing political in this, Sir. It is not only for administrative convenience, but we have to look to the general interests of the State when we are conducting new elections.”

SRI B. S. MURTHI :—“ May I know the probable date on which the elections are likely to be held on the basis of adult suffrage? ”

THE HON. SRI K. CHANDRAMOULI :—“ As early as possible, Sir.”

SRI M. P. GOVINDA MENON :—“ May I know whether it is due to the fact that adult suffrage is going to be introduced in the State very soon that the elections have been postponed? ”

THE HON. SRI K. CHANDRAMOULI :—“ Exactly, so, Sir.”

SRI L. C. PAIS :—“ May I know whether the Government are competent to hold this election without an amendment of the concerned sections of the District Municipalities Act, especially as regards reservation of seats for particular communities? ”

THE HON. SRI K. CHANDRAMOULI :—“ The necessary amendments will be brought before the House.”

JANAB N. MUHAMMAD ANWAR :—“ Does not the Hon. Minister feel that it is safe now rather than afterwards to go on with the elections? ”

MR. SPEAKER :—“ The hon. Member wants the opinion of the Hon. Minister.”

Admission into Government Professional Colleges in the light of the recent judgment of the High Court.

* 30-B Q.—SRI K. T. KOSALRAM: Will the Hon. the Minister for Education be pleased to state what steps the Government propose to take to protect the educational interests of the weaker section of the people, in view of the recent judgment of the High Court with regard to admission into Government Professional Colleges?

THE HON. SRI K. MADHAVA MENON :—“ The Government have decided to file an appeal in the Supreme Court against the decision of the Madras High Court. But apart from the outcome of the appeal, the Government will take all possible steps to protect the interests of the weaker sections on the people in the matter of their education.”

SRI K. T. KOSALRAM :—“ May I know what are the steps taken by the Government? ”

THE HON. SRI K. MADHAVA MENON :—“ My hon. Friend will have to wait and see. I can only assure him that all steps will be taken to protect the interests of the weaker sections of the people.”

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SRI V. RAGHAVAYYA :—“ May I know what the Hon. Minister means by ‘weaker sections of the people’? Is it weaker in finance, or weaker in progress or weaker in intellectual calibre? ”

THE HON. SRI K. MADHAVA MENON :—“ Sir, my hon. Friend can have his own interpretation. It will mean weaker financially, weaker intellectually and weaker in every other way.”

SRI B. S. MURTHI :—“ Inasmuch as the Constitution Act guarantees reservation of seats both in the Legislatures and the Services for Harijans and backward classes, may I know whether the Government would move Parliament to pass the necessary legislation in the matter? ”

THE HON. SRI K. MADHAVA MENON :—“ The Constitution has not specifically reserved seats. It has only said that the interests of Harijans should be protected, that the interests of the Scheduled Castes and tribes should be protected. In this article relating to education, no particular reservation has been made for Harijans as such. The directive principle is that the weaker sections should be protected. The question of amending the Constitution will arise only after a definite decision is reached in the matter.”

SRI T. S. PATTABHIRAMAN :—“ May I know whether the Hon. Minister is satisfied with the present test adopted to assess the merit of the applicants for admission to Government colleges? ”

MR. SPEAKER :—“ What has it to do anyway with the main question? ”

SRI M. KANNIYAPPAN :—“ தலைவர் அவர்களே, கம்யூனல் G.O. வை பாதிக்கக்கூடிய அளவில் இந்திய அரசியல் சட்டத்தின் ஷரத்து இருப்பதால் அதை நல்ல முறையில் மாற்றியமைக்க வேண்டுமென்று சென்னை சர்க்கார் ஏதாவது மத்திய சர்க்காரை கேட்டிருக்கிறதாவென்று கேட்கிறேன்.”

THE HON. SRI K. MADHAVA MENON :—“ அப்படி கேட்பதற்கு இன்னும் அவசரம் வரவில்லை. அப்படி கேட்கும்படியான அவசரம் ஏற்பட்டால் கேட்போம்.”

SRI M. KANNIYAPPAN :—“ தலைவர் அவர்களே, இன்றையதினம் இதனால் பாதிக்கப்பட்ட மக்கள் அநேகம் பேர்கள் பரிதாபத்துக்கொண்டிருக்கிறார்கள். இது மிகவும் அவசியமாகவும் அவசரமாகவுமிருப்பதால் உடனே மத்திய அரசாங்கத்தைக் கேட்டு விசாரிக்கமுடியுமா என்று கேட்கிறேன்.”

THE HON. SRI K. MADHAVA MENON :—“ இதைப்பற்றிதான் நான் பதிலில் முதலிலேயே சொன்னேன், அப்பீல் பண்ணப்போகிறோம் என்று. அப்பீல் செய்து அதன் முடிவு எப்படி இருந்தபோதிலும் பிற்போக்கு சமூகங்களுக்கு உதவி பண்ணுவதற்கான வேண்டிய வசதிகளையெல்லாம் செய்வோம் என்றுதான் சொல்லமுடியும்.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ Sir, in view of the pronouncement of the Full Bench of the Madras High Court on this question, is it not desirable that the Madras Government take the advice of some legal experts other than the State's Advisers, and refer the question to the Advocate-General of India before filing an appeal? ”

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THE HON. SRI K. MADHAVA MENON :—“ The High Court itself has given a certificate to the effect that it involves an important point of law and that it should be taken to the Supreme Court, Sir.”

SRI M. P. GOVINDA MENON :—“ Arising from the answer of the Hon. Minister that pending an appeal to the Supreme Court, some steps will be taken to protect the weaker sections of the people, may I ask whether these steps will be within the four corners of the judgment of the High Court? ”

THE HON. SRI K. MADHAVA MENON :—“ I did not say, ‘pending’; I said, ‘apart from the outcome of the appeal’. We will have to wait and examine the matter. Certainly, Sir, the Government can never do anything which is outside any provision of the Constitution.”

SRI L. N. GOPALASWAMI :—“ May I know whether the Government have got any list of the weaker sections of the people and if so, will they place it on the table of the House? ”

THE HON. SRI K. MADHAVA MENON :—“ The Government have already prepared a list of the weaker sections of the people and it is already known. If my hon. Friend does not know it, certainly all communities which are not Brahmans are generally weaker.”

SRI K. T. KOSALRAM :—“ May I ask the Government to impress upon the President of the Indian Republic the urgent need of constituting at an early date the committee referred to in Article 340 (1) of the Constitution so that necessary steps may be taken to facilitate the progress of the backward communities in this State? ”

THE HON. SRI K. MADHAVA MENON :—“ There is no particular necessity for the Government to ask the President for it at this stage.”

SRI T. S. PATTABHIRAMAN :—“ In view of the apprehensions of the weaker sections of the people that their claims are not pressed and that they are not able to get admission into professional colleges, will the Government consider the advisability of revising the present tests that have been prescribed for admission to the colleges? ”

THE HON. SRI K. MADHAVA MENON :—“ Apart from the question of the present tests—if my hon. Friend means ‘marks,’ according to me, they are certainly not the right test for admission to professional colleges—it is the duty of the Government to see that nobody monopolises everything good in the State.”

JANAB ABDUL HAMEED KHAN :—“ May I know whether the Government have examined the question whether it is necessary to prefer an appeal to the Supreme Court, and whether without preferring an appeal to the Supreme Court, they can protect the interests of the weaker sections of the people? ”

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THE HON. SRI K. MADHAVA MENON :—“ It is really surprising that we should be asked to do so. We have decided to appeal after taking the necessary advice and examining the matter.”

SRI M. G. NATESA CHETTIYAR :—“ Article 37 of the Indian Constitution prevents intervention of a court in the matter of laws framed by State Governments for the purpose of affording opportunities for the development of backward communities. May I know, Sir, whether under this Article that the Government proposed to take steps for protecting the weaker sections so that courts may not pass orders against such actions”

MR. SPEAKER :—“ The hon. Member wants the opinion of the Minister.”

SRI M. G. NATESA CHETTIYAR :—“ Excuse me, Sir”

MR. SPEAKER :—“ There is no answer given.”

JANAB N. MUHAMMAD ANWAR :—“ Sir, without prejudice to the High Court judgment, without prejudice to the Constitution, and without prejudice to merit, may I ask the Hon. Minister whether it will be possible for him to constitute selection committees which will not only consider marks as the criterion of merit, but *viva voce*, which will give ample latitude to the selection committee members to select the candidates whom they want? ” (Laughter.)

THE HON. SRI K. MADHAVA MENON :—“ The very thought-provoking suggestion of the hon. Gentleman will be considered, Sir.”

JANAB H. S. HUSSAIN :—“ As the principle underlying the communal Government Order seems to be involved in this question, may I know whether the Government contemplate the keeping in abeyance of the communal Government Order till the decision of the Supreme Court is obtained? ”

THE HON. SRI K. MADHAVA MENON :—“ There is no question of keeping in abeyance the communal Government Order in relation to admission to the educational institutions; as the High Court has held it *ultra vires*, it is automatically held in abeyance.”

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

II.—MESSAGE FROM THE GOVERNOR.

MR. SPEAKER :—“ I have to announce to the House the following message from His Excellency the Governor of Madras dated the 6th August 1950 :—

“ In pursuance of Article 207, clause (1) of the Constitution of India, I, Krishna Kumarsinhji Bhavasinbji, Governor

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Madras, hereby give my recommendation to the introduction in the Madras Legislative Assembly of the Madras City Municipal (Amendment) Bill, 1950.”

III.—ANNOUNCEMENT BY THE SPEAKER.

MR. SPEAKER :—“ I have to announce to the House that in pursuance of sub-rule (11) of the 4 of the Provisional Parliament (Filling of Casual Vacancies and Election Petitions) Rules, 1950, Sri Kala Venkata Rao has been declared duly elected by the Members of the Madras Legislative Assembly, as a Member representing the State of Madras in Parliament, *vice* Sri Ravu Swetachalapathi Ramakrishna Ranga Rao, whose seat has become vacant by a declaration under Article 101 (4) of the Constitution of India.”

IV.—GOVERNMENT RESOLUTION.

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MR. SPEAKER :—“ The Hon. Leader of the Opposition may now continue his speech.”

JANAB M. MUHAMMAD ISMAIL :—“ Mr. Speaker, Sir, I shall try to begin from where I left yesterday. Yesterday, Sir, I was on the question of the delimitation of constituencies. The question was whether it is to be a single-member constituency or a multi-member constituency. If it is to be a multi-member constituency or plural-member constituency, is it to be with distributive voting or cumulative voting? Again, Sir, with regard to multi-member constituencies, what is to be the number of seats allotted to each constituency? Why should it not be two as is suggested in some places, and why should it be five as is suggested in my amendment. I was beginning to answer these questions when the House adjourned yesterday. I was then dealing with the virtues and advantages claimed for the single-member constituencies. I referred to its simplicity and manageability and the stability it gave to the majority party or the Government and pointed out that simple thing is not the best thing under all circumstances, and that single-member constituencies favoured a parochial outlook. I pointed out that multi-member constituency also is a manageable one as was shown by the experience of the previous Government of the Bombay Province. I also pointed out that the stability secured by single-member constituency was at the cost of leaving out substantial sections of people unrepresented, and thereby producing and nourishing discontent among them.

“ Now, Sir, as against single-member constituencies, let us take the multi-member constituencies. Double-member constituency with distributive voting is a little better than single-member constituency; it may return a little less parochial candidate. Moreover, when one candidate is of the majority community and the other of a minority community, the voter is likely to be inclined to think a little favourably of the latter, i.e.,

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of the minority candidate, as one of the candidates already belongs to the majority community. This is a little psychological advantage, though it depends upon the voter of the majority community and not of the minority community. So, I say that such a constituency is a little better, however little it may be; and it is better where a religious or caste minority community is concerned. But it won't practically have that much of advantage where a political minority is concerned. Dual-member constituency with cumulative voting will be still better than the one with distributive voting, for it will give a better chance still for the minorities. However, it will not be much of effective use and advantage to the minority community. It could be of decided help only to a minority which is nearly 50 per cent of the population of the locality. But in most cases, there may be no minorities of that dimension. Therefore, Sir, the best thing would be to have plural-member constituencies of five seats each. If there is a minority whose strength is one-fifth of the total of the voters in a constituency, it may have a chance of selecting a member of its own. In this arrangement, if a minority is less than 20 per cent, one cannot be sure of its chance; it may have a sure chance only under certain circumstances, i.e., if only it has 20 per cent of the votes. If its strength is so substantial as 20 per cent, it must indeed be allowed to have its chance. But it is to be noted that even here in many cases the candidate of a minority community having 20 per cent of the population may not always be able to win even with cumulative votes, because there will almost always be other considerations for the voters, necessitating a split in their votes; but under certain special conditions and circumstances, if they want to plump all their votes for their own candidates, they ought to be given that chance. That is what I mean.

"Now, what are the other points regarding the multi-member constituencies? First, we spoke of the simplicity that attended the single-member constituency. I say that simplicity is not taken away from the multi-member constituency. There are no complications in the matter of voting or in the matter of counting. The only thing is that a voter will ordinarily have to select five candidates instead of one, as in the single-member constituency. This won't be extraordinarily difficult. Here we must not forget the fact that there is already a big party in the country which claims a firm hold on the voters. So, with their help it will be easy for the voter to select his candidate. Secondly, the State can manage even multi-member constituencies comfortably. When you have a polling booth, say for every 500 or 1,000 voters, whether it is single-member constituency or multi-member constituency, it does not matter. There need not be much difficulty felt on that account so far as the State is concerned. This has been proved, as I already said, by the experience of Bombay. But in this case, it will be somewhat difficult with the candidates, because the constituency will be larger. But as I hinted already, when there is a party to which many of these candidates will

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be attached, the difficulty of the candidates will be minimized. Canvassing will be done for these candidates by the party to an appreciable extent.

"Then, Sir, much is made of the party system that is being developed by the single-member constituency. Here there is a real difference of opinion. There are very important people who hold that it is a multi-member constituency that is conducive to the development and establishment of party system. That we can understand, because under multi-member constituencies, a voter has to deal with several candidates, and the candidates also will try to join hands and work together. Therefore, even at that stage, even where they are confined to their own constituency at that particular election, a spirit of co-operation is being infused and inspired amongst the candidates who are standing there. This view was also placed very forcibly before the Hammond Committee which went through the question thoroughly some years back.

"I have already dealt with the point yesterday of the single-member constituency breeding a parochial outlook. Multi-member constituency will work against such a spirit, because in the very nature of things, it creates a broader outlook. Another very important point in connection with the multi-member constituency is that it reduces the chance of corruption to the minimum. The constituency being large, the candidate will find it almost physically impossible to go and do anything for tampering with the voters. It will not be possible for the candidate to corrupt and to influence unduly and illegally all the voters and thereby get an advantage for himself. Cumulative voting is an open thing and there is nothing bad in it; we can give all the votes . . ."

THE HON. SRI B. GOPALA REDDI :—"It may also lead to corruption."

JANAB M. MUHAMMAD ISMAIL :—"Corruption may be everywhere, and they say it is even in the Heavens; but what we are thinking is the question of minimizing it. Multi-member constituency, I say, lends itself to the minimizing of corruption more than the single-member constituency. That is the point. Because, as I said, the very large number of voters with whom the candidate has to deal precludes practically any such possibility of corruption coming into being to any large extent. Sir, this multi-member constituency has been adjudged a success by the experience of Bombay. The Government there had no motive and they had no partisan spirit in dealing with this question and they, after considering the various circumstances and conditions obtaining in other provinces, have pronounced that multi-member constituency was a success. (At this stage the Deputy Speaker occupied the Chair) Madam, the Hon. Leader of the House more than once said that a multi-member constituency will be nobody else's constituency. He was rather uncharitable when he said that, and moreover, it is not true to facts, as far as I know.

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When a constituency is represented by several members, there is really a competition among those members and those members want to become more popular than the others. That spirit is prevailing even now. Therefore, by this competition and rivalry among the members representing a multi-member constituency, the constituency will be really served better.

"Madam, then I come to another very important point and that is the question of minorities in connection with the multi-member constituency. Taking the religious minorities first, the Chief Minister of the Uttar Pradesh is reported to have said this, that is to say, in a single-member constituency where a Muslim candidate is pitted against a Hindu candidate, there are chances of the Muslim losing his seat in favour of the Hindu, but he says, 'I want the Muslims to be represented substantially and this can be done only through this method of dual-member constituency. Here the point is, he is anxious that the minorities should have representation and he is therefore devising ways and means of securing that representation. That is acknowledged by no less an authority than the Chief Minister of the Uttar Pradesh, who is an important leader of the country and a leader of the Congress Party. Then, again the Leader of the House, the Hon. Mr. Gopala Reddi, said yesterday that he will recommend or he will see to it that the majority is given as much latitude and as much representation as possible.'"

THE HON. SRI B. GOPALA REDDI:—"I only appealed to them."

JANAB M. MUHAMMAD ISMAIL:—"Yes, Madam, he said he would appeal to them and that appeal is motivated by the fact that the minority is entitled to such representation. If not, the Hon. Leader of the House is not a man to make any such appeal on flimsy grounds. Then, Madam, with such an appeal, can he secure the object he has in his mind? Moreover, one cannot be sure that the party to whom he has appealed and the party which is in power to-day, can win the elections in the coming general elections or after that. Basing it upon what this particular party may do or may not do, you cannot make any permanent arrangement. Here again, a reference was made to the separate electorate. It was said that this multi-member constituency was only an attempt to revive separate electorates. But, there is a difference, a very important difference between the separate electorate and this multi-member constituency system. Under the multi-member constituency system a voter can be persuaded to give his vote to a member of any community, but it depends upon the strength or influence that will be brought to bear upon the party in power or the other agencies. But, in a way, the fact is there, that the vote of a member of any community may be given to a member of any other community. This was not the case with the separate electorate. So, this is a vital difference between the separate electorate and the general electorate."

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"Now, what do these minorities want through this multi-member constituency? They do not want to get electoral success and a majority that will enable them to form a Government. Through the multi-member constituency alone they cannot achieve that object. That is granted. If they are otherwise able and are sure to get a majority, it is immaterial to them whether they have got the single-member constituency or the plural-member constituency. But, the object here is, to give the minorities a chance of securing some parliamentary representation, so that they may give vent to their views in the Legislature. That is all they want. Under this system, it is not a majority that is being aimed at. What is aimed at is the right of self-expression by the minorities. Again, this multi-member constituency is advantageous not only to religious minorities, but to minorities of all sorts. For instance, linguistic minorities, racial minorities, political minorities and various other minorities, stand to gain by this arrangement. When such minorities have got substantial strength in the population of the country, it is only fair and just that they should be given the right of sending their representatives to the Parliament."

"Madam, they speak, very frequently of stability in this country. Does it really mean this stability? Does it not mean stifling or suppressing the Opposition? What you do is, you do not give them the chance or the means of sending their representatives to the Legislature. By this electoral device of the single-member constituency, you are artificially stifling them from giving expression through their representatives in the Parliament. Is it fair, I ask? You say that in a multi-member constituency, the voters will think of caste and creed, but if the ideology of caste and creed is there among the population, the voters will think of it not only in the multi-member constituency, but also in the single-member constituency system. Supposing such an ideology comes into play in the multi-member constituency, then I put the question again? Will it be fair to suppress that possibility through this artificial means, this electoral device of having only the single-member constituency? So, what you have to do in that connection is, to educate the public to change that ideology and persuade them and do propaganda amongst them, so that they change their view-point. But, what you are attempting through the single-member constituency, is coercion. I ask, Madam, whether it is fair? I do not want to ask, whether it is honest?"

"Then, Madam, with regard to this multi-member constituency, it was said that the Delimitation Committee, which was set up before the Government of India Act, 1935, came into existence, that the Committee decided by a majority against the multi-member constituency. But, certain very important members of that Committee were brought before the Hammond Committee and they said that they were against the multi-member constituency with distributive voting, because that kind of constituency did not have much meaning to them, but when cumulative

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voting is attached with multi-member constituency, they said that their objections fell to the ground. That is what is stated in the Hammond Committee Report. Two important members have made this definite statement after the Report of the Provincial Committee was submitted. Therefore, in reality the majority of that Committee recognized the usefulness and the effectiveness and the beneficial nature of the multi-member constituency. As a matter of fact, within recent times, there were certain sections of public opinion which were against this multi-member constituency with cumulative voting. But what do we find? Now, they are veering round and coming round definitely to this multi-member constituency because now they are able to appreciate the benefits of that system for the development of democracy in the country. Here Madam, our friends, whenever we want this, think that it is required only by the religious minority. I say the religious minority is one of the many interests that will be benefited by this arrangement, but because of their prejudice or something, they think it will benefit only the religious minority and basing their idea upon that prejudice, they say that it is a back-door method. There is nothing back-doorish in this suggestion, Madam, but it is only because we want this provision to be made by a front-door method. There is no secret about it and everything is placed on the table. Therefore, what is there back-door about it, one cannot understand. It is only the story of giving a bad name to a dog and hanging it. By that way, the real disease that will be created and nourished as a result of the single-member constituency, will not be cured.

"Madam, as I said already, the Hon. Leader of the House appealed to his party to give sufficient representation to the minorities . . ."

THE HON. SRI B. GOPALA REDDI:—"I appealed to all parties."

JANAB M. MUHAMMAD ISMAIL:—"Yes, to all interests in the coming elections. But it is only an appeal, Madam. Can the substantial and permanent interests in the country depend upon such an appeal? Even supposing the present Party agrees to that, whether they will not change their mind in the future or whether the Communist party will not come into the field? Then what is to be the case? So, in a way, for such a representation, these interests have to depend upon the generosity of the parties. But, what I want is these interests be given this right on their own rights. Moreover, the Leader of the House should, I think, not take such a heavy responsibility upon himself of conveying some sort of assurance to those interests that he will see to it that the majority party will give them sufficient representation. At the present time, there may be prejudices and passions ruling our decisions on important matters and the steps we are going to take upon them; but we must not do things based upon such prejudice. In regard to things that affect the very fundamental rights of substantial sections of the people, I submit,

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Madam, under democracy, they must be given their due. Basing our ideas on such passions and prejudices which are only temporary and of a passing nature we should not perpetuate an inequity to the several interests and thereby perpetuate prejudices and passions which will have to be dismissed and brushed aside even to-day.

"After having said so much, I wish to say a few words about other matters relating to the conduct of elections. The resolution placed before the House speaks of the colour box system as being recommended by the House and by the Government. It is no doubt a good system, Madam, but when there are many candidates in the field for the same seat, there may be difficulty in finding distinguishable colours. If it is possible that such difficulties will not arise, I will have no objection to the colour box system. But I would suggest some other system that has been suggested previously also and I do not claim any originality for it. Instead of the colour box system, you may have the symbols; I do not mean that it should be printed on the ballot paper; symbols like an aeroplane, a tower, a house, a cow or a buffalo may be painted on the ballot box and even animals may be painted. Thus the choice will be wide and will provide for a larger number of candidates."

THE HON. SRI B. GOPALA REDDI:—"Is the symbol suggested in addition to the colours?"

JANAB M. MUHAMMAD ISMAIL:—"No."

THE HON. SRI B. GOPALA REDDI:—"We may have a bad artist and a cow painted by him may look like something else."

JANAB P. K. MOIDEEN KUTTI:—"You must have a good artist."

JANAB M. MUHAMMAD ISMAIL:—"In the matter of art, Madam, our Province is not so bad."

THE HON. SRI B. GOPALA REDDI:—"It is not always possible."

JANAB M. MUHAMMAD ISMAIL:—"Even if the other Provinces are wanting in artistic skill, Madras can give them that. I suggest that that can be tried with success."

"One other thing, I wish to refer to before I conclude though it does not come strictly under the terms of the resolution. The preparation of the electoral rolls is going on now. There is a very large section of the people in this State who have got Urdu as their mother tongue; almost all the Muslims of the northern districts of this State and a very large section of the Muslims in the City of Madras which I have the honour to represent have Urdu as their mother tongue. There are also large sections in other parts of the Province who have got Urdu as their mother tongue. So far, Madam, rolls have not been published in Urdu and that is a handicap to these people. Therefore, what I suggest

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is that at least in such centres which have a large section of Muslims having Urdu as their mother tongue, the electoral rolls should be published in Urdu also."

THE HON. SRI B. GOPALA REDDI :—" There are Gujaratis in the City and can we prepare rolls for them in Gujarati? "

JANAB M. MUHAMMAD ISMAIL :—" They cannot be compared with Muslims. The number of Muslims who have got Urdu as their mother tongue will be about 2,000,000 whereas the number of Gujaratis will be only 20,000 and if they form a substantial number, the electoral roll must be published in Gujarati also and there is no gainsaying that fact but as it is, it is not so. Urdu occupies a higher place because it is one of the languages that are spoken in Southern India. I appeal once more to the authorities that the electoral roll may be published in Urdu also wherever there is a substantial number of Muslims whose mother tongue is Urdu. With these words, Madam, I move my amendment."

BEGUM SULTAN MIR AMIRUDDIN :—" Madam, Deputy Speaker, I wish to second the amendment that has been so ably moved by the leader of my party. In doing so, I wish to express surprise at the remarks made by the Hon. the Leader of the House yesterday that only the Election Commissioner was concerned with making provisions for the forthcoming elections. In consonance with Article 327 of the Constitution, as a matter of fact, the Election Commissioner has nothing to do with the delimitation of constituencies and it is only the Parliament that is empowered under the Constitution to make due provision for the forthcoming elections. As such, it was the duty of this Government to have fallen in line with the Government of Uttar Pradesh and constituted a committee of this House and the other House and elicited public opinion outside the Houses of Legislature also in regard to delimitation proposals and the Government should have put forward all these for the consideration of Parliament . . ."

THE HON. SRI B. GOPALA REDDI :—" Has the hon. Member seen section 13 of the People's Representation Act? "

BEGUM SULTAN MIR AMIRUDDIN :—" Yes, the Leader of the House is referring to the fact of the appointment of the Election Commissioner."

THE HON. SRI B. GOPALA REDDI :—" We do not come into the picture at all under that."

BEGUM SULTAN MIR AMIRUDDIN :—" But there is nothing that prevents the State Legislature from taking that step in that behalf; there is nothing in the Constitution preventing the State Government from acting in the manner the Uttar Pradesh Government has done. In view of the fact that these are the representatives of the people, it was but right on their part to have collected the opinion of people, not necessarily of members

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of both Houses of Legislature and put forward those proposals to Parliament when it will be discussing the delimitation proposals. The Hon. the Leader of the House, I am afraid, is under the impression that this Government cannot act in that manner under the Constitution; this Government can act and it is not debarred from acting in the manner the Uttar Pradesh Government has done, as the State Legislature represents the views of the people."

THE HON. SRI B. GOPALA REDDI :—" But they have done it sometime in April before this Act was passed."

BEGUM SULTAN MIR AMIRUDDIN :—" There is nothing preventing the State Government under the Constitution from acting in the way the Uttar Pradesh Government have done."

THE HON. SRI B. GOPALA REDDI :—" Then municipalities and district boards can begin to gather material and expound their views."

BEGUM SULTAN MIR AMIRUDDIN :—" But the State Legislature stands on a different footing as they represent the views of the people."

" The Hon. the Leader of the House said on the floor of the House that we cannot discuss all the details of delimitation but we can discuss the main principles. The main principles were elaborately touched upon by the leader of my party and I heartily support the view of the leader of my party that there should be multi-member constituencies instead of single-member constituencies. The Hon. the Leader of the House stated yesterday that in most of the western countries, they had the single-member constituencies; it is prevalent in America and England. But conditions there, I may tell you, Madam, are different from what they are in this country. We have to take cognizance of conditions that are prevailing in this land and make due provision for the same. In view of the peculiar conditions that are prevailing in this country, it is desirable that we should have multi-member constituencies instead of the single-member constituencies because it would give a chance to all the minorities of the land. Otherwise, they will be swamped at the forthcoming elections. The very arguments that were put forward yesterday by the Hon. the Leader of the House in favour of single-member constituencies can be urged in favour of multi-member constituencies. He said that separate electorates have been abolished; that all concessions that were being given to certain interests, women, labour and so on had been taken away. I say, Madam, that is the very reason why we should have multi-member constituencies. To help these several interests to get representation and the very fact that the concessions have been taken away must be the reason why a chance should be given to them to come in. Of course women, as a matter of fact form a majority in many parts of the State, but nevertheless they constitute a backward section of society and even they should also be given the chance and even they, I believe, will have better chances under the

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system of multi-member constituencies than in single-member constituencies. The Hon. the Leader of the House said that multi-member constituencies will perpetuate communalism; but I wish to know from him whether communalism is not prevalent even in single-member constituencies. Even in single-member constituencies, are not Kammas likely to give their votes to a Kamma in preference to others and Reddis for Reddis. They are apt to do it and that is human nature and it is no use ignoring human nature as we find it to-day. It is not by political devices and political machinations that we can transform or improve upon human nature but it can only be done through the medium of liberal education. It is only through liberal education that you can make the citizens of this land develop a wide outlook and make them not to consider the various issues before them in a narrow light and in a narrow spirit. It is no use disregarding the fact that democracy does not mean merely counting the largest number of heads at an election. An acid test of successful democracy is the satisfaction of minorities in the land. I am not referring only to religious minorities but to all kinds of minorities. If the Government follow short-sighted policy, they will find that that will give rise to dissatisfaction, to a feeling of frustration, to a feeling of dejection and of resentment in the minds of the minorities and that will not be good for the future of Government; that will not conduce to the stability of the Government. One of the reasons adduced by the Hon. the Leader of the House for having the single-member constituency was that it will give stability to the Government. The stability of the Government depends, I should say, on the satisfaction of the people at large. And that satisfaction will be given to them through the medium of multi-member constituency rather than through that of single-member constituency. Madam, the Hon. the Leader of the House seems to be sceptical about minorities getting sufficient number of seats in the forthcoming elections. His fears are absolutely correct. For, although the Congress party may put up some members from the minority community, I wish to ask, Madam, what guarantee is there that those persons would be returned, particularly so, under an adult franchise. Madam, there is no such guarantee, having regard to the feelings prevailing in the country. Therefore it is wise on the part of Government to give a chance to minorities also to have a few representatives in the forthcoming legislature. Madam, the minorities would not come in in such large numbers as to form a government. Therefore, I ask Government, why not they afford them that reasonable chance of securing a few seats for their members so that they may voice the opinion of that minority community in the legislature.

“ Madam, the Hon. Leader of the House said that multi-member constituency would perpetuate communalism. If members of a particular community wish to have their own way of life, why should we deprecate them. If they wish to seek self-realisation and seek opportunities to attain that end, why should that be dubbed as communalism. Let us be clear in our mind what communalism is. Communalism means corporate selfishness on the part of a

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community. Just as we condemn egotism and selfishness on the part of individuals, likewise we condemn corporate selfishness on the part of a community. That is to say, if that particular community wants everything in the State for itself, if that particular community grabs at everything to itself and does not allow any other community to come forward, and that impairs the solidarity of the nation, that is communalism, and not the desire of a particular community to have self-realization. I condemn egotism in any community as much as in any individual. Then, Madam, to-day there is another thing which is rearing its ugly head in India, and that is parochialism. Egotism is selfishness on the part of an individual; communalism is selfishness on the part of a particular community; and parochialism is collective selfishness on the part of the people inhabiting a particular region or area. That evil is rearing its head in India, even more than communalism; and I am afraid it is likely to impair the solidarity of the nation. Therefore, Madam, steps should be taken to put it down. Madam, by multi-member constituency, that tendency could be cured. For, under it, the people will take interest in a large area than in one constituency. So multi-member constituency will help to expand self-consciousness into an international consciousness, and thereafter into a world consciousness. That is what we need to-day; and so we condemn communalism, and we condemn parochialism. What we need is nationalism, and more than that what is needed is internationalism. All this is a form of selfishness; and we have the example of Germany and we have the example of Italy to show to us to what extent nationalism and supernaturalism can injure the cause of the world. Therefore in the world of to-day, if our country is to be saved from being submerged in the avalanche of degeneration, the people of this country should not only be non-communal and non-parochial, they should be national in outlook and also cultivate an international outlook. Therefore I wish to state that we should have a multi-member constituency.

“ Then, Madam, I wish the Hon. Leader of the House not to go away with the idea that multi-member constituency is sponsored and supported only by Muslims or religious communities. He may be aware that in the Uttar Pradesh, it was the executive of the Congress Legislature Party—if he had read the papers he would have known it—which voted in favour of multi-member constituency, having regard to the factors that I mentioned. So, Madam, I wish to urge upon the Leader of the House to view this point in same line with us in a broader spirit. Of course, there may be difficulties, and he stated that he had already experienced difficulties in working multi-member constituencies. But so far as Government agencies are concerned, there need not be much difficulty for it is only the candidates who may have to traverse a wider area for canvassing votes. But, whatever discomfort there may be for the candidates in this proposal, that should not be allowed to ignore the interest of the large sections of the people. Therefore, Madam, on these grounds, I heartily support the

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amendment of the Hon. Leader of the Opposition, that there should be multi-member constituencies. As a matter of fact, the Hon. Leader of the House must be aware all other political parties except the Congress, even the Socialist party, are in favour of multi-member constituencies.

"Then, Madam, I believe, multi-member constituencies will also help the cause of women. (Interruption.) They may be in a majority; yet, even in England and in America, women are not being returned. That happens so in advanced countries, because women are still backward. Therefore, they need some sort of solidarity, some sort of consolidation of efforts, which will be possible more in multi-member constituencies than in single-member constituencies. The Hon. Leader of the House, if he had read the newspapers, would be aware, that even the *Hindu*, which cannot be condemned as having a narrow outlook, has supported in one of its leaders multi-member constituencies."

THE HON. SRI B. GOPALA REDDI :—"I have seen it."

BEGUM SULTAN MIR AMIRUDDIN :—"Side by side with that, I endorse the view that there should be distributive vote."

"Coming now to the question of conduct of elections, one point I would like to emphasize is that it is very necessary to see that future elections are fair and impartial. So it is the duty of Government to send a strict circular to all their Government servants to the effect that they should not, even inadvertently, in order to please the Government of the day put pressure—I used the words 'even inadvertently' deliberately—or take any steps whatever to exert any pressure in the forthcoming elections. Government funds and Government reserve should not be utilized for election propaganda purposes, and Hon. Ministers should not use Government cars or Government petrol."

THE HON. SRI B. GOPALA REDDI :—"What is Government petrol?"

BEGUM SULTAN MIR AMIRUDDIN :—"Petrol purchased at the expense of Government. They should purchase petrol themselves. The idea is, till the elections are over they will be in power; and so, we want them to give equal opportunities to all parties. To-day, broadcasting is a State monopoly. Of course, it is not within sphere of this Government. Even if it is within the sphere of any other Government, broadcast from all-India stations should be made available to all political parties, and should not be confined to Congress candidates only. The B.B.C. before the elections are held, is made available to all political parties in England, and I would like to have that extended here."

THE HON. SRI B. GOPALA REDDI :—"But there, there are only two parties; here there are twenty parties."

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BEGUM SULTAN MIR AMIRUDDIN :—"Let them all go and talk. What difference does that make, I cannot understand; all I want is, all of them should be given opportunities to talk in the radio."

"Again, Madam, in England, facilities are given to the candidates for free postal transmission of election manifesto."

THE HON. SRI B. GOPALA REDDI :—"Only office."

BEGUM SULTAN MIR AMIRUDDIN :—"Even that will be helpful. I would like Government here to do likewise. Then again, with reference to elections, there are certain schools, certain halls, maidans, etc., which belong to Government. If they are used by the Government for election purposes, they should be made available to other parties, so that equal chance may be given to all parties. For we do not know which party will form the Government in future."

"With regard to the counting of votes, I am of the opinion that it would be much better that all the votes are counted on the very night of the polling day so that there may be no scope for tampering with the ballot boxes. That is being done in other countries. In America the votes are counted immediately after the poll and they do not allow a lapse of one or two days. The Government can easily make arrangements for counting the votes that very night at each polling station." 12-45 P.M.

THE HON. SRI B. GOPALA REDDI :—"At each polling station?"

BEGUM SULTAN MIR AMIRUDDIN :—"That will be easier. Is it not?"

"A large number of polling booths should be provided so that a polling booth may be available for each voter at a distance of not more than two miles from his house. In view of the adult franchise that we are going to have, it will be very difficult for voters to travel long distances."

"Some steps should be taken to prevent impersonation. It has been suggested that the voters should be marked with some indelible ink as a mark of distinction so that a voter who has voted once may not come to vote again."

THE HON. SRI B. GOPALA REDDI :—"Our difficulty is more with Goshia ladies."

BEGUM SULTAN MIR AMIRUDDIN :—"Even those who observe purdah may be asked to stretch their arms or show their thumbs and the mark can be put. There must be women officers in the polling booths. Special facilities should be provided for women voters in view of the fact that a large number of women will be coming forward, now that we are going to have adult franchise. There must be separate booths. We were assured by the Election Commissioner of the Government of India that women voters would be having separate polling booths."

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THE HON. SRI B. GOPALA REDDI :—" If the Constitu-
tion permits."

BEGUM SULTAN MIR AMIRUDDIN :—" The Constitu-
tion has not dealt with the question of elections at all. It has left
the question entirely vague. It will be decided at one of the
ensuing sessions of the Parliament when it will consider the delimi-
tation proposals.

" In conclusion I would like to endorse the appeal made by the
Leader of my Party that the electoral roll should be published in
Urdu also. In Bombay it is published only in Hindi. That is
worse than the position in Madras. Here the roll is published at
least in Tamil and Telugu. I am paying a compliment to Madras."

THE HON. SRI B. GOPALA REDDI :—" Possibly every one
there can read Hindi. All Gujaratis at least will know the
language."

BEGUM SULTAN MIR AMIRUDDIN :—" Gujaratis can read
Hindi. But every one there cannot read the language.

" At least in areas where there are a large number of Muslims,
the electoral roll should be published in Urdu. The best thing would
have been to have the roll published in English. We have not
abandoned English altogether. We are having it in Universities and
schools. English, as a matter of fact, is one of the compulsory sub-
jects. It would facilitate matters if the electoral roll is published in
English also. With these words, I conclude my speech."

THE DEPUTY SPEAKER :—" It has been moved and
seconded—

' Substitute for clause (1) of paragraph 1, under " Delimita-
tion of Constituencies " the following :—

" (1) *Legislative Assembly of this State and the House of the
people.*—The area of the whole State is to be divided into plural-
member constituencies of not less than five members each and the
voters be given the right of exercising cumulative voting provided
that where a seat is reserved for Scheduled Castes or Scheduled
Tribes one vote at least should be given in favour of the candidate of
such a caste or tribe."

The amendment and the resolution are now before the House
for discussion."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Madam,
Deputy Speaker, while we are glad of the opportunity that has been
given to us by the Hon. Leader of the House to express our
views on the delimitation of constituencies, I cannot refrain
from blaming the Government of India or the Government of
Madras, whoever is responsible for it, for not having taken this
House into confidence with regard to the delimitation of constitu-
encies earlier. We had a franchise committee as early as 1931. I
was a member of that committee. It was followed by the Hammond

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Committee for the delimitation of constituencies. I shall not refer
to the Southborough Committee and other committees which pre-
ceded the 1931 committee. The question of a franchise committee
does not arise now, as the franchise has been settled at the Centre
itself when the Constituent Assembly of India passed the Constitu-
tion. However, as the delimitation of constituencies is a matter of
vital concern, we were hoping that the people of each locality would
be given an opportunity to express their opinion on the most con-
venient form of delimiting constituencies. I would like to ask the
Government, particularly the Leader of the House who takes such a
keen interest in electoral matter—it has almost become a hobby
for him—why it has not been possible to constitute a delimitation
committee for this State in an informal way. If there was any
difficulty in constituting a committee in an official way, it could easily
have been constituted in an informal way with some members of the
Legislature and some outsiders. To-day the people in this part of the
country are conscious of the transformation that is taking place in
the electoral and the political fields. They should have been given
an opportunity to look into the delimitation of constituencies. I was
hoping that simultaneously with the Hon. Leader of the House
expounding the views of the Government he would lay on the table
the plan of the actual delimitation that they have proposed. It is a
well-known fact that the Government through the Election Commis-
sioner and the Election Commissioner's office have drawn up a
scheme for delimitation of constituencies after considerable delibera-
tion. I cannot understand why if was not possible for the Govern-
ment to have placed that scheme before the House. When the
Election Commissioner of the Government of India came here and
held a conference of a very perfunctory nature, some of us, who were
invited, told him that that was not a representative gathering, that
the Legislature should be consulted and that an *ad hoc* committee
consisting of members of Legislature and outsiders should be con-
stituted to consider the delimitation of constituencies. We were
told that it was left to the Government of Madras to do so if they
liked. We were definitely hoping that the Government of Madras
would constitute a committee. That has not been done. As the
Hon. Leader of the House has not mentioned the details of the
delimitation plan, we are unable to express our views fully. He has
said that he will take another opportunity to tell us the details. It is
better that he takes the House into confidence and gives the full
details before the proposals are finalised. The discussion in this
House will be of little use if simultaneously with it the Government
are forwarding to the Election Commissioner of the Government of
India their plan for the delimitation of constituencies. I hope the
Hon. Leader of the House will say in his reply what he proposes to
do, and whether the plan has been sent."

THE HON. SRI B. GOPALA REDDI :—" It has already been
sent."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Then, I
am doubly reinforced in my stand that the Government should

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have taken this House into confidence. Even now it is not too late for the Hon. Leader of the House to say that these are our actual delimitation proposals. We are only debating that question. What is the secrecy about delimitation? There is no secrecy at all. When the Government have gone to the extent of inviting the opinion of members on the system of single-member constituencies, what prevented them from divulging the actual delimitation of firkas, taluks and so on? It is most unfortunate that the members of the Legislature and the public of the country did not have the opportunity of knowing the proposals. If the Government feel that they are competent enough to formulate proposals for the delimitation of constituencies, they can content themselves with the feeling they are also competent to formulate proposals about the mode of election. Then there need not have been this debate at all. I hope the Government will come forward with a press communiqué or place a statement on the table of the House giving the plan of the actual delimitation of constituencies. The members may not make many changes. As adult franchise has come to stay, the main frame-work cannot be changed. The Government need not have any fear that their scheme will be changed appreciably.

"We are now concerned with the very great step that this country is going to take, namely, adult franchise. I shall not take up the time of the House by referring to its dangers, as they have been referred to times out of number. Adult franchise is a *fait accompli* and all I can say is: Let us wait and see. With the large illiterate population that we have got, it will be very difficult to work it as successfully as one would expect. It is capable of doing much good as well as great harm. It all depends upon the way in which the people take to it and the consciousness of the people towards the coming reform. We are very glad that the Hon. Leader of the House has explained the recommendations made to the Government of India. I only wish that in view of the impending discussion in the House he had not given a lead or inkling in favour of single-member constituencies. If it is found as a result of the discussion in this and the other House that the members are not in favour of single-member constituencies, I hope the Government will reconsider their view. I fully realize the reason given by the Hon. Leader of the House that it is easier to conduct elections with single-member constituencies. The majority party will be in charge of elections and there is no alternative to it in democratic countries. This will be the first election after the advent of the new Constitution. The party's responsibility is all the more because, it framed and passed the constitution and it is also going to be in charge of elections."

THE HON. SRI B. GOPALA REDDI:—"The hon. Member was also a member of the Constituent Assembly which framed and passed the Constitution."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"If I had been a really powerful member of that body, I would have been very glad. But the fact is that it was impossible for persons like me to be of any effective use there."

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"Madam, let us not at present go into the Constitution or the Constituent Assembly or even of the conduct of elections. What is the purpose for which the Constitution is made? It is only to ensure the growth of parliamentary democracy in this country. There is already the Parliament there. For whom are they going to be afraid of? Previously, at least, there was the Britisher who was ruling this country. Now he has gone and there is no third party in the country. We have no quarrel with any third party now. Now every party in the country is vying with each other to serve the country, and they are trying to enter the Legislature to do their bit of service to the people. Therefore, what is the responsibility of the party in power? The Congress Party, which is the party in power, commands nearly 80 per cent of the votes. There are millions of people under the Congress Sarkar. Whether it was the British Sarkar previously, or the Congress Sarkar now, or the Jayaprakash Narayan's variety of the Socialist Sarkar or the Communist Sarkar, which might come off later, all these will rule over these millions of people and it is from these people that their parties will have to be formed. Now with the enormous amount of population in the country and the enormous extent of territories which the Congress Government have got to administer, it would be indeed difficult for one party to serve the country and look after the interests of the people in any satisfactory way. At the same time it would be impossible for the other parties also to fight against the Congress Party and come into power. Therefore it is all the more the responsibility of the Government in power to see that equal opportunities are afforded to the other parties and other communities also to serve the country by getting into the Legislatures. In a democratic country, the Government do not organize parties themselves but leave it to the people and the popular leaders to organize parties to fight the elections by getting the support of the people. That being the case, it is the responsibility of the party in power to see that other parties also come up and take up their place in our democratic Legislatures. It is in that view that I am putting forward my suggestions."

"Madam, the question whether single-member constituencies are good for the country or multi-member constituencies are good, is not a live issue to-day so long as there is no strong party in the country to take the place of the present Congress Government. If there is an election coming up immediately, and if there are other parties strong enough to fight the Congress Party, and get into power, then perhaps the question of single-member constituency or multi-member constituency would become a live issue. But on this occasion the Government should feel that so long as they are in a majority, they owe a duty to the people and to the other parties and communities in the country. No other party is as big as the Congress Party and there is no more aggressive party than the Congress Party in the country. Therefore the Congress Party will not lose any appreciable number of its seats if it devises some method of election by which other parties and people belonging to other school of thought and of other religious communities might

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get themselves elected, so that the Legislature might reflect all shades of opinion. Nobody can say that a religious body has no place in a political organization. After all, in India, religion plays a very important part. Leave alone the Muslims; there are many other communities in India whose origin is based on religion. Take the Hindus, they are themselves a religious community. The Christians have their own religious back-ground. The Jains have their own religion and the Muslims have their own religion. There is nothing wrong in having religious communities and religious minorities. In this country we cannot wipe off religion or religious minorities altogether. On the other hand there are very many leaders of religious thought and opinions, whose views are entitled to weight and whose services are needed for the country. The public want them and so also the Government. Therefore there is nothing wrong in giving them an opportunity to stand for elections and being returned to the Legislatures. I have no doubt the Congress Party will do so. Even to-day the Congress Party is finding use for many of the distinguished sons of India in various walks of life, who do not belong to the Congress. Though they might have no place in the Legislature, they command the respect of the people and they have their own followers in the country. Such distinguished gentlemen, who might not belong to the Congress Party, or who might belong to other parties or no party, are prepared to serve the country. Therefore we should not shut them out completely of our legislative bodies by these systems of elections. We must devise some means in our electioneering methods by which they could get into the Legislatures and serve the country. It therefore behoves the party in power which is entrusted with the framing of these delimitation proposals to devise such methods as would give them opportunities to come into the Legislatures.

"Madam, Deputy Speaker, coming to the question of single-member constituency *versus* multi-member constituency. I should just like to say a few words, as to which I consider best in the present condition of our Province, without taking much of the time of the House. I consider, Madam, that under the present circumstances, multi-member constituencies is the one method that is best suited for our State. If multi-member constituencies with more than two seats is not possible, then multi-member constituencies with two seats could be devised. Madam, much discussion has centred round the advantages of the single-member constituencies and the Hon. Minister for Finance very vehemently defended this system on the floor of the other House. But my own opinion is, as I have stated just now, multi-member constituencies with distributive voting is best for our State under present conditions."

THE HON. SRI B. GOPALA REDDI:—"The hon. Member wants at least two-seated constituencies with distributive voting. is it not?"

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I do not suggest any definite number, Sir, but that there should at least be two-member seats."

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"Madam, as regards the colour-box system, it was introduced only in 1936 when the Congress first contested the elections. The Franchise Committee have elaborately dealt with the colour-box system and its advantages in elections where the majority of the voters are illiterate. But we have our own doubts about it. In Ceylon the colour-box system had not worked well and they have given it up. They found that sometimes voters instead of depositing the ballot paper into the colour boxes, used to take it away and sell it to the party agents, and these agents used to send it again through their reliable friends for being deposited again in the colour boxes. Because the watcher system was not in vogue, they were able to do this. It was also very delicate to search the pockets of the voters and so the colour-box system without watchers was found to be unsatisfactory. The same thing may happen here also, because we have abolished the watchers system. In Ceylon they are now adopting what is known as the symbol system, by which the parties use certain definite symbols in their flags and also in their boxes and the voters are given a card in which these symbols are printed and they are asked to deposit it in the particular box of the candidate whom they want to vote, and which bear this symbol. Madam, let me just explain the system by means of an illustration. Suppose two candidates contest a seat in a certain constituency. One candidate will be given the symbol of a hand while the other, that of an elephant. The former candidate would carry on his election propaganda with that symbol while the other with the symbol of the elephant. Both the picture of the hand and the elephant will be pasted in the respective box of the candidate and both these pictures will be prominently displayed in the election posters and in the polling booths for the purpose of educating the voters. In the voting paper, both the picture of the hand and the elephant will be printed and the voter who wants to vote for the candidate of his choice would take the paper and deposit it in the particular box in which the particular picture is pasted. It is more or less like the colour-box system, but in addition to it, the voter is asked to mark the picture in the voting paper. This is the only additional safeguard that they take, so far as I am able to understand that system."

THE HON. SRI B. GOPALA REDDI:—"Even there, cannot the voters walk away with the voting paper?"

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"It may be possible, Sir, but I am not quite sure what additional precautions they are taking to prevent such things happening. I was talking with the Mayor of Colombo who was here yesterday and he was telling me that the colour-box system has been given up in Ceylon and that the symbol system coupled with marking has been introduced and that this system was found to be more satisfactory. I do hope, Sir, that our Election Commissioner would get into touch with the Ceylon election authorities as early as possible and find out how that system is actually being worked and whether it is better than our system of colour boxes."

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"Madam, I have been thinking of some other ways by which we could eliminate the chances of two votes being put in the same box or of ballot papers being taken away by voters without being deposited in the boxes but I have not been able to find a very satisfactory solution. I think, to some extent, the difficulty might be got over by printing the same number in the counterfoil of the ballot papers and at the end of the election verify the votes polled with reference to the number in the counterfoil. Suppose the same number that is printed in the counterfoil is found in two voting papers in a box, then it shows that the voter has placed his two votes in one box. In that case one vote must be eliminated. I shall illustrate what I mean by taking a concrete example. Suppose there are 1,000 voters who have to exercise a double vote. The number of voting papers that would be given to them would be 2,000 and the voter is asked to deposit one voting paper in each box. At the end of the election day there would be at least 1,000 voting papers in each box. But sometimes if a voter puts two votes in one box, one vote will be less in the other box. Suppose there are 1,400 papers in one box and 600 in the other; that means 200 voters have placed their double votes in one box. If we check the number in the ballot papers with the number in the counterfoils, we will be able to find out how many have put their two votes in one box and arrive at the correct number of votes secured by the candidate. But that would take a lot of time, and even here it would not, I think, be possible to evolve a fool-proof system of eliminating all the difficulties and defects. Therefore the only way to check the abuses would be to introduce the marking system again. There again, it will lead to elaborate and complicated procedure, which I doubt whether illiterate voters could understand. I think, Madam, that the Madras Corporation has been adopting some system and evolved some methods by which this double voting could be prevented. Perhaps that system may be copied here also, if it is found suitable.

"Madam, while I am on this question of the conduct of elections, I should like to say a few words with regard to the malpractices that are likely to be committed at the time of the actual elections. I want the Government to take ample precautions to see that such malpractices are prevented. For instance, if a candidate knows that he is likely to get a less number of votes and get defeated, it is possible that he might resort to all sorts of malpractices in order to spoil or nullify the elections. Perhaps he might throw acid into the ballot-box or perhaps he might set fire to the polling-booth or might man-handle the polling officers. Many such things are likely to happen. In order to prevent such things happening, I want to suggest that there should be ample police protection. Moreover, if anything happens like that, I want to know whether a fresh election would be held in that particular ward or particular constituency or whether the voting in that particular booth would not be taken into consideration at all. That is a matter on which the Hon. Leader of the House has not given us any information. This point was raised at the recent conference held by the All-India

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Election Commissioner with certain party leaders in this City and I thought that some light would be thrown on this point by him or by the Government. But he skipped over the matter; nor has the Hon. Leader of the House given us any enlightenment on that point."

THE HON. SRI B. GOPALA REDDI:—"What is the suggestion of the hon. Member?"

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I will make my suggestion only when I sit on the Treasury Bench in the place of the Hon. Leader of the House. My job is only to criticise and to point out the defects in the system."

THE DEPUTY SPEAKER:—"The hon. Member can certainly give his suggestions if he likes. That is the purpose why we are having these discussions."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I bow to your ruling, Madam. I am certainly not for holding fresh elections when such a thing happens in any polling-booth when a ballot-box is stolen or any voting papers destroyed by the throwing of the acid, or the polling-booth itself destroyed by fire. In that booth, at the most only 1,000 votes would have been polled, and a thousand votes would not appreciably affect the result of the elections, when lakhs of votes are involved. The safest thing under such circumstances would be to ignore that ward or polling-booth, if the total number of voters in that booth or ward is only a small portion of the total number of voters in that constituency. Even if all these 1,000 votes are cast in favour of one candidate, it might not alter the result of the election. But if there is a gross abuse and if the result of the elections is likely to be upset by such abuses, then it may be left to the person in charge of the elections to make an enquiry and to order a fresh election if necessary in that particular ward or constituency.

"Madam, something was said by the Hon. Minister about the responsibility of the Provincial Government, in the matter of elections. He said that the Election Commissioner alone is responsible to Parliament in matters relating to elections and that the Provincial Governments would simply carry out the instructions of the Election Commissioner. Whoever might be the ultimate responsible authority for the conduct of elections, it boils down to this, that it is the Provincial Government that will actually make arrangements for the conduct of the elections and it is up to them to see that law and order is maintained during the elections at the various polling booths. That is all that is required of them.

"Madam, in the case of any election dispute, I think, it is better that we have an independent tribunal to decide such disputes. I hope that the Government will entrust the constitution of such tribunals to the Provincial Election Commissioner in this State. Unless an impartial tribunal with high officers of integrity is constituted, confidence will not be infused among the contesting parties and I hope that the Election Commissioner will see that he constitutes such a tribunal to decide election disputes.

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" Madam, as for the actual conduct of elections, I reiterate the suggestion made by the hon. Lady Member, Begum Mir Amiruddin, that the polling booth should have a manageable number of voters. I think, 1,000 voters is the maximum that a polling booth could manage without difficulty, but in a thickly populated areas or wards, there must be more than one booth and necessary arrangements should be made to see that crowds are avoided and that voters do not come in a rush and that voting takes place in a smooth and orderly manner. There has been a suggestion regarding the part played by the All-India Radio. I should like now to recall to the members of this House what the distinguished person who presided over the Franchise Committee in 1931, Lord Lothian said. It is a Government of India Committee. The other Provinces had Provincial Franchise Committees. In Madras we had a committee, and I believe Mr. Gopalaswami Ayyangar was a member of that Committee. Madam, you might know that before the All-India Radio came into being in Madras, we had a private broadcasting system run by the Corporation of Madras for eight long years. Even Lord Willingdon sitting in Ootacamund was able to make use of this broadcasting system through the telephone. When Lord Lothian was here we wanted him to speak on the radio. Just before he finished dictating his address, he took it to the meeting. The first heading there was the part played by the radio in elections. We did not know this till he spoke. It was a five or six pages document. He stated that franchise might be extended, and when larger number of people were enfranchised, it would be impossible for the candidates to reach the homes of the electorate, and, therefore, the only vehicle through which parties or individuals could appeal to the electorate, was the radio. He also stated that opportunities should be given for all candidates, and that while giving opportunities, there should be judicious use of the radio, and time should be allotted judiciously to the various parties. He did not say that it should be equal time for all, because the majority party was there, and, therefore, equal time was not possible. He meant only judicious allocation of time. I think it is very necessary that all men should have the use of the radio. I have no confidence in the All-India Radio, Madras. I am Enemy No. 1 of the Madras station. I openly say it here. I have complete mistrust of that body, and it has not improved in spite of the criticisms in the last ten years. It is absolutely a one-sided body, and I do hope that the Madras Government will look into this matter. It is because the Madras Government have no voice in the All-India Radio, Madras, that we the people of South India have no voice in its administration. It is an institution completely partial. . . . (Interruption by the Hon. Sri B. Gopala Reddi.) It is politically partial also."

THE DEPUTY SPEAKER :—" The hon. Member cannot speak on the administration of the All-India Radio. But he must speak on the question of elections."

" RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Madam, I justify my remarks with regard to the All-India Radio, Madras."

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If I am wrong I shall withdraw them. We are now concerned with the franchise of millions of voters, and we have to appeal to them. Because of the experiment, of adult franchise, it will be impossible for candidates to print sufficient number of copies for issue to the electorate. It will be impossible to find the men to distribute them. It will also be impossible to find the necessary petrol to go about the constituency. The candidates cannot appoint a large number of agents to go to the constituents. He cannot find the money for all these items of expenditure. Then again we do not have food. A distinguished man from the Congress may stand as a candidate. He may like to appeal to his constituency. For twenty years he might have represented one institution. That person should have the opportunity to speak to the electorate through the radio. If he is not given the opportunity what will he do. Radio has got a very important part to play in the conduct of elections. Every part, every hotel, and every public place of entertainment has a radio. Millions of voters are listening to the radio with rapt attention. The Madras Radio is politically partial. Let the Hon. Minister call for a list of speakers. I have refused to speak from this station consistently because they are partial. They have invited me to speak. But I did not care to accept it. I treated it with contempt. I have absolute disregard for that institution. Let the Hon. Minister send for a list of speakers and satisfy himself. I shall withdraw my remarks if they are wrong. I will even send a letter of apology to them. It is absolutely necessary that the election machinery shall have complete control over the allotment of time for the various parties and for the various candidates also. Even among the party members themselves, there will be discrimination. I would not be surprised if a Congress man comes and says 'he was given a chance and I am not given.' I am glad that we have now more broadcasting stations in this State. All the candidates should be given the right to use the radio. This is a serious matter. Elections are costly, and it will be impossible to think of spending money. Therefore, I am very happy that I had this interruption, because it has given me an opportunity to say openly that the All-India Radio, Madras, is absolutely one-sided. If the Madras Government have not the powers, let them take steps to write to the Government of India. Let them appoint a committee of enquiry on the working of the institution for the last ten years. Let them publish their report. We shall welcome that report. I hope the Madras Government will demand of the Government of India to set up advisory committees. But this All-India Radio is not the main subject now. The main subject is about elections. I have now justified here that the All-India Radio is one of the most useless institutions. I do hope the Government of Madras will take up this matter with the Government of India very seriously, of course, before elections and not after.

" I hope the All-India Radio will improve and help the people of this Province. To-day, more than ever, it is absolutely necessary that the All-India Radio should help the candidates in their approach

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to the voters. This is one of the conditions of fair elections. People have been asking for fair elections. If the All-India Radio functions in a fair manner, it will be very good. But it will not function in a fair manner overnight unless it is reformed from now onwards. All on a sudden it cannot be said to function in a fair manner on the eve of the election.

"I have one other request to make to the Leader of the House. I find from the reply given in the other House (and he may give the same in this House also) that he will be forwarding the entire proceedings to the Government of India. Since this House has not been consulted in advance on the delimitation of constituencies, and since one important point about the single-member constituencies has been mentioned rather prominently in the opening address of the Hon. the Leader of the House, let us hope the Government may not be averse to reconsider the question in the light of the discussion in both the Houses. I say 'they may not be averse'. I am putting it very politely. I hope they may not be averse to reconsider their decision with regard to single-member constituencies. I would suggest to them that instead of merely forwarding the proceedings in both the Houses to the Government of India, they may have a Cabinet discussion among themselves, formulate or re-formulate their views, and send those decisions also along with the proceedings."

SRI S. NAGARAJA MANIGAR :—"Madam, on a point of information. The hon. Member the Raja of Chettinad has been repeatedly saying that the All-India Radio was partial. By way of illustration, he was saying that only some candidates were allowed to speak through the radio for canvassing support. May I know if the hon. Member can say that the All-India Radio is partial to-day?"

THE DEPUTY SPEAKER :—"The hon. Member is not entitled to discuss the administration of the All-India Radio. He was only suggesting that it might be useful in doing election propaganda."

MR. T. J. M. WILSON :—"Madam, Deputy Speaker, I have no desire to speak, and I have no desire to cover all the points that have been traversed by my predecessors. I want to speak for a particular reason. I would not have spoken here but for the fact that there is to-day a very fearful and discouraging trend in the political life of India, and of this State in particular. I felt it almost a calamity when I heard yesterday the Leader of the Opposition referring to what are called 'separate electorates', the outmoded, irrelevant, and preposterous plea, which has been buried ten fathoms deep, and which has gone long past re-call."

JANAB MUHAMMAD RAZA KHAN :—"When did you join the Congress?"

MR. T. J. M. WILSON :—"We have, I think, as citizens of this State a right to expect leaders of various parties or communities

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to give a right lead and proper guidance to millions of people who look to them for guidance. I asked myself yesterday 'what is the earthly use of the Leader of the Opposition referring to what is dead and gone', because no power on earth and no legal acumen or legal arguments can bring it back to life. It is a tragedy that after all the travail and suffering we have gone through, in this country, certain leaders in this country do not yet realise the imperative necessity of giving proper guidance to at least the younger generation. I am anxious to tell the Leader of the Opposition that instead of doing any good whatsoever to the minorities of this country, telling them that something has been lost and the bemoaning of it as a loss or as a catastrophe will embitter them and will create a sense of defeatism and frustration. And what will happen ultimately is another tragedy which we may have yet the misfortune of seeing in our own lifetime. I want my friends to realise and to see across the history how this one important psychological factor of depression, of defeatism, and of frustration on both the individual and national scale, has brought about disastrous consequences. What is amazing is that my friends still advance arguments for separate electorates. When ever the Hon. the Leader of the Opposition talks in a calm, balanced, and equipoised manner on various subjects like Health, Irrigation, Agriculture, and so on, I have often wondered how he can reconcile his legal acumen, his legal subtlety, to his position in the Assembly, because after all he has been elected not by the whole population of this State irrespective of caste or creed, but has been returned to this Assembly by a particular community, and I wonder how he can reconcile his logic to his speeches on matters which relate not only to his community (which had a say in the matter of election and which has returned him to the Assembly) but to the rest of the population also, who had no say in his return as a Member of this Assembly. The Leader of the Opposition wanted to be very logical the other day when he wanted to convince the Leader of the House. When the Leader of the House stated that there was no separate electorate in the world, he was not satisfied with it, and he was meeting it with his own logical arguments."

THE DEPUTY SPEAKER :—"The hon. Member will continue his speech after lunch. The House will now rise and meet at 2-30."

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

(Sri K. Bokkai Gowder was sworn-in.) *

MR. T. J. M. WILSON :—"Madam, Deputy Speaker, I have stated this forenoon that leadership to-day consists in diverting the energies, strength and capacities of the younger generation towards the construction of a free, independent, democratic India. I have also said that no leader, however mighty he may be to-day, will be forgiven by posterity if he fosters in the minds and hearts of

* Sworn-in by Hon. Speaker in his Chamber.

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the people a sense of frustration and defeatism, because I can trace the cause of all the wars and calamities to this strange, psychological factor, i.e., frustration either of an individual or of a nation. You can see from the pages of history that the Great War of 1914 was fought because of the frustration of the German Nation. The Great War of 1939 was also fought due to the same reason. The evil genius Hitler was himself a child of defeatism and frustration. Therefore, the leadership and greatness of minority leaders consists to-day in discouraging any sense of frustration and defeatism in the minds and hearts of the minorities especially of the younger generation.

"I was also saying that considering the logic and legal acumen of the Leader of the Opposition, I could not reconcile myself to his talking not only on Muslim agriculture, Muslim irrigation or Muslim budget but on agriculture and irrigation which concerned all the people some of whom have not elected him.

"When the Leader of the House said yesterday that in no country in the world had there been separate electorates, the Leader of the Opposition wanted to meet him by another argument. There have been in all lands and in all climes minorities, not only religious but also linguistic and even racial. In 1919 the Great War was fought actually on the pretext of these minorities. The whole attention of the greatest leaders and the greatest statesmen of the world at that time was concentrated upon this particular problem of providing safeguards for the minorities that were obtaining at that time. The League of Nations Official document emphasizes this particular problem of the minorities as the most violent and important problem of the day. President Wilson, speaking at the plenary Session of the Peace Conference, said that it was the most important problem that was existing at the time and that the peace of Europe depended upon the delicate thread of minority question. At that time, when the peace of Europe depended upon the problem of the safeguarding of the interests of the minorities, it had not occurred to any statesman of the world that the system of separate electorate was a sufficient safeguard for the minorities. It may be difficult for my friends here to agree that when the system of separate electorates has not been found at any time in the history of the world in any corner of the world, it has been introduced into Indian politics as a counterpoise against nationalism, to thwart nationalism and set one community against another. It may also be difficult for them to agree that the system of separate electorates has led to the partition of the country which has brought us in its wake most disastrous consequences in the massacre of thousands of people, unrooting of millions of homes and sufferings of thousands of men, women and children. But I do not know how it is difficult for them to realize their own self-interests, the self-interests of the minority community to-day. That is what I want to bring home to them.

"Madam, I see before me a great tragedy looming large. the rise of very ugly forces in the country—the Rashtriya Swayam

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Sevak Sangh and Hindu Mahasabha. What is it that they want? They want separation of the people of this country on the basis of religion. Do we want to build up their strength and feed them in order to destroy us later, by ourselves insisting upon separation on the basis of religion? That is what I want to ask the Leader of the Opposition. It is not our safeguards or our small rights that are at stake to-day at the hands of those forces. I venture to say to him that it is the very existence of the minorities that is at stake to-day. Therefore, I appeal to the leaders of the various minority communities, to keep this always in mind."

THE DEPUTY SPEAKER:—"I now fix a time limit of 15 minutes for each speaker."

MR. T. J. M. WILSON:—"I feel, however, that the proper and wise solution of the communal or minority problem is to recognize these minorities in the first instance and then try to see that they merge with each other and absorb into the majority community. Reservation of seats has been given to certain communities and other communities have in some cases themselves given up reservation of seats. However, I hope that all these minorities will be somehow fully represented in the future Legislatures. Whatever means the Constitution has provided or the delimitation of constituencies by the Government of India may provide for the representation of the minorities, I hope that the fundamental point will be borne that the responsibility of getting the minorities elected to the Legislatures does not any longer rest upon the shoulders of the minorities themselves but it passed on and now rests on the shoulders of the majority community and of the Congress. Therefore, I appeal of the Congress and to the Government of India to see that these minorities are fully represented in the future Legislatures.

"Much has been said about single member constituencies and multi-member constituencies. Regarding multi-member constituencies there is only a small fraction of the minorities in every constituency that may be delimited and I do not know whether it will be possible for the minority community to get elected, just because it will be a multi-member constituency. I hope that the Government will see to it that some method is devised and all methods provided for by the Constitution either of nomination or election by the Assembly will be exploited in order to see that the minorities are fully represented.

"To-day I have read with keen interest the speech of an elder and prominent Member of the Council delivered yesterday. He has referred to adult franchise and talked about it in a spirit of fear. I can tell him that Carlyle also feared democracy and adult franchise. He called democracy in those days as the high-way to anarchy and the bottomless pit. But poor Carlyle could not help accepting it as the shooting Niagara. I want to tell my conservative friends that the society in which we are living to-day is not the old society with its old relationship and old terms. We are living in a new society with new relationships. From the

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dawn of man, from the dawn of history, the growth of society has been due to the motion of mankind. Because of motion, mankind has been growing from one phase to another phase. Civilizations arose because of these motions. Without motion there is no life. What is that motion? There was motion when the system responded to the challenges that were offered at that particular time by the problems of the situation obtaining in that particular age. Civilization fell because it miserably failed to respond to the challenges of the day. We are at a period of movement in the history of society when the common man occupies the central position in society. There is no literature, art, no science without this common man. All the attention of scientists, politicians and doctors is concentrated upon the amelioration of the common man. Therefore, if any constitution or society or structure fails to take note of this central factor, I can say that that is bound to fail. Our constitution has tried to respond to the call of the common man and the democratic form of administration has been provided for. The question of delimitation of constituencies and the conduct of elections is only a means to an end and it is not an end in itself. It is a means to achieving democracy. The essence of democracy is not the existence of political parties or the Cabinet form of Government. These are all means to the ideal of democracy which has still to be achieved. The essence of democracy is the effective participation of the individual, of the common man in the everyday Government of the country. And to-day Government is not a metaphysical or philosophical affair but is concerned with the requirements and needs of the people. And I can say that the common man knows much better about his conditions, his needs like clothing, his food, his health and sanitation than intellectuals and philosophers, however eminent they may be."

2-45
p.m.

SRI K. KOTI REDDI :—" Madam, Deputy Speaker. I would like to confine myself to the conduct of elections, before I deal with the delimitation of constituencies. Sometime ago, before the communist party went underground, I had occasion to speak to one of them. I questioned him why should it be necessary for the communist party to resort to violence now that we have adult franchise, and why should they not educate the electorate, i.e., the masses for whom the communist party is expressing its sympathy. I told him that the majority of the people being poor for whom they express greater solicitude than according to them, the Congress party, why should they think of resorting to violence in order to attain their political ends, viz., formation of a Government for the purpose of helping the masses. He told me, 'No doubt it is so. We have adult franchise now. It is true that the majority of the people are very poor and we care for the poor man much better than the Congress or any other party. But we are very poor. The communist party candidates are very poor and they may not be able to spend a large sum of money. There are very rich candidates who stand for

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election, in the Congress as well as other parties. Those people can easily buy votes from the voters and we may not have much chance of getting any vote.' It seems to me that the fear expressed by him is not altogether unjustified. In this country, the majority of the people are really very poor and most of them are illiterates. Unless we devise a system by which the freedom of voting is guaranteed almost hundred per cent and by which the electorate could be educated politically to their sense of right and wrong to judge what they may consider to be the best form of Government and which would help them in ameliorating their conditions, there may not be free and impartial elections without resort to violence ultimately, by some party or other. It is on that ground, Madam, I have to state that if ever I postulate a time in this country when the resort to violence in order to attain such political ends is not necessary, it is only when we devise a system by which the ordinary voter, the common man could vote freely without being influenced by any other consideration except his own interest. In that connection, I was one of those who fought very vehemently, if not enthusiastically for the coloured box. I felt happy when this coloured box system was devised for elections. But unhappily, my own experience of these coloured boxes for some time is not very satisfactory. I find many loopholes in that system. I would really like to see the Government authorities concerned to devise a system by which the voter can vote more freely. I will describe to you, Madam, what I have actually experienced in the case of the coloured box system. It was already mentioned that in many cases the ballot papers were not deposited in the box then and there. All the ballot papers were collected and given to a gentleman in whom the candidate has trust and confidence and when this gentleman in his turn goes to the polling booth, he is asked to plump all these ballot papers into the box intended for the candidate, by whom he was deputed. Unhappily even to-day there are communities and men in this country who are very influential and who could influence the voters. When such is the case, it is very easy for such people to detect and see for whom exactly voters have voted. That is one thing. There is a greater danger. When there are many coloured boxes and when there is a very keen contest between one candidate and another, if a number of boxes were kept in the polling booth, it will be very easy to find out whether the majority of, if not practically all the voters have voted for a particular candidate or not. It will also be easy to find out whether in particular polling booth whether the Congress candidate has got a large number of votes, or the candidate belonging to some other party, say, Justice party, Socialist party or any other party, has got the majority of votes. In a small village, I mean in rural areas, as they are to-day, where there is very keen contest between one candidate and another, I am sure such influences will play a very large part in influencing the voters. Recently, in one of the district board elections, one candidate was opposing a District

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Board congress candidate. The Congress candidate was likely to get a large number of votes in a particular polling station. When the other candidate who was an independent candidate came to know of this, he began to threaten the voters. He approached them and said, 'Well, look here. I can find out to whom you have voted. I have already posted my men to check this and report to me. So, do not think that it is difficult for me to find out whether you have voted for me or for the Congress candidate. So beware.' Do you know what the result was? The whole village which originally intended to vote for the Congress candidate and which had also promised to that effect, fearing the independent candidate voted *en masse* in favour of the independent candidate. This sort of thing is likely to happen elsewhere in future, especially when you have small constituencies and when the contest between one party and another is very keen. I am sure that this idea of having a number of boxes in the polling booth is bound to lead to this difficulty and the voters will not have freedom to vote for a candidate whom they would like to vote for ordinarily. These are some of the very serious difficulties which we have to meet somehow or other. The only way by which these difficulties could be met is to go back to the old system of having ballot paper and one box. (Voices: 'What about the many illiterate people?') I am coming to that point. It is because of the fact that the vast numbers of our people are illiterates, I was very keen to have the coloured box system. But, after having found its difficulties, I would like to go back to the old system, but of course, in a way which would certainly guarantee freedom and secrecy of voting. Then again we will have to come to the ballot paper. I do not think the rural voter is so ignorant that he cannot possibly mark the ballot paper in a way which would be practically helpful. You give the ballot paper to him with some sort of signs, say some figures or something like that in the ballot paper, as against the names. This was found to be quite feasible in some places. This was tried once in the Bombay Corporation elections. Unhappily, they used signs representing asses and elephants. These did not prove successful as this method was not liked by some. I would rather suggest some other way. You introduce some photographs. It is desirable to have photographs even at the cost of the candidate concerned. This photo may be affixed as against the candidate's name and the voter can easily mark against the candidate to whom he wishes to vote. You may ask whether the voters will know the person. It is not necessary that they should know the candidate. I can give you a personal instance. In 1926, myself and another gentleman contested the congress elections, as against other candidates. We published some pamphlets with my photograph and my colleague's photograph as against other candidates. Do you know what the voters did? They went to the polling booths and showed our photographs to the Polling Officer and told him that they wanted to vote for the gentlemen and in the photo. So we can easily and certainly educate the

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masses, especially in smaller constituencies as we are going to have single-member constituencies. I do not think that it would be very difficult to do this. If marking is not possible, I would suggest 3 p.m. another method which will be a little more complicated and a little more expensive. Let us have a number of chits in varying colours, each colour representing a particular candidate. The voter will take the particular chit which belongs to the candidate for whom he wants to vote, put it in an envelope, close it and then put the envelope into the ballot box. There are very many other methods by which voting can be done. But the simplest and the safest would be the marking of ballot paper. That will guarantee freedom of choice and will avoid all the troubles. Although it may not be a fool-proof method, yet the mistakes that might creep in will be minor and negligible. The mistakes will not be such as to discriminate between candidates. It will not favour one as against the other. The effect will be distributory. My time is up and I would like to refer to one other point before I close. It is an equally important point for consideration whether it is a single-member or plural-member constituency. Now we have adult franchise and we shall have a large number of voters on the list. It is absolutely necessary in the interests of the candidates as well as in the safe conduct of elections that corruption should be put an end to. Lot of expenditure results from corrupt practices. Nowadays we have only a large number of polling booths all located in one area so that people have to walk three miles and four miles to cast their votes. Of course, this centralization is thought of in order to preserve law and order and for bandobust purposes. But this leads to corruption on the part of the candidates. They engage cars and influence the voters. I, therefore, feel that, as another hon. Member has suggested, there should be a polling station for each village which has a population of about 400. It is no use increasing the number of booths in one area without increasing the number of polling stations. I would request the Hon. the Minister to bear these facts in mind at the appropriate time."

JANAB K. M. SEETHI:—"Madam, Deputy Speaker, I heartily support the amendment moved by the Leader of the Opposition asking for plural-member constituencies with at least five members with right of cumulative voting? While, Madam, the question has been viewed by members of different parties on grounds of expediency, on grounds of nationalism and in the interests of evolving real democratic principles to be observed in the conduct of elections whether it is in respect of a single-member constituency or a plural-member constituency—it was left to no member of the Congress Party which has been consistently standing for a nationalistic outlook to attribute any motives to the Mover of this amendment either on grounds of communalism or narrow-minded sectarianism except a very recent, new convert to that party in my hon. Friend, Mr. Wilson. I can understand the zeal of a new convert and that zeal was certainly evident

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in the sentiments he expressed. Madam, I repudiate with all the strength I possess the charge levelled by him and I would say that his whole approach to the question is absolutely faulty and the mode of argument which he adopted would help nobody. His remarks would appear to question the very legitimacy of birth."

THE DEPUTY SPEAKER:—"I do not understand what the hon. Member means by referring to the legitimacy of one's birth."

JANAB K. M. SEETHI:—"I mean when Mr. Wilson questions the legitimacy of having separate electorates and communal electorates, it does not lie in his mouth to say that he could come into this Assembly only through a separate electorate. This is why I had to bring in the question of legitimacy of birth of a Member of this House. In fact, this is not the time for him to question the legitimacy of preserving separate electorates. When separate constituencies were agitated for, it was not the Muslims alone but the Christians also that agitated. At least I hope Mr. Wilson would own that he belongs to that community. That community was equally vehement to ask for separate electorates and it was as a result of the combined efforts of all minorities that they were granted. After enjoying these special rights, after coming into this House on a ticket issued on the basis of separate electorates for him to cross the floor and talk as a protestant and a vehement opposer of separate electorates is really an instance of a terrible irony of fate and I cannot really understand the mentality of the hon. Member in having expressed such sentiments. In fact, it has not to be viewed from that angle of vision and the Leader of the Opposition has not viewed it from that angle of vision. There has been discussion over this matter and nobody has approached it from that angle of vision from which Mr. Wilson has been dealing with . . ."

MR. T. J. M. WILSON:—"I am sorry my hon. Friend has not followed my speech . . ."

JANAB K. M. SEETHI:—"I confess my inability to follow the speech of the hon. Member."

MR. T. J. M. WILSON:—"On a point of personal explanation. I have never referred to the amendment of the Leader of the Opposition which refers to plural-member constituencies. I only referred to the remarks made yesterday by him regarding separate electorates and I want my hon. Member to be very clear about it."

JANAB K. M. SEETHI:—"It was absolutely irrelevant for him to make that reference while we are on the amendment pertaining to plural-member constituencies. All the same, there is absolutely no justification whatsoever for his making even those irrelevant remarks. The question of plural-member constituencies and single-member constituencies has been considered by very eminent persons, more eminent at any rate than my hon. Friend."

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Mr. Wilson, and some of them happen to be men who occupy places in the higher councils of the Government of India like Dr. Ambedkar . . ."

SRI T. S. PATTABHIRAMAN:—"What are his views now?"

JANAB K. M. SEETHI:—"I refuse to answer you. Dr. Ambedkar who is the Minister for Law in the Central Government happened to be one of the eminent members of the Franchise Committee and that Committee unanimously adopted the recommendation of plural-member constituencies with cumulative voting. For persons like us to dub this as communal and to cry down such demands is indeed a matter for deprecation and condemnation on the part of all right-minded persons. In fact, the point is this. When joint electorate has been adopted by the constitution it is up to us to make provision for the safeguarding and protection of minorities' interests. Even my hon. Friend, Mr. Wilson, a nationalist, great nationalist as he is, has said that minorities have certainly to be taken into account and he appealed to the Government that in future elections minorities' rights should be fully safeguarded. That is, Madam, blowing hot and cold. When we cannot countenance hereafter minorities in this country, when the word itself is taboo and when the Government are under no statutory obligation to help the minorities, he assumes responsibility to the minorities suddenly in his sub-conscious state by a whisper of conscience. Mr. Wilson originally belonged to the Independent Party, later on he became a member of the People's Party and recently now he has crossed the floor and joined the Congress Party and I cannot consider the views expressed by such a member as of such vital importance. If the views had come from a member of the Congress Party who has been as such up to this time, I would examine them. On this point, it is not only the Leader of the Opposition that honestly shares the view that multi-member constituencies with a right of cumulative voting alone will ensure a fair representation of the minorities in this country but non-members of the Muslim League Party and also non-Muslim gentlemen of eminent attainments and sound knowledge of constitutional law have pleaded for them. One of the members of the Franchise Committee who belonged to this State—no less a person than Sir A. Ramaswami Mudaliar, a man of great eminence—subscribed the view that multi-member constituencies with cumulative voting should be the arrangement while delimitation takes place. Dr. Ambedkar was another member who was of the same view and it was the unanimous recommendation of the Franchise Committee under the chairmanship of the late Lord Lothian that multi-member constituencies should be there. And to decry this recommendation and to pooh-poo it, is the height of ignorance and a little bit of insolence also. On this question, the Leader of the Opposition gave cogent points and advanced very fair arguments and I do not want to add anything more to those remarks. In fact, there is little to be added. But one thing should be borne in mind. No

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democratic Government and no sane man will ever say that there cannot be minorities and their interests cannot be safeguarded whether they are based on religion or culture or on race or on the intellectual homogeneity of interests. There would be some sort of a minority to be protected. Why should we have a graduate constituency for election to the Council? Because it is a minority consisting of graduates which wants intellectual representation

THE HON. SRI B. GOPALA REDDI:—"Who is the intellectual majority?"

JANAB K. M. SEETHI:—"The difficulty to-day is there is no intellectual majority in this country. If there is one there would be no trouble. (Laughter.) There will be no quarrel between the minorities and the majority. If the majority party had only been sympathetic in its dealings with the minorities, there would not have been so much bitterness or difference of opinion between them in the country. The majority should be sufficiently reasonable in its dealings. When we demarcate certain constituencies, we recognize that the level of attainment of the people there needs to be raised and hence separate representation is called for. Whether it is a question of fixing educational qualifications for the voters or fixing some other qualifications, there is bound to be some sort of separatism. Certain groups are permitted to be represented because their interests also need to be safeguarded in the body politic. Their voice should be heard. Just as we have provided that graduates constitute a separate class in the matter of election to the Council, there should be provision for similar groups of people also irrespective of their party or communal labels.

"When plural-member constituencies with the right of cumulative voting is provided, there will be provision for the minorities to return their representatives. It will be open to them to exercise their votes in favour of members who belong to such interests. It will be open to them to give all their votes in favour of particular candidates or distribute their votes to all the candidates. It will be open to a Muslim not to vote for a Muslim candidate but to concentrate all his votes on non-Muslim candidates. This cumulative voting will give the widest choice to the voter. It is a very, very broad and liberal arrangement by which the voter will be enabled to exercise his vote as he pleases. It is a definite and distinct improvement upon the single-member constituencies which are envisaged in the resolution moved by the Hon. the Leader of the House."

SRI N. S. VARADACHARI:—"Madam, Deputy Speaker, it is just possible for hon. Members to take a slightly different view from that of the Government in this matter. But in the general outlines, I am not very much at variance with the Government's resolution. But wherever I feel bound to express a slightly different opinion, I shall certainly follow it up by what appear to me to be convincing reasons,

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"Madam, we are going to have our elections, they say, next year. It is a very big experiment in democracy. Ten or fifteen times, the electorate that ever was in this country is being called upon to register its verdict on policies which may be laid before them by different parties in this country. I may say here, when I refer to minorities, I do not use that word in the context in which it has often appeared in this debate. I envisage political minorities and not communal minorities. The sooner we rid ourselves of communal minorities the better for this country. For instance, what has a Muslim landlord in common with a Muslim tenant? Their relations must be at variance at least in some respects. Similarly, what is it that binds the whole of the Hindu community or for that matter, the Christian community? It is a very artificial division that we have before us. But it exists in this country because of want of sufficient political education. Vast masses of the people are about to be enfranchised, with what I call, varying degrees of political education in the country. Subversive elements which seek to re-establish violence from corner to corner preach all sorts of doctrines and we, not knowing which way sound policies lie, begin to harp on communal politics, as if it was the only sheet anchor of Government. This is the dilemma with which we are faced. What then is the solution? On the one side we find the masses insufficiently experienced and insufficiently educated in political matters and on the other side we find a lack of definite political opinions even from well-established political parties. As for myself, I have often held that even we, the most advanced party in this country, have not got definite policies on many matters. It is better to have clear-cut policies for instance, in respect of land which will form an important issue or one of the major issues for future elections, though it may not be so in the coming general elections.

"Now having said this, let me come to the question of single versus plural-member constituencies. There are urban areas and rural areas. There is election to the House of the people at the centre and there is election to the State Legislature in the States. The electorate for the House of the people may be sufficiently large and may cover perhaps one lakh or two lakhs of voters. (The Hon. Sri B. Gopala Reddi: 'It will be three lakhs.') I put it roughly on the basis that the adult population is half the total population for each electorate. It may be less than half in some areas and you will get this three lakhs. In some other areas you will get 2½ lakhs. Even then, I do not mind single-member constituencies. Single-member constituencies for towns and urban areas may not work much harm, because in the urban areas, the majority and the minority and the sub-minorities are all thrown together. You find all communities here. In fact, it is very mixed electorate that we have in urban areas, not only in Madras City, but in all the cities all over the Indian Republic. In the rural areas, the story is very different. If you have single-member constituencies, I do not object to that as a rule. But let us make small deviations which I would suggest. If we have single-member constituencies

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in all rural areas, what happens? Two facts cannot be denied. If two or three firkas will constitute one single-member constituency in a State, it is just possible that the local issue agitating the minds of the people therein may well get predominance over the major political issues. I do not know if the Government have paid attention to this fact."

THE HON. SRI B. GOPALA REDDI :—" Does it not happen in urban areas? "

SRI N. S. VARADACHARI :—" In urban areas, there is a splash of all sorts of opinion. It is better educated, politically and otherwise. But in rural areas where education is so little and where local issues are bound to have predominance in some measure or other, it is very difficult to get proper representation by single-member constituencies. I do not object to it as a whole. Therefore, why not make at least some of these into plural-member constituencies? There is another advantage you get. In a plural-member constituency, a member who represents a particular area must certainly achieve a certain amount of general popularity, not only in the immediate vicinity of his residence but over a fairly wide area. That is an important point to consider. I do not advocate cumulative voting in the first instance. I advocate distributive voting. The constituencies should be so designed as to secure for all the members who will represent the future democracy a certain amount of general popularity due not merely to local influence, but to a proper understanding of the political issues that will arise to be settled in the near future in this country. I do not propose to go into the matter in detail considering the time-limit set.

" Now, Madam, this is one way of giving representation to political minorities. I do not belong to any political minority. But I must envisage at some time or other the formation of definite political parties in this country based, not on religion, not on caste, not on considerations outside economic and political issues such as land policy, transport policy, educational policy and so on in this State and for the whole of India a policy which will decide the future of commerce, trade and defence, for example. If we want to have political parties ranged against each other but in a very friendly manner as they do in the British Parliament which seems to me to be the best democracy to-day in spite of its failings, we must experiment a little. Have single-member constituencies in urban areas. You are going to have two-member constituencies wherever reservations are made. Why not provide for a certain number of plural-member constituencies specially in areas where you have these minorities in existence? To-day, the minorities are only communal minorities, but 10 or 20 years hence, if the law of elections is properly worked and if the political parties in the country mean business and quick business, there should emerge at the end of the period clear-cut policies on which political parties can frame their election manifestos.

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" Madam, it is only then that you will be able to get a fair representation of all the opinion in the country. It is good for us to be strong and rule, but it would be better for us to rule and yet see the Opposition in front of us, who will represent not the same policy in varying measure, but a different policy which can appeal to the people at some time or other, when we have not done our duty by the country. If we have done our duty, it will be for them to co-operate with us and retract from the policies which they will urge upon the future House of Representatives. But if we have not done well, let us not feel the effects of frustration for immediately the other political party with a well-settled policy which is no way inferior to our own, will take the place of the existing Government. Then there will be freedom of thought, freedom of expression, freedom of association and inter-play of democratic forces. That is how I think parties work in England. I wish that we in this country follow that example, especially in view of the vast population and the pressing necessity to educate our people in political issues.

" Now, Madam, let me come to another point which is equally important. We should have all our elections on one day—for the Centre and for the States and in all parts. We should have a polling station in each village. That is the only way to prevent mass hysteria which may result in obstruction and confusion. The great danger that I foresee if you do not have a polling station in each village is that whole villages be marched from place to place and some people may, by some violent activity or underground activity, be voting at more than one place in the course of the day. If you tie down the people of the village to the village itself, then you will have quick voting and proper results and the removal of what I call mass hysteria which might be a real obstruction to free elections. I do not wish to say anything in regard to the colour box system, though I thought that symbols might be added to the colour box; but now that is outside the question. I have now only one more point to refer to before I finish. It is this: we must get the voters' lists published properly for each constituency, giving enough time for corrections to be made; but the corrections should not be made endlessly. There must be a definite time-limit, so that definitely, whether it is right or wrong, each candidate who desires to contest the elections, would get his sealed book, so to say, in time, and then he will go to the electorate, certain that no variations thereafter would be permitted."

JANAB H. S. HUSSAIN :—" Madam, Deputy Speaker . . . "

THE DEPUTY SPEAKER :—" Hereafter, each Member will be allowed only ten minutes."

JANAB H. S. HUSSAIN :—" Madam, Deputy Speaker, this is indeed a very important matter which we are discussing here to-day. I wish the Government had placed this question before this House long before to-day. Now, though it is too late in the day

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for us in any way to successfully influence the opinion of the Government who I understand have already committed themselves in advance by giving their considered views to the Centre and to the Election Commissioner at New Delhi, we are obliged to the Government for giving us this opportunity to express the views of the various sections of this House on an all-important matter like this.

"Madam, the whole question centres round the problem, as it were, of single-member constituencies or plural-member constituencies for the coming general elections in the country. The Congress party to-day is no doubt in power; but the Congress membership outside in the country is not as large as the population of the country itself. The Congress has ultimately to depend on the support of the thirty millions of people who are outside the Legislature and who will form the electorate. Therefore, Madam, when the Congress party that is in power to-day considers a question like this, especially the State Government which has been asked to express its opinion, they ought to have first come to this sovereign Legislature to seek its opinion before formulating their opinion and submitting it to the Central Government. That they have not done; anyway, this sovereign Legislature has been given an opportunity and it is going to express its views. At any rate, the various sections of the Opposition hold their own views in the matter and they will advance them in this House; and I hope the Government will, at least at this stage, revise their opinion in the light of the views expressed by the Opposition. I may also take it that the Opposition also represent the millions outside, as much as the Congress themselves. I would like the Government to bear that in mind. The Congress organization is good. I have got great admiration for that organization. The great leaders of the Congress have been saying that they must always help to develop a healthy opposition inside the Legislatures. Has the Congress party been doing that in actual practice? I do not see that in the present Legislature; but I do hope that at least in the future when new Legislatures come into existence, the Government of the State and the Government of the Indian Union will encourage non-Congressmen to get inside the Legislatures and form a very constitutional and parliamentary opposition, so that there may be in the future a shadow cabinet also. For that purpose, I would strongly urge that there should be in the present state of things, not single-member constituencies, but plural-member constituencies which alone would give an opportunity to all the people in the country who do not see eye to eye with the Government or with the party in power, to get inside the Legislatures and form a very healthy opposition. Even from this point of view, I would urge that the constituencies should be so composed as to contain two seats to represent each constituency in the Legislature of the State. If really it is the intention of the Congress party or the leaders of the Congress that there should be an opportunity for the representation of all sections of the people inside the Legislature and for the development of a healthy

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opposition and for the proper formation of a democratic form of Government to be carried on in the State, I believe a plural-member constituency is the remedy and the only remedy which would enable other parties to get into the Legislatures and function as a good and proper opposition. If the Congress is really—I mean to say the Congress party and the Government that belongs to that party and that is functioning in this State—sincere in its object to give an opportunity to all sections of the people outside, it must advocate the plural-member constituency for the States. It is really a pity, I may say is even regrettable, that our Government have already committed themselves in advance to particular views before coming to this Legislature to seek its approval. If the Government find it is not possible to have plural-member constituencies with cumulative voting, they can at least think of having plural-member constituencies with distributive voting to begin with, and if that sort of system of voting and representation in the Legislature does not satisfy the honest desire of the party in power to give opportunities to all sections of the people outside to get inside the Legislature and function as an opposition, then the party can say that the system which we on this side of the House are now advocating has failed. Madam, even according to the Leader of the House who moved this resolution, hitherto in our State we have been following the system of single-member constituencies except in a few cases here and there; but what is the result? Have you developed in the Legislature a healthy opposition on account of that system of representation? The Government will have to admit that they have not; the opposition is really weak and it is not able to function in such a manner as to give a proper shape to every measure that is brought before this House, including this resolution under discussion which should not be in the form in which the Government themselves want to have it. I would therefore suggest that if the Government are really honest, they ought to give opportunities to all sections of the people, the majority of whom are non-Congressmen, to enter the Legislatures through plural-member constituencies and by the distributive vote. Let us give this system a fair trial; and if this system of single-member constituencies has failed in the elections and if the other system also has failed, then the Government can very well come and say that as both the systems have failed, we must devise a third system. Therefore, Madam, there is no harm in having a change-over and trying a new method which would develop a healthy opposition. What is democracy after all? Democracy is not dictatorship, it is not Government of the Kremlin type. It must be of the parliamentary type like the one functioning in Westminster. We have been saying that that ought to be the type of Government here, and yet we are not having it; on the other hand, we are having something akin to the Kremlin type of Government—I may be excused for saying that—because we are not giving an opportunity for the opposition to develop. Apart from the question of safeguarding the interests of the minorities, on general principle I should say that we must have plural-member constituencies, if not with cumulative voting,

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at least with distributive voting to begin with. We must then see whether we have succeeded or failed. Whatever the interests of the minorities may be, I am sure the minorities will take care of themselves, the Government if they are honest and sincere in their professions that they are going to protect the minorities, should come forward and see that their interests and their representation are safeguarded in the Legislatures of the State."

SRI V. I. MUNISWAMI PILLAY:—"Madam, Deputy Speaker, the great political upheaval that has taken place in our country under the ægis of Mahatma Gandhi and the Indian National Congress, is a thing we must feel proud of; we must also feel proud that it has been possible to have a universal suffrage. Thereby, the under-dog, the common man, the agricultural labourer, all will have a say in choosing the representatives to this Assembly and to the House of the People. Madam, the Hon. Leader of the House in his opening speech has made clear the position about the Scheduled Castes. I do not wish to traverse all the points, as other friends have done, but I would like to confine myself to the positions as far as the Scheduled Castes are concerned. Madam, we welcome the idea of having plural-member constituencies with a member of the Scheduled Castes to be added to the general seats; we welcome it because this is a matter settled not now, but as far back as 1932 when the Poona Pact was settled, under the commandship of Mahatma Gandhi. Some of my friends were observing just now that Dr. Ambedkar welcomed the plural-member constituencies and also cumulative voting. This has been tooth and nail opposed not only by the representatives of the Scheduled Castes, but also by the leaders of the Hindu community in Poona. In our experience during the last two elections, the system of preliminary and final elections and then going to the general electorate has given a chance for the Harijans to mingle with the caste Hindus and thereby secure a seat for the Assembly. Madam, it has been made clear in the Constitution of India that reservation for the Scheduled Castes is to be only for ten years. I feel happy that this Government are recommending to the Government of India and to the Election Commissioner that this system should be adopted—I certainly welcome it. But when I see what the state of illiteracy in my community is and the several other disabilities under which they are suffering, I feel that unless the Government come to their rescue and grant protection to them in many ways, the vote so nobly given to the Harijans will not be utilized properly. Madam, it is well-known to several Members of this House that although we have been able to get several enactments passed, such as the Civil Disabilities Removal Act and the Temple Entry Act, still there are places in this State where the Harijan could not easily pass through the caste Hindu streets and more so in aghrahams. So, when a Harijan candidate seeks election and wants to see the voters in person, whether in the urban or in the rural areas, it is incumbent on his part to go to his voters himself and get canvassed. That being so, this disability will stand in his way.

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"Secondly, Madam, as I have pointed out, in some districts there have been evictions. Now that the voters' list has been prepared, each voter would have been shown against a particular electorate where he is now living. Now, some people have taken into their heads to see that these people are evicted from their places and they have to go to some other habitation and in such a case, I do not know what will be the position of the voters of those places. Probably, they will lose the chance of exercising their vote in the coming elections.

"Madam, these are the two points I wish to press upon the attention of the Government so that they may take note of them and see how far they can give protection to these communities.

"Apart from that, Madam, the ordinary man in the rural areas has not understood the real implications of the election and of his vote. One friend was observing this morning that the All-India Radio has not been doing its duty as it ought to. I think the Government must come forward and do something by way of propaganda either through the All-India Radio or by some other means, so that the common man in the rural areas may be given an insight into the implications of the forthcoming elections of 1951.

"In the matter of delimitation of constituencies and the choosing of electorates, I feel that the Schedule Tribes who might not get the required numerical strength in a particular electorate, must be clubbed with the Harijans wherever it is possible. In this respect, I have to bring to the notice of the Hon. Finance Minister the existence of Todas, Kurumbas, Pulayans, Irulas and others who are living in the Attapadi Valley and such other places, so that they may be given a chance of sending their representatives to the Assembly. For that purpose, their total number must be taken together and clubbed with the Scheduled Castes in Coimbatore and the Nilgiris, so that they may be given a chance of representation in the Assembly.

"Then, Madam, there was much talk about the colour-box. From our experience of the previous elections, I think, the colour-box has played a very important part and I welcome what has been suggested by the Hon. Leader of the House. We know the difficulty in having only one room with a few boxes placed before the election officer. What the Government have suggested now is, separate rooms for separate boxes. I think, it will go a long way to eliminate the difficulties which we have been experiencing.

"Now that the vote is to be secret and sacred, I welcome the elimination of the watcher. The watcher is supposed only to watch what is happening in the polling booth, but on many occasions he has come out and told what has happened during the voting. I think, the Government have rightly suggested the elimination of the watcher in the coming elections.

"Then, Madam, my hon. Friend, the Leader of the Opposition who is one of the greatest sympathisers of the Harijans has

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வில் ஸ்திரீகளுக்கு ஏராளமான இடம் கொடுக்கவேண்டுமென்று. உலகத் தினரின் சங்கியில் பேர்பாதி ஸ்திரீகள். ஆகையால் எந்தக் கருதியாயிருந்தாலும் ஸ்திரீகளுக்குத் தகுந்த முறையில், தகுந்த ஸ்தானங்கள் கொடுக்கவேண்டும். ஒட்டு வாங்கவிடவேண்டும். இதைக் காங்கிரஸ் முன்னணியிலிருந்து காண்பிக்கவேண்டுமென்பதாகக் கேட்டுக் கொள்ளுகிறேன்."

4 p.m. JANAB MUHAMMAD RAZA KHAN:—"Madam, Deputy Speaker, I am sure that the Hon. the Leader of the House might well be thinking that the issues raised in the amendment moved by the Leader of the Opposition are well worth considering; if he had a free mind and a free conception, he would think in those terms. I am sure he will not be carried away by the sentiment that simply because it was moved by a Muslim and the more so because he was a Leaguer, it is not worthy of consideration. In support of my argument, I will say that the Hindu which could not be accused of taking sides with Muslims and which is not communalistic also supported my idea and advocated plural member constituencies with cumulative voting. It is true that it suggested it for different purposes."

THE HON. SRI B. GOPALA REDDI:—"Did that paper mention about cumulative voting?"

JANAB MUHAMMAD RAZA KHAN:—"I shall refer the Leader of the House to the issue of the 29th July and the paper advocated cumulative voting but as I said for a different purpose. I shall make the position clear to the Hon. the Leader of the House as he has to give a lead in the matter. There is the representation of the religious minorities and there is the question of the representation of the political minorities. The Hindu in support of the idea that political minorities should have a place said that it would be in the interests of the party in power to adopt that course; instead of having 99 per cent of the seats which sometimes operates as a liability, it would be better if there are a few persons representing political minorities who could give the majority party advice and guidance. There is nothing wrong, whatever may be the difficulties that will have to be faced in working this system and it must be stupendous considering that they will have to work with a roll of 18 crores for the whole of India; there is nothing wrong as far as this House is concerned to say: We shall accept this proposition because it is only that method which would give representation to the political minorities. Madam, much has been said about religious minorities. Whatever may be prejudice of the party in power against us and though our views may not be acceptable to it, I feel there is nothing wrong as a member of the Muslim religious minority to say that the community may be given one or two representatives in the future political set up of the country. After all one or two like me, like Anwar Sahib or the Begum Sahiba are not going to be a source of trouble to you for our object is that we should voice the difficulties and disabilities of our community. That is what we have done and that is the opportunity we want in the future political set up also. Is it a crime to do it? Don't you think that 40 or 56 lakhs

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of Muslims have a right to be represented in this House? And if the Leader of the Opposition says that an opportunity to be returned to this House should be given to us, is it anything wrong? Do not attribute motives and say that this is motivated by communalism. I am proud to be called a communalist and a worst communalist if it is for pleading for my community. Do not say therefore that this is trying to come by the backdoor. The Hon. Mr. Gopala Reddi is actuated by very good motives, he says that we should act and think in terms of the broad conception of the secular state; India should not think in terms of community and they should think in terms of the State; the State and the country first and then everything else. I will only ask hon. Members to bear with me for a while and tell me whether they all feel in this way. I have seen in this House and particularly outside people do look at things in terms of section, sub-section or linguistic section. Some months ago I remember the Hon. Mr. Gopala Reddi said that it is not the Muslims alone who think in terms of community and section. Take the Brahmans; they think in terms of their community and that is why they support the decision on the communal G.O. What do the Non-Brahmans say: They say that they stand for supporting the communal G.O. Otherwise there is no point in saying as did Mr. Kosalram and Mr. Nayudu that they wanted it and members of the Scheduled Classes are no exception. I do not mean to say that it is anything wrong. Take Malabar and any one from there will say: Our interests first and everything else afterwards and the Andhras are vociferous also; take the case of Rayalaseema, the same is the case there also. Looking at the question of interests of sections, I am sure Mr. Gopala Reddi knows that he has done so much for his section."

THE HON. SRI B. GOPALA REDDI:—"Questions never arise like that nor are they settled on that footing."

JANAB MUHAMMAD RAZA KHAN:—"Either in the selections or in the High Court or in the Development Board, his hand is there and whether it is admitted or not, it is for the public to judge. I am not objecting to it; what I mean to say is that it is nothing wrong because he is there to represent interests and do not for doing the same thing condemn the Muslims. I do not know if, in what I am going to say, I shall have the approval of my party leader and whether he will agree with my views. If in the coming scheme of things no Muslim is returned to the Assembly, I shall not be sorry; I would not mind a Hindu or friends of the Congress party representing my case. I have got confidence in you and more confidence in you than in a dishonest Muslim who may dupe us and dupe you. My Hon. Friend Mr. Gopala Reddi or the Hon. Mr. Parameswaran or even for that matter my Harijan friend Mr. Nagappa can well represent not only the Hindus but also our interests. I will prefer them to a Muslim who may not represent the Muslims and who is not honest. My Hon. Friend Mr. Gopala Reddi made out his case for the single-member constituencies. He has

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bestowed much attention to this question and he has made a very careful study of it and he also knows the systems in England and America and he travelled throughout the world not physically but in an imaginative manner for parallels and precedents. But he has not grasped one point and that is that conditions in this country are quite different from conditions in other countries in the west. In the matter of literacy, in the matter of political consciousness, in the matter of subordinating self-interests to State interest, things are different and therefore, difficulties are there and Mr. Gopala Reddi himself has at the end let the cat out of the bag when he made an appeal to the majority communities to allow minorities to come in. Turning to them he said: Do not think in terms of minorities or in terms of sections and that appeal ought to have been: If Muslims want to come let them not come here as Muslims as Raza Khan, Majeed or Anwar; let them come as Indians on account of their intrinsic merit. We have to go and make our appeal to the constituency: Well, I have been in the House for the last seven years and do not think that I have been talking Muslim communalism; I have been working, far from that, for the good of the Province and the country; therefore, elect me. But let me tell the Hon. the Leader of the House and let him take it from me that we, Muslims, whatever may be the situation in which we may be in the future set up, we will not come on the sufferance of others and we will come on our own intrinsic merits as otherwise it is not worth coming. In this connexion, I would invite the attention of the Hon. the Leader of the House to the statement of G. B. Pant, the Premier of U.P.—I think he would have gone through it and he has made the position very clear. The position of Muslims in that State is that they form 22 to 23 per cent of the population and they have a greater political consciousness and awakening than anywhere else. He said that even in that province no Muslim in a single-member constituency if pitted against a Hindu will have practically any chance. I will make this appeal of him and that is: Let not the Leader of the House be carried away by sentiments and say that because this was moved by the Leader of the Opposition and supported by the Begum Saheba that he would not consider it. That is not the correct way; that is not the proper way."

THE HON. SRI B. GOPALA REDDI:—"You advocated restrictive voting?"

JANAB MUHAMMAD RAZA KHAN:—"I advocate multi-member constituency with cumulative voting."

SRI M. R. APPA RAO (Kumar Zamindar of Vuyyur):—"Madam, Deputy Speaker, democracy to be successful should be based on a free and equitable exercise of franchise by all adults; only then will we be able to say this is a government of the people by the people for the people. So, when we examine this question we must bear this definitely in mind. With this view, if you

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examine the single-member constituency and the multi-member constituency, I feel single-member constituencies are desirable. If we have single-member constituencies as proposed in the Resolution, we shall have 375 seats and that means we will have nearly the same number of constituencies. This is at the rate of one representative for 145,000 people, when the constitution allows us to select one representative for 75,000. Am I correct, Sir?"

THE HON. SRI B. GOPALA REDDI:—"Subject to the maximum strength being 375; it is a question of mathematics."

SRI M. R. APPA RAO (Kumar Zamindar of Vuyyur):—"In that case, Madam, I have not much to say upon that."

"Multi-member constituencies are big and it is argued that men with merit will come in multi-member constituencies. When the constituency is large, it is argued that men with wide knowledge will be elected and that they will have a chance in such constituencies. In a multi-member constituency, all the minorities will get their due proportion and each party will get about the same proportion of the members as there are voters for that party. If we want multi-member constituencies, we must also have proportional representation; then only multi-member constituency will be useful. In effect, we have to decide whether we should have multi-member constituencies with proportional representation or single-member constituency on the non-proportional system. The fear of those who oppose the single-member constituency is that if we have single-member constituency, the constituency will be small and local people who do not possess much wide knowledge and who take no other interest than in local matters, will be elected and another danger is they may sometimes not care for national interests as they may give predominance to local rather than to national interests. But if we examine the principle of multi-member and single-member constituency with reference to a country like ours, we cannot accept or adopt in toto what is in existence in other countries. For we find that most of the adult voters are illiterate and the majority of the voters are swayed by religious or caste opinions rather than on rational or economic grounds. So, I think single-member constituency with non-proportional representation is preferable. I shall give an illustration of how proportional representation worked from the Irish election held in 1927. The Cosgrave Party polled 3.02 per cent of the votes and obtained 27.7 per cent of seats, Fianna Fail polled 28.8 per cent of the votes and obtained 26.3 per cent of the seats, Labour polled 14.8 per cent of the votes and obtained 12.5 per cent of the seats, Independents polled 9.2 per cent of the votes and obtained 12.5 per cent of the seats, Farmers polled 7.2 per cent of votes and obtained 9.2 per cent of the seats, National League polled 5.2 per cent of the votes and obtained 7.2 per cent of the seats. Thus there is no exact proportion between the representatives and the voters, yet this gives very nearly the exact proportion. In an infant democracy like ours, where we do not have good experience or education, it is necessary to have a strong Government. Madam, the evils of

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proportional representation and multi-member constituencies are illustrated by the French Government, where the average life of a Government is not more than four or five months. Therein we see what defects and what difficulties there are in adopting such a system. (At this stage the Speaker occupied the Chair.) Where the constituencies are small like that of registered graduates or teachers constituency, where representation is for a secondary matter, which has not got with the dealing of powers it is not harmful to have proportional representation and multi-member constituencies. This we have in the Andhra University, where the constituencies are small. But when we come to the Assembly, there are many voters, as many as a lakh and fifty thousand voters. Moreover in the present conditions, it is the party which selects candidates. So they must take the calibre of the candidates they select. Moreover, in our constitution, there is no provision of residential qualification. That means any member may stand in any constituency. This will enable us to select good and efficient people to the Assembly. So, under these circumstances, there is not much force in the argument against single-member constituency.

"As to the system of voting, coloured box system is the best; because in an illiterate country like ours, colour alone can guide the illiterate voter. To expect a voter to go to the polling booth with pencil in hand is too much. Then, Sir, there must be ample provision to have very many polling booths. I think, five hundred to six hundred voters would be a proper figure for a single booth. Then Sir, the distance involved in going to a booth should also be considered. I think the maximum distance which a voter could be expected to walk should not be more than two miles. In some of the district board elections in the Province of Madras, a voter had to go five to six miles to exercise his franchise. That means, most of the voters would not go to the polls. Sir, as my time is up I finish my speech."

THE HON. SRI B. GOPALA REDDI:—"Sir, we had a very useful discussion on the subject, though everybody, I think, is not a wiser for the discussion. Because, members put so many views on this matter, that one is likely to be more confused at the end of the discussion than get any new light on the subject, because the view-point must necessarily differ; and whatever conclusion is likely to be given on the subject will depend upon one's own outlook and what he wants. We have been trained to think in a particular groove for the last twenty or thirty years, and we are still persisting in thinking on those lines, and so we are unable to look forward to what is likely to happen, say, after ten years or even further still. Things are not likely to be static, as they are to-day; and they are likely to move very rapidly in a revolutionary manner in the course of the next ten years, and therefore we have to decide once for all, which will be of permanent value. We cannot tamper with the constituencies now and then and we cannot revise our opinion in the light of experience now and then. So we have to decide things one for all now, to-day,

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which will hold good for a long number of years. Therefore, whenever I see members speaking, I feel, they think they are in 1920, in 1930, or in 1940, or sometimes even remoter still. in 1916. But I want them to take to 1960 or 1970, when things would be very different from what they are to-day. The Muslim question is of course of paramount importance. One cannot leave crores of such people to be dissatisfied for all time to come. Just now, the average man is unable to liberate himself from what has happened in recent years. So there is no use of blaming him, and therefore we have to draw a curtain on what has happened all these years. Things are moving in a different manner now than previously. Previously, the delimitation question was of very great importance, because there were a large number of interests of sectional importance, the commerce constituency, the landholders constituency, the labour constituency and so on, and so the delimitation question had to be gone into because of various interests. But just now, it is system of rolling up of all those things; there is no urban constituency; there is no rural constituency, there is no women constituency. there is no labour constituency because there are not numerous interests to be reconciled. So the importance of the delimitation committee is gone. I can understand that in 1937, when it was a very difficult job for the Government to ensure labour representatives, commerce representatives and the various other interests to be represented in the legislature. Now we have rolled up all those sectional interests. We have wiped them out altogether; and everything is territorial constituency, and we have to get through those territorial constituencies alone to-day.

"The second thing is, what solicitude we have to the minorities. And who are the minorities (whether they are religious minorities or political minorities) that again is a big question which nobody can answer. Various authors have tried to examine this question; whether they are political minorities or religious minorities, and how they should be represented in the legislature. These are subjects discussed in various other countries, especially after the first World War, and that specially in the continental countries of Yugoslavia, Czechoslovakia and so on. So this question is not a new one though of course, we have our own peculiar problems also in our own country. Therefore, it resolves itself to this point—what emphasis one should lay on this subject. If you are really minority-minded, if you still persist in thinking in those terms as we were accustomed to in 1937, then Mr. Ismail's solution of cumulative vote in a multi-member constituency, is the only solution. I readily concede that. But I ask myself, whether I should continue to think in those terms. What happens in a multi-member constituency of four or five seats, if there is cumulative voting, is, that the constituency will be four or five times larger than now, the voters will be four or five times more, and probably there will be 15 or 16 candidates seeking election."

SRI M. P. GOVINDA MENON:—"The area also will be extended."

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THE HON. SRI B. GOPALA REDDI :—“ Yes, the area is extended, the polling stations are increased, the voting strength is extended, and there will be 15 or 16 candidates, each trying to canvass people on cumulative vote. Then, what happens is, a Muslim would go to a Muslim voter and say, ‘ I wish to be your representative, I have been in the League, I have worked for your cause before and I shall do so in the future also, I have worked for your local school, and so I desire your support, so please plump all your votes to me.’ Similarly a Harijan candidate will do the same. In a big constituency, it is rather difficult for people to go about; and yet people will actually go on this slogan. They would not put their political or economic issue; they will put only their sectional interest, his own caste or sub-caste interests, or whatever it is and try to get all the four or five votes.”

AN HON. MEMBER :—“ What about his party ? ”

THE HON. SRI B. GOPALA REDDI :—“ The party will be secondary. My own fear is, political issues become secondary issues, because the candidate appeals in his own caste or in his own religion, and he will try to canvass support in that way only, leaving alone political issues.”

JANAB M. MUHAMMAD ISMAIL :—“ Sir, this question will come in only when the party in power, which will be only the majority party, is not sympathetic towards the minorities. Otherwise, the party, if they have got any strength, any influence in the constituencies, will hold the ground.”

THE HON. SRI B. GOPALA REDDI :—“ Whatever it is, from my own understanding of the country, not necessarily Muslims, but the people in general, go to the voter and say to him, ‘ I am the only candidate out of the fifteen or sixteen candidates who belong to your religion or caste, and I want your support irrespective of the political issue.’ The vision of the average voter is blurred by sectarian influence or religious influence. He asks himself, ‘ Shall I give my vote to the candidate who belongs to my religion ’ and he answers himself in the affirmative. There again the political issue becomes secondary. Suppose it is a Prohibition affair. He will ask himself, ‘ Shall I vote for one who stands for Prohibition, for strict enforcement of Prohibition, or shall I vote for the man who belongs to my community who is a distant relation of mine? Our community is not represented in the legislature and so, even though he is against Prohibition I shall vote for him.’ So for the time being, that issue will be forgotten, and it will take a secondary place, and the issue of religious ticket only will be placed on the forefront. That is the danger I am looking forward; and I want to avoid that danger, because our Constitution makers, after much reflection, have taken certain decisions, and it is not for us to go behind them, and try to undo them. In fact, they have discussed these questions of separate electorate, weightage to minorities and so on, and after prolonged discussion and careful consideration have concluded that the question of minority did not exist at all,

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because in democratically functioning government, the government recognized no minority as it were for the time being for political minorities and religious minorities and other minorities—all of them can be returned to Parliament, if they have the support of the people. Simply because a man or a group of men happen to hold a different view, political or religious or otherwise, it does not mean they should get a representation in Parliament. If that principle were to be adopted, then Parliament will be a veritable museum of oddities rather than a living organism of the people. There may be organizations, cultural, political or economic leagues and so on which may be holding very violent or revolutionary views. All of them will have to canvass the support of the people if they want representation. I do not think the politicians will be able to devise a machinery by which every little shade of opinion can be represented in Parliament. More than the Parliament, there is the country. The country is much bigger than the Parliament. I want the candidates to go to the people, get their support and then think of Parliament. Let us not minimise the value of the work done outside Parliament or attach undue importance to the work done inside Parliament. There are Members both in the Ministerialist Party and the Opposition who sometimes feel that they are unable to influence the decisions of the Government. Individuals do not count in a party. It is the ideology of the party and the support it gets from the people that count. There are many Members of the Congress Party who feel that they are not able to wield any great influence over the Government because each Member is only one in a big party of one hundred and sixty and odd members. Similarly, there are some Members of the Opposition who feel that the Government have a brute or road-roller majority with which they trample over the views and amendments of the Opposition and that the Government are obstinate and not amenable to their views. Some Members feel that sort of despondency. Let us not give way to that despondency. Individuals have their own value. More than that, political parties have got their own value. When a member of the Muslim League speaks, he speaks not in his individual capacity but with the full force of the party behind him. We need not think in terms of individuals. He who has the support of the people alone must go to the Parliament and the majority party has got the right to take charge of the administration. It must act as a sort of benevolent dictator—I am not quite happy about the expression—for a limited period. That is how the American President functions. He has got an irremovable executive, he is not responsible to the Legislature or Ministers, and he appoints ambassadors and controls the national, financial and other policies for a limited period of four years. He is a sort of dictator. Likewise, stable governments must function and they must have the freedom to do what is good to the people according to their own discretion. Of course, there must also be a strong Opposition to present the other side of the picture.

“ Are we going to think in terms of castes, communities and religions or are we going to forget all those things and think in

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brought forward an amendment suggesting multi-member constituency with a vote being reserved for the Scheduled Castes. However much he may say about its advantages, I am entirely opposed to the plural-member constituency and also cumulative voting. I know what has happened during the last elections. Even in the matter of the distributive vote, people tried to put together the votes meant for two candidates in one box. So, Madam, although the hon. Leader of the Opposition may be very sympathetic to the Harijans, yet, I am sorry, his amendment will not suit us."

SRIMATHI V. LAKSHMI AMMAL :—“உபதலைவி அவர்களே, தொகுதி நிர்ணய தீர்மானத்தை நிதி மந்திரி அவர்கள் பிளேரித்ததை நான் ஆமோதித்து இரண்டொரு வார்த்தைகள் சொல்லுகிறேன். இது பரிசுத்தம் நாம் அன்னியர்களுடைய ஆக்கமுறைப்படி, அவர்கள் வகுத்த தொகுதி முறைப்படி, அவர்கள் கொடுத்த ஒட்டுரிமைப்படி எலெக்ஷன் நடத்தி வந்தோம். ஆனால், இப்போது நமக்கு வரப்போகும் எலெக்ஷன் நம் முடைய ஜனங்களால், நமக்குத் தகுந்த முறையில், நமக்குச் சரியான முறையில் வகுக்கப்பட்டு நடத்த இருக்கிறோம். இது நமக்கு ஒரு பெரிய சோதனையாக இருக்கும். எந்த தேசத்திலும் சதந்திரம் அடைந்தவுடன் நூற்றுக்கு நூறு பேருக்கு ஒட்டுரிமை வழங்கினது கிடையாது. ஆனால் நம் முடைய தேசத்திலோ நூற்றுக்கு நூறு பேருக்கு ஒட்டுரிமை உண்டென்பதை வயது வந்தோர் யாவருக்கும் ஒட்டுரிமை உண்டென்பதை நாம் நிர்ணயித்து விட்டோம்.

“ஆனால் இப்போது ஒட்டர் லிஸ்டு தயாராகியிருக்கும் முறையில் 50 % வரைதான் ஒட்டர் லிஸ்டில் ஒட்டர்கள் பதிவு செய்து கொண்டிருப்பதாகத் தெரிகிறது. ஆனால் இன்னும் ஒட்டர்கள் பதிவு செய்து கொள்வதற்காக அவர்களுக்கு சாவகாசம் கொடுக்க வேண்டுமென்பதாக கேட்டுக்கொள்கிறேன். இன்னும் அவகாசமிருந்தால் இன்னும் அதிகம் பேர்கள் பதிவு செய்து கொள்வார்கள். கிராமங்களில் இருக்கின்றவர்கள் படிப்புக்காகவோ, உத்தியோகத்திற்காகவோ, இன்னும் மற்ற வியாபார விஷயங்களுக்காகவோ வெளியிலே சென்றிருக்கும் காலத்தில் ஒட்டர் லிஸ்டில் பதிவு செய்து கொள்வதற்கு அப்போது வீடு வீடாக வந்த காலத்தில் அவர்கள் இல்லாமல் இருந்திருக்கலாம். ஆகையால் அனேகம் பேர்கள் இப்போது கிப்பப்பட்டுக்கலாம். அவர்களெல்லாம் பதிவு செய்து கொள்வதற்கு ஏதாவது வழி செய்ய வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

“இப்போது ஒட்டர்கள் ஒட்டுப்போடுகின்ற முறையில் ரொம்ப சௌகரியமாக இருக்கும்படி சட்டம் செய்திருக்கின்றவர்கள் செய்திருக்கிறார்கள். இது பரிசுத்தம் ஒவ்வொரு ஜாதிக்கும், ஒவ்வொரு மதத்தினருக்கும், ஒவ்வொரு தொகுதிக்கும் தனித்தனியாக இன்னென்ன ஒட்டுக்கள் என்பதாக வெல்லாம் வகுக்கப்பட்டிருந்தது. இது நம்மைப்பிரித்தாலும் நோக்கத்துடன் நமக்குள்ளேயே பல சிடுக்கை உண்டாக்கும் நிலைமையில் வகுப்பட்டு. இதனால் நம்முடைய நாட்டிலே எத்தனையோ விதமான பேதமை, எத்தனையோ விதமான மனக்கசப்பு, எத்தனையோ விதமான சாதிக் சண்டைகள், தனக்கு, தன்னைச் சேர்ந்தவர்களுக்கு, தன் சாதிக்கு என் றெண்ணும் சுயநல மனப்பான்மை யெல்லாம் வளர்ந்தது. இது பரிசுத்தம் காரணமென்று நான் நிச்சயமாகச் சொல்லுவேன். நாம் அவைகளால் ரொம்பக் கஷ்டத்தை அடைந்துவிட்டோம். இனிமேல் நாம் ஒவ்வொரு ஜாதிகளென்றவது, ஒவ்வொரு மதத்தினருக்கென்றவது, ஒவ்வொரு தனி இனத்தவருக்கென்றவது தொகுதிகள் வகுக்காமல் இப்போது எந்தத் தொகுதியிலும், எந்த சாதியினரும், எந்த மதத்தினரும் நிற்க லாம். யார் வேண்டுமென்றாலும் மக்களின் அபிமானத்தை பூர்ணமாகப் பெற்று, ஒட்டர்களால் தேர்ந்தெடுக்கப்பட்டு வரலாமென்ற முறையில் இப்போது இந்தச் சட்டம் கொண்டுவரப்பட்டிருப்பது நாம் மிகவும்

[9th August 1950] [Srimathi V. Lakshmi Ammal]

போற்றத்தக்கது; வரவேற்கத்தக்கது. ஆனால் எனக்கு முன்னால் டல் முஸ்லிம் நண்பர்கள் ஒரு தொகுதியில் பல பேர்கள் நிற்கும் முறையை ஆதரித்துப் பேசியிருக்கிறார்கள். அதிலே நடை முறையில் செயலாற்றும் போது எத்தனையோ விதமான சங்கடங்கள் வருமென்பதை அவர்கள் அறியவேண்டும். ஒவ்வொரு தொகுதியிலும் பல பேர்கள் நிற்கலாமென்ப தால் எவ்வளவு சங்கடங்கள் வருமென்பது எங்களுக்குத் தெரியும். அந்த விதமான சங்கடங்களைப் போக்கவேண்டுமென்பதற்காகவே ஒவ்வொரு தொகுதிக்கும் ஒரு நபர் நிற்கவேண்டுமென்று ஏற்படுத்தி இருப்பதை நான்கள் எல்லோரும் போற்றுகிறோமென்பது நன்கு தெரியும். ஆகையால் நல்ல முறையில் நாம் ஒட்டர்களின் நல்லெண்ணத்தைப் பெற்று ஒட்டுகள் வாங்கிக்கொண்டு வரவேண்டுமென்ற தனி நபர் தொகுதியே மிகவும் பொருத்தமான தென்று தெரிகிறது.

“இப்போது ஸ்திரிகள் இருக்கிறார்கள். ஸ்திரிகளுக்குத் தனியாகத் தொகுதி கிடையாது. ஆனால் கஷியின் பேரில் தான் இனிமேல் எலக்ஷன் நடக்கவேண்டி இருக்கிறது. எந்தக் கஷியானாலும் நல்ல முறையில், நல்ல மனப்பான்மையில் அவர்கள் எலக்ஷன் நடத்த முன் வருவார்கள். ஸ்திரிகள் ஒவ்வொரு விதமான ஜாதிக்காரர்களுக்கும், ஒவ்வொரு விதமான மதத்தினர்களுக்கும் மனக் கசப்பு அன்னியில், சங்கடங்கள் அன்னியில் நாம் எலக்ஷனை நன்கு நடத்தலாம்.

“நம்முடைய ஒட்டர்களுக்கு தொகுதி ஒட்டுப் போடுவது புதிதான முறை ஒன்றுமில்லை. அனேகமாக இப்போது சின்னச் சின்ன கிராமத்திலும்கூட ஒட்டு என்றால் என்ன, ஒட்டு எப்படி போடவேண்டுமென்ற முறையையும் நன்கு தெரிந்துகொண்டிருக்கிறார்கள். படிப்பு இல்லாமல் போனாலும் ஒட்டுப் போடும் முறையை நன்கு அறிந்திருக்கிறார்கள். யார் யார் எப்படிப் பட்டவர்களென்பதை ஒட்டர்கள் நன்கு அறிந்து கொண்டுதான் ஒட்டுப் போடுகிறார்கள். ஆகையால் ஒட்டர்கள் ஒன்றும் தெரியாதவர்கள், பொதுப் படிப்பு இல்லாதவர்கள் என்பதாக நாம் நினைக்க வேண்டியதில்லை. எந்தத் தொகுதியிலும், தகுந்தவர்களைக் கஷிகள் பொறுக்கி எடுத்து நிறுத்தினால் அவர்களுக்கு நிச்சயமாக நல்ல முறையில் ஒட்டுப்போட முன் வருவார்கள்.

“கலர் பெட்டியைப் பற்றி ஒரு வார்த்தை. கலர் பெட்டிகளின்மேல் ஏதாவது ஒரு பிம்பம், குறிப்போடவா மென்பதாக, அனேகம் பெம்பர்களும், கனம் மெம்பர் செட்டி நாட்டு ராஜா அவர்களும் சொன்னார்கள். இன்னும் முஸ்லிம் நண்பர்களும் அதையே சொன்னார்கள். ஆனால் இது பரிசுத்தம் கலர் பெட்டியில் ஒட்டுப்போட நன்கு பழகிப்போன நமது ஒட்டர்களுக்கு வேறு விதமான முறையை புகுத்தாமல் இருந்தால் அது மிகவும் சௌகரியமாக இருக்கும். இப்போது கலர் பெட்டியில் ஒட்டுகள் போட நன்றாகப் பழகி விட்டார்கள். இன்னும் இதை வேறுவிதமாற்றி அமைப் போமெயானால் அதில் பலவிதமான சங்கடங்கள் ஏற்படலாம்.

“இதைத் தவிர எலக்ஷன் நடக்கின்ற காலங்களில் நம் அரசாங்கம் எவ்வளவோ ஜாக்கிரதையாக இருக்கவேண்டியிருக்கிறது. பாரபக்சி மன்னியில், எந்தக் கஷியானாலும் அவர்கள் அதிகரிமாகப் போகாத நிலைமையில் Law and Order-ஐ போலீஸ் பாதுகாப்பு வைத்து காப்பாற்றும் சர்க்கார் கடமைப்பட்டிருக்கிறார்கள். இந்த ஒட்டு முறையானது நமக்குப் புதிது. இது பரிசுத்தம் நடந்த மாதிரி இனிமேல் நடக்காது. இந்தப் புதிய முறைப்படி நாம் வெகு நன்றாக எலக்ஷன் நடத்திக் காணப்போ மானால், நம்முடைய நாட்டிலே படிப்பு அறிவு இல்லாமலிருந்தாலும் அவர்கள் எல்லாம் தெரிந்தவர்கள் என்று காண்பிக்க இது ஒரு சந்தர்ப்பம் என்பதை நான் தெரிவிக்கிறேன். ஆகையால் இப்போது வரப்போகும் எலக்ஷனில் சர்க்கார் பாதுகாப்பில் எல்லோருக்கும் ஜாக்கிரதையாக ஒரே விதமான பாரபக்சி மன்னியில் நடந்துகொள்ளவேண்டும். ஸ்திரி இருந்தபோதிலும் எல்லா ஜாதியினருக்கும், மதத்தினருக்கும், அவர்கள் தகுந்த களுக்கும், நல்ல பொதுவான நடு நிலைமையை வகுத்து அவர்கள் தகுந்த முறையில் எலக்ஷனில் வருவதற்கு சந்தர்ப்பம் கொடுக்கவேண்டும். ஜவஹர்லால் நேரு அவர்கள் சொல்லியிருக்கிறார்கள், ‘வருகின்ற எலக்ஷ

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terms of the people and how to solve their food problem, poverty problem, electricity problem and so on? If we had concentrated on these social problems, our discussions would have taken a different line altogether. If we want to continue in the old way, the system of multi-member constituencies with proportional representation and restrictive vote or cumulative vote is the best.

"In the delimitation of constituencies, we are not acting in a vacuum, we are not acting on our initiative. We have got clear instructions from the Government of India that our proposals must be based on single-member constituencies. In accordance with their directives, we have framed and forwarded our proposals.

"Objection was taken that we had not consulted this House earlier. Under the representation of Peoples Act, the Provincial Election Commissioner or the State Government do not come into the picture at all. Only the Election Commissioner of the Government of India and the President of the Republic ultimately decide the delimitation of constituencies. Begum Amiruddin says that it does not prevent us from eliciting opinion on the delimitation proposals. It does not prevent the Salem District Board or the Chingleput Municipal Council from expressing its opinion; it does not prevent the University from expressing its opinion. When we are not asked to give our opinion, it is better we keep silent. Discretion is the better part of valour. Let the authorities responsible for the job do it in the manner they think best. That was our position. It was not as if we did not want to consult the Legislature or that we wanted to keep the whole thing confidential. We expect the Central Election Commissioner to publish the proposals and invite public opinion. Then the Speaker's Committee will scrutinize the proposals. Finally they will be submitted to the Parliament for approval and then to the President. The State Government need not be unnecessarily criticized for not taking the Legislature into confidence.

"Further, I feel that actual delimitation is not a matter which can be discussed in a House of about 215 Members. How does it concern the whole House if Manamadurai is tacked on to Paramakudi taluk? When Mr. Mahboob Ali Baig is speaking about Krishna district, the Members of other districts may not care and they may conveniently go to sleep. They may not quite understand the arguments without a map of the area, population statistics and so on. They may feel that it is a waste of time to discuss the actual details in the House. One authority must do the work, or at best a small committee can go into the question. Delimitation of municipal wards is done by the Inspector of Municipal Councils and the proposals are not placed before the House for discussion. Whether elections should be on the basis of single-member or multi-member constituencies is a first-class issue on which Members are entitled to give their opinion which the State Government or the Central Government must consider. But the actual delimitation, I think, need not be placed before the House. We do not mind placing it before the House. I may invite the district Members of

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all parties and say: 'Here are proposals about your district. Please scrutinize them and give your agreed solution.' There is nothing wrong in doing so."

SRI M. P. GOVINDA MENON:—"Are we to take this as an undertaking given by the Hon. Minister to consult the district Members?"

THE HON. SRI B. GOPALA REDDI:—"It all depends upon the time at our disposal. From Press reports, we see that Mr. Sen, the Election Commissioner of the Government of India, will publish the proposals and invite public opinion. If we have time, certainly we shall place the proposals before the district Members. Let them sit in different rooms and give agreed proposals in a day or two which we shall send to the Central Election Commissioner who is the final authority.

"I was very glad when Mrs. Sankara Ayyar was speaking. She represents a solid example of how usefully a single-member constituency could work. In 1937, she stood on the Congress ticket in a general constituency and not in a constituency reserved for women. She is a Brahman lady. She was opposed by a most powerful Non-Brahman Mr. Eswaran Pillai, who was the leader of the Pillai community and an ex-President of the district board. Mrs. Sankara Ayyar was returned with a thumping majority. That is how political parties will be functioning ultimately. We have to look at the political ideology and not how many Muslims, Christians, Harijans, Reddis or Kammas there are. I was speaking at some length in the Council yesterday. I do not know what every one has done for his own community. Let Mr. Muhammad Ismail examine for himself and see what he has done for his community. Let me examine what I have done for the Reddi community. Let Mr. Madhava Menon examine what he has done for the Malayalee community. The contribution of every one to the welfare of his community will be a zero plus zero plus zero. (Interruption.) Mr. Madhava Menon feels that sometimes Ministership is a handicap to him, and that otherwise he might have been of more service to his community. When a selection grade post has to be filled up, he considers how motives will be imputed and feels hesitant to appoint an officer of his own community even though he happens to be senior and fully qualified. What is that we have done for our communities? There is an invisible power that is marching us ahead and taking us into the avalanche as it were. We feel we are doing something. But we are only small automatons in the Fala chakra that is whirling us through time and space. I do not know what Mr. N. M. R. Subbaraman has done for the Sourashtra community which is predominant in Mathurai. Has he been able to provide a reduced sales tax or more ration for the Sourashtra community? No. There are national interests and district interests like schools, hospitals, electricity, etc. I do not think there are Muslim interests or Christian interests. The Muslims may talk of a college for Muslims or about the non-provision of a hackney carriage to carry the Gosha ladies to the Hobart school. These are matters in which they should trust the majority. Hereafter we

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will be in a better position to look to their interests. When I go to Udayagiri, where the Muslims form 75 per cent of the population, I feel that I am not their representative and that there is Mr. Rafeeuddin Ahmad Ansari to safeguard their interests. Hereafter that will not be the case. I will have to canvass for the support of the Muslim voters there and they will be watching my work with thousand eyes. Therefore he who is returned in the election cannot belittle the importance of political or religious minorities. A Muslim Member from Malabar feels that he has no obligation to the Hindu community there. Hereafter he has to canvass the Nairs and the Thiyas for their votes.

4-45 p.m. "If anything happens in any taluk or in any district, certainly it will be brought to the notice of the Government by members of this House and the Government will certainly take action in the matter. If there is any religious issue, or any tragedy had taken place in any town or if people had died of starvation or hunger, or if there are any big issues on which the attention of the Government should be drawn, then certainly there are other forums like the press and the platform, by means of which they can ventilate their grievances. It is not necessary that they should be in the Assembly or in the Parliament to represent the grievances of the people in the country or make people happy. Perhaps it may be advantageous to themselves and their families if they are members of the Assembly, but I do not think their particular community will be happy because they are sitting under the fans in this Assembly Chambers. Looking individually at our work here, I think we are not doing much for the amelioration of our communities, nor is it possible for us to do any special good to our own communities on account of our position here. There are fundamental problems and grave political and economic issues in the country to which we must devote our attention. There is, for instance, poverty, starvation, the food problem, the housing problem, the health problem—all these are great problems which are staring at our face and which call for solution at our hands. We have to tackle these problems with all our energy and strength and devote all our time and attention to them. We will have to forget for the time being the interests of the particular community or the sub-community to which we belong and think in terms of the people as a whole or the country as a whole. Looking at our proposals from this point of view, I think single-member constituencies is the best for our State. It is easily manageable and we will have direct contact with the electorates and the electorates too will have personal touch with the candidates whom they have returned. The advantages and disadvantages of single-member constituencies and also of multi-member constituencies have been clearly dealt with in the Hammond Committee Report. At that time, the electorates were few and the constituencies were manageable. But now with the advent of adult suffrage, the whole thing has undergone a transformation, as it were. So far as I can see, hereafter, it will be clearly impossible for candidates to tickle to communal vanities or to appeal to communal sentiments or to put forward communal or sectional interests before the electorates and persuade them to vote for them.

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Those days are gone. Yesterday in the other House, my hon. Friend Mr. Govindacharyulu and I had a good deal of knock at each other on this question, because he was saying that we could gerrymander and manipulate constituencies in order to get our own communal candidate returned to the legislature. Leave alone the Hindus and Muslims and take the Hindu community alone. There we have got various communities and sub-communities, like the Kammas, Reddis, Telegas, Kapus, Gounders and the like. None of them, I can assure you, will be in the strongest majority in numbers in any single constituency, even though they might have a predominant and powerful voice in those constituencies. Take for instance the Dharapuram constituency where the Gounders have very large landed interests and have a powerful voice in that constituency. There too, I am sure, from the point of view of their numerical strength, they will not be more than 20 per cent of the total population. Similarly in Nellore where the Reddis predominate, they would not be more than 10 to 20 per cent of the population. Likewise in Guntur, which is a stronghold of Kammas, there would not be more than 25 per cent of Kammas in the whole of the population. Therefore no community in any constituency would have an absolute majority, so far as their number is concerned. It is only the other communities such as the Christians, the scheduled classes and the Harijans, etc., that form the major portion of the population and they will be about 80 per cent. Therefore, no candidate however powerful or rich or influential he may be, could appeal to communal sentiments or tickle communal vanities and secure a seat in the legislature with the votes of the members of his own community alone. With the advent of adult franchise, under the new Constitution, all these things have vanished into the thin air. During the period when we were working the Government of India Act of 1935 and also in the days of the Montagu-Chemsford Reforms, the electorates were very restricted and only people with vested interests and landholders had voted, and it was possible in those days for these communal leaders and men with vested interests and landholders could get into the legislative councils through their pocket-boroughs. But now, as I have said, it is all impossible and the candidates should go to the general population and put before them their programmes and policies and seek their votes on economic and political issues. They will have to go before Mr. Nagappa's community which constitutes about 50 per cent of the population and educate them and appeal to them to give their votes.

JANAB N. MUHAMMAD ANWAR :—"Then why the reservation for Mr. Nagappa's community?"

THE HON. SRI B. GOPALA REDDI :—"Because they are suffering from a great many handicaps through centuries of neglect and because they have the stigma of untouchability attached to them and because they have been backward both socially and economically. However, this reservation is to be in force only for the next ten years. That is only a short period, considering the generations they have suffered, and thereafter they will also have to come

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into line with the other communities. Therefore, Sir, I want that hereafter, unless a candidate gets the goodwill of the people as a whole, by his individual merit, and by his service to the country, there is no chance of his getting elected to the legislature. Appeal to communities and communal sentiments will not pay hereafter. Our Chief Minister who is a Kshatriya is perhaps an exception, for he has been elected in an entirely different area, by the people as a whole and not by the members of the Kshatriya community. Similarly, our other Ministers are here, not because they belong to any particular community, or returned by any one community, but because they are looking after the interests of all communities and of all people in this State.

"Sir, we have seen how elections had taken place for the Senate of our University. There, we have got no such thing as communal electorates or separate electorates. My hon. Friend Mr. Abdul Hameed Khan has the proud privilege of being returned to the Senate by the Madras Corporation, not surely on the communal ticket. Ninety per cent of the votes are Hindus and a powerful minority was opposing him in the Council. Because he was doing some very good work in the Corporation, the Corporation was pleased to return him to the Senate of the Madras University. Whether we are Hindus or Muslims, or whether we are Brahmins or Iyeddis or Kammas, we must be able to get the goodwill of the entire people of the country and should not go to the electorates with such labels and appeal to them to vote for, because we belong to their own community. Certain members are still clinging to their old ideas and old prejudices and are thinking in terms of communal and class interests. No doubt, prejudices die hard, but we must begin to open a new chapter and must think hereafter in terms of the country as a whole and secure the goodwill of the people by our service, by our merits and by our capacity for doing good to them. With the introduction of adult franchise, we have to make a different approach to the electorates and we must have to focus our attention on political and economic issues. Under circumstances, I think we will do well to accept the system of single-member constituencies, because it is a system which is easily manageable, it can be easily understood by the electorates and it will enable the candidates to concentrate their attention on political and economic issues. Even such a great and powerful country as America has adopted this system, for their elections, because of its advantages. People from all over the continent of Europe had settled themselves in America and there are also Negroes and the native population there, and so they have found that this was the only system that suited them best, and was in the best interests of that country. In Great Britain also, elections to the Mother of Parliament, which we have considered as our model and from which we copy our parliamentary procedure, are conducted on the basis of the single-member constituencies. Controversies were going on even in the House of Commons as to what system of elections suited that country best and at last they adopted this system as the most suitable and in the best interests of that country. So, America and Great Britain became very powerful nations only after they had adopted this method of

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elections. It is because of their strength and power that they were able to hold so many countries under their banner, but now they are withdrawing from those countries, on account of political and strategical reasons, and they do not regret it either. Whatever that be, I submit, Sir, that the system of single-member constituencies has its own advantage. Let us give it a trial and if it works satisfactorily, let us adopt it for all the time. If it does not work satisfactorily in our State, then of course, we are at perfect liberty to change over to some other system of elections that would suit us better. We have our representatives in the Indian Parliament and in the Central Government and they will not shut their eyes and blindly accept our proposals. They know what is best for every State and what is best for our country. They will consider what is good for religious minorities and what is good for other special interests and they will consider all aspects of the question and arrive at some conclusion. As it is, it is the view of this Government that this system is best suited for this State, because this has been tried in other countries and has proved to be good. We do not want to perpetuate communal hatred and communal prejudices by introducing multi-member constituencies. In the 1920 and 1923 elections, when communal constituencies were in vogue, I know how communal passions were roused by communal leaders who fought those elections on communal tickets. Let us not think of them now. Let us give this system a fair trial. After all, nothing is permanent. Even in England there are people now who think that some other system of elections should be devised because in the 1924 and 1929 elections in certain constituencies minority representatives had been returned, although the Liberal Party had secured the largest number of votes in those constituencies, and that they could secure only 14 seats for Parliament. There are still reforms of electoral laws, not only in England, but in other countries as well, who think that the system of elections should be constantly changed to suit the changing attitude of the people and the changing needs of the times. In the pre-Hitler days, Germany had a nice system of elections, which perhaps, would suit the formula suggested by my hon. Friend Mr. Ismail. For every 60,000 people, one representative was elected for the German Parliament, irrespective of the population in each constituency. The names of the candidates were not given out, but were kept in a sealed packet and voters were asked to elect the parties which contested the elections. As soon as the election results were announced and the seats declared, the candidate's name was disclosed and these people represented those constituencies. There the candidate's name was not known until the results are announced, but only the party which contested the elections. That is the best way of giving representation to political minorities and I am sure, my hon. Friend, Mr. Ismail, would welcome such a method. It was tried during the pre-Hitler days in Germany and it worked very well. But after Hitler came into power, it was abolished and the dictatorial regime began and elections then became a farce. In our province too, we have been accustomed to the method of single-member constituencies from 1937. Fortunately or unfortunately two elections have been held

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under that system. As I said, it is the simplest way of conducting elections and the simplest way of educating the electorates. We do not expect much difficulty over the distributive voting, because in a single-member constituency we do not expect more than two or three candidates contesting the elections. We can also have the colour box system because that is also well known to the people.

"Sir, I have nothing more to say by way of reply to the debate, except that I am really glad that hon. Members have bestowed great thoughts over this subject and tried to place their views quite frankly and clearly before the House on those systems of elections which they favoured. Now, Sir, there are various communities in this Province and there are representatives of those communities in this House also. Let us ask them to look at their record of their work for their community and how much they have improved the lot of their community individually. I do not really think, Sir, that their communities would have very much improved because of their representation in this House. My hon. Friend, Mr. Ismail, or any of those who supported his amendment, if they look back into the record of their work in this House, I am sure, they would not have done much to better the lot of their community by their individual efforts in this House. I do not find fault with them because they have moved and supported the amendment. They have every right and every justification to press their amendments, and press forward their claims. There is nothing wrong about it. There is nothing wrong also on their part to press the claims of their community. But at the same time, I admit that nobody comes into public life merely for selfish ends or selfish advancement or personal gain. There is some urge within ourselves that prompts us to come forward and take up public work. There is certainly personal inconvenience and personal sufferings and personal sacrifice in public life. Otherwise they can conveniently remain in their houses in solitude thinking nothing but themselves and their families. Even for standing as candidates for elections, there must be some inner urge for public service. Public life is a costly job and people who contest elections and want to do public service must be willing to sacrifice their money and personal comfort, and must at the same time be prepared to face public criticism and sometimes public odium also. I am thankful to all the members who have taken part in these discussions and for their valuable suggestions. They have expressed various opinions on the various methods of elections. It is impossible to assert that any particular system is absolutely good or absolutely bad. For my part, I do not claim that the single-member constituencies is the last word on election matters. But because we have been working it from 1937, I think we can safely adopt this for the next elections also.

"Sir, it appears to me rather curious that when I was going through a debate that took place in 1936 on this subject, certain members who are now in favour of single-member constituencies had voted against it at the division that took place at the end of the debate. The debate took place in the Legislative Council on 11th March 1936 and my hon. Friend Mr. Ismail will be curious

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to know that the Congress Party which had then only six members at that time under the leadership of Mr. C. R. Reddi tabled a resolution strongly urging for multi-member constituencies.

"The Justice Party in spite of the Hammond Committee's report thought that in small constituencies their potentates, being powerful, could manage single-member constituencies. Therefore, they voted for the single-member constituency, and they got it approved by the Parliament. In the 1937 elections, they were disillusioned. Their experience was very bad. I do not say that people should not change their views. They have every right to change their views in the light of experience. Mr. Muthiah Chettiar was one of those people who voted for single-member constituencies. I see his name in the division list. To-day he pleads for multi-member constituencies. Mr. A. B. Shetty was a Member then, and he voted for multi-member constituencies. Mr. V. M. Ramaswami Mudaliyar and Mr. V. I. Muniswami Pillay voted for multi-member constituencies. They have all now changed their opinion. They think now that single-member constituencies will be better. Perhaps I think people in power want single-member constituencies and the Opposition want multi-member constituencies. The Justice Party was then in power, and these people were in Opposition. People who were led by Dr. Subbarayan and Dr. C. R. Reddi voted for multi-member constituencies and the Justice Party voted for single-member constituencies, and they got it approved. The House divided on this motion as follows: Ayes 53 and Noes 24. The Noes 24 include Messrs. A. B. Shetty, V. M. Ramaswami Mudaliyar, and all those people who were in the Opposition. They pleaded for multi-member constituencies and the party in power wanted single-member constituencies. Perhaps we are now in power and, therefore, we want single-member constituencies and the Opposition want multi-member constituencies. (Interruption by Sri V. Raghavayya.) The same fate may overtake Congress men and the Congress Party. Nothing will surprise me if parties are reformed after ten years. Anything may happen in adult franchise. Because the voters are illiterate for the time being, they may be carried away by slogans and demagogues. I would not be surprised if there is a change. I must be prepared for the result that will ensure the ballot boxes in 1951. Therefore, I mean, for the time being, allowing this to have a fair chance. I do not know whether Mr. Ismail proposes to withdraw his amendment or to press his amendment. It is left to him. He may press it to a division. The whole proceedings will be sent to Mr. Sen in the Government of India. As I said, if Mr. Ismail wants to show to the Government of India that all the Muslim Members or so many Members of the Opposition are against this single-member constituencies, he may ask for a division. Or, if he wants to withdraw, he may withdraw his amendment. Whatever course he proposes to adopt, I am agreeable to his procedure. It is up to him to withdraw his amendment or to press it to a division. I leave it to him."

MR. SPEAKER:—"He is not pressing it to a division."

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THE HON. SRI B. GOPALA REDDI :—" He should be able to impress on the Government of India that they are all in favour of the multi-member constituencies."

JANAB M. MUHAMMAD ISMAIL :—" Sir, the reply of the Leader of the House, conciliatory and consoling as it was, is not convincing. I am sorry I have not got the right of reply. If I had one, I would have tried once again to show that how my proposal is intended in the real interests of the country. We stand for the interests, for the honour and for the advancement of the country as a whole. I would have once more attempted to show to him how this proposal of ours is conducive to attain that objective. But since the rules are what they are, I am not able to do so. I have to deny myself that privilege and pleasure of trying to convince the Leader of the House. In a way, Sir, as I stated, I am not convinced of the reply given. So, I am sorry I am not able to withdraw my amendment."

JANAB MUHAMMAD RAZA KHAN :—" We want a division, Sir."

MR. SPEAKER :—" If the hon. Member wants division, I have no objection."

" I now put Mr. Ismail's amendment to the vote of the House. The amendment is—

' Substitute for clause (1) of paragraph 1, under " Delimitation of Constituencies " the following :—

" (1) *Legislative Assembly of this State and the House of the People.*—The area of the whole State is to be divided into plural-member constituencies of not less than five members each and the voters be given the right of exercising cumulative voting provided that where a seat is reserved for Scheduled Castes or Scheduled Tribes one vote at least should be given in favour of the candidate of such a caste or tribe."

The amendment was put and lost.

MR. SPEAKER :—" The question is—

' That this Assembly requests the Government to convey to the Government of India the following as the recommendations of this Assembly in regard to the delimitation of constituencies of, and the conduct of elections to (a) the Legislature of this State and (b) the House of the People.

I. Delimitation of Constituencies.

(1) *Legislative Assembly of this State and the House of the People.*—Seats for Scheduled Castes and Scheduled Tribes should be reserved in plural-member constituencies with two seats each. One general and the other reserved for Scheduled Castes or Scheduled Tribes. All other constituencies should be single-member constituencies.

(2) *Legislative Council of this State.*—There should be not less than two seats in each constituency, with proportional representation with transferable vote.

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II. Conduct of Elections.

(1) The coloured box system should be adopted.

(2) The boxes for the General and Reserved seats in plural-member constituencies should be kept in separate compartments in each polling booth.

(3) Watchers need not be appointed."

The motion was carried.

MR. SPEAKER :—" Regarding to-morrow's work I wish to know what the Leader of the House has to say. Till what time shall we sit? Is it 8 o'clock or 9 o'clock?"

THE HON. SRI B. GOPALA REDDI :—" We will have a break of 15 minutes at 5 p.m. and then we will meet and sit till 8 o'clock."

MR. SPEAKER :—" Then we shall sit to-morrow till 8 o'clock with an interval of 15 minutes after 5 o'clock."

JANAB M. MUHAMMAD ISMAIL :—" Can we not have the debate on the next day also, Sir?"

MR. SPEAKER :—" If the Government are agreeable, I have no objection."

THE HON. SRI B. GOPALA REDDI :—" As long as the House wishes, we will sit to-morrow, 8 o'clock or 9 o'clock."

JANAB M. MUHAMMAD ISMAIL :—" We can sit as long as we like, but can we not sit on the next day also. This is a very important matter, and nothing will be lost by devoting another day for the debate."

THE HON. SRI B. GOPALA REDDI :—" May I request my hon. Friends not to repeat their arguments? After all they will only say that statutory rationing has failed, that we have not tackled the food problem satisfactorily, and in the districts people have been put to various difficulties. By talking more of food problem, they will not be doing more justice to the food problem. What I mean to say is that the poignancy of it will be lost by mere repetition. The pain, however, may not be alleviated."

JANAB M. MUHAMMAD ISMAIL :—" Sir, the Hon. the Leader of the House has no proper domestic experience. Supposing a child cries for one or two minutes, the mother takes it away. But if it goes on crying for a longer time—it is no doubt the same repetition and the same kind of noise. (Interruption.) But the impression and the effect of it is different. Hon. Members will therefore in various ways try to place before the Government the position of the people of the State, and how they feel about it. Repetition has got its purpose."

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involved in preparing a list of those posts together with the scales of pay will not be commensurate with any public interest that may be served.

(b) The answer is in the negative.

(c) The Government give no general recognition to any outside degree or diploma as equivalent to the qualifications prescribed in the Statutory Service Rules of the State. Whenever a candidate applies for appointment to a particular post or posts advertised by the Madras Public Service Commission or other selecting authority in the State, the question of recognizing the degree or diploma possessed by him as equivalent to the prescribed qualifications is considered on its merits by the Commission or as the case may be, by the concerned appointing authority."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask whether it is a fact that the B.Com. degree of the Andhra University has not been recognized for purposes of the Public Service Commission examination and, if so, why?"

THE HON. SRI B. GOPALA REDDI:—"I do not have the information in the file, Sir. But as far as I remember, it was recognized some time in 1939. For about three or four years it was not recognized and later on it was recognized."

SRI K. LINGA RAJU:—"May I enquire whether the B.L. degree of the Andhra University has been given the same position and privilege as the degrees of other Universities?"

MR. SPEAKER:—"This question is about the B.Com. degree. But if the Hon. Minister is prepared to answer, I have no objection."

SRI K. LINGA RAJU:—"The attention of the Government must have been drawn to the communication in the Press, Sir."

THE HON. SRI B. GOPALA REDDI:—"I saw the heading; I did not go through it."

MR. SPEAKER:—"The questions of Sri V. Raghavayya, viz., questions 32, 39 and 40, will be taken up to-morrow."

Shortage in cotton for textile work.

* 33 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government expect any shortage in cotton for textile work in this State;

(b) if so, what arrangements the Government have made to overcome the difficulty;

(c) the number of bales of cotton that is being consumed by the textile mills of our State.

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(d) the number of bales of cotton that is produced in this State;

(e) the number of bales that is consumed in hand-spinning;

(f) whether the Government have provided cotton for the hand-spinners; and

(g) if so, what arrangements have been made for them?

THE HON. SRI C. PERUMALSAMI REDDI:—" (a) to (g) The information is placed on the table."

SRI A. VEDARATNAM PILLAI:—"In view of the fact that the hand-spinning cottage industry is in some places suffering for want of cotton, may I know whether the Government have provided cotton for such cottage industries for individual spinners and if so, whom they have to approach?"

THE HON. SRI C. PERUMALSAMI REDDI:—"The answer is in clause (g)."

SRI S. NAGAPPA:—"In the answer to clause (a) of the question, it is said in the last portion that measures have been taken to step up the internal production of cotton in this State. May I know whether they are going to increase the number of acres or whether they are going to increase the production by means of intensive cultivation?"

THE HON. SRI C. PERUMALSAMI REDDI:—"Both by increasing the acreage and by intensive cultivation."

SRI S. NAGAPPA:—"Will not the increase in acreage decrease the food production in the State? Already the State is facing a deficit in rice. If crops like cotton and tobacco and other commercial crops are increased, will it not decrease the food production?"

THE HON. SRI C. PERUMALSAMI REDDI:—"Without affecting food production, the Government are taking measures to increase cotton production."

JANAB N. MUHAMMAD ANWAR:—"May I ask the Hon. Minister how far the Grow More Food Campaign has helped the growth of cotton cultivation in this State?"

SRI V. M. RAMASWAMI MUDALIYAR:—"Arising out of the answer to clause (d) that the average annual production for the last three years is nearly 4½ lakhs of bales and the estimated production for this year is 3 lakhs of bales with a gap of about 30 per cent, may I know what steps the Government have taken in this respect and whether they have got any statistics in their hands to show that the normal production is reached? May I also ask whether the attention of the Government has been invited to the fact that the ceiling prices of cotton fixed have no relation to the prices at which cotton is being sold in the market?"

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THE HON. SRI C. PERUMALSAMI REDDI :—" The deficit is met from the carry over of 188,000 bales."

SRI S. NAGAPPA :—" From the steps taken to step up production, can the Government give a categorical statement of figures by which the State will be self-sufficient so far as cotton is concerned?"

THE HON. SRI C. PERUMALSAMI REDDI :—" A separate question might be put."

SRI A. VEDARATNAM PILLAI :—" In the answer given by the Hon. Minister in clause (g) the price is not mentioned. May I know at what rate cotton is supplied to hand-spinners?"

THE HON. SRI C. PERUMALSAMI REDDI :—" I am not able to say off-hand the price of cotton. He can put a separate question."

JANAB M. S. ABDUL MAJID :—" Is it not a fact that due to want of cotton, spinning has gone down considerably in this State? Therefore, will the Government arrange for getting as much cotton as possible directly from the Textile Commissioner, Bombay, instead of asking individual mills to go to him and through recommendations of the State?"

THE HON. SRI C. PERUMALSAMI REDDI :—" Cotton must be imported from foreign countries. For that, application will have to be made to the Textile Commissioner, Bombay, for writing to the Government of India for importing cotton from foreign countries."

SRI N. M. R. SUBBARAMAN :—" May I know whether any subsidy is given to those mills which are supplied with foreign cotton?"

THE HON. SRI C. PERUMALSAMI REDDI :—" Subsidized foreign cotton is supplied to Spinning Mills only."

Compensation to the Madras Electric Supply Corporation.

* 34 Q.—JANAB MUHAMMAD RAZA KHAN (on behalf of Janab Mohamed Abdul Salam) : Will the Hon. Minister for Public Works be pleased to state—

(a) the amount of compensation still payable by the Government to the company in respect of their acquisition of the Madras Electric Supply Corporation; and

(b) whether it is a fact that there is a dispute over this amount between the company and the State Government?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) The final compensation to be paid to the Madras Electric Supply Corporation has not yet been settled."

" (b) Yes."

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Reduction in price of rice from the Uttar Pradesh Government.

* 35 Q.—JANAB S. MUHAMMAD ISMAIL : Will the Hon. the Minister for Food be pleased to state whether the attempts made by this Government to get a reduction in the price of rice supplied to this State by the Uttar Pradesh Government were successful and if so, what the reduction given is?

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The Government addressed the Government of India to move the Uttar Pradesh Government to reduce the high price charged for their rice, but they refused to consider the request on the ground that the rates charged by the Uttar Pradesh Government were in accordance with the rates approved by them (Government of India). As there was no other alternative, this Government, with the concurrence of the Government of India, have directed the recoupment of the loss of about Rs. 108 lakhs expected to be incurred in the purchase and sale of the Uttar Pradesh rice from the consumers by a suitable increase in the issue price of rice, from 18th June 1950 onwards."

SRI P. NATESAN :—" What is the price at which Uttar Pradesh has been supplying rice to this State?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" At Rs. 25 per maund, Sir."

JANAB MUHAMMAD RAZA KHAN :—" Am I to take it from the Hon. Minister concerned that the excess amount of one crore and eight lakhs of rupees paid by the Madras Government to the Uttar Pradesh Government has to be paid by the public of Madras for the mere fault of taking rice which comes from Uttar Pradesh?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" According to the allotment made by the Government of India we had to take that allotment for our own requirements and the price was also fixed by the Government of India in consultation with the Uttar Pradesh Government."

SRI S. NAGARAJA MANIGAR :—" Are we to take it that the prices of paddy vary from State to State and that there is no uniform rate for the entire Union? If so, why is it that in our Madras State much less price is paid to paddy?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The prices vary from State to State and the price in Madras is fixed according to the ruling conditions here."

SRI V. I. MUNISWAMI PILLAY :—" May I enquire whether this matter was brought to the notice of the Hon. Mr. Munshi when he was here and when the food question was generally discussed with him?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" This was not particularly raised at the time of Mr. Munshi's visit here. The whole matter had already been settled before he came here."

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SRI V. M. RAMASWAMI MUDALIYAR :—“ Will the higher price fixed for the Uttar Pradesh rice apply to the 3,000 tons now expected from Uttar Pradesh to meet the present food crisis? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The present supply is at reduced rates.”

SRI V. C. PALANISWAMI GOUNDER :—“ In view of the reply given by the Hon. Minister for Food that the price of paddy varies from State to State, may I know how the price prevailing in Madras compares with the prices in other States? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ It is considered very low when compared to other States. The ruling price in Madras is lower than that in many other States in the country.”

SRI N. S. VARADACHARI :—“ If the present supplies of rice from Uttar Pradesh are to be charged at lower rates, why should not this Government press the case for a reduction even on the old consignment that was supplied? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ It was explained before that the previous supply was from the previous crops and naturally they said that they could not do anything with regard to reduction. At the same time, they promised that when they would give us a further supply from out of the new crop a reduction would be possible. They have done that for the present.”

SRI L. S. KARAYALAR :—“ Is it a fact that 42 per cent of wastage is allowed in buying Uttar Pradesh rice which in practice is sold at Rs. 100 per bag of rice? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ I require notice.”

SRI A. VEDARATNAM PILLAI :—“ May I know who is responsible for fixing such a low price for our rice in this State? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ I do not understand the question, Sir.” (Laughter.)

JANAB P. K. MOIDEEN KUTTY :—“ May I know whether any particular area had the luxury of eating this Uttar Pradesh rice or whether this rice was distributed in different places of the State, and if it was restricted to a particular area, whether the Government think it desirable that a particular area should bear the heavy cost? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ It was distributed wherever it was required. I do not think it was confined to any particular area. Naturally the whole State has to bear the cost.”

JANAB MUHAMMAD RAZA KHAN :—“ How is it that the Government were not able to know that they would have to pay one crore and eight lakhs extra at the time when the settlement was made with the Uttar Pradesh Government through the Government of India? ”

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THE HON. SRI J. L. P. ROCHE VICTORIA :—“ As usual, the supplies were all made through the Government of India. At that time the only supply available from Uttar Pradesh was being charged at this rate. There was no other go then but to forego that quantity which was badly required in this State.”

BEGUM SULTAN MIR AMIRUDDIN :—“ Are the Government getting any rice this year from the Uttar Pradesh and if so, at what rate they are getting it? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ We are getting some supplies for the present to meet our immediate requirements. The actual price is not known. Anyhow it is reduced price to which we have agreed.”

JANAB N. MUHAMMAD ANWAR :—“ As Delhi is far away 11-15 a.m. and as our grievances remain unredressed for a long time has the Hon. Minister taken care, I mean personal care, to have a flying visit to Delhi inasmuch as the extra amount involved ran to the tune of Rs. 108 lakhs, which is not an easy joke in these days of deficit? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ This was also pointed out at the time of the last Food Minister's Conference. So there was no need for a special flight from Madras to Delhi.”

JANAB M. S. ABDUL MAJID :—“ May I know whether there is anything in the Constitution Act to surcharge the Ministers for this miscalculation? ” (Laughter.)

THE HON. SRI B. GOPALA REDDI :—“ A separate question might be put.”

DR. S. SUBRAHMANYAM :—“ Do the Government realize that the addition of this 108 lakhs on the consumers' heads has raised the existing blackmarket rates? ”

SRI N. M. R. SUBBARAMAN :—“ May I know whether the price was not fixed when the order of purchase was placed and may I know whether the price which we have been asked to pay is the same as the controlled rate in Uttar Pradesh? ”

MR. SPEAKER :—“ We are going to have a Food debate to-day.”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ This question was already answered a little while ago. I said that the whole matter was arranged through the Government of India. Naturally they have to fix the prices with reference to those which were ruling at the time in Uttar Pradesh.”

SRI P. NATESAN :—“ Is it not a fact that we are going to get rice shortly from Madhya Pradesh and if so, is it going to be handled in as bad a manner as the Uttar Pradesh? ” (Laughter.)

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The Madras Estates (Abolition and Conversion into Ryotwari) Act.

* 36 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the estates to be taken over next under the Madras Estates (Abolition and Conversion into Ryotwari) Act; and

(b) whether all the estates that have been hitherto notified have already been completely converted from zamindari into ryotwari?

THE HON. SRI H. SITARAMA REDDI:—“(a) The Government have under their consideration the question of taking over further batches of estates under the Act.

“(b) Under section 3 (b) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, with effect on and from the date on which an estate is taken over under that Act all enactments applicable to ryotwari areas apply to that estate. The estates already taken over are therefore in law ryotwari areas. Actual survey or resurvey of the estates is in progress and the ryotwari settlement of the estates will also be made in due course.”

SRI S. NAGAPPA:—“Consequent on the taking over of these estates, may I know whether the administrative charges have increased and whether the land revenue in these areas have increased or decreased?”

THE HON. SRI H. SITARAMA REDDI:—“Under the Rent Reduction Act which was passed by this Assembly, of which the hon. Member who put the question was a Member, there has been a small reduction in the rent in those estates that we have taken over.”

SRI S. NAGAPPA:—“The former part of my question has not been answered by the Hon. Minister. I want to know whether the administrative charges have increased or decreased consequent on the conversion of the zamindari areas into ryotwari ones.”

THE HON. SRI H. SITARAMA REDDI:—“When we are taking a greater area than what we had before, we have to appoint a few more Officers and so the administrative cost might have naturally gone up.”

JANAB MOHAMED RAFEEUDDIN AHMAD ANSARI:—“I would like to know whether, in cases where estates connected with religious institutions are being taken over by the Government, they take over the management of such institutions as well?”

THE HON. SRI H. SITARAMA REDDI:—“No, Sir. There is no need to take over the management of these religious institutions. I hope the hon. Member is aware that the Government have given an assurance to provide by a particular clause in the Act itself that any deficiency in income will be made up to such of the institutions that incur a loss compared

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to what they were getting before the Act was passed. After the introduction of this Act, if there is any reduction in their income it will be made good under the provisions of the Act.”

JANAB MUHAMMAD RAZA KHAN:—“Is it a fact that the Government have carried on very well in those estates which were taken over by them as regards collection of kist and land revenue and in spite of this the Government have not paid even a single pie to the zamindars from whom these estates were taken over?”

THE HON. SRI H. SITARAMA REDDI:—“I think the hon. Member is not correct when he says that we have not paid a single pie to the zamindars. As a matter of fact, we have been paying them. Perhaps it may not be satisfactory so far as the landholder is concerned.”

SRI S. NAGAPPA:—“Arising out of the answer of the Hon. Minister that a few Officers have been appointed in addition to those that already exist, may I know at least the number of Gazetted Officers that were appointed and what the annual increase in the cost of administration is?”

THE HON. SRI H. SITARAMA REDDI:—“Notice.”

SRI PYDAH VENKATANARAYANA:—“To convert the entire area into ryotwari one, may I know whether it is not necessary for the Government to issue ryotwari patta to the tenants in the place of the patta already granted by the zamindars and if so, when the Government propose to do that?”

THE HON. SRI H. SITARAMA REDDI:—“As soon as we are able to finish the settlement operations, we will be able to do that.”

SRI N. S. VARADACHARI:—“Is the Hon. Minister aware of the fact that deducting the expenses incurred on settlement operations, the transfer of these estates into ryotwari tenure has been on the whole a financial advantage to the Government?”

THE HON. SRI H. SITARAMA REDDI:—“That is what I have stated already, Sir.”

The Madras Provincial Town-Planning Committee.

* 37 Q.—JANAB MUHAMMAD RAZA KHAN (on behalf of Janab Mohamed Abdul Salam): Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the Government have accepted certain recommendations of the Madras Provincial Town-Planning Committee;

(b) the recommendations that have been accepted by the Government; and

(c) whether the Government have decided to amend the Town-Planning Act and the rules made thereunder?

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THE HON. DR. P. S. S. RAJAN :—(a) to (c) A copy^a of G.O. No. 1097, Health, dated 25th March 1950, containing orders on the recommendations of the Madras Provincial Town-Planning Enquiry Committee including those relating to the amendment of the Town-Planning Act and the rules made thereunder is laid on the table of the House. The Director of Town-Planning has been asked to suggest the necessary amendments."

Abolition of the Second-class Magistrate's Court at Alangudi in Pudukkottai Division.

* 38 Q.—SRI R. NATESAN : Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Second-class Magistrate's Court at Alangudi in Pudukkottai Division has been abolished after the merger; and

(b) if so, for what reason?

THE HON. SRI K. MADHAVA MENON :—(a) The answer is in the affirmative.

"(b) In connexion with the reorganization of the Judicial administration in the Pudukkottai State consequent on its merger with the Madras State, the Government obtained statistics of the number of cases filed in the courts in that area and found that the number of cases filed did not justify the need for more than two Sub-Magistrate's Courts. It was however, anticipated that the number of cases would increase with the extension of the Prohibition Act and the various control orders to that area necessitating the employment of a third Sub-Magistrate. The Government therefore decided that the court of the Sub-Magistrate, Alangudi, be abolished and the remaining three Stationary Sub-Magistrates' Courts be located at Pudukkottai, Thirumayam and Kolathur and issued orders accordingly in March 1949."

SRI R. NATESAN :—"In view of the large number of cases in that taluk, will the Government be pleased to locate the court again at Alangudi?"

THE HON. SRI K. MADHAVA MENON :—"Not necessarily at all, Sir. It is in anticipation of the increase in the number of cases that we decided to have three courts. Otherwise, the statistics justify only two courts. However, Alangudi is practically within the Pudukkottai area."

Bifurcation of the Visakhapatnam district.

* 40-A Q.—SRI G. KUMARASWAMI : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the proposals for the bifurcation of the Visakhapatnam district will be given effect to shortly;

^a Printed as Appendix II on pages 437-480 infra.

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(b) if the answer to (a) is in the affirmative, from what date and the place selected as the headquarters of the North Visakhapatnam district; and

(c) if the answer to (a) is in the negative, the reasons for postponing the bifurcation of the district?

THE HON. SRI H. SITARAMA REDDI :—" (a) & (b) The Government have decided that the bifurcation of the Visakhapatnam district should be given effect to from 15th August 1950. The North Visakhapatnam district will be designated as 'Srikakulam' district and its headquarters will be Srikakulam with effect from 15th August 1950.

"(c) Does not arise."

SRI G. KUMARASWAMI :—"Inasmuch as the Government have finally decided to bifurcate the Visakhapatnam district after two Hon. Premiers and three Hon. Revenue Ministers visited the entire district of Visakhapatnam and examined the whole question, may I know whether the Hon. Chief Minister or the Hon. Revenue Minister will be at Visakhapatnam on the 15th August to inaugurate this happy function?"

THE HON. SRI H. SITARAMA REDDI :—"I do not know about the Hon. Chief Minister. But so far as I am concerned I think the bifurcation could take place without my presence." (Laughter.)

SRI A. KAMESWARA RAO :—"May I know what was the reason for bifurcating this district?"

THE HON. SRI H. SITARAMA REDDI :—"Obviously the large area."

Community radio sets purchased by the Government.

* 40-B Q.—JANAB S. MUHAMMAD ISMAIL : Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of community radio sets purchased by the Government in the year 1949 and the cost at which each was purchased and the total amount; and

(b) whether these sets have been imported direct by the Government or have been bought from a private dealer at Madras?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) No community sets were purchased by the Government in the year 1949.

"(b) Does not arise."

Elections to Panchayat Boards.

* 40-C Q.—JANAB S. MUHAMMAD ISMAIL : Will the Hon. the Minister for Local Administration be pleased to state whether elections to Panchayat Boards in the State will be held this year and if so, under which electoral rolls, new or old?

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THE HON. SRI K. CHANDRAMOULI:—"It is not possible now to forecast when elections to panchayats will be held and whether such elections will be held on the basis of the old or new electoral rolls."

JANAB S. MUHAMMAD ISMAIL:—"May I know whether the Government are aware that those representatives who were elected previously were elected eight years ago and so whether the Government propose to hold elections in this year?"

THE HON. SRI K. CHANDRAMOULI:—"As I have said, it is not possible to forecast anything at this juncture. The Government is trying to see that elections are conducted on adult franchise."

SRI B. S. MURTHI:—"May I know whether the Government realise the fact that nearly a decade ago these elections were held and as such a number of factions have risen in these panchayats? May I know whether the Government will take earliest steps to see that elections are held in order to check these factions?"

THE HON. SRI K. CHANDRAMOULI:—"I do not see any extra reasons to think that factions have arisen without these elections. Therefore the hon. Member is not correct in saying that."

SRI S. NAGARAJA MANIGAR:—"This question is not new. This has been put for the last three years or so. In the first year they said that they were considering whether to have the district boards or not and so the question was held in abeyance then. In the second time, they said that they were introducing a new Bill—the Panchayat Bill—and therefore they would consider this question after the passing of this Bill. Now, the Bill has been passed into an Act and we learn that the Union President has also given his assent."

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

SRI S. NAGARAJA MANIGAR:—"In view of all these, may I ask the Hon. Minister how it is that they are not definite about this matter especially when all the members feel that the existing panchayat members are all age-long and time-long and especially when all the people want to have these elections at an early date?"

THE HON. SRI K. CHANDRAMOULI:—"Those are exactly the reasons as stated by the hon. Member. The Panchayat Act was passed very recently and the Government are taking every step to implement that Act and conduct elections as soon as the electoral rolls are prepared."

SRI M. S. PATTABHIRAMIAH:—"Is it not a fact that the Government have circularised all the panchayat boards not to take up any important work involving much money for the benefit of the people of the panchayat till the new elections are over? And do the Government intend to hold elections as soon as possible under such circumstances?"

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THE HON. SRI K. CHANDRAMOULI:—"I have already answered that the elections will be conducted on the basis of adult franchise."

SRI V. KURMAYYA:—"Are the Government aware that administration in the panchayats is becoming worse day by day because of not conducting elections once in three years?"

THE HON. SRI K. CHANDRAMOULI:—"I do not accept the hon. Member's contention."

SRI K. KOTI REDDI:—"Have the Government decided that these elections should be conducted under the old system or the new Panchayat Board Act?"

THE HON. SRI K. CHANDRAMOULI:—"As I have already stated, no final decision has been taken by the Government and the matter should be considered by the Government and we will take an early decision."

SRI K. LINGA RAJU:—"As it is stated that the electoral rolls under adult franchise will be ready by October, where is the difficulty in conducting the elections in October?"

THE HON. SRI B. GOPALA REDDI:—"They are expected to be finalised only by the end of January."

Abolition of the posts of Firka Supply Officers.

* 40-D Q.—SRI S. NAGAPPA: Will the Hon. Minister for Food be pleased to state—

(a) whether it is a fact that the Board of Revenue has proposed to abolish the posts of Firka Supply Officers;

(b) if so, for what reasons; and

(c) what the alternative proposal of the Board is?

THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a) The Board submitted proposals for the abolition of the posts of Firka Supply Officers in six districts in the first instance, viz., Bellary, Anantapur, Chittoor, North Arcot, Chingleput and Tirunelveli (deficit taluks only). These proposals have been accepted by the Government. The Board has been authorized to introduce the scheme in the above six districts to start with and extend it to other districts when necessary."

" (b) The posts of Firka Supply Officers are proposed to be abolished as the class of persons who have been appointed to these posts are generally found to be not very useful, partly because most of them do not belong to any one of the regular services under the Government and have no stake therefore in the future and partly because they have had no administrative experience whatever. Further the scheme proposed will result in a saving of Rs. 2.24 lakhs per annum to the Government."

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"(c) The proposal is to appoint Assistant Taluk Supply Officers on Rs. 110 per mensem in the place of the Firka Supply Officers, the Assistant Taluk Supply Officers being selected from among persons who have acted as Deputy Tahsildars or are qualified for appointment as Deputy Tahsildars. The Assistant Taluk Supply Officers are proposed to be appointed roughly at the rate of two for each taluk in the place of Firka Supply Officers who have been appointed at the rate of one for each firka."

SRI S. NAGAPPA :—" In view of the fact that the Government have taken such a long time to find out that the firka supply officers are useless (laughter) may I ask, Sir, whether the alternative proposal mentioned by the Hon. the Minister will be a fruitful one? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" My answer itself contains the reasons for the appointment of Assistant Taluk Supply Officers and explains how far the appointment will benefit us."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know, Sir, whether this is a prelude to the scrapping of the Firka Development Scheme? " (Laughter.)

SRI S. NAGAPPA :—" The Hon. the Minister has been pleased to say that Assistant Taluk Supply Officers will be appointed. That being so may I know, Sir, whether there are Taluk Supply Officers over them and if so, who they are? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The very fact that they are Assistant Taluk Supply Officers shows that there are Taluk Supply Officers; they will be continued as before."

Sri S. Nagappa was seen rising to put another supplementary question.

MR. SPEAKER :—" The hon. Member should know that he cannot monopolize the question hour. (Laughter.) There are other Members who are equally anxious to put questions."

SRI B. S. MURTHI :—" Now that it has been found that procurement as well as distribution of foodgrains is a failure, may I know, Sir, whether the Government will go into the whole matter *de novo* so that all appointments made in the Food Department may prove conducive for better and regular procurement and supply? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" We have adopted the present plan definitely to improve procurement. The Government hope that with the appointment of superior officers complaints from several quarters will diminish and procurement will improve."

SRI D. V. RAMASWAMI :—" May I take it, Sir, that the abolition of the post of Firka Supply Officers was decided upon with a view to effecting retrenchment in the Department? "

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THE HON. SRI J. L. P. ROCHE VICTORIA :—" As I have already said, it has resulted in a saving to the Government and at the same time it will improve the machinery also."

SRI V. C. PALANISWAMI GOUNDER :—" Will not the abolition of these posts, Sir, affect the issue of ration cards? "

SRI S. NAGARAJA MANIGAR :—" May I ask, Sir, why the two very deficit districts of Salem and Coimbatore have been left out of this scheme? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" This has been adopted in the first instance in those places where separation of Judiciary from the Executive has been introduced."

SRI G. RAJAMANNAR CHETTI :—" Since the primary duty of the Taluk Supply Officers is supposed to be merely procurement, will the Government, Sir, consider the desirability of appointing influential men of the locality who would really do good procurement work to these posts instead of officers of the rank of Deputy Tahsildars who would prove as infructuous as their glorious predecessors? "

Abolition of the system of trials with the aid of Jury.

* 40-E Q.—BEGUM SULTAN MIR AMIRUDDIN : Will the Hon. the Minister for Education be pleased to state whether the Government have any proposal to remove grave crimes like murder and culpable homicide from the purview of trial by Jury in Madras City and make these offences triable by the aid of assessors as is the case in the mufassal?

THE HON. SRI K. MADHAVA MENON :—" The question of abolishing the system of trials with the aid of Jury is under the consideration of the Government."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know, Sir, whether the Hon. the Minister is aware that in Bihar, the system of trial by Jury has been given up not only with reference to cases of culpable homicide but even in minor cases like dacoity, kidnapping, etc. Will the Hon. Minister consult the High Court in regard to this matter? "

THE HON. SRI K. MADHAVA MENON :—" We have consulted the Government of India in the matter as their permission is needed for abolishing the system of trial by jury. I do not know what Bihar has done but as far as we are concerned we were originally told by the Central Government that they would bring in legislation in this regard and that the matter was under consideration. Subsequently, however, we got a letter from them stating that there were not sufficient grounds at the present juncture to warrant abolition of the jury system, and they accordingly dropped the matter. We have again taken up the matter with them saying that the jury system should go whether assessors are retained or not."

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BEGUM SULTAN MIR AMIRUDDIN :—“ May I ask, Sir, how it is that the Bihar Government have abolished the Jury system when according to the Hon. Minister the Centre alone can legislate on this matter? ”

MR. SPEAKER :—“ The question must be addressed to the Bihar Government.”

THE HON. SRI K. MADHAVA MENON :—“ As I have said, Sir, this needs the permission of the Central Government as it is a subject included in the ‘ Concurrent List ’. The particular Article in the Constitution requires that all States should take the permission of the Government of India.”

JANAB MOHAMED RAFEEUDDIN AHMAD ANSARI :—“ May I know, Sir, whether the Government pending the taking of a final decision in the matter of abolition of the jury system, consider the desirability of maintaining separate lists of assessors and jurors so far as mufassal courts are concerned and prescribing special qualifications for the jurors as distinct from the assessors so that their opinion may be binding on the trial judge? ”

THE HON. SRI K. MADHAVA MENON :—“ There are practical difficulties in maintaining two lists, one of assessors and the other of jurors. For, in an identical case before a Sessions Judge, there may be some charge for which assessors will be required and there may be some other case for which jurors will be required. So what is generally done is in relation to cases where assessors are needed the persons so appointed are addressed as assessors and where jurors are needed the same persons are addressed as jurors. In one case there may be several charges and in view of these practical difficulties, the proposal is unworkable.”

JANAB MUHAMMAD RAZA KHAN :—“ May I ask, Sir, what prompted our Law Minister to have a change in the system? Is it his view that the present system is not working well and so he should go in for a new one or is it in keeping with the general desire of the Government to change their present policy, present system of administration and even the names of places? ” (Laughter)

THE HON. SRI K. MADHAVA MENON :—“ I am definitely of opinion that the present ‘ jury system ’ is not conducive to proper trial.”

SRI M. P. GOVINDA MENON :—“ Is the Hon. the Minister aware, Sir, that the allowances given to the jurors and assessors are very meagre and very low to attract proper persons to serve on the jury and if so will he consider the advisability of increasing the allowances payable to them so long as the system continues? ”

THE HON. SRI K. MADHAVA MENON :—“ The allowances may be meagre. But we want and we expect public-spirited men to do this work at their own expense.”

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SRI D. V. RAMASWAMI :—“ In view of the answer given by the Hon. the Minister that he is more inclined towards abolition of the jury system, may I ask, Sir, whether offences like robbery, etc., which require jury to be instituted are more grave than murder? ”

THE HON. SRI K. MADHAVA MENON :—“ As a matter of fact, under the Criminal Procedure Code, it is a question for the jury where the case involves property; otherwise, it is a case for assessors.”

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

II.—MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

MR. SPEAKER :—“ I have to announce to the House the following message, dated the 9th August 1950, from His Excellency the Governor of Madras :—

‘ I have received with great satisfaction your resolution of thanks for the Address with which I opened the present session of the Legislature.’

(Hon. Members : ‘ Hear, hear ’.)

III.—GOVERNMENT MOTION.

MOTION UNDER RULE 24 OF THE ASSEMBLY RULES.

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

‘ That Rule 24 of the Madras Legislative Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 10th August 1950.’

As we are going to discuss a very important matter, viz., the food situation in the State, I feel that it would be better if we suspend all non-official business for the day and transact official business.”

SRI S. NAGAPPA :—“ Mr. Speaker, Sir, for the last few years, not even a single non-official day was permitted to be used for transacting non-official business. Always some business other than non-official business is transacted on all non-official days. At this rate, we cannot introduce any non-official Bills. Is there no remedy, Sir, to this state of affairs? Whom are we to complain to? ”

MR. SPEAKER :—“ The remedy lies in his own hands. He can vote down the Motion.” (Laughter.)

SRI S. NAGAPPA :—“ That is only ultimate. We keep that as our last resort. But you, Sir, as the custodian of our rights should stop this.”

MR. SPEAKER :—“ If other hon. Members are prepared to accept the Motion I cannot stand in their way. I cannot prevent such a Motion from being moved.”

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RAJA MUTHIAH, CHETTIAR OF CHETTINAD :—" Sir, I am one of those who have stated several times on the floor of this House that the Government should as far as possible avoid taking away non-official days for transacting official business. But on this particular occasion, I wish to support the Motion before the House in view of the food crisis facing us. I did not want to intervene in the first instance but later I rose with the special purpose of clearing any misapprehension that may be created in the minds of the people by the statement of the hon. Gentleman. Let not the public understand that we consider any business more important than food."

JANAB M. S. ABDUL MAJID :—" Mr. Speaker, Sir, I also support the Motion before the House. To-day we have given up our own day in favour of the Government for discussing the question of food. That being so, will the Hon. the Leader of the House agree to one more day being allotted for the purpose? "

SRI V. I. MUNISWAMI PILLAY :—" Mr. Speaker, Sir, I also rise to support the Motion before the House. The other day, when we discussed His Excellency the Governor's Address, I brought to the notice of the House the gravity of the situation in Tanjore and other places in regard to eviction of tenants. The Hon. the Leader of the House said then that if we made a special request for allotting a day for discussing the matter it would be looked into. Unless there is a non-official day for us exclusively reserved for non-official work, men like me will not be able to apprise Government of the state of affairs in districts. However, I support the present Motion since it relates to food."

MR. SPEAKER :—" The question is—

"That Rule 24 of the Madras Legislative Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 10th August 1950."

The Motion was carried.

SRI A. KAMESWARA RAO :—" To-morrow also may be devoted to this Food Debate as this is a very important question."

MR. SPEAKER :—" As a number of hon. Members want to take part in the debate, what has the Hon. the Leader of the House got to say? "

THE HON. SRI B. GOPALA REDDI :—" As far as possible it is better that we finish the debate to-day itself, sitting late in the night if necessary. We have a heavy agenda of Government business. We are allotting 2½ hours on the 12th instant for the debate on the educational policy of the Government. Therefore it is better that we finish this debate to-day."

SRI B. S. MURTHI :—" I wonder why the Hon. the Leader of the House is so adamant about this matter. This is the burning topic of the day and people are looking to us how we are going to discuss the matter and find ways and means for relieving them

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of their present distress. Therefore as other hon. Members of the House are willing, the Leader of the House should not stand in the way of having a two days' debate on this matter. That will give every Member of the House an opportunity to have his say about the conditions prevailing in that part of the country from which he comes."

IV.—MOTION RE FOOD SITUATION IN THE STATE.

MR. SPEAKER :—" The Hon. Minister for Food will now move his motion."

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

"That the food situation in the State be taken into consideration."

In moving this resolution, I need not dwell at length upon the particulars already stated in the statement placed before the House. If there are any suggestions and advice from the hon. Members in the course of the debate, I will deal with them later. At this stage, I can only appeal to hon. Members to deal with this important matter and give their helpful suggestions. Irrespective of the fact that they belong to different parties or sections in this House, everyone is very much concerned with this important problem and now that we are all here together I appeal to them, as I have stated in the last paragraph of my statement :—

"The times are very difficult and it is incumbent upon every one of us to do his mite both in regard to procurement and to co-operate with the Government in their attempts to tide over the serious situation we are threatened with."

With these words, I move the motion."

MR. SPEAKER :—" I think the Leader of the Opposition and Mr. Natesa Chettiyar may move their amendments and they may be formally seconded. After that we may have a discussion both on the motion and the amendments."

JANAB MUHAMMAD RAZA KHAN :—" Are they going to be pressed or withdrawn? "

MR. SPEAKER :—" I do not know whether they are going to be pressed or withdrawn. If the procedure I have suggested is agreed to, I will call upon the hon. Members to move their amendments and have them duly seconded. Then I will call upon the Hon. the Leader of the Opposition to speak on the motion and the amendments."

JANAB M. MUHAMMAD ISMAIL :—" Sir, I beg to move the following amendment :—

"That the following be added at the end :—

"and on such consideration this House is of the firm view that the Government have failed to take timely and adequate steps to prevent avoidable starving of the people of the State.""

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JANAB M. S. ABDUL MAJID :—" I second it."

SRI M. G. NATESA CHETTIYAR :—" Sir, I move—

*"That the following be added at the end of the original motion:—**"and on such consideration this Assembly resolves that the Union Government be urged to confine food control and rationing to municipal and corporation areas of the Madras State only, the supply of which may be met from the procurement made in the rice surplus areas and from the quota of imported rice allotted by the Centre." , , ,*

DR. S. SUBRAMANIA AYYAR :—" I second it."

MR. SPEAKER :—" As a large number of members want to speak, I want to fix a time limit from the beginning. Shall we have 15 minutes or 10 minutes? (After a pause.) I fix 15 minutes for each Member."

SRI A. KAMESWARA RAO :—" Mr. Speaker, I request you to continue this 15 minutes limit throughout and not reduce it afterwards."

MR. SPEAKER :—" The hon. Member cannot compel me to do it."

SRI A. KAMESWARA RAO :—" I am only making this request to you, Sir."

MR. SPEAKER :—" The hon. Member should know that if, after 2 or 3 hours of the debate, I find there is too much of repetition, I will reduce the time-limit to 5 minutes or even 2 minutes."

JANAB M. MUHAMMAD ISMAIL :—" Mr. Speaker, Sir, we have gone through the statement supplied by the Hon. Minister for Food very carefully. There are figures and various statements made therein and from the figures given by him, we do not find that the position is anything better than what has been made out by several members of the public and also the press.

"Sir, it has been repeatedly complained by the authorities that the press is making too much of the situation, but as I said on a previous occasion I have to repeat now also that, if anything the press has only understated the position. Sir, a particular kind of featuring of the facts is objected to but it has been pointed out that but for that featuring, even this much attention that we are now having at the hands of the authorities might not have been forthcoming. I say that the statement in the press, to be fair to them, was if anything an understatement, because several members of the public know of many more facts than what are stated in the press. The press perhaps could not get at those instances and incidents and even if they were to have all of them in their

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possession, I do not think they can spare sufficient space for giving publicity to all of them. This much I have to say in fairness to the press and the papers which are really doing a service to the public in this important and vital matter.

*"Sir, if you look at the figures given in the Appendix you will see that the position is really grave and alarming, if I cannot use the word 'panicky'. In the conclusion the statement says—**"While the rice situation is still difficult, the general overall food position is not bad, . . ."*

That is what is stated there and I do not really understand the meaning of the word 'bad'. Let us see the figures given at the end of the statement for several districts. Take Chingleput. The stock on hand on the 5th August was sufficient for only one day so far as rice was concerned and then the quantities in transit would make them pull on for another two days, so far as rice goes. So far as wheat is concerned, they had five days' stock and about three days' stock was in transit. With regard to millets the position is really bad. Then take district after district. Take Coimbatore. It tells the same story. Take Mathurai. There also the position is the same. What is being supplied to them, even including the stocks in transit, would be sufficient only for a week at the most in certain districts, and even less in the case of certain other districts. After that week has passed, what is it that the Government are going to do? That they have not made clear. They do not say definitely that they would somehow, in this or that manner, be able to overcome the situation.

*"Sir, as one goes through the statement, some ideas occur to one's mind. The first paragraph of the statement speaks of 'the integrated food policy of the Government of India'. Before I deal with that subject, I want to make one point clear. When we speak of the food situation and the policy adopted and the measures taken in this connexion, we do not refer personally to the Food Minister. He is only one of the links of the Government. Moreover he has also been saddled with the heritage of the past. He is, so to say, a new-comer to the job. Therefore, when I say anything about the food situation, it is not really blaming him. It concerns the whole Government. Particularly such an important matter as Food and that too at such an emergency as this must be the concern of the whole Government. Sir, so far as the Food Minister is concerned, he has been making tours, going to Delhi and doing what he can. That we all know. But what the Government have been doing as a whole is not very clear to us except for certain statements made in the press and perhaps in this House also.**"Sir, I mentioned 'the integrated food policy of the Government of India'. How that food policy is working rather makes us sorry. The other day the Hon. the Chief Minister is reported to have stated that it is only doles that we can expect to obtain from the other States. It is not as a matter of right, as a part of 'the integrated food policy of the Government of India' that we can expect such assistance from the other parts of the country.*

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And even when we get assistance from the other States in connexion with the 'integrated food policy of the Government of India' what happens? When we are paying Rs. 15 per maund to the poor ryots of this State who are working day in and day out and who have no food in their hands though they have been producing food, as a result of the 'integrated food policy of the Government of India', we have had to pay Rs. 25 per maund for rice from other States. For the 40,000 tons of rice that we had from Uttar Pradesh, we had to be out-of-pocket to the extent of Rs. 108 lakhs. That is how, Sir, this 'integrated food policy of the Government of India' seems to be working. Then when we put our difficulties to them, they say that they have got their own difficulties, that they cannot do anything in the matter and they give the usual answer, which almost means nothing, that they will do their best under the circumstances. What has been the best under the circumstances for these so many years, we know, Sir. That is how, Sir, this 'integrated food policy of the Government of India' is working.

12 noon. "Sir, they speak of food conferences. As part of the integrated food policy, conferences are being held at Delhi and our Food Minister and food officials also go there; but what appears to us here is that our officials are not able to do anything in those food conferences. I have to say this because in spite of our repeated requests, we have not been told what actually takes place in those conferences; but from appearances we have to infer that these conferences are being made use of, so far as our State is concerned, only to persuade our representatives to pitch their demand low. If they for instance calculate and take certain figures as regards requirements and demand from this State, what they are made to do is to lower them as far as possible. That is how our representatives are made use of, so far as these conferences are concerned. Again, our State is perhaps being treated as a bargainer, as a merchant who seeks some gain. Suppose they say that we require some 8 lakhs of tons, they say 'you be satisfied with 3 lakhs of tons' as if we want all this quantity for making some profit, and the State Government as a whole is being treated as a black-marketer perhaps. Actually, they seem to give as little as possible; that seems to be the outcome of the Conferences and the position in which our officials are placed in those conferences.

"As I read the statement, a few thoughts occur to me and I am dealing with them. At page 3, the target in procurement for 1949-50 up to 29th July 1950 is given as 1,366,000 tons. The Government know the difficulties we have experienced this year; they know that monsoons have failed once again during the year; over and above that, there was flood havoc and cyclone havoc in the State; and yet, why is it that they pitched the target so high as this and made the Government of India understand that we can manage somehow or other? That gave a false impression to the people who ought to have come to our rescue. What I say has been justified by what is happening now. Again, just below

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that, the statement goes on to say 'Even at the start of the kharif year, it was anticipated that the food position in the State would be difficult. The Government of India were, therefore, requested to allot to this State immediately 3 lakhs tons of rice, in addition to the usual quota of rice and other foodgrains, which they would be allotting in the normal course.' And what was the reply? The usual reply came; they spoke of the financial drain sustained by the Government of India and there again they speak of the grievous policy of self-sufficiency by 1951; and that the Government of India had decided on curtailing imports to the barest minimum, irrespective of what happens to the people of the State. Sir, is this really working the integrated policy of the Government of India in the proper spirit, I want to understand. What is this policy of self-sufficiency? What is it intended for? Is there anything like absolute good about it? Happen what may in the world or in the country, self-sufficiency is going to give you this good or this much of good—is there anything like that that can be said of this policy, I want to know. Any policy of the Government of India or the State Government is intended for the good and the benefit of the people. And when they are told—as human beings they also may not know—that this policy is working a grievous wrong to the people of this State, are they not to give up that policy at once and make adjustments and modifications in it? Again and again, they speak of this policy of self-sufficiency. First of all, as I told you, they have not been able to work that integrated food policy successfully; they are not able to save the people of this State from starvation, semi-starvation or malnutrition—you may call it anything, but it amounts to the same thing, it amounts to a grievous lack of food. Even though they are not able to do it, they are still sticking to this policy of self-sufficiency. It is not proper to ignore the sufferings of the people for the sake of a policy which is being made a fetish of under the circumstances.

"Another idea which suggests itself when we go through the statement is that the railways find it difficult to cope with the situation of transferring the stocks from one place to another, particularly from the ports to the internal parts where these stocks are needed badly. But has the local Government got to do anything with this matter? I know transport, railways and communications form a Central subject. With regard to transport of foodgrains, they have a vital connexion with the very lives of the people; and as such, should not the local Government be in the know of things? We are only told that there are transport difficulties. Has it been stated anywhere that the railway difficulties have been caused in this or that way? No. Could they not have taken steps even previously to meet such difficulties and to do all that they could to give relief in such a situation as this? If more facts are known—and I am sure more facts will be revealed as time goes on—they will go to show that improvements might have been made anticipating the difficulties. Revelations will stare you in the face if you happen to know all the facts about these railway difficulties. Of course, the State Government

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may ask what could they have done in regard to this transport difficulty? They could have tried to know the position of the rolling stock of the railways and they might have suggested ways and means of overcoming any difficulty that might be there; they might have mobilised our country-carts and our internal conveyances. The Hon. Leader of the House smiles at my suggestion, but the suggestion I am making might have saved and may still save thousands of lives. These carts and conveyances may be made use of for transporting grain over short distances and that will in some measure relieve the congestion on railways. The railways need not care very much for short distance transport, which may as well be given to these country-carts. Perhaps they thought very low of such a procedure and perhaps it did not occur to them at all. If it had occurred to them, they would have surely done something in that connexion and relieved the pressure on the railways.

"In another place just above the conclusion, it is stated that 'any apprehension that the reduction in rice ration will tantamount to a reduction in the overall ration in the future months, will not be well-founded'. How it won't be well-founded, I ask. The facts and figures they are giving and the suggestions they are making for improving the situation, do not make us take the statement at its face value.

"Sir, at the beginning I said that it was not merely the responsibility of the Food Minister particularly at such a crisis as this. The suggestion I am making is not a novel or original one, considering the present position; such an idea has been placed before the Government on more than one occasion. It was said that it was imperative that there must be a permanent co-ordination between at least a few of the departments of the State Government, departments like Agriculture, Public Works, Forests and Food. The Food department at present concerns itself only with what food it has got above ground; it is not concerned with what may happen to-morrow. It was therefore suggested that there might be some co-ordination in the working of these departments. But what we find is that the Government have appointed an extra official to attend to extra correspondence in this connexion. That is all they have done in this connexion. So far as the present situation is concerned, what we have to concentrate upon is, not any future production—that has got to be done of course so that we may not have such emergency staring at us once again in the face in the near future as well but considering the present emergency, we must get hold of all grain that is available not only in our country but must also get it from abroad. That must be done urgently and emergently. The Government say they are taking vigorous steps to intensify procurement. This they ought to have done long ago, but they also say this procurement alone won't save the situation and they must go abroad. This, however, they cannot do; they have to depend for it on the Government of India. For that purpose, I would suggest that they station an officer, an agent of this State in

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Delhi, an officer of the rank of Chief Secretary of this State, so that he may be pressing and urging the Government of India to attend to the needs of this Government. He must be there not only until this emergency goes, but also until we are able to get over the deficit, the shortage we are even normally experiencing in this State. Until then, I suggest an officer must be stationed at Delhi. So, unless you do some such thing, your requests and urgent appeals from here do not seem to have any effect upon them. When you write a letter from here saying, that you have sent an official now and then, then what they say is, 'look here, our self-sufficiency policy is there and we have got our own financial difficulties.' Let there be any reason under Heaven, can you take the lives of the people in this way? What is the concrete thing you are going to do? You must do it even at the sacrifice of some other principle, it may be even a principle, not to speak of policy, because here it is a question of the lives of the people that is concerned. So, in that connexion, such an agent of this State in Delhi may be able to do something. I do not say that he will be able to do everything. But, by that arrangement, things would be better than they are to-day. Then, the other States also might do the same and they might have their own agents also, so that all these agents put together would make the Government of India proceed on a really co-ordinated and integrated manner and that will make the Government of India do what they have to do by this State.

12-15
a.m.

"Sir, I have previously spoken on the occasion when we debated on His Excellency's Address as to how people cannot substitute other things for rice and therefore it will simply be a mockery to ask them to go in for vegetables and other things when they are not able to get even cheap rice for themselves.

"Sir, finally, I have to show to you and to the House the sample of rice that has been supplied in one of the important cities of this State . . ."

THE HON. SRI K. MADHAVA MENON:—"I raise on a point of order, Sir. The other day when I wanted to demonstrate certain sticks in the House, you ruled it out. But, now the hon. Gentleman is demonstrating something in the shape of rice."

JANAB M. MUHAMMAD ISMAIL:—"My friend has named it Exhibit I. One of my friends in Coimbatore has written to me a letter regarding the rice that is supplied in Coimbatore and he has also sent me a sample of that rice and has written to me about it. I do not want to read the letter here because that has been already published in the 'Mail' of last evening, but I would like to place this sample of rice before you. First of all, it does not even look like rice. When you see it from that distance, do you think, Sir, it looks like rice?"

MR. SPEAKER:—"If I remember aright, I read a few weeks ago in the proceedings of the Parliament, that in the House of Lords a bread was brought and exhibited there."

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THE HON. SRI K. MADHAVA MENON :—“ I have no objection, Sir, but I only wanted to point out that when I exhibited certain lathis, it was ruled out.”

MR. SPEAKER :—“ Lathis are not allowed, but this is the peculiar case of rice which is being demonstrated. The demonstration of rice in the House is different from the demonstration of lathis.”

SRIMATHI C. AMMANNA RAJA :—“ May I know, Sir, where that rice was produced? ”

JANAB M. MUHAMMAD ISMAIL :—“ That I do not know, Sir. First of all, it does not look like rice. It contains, husk, dirt and various other foreign material, to which I am not able to give appropriate names. Sir, this is the sort of rice that is supplied there and if the people take all these things together for filling up their stomachs, then what will be the position of their health. Again, if they remove all the dirt and other things, then the quantity of ration which is already slender will go down still further. That is the position. If such a kind of rice is supplied even in such an important city like Coimbatore, what will be the position of the villagers who are in the nooks and corners of the State? That is what we have to consider, Sir.”

“ Then again, from Eraneswaram, in Ramanathapuram district, from the President of the Handloom Weavers' Society, I have received a packet of rice. He does not say anything about it. He has sent only this packet of rice. On it is written in Tamil ‘ நபர் ஒன்றுக்கு நாள் ஒன்றுக்கு கொடுக்கப்பட்ட அரிசியின் அளவு இதில் அடங்கியிருக்கிறது. ’ That means, this is the quantity that is being given to a man per day. It is 1/30th of a measure of that district and its weight is 3½ tolas.”

“ That is written on the packet. I say there are places which do not get even this 3½ tolas of rice a day, Sir. You can therefore very well imagine the position from the figures that are given and from the figures which they are going to supply in the near future. So, Sir, the position is really grave and still I do not believe the Government have taken all the steps they can take in this connexion.”

“ Sir, I thought I might speak about the production of food, but I shall do so on some other occasion. As I said, we are not concerned with the production of food, but we are concerned with what is already produced by way of grains that may exist anywhere in the world and the State Government through the Government of India must find every means and any means of getting at that. The Chief Minister is reported to have spoken in that connexion, of negotiations. His idea seems to be that negotiations will take a long time. Then, how else he is going to attend to that question immediately. I do not know why you should be bargaining. I say this State Government is treated as a merchant and it is being bargained with. If the Government of India also act like a profiteer in this connexion and are going to take a long time for negotiation, what is to happen to our people in the meantime. They have

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not come out with any policy so far in spite of all our screams and cries. We do not find one single sentence in the statement or in the Press to the effect, whether it is self-sufficiency or no self-sufficiency, that everything will be done to give whatever food that is available to the people. Even that much of assurance is not given to the people anywhere, but still they are holding on to their fetish, which I say is nothing short of callousness about human sufferings in the past.”

* RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“ Mr. Speaker, Sir, I sincerely wish that the statement that has been issued to-day need not have been issued at all. It has done more harm than good. (At this stage the Deputy Speaker occupied the Chair.) Let alone the impression that it will create in the minds of the Members of this House and the public of South India. It will create an impression on the Government of India that the Madras Government have done wonderful things and they have explained it successfully, if anything could be explained by way of speaking or putting in cold print what has been achieved. At the same time, the Government of India are not at all serious. Why they should not tighten up procurement in various other parts of India, especially when the Government of India, after enquiry, said there was not as much rice in Burma. But, I can say with my knowledge of Burma, that there is enough rice in Burma to come to Madras for our immediate necessity of half a lakh or one lakh tons of foodgrains. Let the Food Secretary fly to Rangoon tomorrow and verify my statement and I will apologize to him if the statement I am making now is not a fact.”

“ Madam, the Food Minister of the Government of India congratulates the Madras Government on procurement and thinks they are a nice Government. Let them not be satisfied with such rose-garland words, but they should think of the poor man with 6 oz. of rice for his meal. We are faced with the realities of the situation, that there is no rice in many parts of the State and I shall not name the places. I saw in the proceedings of the Legislature that an attempt was made to propose an adjournment motion about some district. If you ask the representatives who are gathered here from all parts of the State, each one of them would like to move an adjournment motion with reference to his district, but because we have not got the time to debate it in great detail regarding what is happening in each district, we have had recourse to having a debate in general on the food situation in the State.”

“ Madam, Deputy Speaker, let me recall to you the statement made by the Hon. Food Minister in answer to my question about the end of the last session, when he promised to issue a statement in lieu of a debate. But, no such statement was issued at the end of March or April. Again I wanted a food debate at the beginning of each session and as there was no sign of it we asked for it and I am glad the Hon. Leader of the House has now been able to arrange for it. Let me now make it plain to him that for three years to come, whoever may be in office after the election takes place or whether the same Government comes into office or not, this food debate should be the first item on the agenda and let it

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not be left to the Ministers to issue a statement, but let it be put as a regular item on the agenda of the session so that every time the Food Minister makes a statement there should be a debate on it. Unless you are able to build up a buffer stock, it will not be possible to get over the situation.

12-30 P.M. "Madam, information has been given that there is an increase of 1.1 per cent of the population per annum. If you take the twelve years from 1938, it should have gone up by 13 or 14 per cent. We are sure there is an increase in population. From this morning's paper we are distressed to know the financial position of the Government of India. They have told the Madras Government and the other States that they would be granted no more loans by the Government of India, nor they would be given permission to raise loans. Of course, it is just by a hair's breadth and by a lucky chance, the Madras Government have been able to raise a loan of a few crores of rupees a few days ago. Now the Government of India are coming to the market for a loan of about 15 crores of rupees. I think I can wax eloquent on this, but much eloquence should not be wasted. Now, when I am on the question of finance, I cannot but refer to the question of subsidy. I shall relate to you that the Government of Ceylon who were giving 2½ measures of wheat per rupee are now subsidising it and giving at 3 measures a rupee. They were previously giving 3 pounds of wheat flour for a rupee and they have increased that also by subsidy. Now they have increased the subsidy to enable them to give 4 lb. of wheat per rupee. The cost of these two increased items of subsidy, as I could read from the papers, comes to somewhere about 420 lakhs of rupees. You are not allowed to borrow and you will have no sort of help from the centre either by way of loans or subsidies and so how are you going to subsidise and you cannot shove it on to the people and enhance the price. I am harping upon the question of prices in order to reinforce my argument that rice is very necessary for this State; it is very easy to speak of eating wheat or vegetables; how can you prepare wheat without ghee or oil and how can you have vegetables without oil, spices and other things? Already the people are in such difficult circumstances that they are unable to take the wheat portion on account of poverty; they cannot afford it and how can we ask them to take vegetables? Another thing to be remembered is that famines do not come all on a sudden; in Bengal it was known seven months before. I wish to ask whether the Government looked ahead six or seven months and anticipated famine; the Madras famine—I use that word deliberately and it is a famine and you are free from food riots because law and order is intact. Ration shops have been raided in some places and if things go like this, it is bound to deteriorate still further. I am saying definitely that rice should be made available to the poor. In the first instance, the twelve Ministers take twelve ways. I have great respect for the Hon. Gentleman, the Food Minister, a co-merchant and I feel that one Food Minister for the State is not enough; let the State be divided into four zones and let there be four Ministers for Food. I am not attacking the hon. Gentleman the Food Minister when I say that and he should be the first person to come and

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say: Let me be put in charge of food for one part of the country. I have a very close personal contact with him and he will be doing a great good to the country if he says that he will take charge of six or seven districts.

THE HON. SRI B. GOPALA REDDI:—"Then you will take charge of the deficit districts."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"If I am asked, I will do it. Now you are twelve; you go different ways and do not act together as under a military commander; you are worse than timid civilians; that is the position and I am afraid but for some capable administrators carrying out your orders, the whole edifice would have broken long ago. I am sincere in what I say and that is why I am a bit loud and I am speaking a little more vehemently. They must have anticipated conditions some six or seven months ago and what prevented them from taking suitable action to avert famine conditions? What prevented the Government from deciding last April itself that people with incomes of Rs. 500 and above should get half-rations in rice and half wheat and those getting incomes from Rs. 200 to Rs. 500 should be given two-thirds ration in rice and one-third in wheat and for people below that all rations should be given in rice. On account of the food position, you estranged industrial labour and they are not your friends now. I am anxious that the Congress Party should have more friends. I feel that short of my being in power, the Congress should be in power; to my way of thinking, the Congress party is reasonable, a little more realistic and I wish them God-speed. I do not want them to become unpopular with the labouring classes. They should galvanize support from the country. The rank and file of your services, I shall not make mention of particular services, your peons, people of the subordinate services—are getting discontented because the cost of living index has been going up; it will still further go up if they are given wheat, milo and other things. Where are they to go for oil, ghee, condiments and spices? This statement is an eye-wash and this is not the way of making it. On the other hand, it gives a very false impression of things."

JANAB N. MUHAMMAD ANWAR:—"The Raja Sahib is in form and his hits are well aimed."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I have no doubt that many members will speak upon this question of food. It will be a delight to hear our Anwar either in English or Tamil."

"Somewhere about January we were told that our shortage would be eight lakhs of tons but because of the food situation, there will be a shortage of 10 lakhs of tons. Let us forget the 10 lakhs of tons and think only in terms of eight lakhs of tons. Have the Government pressed upon the Central Government between then and now? Have you told the Central Government of the situation obtaining here and reminded them of the consequences? Our representatives in the Central Assembly are not doing their best. I see they begin moving about only after something has

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been done here and we kick up a row. How are our distinguished representatives like C. Rajagopalachariar and Gopalaswami Ayyangar to move in the matter unless you give them figures. You may say that the Food Secretary had been there. There is no use of saying that the Chief Secretary and Food Secretary had been there, they are distinguished officers but they are not the popular representatives of the people. It is as if the United Provinces Premier is alone the *persona grata* with the Central Government and if our Chief Minister goes there on this mission, and quite often on this mission, food will come to us. I am at a loss to know what prevented the Government of India from entering into arrangements with the Government of Burma, Thailand and Indo-China. If such agreements are entered into, we can give our handloom cloth to them in exchange. Instead of that, they propose to take milo from Argentine for which you have to pay in dollars whereas for Burma and other countries, you can exchange by means of your exports or even payment could have been made from our sterling balances. The Government of India must be glad for such an arrangement. I understand that in respect of the Rs. 108 lakhs—the amount in respect of which we have to come to a settlement with United Provinces—the Government of India did not heed this Government's suggestion and the Government of Madras—I have heard the rumour—are forced to collect this amount in some other form and the Government is supposed to have reimbursed themselves of it and I wish to have an authoritative statement on the floor of the House how the Madras Government have recouped themselves with reference to the loss of Rs. 108 lakhs. Probably, they have increased the price of rice which was given subsequently to the people. Is it fair to do that? For a wrong deal put on your head, you are penalising the poor. I wish to ask whether the Government took up the matter with the Centre and have explained to them how unfair it would be to ask the poor to foot the bill. You are not in a position to subsidise and I will leave the question of Prohibition to my hon. Friend Mr. Natesan though I will be able to prove to you that because of that you do not have enough money for so many important things and if you did not have it, I am sure you would not have mulcted the poor to the extent of that loss you sustained in your deal with the United Provinces. I have explained to you the food position in Ceylon and they are in the Commonwealth just as you and how are they able to subsidise food? They have the money as they have no Prohibition. I shall not worry myself and the House with the movement of foodgrains from the East or West Godavari. The trouble is that this Government has not impressed the Government of India on these important matters.

“There is a limit to procurement and another false impression that the statement gives is that there is something more with the people left for procurement. In fact, there is nothing left with the people for procurement. I have been told that there has been a lot of harassment by officials, by Tahsildars expecting to become Deputy Collectors and Deputy Collectors aspiring to

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become Collectors. Not one word has been said in the statement about the ration allowed to the producer. I do not know whether the producer will be getting 12 ounces or 16 ounces. I am not able to understand the difference between the producer and the partial producer. The partial producer is perhaps a person who does not produce enough for his own consumption and in that case, how can you take anything from him. Mr. Karanth has said that compulsory rationing in certain areas and no rationing in certain other areas is very bad. If the supply in the compulsory areas runs short, they rush to the villages, harass some of the producers and get what they require and the position there is eased. After another fortnight the same thing happens and there is a raid and it is solved and the result is that people are forced to give what they had kept back for their own consumption. I have to warn the Government that their procurement will become a greater failure next year. I believe that the system of procurement will have to go on for three years of good seasons so that we may be able to build up a buffer stock. Let not the Government go under the impression that there is any more chance of procurement; this is not the month for it and this is not the harvest season. I feel that this House must make it clear to the Government of India through the proceedings in this House that it is their duty to send us more rice from other parts of India and let them get as much rice as they can from Burma, Thailand and Indo-China. I have also seen a report that as the American advance into North Korea intensifies and the Russians retreat from South Korea, consistent with their usual policy of scorched earth, they will burn all crops and damage the fields.”

THE HON. SRI B. GOPALA REDDI:—“If the Americans go to the north . . .”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—“I shall leave that question of war; we are not concerned with the conduct of war. I am one with those who believe that, let alone feelings of democracy under which we shall have to ally ourselves with one side which is like-minded with us—at least from the point of view of food and our helplessness regarding that question, we shall not think of war. Some people may say that as a result of our plans, within the next ten years, the question will be solved satisfactorily. My point is with reference to the immediate present. What have the Government been doing these six months? I will not say anything about the tree-planting scheme initiated by Mr. Munshi. To say anything disparaging about it will be cheap criticism and I shall not do it and it is not for me to do it and I shall content myself with asking the Food Minister of this Government to move in the matter. I want him not to be in Madras; let him leave for Delhi to-morrow and the other Ministers will look after Food. Let him stay there for fifteen days and if he is not able to achieve anything, let him come back. If he is not in Madras the other Ministers will carry on the Government. I am very glad that the Chief Minister is leaving for Delhi.

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I understand also that an official of the Food Department of the Government of India is now here to see things for himself. He went into some of the dry villages round about Madras. It would have been better if he had also seen the representatives of the people. I know him, Mr. C. Karunakara Menon, but I do not see him here. I wish he had visited the House."

THE DEPUTY SPEAKER:—"You have taken twenty minutes already."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"The Speaker told me before he left that I can speak without any restriction regarding time."

THE DEPUTY SPEAKER:—"I do not think that anybody can speak without any restriction of time whatever."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"On my special request to him, he was good enough to allow me to speak without restriction of time. But it is not as if I have no idea of the time I have taken."

THE DEPUTY SPEAKER:—"I think you will have to stop at ten minutes to one."

2.45 p.m. JANAB N. MUHAMMAD ANWAR:—"I think, Madam, Leaders of Parties have got no time-limit." (Laughter.)

THE DEPUTY SPEAKER:—"They may take more time than other members. But they also have to observe time-limit." (Laughter.)

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I shall not transgress your ruling. Though I wish to take advantage of the Speaker's direction, I shall obey your ruling and I shall not speak for more than half an hour. I am perfectly aware that I have to obey the ruling of the presiding person whatever may be the Speaker's direction."

THE DEPUTY SPEAKER:—"The hon. Member has time till ten minutes to one o'clock."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"From the report made available to us, it is seen that the Foodgrains Committee which met recently have recommended a reduction to seven ounces. Madam, they have no other alternative but that. For, from the facts placed at their disposal, that is, so many tons available at present and that has to be spread over such and such months, they will do only that; and I shall not be surprised if they reduce the ration even to one ounce. (Laughter.) If I am a member of the committee and if I am told that only 25,000 tons of food is available and that has to be used for three months, naturally I will say 'reduce the ration by one-fourth' or some such thing. Similarly the Foodgrains Committee had no other option. I am anxious that the Government of India should realize that Madras State is actually in starvation. Madam, a few days back, a hue and cry was raised of food shortage in Bihar, and immediately one-third of the lakh of tons foodgrains which arrived from

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abroad was diverted to that State. The Hon. Chief Minister has good many friends in Burma, and as an indication of that friendship he can arrange to bring rice from Burma.

"Madam, I have mainly spoken on rice; for, this State is accustomed to rice only and not with wheat and milo. We do not want them, as it is not our food. All the money spent on them is waste, as the people do not want them. I have already warned the Hon. Chief Minister of the prospect of labour trouble in case food scarcity is not relieved as early as possible. With the shortage of food, the price of foodgrain is rising; labour is demanding higher wages, which mill-owners are not able to give; so, labour trouble is anticipated. Poor people and labourers cannot afford to purchase food in black-market; so, I urge the Government of India should be approached to send relief as early as possible.

"Madam, the Government of India have announced that they cannot give any financial aid to State Governments to launch any big schemes. I wish, therefore, all the Ministers now concentrate on this food problem and improve the situation. With regard to the waggon trouble, I have been in touch recently with the Chief Transportation Superintendent over the phone and he said that waggons are available and there is no food to move. I wish the Government verify their statement with that of the railway authority. Madam, one cannot move all food in one fine morning. It is said that the months of August, September and October are critical months regarding food. Now, one should ponder for a while over the effect of this food shortage. A man who would normally die at sixty-five, will, due to this, die at fifty-five. Though I am not a doctor, that much at least, I can say. And here, I would like to warn the Government of one thing. Unless they take measures to import rice from abroad, I am quite sure this food scarcity would repeat itself in the months of August, September and October every year for the next five years at least. I request them to take time by the forelock and tell the Government of India of it and also of the fact that self-sufficiency cannot be attained in December 1951 so far as Madras is concerned. This is a pernicious idea which has got hold of the Government of the day, and that is mainly responsible for the present food shortage. We know that we are not going to become self-sufficient in December 1951. We know that no more tractors would be imported. For we read only this morning in the papers that the one crore of money that was intended to be given for the purchase of tractors is not to be given. That will impede the progress of Grow More Food scheme. This means that we would not be in a position to increase the food supply of the States in the coming year; and that means we shall have to import food from abroad. So it is high time we tell the Government of India to change their mind regarding our position. Our respect for Pandit Jawaharlal Nehru is already there. He is one who will change his mind if he is convinced that here, in Madras, we cannot afford without rice; and so I request our Government to make representations in this behalf.

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"Here, I would refer to one important point. It is time our Government draw up a five-year plan regarding food. I appeal to the Government to do this as early as possible. Let them, when we meet next on the 28th instant, place it before us, or say, in October or November next; and let them send that plan to the Government of India and let them harp on it till it is acceded to by them. I want every year the progress of that plan should be discussed on the floor of this House, so that we might know what progress has been made. Madam, I have all along dealt only with rice. I have no time to deal with sugar, which is also in scarcity, though perhaps some are able to get it in black-market. There is nothing secret about it. The more cash crops are grown the less will there be of food production. Perhaps the Government are not willing to take action limiting the cultivation of cash crops like tobacco, groundnut and betel-wine, fearing that would give rise to a lot of agitation, which would make the Government unpopular. Therefore, I request the Government to represent to the Government of India to import rice from abroad, like Burma, Thailand and Indo-China.

"Finally, Madam, I am grateful to you for the indulgence you have shown me in allowing me to make a long speech. I have tried to show that the greatest duty and responsibility that is cast upon the Government of India is food and nothing else now. Let them bind up all their files regarding development schemes and let them concentrate on food supply. I am not telling this in a sarcastic way. We, in this House, who rise up in our seats and speak, express our opinion by way of helpful suggestions. It is not in a spirit of bravado that member after member rises and speaks. Let it not be understood in that vein. We wish the Government to profit by our suggestions and correct themselves where they are wrong. I wish the Government allow a food debate regularly for this. Finally, Madam, I wish them the co-operation of the people in their effort and I wish them good luck."

* SRI M. G. NATESA CHETTIYAR:—Madam, Deputy Speaker, while I thank the Government for the first-hand information they have furnished to this House, it is my painful duty to bring first-hand information to them also, in respect of the sufferings of the people in rural areas due to food control and food ration. In fact, Madam, in theory, procurement and distribution of food is for the whole of the State; but in practice, what is done, is, the villages are treated as the Kamadhenu of the urban areas. Madam, in urban areas for want of stock, there is short supply of food to ration card-holders just now and there is a lot of hubbub and agitation from such areas consequently. Let the Government understand that the villagers had not been supplied rice or millets or other foodgrains for months together. They have not had 12 ounces quota for the last one month or a month and a half. Even the foodgrain that is supplied is horrid in quality. The whole statement of the Hon. Food Minister made frequently on the floor of the House relates only to rice, and that with regard to its supply in urban areas. Every time when we hear of shortage of ration, the villagers are harassed by the officers, and what little they have got is taken away and they are allowed to

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starve. How they manage to live still, is not understood at all. Under the present procurement system it is the food-producer that suffers much. He is deprived of his own food: for, the ration rules and regulations in respect of procurement are not observed. Every time, the Government issue a drive for procurement because of shortage of food in cities and urban areas, there is harassment; for whatever is available is taken away without caring to leave anything for seed purposes, for paying agriculture labour and domestic servants. It has all along been actually as a sort of raid, worse than Prohibition raid. Many of the villages, I know, have been raided, as if these procurement officers are looters. They practically loot the rural population to supply to the urban population. The hardships experienced by the ryot in carrying on his occupation have not been realized at all. His complaints are not heard. If he makes repeated complaints, he is dubbed as a petition-monger by the local officers. Even at the level of the District Collector, the petitions of the rural man are not considered and no enquiry is instituted into the allegations against procurement officials. If the Government call for the views of the ryots and pay heed to them, I am sure they will be convinced that there is no use in maintaining rationing or procurement in rural parts. Look at this invidious distinction! For the purpose of procurement, rural parts are treated as 'intensive' areas, and for the purpose of distribution they are treated as 'informal ration' areas. In informal rationing, the ration cards may be respected or the card-holders may be refused ration saying that there is no stock. In statutory rationing, which prevails in urban areas, it is compulsory to provide the card-holders with ration. It is this invidious distinction of the ryot and however hubbub. Whatever be the difficulties of the ryot and however acute the food situation may be, the ryot is not cared for. In urban areas all varieties of substitute foodgrains or food are available. But in rural areas, no substitute foodgrains are made available to the ryots. The ryot does not draw his rice ration from the ration shop except very rarely. He wants ragi, cumbu, cholam, varagu, samai or some other millet. These are the foodgrains he requires. If any one of them is supplied, he will be satisfied. I want to know where the millets procured in rural parts are taken away and who is consuming them. I am afraid the present procurement method in rural parts overlooking the rules has shattered rural economy and has brought it to a very dangerous stage. Rural economy is ruined by the Government to maintain the soundness of urban economy. The ryot is in a very desperate condition to-day. If we want more production, we must see that the ryot is supplied with adequate food of good quality. Now he has no incentive to produce more food. He restricts his production to just what is required to maintain his family and farm-servants. He has no assurance of supply after the foodgrains are procured. I am very glad that the Hon. Food Minister admits this fact in the statement that he has circulated to the hon. Members. The economy that we practise must lay emphasis on rural life. But even after the attainment of independence, we are practising the urban economy of our erstwhile

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foreign rulers. Either we must introduce statutory rationing or give up procurement and rationing altogether in rural areas. Statutory rationing may be confined to urban areas. I think it is quite within the power of the Madras Government after what had been announced by the Central Government. If procurement in rural parts is given up, the deficit urban areas of the south may be supplied from the surplus production in the Tanjore and Tiruchirappalli districts and the Chidambaram taluk, and the deficit urban areas of the north may be supplied from the surplus production in East Godavari, West Godavari, Nellore and Krishna districts, and supplemented by the quota allotted by the Centre. The financial aspect also has to be considered in a question of this nature.

"This is a matter of national importance. This is not a party matter and everyone, irrespective of his party leaning, must accept the deplorable condition that is existing in the country. We have no friends in rural areas. The rural people appreciate the value of the advice of the Father of the Nation, Mahatma Gandhi, that there must be no control in respect of essential requirements like food and cloth. Probably the present situation is the result of disobeying his mandate after his death. We introduced controls to check inflation. I do not know how far we have succeeded in the object. I may openly tell the Government that the black-marketeer is the saviour and the hoarder is the benefactor of the rural population. The ryot wants food, even if it be at two or three times the normal price. He must go and work in the field to-morrow morning. How will he have the stamina to work if he starves this night? The ryot was the most honest man before controls. Even now he is honest by instinct. But the way in which the officials administer the controls drives him to the necessity of transgressing the law. I may say that of all nations in the world, our nation, particularly our rural population, are the most law-abiding. If our State is to attain self-sufficiency in food, we must give the ryot complete freedom and very liberal facilities to enable him to carry on his avocation, and not reduce him to the condition to which he has been reduced during the last five years. Our Government have moved in this direction—I speak subject to correction—but the Central Government have not accepted the suggestion of de-control and de-ration policy. If we give up procurement and rationing in rural areas and confine statutory rationing to urban areas, it will give considerable relief to the rural population and at the same time reduce the financial commitment of the Government and also help the country in the self-sufficiency programme which you will not achieve for many a year to come if you continue the present policy."

* JANAB ABDUL RAHMAN:—“கனம் தலைவி அவர்களே, இன்று இல்லை, நேற்று இல்லை, சென்ற பல மாசங்களாகவே நாம் இந்த சபையில் உணவு பிரச்சனையைப்பற்றி பேசி வந்திருக்கிறோம். அப்படி பேசி வந்ததின் பலன் என்ன? நேற்று எங்களுக்கு உணவு மந்திரி அவர்களால் ஒரு அறிக்கை கொடுக்கப்பட்டது. அந்த அறிக்கையைப் படித்துப் பார்த்ததில் அது என்ன மாதிரியிருக்கிறதென்றால் ஒருவன் தனது கல்யாணத்திற்காக எல்லா ஏற்பாடுகளையும் செய்கிறான். ஒவ்வொரு சாமானையும் சேகரிப்பதற்கு

[10th August 1950] [Janab Abdul Rahman]

ஒவ்வொரு இடத்திலும் வெவ்வேறு நபர்களை ஏற்பாடு செய்திருந்து கல்யாண சந்தர்ப்பத்தில் எல்லா சாமான்களும் வந்துவிட்டதானாலும் ஒரு சாமான் மட்டும் தான் வரவில்லை, அதாவது சாப்பிடுவதற்கு வேண்டிய இலை வரவில்லை. அப்படி சாப்பாட்டை சமயல் செய்து வைத்துவிட்டு இலையைக் கொண்டு வாம்படி ஏற்பாடு செய்திருந்த ஆளை கூப்பிட்டு அவன் ஏன் இதுவரையிலும் கொண்டு வரவில்லை என்று கேட்டதற்கு அவன் தான் இலை கொண்டு வராததால் தன்னுடைய குற்றத்தை ஒப்புக் கொண்டு விடுகிறான். அவன் தன்னுடைய குற்றத்தை ஒப்புக்கொண்டதன் பலன் என்று பார்க்கும்பொழுது அங்கு வந்த விருந்தினர்களுக்கு சாப்பாடு போட முடியவில்லை. இதைப்போலவே நமது கவர்ன்மெண்டார் அவர்களும் தங்களுடைய குற்றத்தைத் தங்களுடைய அறிக்கையில் ஒப்புக் கொண்டிருக்கிறார்கள். அப்படி என்னவென்றால் ஜவங்களுக்கு ஒரு பரிகாரமும் கிடைக்கவில்லை. ஜவங்களுக்கு வேறு எந்த விதமான பலனும் கிடைக்கவில்லை. கவர்ன்மெண்டார் என்ன சொல்லி இருக்கிறார்கள் என்றால் மழை கால காலத்தில் இல்லாததாலும் இன்னும் கொள்முதல் சரியானபடி நடவாத்தாலும், கொள்முதல் செய்தவைகளை காலா காலத்தில் அனுப்ப முடியாததாலும் இன்னும் பலவித காரணங்களினாலும் சரியானபடி தானியங்களை அனுப்ப முடியவில்லையென்றும் சொல்லியிருக்கிறார்கள். ஆனால் நமது பக்கத்தில் சிலோன் கவர்ன்மெண்டு இருக்கிறது. அங்கே தானிய விளைச்சல் என்பதே கிடையாது. பூராவும் அதாவது நூறுக்கு தொண்ணூறு சதவிகிதம் லேசாக தேசத்திலிருந்து தான் தானியங்களை கொள்முதல் செய்ய வேண்டியதாக இருக்கிறது. அப்படி யிருந்தும் அங்கே ஏராளமான அரிசியும், கோதுமையும் இருக்கிறது. அவர்களுக்கு மட்டும் கிடைப்பானேன். நமக்கு மட்டிலும் ஏன் கிடைக்கவில்லை என்று கேட்கிறேன். நம்முடைய அஜாக்ருததான் அதற்கு முக்கியமான காரணம். நமது மாகாணத்தில் பிரதமராக இருந்த பி. ஓமந்தூர் இராமசாமி ரெட்டியார் அவர்கள் இறந்து முன் ஒரு சமயம் நமது மாகாண உணவு சம்பந்தமாக விடுத்த அறிக்கை ஒன்று இப்பொழுது என் ஞாபகத்திற்கு வருகிறது. அதாவது ‘நமது மாகாணத்தில் வேண்டிய விளைச்சல் இருக்கிறது. வேண்டிய உற்பத்தி இருக்கிறது. ஆனால் கவர்ன்மெண்டாரால் விடுதது வரும் அறிக்கையானது எமாரற்றுவதாக இருக்கிறது. அவர்கள் கொடுக்கும் புள்ளி விவரங்களில் தனக்கு நம்பிக்கை இல்லை’ என்றும் சொல்லியிருந்தவர். அவர் ஒரு பொறுப்புள்ளவர். பெரிய அதி காரத்திலிருந்தவர். அவர் அவ்விதம் சொல்லும்பொழுது இப்பொழுது விடுத்து வரும் அறிக்கைகளில் எவ்விதம் நம்பிக்கை கொள்ள முடியும். இந்த புள்ளி விவரங்களினால் சாப்பாட்டிற்கு வழி இருக்கிறதா? இதனால் ஏழைகளுக்கு ஒரு பிரயோசனமும் இல்லாமலிருக்கிறது. ஆனால் நமது இந்தியா உணவு மந்திரி கனம் முன்ஷி அவர்கள் நமது மாகாணத்திற்கு வந்தபொழுது அவர் நமக்கு ஒரு புத்திமதியை சொல்லியிருக்கிறார். அதை நாம் கட்டாயம் ஒப்புக்கொள்ள வேண்டும். அவர் என்ன சொல்லி இருக்கிறார் என்றால் நம் நாட்டில் சாப்பிடும் இலையில் ஆகாரத்தை பரிமாறும் பொழுது அதிகமாக பரிமாறுகிறார்கள் என்றும் அதனால் உணவு அதிகம் நஷ்டமடைகிறதென்றும் அதைக் குறைத்துக்கொள்ள வேண்டுமென்றும் சொன்னார். அவர் சொல்வது வாஸ்தவம்தான். நம் நாட்டில் நம்முடைய வீட்டிற்கு விருந்தினர்களோ சிநேகிதர்களோ வந்தால் அவர்களுக்கு நாம் கௌரவத்தை உத்தேசித்து அவர்களுடைய சாப்பாட்டிற்கு அதிகமாகவே பரிமாறி அவர்கள் சேதம் செய்யும்படியாக செய்கிறோம். அந்த வழக்கம் நம் நாட்டில் வெகு காலமாக இருந்து வருகிறது. அப்படி செய்வது ஒரு பெருமை என்று நாம் நினைக்கிறோம். இது மாதிரி செய்யவேண்டிய அவசிய மில்லை. இந்த புத்திமதியையாவது நாம் அவசியம் ஒப்புக்கொள்ள வேண்டும். அவர் சொல்லும் மற்ற விஷயங்கள் எந்த விதத்திலும் பிரயோசனம் இல்லை.

“இரண்டாவதாக தானிய சேகரிப்பு விஷயமாகச் சொல்ல வேண்டியதாக இருக்கிறது. கிராமவாசிகள் சம்சாரிகள். அவர்கள் விதைக்கு என்று வைத்துக்கொண்டிருக்கும் நெல்லைக்கூட கொண்டுபோய்விட்டார்கள். அவ் விதம் கொண்டுபோன பிற்பாடு தங்களுக்கு அரிசி வேண்டுமென்று கேட்டால் ரேஷன் கடைக்கு போய் வாங்கிக் கொள்ளுங்கள் என்று சொல்லிவிட்டு

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விதைக்கு என்று வைத்திருக்கும் நெல்லை எடுத்துக்கொண்டு கூப்பன்களை கொடுத்துவிடுகிறார்கள். ஆனால் ரேஷன் கார்டுகளை ரேஷன் கடைகளில் கொண்டு போய் வைத்துக் கொண்டிருந்தால் வெகு நேரம் காத்திருந்தும் உணவு தான்யம் கிடைக்காமல் திரும்பி வந்துவிட வேண்டியதாக இருக்கிறது. கிராமங்களில் மாதத்தில் ஒன்றிரண்டு நாட்களுக்குதான் உணவு தான்யம் கிடைக்கிறது. பூரா நாட்களுக்கும் கிடைப்பதில்லை. இம்மாதிரி ஜனங்கள் கிராமங்களில் கஷ்டப்படுகிறார்கள்.

“இன்னும் procurement-ஐ பார்க்கும்பொழுதும் கிராம வானிகள் ரொம்பவும் கஷ்டப்படுகிறார்கள். கிராம வானிகளிடமிருந்து தான்யங்களை கொள்முதல் செய்யும்பொழுது அவர்களுக்கு வேண்டிய சரியான விலையைக் கொடுத்து நெல்லை வாங்கிக் கொள்வதில்லை. ஆனால் அவர்கள் விவசாயம் செய்வதற்கென்று மற்ற சாமான்களை வாங்கும்பொழுது அதிகப்படியான விலையைக் கொடுத்து வாங்க வேண்டியதாக இருக்கிறது. அவ்விதம் அதிக விலை கொடுத்து மற்ற சாமான்களை வாங்குவதற்கேற்றார்போல நெல் விலையில் அவர்களுக்கு அதிகம் கிடைப்பதில்லை. அதனால் அவர்கள் மிகவும் கஷ்டப்பட்டு உணவு உற்பத்தி செய்யாமல் மற்ற விதமான commercial crops, அதாவது புகையிலை, நிலக்கடலை, இன்னும் கரும்பு முதலிய அதிகம் வரும்படி வரக்கூடிய சாமான்களை பயிரிடுவதற்கு முற்படுகிறார்கள். ஏனென்றால் நெல் உற்பத்தி செய்வதில் கிடைக்கும் வரும்படி ரொம்பவும் குறைவாக இருக்கிறது. அதனால் அவர்களுக்கு மற்ற சாமான்களை வாங்கி சமாளிக்க முடியவில்லை. அதனால்தான் நெல் உற்பத்தி குறைந்து விடுகிறது. உத்திர பிரதேசத்திலிருந்து நாம் நம் மாகாணத்திற்கு அரிசி வர வழைத்து அதற்காக 100 லட்சம் ரூபாய்க்குமேல் நஷ்டமடைவதற்கு பதிலாக அந்தப் பணத்தை நம்முடைய விவசாயிகளுக்குக் கொடுத்து விவசாயத்திற்கு உதவி செய்தால் நம் விவசாயிகள் எவ்வளவோ உத்சாகத்துடன் உழைக்க முன் வந்து நெல் உற்பத்தியை அதிகரிக்க கவனம் செலுத்துவார்கள். அவ் விதம் உழைப்பவர்களுக்கு பணம் கொடுக்க இன்னும் நம் அரசாங்கத்திற்கு மனம் வரவில்லை. ஆகவே உணவு உற்பத்தி குறைவுக்குக் காரணம் விவசாயிகளுக்கு வேண்டிய வரும்படி கிடைக்காமல் குறைவாக கிடைப்பதுதான். இதை யோசித்து விவசாயிகளுக்கு அதிக விலை கொடுத்து வந்தால் விவசாயிகளுக்கு விவசாயத்தில் அக்கரை ஏற்பட்டு ஜாஸ்தி பயிரிட்டு உணவு உற்பத்தியை அதிகரிக்க கவனம் செலுத்துவார்கள். இதை நம் அரசாங்கம் முக்கியமாக கவனிக்கவேண்டும்.”

“ரேஷன் பங்கீடு. இதில் நான் முதலில் சொன்னமாதிரி கிராமங்களில் சரியானபடி பங்கீடு நடக்கவில்லை. பட்டணங்களிலும் மற்றும் சில இடங்களிலும்தான் சரியாக நடப்பதாக கேள்விப்படுகிறேன். ஆனால் கிராமங்களில் பங்கீடு சரிவர நடக்கவில்லை என்று ஜனங்கள் குறை கூறுகின்றார்கள். நான் பெரம்பூர் பக்கம் போய் ஒரு விவரம் அறிந்தேன். அங்கே கூலி வேலை செய்கிறவர்களுக்கு பங்கீடு சரிவர நடக்கவில்லை என்று கேள்விப்பட்டேன். கூலிகள் சாயங்காலம் வேலைசெய்துவிட்டு 6-மணிக்குமேல் ரேஷன் கடைகளுக்கு சென்றால் அதற்குள் ரேஷன் கடைகளை மூடிக்கொண்டு போய்விடுகிறார்களென்றும் அதனால் தங்களுக்கு உணவு கிடைப்பதில்லை என்றும் புகார் சொல்லுகிறார்கள். இவ்விதம் கூலிகள் வருவதற்குள் ரேஷன் கடைகளை மூடி அடைத்துவிட்டு போய்விடுகிறார்களாம். இவ்விதம் கடைகளை 6-மணிக்கு மூடிக்கொண்டு போய்விட்டால் கூலி வேலை செய்கிறவர்கள் எப்பொழுதுதான் தங்களுடைய ரேஷனை வாங்கிக்கொள்ளமுடியும். ஒன்று அவர்கள் கூலி வேலைக்கு பேரகாமலிருக்கவேண்டும். இல்லாவிட்டால் 6-மணிக்குமேல் அவர்களுக்கு பங்கீடு செய்யவேண்டும். கடைகளில் பேசும் பாஷை கூலிகளுக்கு தெரியாததால் கடைகாரர்கள் முரட்டுத்தனமாக நடந்து கொள்ளுகிறார்கள். இதை கவர்ன்மெண்டார் கவனித்து ரேஷன் கடைகளை 6-மணிக்கு மேலும் திறந்துவைக்கும்படி ஏற்பாடு செய்யவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

“கூழன்றும் எர்ப்பின்ன
துலகம் அதனால்
உழந்தும் உழவே தலை”

[10th August 1950] [Janab Abdul Rahman]

என்றும் நாயனார் சொல்லியிருக்கிறார். உழவுதான் தேசத்தின் தலையாக இருக்கிறது. ஆகவே இப்பொழுதே தேசம் முன்னேற்றமடைய அக்கரை எடுத்துக்கொள்ள வேண்டும். இதுவரையில் அந்நிய கவான் மெண்டு இருந்தது. அப்பொழுது அநேகமாக தரிசு போட்டிருந்தார்கள். அவர்கள் இப்பொழுது போய்விட்டார்கள். நம் அரசாட்சி நடக்கிறது. இப்பொழுது வேண்டிய அக்கரை எடுத்துக்கொண்டு விவசாயத்தை பறப்ப வேண்டும். விவசாயிகளுக்கும் வேண்டிய உதவி செய்யவேண்டும்.

“இன்னும் அடுத்தபடியாக Grow More Food விஷயம். கோடிக்கணக்கான ரூபாய் இதுவிஷயமாக செலவு செய்திருப்பதை பட்ஜெட்டில் பார்க்கிறோம். எவ்வளவோ சிலவழிந்திருக்கிறது. அதனால் ஒரு பிரயோஜனமும் ஏற்படவில்லை. எவ்வளவு நிலம் பயிரிடப்பட்டிருக்கிறது. அதனால் எவ்வளவு அதிகமாக உற்பத்தியாகி இருக்கிறது என்ற புள்ளி விவரம் இன்னும் கொடுக்கவில்லை. ஆனால் சிலமாதங்களுக்கு முன் இந்தியா கவர்ன்மெண்டார் ஒரு அறிக்கை வெளியிட்டார்கள். அதைப்பார்த்தேன். அதில் மற்ற மாகாண சம்பந்தமாக பார்க்கும்பொழுது Grow More Food விஷயத்தில் 100-க்கு 2 per cent அதிக விஸ்தீர்ணம் காட்டியிருக்கிறார்கள். உற்பத்தியிலும் 9 per cent அதிகம் காட்டியிருக்கிறார்கள். ஆனால் இங்கு உற்பத்தியிலும் விஸ்தீர்ணத்திலும் 1 per cent கூட அதிகம் இல்லை என்று ஒரு அறிக்கை வெளியிட்டிருக்கிறார்கள். நிலைமை இவ்விதமாயிருக்கும்பொழுது Grow More Food-க்கு ஊன்று கோடிக்கணக்கான ரூபாய்களை சிலவழிக்கிறோம் என்று சொல்வதில் அர்த்தமில்லை. நம் மாகாணத்தில் உற்பத்தியும் அதிகம். காட்டவில்லை, விஸ்தீர்ணமும் அதிகம் காட்டவில்லை. ரூபாய் என்னவாயிற்று? இதைக் கேட்க எனக்கு ஆச்சரியமாக இருக்கிறது. ஆகவே இதற்கு சர்க்கார் சரியான ஜவாப் சொல்லவேண்டுமென்று கேட்கிறேன்.

“இன்னொன்று இந்த சபையில் நான் ஏற்கனவே சொல்லி இருக்கிறேன். நான் ஒரு சம்சாரி. எனக்கு விவசாயத்தில் சொந்த அனுபவம் உண்டு என்று முன்று வருஷகாலமாக நான் சம்சாரி என்ற முறையில் சொந்தமாக பயிர்செய்ய ஆரம்பித்திருக்கிறேன். நான் பொய் சொல்லவில்லை. நல்ல உரம் போட்டு சிரத்தை எடுத்து பயிர்செய்தேன். அதனால் ஒன்றுக்கு நான் குமடங்கு அதிகப்படியான மகசூல் கிடைத்திருக்கிறது. சொந்தமாகவே முயர்ச்சி எடுத்துக்கொண்டு தழை உரம் போட்டு பயிர் செய்திருக்கிறேன். அதிக பிரயாசை எடுத்துக்கொண்டேன். அதனால் பிரயோசனமடைந்தேன். இதைப்போலவே கவர்ன்மெண்டார் மட்டும் இந்தமாதிரி விவசாயிகளுக்கு உரம் அதிகம் கொடுத்து உதவிசெய்தால் மிகுந்த பிரயோஜனம் ஏற்படும். நானும் என் கட்சி தலைவர் ஜனாபம் முகம்மது இஸ்மாயில் சாகேப் அவர்களும் ஒரு விவசாய பண்ணைக்கு போயிருந்தோம். அங்கு பயிர் செய்வதைப்பற்றிய பேச்சு வந்தது. உற்பத்தி செய்யவேண்டுமென்று கவர்ன்மெண்டார் சொல்லுகிறார்கள். அதற்கு கோடிக்கணக்காக சிலவு செய்கிறார்களென்றும் ஆனால் உரம் வாங்கி நல்ல முறையில் சபா செய்தால் உணவு உற்பத்தியில் பிரயோஜனம் ஏற்படுமென்றும் ஒப்புக்கொள்ளப்பட்டது. இதையே அங்கிருந்த அதிகாரி கூட ஒப்புக்கொண்டிருக்கிறார். நாங்கள் நல்ல உரம் போட்டு பயிர் செய்ததால் பிரயோஜனம் ஏற்பட்டது. இது ஒரு முக்கியமான விஷயம். இந்தமாதிரி நல்ல உரம் சப்ளை செய்வதற்கு கவர்ன்மெண்டார் முன்வரவேண்டும். அப்பொழுதுதான் விவசாயிகள் அதிகம் உற்பத்தி செய்யலாம். இதற்காக அதிகச் சிலவில் பெரிய Food Department வேண்டியதில்லை. கோடிக்கணக்கான ரூபாய் சிலவில் விவசாய டிபார்ட்டு மெண்டு அவசியமில்லை. இவைகளினால் ஜனங்களுக்கு உதவி கிடைப்பது. இன்னும் விவசாய டிமாண்ட்ஸ்டிரேட்டர்களிருக்கிறார்கள். அவர்களுக்கும் இன்னும் தொடர்பு வைப்பது இல்லை. இதுவிஷயமாக ஒரு உதார ஜனங்களுக்கும் தொடர்பு வைப்பது இல்லை. இதுவிஷயமாக ஒரு உதார ஜனம் சொல்லப்பிரியப்படுகிறேன். தென்காசியில் ஆறுமாதங்களுக்கு முன் ஒரு விவசாய மகாநாடு கூடினார்கள். அப்பொழுது கிராம பிரசாரர்களில் இரண்டு மூன்று பேர்கள் பேசினார்கள். நானும் பேசினேன். அப்பொழுது என்னுடைய சொந்த அனுபவத்தை எடுத்துச்சொன்னேன். எல்லோரும் ஒப்புக்கொண்டார்கள். அப்பொழுது அங்கே ஒரு ரிடயரான ஆபீசர் கூட பேசினார். அவரும் தன்னுடைய அனுபவத்தை எடுத்துச் சொன்னார்.

[Janab Abdul Rahman] [10th August 1950]

தான் சொந்தமாக விவசாயம் செய்ததாகவும், உரம் அதிகம் போட்டு விவசாயம் செய்ததால் பன்மடங்கு மகசூல் கிடைத்தது என்றும் சொன்னார். அதையும் எல்லோரும் ஒப்புக்கொண்டார்கள். ஆகவே கிராமங்களுக்கு சென்று பிரசாரம் செய்யவேண்டும். உணவு உற்பத்தியை அதிகமாக வேண்டுமென்று ஆபீசில் உட்கார்ந்துகொண்டு அறிக்கைகள் மூலம் வெளியிட்டால் அதனால் ஒரு பிரயோஜனமும் இல்லை. பிரயோசனமும் ஏற்படாது. நான் ஏற்கனவே சொன்னபடி செய்தால்தான் அதிக உற்பத்தி செய்து சமாளித்துவிடலாம். ஒரு கஷ்டமும் இல்லை. நூறுக்கு 400 per cent, அதாவது நான்கு மடங்கு உற்பத்தியை அதிகரிக்கலாம். ஒன்று மில்லாததற்கெல்லாம் பிரமாபுத்துதி கோடிக்கணக்கான ரூபாய்களை சிலவழியில் பிரயோஜனமில்லை.

நாயனார் சொன்னமாதிரி—

இலமென் ற்சைடு
இருப்பாரைக் காணின்
நிலமென்னும் நல்லாள் நகும்

உணவு இல்லையென்று என்றிருக்கவேண்டாம். பூமி இருக்கும்பொழுது உணவு இல்லை என்று எப்படி இருக்கமுடியும். விவசாயம் இருந்தால் எல்லோருக்கும் வேலையும் கிடைக்கும், எல்லோருக்கும் பிரயோஜனமும் ஏற்படும். அதை விட்டுவிட்டு கையில் பூமி இருக்கும்பொழுது கோடிக்கணக்கான ரூபாய்களை சிலவழித்து மற்றவர்களைக் கேட்கவேண்டியதவசியமில்லை. ஆகவே கவர்ன்மெண்டார் இந்த விஷயங்களில் அக்கரை எடுத்துக்கொண்டு ஜனங்களுக்கு போதுமானபடி கிராமங்களில் உரம் சப்ளைசெய்தும் உதவிசெய்தும் வந்தால் உற்பத்தியை அதிகப்படுத்தி அதிக மகசூலை எதிர்பார்க்கலாம் என்று சொல்லிக்கொண்டு என்னுடைய பேச்சை முடித்துக்கொள்ளுகிறேன்.

* SRIMATHI A. V. KUTTIMALU AMMA :—“ Madam, Deputy Speaker, that the food situation in our State is in a very precarious position is a fact and trying to evade the issue is not going to improve this. No good is going to come if we just try to place the blame on somebody else. Let us face the problem and solve it as best as we can. The Government rationing in many places has broken down. I know that not only in Malabar but also in various other places rice has not been issued for weeks now. Even in a place like Pallavaram which is very near Madras, during last week only two days' rice ration was issued and this week no rice was issued at all. This has happened not only in one place but in many places in the State. I am sure the people in charge of food-supply in this State also are aware of this great crisis and are trying, with all the resources at their command, to rush relief to the people in these places.

Madam, here I want to thank the Government for having introduced statutory rationing all over Malabar, but I must tell them that the food position in Malabar is very very bad. In 1943 we had similar conditions and thousands of people died of starvation. We are grateful to the Government for having introduced statutory rationing throughout Malabar, but at the same time, it is their duty to see that food is rushed to the people in Malabar at this time of crisis. If the situation is not taken in hand immediately and stocks rushed to Malabar, we are afraid that things that happened in 1943 will be repeated now also. Even in the days of plenty, Malabar had always suffered from scarcity of food. During this month owing to incessant rains nothing could be produced there

[10th August 1950] [Srimathi A. V. Kuttimalu Amma]

and people have to eat only roots and leaves. I appeal to the Government to see that the present food crisis in Malabar is tided over somehow and that food is rushed to that district to rescue the people who are now starving. Every day we are getting various telegrams about the pitiable plight of the people in that district and especially in the coastal areas like Ponnani, Kottayam, Chirakkal, Kurumbranad and Ernad, and some places in the Valluvanad taluk, the people are the worst sufferers. If something is not done immediately, the situation there would get worse and people would die of hunger and starvation.

“ Madam, wherever you go, you hear people talking about black-marketing. Even educated people who ought to know better talk about blackmarketing and say that any amount of rice could be got in the blackmarket. One day I asked somebody who was saying like this, whether he could get me a ton of rice in the blackmarket, but I got no reply. I told him that if he could get for me one ton of rice, I would try to persuade the Government to buy that one ton of rice in the blackmarket at blackmarket price and supply it to the people who are in want, but he could not. But then there are still people who talk whatever they like and say that we can get any amount of rice in blackmarket, while as a matter of fact, we cannot get any large quantity in blackmarket. So, Madam, I appeal to them through you to see that this kind of scandal is not spread. Perhaps a rich person might be able to get some quantity of rice at any price either in blackmarket or greymarket or whitemarket or whatever it is, to feed the guests he had invited for the marriage of his son or daughter, but it would be impossible for the State to get large quantities of rice necessary to feed the population from any blackmarket. Let us understand that and let not people who ought to know better indulge in such kind of talks.”

THE DEPUTY SPEAKER :—“ The hon. Member may continue her speech after lunch. The House will now rise and meet again at 2-30 p.m.”

(After lunch—2-30 p.m.)

(The Deputy Speaker in the Chair.)

SRIMATHI A. V. KUTTIMALU AMMA :—“ Madam, these rich people about whom I was speaking do not give a second thought to buying in any kind of market to feed their guests in the name of being hospitable to their guests. This would show what atrocities that money can do. They get up on the platform and glibly talk of the suffering of the common man and the poor man who is to come to the rescue of those people who exploit him most. I appeal to these people through you, Madam, to spare that common man. I would also ask the Government to stop all concessions to clubs and associations where in the name of celebrations feasts are allowed. I hear that in some clubs even when the food situation is so bad moon-light dinners are conducted. For Heaven's sake stop these things and if any dinner is to be allowed, let it be dinners where rice is not served. I would appeal through you,

MOTION re FOOD SITUATION IN THE STATE

[Srimathi A. V. Kuttimalu Amma] [10th August 1950]

Madam, to the people who can afford to eat things other than rice to try it and thus help to ease the crisis. The Government can also try and see if they can introduce a system of giving only half-rice ration to adults who do not do manual labour. The suggestion made by the Leader of the Independent Group that half ration should be given to all people who get more than Rs. 500 and above would work hardship on the people who are working under those men. Because the person who gets the ration will be the head of the family, and all the servants who work under him will come within the meaning of his family. If it can be managed in this way that any adult person who does not do manual labour is given half ration and that children and people who do manual labour are given their quota of rice, it can be tried. Let us not be carried away too far by thinking that by getting only 6 ounces of rice everything in this State is going to ruin. We should not forget that in 1946 also we did have to go down to 6 ounces, and then we rallied. Let us hope that with the co-operation from all, our State will be able to rally again and go on to better days soon. Once again I appeal to the Government on behalf of my district of Malabar, please in no circumstances stop statutory rationing in Malabar. The Government should see that it is properly revived, and that each one gets his quota of rice. Thank you, Madam."

* BEGUM SULTAN MIR AMIRUDDIN :—" Madam Deputy Speaker, the statement of the Hon. the Food Minister, I am sorry to note, reveals a very grave situation in this State, the announcement that rice ration is to be reduced from 7 to 6 ounces has come as a bolt from the blue to the public. It is indeed distressing to find that the people of this State have been reduced to such a plight under a national Government which has been at the helm of affairs for four long years. The first Ministry gave a ration of 12 oz.—all in rice—with an option to take wheat. This was afterwards reduced to 10 ounces. Then to 8 ounces. A few days ago, it was further reduced to 7 ounces and to-day we have been told that we shall get only 6 ounces, that is, half of what was being given when the Congress Ministry came into office. As for the over-all ration of 12 ounces, it is a well-known fact that it is only a myth and that people do not get it."

"The Government seem to blame Nature for all their troubles and tribulations. But I wish to state that it is not Nature that is so much to blame for the present critical situation as the authorities themselves. The present food crisis is not so much a 'Vip Karm', an act of God, as an act of man. This is amply borne out by the statement that has been given to us by the Hon. the Food Minister. There can be no greater indictment of the Government's food policy than this statement itself, for it reveals that there is enough food to go round the people, at the rate even of 16 ounces per adult. I am afraid the Government have done the greatest harm to themselves by publishing the figures contained in the said statement. We are told that the normal production of rice and millets in this State is 7,518,300 tons. When we deduct from this the deficit of 1,275,300 tons caused by adverse conditions, viz., by the failure of the monsoon and the

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havoc caused by the cyclone, we find that we are left with 6,243,000 tons which should suffice to feed the adult population of this State on the basis even of 16 ounces. The figures reveal that people are subjected to their present plight on account of mal administration, mal-procurement and mal-distribution. (Janab N. Muhammad Anwar: 'Mad') Not mad, but 'mal'."

THE DEPUTY SPEAKER :—" Not 'mad' but 'bad'."

* BEGUM SULTAN MIR AMIRUDDIN :—" I used the word 'mal' which means bad. It is Mr. Anwar who likes to depict the actions of the Government as mad. I do not like to indulge in such phraseology. It is not surprising that the Hon. the Food Minister of the Government of India, Mr. Munshi, when he visited this City, came to the conclusion that there was no food scarcity on the basis of the figures that were supplied to him."

"The fact of the matter is that procurement has been a failure and the authorities have not been able to cope with the situation. The defaulters have been the rich landlords, a good proportion of whose grains have found their way into the blackmarket. We have been informed that the percentage of procurement this year is 61 with reference to rice and 56 with reference to millets whereas in the previous year it was 89 with reference to rice and 77 with reference to millets. The whole policy of the Government as regards procurement is a perverted one. We have been informed on the floor of this House by Mr. Karanth and Mr. N. S. Varadachari that it is the poor cultivators, the marginal farmers, who are harassed by procurement officers but the well-to-do landlords are not interfered with. How does the rice get into the blackmarket? The marginal cultivators cannot afford to part with their holdings. It is mainly the rich landlords who feed the blackmarket. While rice is not available at the ration shops, it is to be had in the blackmarket to which almost every household has recourse to-day. Almost every householder is giving a blackmarket allowance to his family, for the grain that is given in the ration shops does not last more than five days a week. Government seem to wink at the activities of the rich while they prosecute the poor. It is learnt that paddy was harvested recently in the Chingleput district, but it has gone underground."

"The rich not only provide the blackmarket with grains but also make them thrive by drawing their supplies therefrom for their innumerable functions and festivities. Mrs. Kuttimalu Amma rightly pointed out that a large number of dinners, luncheons and parties are being held day in and day out. Many of them are in contravention of the austerity rules of the Government; but the authorities take no action. (Janab N. Muhammad Anwar: 'In honour of the Ministers.') They are all not in honour of Ministers. Ministers are no doubt feted well when they tour the districts but most of the parties that are held in this City in clubs, restaurants and hotels are not in honour of Ministers. Most of such functions are subscription dinners or lunches at which large numbers of people assemble. Those who move in the fashionable circles will vouch to the fact that hardly a day passes without

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society people feasting themselves. On a previous occasion, I urged upon the Hon. the Food Minister to restrict the number of persons that could assemble at subscription dinners or luncheons but he took no action. As a conscientious objector I refused to attend a subscription dinner the other day that was held on the occasion of a Muslim festival at Hotel Connemara, for I felt that when the people of this State were starving and living on tamarind seeds and roots of trees, we should not make matters worse for them by indulging in feasts. (Janab M. A. Muhammad Ibrahim : 'I also did not attend.') I am glad the hon. Member also did not attend the function. As responsible members of the Legislature we have to do our duty by the people who have returned us to this House, and should desist from taking any steps which will augment the misery of the poor. When the cry of the hungry millions is reaching our ears, we should exercise some amount of forbearance and refrain from participating in feasts. I once again urge upon the Hon. the Food Minister to impose a limitation on the number of persons that can assemble at subscription dinners and issue strict injunctions to his department not to give permits in violation of the existing austerity rules except in very special and rare cases. Moreover, on no account should rice be allowed to be served at subscription dinners or luncheons. (Janab Muhammad Raza Khan : 'Pulav is also served.') In European establishments where the use of rice is not permitted, 'pulav' is imported from outside on such occasions."

THE DEPUTY SPEAKER :— "Is it a rationed article?"

* BEGUM SULTAN MIR AMIRUDDIN :— "In these days of scarcity of foodgrains it should be a rationed article. I understand that the Central Government has tightened up the austerity rules, but in the State of Madras austerity rules are respected more in their breach than in their observance despite the fact that famine is stalking the land. It has been prescribed by the Government that on occasions of marriages no one should feed more than 50 persons. But in the months of May and June, under the very nose of the Government, before the very eyes of the authorities, marriage festivities were held in Madras City at which, according to newspaper reports, 2,000 persons were fed, and the Government paid no heed to the matter. They took no action; they were immobile. That is how the food resources of the State are depleted."

"I wish to know why the Government have a soft corner for blackmarketeers? Time and again we have drawn the attention of the authorities to check hoarding, profiteering, particularly in essential articles of food, but to no effect. The Hon. Minister now speaks of creating public opinion as a remedy. The food crisis and the soaring prices are events which cannot be viewed with equanimity by any responsible Government and it will be fatal to indulge in mere words and hopes and not to take action. Act, act in the present, that is the call of the hour."

"I was amused to peruse the figures and statements as regards food production, etc., supplied by the Government, for they contradict themselves. On the one hand we have been informed that

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from to-day our ration is to be reduced to 6 ounces and that this state of affairs will continue until February 1951. On the other hand, an address that the Director of Agriculture delivered at the Agriculture College at Coimbatore the other day he stated that this State would become self-sufficient by 1951. While till February 1951, we are to be on half ration with 6 ounces it is stated that this State will become self-sufficient by 1951. Is such a conclusion not an extraordinary one? I do not know how the Government can reconcile their recent announcement and the assurance of the Director of Agriculture? It is indeed a matter of regret that the much boosted Grow More Food Campaign has been a failure. A considerable amount of money has been spent on well subsidy schemes but with little result. The Government should have taken steps to reduce the area under the production of commercial crops in the State, but they are averse to this because it would affect the rich landlords. The Government are spending about Rs. 25 crores on irrigation works but these irrigation projects will be utilized not for the purpose of growing paddy but for growing sugarcane, tobacco, turmeric, etc. The Government should grow alive to their responsibility in regard to their feeding the people of this State and revise their policy. One of the reasons for the present food crisis, we have been told, is lack of proper arrangement in regard to transport. The Government complain that there were no waggons. On the other hand, according to the Raja of Chettinad, the railway authorities stated that waggons were available but there was no food to carry. If a sufficient number of waggons was not available, why did not this Government request the Central Government to restrict passenger traffic? In Tanjore district several thousands of tons of rice and paddy allotted to Madras and deficit areas lay exposed to the sun and rain for weeks together without being transported. Can anyone view such a state of affairs with equanimity?

"In conclusion I appeal to the Government to revise their attitude towards the food problem and give up their 'wait and see' and 'laissez faire' policy. The self-complacency with the authorities are displaying is most dangerous, for we are on the verge of a precipice; we are on the brink of famine. Let not the story of Bengal be repeated here as a result of Government incompetence and mismanagement. There are twelve Ministers. Why cannot each Minister take upon himself the task of attending to the food problems of two districts in addition to his other work? The Government have to act expeditiously, for delay is dangerous."

SRI L. C. PAIS :— "Madam, Deputy Speaker, that the food situation in the State is grave, difficult and critical has to be admitted by everybody. If there was any doubt in the matter, that doubt certainly has been dispelled by the statement that was placed in our hands yesterday by the Food Department. I do not want to go into it but the facts and figures supplied yesterday will only make one point clear that we are passing through a very serious and difficult food crisis. Even at the conference called by the Chief Minister, the facts became very clear. When a straight question was put to him whether the food situation was not

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critical, he was good enough to tell the public that the situation was virtually a critical one. Apart from the facts disclosed in the statement that was published, thanks are due to the Press for having brought to the notice of the public the facts from which it would be very clear that we are passing through a very difficult food situation. Thanks are due to the Press, because I may say it in the teeth of opposition, in view of the vital interests of the starving population, they have adopted a bold attitude. Any lapse on the part of anybody, be it on the part of the Central Government, be it on the part of the Madras Government or be it on the side of any official, they have brought prominently to the notice of the public and they have helped the formation and cultivation of proper public opinion. If we think that the Government are moving a little faster, surely I should say it is due largely to the attitude adopted by the Press and we cannot but be grateful to them for the work which they are doing in the interests of the public.

"The food situation is grave. Our main problem is that of rice. For long the Government have not been in a position to give at least 10 oz. of rice to the general public. It can never be said that the Government have succeeded in solving the food problem. We have any amount of advice from persons in authority. We were asked to fast one day in a week. We know that we are fasting not for one day but for many days in a week. Another piece of advice that was given was that we must miss a meal. It is a matter of common knowledge that to-day we are missing not one meal but many meals. Then we were asked to take to subsidiary food and eat roots, fruits, vegetables and the like. It is a matter well-known to everybody that we are eating everything that is available. We are eating roots, tamarind seeds, groundnut cakes, etc. The position, as I said, has become extremely difficult and we are actually in famine conditions and people are starving and semi-starving. At this stage, I may be permitted just to refer to the conditions of things prevailing in South Kanara. 'The Mail' has kindly published one of the letters that have been sent from South Kanara and with your permission, I shall just read it. It runs as follows:—

'Sir,—I thank you for stating the real facts of the suffering of poor villagers. It is not confined to Chingleput or North Arcot districts alone. Even in the South Kanara district things are the same. Rural people are given 6 oz. of rice and 1 oz. of wheat as ration. But wheat is not always available. Sometimes there is no ration for two or three days. To tell the truth, people are not eating, but drinking conji water. At night time to quench their hunger and to get sleep, often they drink water. They are not living, but semi-starving. They cannot go for extra rice as it is sold at Rs. 1-4-0 per seer, in the black market. Controls and Prohibition are the main cause for so many miseries of the people. But our M.L.As. and Ministers are more enthusiastic about Prohibition than the Food Problem. The 12 oz. ration is a myth; no one gets it here. Can we hope for better days!'

The last statement in this letter deserves some careful consideration. The impression that exists to-day is that we are inclined, that the Government are inclined, to tackle not the essentials but the non-essentials first, not the first things but the second things first. As has been hinted here and also in various letters addressed

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to the public in the papers, the point has been made that the Government in their anxiety to support the socio-economic schemes which they have already taken in hand are not even willing to give proper justice to such schemes as food production schemes. I may assure this House that I am a Congressman, I am a believer in prohibition and in the Government's socio-economic schemes. But I am a believer also in this that first things ought to be tackled first and that essentials have to be tackled before non-essentials. The question arises to-day whether when the people are starving for food and when certain deaths are also reported, we are justified in going on comfortably with some of our pet schemes ignoring what is more essential and more important so far as the public are concerned. (At this stage, Begum Sultan Mir Amiruddin, Chairman, occupied the Chair.) I shall only, with your permission, again read only one small letter published in *The Mail*. This is what that letter says:—

'Sir,—I feel impelled to write this letter for the reason that I feel that a chief cause of our present tragic "Food Position" is the persistence in pursuing this policy or scheme of enforcing their ideal against all odds and facts.

I may say at the outset—(I am not a tee-totaler)—that I am neither a "Prohibitionist" nor an "Anti". I shall not enter into a controversy on this.

But I am only anxious to point out that this ideal was an important plank in the platform of the Indian National Congress for decades past. But when this ideal was urged and "resolved" upon in Session after Session, other more urgent problems had not loomed upon the horizon. The war and the post-war conditions have created a new problem—Food—of more far-reaching and urgent consideration than the attainment of this age-long ideal.'

"I do not want to be misunderstood when as a Congressman I am saying that first things have to be taken up first and essentials have to be taken up first. My only submission is that the food problem is a national problem. When we want to tackle national problems, they must be tackled on the basis of national emergencies. Judging from the facts that are available to us, it seems that this food scarcity will remain with us for some time to come. When such is the case, it is for the Government to consider whether extraordinary methods have not to be resorted to solve this problem, and as I have already said, there is one extraordinary method, i.e., to halt some of our pet schemes and make use of that money for buying wheat, rice and other food in these days when prices are soaring. It is proper for the Government to open up fair price shops and buy rice wherever it is available to make it available to the public. We know from what has appeared in the papers that there is plenty of rice in Burma and Ceylon. But because of our self-sufficiency scheme, we did not think it necessary or right or proper to import this rice earlier and to-day we are suffering on account of it. The self-sufficiency scheme should be taken only as an ideal scheme. There is one other point which I would like to bring to the notice of the Government. Today, when people are eating tamarind seeds, groundnut cakes and such other things, would it be too much on my part to ask what the Prohibition scheme may be modified to some extent as to allow people to drink what is familiarly known as palm juice? I am afraid to use the word toddy as it may be offensive. Palm juice has been used for the manufacture of jaggery. In South Kanara

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and in many other places there are a number of people who will be very happy if they are given a glass or a bottle of toddy. I submit that this would be an excellent substitute and better food to the masses, especially the poor sections of the community than the tamarind seeds and groundnut cakes. This is only a suggestion on my part and it is for the Government to consider this suggestion having regard to the special and extraordinary circumstances in which we find ourselves placed and see whether for a time, this Prohibition policy could not be modified and allow the public to have recourse to toddy.

There is another point which was also referred to by my hon. Friend, Mr. Karanth the other day. Unless the cultivating ryot has been enthused to do something, unless we take more interest in him and ameliorate his condition, there will be no enthusiasm left in him to produce more. I would particularly refer to one thing so far as South Kanara is concerned. I am glad that the Minister for Law is present here. Some time back he attended a conference in my place, over which I presided. He inaugurated that Conference. At this Conference it was pointed out to the Hon. Sri Madhava Menon that unless the condition of the cultivating ryot is improved, we cannot hope to solve the food problem in a satisfactory manner. We also brought to his notice that tenants should be given fixity of tenure and no tenant should be removed so long as he was paying a fair rent, which should be fixed. I remember the Hon. Minister was kind enough to say then that when the Assembly meets next, some sort of interim legislation which will give some protection and security to the tenants would be introduced. I know he is a very reasonable, just and correct man. If he has not been able to bring this piece of legislation, certainly he must have had proper reasons and proper grounds. But as a person who presided over that Conference, I have to observe that the vast number of kisans are entitled to know why this piece of legislation which was promised has not been brought. Instead of this, they are proposing to bring an amendment to the Malabar Tenancy Act of 1929. In 1929, the first instalment of reforms was undertaken. Are we giving these poor ryots the maximum benefits to-day? I ask in the name of justice. Why do you deny this benefit and this consideration to the ryots of those places and why should there be discrimination between district and district, one part of a district and another? The ryots of South Kanara have been repeatedly asking for these reforms. They wanted that some sort of interim legislation should be introduced. We are entitled to ask why these measures have been postponed. I have nothing more to add except to appeal to the Government to take greater efforts to meet and solve the present food situation."

* JAWAB M. S. ABDUL MAJID :—" Madam, I rise to support the amendment moved by the hon. Leader of the Opposition. While doing so, let me inform the Hon. Minister for Food that my sympathies are with him, for all the troubles and tribulations of his department. The troubles of his department are not due

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to anything inherent in the department itself, but it is due to something, some forces outside the department. I mean, as a result of the change of the Constitution, the status of our State has been reduced to that of a 'glorified panchayat.' We have lost our independence, we have lost our initiative and we have lost our original thinking. To-day, we stand with our begging bowl at the door of Delhi, asking and clamouring for rice and more rice. What is the result? Hon. Ministers of the Government of India come down to this State now and then; Food Advisers, food experts and others visit this State. It is for us to honour them and to give them receptions and garland them if you want. It is not a question of 'he came, he saw and he conquered.' But it is a question of 'they came, they saw and they returned,' without any benefit to this State. We have been asking and crying for more and more rice; but the door of mercy has been closed on the face of this State. Delhi has stated, "Don't come to us for any more rice. What about your Grow More Food campaign? What about your well-sinking schemes?" In this manner they are putting the charge at our doors. Under the present Constitution does not the responsibility of food rest with the Government of India? They say, 'We have tried our best to get you rice. We have got it for you from the Uttar Pradesh. We have got some from Burma. But from Burma we cannot get anything more for you.' This morning the Rajah Saheb of Chettinad told us that if power was given to him, he would go to Burma and get some rice. I say that this Government transaction with regard to rice procurement has completely failed. So far as this State is concerned, why not the Government of India give powers to the normal trade channels to procure food? Let it be tried as an experiment. There is rice in Burma. It has always been a rice-producing country. During the years past, Burma has been supplying us vast quantities of rice. It can even to-day supply. But, because of several bottlenecks, it is not possible to get rice from Burma. Therefore I would request the Hon. Minister for Food of this State to appeal to the Government of India to give them powers to get food from wherever they want. We have to cut the Gordian knot if we want to survive the present food crisis, and if we want to prevent millions of people from starvation and death. People outside will find fault with the Government and say that they have not done their duty by the people. Madam, with these words, I now come to the question relating vitally to this State.

"At first, I take up the question of procurement. No doubt, with regard to procurement, I must pay my compliments to the Food Department of this State; for, comparatively speaking, procurement in our State has been the highest in the country. Bombay is having the levy system and other States are having the monopoly system and we have followed, what is called the procurement system. Under this system, we have been collecting the highest possible produce from the producers. But I say we have not done our utmost. In this procurement scheme, the karnam seems to be the moving force. It is the sweet will and pleasure

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of that individual to say what a particular producer is producing. Thus he can manipulate and is manipulating the figures relating to procurement. I say that it must be the responsibility of the Collectors and his officials to go and see whether the procurement figures submitted by the karnam are all right. The Hon. Minister, in his statement, has stated that they have failed in procurement to a certain extent. Some of those rich districts which could give us the surplus produce have not given us their surplus. Why are they doing that? They know that people are starving before their eyes. Why should they be stone-hearted and not come to the rescue of the poor people who are suffering a great deal without food? Therefore much has not been done in this matter of procurement. The Hon. Minister in his statement or rather makes a very pathetic reference to the continuous failure of monsoons. Monsoons have been failing ever since 1946. Therefore, Madam, when making up their figures, they ought to have presumed that there would be a failure of monsoon this year also and on this basis they should have approached the Government of India with their demand for rice. Instead of that, they have manipulated their figures on the basis that they would get the monsoon this year all right, and on this basis they have approached the Government of India with a certain figure. Now, the monsoons are failing this year also and they will have to go to the Government of India again with a larger figure. Therefore the Government ought to have proceeded on the basis that there would be a failure of monsoon this year also. That is what a wise administrator would have done in the circumstances. So, when preparing these figures you must be correct. I have once said that there are three sorts of lies, viz., lie, white lie and statistics. That is the case with regard to the figures submitted here now.

"When we look at the figures, everything seems to be all right. But actually what do we see? The Hon. Minister says that the Government have to reduce the ration. They have reduced it from 16 ounces to 6 ounces. Taking their present figures, when they say that the rations are reduced to 6 ounces, their distribution should have naturally doubled. But on the other hand, we find that people are suffering. There is something wrong somewhere. Therefore I am not quite sure about the figures supplied even here. Somehow or other, I think that this is a question of manipulation of figures and nothing else."

"Coming to the Grow More Food scheme, I have once said on the floor of this House that Grow More Food means, 'Grand, Magnificent Failure'. I once again repeat it here and say that it is only a grand, magnificent failure and not a grow more food scheme. We have been spending lakhs and lakhs of rupees under this item. What is the result? You have shown some results. But these results are not in any way going to help us in solving the food problem of this State."

"Then, what about the well-sinking scheme? The Hon. Minister himself has said in one place that it is an utter failure,

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and that the result is next to nil. It is most unfortunate, Madam, that several questions have been put on the floor of this House again and again and times without number about this well-sinking scheme. The Government have been telling us all the time that everything was all right. But to-day, the Hon. Food Minister comes and says that the result of the well-subsidy scheme is nil. Crores of rupees have been wasted on this scheme. Cry halt to this scheme. Divert all that money to subsidise food and to get more and more food from other parts of the world and other parts of the country. We are sitting here under the cool fans in this calm atmosphere; we are indifferent to the suffering of the people all round. We must give up this because the scheme has failed and we must take other steps to solve the problem of food."

"In order to get the highest yield possible, I am told that chemical manure is being administered even to delta areas. One of the agricultural experts told me that this sort of thing will ultimately result in lessening the produce from those areas in the years to come and the reaction upon the delta soil by the administration of these chemical manures is going to be very bad. We need not go and try to augment these delta areas with these chemical manures. On the other hand, there are vast acres of land which remain uncultivated. We can undertake small schemes and bring these lands under cultivation. Think about Manimukthar scheme."

"Such small beautiful schemes can be undertaken and worked successfully in this State, instead of talking about Ramapadasagar Project or Bhavani Project or this or that project. We can argue and put forth beautiful reasons for undertaking such big projects. But the common man does not want these. He wants more food. He wants more rice."

"Coming next to transport, Madam, the Hon. the Minister said that waggons were not available. I ask the Hon. the Minister for Food and I ask every Minister sitting in this House now why the cement manufacturers are getting priority for the transport of cement in this State. Has not food supply a top priority? If so let the Government suspend transport of all other articles and allow foodgrains to move first. I am told bags and bags of rice are lying at several rail-heads exposed to sun and rain. If they are not transported immediately to deficit areas, I am afraid further deterioration will set in and the Government will be held criminally responsible for it. Therefore, it is no use sitting here issuing statement after statement. It is for the Minister to go round and find out where the mistake lies. We have to break this bottleneck of transport and move all grains that lie exposed to sun and rain to places where they are urgently required."

"Then, Madam, the Foodgrains Procurement Policy Committee in one of its recommendations has stated that the Food Department must be made a permanent department of the Government. Yet it is most unfortunate that in spite of the fact that the food problem has come to stay in this State, the Government have not thought it fit to make the Department permanent. If the Department

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continues to be put on a temporary basis, the officials of the Department will not take that amount of interest which they will take if the Department were a permanent one. Therefore, I would refer the Hon. Minister for Food to the recommendation of the Foodgrains Procurement Policy Committee and request that the Department be made permanent.

“Last but not least, Madam, it is being said outside—when I say this, I am not casting any reflection on any one that there is no forceful or compelling personality in the Cabinet of this State who could make the Government of India act. I am not quite sure whether that rumour is correct or not but seeing from the result, I could say that the Ministers are not able to influence the Central Government. If there is one important portfolio to-day it is the food portfolio. All other portfolios must be given a secondary place and all the Ministers must run about and see that more food is procured and supplied to the people whether it is from the other States in the country or from other parts of the world, so that the food problem is solved here and now.”

SRI V. I. MUNISWAMI PILLAY :—“Madam, as it has been already observed by most of the Members who preceded me the food situation has become grave. From what we have seen personally and what we have heard, the situation appears to be graver still than what we imagined. It is indeed sad to hear that rationing has broken down in several places and people are starving. It is heart-rending to see the miserable plight rural people are put to. Mahatmaji rightly observed that there should be no Controls. However, later events like the failure of monsoons in this State and the cyclone that swept the Andhra Desa proved that Controls should stay. I am sorry that the Central Government in whom we have got the greatest confidence have not come to our rescue and to relieve us of the suffering we undergo. It is true that there are certain vagaries in the machinery of procurement. But unless there is production and unless there is stock of foodgrains, there is bound to be regulation, sometimes rigid rules too. As we see, there is no enthusiasm either in the Harijans or in other agricultural labourers to produce more food. As has been rightly pointed out by the previous speaker, Mr. Majid, the moving force is the karnam and the monegar. Wherever the Harijans have taken up lands for cultivation on lease under the Grow More Food Scheme there are several difficulties placed in their way and finally they are evicted. Recently in Tiruchirappalli and in Tiruvannalloor, thousands of Harijans joined together and ploughed and sowed seeds on a thousand acres of land. What happened later? The Public Works Department flooded the whole area. Is it fair, I ask. Unless there is co-ordinated planning on the part of certain Ministers—the Ministers for Food, Agriculture, Land Revenue and Public Works—there can be no salvation for the people. In many places on the plea that lands have been encroached they were allowed to be grazed by cattle. This is what is happening to-day and unless the Government come to the rescue of such people we cannot have more production. Another suggestion that I want to make is that the

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Hon. the Minister for Land Revenue must make over all lands that are lying fallow to those people who are able to plough and sow. If this is done there will be more production of foodgrains.

“The hon. Gentleman the Raja of Chettinad, just now observed that the Hon. Mr. Munshi came here only to talk about tree planting. Madam, there are great things in what Mr. Munshi has said. One of our Saints in the south—Swami Thayumanavar said that when there is dearth of food, people must go to forest and eat the leaves and live on roots and meditate. Those who do not work should get to that Yogic stage. In this connection, I endorse the view expressed by my hon. Friend, Mrs. Kuttimalu Ammal, that all those who do not work should not get any rations. Mr. Munshi wanted more of grass-lands and forests to be grown because we see dearth of cattle also. There are no grazing grounds. There is no fodder for the cattle. My hon. Friend, Mr. Shetty bringing a few stud bulls will not solve the problem. If cattle wealth improves, we will get plenty of ghee and buttermilk which we badly need in view of the reduction in rations. We have been advised to take to wheat-eating. We cannot do so unless we have plenty of ghee and milk. These are the suggestions which should receive due attention.

“Lastly, coming to the Nilgiris, a deficit district—I must tell the Government that greater attention should be bestowed on this district by the Agricultural Department. The Government of India have banned the cultivation of wheat and barley on the Nilgiris. In view of the present food crisis, this Government should request the Central Government to lift the ban. If this is done, this deficit district which has now to depend upon other districts for its food need not do so. Due to the failure of monsoons this time, at least fifty per cent of the potato-growers will be ruined. When we approached the Government in this connection, they issued an order sanctioning a certain amount of loan. But the growers could not draw the loans since a hundred and one conditions govern the issue of loans. I may request the Hon. the Minister for Food to create buffer stocks in this district in view of the peculiar nature of transport and conveyance obtaining there. It is a plantation area, the estates lying scattered. No village is easily accessible. Further during the previous north-east monsoon, many roads were blocked by landslides due to heavy rains. I would therefore request that there should be a buffer stock kept in this area. I hope the suggestions that I have made will receive due consideration.”

JANAB MAHIN SCHAMNAD :—“Madam, our long experience has shown that the Government are not able to keep the food crisis in check. The report of the Hon. the Minister for Food clearly shows that they are not able to control the situation. Such being the case, I ask, ‘why should they not leave the whole matter to the people and allow them to make their own arrangements for food’. If control is lifted and if there is no interference by the Government, we can easily get rice in the open market. If there is control, we are bound to go and wait at the ration shop and remain content with what is given—6 ounces or 7 ounces of rice or units

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as they are called. Even this they may not get for three or four days. I do not know how people can manage to live on these 6 and 7 ounces of rice. If this 6 ounces had been decided upon earlier, I would not have been able to attend this session from Kasaragod. What do the people do now? They go in for black-market rice. Those who are rich can afford to buy rice from blackmarket. What will the poor people do? They are starving to-day. What will be their ultimate fate, no one knows. If they had not gone to the blackmarket where would they have gone? They would have gone to their graves. The blackmarket is a blessing. But for the blackmarket people would have died.

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P.M.

"Now Madam, after the Government procure a fixed quota a large quantity of rice remains in the villages. It is hidden underground. A large quantity of it gets rotten and spoiled underground. If control is raised and the people are allowed to manage their own business, they will manage to get all the rice remaining in the village. It will be sold in the open market. The Government may procure a fixed quota and thereafter the people may be allowed to sell their rice and make their own arrangements. The Government should not interfere with their business and raise the control.

"Sir, suppose a man comes from one rationed area to another rationed area. Where should he go for his food? If there is a private shop he can purchase rice there. But if he goes to a ration shop, he is asked to produce a ration card. He cannot get any food from others, because they themselves have not got anything to eat. If he goes to the ration office for a ration card, they would not give him a ration card unless he produces a certificate from the village munsif of his village. Before I came to Madras one man came to me from a rationed area. He was starving without food because he could not get any rations. The rationing officer said that he should get a certificate from the village munsif of his village. I then sent the man to the ration officer with a request that he may be given a ration card. Even then he would not give. He said that unless the man got a report from the village officer of the village he could not give him any ration card. How could he go to his village 20 miles away? He has no money to pay for the bus and he cannot walk. These are the difficulties on account of control and rationing.

"Now, Madam, when they procure the paddy from the people they give them all sorts of trouble. Instead of doing them good, they harm them in all sorts of ways. The people are tired of the rationing department. Madam, for example people are expected to give their stock report within seven days after the harvest. If there is heavy rain they would not be able to give their stock report, because before giving the stock report, they should dry the paddy and measure it. If there is heavy rain, they cannot dry the paddy. If there is a delay of 2 or 3 days on this account, the people are prosecuted. The rationing officer will not consider that there was sufficient reason for the delay. Only in the case of rich persons there is excuse, but the poor persons are prosecuted, sometimes at the instigation of their enemies, the landlords.

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"Now some people get permits for transporting paddy from the tenants' houses to their houses. There is some time fixed within which the permit should be returned to the ration office. If there is a delay of one or two days, because the person happens to be a gosha lady and the work has to be attended to by the Kariyasthan, if there is a delay of one or two days only in returning the permit to the rationing office—it is merely a paper delay—even then, the person is prosecuted. Only rich people are excused; only those in whom the rationing officer is interested are excused. The others are prosecuted.

"Then, Madam, for the Ramzan, sugar was sanctioned. Instead of sending this sugar to the stores, the rationing officer of Kasaragod kept all the sugar in the rationing office and all the people had to go there. There was a big rush and only a few people could get sugar. By that time the Ramzan was over. There was great disappointment.

"Madam, in our village there are four tea shops. The rationing officer of Kasaragod goes there for checking the provision in the tea shops. Then one shop-keeper gives him tea and eatables. So the rationing officer, when everybody was getting a quota of half a maund of sugar per month, increased the quota of this shop-keeper to one maund, because he gave him tea and eatables. When the other shop-keepers went to him, they were refused. The next time he came to the village he was hooted. The eatable sold in the tea-shops in Malabar is called *puttu*. So the people there shouted at him 'puttoo, puttoo'. He was ashamed and without going to the tea-shop he went to the ration office and returned home. In the next period, instead of raising the quota of one shop-keeper alone, he raised the quotas of all. Sir, for all these reasons, the people are tired of the rationing department and the control. If the control is raised and the rationing department is abolished, the people will be happy and there will be no difficulty for them to get their rice.

"Then, Madam, procurement is going from bad to worse. People have been growing non-food crops in the paddy fields. No steps are being taken to prevent them from doing so. In my own field, instead of growing paddy, they grow betel leaves in spite of my protest. I filed a suit in the court for surrendering the property. The suit will take more than two years to be disposed of. This is the way in which things are done. The Government do not take any steps to increase production by seeing that more paddy is grown. They give all sorts of trouble to the people. If the rationing department is abolished and the control is raised, people will be happy and they will be able to get rice wherever they want."

* SRI V. M. RAMASWAMI MUDALIYAR :—"Madam, the immediate problem before us is to find more food. I come from a district which has suffered much on account of the failure of the south-west monsoon. A perusal of the rainfall reports in the daily papers will show that of the 12 districts affected by the failure of

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the monsoon, North Arcot has suffered the most, as there is a big deficit of 6 inches of rainfall so far. The result is cultivation has come to a standstill.

"About ten days ago, Madam, I had messages from my place, Vellore, the headquarters of the district, saying that there was no stock of foodgrains in the ration shops. I hurried to the Hon. Minister for Food and he was very helpful in rushing some stocks to the North Arcot district. I followed that up by a personal visit to Vellore. To my surprise, I found that instructions had been issued by the Collector of the district to issue $3\frac{1}{2}$ ounces of rice and $8\frac{1}{2}$ ounces of other grains in Vellore town itself. Therefore, the much-advertised issue of 6 or 7 ounces of rice is not taking place in one of the statutorily rationed areas of our State. So far as informal rationing in my district is concerned, I have it on the authority of the Collector of the district who has stated that it has completely failed. If it has been reported properly in the press, this is what he says—

"Informal rationing has proved a failure. It has benefited nobody except perhaps the ration shop-keeper. In many places only a day's ration is being given in a week."

Therefore, I ask whether the Hon. Food Minister is serious in providing at least 6 ounces of rice to all persons, whether in statutorily rationed areas or in informally rationed areas in the villages, or whether he will ask us to get used to an overall 12 ounces of food of which the rice will form an insignificant part only. I want, Madam, that we must face facts and for that purpose, I am giving the statistics about what is happening in the district as a matter of fact. So far as the villages are concerned, this informal rationing is a total failure and I have known ration shops close down for days on end. I have seen villagers so hard put to it that they have begun to eat roots and tender shoots of date palms. That is the extent to which food scarcity has driven the villagers. Nature has, no doubt, been unkind, but let us see how man can mitigate the hardships inflicted by Nature.

"Madam, there is one other point on which I should like some elucidation. From the statistics furnished to us by the department it is found that the normal production of rice in this State is estimated at 49 lakhs of tons and of millets at $26\frac{1}{2}$ lakhs of tons in pre-war days. We were importing 5 lakhs of tons of foodgrains. Now on account of the failure of the monsoons and the havoc caused by the cyclone, the figures given in the statement show that there is a deficit of 13 lakhs of tons of both rice and millets together. If that is so, how can a quota of $3\frac{1}{2}$ lakhs of tons given by the Central Government which was later on increased to 5 lakhs of tons, be sufficient to make up this deficiency of 13 lakhs of tons caused by the failure of the monsoon and havoc caused by the cyclone and the normal deficit of 5 lakhs of tons, making up a total deficit of 18 lakhs of tons? How can this quota of 5 lakhs of tons be sufficient to fill this gap? Does it not strike us that steps must be taken to fill up this gap of 13 lakhs of tons? How does the Food Minister propose to fill up this gap?

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"Madam, I also want to make one suggestion. An austerity drive must be undertaken and a uniform system of rationing should be introduced not only in the areas where rationing is in force, but also in rice-surplus areas. More rice is there probably and we must get at that rice to feed the people less fortunately situated. Then, it has been talked about for a long time that if paddy is hand-pounded, there will be a saving of 10 per cent in the output than if it is subject to milling. I also learnt from the papers that some experts have come from the Government of India to make some adjustments in the hullers, to reduce the number of revolutions in them and so on. Is it not time that we take courage in both hands and for some time at least till normal food production is restored and the State becomes self-sufficient, ban rice mills? We would then have an increase of 10 per cent more of rice. Japan also did the same in an emergency. They banned polishing of rice altogether. But what is happening in our State? The rice supplied in the ration shops is of such a poor quality, such a deteriorated and inferior quality, that unless it is polished and pounded, people cannot do anything with it at all."

"I also ask, Madam, why this distinction should be made between towns and villages, why people in the towns should be given more rice than people in the villages, why there should be a distinction between statutorily rationed areas and informally rationed areas? This distinction should, as far as possible, be done away with and everybody should be provided with the same standard of rations. After all, the State makes itself responsible for feeding the people and there should be no distinction whatsoever. Probably the city-dweller or the town-dweller can adjust himself and his tastes more easily to a non-rice diet than the villager can, because the villager has no other alternative food than rice and millets. The city-dweller can take fruits, vegetables or other refreshments provided for in the hotels of the city and towns, while the villager can look up only to his usual normal diet and anything that will displace or disturb that system, so far as he is concerned, will go further to add to his impoverished condition and the ever-present conditions of malnutrition."

"Madam, I also want to know whether the Hon. Food Minister has got any proposals for population control. It has been given out in the statement that there is an increase of population by 1.1 per cent every year. We have to find, to that extent, more food to feed more mouths—an addition of 5.6 lakhs to the population. I suggest that at the conferences held in connexion with the integrated policy of the Food Minister, this question of drawing the attention of the people of the country to the benefits of family limitation should be taken up."

"There is one other matter, Madam, which I want to press on the attention of the Hon. Minister, viz., that in the Government's anxiety to procure more and more paddy from the surplus areas, they have appointed two more Deputy Commissioners of Civil Supplies, to be assisted by various officers and a regular paraphernalia of staff. I appeal to him to realize that if you use any harsh measures for the procurement, surely you will drive paddy

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more and more underground. That is our experience. As far as possible, by peaceful methods of persuasion, with the good offices of Legislators and non-officials who should be taken into confidence, you should be able to draw out the paddy even if it has gone underground. Harsh measures will not cure this evil which we see in the country to-day.

"I also notice a sort of complacency running throughout the statement to the effect that the overall food position is not bad. In other words, more wheat and millets will be issued, and not rice. As I said, the changeover to other diets from a rice diet is not an easy thing, at any rate for people in the rural parts where people will expect you to give them only rice. I feel, Madam, that in spite of the best intentions, the Hon. Minister is capable of—and he is a very good man—I think he is being overworked and his department requires strengthening by the appointment of at least some very high-ranking non-officials to assist him as Deputy Ministers, may be even in an honorary capacity, so that they may act as liaison between the public at large, the producing ryots and the Government in these very hard days of food scarcity and scarcity of grains."

JANAB MAHBOOB ALI BAIG :—"Madam, I am very grateful to the Hon. Minister for Food for the statement he has made to-day. It is a very valuable document; it is a very clear and frank statement tracing the history of food in this State leading up to the crisis during the month of July this year; it succinctly states the reasons for the food scarcity. I consider this to be a very valuable document so far as it gives the factual aspect of the question. But where it does not satisfy us, me especially, is where it deals with the problem and attempts to make out that this Government as well as the Government of India have done their best, implying thereby that the problem cannot be solved at all by us. Although there is a sense of helplessness traceable throughout the statement, in order to save the face of this Government and of the Central Government, the Minister is forced to say, as his protagonist in the Central Government, Mr. Munshi, has said, that the overall position of food is alright. That is not true from the very statements he has made in the earlier part of this written statement.

"Another matter which does not satisfy me is this: having stated that there is bound to be scarcity of food at least for some months to come, he has failed to give us any solution therefor. I should like to examine the view held by some Members of this House including, I suppose, some Members on the Treasury Bench and others outside and by some responsible Ministers of the Government of India, viz., whether there is sufficient food in the Madras State, and if not, the reason for the scarcity—whether it is due to maldistribution or lack of sufficient efforts on the part of the local Government to procure and distribute it. Some people do hold the view that there is sufficient food here; I dispute that proposition; it is not true, and I think it is this view held not only by this Government, by the present Minister, but by his predecessors in office—that there is sufficient food but it is not being procured

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and people are not parting with it—that has been responsible for this food crisis. I shall be able to show from the figures given in this very statement that there is not sufficient food in the country. It is stated there that in pre-war years, there was a deficit of 5 lakhs of tons of rice; and in the third paragraph it is stated:

"We, however, managed to pull through all these years by adopting the scheme of intensive procurement which had the effect of bringing out not only the surpluses with the ryots out of current crops, but also the carryover with them which was an integral part of our rural economy . . ."

That clearly shows in the first instance that the normal output is 5 lakhs deficit, and whatever carryover or surplus there was for the current year, by your intensive procurement, you took away. Again, later on, it proceeds to state that when responsible men were sent out for purposes of procurement, we could not secure much of grain. And what are the reasons? One of the reasons, of course, is that there has been a failure of the south-west and north-east monsoons and so people could not produce more of current crops, and so they were not willing to part with the little they already had. And so, procurement fell by about 234,000 this year while in July 1949 the figure stood at 62,000. The hon. Gentleman, Mr. Ramaswami Mudaliyar, clearly stated that the production according to your own calculation—in spite of the failure of monsoon, cyclone, etc.—was 1,275,000, and adding 5 lakhs of normal deficit, 17 lakhs was the deficit for this year. If the procurement fell very much below, it is due to the fact that all the surpluses and carryovers were already taken away as a result of your intensive procurement, and it is that that sustained us all these three or four years. So, my submission is that you started with a wrong presumption. You started with the statement that people had food—and it is not a fact. On the floor of this House two years ago, when food was sought to be decontrolled, I had the honour of posing that point and stated that it was not true to say that the people had food and that they were not willing to part with it. The fact is as I have stated, and the sooner you realize it, it is better. I am sorry to find that the Hon. Food Minister is led to hope that the overall position is alright; at the same time, the facts and figures which have been furnished to him by the department cannot afford to lie, and it is quite clear from them that the statement that the overall position is quite easy, is not correct. Perhaps it is meant that we will be able to tide over these two or three months by getting more rice either by procurement or by getting it from somewhere. But you must also consider this: if you do not give food to a person for ten days, that is of course a saving, but it is a saving at the expense of that man, and it undermines his health. You probably think that for ten days only you will not give him food, but for twenty days you will give him even extra food; but is that the view that you should take? My submission is this: the sooner you disabuse your mind of this view the better. I am telling you on the authority of the figures and the information given here and as a result of intimate knowledge of the rural population, that sufficient food is not there. Do not blame the procuring officers; they have been doing their best and perhaps they are overdoing it. Therefore, there is no use blaming

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them, and I am not going to find fault with the Government or the Minister for not being aware of this position. I am of the view that you should not have asked for 5 lakhs, as the hon. Gentleman, Mr. Ramaswami Mudaliyar, has put it, you should have asked for 17½ lakhs and you should have incessantly asked for that quantity from the Government of India to whose apron-strings this State is attached. The sooner you realize that, the better for you and for the people of the State. The people of the north do not know our sufferings. I know they have lot of food, because they are blessed with alluvial and fertile soil and they produce more than what they need. Is there any person in the north who is satisfied with kanjee which our labourers take? But, even a potful of kanjee is not available in the rural parts of our State. The people of the north, therefore, cannot realize our position and that is the reason why I said our case is different. Now, the Central Government have fixed 1951 as the target for self-sufficiency. But, our Government have to tell them, whatever may be the case in respect of the other States, as far as the State of Madras is concerned, we cannot agree to that target and that we must be fed at least with the minimum that is required for every man to keep his body and soul together. Let us be bold enough to say to them, your target is not for us. You tell the Government of India that we are not accustomed to any other food than rice—any other food will be a mere waste—and tell them to take away anything else than rice and give us only rice. I know very few people in the north take rice and if they take it, they take it only as a delicacy once a way because their staple-food is only wheat. Therefore, Madam, it is time this Government insist on the Government of India—they need not even protest—but insist on them by saying, either you keep us as far as this policy is concerned within your jurisdiction and give us the food we want, or give us independence as far as the food policy is concerned, so that we can go out, beg, borrow or steal, and feed our children here. It is true you made representations to them, but they only fell on deaf ears. You should have apprised the Government of India of the situation at least two or three months before the actual crisis came. Mr. Munshi said, of course, in his own callous way, 'it is true there is deficiency in food, but the difficulty is in procurement'. If only this statement were placed in his hands—though some people here say, they do not approve of certain things in it—he would have been able to understand the real position. In fact, I have analysed it. From the facts, it is very clear that there is no food. Some people ask, why should there be a buffer of one lakh of tons? But, it is very well answered in the statement. Till you send the quotas to different places, because people must be fed somehow or other, you should go on procuring from somewhere or other. It is necessary that you should rather fight for a buffer of at least 6 or 7 lakhs tons than allow yourself to be ruled in this matter by the Centre. If the Centre does not care for it, it is only because it is not able to do so for various reasons. As I said, this idea of making India self-sufficient by 1951, had its origin in the adverse trade balance in 1948. Then there was an adverse trade balance to an extent

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of 200 crores of rupees and out of which Rs. 130 crores was the expenditure on account of the import of foodgrains. It was an alarming situation and in order to reduce that adverse trade balance—and they could not afford to get it from dollar areas—they said, we fix 1951 as the target. In the meanwhile, some States honestly believed that by their Grow More Food campaigns or by their development schemes, or river valley system and all that sort of thing, they would be able to produce more food. I am glad to say, in this connexion, that in our State, especially the Public Works Department has been trying its best by means of short-term and long-term plans, to produce more food, but unfortunately, the food position cannot wait for the fructification of the short-term plans. I know in our State tanks are being repaired and the ryots are encouraged to grow more food. There is, therefore, the possibility of water being collected more and more. I am sure that in course of time, it will have its own effect. But, till then can we afford to starve our people till even the short-term schemes fructify and give us more production? Therefore, Madam, I am of the opinion that this Government must make up its mind even at this juncture to do one of two things. Of course, I do not want you to get away from the Government of India which is really more helpful to you than otherwise. But, you should insist on the Government of India to give you at least 17½ lakhs of tons to build up a buffer in order that you may get on till Nature favours, till your short-term schemes fructify and you are able to produce more food and finally when your long-term projects give you more food.

"Madam, one more thing I wanted to say is this. It is said that for this year 3 lakhs of tons more was proposed to be given to us. Out of which, I do not know how much has reached us. On our representation they raised our quota to 5 lakhs of tons. When was it they were asked for it and when was it that the symptoms of this crisis were visible to our Government? My submission is, that when the deficit was 12.75 lakhs of tons, together with the normal deficit of 5 lakhs of tons, that is a total of about 17 lakhs odd, why did you not move in the matter early, is the question. Did you still think, as I said, your idea was that there was a surplus and people were not given what they should be given? Perhaps, is it that that has misled you? Or, you were simply criminally lazy. If really, you thought there was enough food and you would be able to procure it and you failed, that is a different matter and it is excusable. But, your department must have told you that last year, on account of excess of rains and cyclone in the northern parts of the Presidency and the failure of the south-west monsoon in the south there was a deficit of 12.75 lakhs of tons. Did you think that this deficit, along with the 5 lakhs of normal deficit, would be made good by procurement? I ask, is there logic in it, is there reasonableness in it, or is there any responsibility in it in thinking that this 17½ lakhs of tons will be made up by procurement over and above the normal procurement? I fail to see that there is any logic in it. As somebody else would put it, I am not afraid

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of monsoons, I do not care, the season might be very good hereafter and we might have bumper crops and double crops and so on, if you also think like that, it will be merely a criminal negligence on your part. When you made your approach to the Government of India, did you press this point on them, I ask? I mean, the normal deficit of 5 lakhs of tons and last year it was 12½ lakhs of tons, on the whole 17½ lakhs of tons, food you want. Did you at any time made this clear to the Government of India? If you had not made such a statement to them, I say you stand condemned in the eyes of the people. On the other hand, if you did so and yet the Government of India did not pay heed to it, it is the Government of India that will stand condemned in the eyes of the people. Therefore, Madam, how are the Government going to solve the problem and what are the problems before them? It is for the Government to consider what are the remedies. The only thing the Government can do to ease the situation at once is to get imports from outside. In the meantime, Government must see that cash crops are not grown in those lands in which paddy is usually grown. The Hon. Minister for Agriculture was honest enough to say in his Coimbatore speech, that they were not paying the ryot sufficient for the paddy he sells. That is why, he says, why not I earn more by raising cash crops. Either you must give him more inducement to raise food crops or for the sake of the general good of the public, make a law that no cash crop should be grown in any land for some time to come, at least on lands which have hitherto grown food crops. That is the problem to be considered. In the meantime, I must also congratulate this Government for taking to these short-term projects. I do hope and trust that they will succeed in giving water facilities for growing more food."

* SRI N. S. VARADACHARI:—"Madam Chairman, if I wish to speak on this occasion, I only do so in order to suggest some changes in fundamental policy. I shall analyse the figures, no doubt, but I shall say a few words in brief about the statement on the present situation. The very significant sentence in the statement is that our stock of rice on the 29th July 1950 was only 114,785 tons. We must take note of that fact. We must also take note of the fact that it is not all in the hands or near at the hands of the 5½ million rice card-holders of this State, not to speak of the large number of people for whom provision has to be made even in the surplus districts on the basis of the present ration of 6 oz. It is easy to suggest that we must import rice from abroad and it is much more easy to envisage the possibility of getting rice from Northern India. All this is impracticable talk. Even the movement of a lakh of tons of foodgrains involves a large strain on the transport arrangements, massing wagons, massing lorries, taking them to the places where food is most needed and making proper distribution arrangements. The situation is no doubt very difficult and that is why even when on paper Government said that they would give six ounces of rice for a ration card-holder—they are small number 6 millions in the State out of 50 millions, it

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is not even near at hand and that is why these lapses occur and telegrams continue to pour to this House and to the Government saying that ration has been given for three days, or four days, that wheat was given and no rice was given or that millets were not at all available. I am not going into the past and let us concern ourselves with the present. This is just the sowing and the transplanting season; for the short-term crop, the transplantation season is already over and the sowing season for the major crop is now on. And it is now for you if you want willing hands to work in the rural areas and raise the next crop, to give the maximum rice content in the rural areas; otherwise their hands will refuse to lift the *manutti* or wield it if at all most grudgingly. Of course they have got to do it willy-nilly because they have got to feed the poor producers. The second fact is that this is not the time when you have much money; and there is money shortage everywhere; businessmen will tell you and economists will tell you so; the Government refuse subsidies and loans; you have been sometimes able to float loans, as for the Manimuthar scheme at almost Marwari rates of interest and I shall deal with it on another occasion. At this time, when it is difficult for the poor to buy it at official prices, it is much more difficult if one has to pay the unofficial price for rice if one wants to buy it. That is the second fact in the situation which you have to take note of and the third fact is what is it that you can procure between now and November? I fix November deliberately knowing facts concerning the deficit districts of this State. I shall come to this classification when I analyse procurement in regard to deficit and surplus districts, a deviation which I hold to be absolutely unsound in principle and therefore, needs to be revised thoroughly. What is it that you hope to procure? Nothing at all. What can you procure from the surplus districts where there is no rationing at present not even perhaps in the urban areas? You can procure something and that is how you have banked in your statement on a supply of 150,000 tons by way of procurement from those areas. In the dry districts, so far as I know, there is nothing to procure. Nobody need defend and come forward and tell me: There is no black-market rice; you cannot have any large quantities of it and then why are you afraid? I do not call it black-marketing and I call it as being sold at unofficial prices. At this time of the year, in all the dry districts where tanks have no water and where wells that have been very usefully dug under the well subsidy scheme, have not enough water, let them at least get this 12 ounces in the rural areas as they need it most at a time of hard work and very little money is available. For Heaven's sake, do not push up this unofficial price yet further by your pressure driving it underground, to the risk price. You have taken too much of the thing called control; you cannot eat more than you can digest but you have attempted it. I deliberately say that a revision of this policy after November is necessary in order to save the State. It is no use blaming the Government of India. It is idle talk. Let me take the figures from 1944-45 to 1948-49. Take the imports; they have been rising. You have got to import to the tune of 4 lakhs of tons

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from the Government of India, whether of rice, wheat or millets from other States or outside India. You cannot say you must get more and more. It is good to aim at self-sufficiency and get the necessary sinews of war from within the State. The policy of self-sufficiency is a good one. Capitalists who make lot of profits and get more and more money will advocate imports but they will realize that food more than anything else is the mainstay of all people and so, there is nothing like self-sufficiency in food and it is a good thing for the State as a whole—I am not asking that each village should be self-sufficient, but let us on the basis of a minimum 12 ounces for each adult be as near to it as possible even there. Let us take the calculation. Eight persons eat a ton of rice a year or ten persons eat one ton of millets on this basis of 12 ounces per head. On that footing for a population of fifty-four millions, seventy lakhs of tons would be enough that is to feed the entire population on the basis of 12 ounces. What has been our production in 1944-45? Fifty lakhs tons of rice and 26 lakhs of tons of millets, sufficient for our bare needs as I explained to you. The next year was bad, the seasons failed and my Hon. Friend has to carry on his back the sequel of not only the reverses of nature but also of want of care and attention to this problem by himself partially and by his predecessors in office; I deliberately say that. Next year figures show 42 lakhs of tons of rice and 21 lakhs of tons of millets and next year 49 lakhs of tons of rice and 21 lakhs of tons of millets and next year, they are 43 lakhs of tons and 24 lakhs of tons and previous to this, it was 42 lakhs of tons and 24 lakhs of tons. We are not far from self-sufficiency. Now, Madam, what about procurement? (At this stage Mr. Speaker took the Chair.) I am proud, Sir, of the procurement system obtaining in our State; it is not easy to import grains from abroad and distribute them. Procurement is done at some place and the distribution is carried on in the place near at hand; it saves transport difficulties and distribution problems. What is it that we get by way of procurement? For fifty lakhs of tons in 1944-45 we procured 10 lakhs of tons of rice. It had very good results and the ration was then more than 12 ounces—it was something between 12 and 16 ounces and in 1945-46, we reduced it to 12 ounces and procured 13 lakhs of tons and it is extraordinary that our procurement goes on increasing with the diminution in production. In 1946-47, we had 15 lakhs of tons, ration between 10 and 12 ounces. 1947-48 was the de-control year and the figures cannot be compared. It is about 10 lakhs of tons. In 1948-49, it is 42 lakhs of tons and we have procured 13 lakhs of tons and the ration stood at 10 ounces and later reduced to 8 ounces. Our ration commitments were lower and our ration cards went down from 13 lakhs when it was at the uppermost limit when statutory rationing and rural rationing obtained throughout the area and to-day it is down from 13 lakhs of cards to 6 lakhs of population represented in the cards and yet we have procured admirably. Here I want a change in policy. You know, Sir, that procurement is fixed with reference to production for the total State and it is divided up like admission to colleges districtwise. It is an

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absurd thing and I have not heard of this elsewhere. Each district is asked to give a certain quantity and in fixing that target, it does not bear any reference to the individual producer at all. The Taluk Supply Officer is asked to procure say 500 tons and he goes about and looks for his victims and procures sometimes rightly from surplus producers and sometimes has to fleece those who may be called marginal cultivators. Why not after reducing our commitments, restricting ration to statutorily rationed areas, where rationing must be raised to much more than the present ration of 6 or 8 ounces, formulate a new policy; each Taluk Supply Officer will be asked to make out a list of surplus producers in his area; of course there are surplus districts and deficit districts; you should not make any distinction between the surplus producer as the one in Chingleput district and the man in Tanjore district who owns, say, a hundred acres and is also a surplus producer. No distinction must be made between a man owning a hundred acres under the Chembarampakkam tank or the Madurantakam tank and the one holding an equal acreage in Tanjore and without any distinction, he must be made to yield up all his surplus. Of course, give him all the inducements which the Government can give but make no differentiation between this man who is a surplus producer in a dry district and another surplus producer in the delta area, say, of Tanjore. We must have a list of surplus producers made out at once. Every Collector must give up all his duties and go, not at the time of harvest but at the time of the sowing season or the transplantation time and bind down these people by gentle persuasion if need be or by coercion if they do not yield to persuasions, to yield so many bags of paddy; let it be made according as it is single crop lands, double crop lands or three crop lands. Under such a system, you will not have all these anomalies. He will be free subject to his yielding up the quantity stipulated, to grow sugarcane, betel vine. If the producer is not able to produce enough due to natural causes, the question may arise if he will be asked to give up what he had agreed to; but I say, Sir, that the Collector will not be foolish enough to press his demand; he will either modify it or withdraw it altogether. Under such a system, you will have enough procurement and enough resources to cover 12 ounces for statutory rationing which I want to introduce not merely in every town but even in the surplus districts. Then you will be able to build up your buffer stocks and you will not bring the Government of India to unnecessary ridicule and hasty criticism. I say that all your criticisms of the Government of India is wrong and is based on a misunderstanding of the situation. Let me say one more word, Mr. Speaker, before I finish."

4-30
p.m.

JANAB MAHBOOB ALI BAIG :—" Does the hon. Gentleman dispute the statement in the note circulated to us that normally there was five lakhs of tons deficit and, also, last year there was a deficit by 12.7 lakhs."

SRI N. S. VARADACHARI :—" No, Sir, our ration is very much reduced; we know our position, it is a reality, which we have

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to face. But what I am pointing out is we have stepped up production, though we have stepped down ration. Just connect the two facts and think for yourself.

"Sir, as my time is up, though I have much more to say, I resume my seat."

SRIMATHI C. AMMANNA RAJA :—"Mr. Speaker, Sir, since there is no Member from my constituency present to-day, I thought my district should not go unrepresented in this debate. Since I am here, I thought I must justify my position by placing our point of view before the House."

JANAB MUHAMMAD RAZA KHAN :—"We welcome it."

SRIMATHI C. AMMANNA RAJA :—"During the whole debate on food, there is no Member—I do not know whether any Member in my absence has spoken, but as far as I understand, there was none—who has said a sympathetic word about the producer, though we have been frequently hearing that there is scarcity because there is no proper procurement in the Godavari districts. At least now, I am glad to see that East and West Godavari districts have loomed large in the picture. But, for other things, they count for nothing. I hope I would not be misunderstood if I say that more attention should be paid to these surplus areas. There is no use wasting huge sums of money on other things. Even in the note circulated to hon. Members by the Food Department, I see it stated that so many wells have been dug, so much money has been spent on them, but most of them have gone dry. (Interruption.) I have got the figures here. You please refer to them in the statement."

"One responsible officer from the Central Government, when he had been here, told me that he was trying to impress upon this Government that they should think more about areas where the return is sure and easy."

JANAB M. MUHAMMAD ISMAIL :—"Hear, hear."

SRIMATHI C. AMMANNA RAJA :—"I suggest why waste huge sums of money in unprofitable areas and on unprofitable schemes? (Opposition cheers.) Last year when there was the cyclone, Mr. Ranganathan, in his report on the cyclone damage in the Circars districts, has referred to the Budameru as the villain of the piece. I do not know why the Hon. Mr. Bhakthavatsalam—I am sorry he is absent here, and I understand he has gone away to the Presidency College to keep up an engagement; I do not say anything about a person when he is absent and more so when I have to say something bad about him, and here it is not anything bad that I have to say about the Hon. Minister, and I hope he will be here to-morrow to reply, though I may not be here then, as I am leaving this place to-night, but, anyhow I hope he will reply to the points raised by me. Sir, there are so many things which can be easily attended to. It is not a huge sum that is required for them, as in the case of schemes of Grow More Food. When we go and represent to the Minister about these small things in our district and tell him 'if you attend to them, you can be sure of a sure return and also of an immediate return' and when next we meet

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him and remind him about them, he immediately replies, 'Oh yes, you find them in the list of schemes put down for investigation. But nothing has been achieved beyond that so far!' I really wish the Hon. Minister for Public Works replies to the debate to-morrow. Not only he, but the Hon. Minister for Agriculture also should reply, besides the Hon. Minister for Food, though I may not be here. For, Sir, as I said, whenever we ask him about the number of small schemes, he only says, 'Oh Yes, it is in the budget; investigation is being made, and you will get it in the due course.' Sir, whenever we inquire about them, we are told 'it is under investigation', and beyond that the scheme does not go! Sir, Member after Member in the House has suggested that procurement should be more intensive. May I tell them that there is no use of doing it. For, by merely procuring what is available we are not going to increase the output; we must think of a constructive way of increasing production. First of all, the Government should make themselves sure of getting a return when they give some money to sink wells. For, one does not know whether the well water would be used for producing foodstuffs or other kinds of food. In many cases, such well water is used to raise money crops like sugarcane, groundnut and tobacco and chillies. Or it may be, even if such water is used for raising foodstuff, it will be only a small acreage to satisfy the officers; the remaining extent of land would be used to raise money crops. So, Sir, I submit it is all a huge waste of money. People are exploiting the situation without doing something to the country for solving the food problem. By fleecing the surplus districts, I do not know how much food could be got. Hitherto, I cannot say officers had been very good to the villagers; they used their power to the maximum extent possible. Now they are appealing. As Andhras are good, generous and gullible, they give away everything and get back nothing. (Cries of Ho!) So there is no difficulty about procuring what is available. Please do not misunderstand me; I am not saying we are not willing to sell or give our produce. I am only emphasizing, we do not get anything in return. The villagers do not get agricultural implements; they do not get cart tyres; they do not get manure; not that they do not get at all; most of them go to other districts, to local leaders and influential people, and people say they are being distributed to their favourites, with the result that the poor people cultivating land get very little of them. Now, Sir, the Government take away the produce for a fair price fixed by the Government; because there is a control price fixed for it. And so it happens, that whatever the ryot has to sell, he has to sell at the control price, but whatever he has to buy, he has to buy in the blackmarket. Most of the villages have no proper roads; people have to wade through muddy and slushy cart tracks; and so it is not possible for the villagers to transport their produce to the market. Sometimes procurement officers do not come readily and take away the stock; this necessitates the stocks to be hoarded for some time; the people have no proper place to stock the goods; this runs the risk of being drenched in the rain, and the grain getting spoiled. But previously, the villagers used to sell their produce to whichever merchant came first, and that used to be very convenient to them."

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"Sir, only Mr. Natesa Chettiyar was talking about the rural people and their difficulties. All the other Members were saying some other thing. Some said special trains should be run carrying food relief; some said, special officers should be appointed to increase procurement. Sir, may I submit, all this would not increase food supply. We must have a long range view to help the country to tide over deficit. Mr. Muthiah Chettiyar complained that the policy of self-sufficiency of the Government of India was responsible for the present food shortage. I cannot understand how it is responsible; for it is a thing which is yet to come. (Opposition Members: 'Hear, hear.') We are still importing food, and he throws the blame on something which is to take place hereafter. I do not understand his logic. Perhaps he is thinking of big merchants. Anyway I could not understand him. There are several ways by which we can make our country self-sufficient. One such is, there are several small schemes, which if the Government attend to, would only be using the money in a proper way. In several villages in our district, for the fields there are no proper drainage channels, with the result that water in the fields does not find a way out to the sea. These are not such big things that cannot be attended to easily. I ask, is it right to take something from the ryots and not give them anything in return? The officers present here will testify to the difficulty of the villagers that I am putting forth. Rich and influential villagers can do and get things done for themselves. But what is the poor villager to do? There are such innumerable villagers who do not know where to go to get things done. They know only the things they get; they do not know how much is denied to them. Sir, I was surprised when Mrs. Madhava Menon was saying, 'there is no rice available in blackmarket, and it is all a scandal.' All of us know that it is available in the blackmarket. I do not say it is available in plenty. In fact, I do not know how much is available."

SRIMATHI A. V. KUTTIMALU AMMA:—"On a point of personal explanation, Sir, I said tons of rice are not available in blackmarket. There may be some rich people who might get rice to feed their people."

SRIMATHI C. AMMANNA RAJA:—"I have understood the hon. Member. It is not available in large quantities; for if it is sold in large quantities, people would be caught; so people sell only in small quantities. I know people selling rice in small quantities along with vegetables. Though I have never bought things in blackmarket, I have seen my neighbours buying it. I have told them, 'why buy so, why not hand over those vendors to the Police'. But they reply, 'if we do so, what little we get we would not get hereafter.' Sir, to put a stop to this, strict measures should be adopted by the Government. If that is done, all that rice would come to the open market and would go to relieve food scarcity. If only the Government take up these small things and do them in the proper way, our difficulty can be solved without our having to depend on the Central Government or going abroad to import food. Now, I shall give another thing. One responsible officer of the Central Government was saying that he tried to

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impress on this Government to do more to the surplus districts, where there was plenty of water available. He advised them to harness them properly, and then even the land which was yielding nothing would yield good paddy, and not the kind of paddy which Mr. Ismail showed this House the other day."

JANAB MAHBOOB ALI BAIG:—"How long will it take?"

SRIMATHI C. AMMANNA RAJA:—"While we are trying to tackle the present problem, we must have a long range policy also, because if we dig wells to-day, we cannot cultivate much land under it, but all the same you are not wasting. So, Government must concentrate their attention not only on schemes yielding quick results but also on schemes which will yield results in the long run. They must not procure rice from the poor people at a low price when they are importing from other States at a higher price. Is it fair for them to do that just because they happen to be our people? People who use to take as much as they liked and sell as much as they liked have to be content with seven ounces of rice to-day. Officers go and bring away the stock from surplus districts. I do not know what Mr. Mahboob Ali Baig said, as I was not present when he spoke. I understand that there is no rice available in Vijayavada to-day and the people have to go and get from the neighbouring villages. There is a saying in Telugu that people who get a little from everywhere get more than the people who produce the thing."

THE HON. SRI K. MADHAVA MENON:—"I would like to hear the Telugu version."

MR. SPEAKER:—"The Hon. Minister wants to know the Telugu version."

SRIMATHI C. AMMANNA RAJA:—"I will not say it, as he cannot understand."

"Our position is exactly like that. Nobody thinks of the producers. The Government must think of the producers also and not merely fleece them and try their patience because they are good, generous and gullible."

MR. SPEAKER:—"I must inform the hon. Members that the House will sit till 5 o'clock to-day and the debate will be continued to-morrow. If necessary, we may sit till 6 o'clock tomorrow."

JANAB ABDUL HAMEED KHAN:—"We may sit till 8 o'clock."

MR. SPEAKER:—"I have no objection."

JANAB M. A. MUHAMMAD IBRAHIM:—"Mr. Speaker, Sir, I rise to support the amendment moved by the leader of my party, the Leader of the Opposition. The Hon. Minister for Food has laid on the table a statement showing the present food situation in the State. The situation is serious. When we analyse the

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causes which led to the creation of such a situation, we are led to blame not only the Madras Government but also the Government of India. No doubt nature has to be blamed to a certain extent. All the same, can we not circumvent the effect of monsoon failure and tide over the present difficulty by some means or other?

"When we examine the position of the Government of India, I cannot but ask whether they have done what all they can do in the matter. They say, without reference to the practical aspect of things, that the country must attain self-sufficiency in food by 1951. They have not taken into consideration the probable failure of monsoon. I ask whether they are working for the ideal of self-sufficiency in the proper manner. Have they attempted the prohibition of commercial crops in large tracts where cereals could be grown? In Bihar, Uttar Pradesh and some other States, large areas, which are fit for cereal cultivation, are under sugarcane cultivation. Can we not import sugar from other countries, cultivate cereals on such lands and solve the food scarcity? If the Government are serious about attaining self-sufficiency by 1951, they ought to have taken this step.

"Analysing from another point of view, I say that the Government of India's position cannot be justified. They say that they are deficient in dollar resources and that therefore they cannot import sufficient foodgrains. This is not a sound reason. When we analyse the total export and import figures of India, they may run to 800 crores. Where is the harm? I ask the Government of India to import 50 crores worth of foodgrains for the Madras State alone. Is it beyond their capacity? No. They have not done their duty. That is the only conclusion to which we have to come.

"When we analyse in another way also, the Government of India have not done their duty properly. They manage their own affairs in a manner prejudicial to the Madras State. Generally the impression has gained ground that the policies of the Government of India are controlled by the Punjab, Bengal or Uttar Pradesh and that Madras and other southern States have no voice. It may or may not be correct. But the fact remains that whenever we approach them for foodgrains, they say that they cannot import on account of dollar shortage. It is said that rice problem is acute in the international world and that sufficient stocks may not be available even if sterling and dollar resources are available with the Government of India. That is not a correct statement. Plenty of rice is available in our sister countries like Malaya, Burma, Indo-China and Indonesia. Some of the traders in our State have got expert knowledge and if they are commissioned, I am sure they can procure enough of rice for our State. The fact remains that we have not been treated in an altogether satisfactory manner.

"Coming to the Madras Government, the food policy of the Madras Government also has not been satisfactory to a certain extent. For three years, we have been suffering from failure of monsoon and the occurrence of storms and floods. We ought to have taken all the probable factors into account and framed our rice budget. We have allowed things to drift in our State and we

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have not adopted commercial crop control. We allowed a good portion of our wet lands to be cultivated with commercial crops when the food situation is acute and our people are starving. That position ought not to be allowed to continue any longer. Even this year, it is not too late. The Government may adopt some sort of control of commercial crops and see that paddy is cultivated in all wet lands which are fit for paddy cultivation in preference to commercial crops. By this our food position may be improved a little bit.

"The present food position presents a rather harrowing tale. We have been told that the stock in certain districts cannot last even for a week or two. Why has such a position been allowed to develop, I ask. Would it not have been possible to distribute at the least the rice on hand in such a manner as to maintain a stock of two to three weeks' requirement in every district? In some districts there are 1,000 tons, in some districts there are 600 tons and so on. If the Government and the Food Department had sat together each week end, tabulated the stock and ordered the transport of stock by railway or motor lorry to needy areas, we would not have been in the situation in which we are to-day. In this connection, I suggest to the Government to appoint a super food committee consisting of the Food Minister, the Food Secretary, the Commissioner of Food Production and one or two other officials concerned with food administration. They can sit together every week end, assess the stock at each centre and so arrange for the movement of foodgrains as to see that no district suffers even for a week or two. In that way, they can help to tide over the crisis even though it be for a temporary period.

"It has been said that the failure of rationing is due to the bottleneck of transport. I can understand such a plea in normal times. But in grave times like the present one, goods trains have been held up for want of water and foodgrains could not be carried to deficit districts. I would like to ask whether the Food Ministry as a whole are doing their duty properly. Can they not arrange for securing water for the engines from adjacent districts in a day or two and move the foodgrains to places where they are badly needed? They have not taken necessary steps promptly; they have allowed things to drift for themselves. That is why we are faced with the situation in which we find ourselves to-day.

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

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APPENDIX I.

[Vide answer to starred question No. 33 asked by Sri A. Vedaratnam Pillai, at the meeting of the Legislative Assembly held on 10th August 1950, page 367 supra.]

A.—(a) & (b) The Textile Commissioner, Bombay, is distributing on an All-India basis among the mills in the Indian Union all the cotton produced locally and the cotton imported from abroad. The Government of India arrange for the import of the necessary quantity of cotton from abroad. Quotas of cotton are allotted to each mill by the Textile Commissioner, Bombay. The mills may purchase cotton in the open market up to the quota fixed. If any difficulty is felt by the mills in securing their requirements of cotton, they may apply to the Textile Commissioner, Bombay, for the cotton required. If the application is recommended and forwarded to the State authority, the latter will arrange for the requisitioning of cotton from the licensed dealers and supply the cotton to the mills concerned. Taking into account, the carry-over of 188,000 bales of 400 lb., there may be no shortage of cotton for the mills in this State, if the State gets its quota of imported cotton. Measures have, however, been taken to step up the internal production of cotton in this State to a total of one million bales in the course of two or three years.

(c) The average annual consumption of cotton for the last three years is 554,000 bales of 400 lb., out of which 506,000 bales are of Indian cotton and 48,000 bales foreign cotton.

(d) The average annual production for the last three years is 446,000 bales of 400 lb. The estimated production during this year is 300,000 of bales.

(e) Particulars of cotton consumed in hand-spinning in the Intensive Khadi Centres are as noted below :—

1947-48.		1948-49.		1949-50.	
Bales.	Lb.	Bales.	Lb.	Bales.	Lb.
465	331	344	32	317	6

The annual requirements of cotton by the All-India Spinners' Association (Tamilnad, Andhra and Kerala) are 1,860 bales of Indian cotton and nil under foreign cotton. Particulars from other private spinners are not available.

(f) Yes.

(g) The cotton required for consumption in the Intensive Khadi Centres, which are under the direct management of the Government, is purchased and supplied by the officers of the Agricultural department and the Centre Khadi Officers wherever necessary. Cotton required by non-official agencies like All-India Spinners' Association and other private producers of Khadi, is ordinarily purchased by them in the open market. In cases of emergency, cotton is however supplied to All-India Spinners' Association from the stocks held by the Government on payment of cost.

APPENDIX

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APPENDIX II.

[Vide answer to starred question No. 37, asked by Janab Muhammad Raza Khan (on behalf of Janab Mahamed Abdul Salam), at the meeting of the Legislative Assembly held on 10th August 1950, page 374 supra.]

G.O. No. 1097, Health, 25th March 1950.

[Town-planning—Report of the Madras Provincial Town-Planning Enquiry Committee—Recommendations—Orders passed.]

Read—the following paper :—

G.O. No. 3578, P.H., dated 29th October 1947.

Order—No. 1097, Health, dated 25th March 1950.

In October 1947, the Government constituted a committee to report on the amendments to the Town-Planning Act, 1920, with a view to ensure the expeditious execution of town-planning schemes, the methods of rationalising the levy of betterment contribution, the methods for organizing Town-Planning departments, the provision of adequate technical staff, the financing of schemes, etc., and also to draft, if considered necessary, a comprehensive Town-Planning Bill. The Committee has submitted a comprehensive report on all matters concerning town-planning. The Committee did not take up the task of drafting a comprehensive Bill as, in its opinion, the Government should take it up after proper technical and legal advice after the consideration of the report. It has, however, suggested certain amendments to the Town-Planning Act and the Town-Planning Rules. The Government have carefully examined the recommendations of the Committee and they proceed to pass orders on the recommendations shown in the appendix to this order.

(By order of His Excellency the Governor)

T. M. S. MANI,
Secretary to Government.

[10th August 1950]

Appendix.

Recommendation of the Town-Planning Enquiry Committee.
(1)

Orders of Government.
(2)

1 Research on town-planning should be undertaken with special reference to town-planning in ancient India.

The Government consider that it is not necessary for a State Government to undertake the research work in town-planning.

2 A simplified form of the general town-planning schemes should be adopted and the Madras Town-Planning Act, 1920, should be amended so as (a) to make the preparation, publication, sanction and enforcement of such schemes statutorily obligatory within a fixed time-limit, (b) to provide for the manner of preparation, publication, etc., as in the case of detailed town-planning schemes and (c) to include in the schemes, matters mentioned in section 4 of the Act.

The Government consider that no time-limit need be fixed in the Act itself and that it would be sufficient to take power under the Act to fix such time-limit, as the Government may consider necessary from time to time, on the merits of each case. Subject to this, they propose to take steps to amend the Madras Town-Planning Act, 1920, with a view to give effect to the recommendation.

3 It is desirable that a general town-planning scheme should be prepared in respect of every local area which is administered by either a municipal council or a panchayat board.

Under section 8 of the Act, it is obligatory on the part of municipal councils to prepare general town-planning schemes. The Government propose to make provision in the Town-Planning Act for compelling all panchayats, which are urban in nature and where staff and other facilities exist, to prepare general town-planning schemes.

4 The preparation of the draft scheme (Master plan) should be carried out in the initial stages by the Director of Town-Planning, who should be given adequate technical and other staff as may be necessary.

The Government consider that schemes should be prepared by local authorities as at present with the assistance of the office of the Director of Town-Planning in difficult cases. But the position will be reviewed when the financial position of the State improves and the paucity of trained town-planning staff ceases to exist.

5 The provisions of the Government Buildings Act, the Indian Railways Act, the Indian Electricity Act and other laws and rules which grant exemptions to all developments including building operations undertaken or carried out by Government departments, statutory undertakings or other public bodies from the Madras Town-Planning Act, 1920, the Madras City Municipalities Act, 1919, the Madras District Municipalities Act, 1920, or the Madras Local Boards Act, 1920, should be amended by deleting such exemptions.

The schemes of Government departments are prepared by competent authorities and therefore the Government do not consider that it is necessary to accept this recommendation at present.

6 Any transfer of property within the area of the general town-planning scheme should be registered by the Registration department only when it is accompanied by a certificate to be granted by the executive authority of the local planning authority, to ensure that the proposed transfer does not contravene any of the provisions of the general town-planning scheme or any detailed town-planning scheme sanctioned or under preparation or any of the provisions of the Madras Town-Planning Act, or any of the provisions relating to street making, layouts and building regulations, i.e., Chapters IX and X of the Madras City Municipal Act and the Madras District Municipalities Act.

The matter is under consideration and orders will be issued separately.

7 The general town-planning scheme may be in respect of the entire municipal or panchayat area and a belt area all round and such suburban or satellite areas (if any), as may be necessary.

The Government do not consider that they need take any action on this recommendation. The local authorities concerned should move the appropriate authorities for inclusion of the areas in their vicinity in the general town-planning schemes.

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[10th August 1950]

Recommendations of the Town-Planning Enquiry Committee.

(1)

8 From the date of publication of a general town-planning scheme, all developments shall be controlled by the executive authority on the lines of the draft scheme prepared by the Director of Town-Planning until the sanction of the final scheme by the Government. Thereafter, the control shall be exercised by the executive authority in accordance with the sanctioned scheme.

9 Any person, whose property is injuriously affected by any refusal to grant the permission applied for under the provisions of section 17 of the Act, shall, if he makes a claim for the purpose within the time, if any, limited by the general town-planning scheme not being less than three months after the date of publication of the final scheme, be entitled to obtain compensation in respect thereof from the local planning authority.

10 (a) The Town-Planning Act should be made into a Town and Country-Planning Act, so as to be automatically applicable to any area within the Province.

(b) The extension of the principles of town-planning to the countryside and the undertaking of schemes for various regional areas can be achieved only by a more comprehensive Town and Country-Planning Act on the lines of the English Town and Country-Planning Act.

11 No scheme should be allowed to get time barred.

Orders of Government.

(2)

In view of the orders on item 2 above, no separate orders are required on this recommendation.

The object of the Committee will be achieved when action is taken as proposed under item 2 above.

The Government do not accept this recommendation. The action proposed under item 3 is adequate for the present.

The Government do not consider that legislation as recommended by the Committee is necessary, in the financial and other conditions relating to staff, etc., existing in this State.

In view of the lack of qualified technical staff, the Government do not consider that any change in the existing procedure is feasible at present.

12 Consistent with the need for adopting a particular procedure, a great deal of simplification should be effected to expedite the sanction of a scheme and the rules may be revised suitably so that it may be possible for a scheme to be published and sanctioned within the period recommended by the Committee.

13 The schedule of ownership which accompanies a scheme should furnish the names of owners also as it would help people to know or identify their property much better than if only the survey numbers and extents are given. The local planning authorities should maintain a separate register for each scheme showing the correct names of owners incorporating the changes occurring from time to time.

14 Long delays now taking place with the Government and their departments after submission of the schemes should be avoided as far as possible.

15 Ordinarily about 150 acres would be a proper area for a detailed town-planning scheme subject to departures wherever necessary.

16 Slum clearance schemes, schemes for the improvement of insanitary and unhealthy areas, replanning or rebuilding of existing built-up areas, etc., can and should be undertaken under the provisions of the Town-Planning Act and that necessary amendments to the Act should be made.

The Government do not consider that any change in the existing procedure is necessary at present.

In view of the provisions of section 13 (1) (b) of the Town-Planning Act, no further action is required in respect of the first part of the recommendation. As regards the second part, the Government consider that in order to enable the arbitrator to give notices to the correct owners, it is necessary that the executive authority should maintain a separate register of all transfers of property intimated to him under rule 66 of the Town-Planning Rules and make a timely report of all such transfers to the Arbitrator after he is appointed. The question of amending the Town-Planning Rules in this regard is under consideration.

There are no avoidable delays at present.

The Government do not consider it desirable to have a fixed area for all town-planning schemes arbitrarily. They commend this recommendation to local bodies for adoption wherever possible.

Most of the types of schemes referred to by the Committee can be undertaken by the local planning authorities in accordance with the existing provisions in section 4 of the Town-Planning Act. The Government do not therefore consider that an amendment of the Act is necessary.

[10th August 1950]

[10th August 1950]

Recommendations of the Town-Planning Enquiry Committee.

(1)

17 All land development, housing, slum clearance, etc., schemes undertaken by whatever authority should be approved by the Provincial Ministry of Government.

18 The Town-Planning Act should be suitably amended so as to define in a more specific manner the constitution and working of the Joint Town-Planning Boards, their jurisdiction and extent of authority over the area of the Joint Scheme, their Joint responsibilities and powers and also the specific type or types of Joint Town-Planning Scheme or Schemes that may be taken up by such Boards for preparation, execution and control.

19 If building applications are disposed of within the time prescribed, the chances of unauthorized buildings springing up will be lessened.

20 Adequate training facilities should be afforded to produce large number of competent architects, engineers, etc.

21 Steps should be taken to ensure that lay-outs and building plans are prepared by qualified Town-planning architects, engineers, draftsmen or surveyors licensed for the purpose. Provision should be made for the registration of qualified and licensed architects, etc.

22 Streets' appearance should receive adequate consideration.

23 The provisions contained in the Madras City Municipal Act, or the Madras District Municipalities Act regarding control or layout of towns and villages and street by-laws and Building Rules made under the Acts are inadequate and unsuitable to meet the modern town-planning requirements.

24 The need for incorporating the provisions relating to street control and building regulations in the Town-Planning Act itself should be examined in detail and should be gone into separately.

25 In all matters relating to laying out or subdivision of lands into sites for building purposes and of making streets by private parties or by private societies or firms, etc., the approval of the layouts should be by the executive authority and not by the municipal council or committee and in granting such approval the executive authority should consult the Director of Town-Planning and act upon his advice irrespective of whether such layout falls within a town-planning area or not. Provisions to this effect should be made in the expanded Town and Country-Planning Act.

Orders of Government.

(2)

The Government do not accept this recommendation as it will discourage private enterprise and will throw considerable unnecessary work on Government Departments.

The Government agree with the Director of Town-Planning that no action is required in this matter at present as various reforms in the field of local administration are under consideration.

All local bodies are informed that applications for lay-outs, street making and building constructions should be dealt with promptly and disposed of within the prescribed time-limit. If the applications, etc., are not disposed of within the prescribed time-limit, executive authorities should send a report to the Director of Town-Planning immediately who should investigate and report to Government if any further action is required.

The recommendation is under consideration and orders will issue separately.

All local bodies including panchayats are requested to adopt the model by-laws relating to licensed surveyors, etc., approved in G.O. No. 413, P.H., dated 13th December 1948.

The question of registration of qualified architects is under consideration.

Attention of the Madras Corporation and other municipal and panchayat authorities is invited to the provisions of sections 231 (1) (a) of the City Municipal Act and 193 (1) (a) of the Madras District Municipalities Act, 1920. The Government wish to impress on local bodies the need and importance of making use of these provisions.

The Government consider that no specific orders are necessary in the matter. The local bodies should frame proper by-laws and when a 'Building Code' the preparation of which is engaging the attention of Government, is actually prepared, local bodies will have proper direction in the matter.

The question of framing suitable by-laws to control development in Town-Planning and other areas and also of amending the Madras Town-Planning Act, 1920, the Madras District Municipalities Act, 1920, and the Madras City Municipal Act, 1919, in order to remove over-lapping of functions under present provisions will be considered after the proposed new Panchayats Act is passed and new panchayats have been constituted.

Local bodies should strictly observe the instructions issued in G.O. No. 1920, Public Health, dated 26th May 1939. No amendment to the Town-Planning Act is considered necessary.

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[10th August 1950]

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Recommendations of the Town-Planning Enquiry Committee.

(1)

26 Housing occupies an important place in the frame work of town and country planning and comprehensive housing legislation is required to secure co-ordination and for fitting the various schemes into the general framework of town-planning.

27 The Town-Planning Act should be expanded so as to ensure proper and co-ordinated development of trunk roads and highways whether they run through or outside towns and villages and effective control of Ribbon Development which follows in the wake of the development of roads and communications throughout the province or country. Provision should be made in the Act for adequate means and facilities and power to secure such object under the schemes framed under the Act which may cover large areas through which the highways pass more or less for the various regions of the Province.

28 The determination of competing claims and the allocation of land for the various requirements must proceed on the basis of selecting the most suitable land for a particular purpose irrespective of the prevailing values and prospects attached to individual plots of land.

The law should be specific that no compensation for injurious affection shall be payable by a local planning authority as a result of such reservation and prevention of particular use of land.

29 The method of merely setting apart particular areas within the municipalities and the panchayat areas for industrial purposes under section 4 (k) and (s) of the Town-Planning Act will not properly and effectively meet the requirements and facilities needed for industrial development in this country which should be based on a more comprehensive and positive planning policy and programme.

30 The local planning authorities should make provision for the housing of industrial workers with a view to prevent the development of insanitary and congested cherais and colonies in the vicinity of Industrial buildings. Suitable housing schemes should be formulated for this purpose by local planning authorities in co-operation with owners of industries.

31 The Town-Planning Act and the Rules should be amended to contain provisions in respect of all matters of town-planning which should be applicable to all kinds of development in towns and villages as a matter of normal requirement and enforceable throughout their areas irrespective of the existence or otherwise of a town-planning scheme.

32 Suitable rules which are of ordinary application in towns and villages may be made by Government for the normal regulation of development.

Orders of Government.

(2)

The recommendation is under the consideration of the Government.

The matter is under consideration.

The Government consider that the existing provisions, particularly sections 4 (k) and (s) and 22 (f) of the Madras Town-Planning Act are quite adequate and they see no reason to accept the Committee's recommendation.

The Government do not consider it necessary to accept the recommendation. The question however as to whether prior approval of the Director of Town-Planning for lay-outs for factories is necessary is being examined separately.

The Government accept the recommendation. All local authorities are informed that while framing Town-Planning Schemes they should bear in mind the need for providing housing for industrial labour wherever possible.

The Government consider that most of the development contemplated by the Committee may be controlled by framing model by-laws and that the question of framing suitable by-laws may be taken up after the new Panchayat Act has come into force so that the enforcement of the provisions of the proposed by-laws may be entrusted to the proper authorities, namely, the Panchayats.

In view of the orders on recommendation No. 31 no action on this recommendation is necessary.

[10th August 1950]

Orders of Government.
(2)

33. For the successful carrying into effect of a Town-Planning Scheme it is necessary that some control is exercised over development during the interim period between the notification under section 10 or 12 and until the scheme is prepared, published, submitted and finally sanctioned by Government under section 14, by making suitable amendments to section 17 of the Act. The Committee recommends that the section may be recast as follows:—

(1) After the publication of a notification under section 10 or section 12, no person shall erect or proceed with any building or work on or enter into or carry out a contract in respect of land within the area included in the scheme unless he has applied for and obtained permission from the executive authority of the local planning authority.

(2) If the executive authority omits for two months from the date of receipt of such application to communicate to the applicant any order thereon, or, if within the said period he has received an order which does not fully comply with the application, the applicant shall have a right of appeal to the local planning authority. Such an appeal shall be filed within thirty days from the date of the receipt of the order or from the date of expiry of the period of two months aforesaid, as the case may be.

(3) Such planning authority shall pass on the appeal such order as it deems fit within two months from the date of receipt of such appeal. Such order shall be final. If, however, no such order is passed within the said period of two months, the applicant shall be deemed to have been granted the permission applied for.

The Committee also recommends that—

(i) the reasons for refusing applications should be stated by the executive authority (or appellate authority);

(ii) to overcome the difficulty* in enforcing the orders of the executive authority a sub-clause (4) may be added to section 17 on the lines of section 19(1);

(iii) provision should be made to prevent the granting of conditional licences;

(iv) provision should be made to overcome the difficulties created by the parties often raising legal objections and resorting to litigation with a view to gain time and to circumvent rules;

(v) A short report or pamphlet giving a summary of the essential provisions and the powers under the Act and a clear statement about the proposed scheme should be prepared in consultation with the Director of Town-Planning, and placed at the service of members of the local authority and the owners of land and other interested persons.

The Government agree generally that suitable amendments to the Act are necessary. The question of amending the Town-Planning Act with reference to the recommendations is being pursued.

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As regards item (v), executive authorities of local bodies are requested to prepare along with the preparation of Town-Planning Schemes a short report or pamphlet giving a summary of the essential provisions of the Act and a clear statement about the proposed scheme in consultation with the Director of Town-Planning and place it at the service of the members of the local authority and the owners of land and other interested persons.

Recommendations of the Town-Planning Enquiry Committee.

(1)

34 In cases where a Town-Planning Scheme is being made by a local planning authority for an area outside its limits, the payment of licence fees cannot be insisted on and permission under the Madras District Municipalities Act or the Madras City Municipal Act is not necessary. The proper course in such cases is to extend to such areas the relevant provision of the Municipal Act.

35 Provision as in section 17 (as re-drafted by the Committee) should be included under section 18 for dealing with applications received after sanction. It is also necessary to make provision in section 18 to require the executive authority to state the reasons for refusing an application.

36 Section 19 of the Town-Planning Act should be entirely re-drafted as the wording of it is not quite happy and as it is vague and indefinite.

The Committee recommends that the following amendment may be made to section 19 :—

In sub-section (3) of section 19 the words "and may be enforced" in the first sentence, shall be deleted.

And the following sentence shall be inserted as the second sentence :—

"If such work is still not carried out within the time specified, the executive authority or responsible authority, as the case may

be, may, if he thinks fit, execute it and the expenses incurred shall be paid by the owners or occupiers in default, and such expenses shall be a first charge on the property on which it is due subject to the prior payment of land revenue, if any, due to the Government thereon and shall be paid in such instalments and manner as may be prescribed."

37 A rule should be framed by Government that before the local planning authority submits a scheme for sanction its local officers such as Public Health, Engineering, etc., should be consulted.

38 A local planning authority must have a constructive programme for the execution of the works proposed in a Town-Planning Scheme within a period of two to five years or more according to circumstances and a chart or schedule showing the order in which the various items of work proposed in the scheme should be taken up and executed year after year and the possible means of financing these and the amount of loans, if any, required from time to time. Such programme should be prepared in advance and incorporated in the scheme and the local planning authority or responsible authority should be bound by the scheme to carry out the works according to such programme.

39 Section 22 of the Town-Planning Act may be amended with a view to avoid certain inconsistencies.

Orders of Government.

(2)

The Government consider that provisions of section 39 (3) of the Madras Town-Planning Act, may be availed of to secure the object which the Committee has in view. Local bodies should, when submitting draft Town-Planning Schemes for the sanction of Government, specify also the areas in respect of which the extension of the Madras City Municipal Act or the Madras District Municipalities Act, as the case may be, may be necessary.

The Government agree with the Committee. The question of amending the Town-Planning Act is under consideration.

The Government agree with the Committee. The question of amending the Town-Planning Act is under consideration.

[10th August 1950]

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The Government do not consider that a rule need be made. All local planning authorities are requested to consult their local public health, engineering, and other concerned officers before they submit schemes for the sanction of Government.

The question of amending the Madras Town-Planning Rules with a view to give effect to this recommendation is under consideration.

The Government observe that the recommendations are based on a misapprehension of the provisions of the Act. They do not therefore consider that an amendment of section 22 of the Act is necessary.

[10th August 1950]

Recommendations of the Town-Planning Enquiry Committee.

(1)

40 No specific particulars or details are furnished in Town-Planning Schemes of the limitation and scope of the claims for injurious affection liable to be made by owners and other interested persons. It is desirable that the draft scheme gives as far as practicable full particulars of the limitation and scope of such claims and the local planning authority submitting the scheme should work out the details of the possible claims for such compensation and make adequate provision for them in the schedule of the estimate of cost.

41 The system of Arbitration provided in Chapter V of the Act should be eliminated and claims for compensation for injurious affection should be filed before the executive authority of the local planning authority in such manner as may be prescribed and he may be empowered under the Act to decide upon the claims made after making proper enquiries. The parties may be given a right of appeal to a Civil Court against the decision of the executive authority and the decision of the court shall be final and binding on all persons.

42 Claims for compensation for injurious affection must be made only when works under the scheme have been sufficiently advanced or completed and certified by a competent authority and within a period to be fixed in the scheme not exceeding two years from the date of obtaining such certificate. This period fixed in the scheme for making any claim for injurious affection shall be brought to the notice of the

public in the notification of the Government sanctioning the scheme when it is published in the official gazette and also by publication of a notice in a local language newspaper.

43 Appeal to a Civil Court against the decision of the executive authority of a local planning authority in regard to the claims for injurious affection shall be made within sixty days from the rejection of the claim in whole or in part by the executive authority.

44 It should be open to the executive authority of a local body to enter into any agreement with a claimant in regard to the manner of payment of compensation whether by instalments or otherwise, or he may, instead of paying compensation adopt any other alternative method to avoid or mitigate payment.

45 The exact relationship that should exist between the executive authority and the local planning authority in the matter of disposal of claims for compensation should be specified to avoid future difficulties. In the settlement of claims for compensation the executive authority should be associated with a local committee of rate payers where such a committee already exists or which may be constituted for the purposes and such committee may be represented by Counsel before the executive authority or courts.

Orders of Government.

(2)

The Government accept the recommendation. The question of amending the Madras Town-Planning Rules is under consideration.

The Government have decided that no change in the existing practice is necessary.

The Government accept the recommendation. The question of amending the Town-Planning Act and the rules framed under the Act with a view to give effect to this recommendation is under consideration.

The Government do not accept this recommendation. The present limit of three months is not excessive.

The question of introducing a rule in the Town-Planning Rules with a view to give effect to the recommendation is under the consideration of the Government.

The Government do not accept this recommendation.

[10th August 1950]

Recommendations of the Town-Planning Enquiry Committee.

(1)

46 It is advisable wherever possible that in the interests of quick and easy preparation of schemes the local planning authorities should take up schemes for the wholesale acquisition and development. This would go a long way to accelerate housing development.

47 Not only should a local planning authority have powers of compulsory acquisition of required lands in Town-Planning Schemes after their sanction but such powers should also be available even before the schemes are sanctioned or at any time after the first notification under section 10 or 12 has been made.

48 A local planning authority should be empowered to acquire land necessary for housing persons displaced by any Town-Planning Scheme (such rehousing being carried out as part of the scheme itself).

49 It is important that the lands required for a Town-Planning Scheme are acquired within the time specified in section 34 of the Town-Planning Act.

Orders of Government.

(2)

Local planning authorities are requested to take a comprehensive view in regard to the acquisition of land for town-planning purposes and to acquire as much land as will be required for the smooth execution of Town-Planning Schemes. The Government however consider that there can be no point in the local planning authorities acquiring land which is not likely to be needed for, or is not involved in the schemes.

The Government accept the recommendation. But they consider that the actual acquisition and the extent of land to be acquired should be decided with reference to the facts of each case, the funds available with the local bodies, the possibility of the danger of locking up of funds, etc. They consider that such power to acquire land should be exercised only with the sanction of the Government as usual.

The Government do not consider it necessary to approve the first portion of this recommendation. The question of amending the Town-Planning Act with a view to give effect to the latter part of the recommendation is under consideration. Necessary executive instructions in this regard will be issued after the Act has been amended.

The Town-Planning authorities should, with reference to the urgency of each case, press the authorities concerned to take further steps in the matter of acquisition of land. Each case will have to be dealt with on its merits.

50 Section 34 of the Town-Planning Act may be amended extending the period of validity of the notification under section 14 of the Act as a declaration under section 6 of the Land Acquisition Act, from 3 years to 5 years.

51 There have been long delays in the time taken for the preparation, publication and sanction of schemes since the date of the first notification and it is recommended that certain modifications may be made to the existing procedure regarding payment of compensation, etc. It is suggested—

(1) In the case of all schemes notified under section 12 on or after 1st January 1944, the governing date for the payment of compensation should be the date of the first notification;

(2) in the case of notifications made before 1st January 1944, but schemes not sanctioned till now the governing date for the payment of compensation should be the date of sanction of the schemes under section 14 whenever it may be;

(of course, this recommendation will not affect cases which have been already sanctioned by Government though notified prior to 1st January 1944.)

The Government do not accept this recommendation.

The Government generally accept the recommendation. The question of amending the Town-Planning Act with reference to this recommendation is under consideration. Necessary instructions in this matter will be issued after the Act has been amended.

Recommendations of the Town-Planning Enquiry Committee.

(1)

(3) there is yet another class, i.e., schemes coming under sections 10 and 11 of the Act under which local planning authorities have published draft schemes under section 11, but because there is no provision to compel them to submit the schemes in any specified period, they have unduly delayed the submission of schemes and many years have passed since their publication under section 11. The same rules as stated above should apply for these cases also, viz., that if the section 10 notification was before 1st January 1944, then the governing date for compensation should be the date of sanction under section 14. If it is on or after 1st January 1944, then the governing date for compensation should be the date of section 10 notification.

52 In the interests of its present and future inhabitants the town or village should become the owner of land in undeveloped areas and suburban sections and thus influence their proper development.

53 (i) Adequate statutory provisions should be included in the Town-Planning Act for the various purposes of dealing with or disposal of land owned or acquired by local planning authority by lease, sale or otherwise.

The Government do not accept this recommendation.

The Government do not accept this recommendation. The various statutory provisions now existing are sufficient.

(ii) Adequate powers should be vested in the Government to control and regulate the manner or method of disposal of land and the imposition and enforcement of suitable conditions and restrictions in all cases of such disposal by local planning authority.

54 Local planning authorities must not pursue a highest bidder policy in disposing of their land and they should not become land speculating bodies.

55 The present provisions relating to betterment contribution in sections 23, 24, 25 and 26 of the Town-Planning Act are unsatisfactory under the existing conditions. Alternate proposals regarding the levy of development or improvement charges may be considered.

56 The entire provisions of sections 27 to 29 (the whole of Chapter V) of the Town-Planning Act relating to arbitration should be deleted and the remaining functions which an arbitrator has to perform at present relating to the demarcation of streets, roads and other reserved sites in schemes and also of redistribution of boundaries and reconstitution of plots should also be entrusted to the executive or responsible authority who is generally more conversant with local conditions. It is, however, suggested that the executive or responsible authority should be enjoined to strictly follow the provisions of the schemes and rules and Act in due consultation with

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Orders of Government.
(2)

As there are already sufficient safeguards, the Government do not consider it necessary to accept this recommendation.

The Government generally accept the recommendation of the Committee. They are, however, inclined to accept Sri Suryanarayana Rao's view. The question of amending the Town-Planning Act is under consideration.

The Government do not accept the recommendation of the Committee that the entire provisions of sections 27 to 29 of the Town-Planning Act (Chapter V) relating to arbitration should be deleted. The Government are, however, convinced that the present system of arbitration requires some modifications and certain suggestions have been received for improving the present system. The question of amending the Town-Planning Act and the Madras Town-Planning Rules with reference to these suggestions is under consideration.

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Recommendations of the Town-Planning Enquiry Committee.

(1)

or approval of the Director of Town-Planning. In the case of any objection made by any party on the decision passed by the executive or responsible authority to the demarcation of streets, etc., or redistribution of boundaries or reconstitution of plots, an appeal shall lie to the Government or other specified authority whose decision shall be final and binding on all persons concerned. The Town-Planning Act may make suitable provision for the above matters.

57 The financial provisions in the Town-Planning Act have not been satisfactory and have rendered Town-Planning progress and advancement almost impossible. The State should intervene in the planning and development of our towns and villages, in the rebuilding of slums, improvement and reconstruction of houses, etc., by investment of considerable capital. Suitable provision should be made in the Town-Planning Act to enable every local body for the creation and maintenance of an adequate local Town-Planning fund for meeting the deficits on account of particular schemes and to collect a special Town-Planning tax on properties lying within the local body area and in such additional belt area in the vicinity of such local body areas as may be notified by the Government under the Act for the purpose.

The Government are unable to accept the recommendation of the Committee.

Orders of Government.

(2)

58 Provincial Government in addition to making contributions towards the Town-Planning Fund of Municipal Councils (as recommended elsewhere) should set apart annually a particular sum of money out of the Provincial revenues and constitute a Provincial Town-Planning Fund for the purpose of affording easy facilities to all local planning authorities to obtain the funds they require in connection with the schemes undertaken by them under the Town-Planning Act and for enabling the Government themselves to give loans or grants or such other aid, as the case may be, out of such fund to the local planning authorities as and when necessary.

The Government are unable to accept the recommendation.

59 Steps should be taken by the Government to establish immediately a separate Ministry for Town and Country-Planning and Housing.

The Government do not accept the recommendation.

60 The creation of a combined Town and Country-Planning and Housing Board is necessary to co-ordinate the work of Town-Planning and Housing and to advise the Ministry of Town and Country-Planning and Housing in the formulation of policies and programmes of work.

The Government do not accept the recommendation.

61 The existing strength of officers and staff of the Directorate of Town-Planning and the scales of pay attached to the various posts are inadequate and meagre when compared with the responsibilities and duties attached to them. The Directorate of Town-Planning may be suitably reorganized.

The Government do not accept this recommendation. The question of amending the Town-Planning Act and the Town-Planning Rules with a view to give effect to certain suggestions made by the Bhore Committee in this regard will be taken up separately.

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Orders of Government.

The Government do not accept this recommendation.

Recommendations of the Town-Planning Enquiry Committee.

62 There should be proper and adequate organization in all municipalities and other local body areas for carrying out Town-Planning work efficiently and expeditiously.

(1) The Committee has recommended the organization required for the various classes of municipalities each under a qualified Town-Planning Officer and has suggested also the scales of pay to be allowed for the posts. The Committee has also made recommendations in paragraph 348 of its Report regarding the set up of the organization for the Corporation of Madras under a qualified Chief Town-Planner and Architect.

(2) All panchayats with a population of 10,000 and above should employ adequate town-planning staff as recommended by it. It has also suggested that Government should take steps to group the remaining panchayats and rural areas and appoint staff on a district or regional basis to work under District Panchayat Officers or such other suitable agency as Government may direct.

(3) The Town-Planning Officer of each local body should work under the concerned executive authority and should deal with the Central Directorate only through the executive authority and vice versa.

63 With a view to overcome the difficulty experienced by the Government and the local bodies on account of the paucity of qualified persons for employment as Town-Planning subordinates, the following recommendations are made:

(i) Institution of degree, licentiate and refresher courses in Town and Country-Planning and other allied subjects in the Engineering Colleges. (The nature of study and syllabuses for the courses have also been suggested.)

(ii) Importation of persons with necessary qualifications, i.e., at least two Professors in the subject from England or outside, on contract basis for five years for employment in the Engineering Colleges.

(iii) Deputation of candidates for foreign training in Town-Planning. The Government should depute two Engineering graduates of Madras State every year for special study in Town-Planning and Architecture for a period of five years; i.e., a total of at least ten persons may be deputed.

64 The Government should take very early steps to establish an Institute of Town and Country-Planning and Architecture in Madras simultaneously with the institution of special degree and licentiate courses in Town and Country-Planning.

65 Proper publicity or education of Town and Country-Planning principles and policies should be undertaken for public benefit and enlightened public opinion must be created to ensure successful administration and planning results.

The matter is under consideration.

The Government do not accept this recommendation.

The matter is under consideration.

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Orders of Government.

(2)

The Government do not accept this recommendation of the Committee.

It is however considered that in the event of the Director of Town-Planning bringing to the notice of the Government ineffective Town-Planning works in a municipality the Government may well constitute a Town-Planning Trust in consultation with the municipality concerned in accordance with the existing provisions contained in Chapter IX (sections 45 to 54) of the Town-Planning Act.

The Government agree with the observation made by the Committee.

Recommendations of the Town-Planning Enquiry Committee.

(1)

66 The Town-Planning Enquiry Committee is not in favour of the proposal for undertaking legislation for the purpose of constituting Improvement Trust Boards in municipal or other local areas. The Committee recommends instead that a separate Town-Planning Board may be created in respect of each local body area by altering the provisions of sections 37 and 45 to 54 of the Town-Planning Act. The Committee also recommends that suitable modification may be made of section 38 of the Act to provide for the constitution of Joint or Regional Planning Boards in respect of two or more local bodies on the same lines as those of the Town-Planning Boards for single local bodies. In exceptional cases Government may take power to create Town-Improvement Trusts on the lines of the Madras City Improvement Trust.

67 The levy of a provincial tax on the letting value of immovable properties or a similar tax on the capital invested on new buildings and extensions in urban areas as suggested by the Government will be burdensome and detrimental to house building.

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APPENDIX III.

[Vide item IV on page 383 supra.]

FOOD AND AGRICULTURE DEPARTMENT.

A STATEMENT ON THE PRESENT FOOD SITUATION
IN MADRAS STATE.

The Members of this House are no doubt, greatly concerned over the unhappy situation that is developing in many parts of this State on account of want of adequate stocks of foodgrains to feed partial producers and non-producers which is the responsibility of the Government, particularly under the system of intensive procurement, which is in force in this State, as part of the integrated food policy of the Government of India. In the following paragraphs, I shall attempt to give the background of the problem in our State before dealing with the present situation and the steps taken to meet it.

2. As the hon. Members are aware, the Madras State has always been deficit in foodgrains. The production in pre-war years was short of the requirements to the extent of about 5 lakhs of tons. While this deficit in production has been progressively increasing with the increase in population at the rate of 1.1 per cent per annum, nature has been more and more unkind to us. This is the third year in succession, when one or other of the two monsoons have failed in several Southern and Central districts and crippled our production and resources. The normal production of rice in this State is estimated at 49 lakhs of tons and of millets at 26½ lakhs of tons but we have not had a normal year after 1946-47 in regard to rice and after 1944-45 in regard to millets. In the subsequent years, the rainfall has been either poor or ill-distributed that it has not only adversely affected the extent under cultivation but it has also reduced the yield from the normal. It should also be mentioned that during all these years except one, the normal pre-war import quota of 5 lakhs tons was not received by the State as the following figures will show:—

Year.	IMPORTS IN TONS.			
	Rice.	Wheat.	Millets.	Total.
1944-45	17,000	36,613	101,834	155,447
1945-46	268,612	128,879	223,721	621,212
1946-47	144,709	42,440	64,756	251,305
1947-48	248,524	190,147	48,403	487,074
1948-49	128,724	143,232	115,892	387,848

In the post-war years, food production had also considerably fallen throughout the world and whatever surpluses were available in the producing countries had to be rationed out to the deficit countries by an Inter-national Emergency Food Council set up for this purpose by the allies. India had to obtain her requirements from this Emergency Food Council and the quotas they could allot to this country depended on economic and other considerations. The position was particularly difficult with regard to rice, as the

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main surplus producing countries, namely Burma and Indo-China were devastated by the second world war. Thus India as a whole and South India in particular had to suffer because rice, which was a rather difficult commodity to obtain in the post-war world, was its staple food. Thus alternative and unfamiliar foods like, wheat, maize, milo and barley had to be accepted by this State to meet its need but even these grains were not available to the full extent necessary to meet our normal shortage.

3. We however managed to pull through all these years by adopting the scheme of intensive procurement which had the effect of bringing out not only the surpluses with the ryots out of current crops but also the carry over with them which was an integral part of our rural economy. This system of procurement and the limitations imposed on consumption by the rationing rules and regulations have enabled us so far to lead a more or less hand to mouth existence. The result is that non-producers and partial producers are to depend entirely upon the rations issued in the Government ration shops as there is no other source of legitimate supply to meet their requirements.

4. Kharif year 1949-50 needs special mention as not only did the monsoons fail in the Central and Southern districts resulting in heavy loss but there was also the further damage to crops on account of the cyclone which struck the Circars in October 1949. The original estimate of the loss in rice due to the cyclone was 3.32 lakhs tons of rice but the crop cutting experiments recently conducted establish it at a slightly higher figure, viz., 3.56 lakhs tons. The loss in production in other parts of the State on account of the failure of the north-east monsoon is estimated at over 6 lakhs of tons of rice. The aggregate loss of both rice and millets as compared with the normal on account of these two reasons is nearly 13 lakhs of tons, of which the deficit in rice alone is as much as nearly 10 lakhs of tons as the following figures will show:—

	Normal production.	Estimated production in 1949-50.	Deficit.
	TONS.	TONS.	TONS.
Rice	48,67,000	38,81,000	9,86,000
Millets	26,51,300	23,62,000	2,89,300
Total	75,18,300	62,43,000	12,75,300

5. Misfortune seems to dog us further. The first half of the south-west monsoon has failed in 12 districts, viz., Chingleput, South Arcot, North Arcot, Cuddapah, Chittoor, Salem, Coimbatore, Tiruchirappalli, Tanjore, Mathurai, Ramanathapuram and Tirunelveli. This has resulted in the curtailment of agricultural operations. The opening of the Stanley Reservoir at Mettur for irrigation, which is usually done on the first of June, was in the first instance postponed till 15th June 1950 for want of adequate supplies and then again till the end of the month as there was no material improvement in the State of supply and actually came off only on the 3rd July. The flow was even then tardy and it took several days before it reached some parts of Tanjore district. The cultivation of kuruwai crop in Tanjore and

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Tiruchirappalli districts and in the Chidambaram taluk of South Arcot district was thus postponed by about a month or more. This, it is feared, will not only postpone the harvest of the crop by about a month but might also cause some reduction in the extent of cultivation. It is also usual to expect mostly under tanks, in several districts particularly Chingleput, North Arcot and Chittoor a short-term paddy crop, which will be harvested in September-October but unfortunately, all these irrigation sources are still empty and no cultivation except in areas, which have the benefit of wells has been attempted. Even in regard to these wells, the water level has gone down appreciably in all of them without exception and many hundreds have actually gone dry, as a result of the failure of the monsoon in three successive years and the cultivation under them is therefore either nil or considerably restricted. All these circumstances have produced a feeling of despondency on the ryot population, as regards their immediate future and it has caused a breakdown in our procurement. Our ryots are generally very cautious and would not release all their surpluses, until they are assured of their next crop. The immediate effect of the failure of the first half of the south-west monsoon was to discourage the ryots from releasing small surpluses, which they might still be having and which would have normally come into the market, if the seasonal conditions had been normal. Our procurement has, therefore, received a sudden setback. From about 15,000 tons per week in June, it came down to 7,122 and 6,647 tons for the weeks ending 22nd and 29th July 1950, respectively. The procurement in July would only amount to about 34,000 tons against an estimate of 59,000 tons and 82,000 tons actuals for July 1949. The procurement in the previous month (June 1950) was 59,550 tons against 68,770 tons in June 1949 and did not indicate any real fall, if the effects of the cyclone were kept in view. But the failure of the first half of the south-west monsoon and the consequent breakdown in procurement worsened the situation in July.

6. All the Collectors have been asked to pay their personal attention to this all-important matter and to see that their subordinates did likewise, with a view to tiding over the situation. They have been specially advised to concentrate on bigger ryots. The districts, which may be expected to have appreciable surpluses, are East Godavari and West Godavari, where the dalwa paddy was harvested in May and June last. But the procurement of the dalwa paddy from these districts has been below expectations, though it was anticipated that part of the crop, inferior as it was, would still be consumed locally in view of the heavy damage caused to the main crop in October last. Two Deputy Commissioners (Civil Supplies) assisted by the district staff have now been specially deputed to speed up the procurement in these areas and it is hoped that the bulk of the surplus would be secured in the course of this month and next. But still it is feared that the procurement would definitely fall below our estimates. The target for procurement for the current kharif year was fixed at 13.6 lakhs tons of rice and on the basis of the previous years' achievement, it was hoped that 12.2 lakhs tons could be procured. But the procurement up to 29th July 1950 was only 8.4 lakhs tons and it does not appear that the total procurement would exceed 10 lakhs at the end of the kharif year in spite of all these efforts. The following statement gives the targets fixed and quantities

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of rice and millets procured in the State during the years 1945-46 up to 29th July 1950. This fall in procurement of rice by over 2 lakhs of tons has aggravated the situation :—

Year.	Rice in tons.			Millets in tons.		
	Target.	Procurement.	Percentage.	Target.	Procurement.	Percentage.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1945-46	1,402,600	1,313,895	94	409,000	116,739	29
1946-47	1,787,800	1,498,465	84	148,560	123,647	83
1947-48 (de-control year).	1,231,324	947,405	77	102,455	25,559	25
1948-49	1,535,700	1,366,735	89	99,110	76,064	77
1949-50 (up to 29th July 1950).	1,300,000	843,110	61	127,300	71,440	56

7. Even at the start of the khariff year, it was anticipated that the food position in the State would be difficult. The Government of India were, therefore, requested to allot to this State immediately 3 lakhs tons of rice, in addition to the usual quota of rice and other foodgrains, which they would be allotting in the normal course. However, in view of the heavy financial drain, which imports from foreign countries involved and in pursuance of the policy of self-sufficiency by 1951, the Government of India had decided on curtailing imports to the barest minimum. In accordance with this policy, they originally fixed the quota to this State at 3 lakhs tons of all foodgrains for the year. We had, however, been repeatedly pointing out to them that this quota was quite inadequate to meet our huge deficit and that it required to be increased considerably, especially the rice quota. In response to these repeated representations, both oral and in writing, the Government of India were pleased to enhance the quota during the middle of June last from 3 lakhs to 5½ lakhs of tons made up of 2.3 lakhs tons of rice, 1.2 lakhs tons of millets (red cholam) and 2 lakhs tons of wheat.

8. The movements under the Basic plan, however, were not regular. The quantity of wheat and wheat products supplied between 1st January 1950 and end of June was only 26,769 tons (i.e., less than 5,000 tons a month against a normal offtake of about 11,000 tons a month), while nothing in the shape of milo or millets was made available. We had no doubt received 134,451 tons of rice by the end of June but in the absence of milo or adequate stocks of wheat, and particularly the former, we were obliged to issue rice in place of other grains in some areas. This proved a further drain on our slender rice resources, which it became impossible to conserve. The Government of India were duly informed of this and they were requested to send us some consignments of other grains but they had apparently their own difficulties and they could not do so. Thus, our stock position at the end of June was 184,156 tons, consisting of 165,259 tons of rice, 5,881 tons of wheat including maida, 11,000 tons of millets and some semolina as against 439,801 tons on 2nd July 1949 of which 376,044 tons was rice, 25,970 tons wheat and 34,404 tons other grains besides some semolina. The offtake of rice ranged between 30,000 and 31,000 per week in June last and as the procurement was only to the tune of 15,000 tons per week and as July to September was always a difficult period to tide over, it became necessary to reduce the rice ration to 7 oz. A meeting of the Provincial Advisory Food Committee was held in the middle of June when the position was fully explained and the Committee agreed to the reduction of rice ration to 7 oz.

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which was given effect to from 2nd July 1950. Even then, there was an anticipated deficit of about 60,000 tons of rice for the rest of the year and we therefore pressed for an additional allotment of at least this quantity over and above 2.3 lakhs tons already allotted, when the Hon'ble Mr. Munshi visited Madras early in July. But he expressed his doubts whether he would be in a position to comply with our request in view of the particularly difficult rice position elsewhere but gave a general assurance that he would do his best to help us.

9. But subsequently, there was a sudden deterioration as already explained. Since 1st July 1950, we have procured only 32,211 tons up to 29th July 1950 and received 19,201 tons under the Basic plan but our weekly offtake was round about 28,000 tons even at 7 oz. Our stocks were, therefore, going down by about 15,000 to 20,000 tons per week and it became difficult to maintain the buffer necessary at all centres to ensure rationing without a breakdown. There were some surplus stocks in districts like East Godavari, West Godavari, Visakhapatnam and Tanjore but the railways were unable to supply the necessary waggons. It should be mentioned in this connexion that between 4th and 31st July 25,794 tons of wheat and 9,450 tons of milo were landed at the Madras harbour apart from a large quantity of fertilizers and again 5,000 tons of wheat and 8,600 tons of milo in the Cochin harbour. The Port authorities were anxious to have the cargo cleared at once but the railways found it difficult to cope with the situation. They therefore diverted all the available waggons for this purpose. Rice that was ready in the Circars could not be moved for want of transport. It would have been better if the import of foodgrains by sea had been spread out more evenly over the whole year, instead of having too little in the first half and too much in the second half year but the Government of India appear to have had their own difficulties in regulating these movements. The result was that owing to too heavy traffic from the Ports, even available local stocks of rice could not be moved to the deficit areas. It was in these circumstances that it became necessary for the Government to reduce the rice scale from 7 to 6 ounces in the rural areas. Under the scheme of rural or informal rationing, Collectors have been given discretion to vary the scale and composition of rations, with reference to the stock position. In the exercise of these powers, many Collectors had already reduced the scale with a view to make the available stocks go as long as possible and serve the largest number, as the stocks in several ration shops in the deficit districts had come down to a very low level. Government have always been making a distinction between statutory rationing in municipal areas and rural rationing elsewhere. Municipal towns contain a much larger percentage of industrial population and non-producers than other areas and are thus vulnerable spots. They have therefore been given priority over rural areas all along since the introduction of rationing, on the ground of administrative necessity. The scale of rice ration therefore still stands at 7 ounces in the towns 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 tons unless our own procurement shows considerable improvement or

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the Government of India find it possible to increase our rice allotment. Intensive cultivation schemes may be expected to produce tangible results only after we have had at least one normal season.

10. This means that we will have at our disposal only about 75,000 tons of rice per month till about the end of October. Hence the need for a further reduction in rice ration in the statutory areas, however unpleasant it may be. We have yet to receive about 146,000 tons of wheat and about a lakh of tons of milo under the Basic plan as the following statement would show:—

Name of foodgrains.	Ceasing import quota.	Actual quantity moved in the year up to the week ending 29th July 1950.	Balance.
(1)	(2)	(3)	(4)
	TONS.	TONS.	TONS.
Rice	230,000	134,299	95,701
Other grains	120,000	18,050	101,950
Wheat and wheat products ..	200,000	53,663	146,337
Total ..	550,000	206,012	343,988

The Food Secretary to this State Government was recently deputed to New Delhi and he has explained the actual position to the Ministry of Food. They, on their part, are doing their best to help us out of the situation, but it is understood there are real difficulties in regard to rice, as it is not available in sufficiently large quantities. Government of India have entered into an agreement with Burma for the supply of a lakh tons of which more than half the quantity has already been received and we have had our share. The Government of India have made elaborate enquiries in Burma and they discountenance the idea generally current here that very large quantities of surplus rice are still available there. The Government of India are still exploring all possibilities. They have instructed the Uttar Pradesh to reduce their rice commitments as the people there eat wheat mostly and to make a larger quantity of rice available for rice eating areas. Our rice quota from the U.P. has also been increased by 3,000 tons immediately. Madhya Pradesh has been asked to give us 20,000 tons in addition to its old quota. Assam and Orissa have been instructed to tighten up their procurement still further. Attempts at more imports from overseas are also being made. Notwithstanding all these efforts, it cannot be definitely said at this stage whether the Government of India would be in a position to give us any additional quantity over the Basic quota of 2.3 lakhs tons, out of which we are yet to get 95,701 tons. The extent to which additional help can be expected will naturally depend on the extent of their success in all these directions. It is not advisable in these circumstances to budget for more than 75,000 tons of rice per month till the end of October, when the position would become more clear. It is understood that Mysore State has been obliged to reduce their rice ration to rice eaters to 5½ ounces. We have recently reduced the rice content of rations to the mixed diet and millet eaters from 4 and 2 ounces to 3 and 1 ounce respectively. The issue of broken rice to non-meals hotels (they were never given whole rice) has also been reduced to a minimum. In addition to these steps, it is necessary to reduce

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the scale of rice ration for the rice eater in the Statutorily rationed area to 6 ounces immediately. But the overall ration will still continue to be 12 ounces and the balance will come out of 248,000 tons of wheat and milo yet due under the Basic plan coupled with the local procurement of millets. Government of India have assured us of a regular supply of these grains and any apprehension that the reduction in rice ration will tantamount to a reduction in the overall ration in the future months, will not be well-founded. The difficulty in July was due to the fact that our stock position of wheat and millets was very low and transport took some time to clear the heavy arrivals at the Ports. There are still transport difficulties. The Civil Supplies Officers are constantly in touch with the railway officials and special trains are being run from Madras harbour to the deficit areas carrying wheat and milo. Special trains have also been arranged to run from the Circars to the southern districts by the more circuitous metre gauge route. A ship has also been chartered to take rice from Kakinada Port to Tuticorin and Cochin. These special arrangements are expected to relieve the shortage in the deficit districts to some extent. The stock position of the grains other than rice is also now definitely better than what it was in the middle of July. In short the position is now this: while the rice situation is still difficult the general overall food position is not bad, as fairly large stocks are already in transit, as the appended statement will show. With a succession of monsoon failures for three years' running rendered worse by the severe cyclone damages in areas where the crops were otherwise good, with our irrigation sources empty and wells dried up or drying up fast resulting in scarcity for drinking water in several parts of the State and with world conditions in a turmoil, would it be reasonable to expect the continuance of the rice ration undiminished? As practical men, we have got to take stock of the situation in all its aspects and try to adjust our requirements within the limits of reasonable possibilities.

I shall conclude this statement with a special appeal to all hon. Members. The times are very difficult and it is incumbent upon everyone of us to do his mite both in regard to procurement and to co-operate with the Government in their attempts to tide over the serious situation we are threatened with.

J. L. P. ROCHE VICTORIA.

Annexure.

Statement showing the stock position of rice and other foodgrains in the several deficit districts as on 5th August 1950.

Districts.	Stock on date of report.	Number of days for which the stock will last.	Total undespended quotas (from internal extra Provincial and overseas sources).	Stocks that arrived on the previous day.	Quantities in transit.
(1)	(2)	(3)	(4)	(5)	(6)
Bellary—					
Rice	347	11	740	Nil.	Nil.
Wheat	235	15	274	59	375
Millets	680	39	Nil.	Nil.	Nil.
Chingleput—					
Rice	239.5	1	3,484	27	740..
Wheat	423.8	5	1,548	252	311
Millets	7*	1	1,000	Nil.	Nil.

* Previous 1,000 tons moved by lorries and distributed to retailers.

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Statement showing the stock position of rice and other foodgrains in the several deficit districts as on 5th August 1950—cont.

Districts.	Stock on date of report.	Number of days for which the stock will last.	Total undespached quotas (from internal extra Provincial and Overseas sources).	Stocks that arrived on the previous day.	Quantities in transit.
(1)	(2)	(3)	(4)	(5)	(6)
Chittoor—					
Rice	596	8	1,727	51	487
Wheat	251	12	118	60	198
Millets	191	27	349	80	290
Coimbatore—					
Rice	1,988	6	10,300	Nil.	1,553
Wheat	1,959	7	4,636	20	865
Millets	693	2	8,507	13	1,294
Kurnool—					
Rice	818	27	697	Nil.	276
Wheat	136	8	148	82	158
Millets	903	12	Nil.	Nil.	Nil.
Mathurai—					
Rice	848	4	3,503	230	208
Wheat	147	2	1,789	Nil.	521
Millets	354	4	1,813	Nil.	224
Malabar—					
Rice	2,324 *	3	34,438	841	2,402
Wheat	947	3	9,766	Nil.	378
Millets	103	3	2,131	69	849
North Arcot—					
Rice	228	1	3,307	40	1,039
Wheat	585	3	..	230	2,383
Millets	686	5	1,410	207	884
Ramanathapuram—					
Rice	382	2	5,367	88	1,233
Wheat	194	17	962	85	703
Millets	340	28	2,971	100	845
Salem—					
Rice	762	4	7,615	404	858
Wheat	334	7	2,616	80	1,600
Millets	560	5	1,318	193	24
South Kanara—					
Rice	390	2	8,512	80	774
Wheat	160	5	900	Nil.	120
Millets	320	17	500	Nil.	802
The Nilgiris—					
Rice	356	0	1,237	35	550
Wheat	826	40	515	Nil.	459
Millets	330	14	384	112	283
Tiruchirappalli—					
Rice	2,736	18	Nil.	70	Nil.
Wheat	347	12	1,365	50	846
Millets	850	10	84	53	342
Tirunelveli—					
Rice	353	2	5,624	Nil.	474
Wheat	541	5	1,754	90	189
Millets	305	2	2,347		

* One rice special will leave Visakhapatnam with 1,000 tons on 8th August 1950 for Malabar. Wheat from a steamer at Cochin will move on top priority.

THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 11th August 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

MR. SPEAKER :—“ I request all hon. Members to co-operate with me in getting through the questions as quickly as possible, because we have an important debate afterwards on Food.”

Protection for the Cinchona industry.

* 32 Q.—SRI V. RAGHAVAYYA : Will the Hon. the Minister for Rural Development be pleased to state what steps the Government have taken to protect cinchona industry in the State after the Government of India's lifting of control over sales of quinine?

THE HON. SRI B. PARAMESWARAN :—“ The rates of selling price of imported quinine are slightly higher than those of Government quinine and there is now considerable increase in the sale of Government quinine. The need for protecting the cinchona industry in the State does not therefore arise at present. Steps to protect the industry will be taken if and when necessary.”

SRI V. RAGHAVAYYA :—“ May I know, Sir, whether it is not a fact that Paludrine is decidedly quicker in action and more efficacious than quinine, and if so, why the Government do not encourage Paludrine to be used even by departmental officers?”

THE HON. SRI B. PARAMESWARAN :—“ There is a sharp difference of opinion about the efficacy of Paludrine and therefore the Government are still considering the matter. The question will be discussed at the conference to be held in Delhi shortly.”

Free boarding and lodging hostel and school for the Anamalai tribes.

* 39 Q.—SRI V. RAGHAVAYYA : Will the Hon. the Minister for Prohibition be pleased to state when the Government propose to start the free boarding and lodging hostel and school for the Anamalai tribes?

THE HON. SRI N. SANJEEVA REDDI :—“ The Government have decided to open a school and hostel for the Anamalai tribes at Sungam. Detailed proposals have been called for from the Chief Conservator of Forests, and early steps will be taken to start the school, and hostel as soon as the Chief Conservator of Forests' report is received.”

* Starred questions Nos. 32, 39 and 40 were postponed on 10th August 1950.

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SRI V. RAGHAVAYYA :—“ May I know, Sir, what amount is sanctioned by the Government for the opening of the school and hostel and when will they come into actual existence? ”

THE HON. SRI N. SANJEEVA REDDI :—“ When the detailed proposals come to us, we shall give the necessary sanction for the starting of the school and hostel, and the amount that will have to be spent will then be worked out in consultation with the Chief Conservator of Forests.”

SRI S. NAGAPPA :—“ May I know, Sir, whether the question of opening a school for the Nallamalai hill tribes and Chenchus will be considered by the Government? ”

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

Laying of the “ Swatantra Udyanavanam ” at Nellore.

* 40 Q.—SRI V. RAGHAVAYYA : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have passed orders for laying the “ Swatantra Udyanavanam ”, a public park at Nellore;

(b) whether the Nellore Municipality has carried out the orders; and

(c) if not, why not?

THE HON. SRI K. CHANDRAMOULI :—“ (a) The Government have instructed the Commissioner to improve the park.

“ (b) No.

“ (c) The question how the Council should be made to carry out the orders of Government is under consideration.”

SRI V. RAGHAVAYYA :—“ May I know, Sir, when the Government will be able to enforce their orders and see that the park is improved by the municipality? ”

THE HON. SRI K. CHANDRAMOULI :—“ It is also a question of finance, Sir, and so it depends upon the financial position of the municipality and other factors and that is why the Government are considering the question. We shall try to implement the proposal by instructing the Commissioner to see that the park is improved as early as possible.”

JANAB MOHAMED RAFFEUDDIN AHMAD ANSARI :—“ May I know whether the Government are aware that the site selected for this park belongs to a religious institution and that acquisition of the site would cause a loss to that institution? That in view of that, the municipality is not willing to carry the orders of the Government? If so, will the Government be pleased to examine the whole question afresh? ”

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THE HON. SRI K. CHANDRAMOULI :—“ As far as the question of the acquisition of the site is concerned, the Government have already examined it and have decided that it should be utilized for the construction of a park.”

Tenure of office of Sri Kalyan Rao as District Superintendent of Police at Guntur.

* 41 Q.—SRI V. RAGHAVAYYA : Will the Hon. the Chief Minister be pleased to state how long since Sri Kalyan Rao, the ex-District Superintendent of Police, Guntur, has been the District Superintendent of Police at Guntur?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—“ Sri B. N. Kalyana Rao was District Superintendent of Police, Guntur, from 19th July 1948 to 17th June 1950 except for a period of four weeks in July 1949 when he was on leave.”

SRI V. RAGHAVAYYA :—“ Is it a fact, Sir, that despite his ability to get information and be prepared for the subsequent Communist trouble, this officer for two years successively did not take steps to anticipate it and make preparations for it? ”

THE HON. SRI B. GOPALA REDDI :—“ I do not think, Sir, we can accept those allegations against this district officer.”

Construction of a dam in connexion with the Krishna-Pennur Project.

* 42 Q.—

MR. SPEAKER :—“ The hon. Member who has given notice of this question is not in his place. The answer will be printed in the proceedings.”

JANAB MOHAMED ABDUL SALAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that certain Engineers of the Madras Government were deputed to select a suitable site for the construction of a dam in connexion with the Krishna-Pennur Project; and

(b) if so, what their recommendations are?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) No Engineers of this Government other than those in charge of the investigation of the project were deputed to select a suitable dam site in connexion with the Krishna-Pennur Project. •

“ (b) Does not arise.”

Deputation of the motor workers in April 1950.

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

(a) whether the Government have received any deputation of the motor workers in the month of April 1950 under the leadership of Sri Seetharama Naidu;

(b) if so, what the points urged by the deputationists were;

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(c) what action the Government have taken on their representations so far; and

(d) if no action has been taken, why?

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

“(b) The representations made were—

- (1) Regulation of working hours of drivers and conductors.
 - (2) Representation of Labour in the Enquiry Committee.
 - (3) Reabsorption of retrenched employees.
 - (4) Payment of increment to workers.
 - (5) Checking Inspectors should be required to assist conductors.
 - (6) Conductors should be given driver's work.
 - (7) Grant of special batta and special pay to drivers and conductors employed on State buses plying in mufassal routes.
 - (8) Refund of fines imposed on the leaders and workers for offences connected with the last transport workers' strike.
 - (9) Enquiry Committee to entertain revision petitions against the appellate orders of the Transport Commissioner in disciplinary cases.
 - (10) Shortages in the remittances of collections by conductors might be allowed; up to Rs. 15 a month.
 - (11) All States buses should be insured.
 - (12) Abolition of standing passengers.
 - (13) Abolition of certain posts in the Transport Department.
- “(c) & (d) The representations are under the consideration of the Government.”

SRI S. NAGAPPA :—“Out of those 13 representations made by the Motor Workers, may I know whether a single one of them will be accepted by the Government?”

THE HON. SRI B. GOPALA REDDI :—“Some of them will be accepted and some of them will not be accepted, Sir.”

SRI V. RAGHAVAYYA :—“Do not the Government think, Sir, that in view of these too many complaints and demands from these motor workers, the system of profit-sharing would put an end to these complaints and disputes?”

THE HON. SRI B. GOPALA REDDI :—“It may not end the trouble in the department, Sir.”

SRI S. NAGAPPA :—“May I know, Sir, how many out of these 13 demands put forward by the Motor workers, will be considered by the Government and how many granted to them and when?”

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THE HON. SRI B. GOPALA REDDI :—“I know, Sir, that some of them are going to be negatived and some of them may be accepted. They are all under consideration.”

SRI L. N. GOPALASWAMI :—“May I know, Sir, whether the Government are going to consider the suggestion of abolishing the standing passenger system, which is a great nuisance in the bus?”

MR. SPEAKER :—“What has this to do with the main question? The hon. Member may put a separate question.”

Admission of technically trained persons for the examinations conducted by the Technological Diploma Examination Board.

* 44 Q.—JANAB K. M. SETHI : Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government have passed any orders approving the suggestions of the Director of Industries and Commerce to permit technically trained persons who do not possess the minimum educational qualification to appear for the examinations conducted by the Technological Diploma Examination Board (T.D.E. Board) under certain conditions;

(b) if so, the date of the order;

(c) whether the Government have framed any rules and regulations for implementing the order; and

(d) if the answer to (c) above is in the negative, the reasons for not doing so?

THE HON. SRI C. PERUMALSAMI REDDI :—“(a) The answer is in the affirmative.

“(b) The date of the order is 1st May 1948.

“(c) The draft rules submitted by the Director of Industries and Commerce for implementing the order have generally been approved by Government and they are now awaiting the approval of the Technological Diploma Examination Board. The Rules will finally be framed by Government after the approval of the Technological Diploma Examination Board.

“(d) Does not arise.”

Extension of the term of municipalities in Rayalaseema.

* 45 Q.—SRI S. NAGAPPA : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have extended the term of any municipalities during the last two years in Rayalaseema;

(b) if so, what those municipalities are and for what reasons; and

(c) when the elections in such extended municipalities are likely to take place?

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THE HON. SRI K. CHANDRAMOULI :—“(a) The term of office of the members of no municipal council in Rayalaseema has been extended during the last two years (1948-49 and 1949-50).

“(b) & (c) Do not arise.”

SRI S. NAGAPPA :—“Sir, in view of the fact that almost all the municipal elections have been postponed, is it possible for the municipalities to function without their term being extended and will it not lead to the extension of the term of the municipalities?”

THE HON. SRI K. CHANDRAMOULI :—“The question the hon. Member originally put is a different question Sir. This has nothing to do with the main question, Sir.”

Reservation of a prescribed number of seats in the Government Medical Colleges.

MR. SPEAKER :—“The hon. Member who put the question is not in his seat. The answer will be printed in the proceedings.”

* 46 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Health be pleased to state—

(a) whether, in or apart from the rules issued to the selecting authorities to select students for admission to the Government Medical Colleges, a reservation of a prescribed number of seats has been made for being filled up by the nominees of the Minister or Ministers or the Ministry;

(b) if so, what the number so reserved is in each of the above colleges; and

(c) what the basis adopted by the Ministers or Ministry is in making these nominations?

THE HON. DR. T. S. S. RAJAN :—“(a) & (b) Twelve seats in the Medical Colleges are reserved to be filled at the discretion of the Government in consultation with the Surgeon-General.

“(c) The Government, in consultation with the Surgeon-General, fill the seats with reference to a number of equitable and compassionate considerations, including the services rendered by the candidate or his parents in the freedom movement, or to the State.”

* 47 Q.—

MR. SPEAKER :—“The hon. lady Member Begum Mir Amiruddin is not in her place, just now. The question will be taken up later as soon as she comes.”

Enhancement of the rate of daily hire charges for a tractor.

* 48 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Agriculture be pleased to state with reference to the answer given on 27th March 1950 to a supplementary question on Question No. 140 whether the Government have since enhanced the rate of daily hire charges for a tractor and if so, what it is and the reasons therefor?

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THE HON. SRI A. B. SHETTY :—“With a view to make the scheme for the hiring of tractors an economic one, the Government have revised the rates of hire charges with effect from 1st July 1950 and they are as follows :—

	RS.
(1) Ploughing by all types of tractors.	10 per acre
(2) Harrowing (shallow ploughing).	5 „
(3) Levelling with Bull dozers : D7 types.	12 per hour.
(4) Levelling with Bull dozers : D6, TD 14 types.	10 „
(5) Levelling with Bull dozers : TD 9, TD 6, T6 and D4 types.	8 „

SRI V. RAGHAVAYYA :—“Do not the Government think that this doubling of hire charges is going to have a disastrous effect upon the use of tractors and the scientific way of cultivation?”

THE HON. SRI A. B. SHETTY :—“The rates have been enhanced only to a slight extent, Sir, and they have not been doubled in all cases. It is too soon to say whether it will have any adverse effect on the use of tractors, because this has been brought into effect only from 1st July 1950.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“Is it not a fact, Sir, that besides these increased hire charges for the use of tractors per day, the Government also charge an extra amount for the mileage to be covered by the tractors, from the place where they are stationed to the place where they are required for use?”

THE HON. SRI A. B. SHETTY :—“We charge for the transport also, Sir.”

SRI V. C. PALANISWAMI GOUNDER :—“Sir, the charges for the tractors have been really doubled. May I know, why, in these days when the Government are coming forward to give concessions and encouragements to the ryots for reclamation of land and for bringing more lands under cultivation, these hire charges have been doubled?”

THE HON. SRI A. B. SHETTY :—“Sir, the cost of equipment to these tractors, fuel, oil, etc., has been greatly increased on account of the devaluation of the rupee and there is also a great demand for tractors and therefore it has been considered desirable to make these tractors work on a self-sufficient basis.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“Is the Hon. Minister aware that the tractors are stationed in places which are sometimes 100 miles from the place where they are required for use, and that being so, if the transport charges of the tractors

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to and fro together with charges for stoppages are added, it would come to a huge sum that practically no ryots could make use of them?"

THE HON. SRI A. B. SHETTY :—" Now there is an increasing demand for these tractors, Sir, and we are not able to meet the demand. Moreover, the tractors are not usually transported over long distances. They are taken to places which are only contiguous."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Will the Government take steps to station these tractors at the rate of at least one in each taluk instead of in one corner of the district?"

THE HON. SRI A. B. SHETTY :—" They are distributed over all the districts and the number of tractors we have is only 234."

SRI R. RAGHAVA MENON :—" Have the Government considered the question of labour that will be thrown out of employment, if tractors are brought into greater use in this State?"

THE HON. SRI A. B. SHETTY :—" It is only in places where there is dearth of labour and there is difficulty in getting efficient work bullocks that tractors are generally used. The use of tractors helps to save time, labour and money in many cases."

11-16 a.m. SRI V. C. PALANISWAMI GOUNDER :—" The Government do admit that tractors are very popular. May I ask the Government to realize that because they were so cheap they became popular, and that if the rate is increased they will not be popular?"

THE HON. SRI A. B. SHETTY :—" The hon. Member may please have some patience to wait, and see the results, Sir."

SRI M. G. NATESA CHETTIYAR :—" May I know, Sir, whether hiring is allowed on credit? If the agriculturist wants to pay the hiring charges after the harvest, will he be allowed that concession?"

THE HON. SRI A. B. SHETTY :—" Probably no such concession is given, Sir."

JANAB ABDUL HAMEED KHAN :—" May I ask, Sir, what is the extent of the area that each tractor is expected to serve?"

THE HON. SRI A. B. SHETTY :—" I can give the total acreage that has been brought under cultivation, but not the area covered by each tractor. It all depends on the horse-power of the tractor, the nature of the terrain, and other circumstances."

SRI S. NAGARAJA MANIGAR :—" May I ask the Hon. Minister to answer my question? It is not about the tractor but about oil engines. May I know, Sir, whether there have been requests to lower the hiring charges, and the Hon. Minister is considering them?"

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MR. SPEAKER :—" This supplementary does not arise out of this question."

JANAB M. S. ABDUL MAJID :—" The Hon. Minister has said that there are 234 tractors in the whole State. It means that each district can get about 7 to 8 tractors. Is it not possible, then, Sir, for each taluk in a district to have one tractor?"

THE HON. SRI A. B. SHETTY :—" Wherever there is necessity for these tractors they are supplied. It is not equitable distribution among all the taluks."

SRI V. M. RAMASWAMI MUDALIYAR :—" May I ask the Hon. Minister whether he is aware that a large number of tractors are on the sick list, and that an efficient service or repairing station is not available even in district headquarters to speedily attend to repairs?"

THE HON. SRI A. B. SHETTY :—" Engineering staff is provided for attending to repairs, usually there will be a number of tractors which are out of repairs. Just as there are sick people among human beings even so there are tractors which go out of order."

JANAB N. MUHAMMAD ANWAR :—" Have the Government worked out the bullock power of every tractor in order that our agriculturists may know how many bulls they will have to dispense with before they can employ one tractor?" (Laughter.)

THE HON. SRI A. B. SHETTY :—" This is a question which I cannot answer off-hand."

SRI R. RAGHAVA MENON :—" Will the Government see that these tractors are made available only in places where labour cannot be had? Will it not be an attraction to them if once the tractor is used in those places, and will not tractors be supplied to those places?"

THE HON. SRI A. B. SHETTY :—" It is not merely the availability of labour that is taken into consideration in sending tractors to particular areas. There may be areas which require deep ploughing, levelling down, and bunding. It all depends on various factors."

SRI P. NATESAN :—" Sir, how many acres have been so far ploughed with the help of these tractors?"

THE HON. SRI A. B. SHETTY :—" Last year 44,000 acres of virgin waste and old fallows have been brought under cultivation."

SRI S. NAGAPPA :—" In view of the fact that districts like Rayalaseema have vast areas to be brought under cultivation, and Rayalaseema is given only 4 or 5 tractors, may I ask, Sir, whether it will not be possible for the Government to increase the number of tractors in Rayalaseema to reclaim vast extents of land?"

THE HON. SRI A. B. SHETTY :—" If the hon. Member makes a written representation regarding this matter, it will be given every possible consideration."

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JANAB M. S. ABDUL MAJID :—“ Is it not a fact that these tractors are purchased before devaluation? If so, why the Government should enhance the hiring charges? ”

THE HON. SRI A. B. SHETTY :—“ As I said, the prices of tractor equipment, fuel, oil, etc., have risen on account of devaluation. It is not a mere question of tractors. We are getting some tractors this year. We propose to get more next year and the year after that also.”

SRI V. RAGHAVAYYA :—“ Have representations been made to Government, Sir, that this rate works hardship on land colonies of agricultural labourers and Harijans, and, if so, what the Government propose to do in respect of them? ”

THE HON. SRI A. B. SHETTY :—“ I am not aware of any such representation, Sir.”

SRI D. V. RAMASWAMI :—“ May I ask, Sir, whether a more liberal use of tractors will not bring in unemployment in the villages? ”

THE HON. SRI A. B. SHETTY :—“ I do not think that problem has arisen. So far, the number of tractors we have are only a few.”

SRI P. NATESAN :—“ The Hon. Minister stated that 44,000 acres of virgin land had been ploughed. Has it not been possible for the Government to provide fertilizers so that the lands may really be of use? ”

THE HON. SRI A. B. SHETTY :—“ Yes, Sir. We have received a large supply of fertilizers this year, and our problem is to find out how we can distribute all of them to be used by the ryot.”

Grants or subsidies to the municipalities in 1949 for maintenance of Maternity and Child-Welfare Centres.

* 49 Q.—JANAB S. MUHAMMAD ISMAIL : Will the Hon. the Minister for Health be pleased to state whether any grants or subsidies have been paid to the municipalities in the year 1949 for maintaining Maternity and Child-Welfare Centres and whether any amount has been given to panchayat boards also in that year on that account?

THE HON. DR. T. S. S. RAJAN :—“ Yes; grants amounting to Rs. 1,92,301 were sanctioned in 1949 to the District Boards, Municipalities and Panchayat Boards concerned towards the expenditure incurred by them on the maintenance of their maternity and child-welfare schemes during 1947-48. This amount includes Rs. 2,382 paid to panchayat boards.”

JANAB S. MUHAMMAD ISMAIL :—“ In view of the high rate of maternal and infantile mortality in this State, Sir, will the Government consider the advisability of giving grants to privately managed institutions also? ”

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THE HON. DR. T. S. S. RAJAN :—“ No, Sir; because it is too big a question to be canvassed by the Government.”

SRI A. VEDARATNAM PILLAI :—“ May I know, Sir, whether the Government are giving any grant to the Kasturba Maternity Welfare Centre who are working in a number of villages very efficiently? ”

THE HON. DR. T. S. S. RAJAN :—“ If those centres will apply to the Government, they will consider the question.”

Cultivable poramboke lands in Tiruthuraipundi taluk.

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

(a) the extent of cultivable poramboke lands lying waste in Tiruthuraipundi taluk;

(b) whether the Government have taken any action to bring them under cultivation; and

(c) if so, what it is?

THE HON. SRI H. SITARAMA REDDI :—“ (a) 7,605.60 acres.

“ (b) & (c) Yes; the Collector of Tanjore is taking steps to assign the waste lands under the general instructions regarding assignment in respect of lands that have been applied for. He is also taking steps to lease 700 acres to ex-military men who are willing to take them up for cultivation. Lands which have not been applied for are reported to be not attractive by reason of saline soil and the heavy cost needed for reclamation. The Collector is considering in consultation with the Public Works Department and the Agricultural Department how the lands can be provided with irrigation facilities and reclaimed for their being granted for cultivation.”

SRI A. VEDARATNAM PILLAI :—“ May I ask, Sir, whether the Government have allotted lands to political sufferers who applied, and to the landless labourers? ”

THE HON. SRI H. SITARAMA REDDI :—“ That is what I have answered.”

Food ration in the State.

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

(a) the total quantity of food ration that is now being given in the State; and

(b) whether ration shops in Madras City are being provided with sufficient quantity of semolina to meet the requirements of ration-card holders?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ (a) 12 ounces per adult per day.

“ (b) No. As there is not sufficient stock of semolina at present, the Government have ordered that card-holders should

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be given wheat in lieu of the semolina portion of their ration also, if semolina is not available in any ration shop at any time."

BEGUM SULTAN MIR AMIRUDDIN :—" Sir, I just want to know what proportion of this 12 ounces will be given in rice, in wheat, and in other cereals, and whether this will be uniform throughout the State? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" For all rice-eating areas (at present we have reduced the rice ration to six ounces), six ounces of rice and six ounces of other foodstuffs, namely, wheat or millet, will be given."

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

II.—POINT OF INFORMATION—WHETHER A MINISTER CAN ASK A MEMBER TO REFER TO A G.O. IN AN ANSWER TO AN INTERPELLATION.

SRI V. RAGHAVAYYA :—" Sir, the other day you were pleased to give a ruling as to the way an Hon. Minister could refer an hon. Member to a press publication or to a press statement issued by the Government some time before. I raised the question on the floor of the House whether such a thing could be allowed, particularly when statements issued to the press are not authorized by the Government officials."

MR. SPEAKER :—" The Hon. Minister referred to a Government Order."

SRI V. RAGHAVAYYA :—" If you could enlighten me further by precedents I would be very grateful. I think the Madhya Pradesh Speaker gave a ruling. May I know if you could enlighten me? "

MR. SPEAKER :—" I must tell the House that when a ruling is given, no explanation is given. It is not right on the part of the hon. Member to ask an explanation why it is so."

THE HON. SRI B. GOPALA REDDI :—" He wants precedents, Sir."

MR. SPEAKER :—" As regards precedents, I can give a number of precedents from the House of Commons. It is not right on the part of the hon. Member to quote from the ruling given in another Assembly. I hope the Press will co-operate with me in not publishing this. It will mean that we are criticizing the ruling given there."

THE HON. SRI B. GOPALA REDDI :—" Sir, the judgments of other High Courts are quoted in Madras High Court."

MR. SPEAKER :—" Here it is different altogether. Nobody is here to defend the Speaker of the Madhya Pradesh. The other day, if I remember right, the Hon. Minister stated that it was in some Government Order."

THE HON. SRI K. MADHAVA MENON :—" I referred to the Government Order, Sir, and also to the press communique issued by the Government."

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SRI S. NAGAPPA :—" Sir, very often the Hon. Speaker quotes from other Assemblies and Parliaments. Why not we quote likewise from other Assemblies? "

MR. SPEAKER :—" The hon. Member has quoted something that is not in accordance with the ruling I have given here. Regarding the point raised, let me tell the House that any explanation need not be given by the Chair. However, as the hon. Member wants further information in the matter, the Hon. Minister cannot only refer him to the answer given previously, but to a Government Order. For instance, in reply to a question put by the hon. Member Mr. T. Viswanatham, the Government referred him to an answer given previously. Mr. T. Viswanatham raised a point of order and asked me whether the Hon. Minister was right in referring him to an answer given previously. I told him that the Hon. Minister was perfectly right. Then he sent me a letter, not exactly questioning my ruling, but asking me to clarify that point. If I remember right the Hon. Mr. Madhava Menon the other day referred to a Government Order. In parliament also they refer hon. Members to Government Orders. I will first give an instance where previous answers have been referred to when replying to a question. Mr. Viswanatham has written to me to let him know of a precedent in Parliament. It is not necessary that I should quote precedents when giving rulings."

11-30 a.m.

THE HON. SRI B. GOPALA REDDI :—" Even without quoting precedents in Parliament, can't you give a ruling, Sir? "

MR. SPEAKER :—" I can give a ruling independent of precedents in Parliament. But wherever provision has not been made in our rules, I go to the precedents in Parliament."

" Regarding Exchange Control, Colonel Crosthwaite-Eyre asked the Chancellor of the Exchequer to what extent a general dispensation has been given to foreign branches of all firms resident in that country under Section 39 of the Exchange Control Act, 1947. Sir S. Cripps answered, 'None, Sir, beyond the provision contained in S.R. & O. 1947 No. 2039, to which I referred in my answer to the hon. and gallant Gentleman's Question and 16th May.'

" In the above instance a question was asked and Sir Stafford Cripps referred the hon. the gallant Gentleman to his answer to a previous question on the 16th May. This is an answer to the point of order raised by Mr. Viswanatham."

" Mr. Raghavayya has referred to a ruling of the Madhya Pradesh Assembly and he wants to know why I gave a different ruling. I shall quote an instance from the Hansard."

" Sir, G. Jeffreys asked the Minister of Pensions a question about the number of war pensioners unemployed. Mr. Marquand replied, 'As the hon. and gallant Member is aware, much information regarding the employment position of war pensioners is given in Sections VI and VII of the 24th Annual Report of my Department.'

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"In the above instance the Minister has referred to a Report of his Department. So, my ruling was perfectly in order. Let the hon. Member not quote rulings of other Assemblies."

SRI P. NATESAN :—" Sir, the point is the Member has gone a step further and asked, 'Why are you quoting these?' He has not raised the question in the Parliament."

MR. SPEAKER :—" The point is whether the Hon. Minister is in order in referring an hon. Member to Government records."

SRI G. RAJAMANNAR CHETTI :—" Sir, you were pleased to read from the proceedings of the Parliament where it was shown that in answering an interpellation certain Government Order or report might be referred to. May I know whether the answers to interpellations are given in advance to Members or read in the House in Parliament?"

MR. SPEAKER :—" Of course, the answers are read before the House. Here some 20 years ago it was usual to print the answers and give them to the Member in advance."

THE HON. SRI B. GOPALA REDDI :—" Prior to 1937, Sir."

MR. SPEAKER :—" Now, oral answers are given. Now, let us proceed with the discussion on the food situation in the State."

III.—ANNOUNCEMENT RE ELECTION OF A MEMBER TO PROVINCIAL LIBRARY COMMITTEE.

MR. SPEAKER :—" I have to announce to the House that Sri T. S. Pattabhiraman is the only candidate duly nominated for a seat in the Provincial Library Committee. I hereby declare him to be duly elected."

IV.—DISCUSSION ON FOOD SITUATION IN THE STATE—cont.

JANAB ABDUL HAMEED KHAN :—" Mr. Speaker, Sir, yesterday Members have spoken at length on this question of famine conditions in the State. Members from all parts of the House have stated that there is famine in the State and people are dying of starvation. They have also stated how for want of foodgrains the people have resorted to taking roots as well as tamarind seeds in order to satisfy their hunger. One cannot but imagine what will be the condition of poor children and parents who have to feed them. It is a most deplorable state of affairs that is prevailing in our State to-day. It is not my purpose to state who is responsible for this state of affairs and whether it was not the responsibility of the Government to see that this calamity was averted. Whenever we ask a question as to who is responsible for it, the answer comes forth that it is an act of God. They say that seasonal conditions and failure of monsoons are responsible for shortage in food. Well, whoever might have been responsible for it, the fact remains that famine conditions prevail in the State. What is it that the Government are doing now to avert a calamity? I think they ought to tell us what exactly is the shortage at present and what it is due to. The Minister of the Union Government who came to our State

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stayed here for some time and met the Hon. Ministers of our State and after leaving our State, he was good enough to tell Members of the Parliament that 'everything was all right in the State of Madras but the only defect was that there was maldistribution'. He has said that there is no shortage of foodgrains but that there is only maldistribution. What is the answer that our Government are going to give to this statement of a very responsible Member of the Union Government? Have the Government failed to see that whatever food is available in the State is properly distributed? My own view is that so far as production is concerned, they are not encouraging increased production. It is true that they have been attempting to have irrigation programmes, both long range and short range ones. But I am afraid that the short term programme of irrigation was started too late. The Government should have had certain amount of imagination of what was happening in the State. They should have had the foresight to anticipate whether the State would not be landed in greater difficulties in the matter of food if monsoons failed. They should have anticipated such contingencies and started attending to the short term programme of irrigation earlier than they have done. I have to state and I am sure that many of my Hon. Colleagues will agree that the Government have been very complacent in regard to this question. They did not wake up at the proper time. They did not pay due attention to this question. Possibly they were engaged in other matters. But they should have had an idea of which question required their immediate and prior attention. They should have had a programme of priorities. On account of their failure to attend to first things first, the people of this State are suffering now for want of food.

"So far as production is concerned, I think that the Government ought to have long ago thought of giving greater encouragement to the cultivator by giving higher prices for his produce or by giving subsidies. If this had been done, I am sure that he would not have gone in for cash crops. It is because he found that producing foodgrains did not pay him that he had to resort to growing cash crops. There is no use of our now asking him to put a stop to growing of cash crops and to begin growing foodgrains. That certainly will not be advisable. The Government have failed to give him encouragement by giving better prices for his produce. They have been heckling with him and trying to compel him to deliver his produce at low prices. So, in order to avoid harassment from the procuring officers and in order to get a proper return for his produce, he takes to growing of cash crops. The Government should have paid due attention to these two things.

"The long range programme of the Government in respect of irrigation is expected to yield very good results in 1952. Due to the shortage of foodstuffs in our State, it remains to be seen how so many people are going to survive up to that time. People might not have already died suddenly because it is not immediate death that results from shortage of food but slow and sure death on account of starvation. It is not due to the failure of monsoons but to the want of imagination, foresight and preparedness to meet the situation on the part of the Government.

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"Sir, another thing is that in the case of our State as well as in the case of the Government of India statistics are not only inadequate but in some cases wrong. In such a matter as food supply, statistics play a very important part. They will help the department to know what exactly is going to happen, what exactly is the area being cultivated and what will be the produce from a particular area. Their statistics are so wrong that they are not able to procure the proper quantity of produce when procurement takes place. I think it is high time that both our State Government and the Government of India gave proper attention to setting right their Statistics Department.

"There are two classes of consumers in our State as elsewhere. They are what are called producing-consumers and non-producing consumers. We ought to know what exactly is the percentage of food crops that is procured from a particular landlord, and what the proportion is. The Government must base their procurement scheme on a certain percentage of produce that is to be taken from a particular person. So far, the Government has not given that information to the House. We have come to know and it is common knowledge that big landlords have been left scotfree even though they have not given as much as they should have given. On the other hand, a poor and small landholder has been harassed to give away all his produce. Such a state of affairs is prevailing in the whole State to-day. These poor cultivators are harassed to give whatever they possess, whereas the bigger landlords are left free and the same proportion of grains that is taken from the poor cultivator is not taken from these big landlords. I understand in the big landlords mentioned by me, certain Hon. Ministers are also included. I heard a statement made by a villager belonging to an Hon. Minister that the procurement officer went to the Minister's farm in that village to ask for his quota of food crops. That officer necessarily would not demand the same proportion as he demanded from another person in the next village. He said to the Minister, 'Will you please give some of your foodgrains?' The Minister, it seems said, 'All right, I will give you six bags of grains. You can take them'. So the Minister gave only six bags whereas he should have given 60 or 600 bags of foodgrains. Such is unfortunately the state of affairs. I wonder if the officers concerned are treating all people alike. To-day they are making a distinction between man and man. If they had not done this and had treated all persons alike, I do not think the present situation would have arisen at all.

"There is another difficulty. To-day, both the landlords and the officers have become less and less patriotic. They do not serve the people patriotically with a sense of duty towards them. The officers serve the public with a different object. So also the landlords. They think that this is the time and this is the best opportunity for making money for themselves. This attitude of theirs is also responsible for the unfortunate situation in which we are placed to-day. They need not be afraid of anybody. They have to do their duty; whether it is a big landlord or whether it is a Minister, the officers have to do their duty and procure foodgrains from all alike in the same manner.

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"The officers are not like merchants. They do not know how to buy and how to get foodgrains from the people who produce. The merchant knows this better, but unfortunately he is not on the scene and has been elbowed out and the officer has taken his place. The sooner conditions improve and the trade channel takes the place of the officer, better it would be for all. The merchants would not commit those mistakes which the officers are committing to-day. The Government of India is also greatly responsible for the situation in which we are placed to-day by deciding to stop or rather reduce the extent of imports by half last year. They said that they were creating a psychology of complacency not only among the people but in the Government itself. That complacency and their so-called self-sufficiency programme are chiefly responsible for the present position. They should continue to import foodgrains from abroad to the same extent as they were doing in the past years. There is Burma, there is Siam, and there is Indonesia. If the Government of India had started their programme of importing foodgrains from these countries much earlier, they would have got all the foodgrains that they wanted in order to feed the people of the State. On the other hand, they woke up rather too late in the day and now when they want to import more foodgrains, it would really take some months before we could get some foodgrains from abroad. Perhaps those foodgrains will come very late and by the time they arrive, a great calamity might have overtaken the country.

"So far as distribution is concerned, rationing has been resorted to. Rationing in an emergent situation like this ought to be managed in an efficient manner. To-day, we have introduced rationing only in deficit areas, whereas surplus areas are left scotfree and there is no rationing in those areas. In an emergency like this, when there is such an acute shortage of foodgrains, the State Government should pool all its resources together and divide the stock equally among all the areas. The first principle of rationing is that all resources should be pooled together and divided equitably among all the people. Instead, the Government has given a certain amount of latitude to the surplus areas in allowing them to have their own way. As a result of that policy, we have landed ourselves in this unhappy position. Now at least, when we are facing a serious emergency, I hope the Government of Madras will see their way to introduce rationing even in the surplus areas, like the Tanjore district in the south and the Krishna district in the north. This ought to have been done long ago. Although I have been repeatedly drawing the attention of the Government to this important matter and requested them to introduce rationing even in surplus areas, they have not done so. Probably, they were afraid of the people in those areas and thought that those people would not give as much as the Government demanded from them. They were also afraid that they would not be able to move the foodgrains from one place to another on account of the shortage of waggons. Both the Government of India and our State Government should realize that we are facing a very serious situation. When we are face to face with a serious situation such as the present one, they

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should tackle the position on a war basis. Instead of that they have been treating this matter rather lightly and the result is that the people are suffering for a long time.

"There is another difficulty with regard to the administration of the Food Department. There are many places where foodgrains go to a great waste in the stores. We have heard of many cases where foodgrains were not moved for a long time and these foodgrains got deteriorated and were found to be quite unfit for consumption by human-beings. This wastage which ought to have been avoided by the department, is also one of the many things which are responsible for the present situation. So far as the ration shops are concerned, I understand they resort to various methods for reserving large quantities of rice which remain undistributed. I think it would be much better if a greater check is exercised over the officers who are supervising and controlling these ration shops. I will even go to the extent of saying that Government can get better results if it tried to procure foodgrains from the ration shops.

"It is not only in our State we have these surplus areas. There are other States which are surplus. To-day these people do not have that milk of human kindness in them to come to the rescue of their suffering brethren. The same is the case with regard to the northern surplus districts as well as southern surplus districts. Take for instance the Krishna district in the north and the Tanjore district in the south. So, we do have surplus foodgrains not only in our State but in other parts of the country. Those people are not coming forward to give all their surplus to help the deficit areas. I know, when a committee sat to discuss this question some years back, the same difficulty was experienced. At that time, the Punjab and the Sind Provinces were not prepared to give the surplus foodgrains that they had with them. To-day, the Government of India is facing the same difficulty. They should act with firmness that is badly required at the present moment.

"In conclusion, I would rather support the suggestion of my hon. Friend, Mr. M. G. Natesan, contained in his amendment. The Government of Madras would do well to decontrol in all places other than big cities and towns. They should procure enough foodgrains for distribution in big cities and towns, where there is no production, and leave the rest of the areas to adjust themselves. We know that in spite of Government control and in spite of the fact that a number of poor women are arrested and put into jail, still we are getting enough foodgrains in what is called 'blackmarket'. Although it may be said that foodgrains are not available in large quantities, yet, we find that they are sold at fairly cheap rates in blackmarket. We can get rice at Rs. 1-2-0 or Rs. 1-4-0 a measure. When we look at these things, it would not be very difficult for us to realise that there are enough foodgrains in the State and if there was no control in the rural areas and if there was control only in the cities and towns, the poor people in the rural areas will be much better off and they will be able to get all the food that they badly require."

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SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, the general reaction of the people at large and particularly the Members of the Assembly with regard to the rationing and food control can be seen from some of the answers submitted by hon. Members of the Assembly to the Decontrol Committee which is sued a questionnaire and which has been answered by several Members. Therein, from whomsoever I had the honour of meeting and enquiring, I find that they had all drawn a big bracket, I mean double brackets across this questionnaire and said, 'entirely decontrol and no question of control'.

"But the general feeling of frustration, of irritation and of anger at the way in which Food Control is administered is such as to discredit the word 'Control' altogether and so it is not surprising that many of the answers given by the Members of the Assembly to the questionnaire issued to them favour absolute decontrol. Before I place before the Government my suggestions as to how this regrettable situation has to be remedied—to whatever extent the Government may be pleased to remedy—I would like to draw the attention of the Government to the very unfortunate state in which the villagers are placed by this unfortunate thing called 'informal rationing' which means no rationing at all and which only means sheer injustice. Within the last two or three days, I have received a number of communications from my constituency the relevant portions of which I shall presently read for the information of the House. Let me first read the letter I got as late as 6th August. It says:

‘அறை வயிற்றுக்குக்கூட உணவு கிடைக்காமல் ஜனங்கள் வாரத்தில் மூன்று நாள் பட்டினி இருக்கவேண்டிய நிலைமை ஏற்பட்டுவிட்டது. கிராமங்களில் எங்கு பார்த்தாலும் கூப்பாடாக இருக்கிறது. ஒரு சில நாட்களுக்குக் கிடைக்கும் உணவுப் பொருளையும் தற்சமயம் ரூபாய் 1-க்கு $\frac{1}{2}$ படியாக வாங்குகிறார்கள். உணவுப் பொருள் ஸ்டாகில்லை. நாங்கள் என்னசெய்வோமென்று ஸ்தல T.S.O., F.S.O., அதிகாரிகள் கூறிவருகின்றனர். ஆனால் அதே கிராமத்தில் நூற்றுக்கணக்கான மூட்டைகள் இரவில் ரூபாய் 1க்கு $1\frac{1}{2}$ படி நெல்லாக வெளியே இளம்புகிறது.’

The next letter was received two days later and it is seen from it that in the Thumbapatti village which boasts of having a Member in this House and also one in the Parliament as many as twenty-five families are starving. The letter reads:

‘1950-ம் ஆண்டு மாதம் 7-ந் தேதி தும்பைப்பட்டியில் மட்டிலும் (உள் ஸ்டை கிராமங்கள் தவிர) 25 குடும்பங்கள் பட்டினியாயிருக்கிறார்கள். பெரும் நிலச் சுவான்கள் கொள்ளை வாயம் கருதி மூட்டைக் கணக்காக அடுத்த பகுதிகளுக்கு ஏற்றுமதி செய்து மொத்த விலைக்கு விற்கிறார்கள் தவிர, ஏழை மக்களுக்கு அவனிடமுள்ளதில் $\frac{1}{2}$ ரூபாய், 1 ரூபாய்க்குக் கொடுப்பதில்லை.’

The situation in that village reached such a level that on the 7th of August some carts which were supposed to carry straw were way-laid at mid-night by the people of the constituency and some ten bags of paddy were found hidden therein, for being sold in the blackmarket in other taluks of the district and possibly in other districts also. The people, numbering about 150, snatched the bags and rationed the paddy among themselves after paying the

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persons concerned at the rate of half a rupee per measure of paddy. We also find that telegram after telegram is received stating that paddy is being smuggled for blackmarket sale *via* Boothamangalam route to Ramnad district. I shall now turn to another quarter and that is a place round Gandhigram near Chinnalapatti. This is what is written in a letter received from that place:

காந்தி கிராமம்.

சுற்று கிராமங்களில் உணவு தானியம் இல்லாமல் ஜனங்கள் திண்டாடிக்கொண்டிருக்கிறார்கள். சிறு குழந்தைகளும் பட்டினி சிப்பத பரிதாபகரமாக இருக்கிறது. கிராம ரேஷன் கடைகளில் பல வாரங்களாக தானியம் கிடையாது. ஊழியர்கள் பட்டினியால் வாடிக்கொண்டிருக்கிறோம். கிராமங்களிலிருந்து தானியங்களைப் பட்டினங்களுக்குப் பிடிங்கிக்கொண்டு போய்விடுவது, பிறகு கிராம ஜனங்களை பட்டினி போடுவது என்பது சர்க்காரின் போக்காயிருந்தால் இந்த சர்க்கார் நிலைக்காது. ஜனங்கள் ரத்தக் கண்ணீர் விடுகிறார்கள். ஏழைகள் அழும் கண்ணீர் சுமையாகிவிடாது.

Then I would request you, Sir, to listen to yet another letter which I have received from the weaver community of Yamunewaram through my hon. Friend, Mr. Subbaraman:

கைத்தறி நெசவாளர் சங்கம்.

எம்.எஸ்.வரம்,
8-8-1950.

இங்கே சென்ற ஒருவாரமாக அரிசி மணிகூட கிடையாது. இரண்டொரு நாளைக்கு 4 ஜனங்கள் கொடுக்கிறார்கள். இந்த நிலைமையில் ஜனங்கள் ஒரு வேளை சாப்பிட்டவர்கள், மீதி வேளைக்கு உண்டு, பயறு, கத்தாமை சாப்பிடுவார்கள். அதுவும் கிடைக்காமல் உண்ணவிரதமிருந்து, உயிரிழந்து ஊசலாடிக்கொண்டிருக்கிறார்கள். இங்கிருக்கும் நிலைமையை எழுதவும், சொல்லவும் முடியாது. மேலும் ஒவ்வொரு குடும்பத்திலுமுள்ள நகை, பாத்திரம், பண்புகள், தட்டு முட்டு சாமான்கள் முதலியவற்றை பஜாரில் கொண்டுபோய் விற்று பதிலுக்கு கள்ள மார்க்கெட்டில் விற்கிற அரிசி வாங்கி காலம் கடத்துகிறார்கள். இனிமேல் விற்று சாப்பிட சாமான்களுமில்லை. தொழிலுமில்லை. கையிலோ காசுமில்லை. மக்கள் எத்தனை வாரம்தான் பட்டினி கிடைப்பது.

MR. SPEAKER:—"The hon. Member need not read the entire letter. Enough if he confines himself to important portions."

SRI A. VAIDYANATHA AYYAR:—"I shall read only the relevant portion, Sir—

தாங்கள் ஒவ்வொருவரும் நெஞ்சில் கை வைத்துக்கொண்டு சிந்தித்துப் பாருங்கள். அல்லது அணுகுண்டு என்ற விஷ வாயுவைப் பிரயோகித்து மக்களை அழித்துவிடும்படி சொல்லி உத்தரவு செய்யும்படி மந்திரி மார்க்களம் கொஞ்சங்கள்.

This is the heart-felt grief which the people are expressing all over. How has this state of affairs been brought about? My submission is that the poor villagers for whose sake we are supposed to have obtained Swaraj are sacrificed for our sake by having what is called the informal rationing. We take away whatever paddy that is available in the villages but we do not supply anything to the ration shops. Whenever this fact is brought to the notice of the highest officer down to the lowest officer, they say 'why are you going to the ration shops, it is only informal rationing'. Does

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informal rationing mean to deprive the poor villager who produces food for us in the towns, of his own food? Why is all rice transferred to the statutory rationed areas when he has no food, leaving him adrift? I have received information that from Tirumangalam, which itself needs food, paddy has been removed for distribution in the Mathurai town. How long can this state of affairs go on? At some time or the other it must cease and the question is when and how and in what manner. I ask, has rationing worked at all? Let us first take up the complaints made about the Firka Supply Officers and the Taluk Supply Officers that they are not able to get any grains from the rich men who produce much and that it is only the poor people that carry meagre stocks with them are often prosecuted, produced before the Magistrate and sentenced to one month and two months imprisonment while the rich men who make thousands of rupees from the produce are let scotfree. How have these suddenly arisen? The reason is not far to seek. The Collectors, Deputy Collectors and other revenue officials feel the same difficulty as the poor man in getting rice. Their wives and children want sufficient food and they have to procure food for them for their existence. Whatever rice that is given in the ration shop will not suffice with the result that they resort to the F.S.O.'s and T.S.O.'s and ask them to get rice, beautiful sirumani rice. The day these high officials resort to the lower officials for supplying them good rice, blackmarket sets in. For where can these officials get good rice except in the blackmarket? The whole rationing system breaks down. These officials do not depend upon the rich men for these supplies but they rely on the poor who are whipped to action. A highly placed official of the Food Department seated in the gallery shakes his head saying 'No'. I tell you, Sir, if you go to a village or a taluk centre like Melur you will find that the Police officials, highly placed Revenue officials, in fact every officer of the Government, turn to the T.S.O.'s and F.S.O.'s for rice so that their domestic needs may be kept intact and the poor suffer. There is break-down everywhere and it is not taken note of since it does not affect either the judicial system or the criminal system. Is there any possibility of repairing the break-down at all? Unfortunately the salt has lost its flavour; who can salt it? The villager who is remarkably straightforward in his dealings has to pay even for the ordinary bandy patta, manures and a hundred and one other things. Yet he is not left with anything even for purposes of cultivation. He has now begun to wonder what injustice, what illegalities, what immorality he has committed to be put to the necessity of going without food. Their position is such that they also have learnt that they should take to black-marketing. Now what is the best remedy for this? The one suggestion that I can make is let the Government decontrol foodstuffs the moment they feel that it will not be dangerous to do so. I know they always make up their mind to find ways and means as to how to decontrol. Yes, I appreciate that. But I feel, let us have the trouble resulting from decontrol rather than put ourselves to the hardship caused by imperfect control leading to corruption, black-marketing and lowering down of morality. As far as I can see

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the immediate remedy would be, as suggested by my hon. Friend, Mr. Natesa Chettiar, to keep on feeding the people until the beginning of the next harvest—because decontrol at this stage would be cowardly as we have already procured what we could from the villages—which comes some time in October or so and on the eve of the harvest to issue orders restricting rationing to only municipal towns and cities. This suggestion of my hon. Friend affords a silver lining which I hope the Government will accept. As regards the villagers, take it from me that they are capable of taking care of themselves provided you do not apply this screw there and introduce what is known as the informal rationing. Then, what is it that makes the poor villager resort to sale in blackmarket when you have rationing only in towns? The reason is people in the towns are not given sufficient rations. In the statutory rationed areas the over-all ration to day is 12 ounces. If you reduce the rice portion tomorrow to 6 ounces I know what will happen in the Mathurai town. The people cannot live on six ounces. Necessarily, the village people will run the gauntlet and bring rice. When there are four lakhs of people how can they allow the women and children to starve? They cannot allow the little children to starve. The mother cannot allow her sons to starve. The poor man cannot allow his people to starve. We shall be witnessing horrible scenes. Sir, I have seen with my own eyes on previous occasions many running the gauntlet of the procurement staff. I have seen women bringing rice in small baskets in spite of threats of prosecution. Therefore, Sir, if the Government want rationing to stand and that there should be no blackmarketing in the cities, let them not give six ounces and four ounces the remaining portion of the rations being substituted by things like cholam which nobody in the city is familiar with or by wheat which the poor people cannot find means to cook. If they should take wheat, they need ghee, they need oil. How are they going to purchase these which sell at Rs. 4-2-0 and Rs. 4-6-0 per viss? It seems to me to be better in the circumstances that rationing is confined merely to cities and that the Government give rations at such a rate as not to develop a tendency in the urban population to go in for rice in the black-market paying of course very high prices. If this is done, there may not be any temptation on the part of the villager to feel, 'if I starve my stomach a little, I can go to the cities and sell rice and get prices like Re. 1-4-0 and Rs. 1-8-0 per measure'.

12-15 p.m. "It is that temptation which raises the price in the villages. I would earnestly urge on the Government to try and save the people as much as they can. I still have got a premonition that they may not be able to save them. We are rushing all the rice only to the towns. The people in the towns can pay more and purchase what is available, but what about the ordinary agricultural labourer? There is a tamil proverb that the man who grinds the flour gets the grinding stone as his share and the man who prepares the cake gets the frying pan as his share. The poor agricultural labourer also is in the same position. The poor agricultural labourer with

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whom you sympathize day in and day out, for whom this Government is functioning, and for whom, we got *sacardj*—that man is starving to-day. In Tamil, Mr. Balakrishnan's constituency, when the Collector went there, he found the people boiling prickly-pear minus the thorns for food. The District Collector, Mr. Arudoss, said that it might be due to the fact that they had no money to buy food. How can they have money to buy food when the prices are soaring so high. Have we raised the agricultural labourer's wages from Re. 1 to Rs. 5? Sir, we are directly responsible for this imperfect and inefficient rationing. It has produced a state of famine in the sense that the wages got by the agricultural labourers are not sufficient for them to buy the food. The District Collector said that even if rice was sent to them, they had not got sufficient money to purchase it and, therefore, famine relief works had to be started. I suggest that instead of spending money on famine relief, for God's sake, all the available stock may be transported there. The treasurer of the Co-operative Society of Tirumangalam who went to Kakinada has wired to-day: 'All permits cancelled.' Permits to transfer foodstuff by train have been cancelled. This is the telegram got by my hon. Friend Dr. Subramania Ayyar. It is not possible to transport the stock by ships. It will take many days to send the goods to the harbour, load them in the ship, transport them by sea and then load them in trains and transport them to the affected places. A suggestion was made that all the passenger trains should be cancelled for sometime and goods trains only should be run. It still remains only on paper. Nobody has ever tried to apply this in practice. That is because people do not know the horrid stage of things that is actually prevailing in the villages. I would urge on the Government that as a responsible body they should realize the gravity of the situation. I know that if we appeal to the Government desperately they will move quickly. I am sure that if they move quickly, the Central Government could be stampeded into doing something so that the famine situation may be saved. The Government should rush all available supplies to the villages by means of trains and lorries. Sometime back there was a railway strike when Mr. Prakasam was at the head of affairs. One night I travelled from Mathurai to Madras and I saw 300 lorries manned by military men transporting food from one end of the country to the other, irrespective of the trains. But for some years we had a number of lorries lying on the beach, without the Central Government knowing what they are and the Provincial Government not caring to inform them. Now, we must mobilize everything and declare a state of emergency. There cannot be a more urgent state of affairs than saving the people from famine and starvation. If it was something connected with the military would they not straightway take the necessary action, no matter what happened? After all, in this emergency we may have to spend a crore of rupees. But a crore of rupees is worth spending when you are spending crores for the purpose of the rationing and subsidies. Sir, I saw the figures given in the Central Assembly in this connection and they shock us. It requires an extraordinary amount of explaining.

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Mr. Speaker, I request you to give me a little more time. Firstly, the Government should declare an emergent state of affairs. Along with this, the procurement that is now sought to be made from the poor people in the villages must stop. They must resort only to people who have got stocks. I find here some Members echoing the very words I have heard at home, namely, that the blackmarket is a blessing because thereby they get at least some food. That is the impression that is produced. Therefore, leave the poor people. Try to concentrate upon those who have got and who are blackmarketing. Don't harass the poor. One weakness has persisted here. I have seen Revenue Divisional Officers and Firka Supply Officers and asked them why not they check up this. They replied that it was only from the poor people that they were getting and there was no use of harassing them more. This is what they themselves say. That means, they find that this is an impossible state of things. Therefore, if you really book the rich profiteer and the blackmarketer, do not give him 15 days' imprisonment and Rs. 100 fine. Where a man has made lakhs of rupees, you levy a fine of Rs. 100. Why don't you do as the Bombay Presidency Magistrate did and pass a sentence of two years' imprisonment and levy a fine of Rs. 2 lakhs? That sentence was upheld by the Bombay High Court. These rich men have not got any kind of respect for you. They say they can get stay orders from the High Court or bring pressure executively. It is a very sorry spectacle. The other day, I believe, the Food Minister also was present when one magistrate said that the ration shop-keepers who were regularly defrauding the people should be booked and treated severely. The District Supply Officer replied that there was no procedure in law by which they could be taken to the criminal courts. The magistrate said 'Give it to me for six months and I will see how these people behave.' There is a doubt in the minds of the Government and the executive whether they have got powers to book the defaulting ration shop-keepers and wholesalers and the blackmarketers. I wish to God that the Government really saw the present condition of affairs. I am afraid of continuing to attend the Assembly longer on account of the way in which the whole thing is collapsing at home. People are really bringing pressure upon pressure. In the Government House, where we are staying, for the last ten days, we have not been discussing anything except the breaking down of the food rationing at home. I would therefore earnestly request the Government to accept the substance of the amendment moved by Mr. Natesa Chettiyar and rush all the available supplies to the villages. For God's sake, let the Government decontrol this and remove this infamy and this injustice called informal rationing from the villages. Leave the villages free. Confine your rationing to the cities and towns. Confine your procurement for the statutory rationing areas only to the surplus districts and also to the imports. From the surplus districts take only what is required and leave the rest to meet the demands of the deficit areas. If you confine yourself to the needs of the cities only, I do not think there will be a deficit at all.

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"Sir, whether the Government agree with my recipe or not, I wish they understand the magnitude of the disease. We are almost at death's door. There is no use of your saying that the heart is bad, the kidneys are affected, the liver is not functioning but the over-all health is good. It is doubtful whether the man will survive at all. That is the stage in which we find ourselves. There are two methods in which one can safeguard himself; the first is by taking precautions before the calamity comes, and the second is as soon as the calamity comes. But let us not put ourselves in the third category of persons who find that it is too late to apply any remedy when the thunderbolt had already fallen."

* SRI P. NATESAN :— Sir, hon. Members have been debating this question since yesterday. The House is unanimous in thinking that the food situation has deteriorated to such an extent that there is no excuse whatever for the Government to put forward. The Hon. the Food Minister has issued a statement and he concludes it by asking whether it would be 'reasonable to expect the continuance of the rice ration undiminished.' I ask, Sir, whether it would be reasonable to expect the people to go on starving for days and days and whether it would be reasonable or unreasonable to expect the people to go on representing their position to the Government. Sir, it looks to me that the Government of India and the Government of Madras are following a policy of 'I scratch your back and you scratch mine.' The Food Minister is apologetic and he apologizes on behalf of the Government of India and says that they are doing their best. Whether the Government of India are doing their best or not, we are not worried about. What we want is rice for this State. What has the Hon. Minister done? He is absolutely unperturbed to-day even when he hears Congress members—leave alone the members of the Opposition—crying hoarse about it. What can the Government do? They have allowed themselves to get into this position. They are not able to get out of it. I charge this Government with indifference and inefficiency. They are indifferent as is seen by the fact that they are absolutely unperturbed. They are inefficient as is shown by this statement which is—I do not know what to call it—absolutely a sham. Let me take one or two items here. The number of days for which the stock of rice would last in Chingleput on the 5th August was one day. The stock that arrived on the previous day was 27 tons. What was required for a day in Chingleput was 239 tons. The quantity in transit was 740 tons. Do you think that any responsible Government will keep quiet after preparing a statement like this? Should not the Minister take all possible steps to avoid a thing like this happening? What can the rationing officer and the Collector do when they are not given the necessary supplies? This is not the only case. Even in North Arcot, the same thing has happened. They had only one day's stock on the 5th August. What are they to do on the 6th, 7th and 8th August? What is the use of discussing how this rationing system is working when we are not in possession of the transport facilities? There is no meaning in this debate. It is absolutely unreal. I do not think anybody who has

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winding up the show. We must be more realistic. I want the Ministers to go to Delhi, meet the Prime Minister, sit there if necessary and get things done. I do not believe in the Food Secretary going there, and what is he going to obtain after all? He is only an official and he is not the boss in the show. I want our Chief Minister and our Food Minister, who are going to attend a conference shortly in Delhi, to take up this question earnestly, tell the Government of India people that they cannot be held responsible for the governance of this State unless and until more food is made available to us to feed the people. Then, let us see what the Prime Minister says; the Government of India are already in a mess; we will also give them some trouble, not for the pleasure of it; we have to trouble them just because we know our people are starving to-day. There is no good denying the press statements; after all, the press is not exaggerating things. The 'Madras Mail' has been publishing letters about this; if you have a prejudice against the 'Madras Mail', it is no good saying that the press is saying things like this and that. Even the 'Hindu' this morning has written an editorial about the food situation. All the papers are publishing only facts, as they come to their notice, and you cannot say that whatever they say is not correct. I want an explanation from the Government as to why they have not done anything all these months to prevent this crisis and why after the crisis actually started, they want to rush through things. They must have found out ways and methods to avoid the crisis and seen to it that nothing happened.

"I have got to refer to only one more matter, and that is with regard to the extra money we had to pay to the Uttar Pradesh. You had to pay Rs. 108 lakhs and ultimately you passed it on to the consumer without a word; nobody knows that the poor consumer in this part of the country had to shell out Rs. 108 lakhs in connexion with this transaction. It is scandalous; can you not find out previously at what price the Uttar Pradesh Government could give us rice; the Minister simply said that the Government of India allotted the rice to us and we had to take it; are the Government of India going to pay this Rs. 108 lakhs? No, you have got to pay for it. Suppose instead of Rs. 108 lakhs, it was Rs. 3 crores, are you going to pay? You cannot, and where is the money, even if you want to? That is the reason why I say you are inefficient."

MR. SPEAKER:—"You are saying 'you, you'; I take it you are referring to the Government."

SRI P. NATESAN:—"Yes, Sir; I mean the Government. As Speaker, you cannot be held responsible for anything done by the Government; I am addressing of course the Government Members; they are inefficient. Why should they not ask for the price of rice before going in for it? Suppose the Food Minister for instance goes to the bazaar and wants to purchase something, say cloth; suppose he asks for the price, and is told it is Rs. 7 a yard; will he not say it is too much for him to pay so much, and will he

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not go to other shops where he can get cloth at Rs. 3 or so? Ordinary business procedure requires all these things to be done in the usual course. I submit there is no excuse for your agreeing to pay Rs. 108 lakhs more, and the funniest part of it is that the poor people have had to bear this burden, as a result of your mistake. And with all this trouble, you go about your procurement and want people to hand over to you more and more; but people are now going on with sugar cultivation, because it pays them better. Why don't you prevent people from doing that, I ask? On the one side, according to the answer given to an interpellation this morning, more and more lands are being reclaimed and brought under cultivation, and waste lands are being assigned; subsidies are given for digging wells—all these stunts are going on; but they are all no good because after all you have come to this present critical situation, just because you have not done all that properly. My point is that the co-operative society business also has failed, so far as procurement is concerned. Procurement through officers has failed; if you want to continue to do this procurement, by all means do so but do take into this business merchants who have been dealing in rice for generations, who know where to buy, when to buy and what to buy. Your officers cannot produce the rice that is required, as was referred to by the hon. Leader of the Opposition yesterday. It is all muck—how can you expect people to eat when you have not got sufficient rice? What is the good of passing a Public Health Act when you are actually giving the people dangerous things to eat; if they are to be given anything and everything to which they are not used, they get ill and they have got to undergo treatment somewhere. The Hon. Food Minister, in fact every Minister in the Cabinet, ought to feel that it is their joint responsibility to see that the people are not starved. (At this stage the gong was sounded.) Yes, Sir, I am finishing. Let me give a solution to the Government: will the Cabinet kindly take it into their heads, will they kindly see that they get into touch with the private rice merchants and find out what are their views in this respect? After all, one cannot be too clever; we want to have as many brains as possible. You are in a most absolutely rotten condition to-day, and I hope that the Cabinet will attend to these things with grace."

* SRI T. S. KARAYALAR:—"Mr. Speaker, Sir, I have read with the greatest attention and care the statement that has been laid on the table of the House by the Hon. Food Minister. Many hon. Members have spoken, and it is now almost common ground that the food situation in this State has deteriorated to such an extent that every one of the hon. Members is asking the Food Minister and the Chief Minister to go to Delhi and see what can be done. But let us analyse the situation for a moment, where exactly the blame lies, to whom exactly the responsibility is to be apportioned; if at all anybody is responsible, is it the Government of India or is it the Government of this State? Is the machinery that distributes defective, or is it the agriculturists who sometimes do not give properly the quota they have to give?

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Or is it the poor officials, the District Supply Officer, Taluk Supply Officer, the Firka Supply Officer,—are all or any of these to blame? I shall try to analyse the situation as briefly as possible. The policy of the Central Government is to attain self-sufficiency in India in 1951. India wants to retain her Independence which has been gained so gloriously; in order to retain that Independence, we must advance in our industries; and for advancing in our industries, we want so many things, and first of all, currency, and in order to conserve the currency, we want to make India self-sufficient by 1951. That has been the policy of the Government of India. And if we cannot make India self-sufficient by 1951, we will not be able to save our currency. For that purpose, the first and foremost thing for us to do is to make India self-sufficient in food. To do this, the Central Government and the Madras Government have got several schemes before them, and Grow More Food is one such scheme. We have been spending several crores on purchase of foodgrains from other countries and we can save the money if India becomes self-sufficient. That is the policy so far, as the Central Government is concerned.

“Coming to the Madras State, Madras has always been a deficit State, and it does not require anybody to prove that. Even before the war in 1939, we were importing rice from Burma to the tune of 5 lakhs of tons. In this connexion, I consider that any discussion of statistics is absolutely of no use. Somebody said people cannot eat statistics; that is true, and I shall not digress into statistics now. Suffice it to say that Madras is a deficit State, and if you want to feed the people, you must import rice. There is no use telling the people to eat wheat, milo, jowar, semolina—my good God, what are all these names, we do not even know them. People want rice, and the State of Madras should tell the Government of India that we want rice and nothing else. As I said, we have been importing rice from Burma and it was a large quantity that we were importing. For a long time when we were importing rice from Burma, the agriculturists here were not cared for; they were not given manures, seeds or other facilities. These new-found ideas of helping the agriculturist came in only from 1944; if these facilities had been given ten years back, there would have been no difficulty now. We are now in a mess and are undergoing untold suffering. We now ask the agriculturist to produce more; he has been all along paid a very low price for his produce, and to-day, unless the price is increased, he cannot produce anything. Self-sufficiency and normal trade channels must be our two ideals. The economic idea is that the supply should be one unit more than the demand, and then only you can say there is self-sufficiency. Even if there is self-sufficiency and the normal trade channels are not there, blackmarket will step in and along with it, so many other evils too. This is a simple economic principle. We have not had sufficient rice even in 1935, and now if the Government of Madras gives 6 oz. ration, even for that they feel some

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difficulty. The Central Government must take responsibility for introducing universal ration throughout the Madras State and they must give the necessary supplies. I find it is admitted on all hands that procurement is made on an intensive scale only in this State. In Madhya Pradesh, in Uttar Pradesh and in the Vindhya Pradesh and other places, procurement is not being done on such an intensive scale as here.

In this connexion, I should pay a tribute to the high officials in the Food Department, because many of them have done work which nobody else has done in any other part of the country. I am sure the officials of the department would do credit to any Government in any part of the world. It is because that such high officials are in charge of the Food Department we are having intensified procurement. I know that the people are also giving properly and if there are one or two cases of harassments, they cannot be attributed to the high officials, but may be due to small officials here and there. Such things do happen everywhere. Look at the Manimuthar project in the Tirunelveli district. The people there gave lakhs and lakhs of rupees and these are the very people from whom you want to procure and they will certainly give whatever they have got and more than that they cannot give. As long as the State itself is deficit and as long as the Central Government do not give sufficient supply, even though procurement is cent per cent and even though you reach the target you set yourself, do you mean to say you can give 6 oz. for this State? I am sure you will find it very difficult indeed. I would therefore urge on the Food Minister to go to the Government of India and tell them that in the surplus areas like Madhya Pradesh, Uttar Pradesh and Pepsu, they should appoint agents—not agents by the respective State Governments, because we have known what the State Government has done. In fact, we have lost 108 lakhs of rupees on account of the purchase of rice from Uttar Pradesh. I may tell you it is not only 108 lakhs of rupees, but it is much more than that. One hundred and eight lakhs of rupees is only a myth. For example, in Madras, you allow only 10 per cent as wastage, but in the case of the Uttar Pradesh rice, they allow 42 per cent by way of broken rice, chaff, etc., which worked out at Rs. 100 per bag or two maunds of rice. Working on that basis, it is not 108 lakhs but it will be much more than 180 lakhs of rupees. There is no intensive procurement in Madhya Pradesh, Uttar Pradesh. Pepsu and East Punjab and so we cannot get proper food by the appointment of any procurement agency, and particularly when there is not proper procurement of food, the Central Government cannot give. As I said, there is no intensive procurement in Madhya Pradesh and there is also no rigid control over distribution there and so people give just what they like. So, when there is excess with them and our Ministers go to the Government of India with a request for more supply, they ask hard currency areas like the Uttar Pradesh to supply the required quantity to the detriment of the deficit provinces like Madras.

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The entire responsibility for it, I lay my charge at the door of the Central Government. Of course, the responsibility of this Government may be 5 per cent or 10 per cent, but the entire responsibility for providing food, for providing cereals and rice which this State requires, rests with the Government of India. Therefore, Sir, without any hesitation I lay the charge at the door of the Central Government. But, they must be told that theirs is the responsibility, not with bated breath and humble whispers, but this Government must go and tell the Government of India that Madras is starving. In fact, I have got a sheaf of telegrams from my district of Tirunelveli and I do not want to read them all. There babies are sold at Rs. 2 apiece. You must tell them that babies are being sold in Tirunelveli at Rs. 2 apiece and children at Rs. 5 apiece. If this is not deterioration, if this is not starvation and this is not famine, what else is it? Let the Hon. Food Minister go to Delhi and represent matters to them. At such a critical stage like this, you must tell them, if they want to do anything, they will have to do so quickly, because speed is very essential and urgency is the key-note of the situation, but if they are going to wait and we are not going to get what is wanted once men died, they are not going to get back to life. Miracles will not happen now. Once people die they are dead and this Government is responsible for it.

"Sir, I would like to say a few words about the administration of the department, just for a few minutes and I hope, Sir, you will allow me some more time, because I seldom speak here in this Assembly. I would like to say a few words about the machinery of procurement and distribution of food that is done in this State. There is any amount of duplication of work. There is the Revenue Board and there is also the Government in charge of it and wherever you go you find duplication. I would suggest that the entire machinery of production and distribution should be in the hands of one department. It may be in the hands of either the Board of Revenue or the Government, preferably the Government, because I think the Government can do it much better than the Board. At one time, you thought of abolishing the Board of Revenue, but at present the department which you wanted to abolish is administering the food policy. That is the position. Sir, I had a talk with a friend of mine who returned from Pakistan yesterday. I immediately asked him, as I used to ask anyone coming from a foreign country, how is the food situation in Pakistan? He told me that wheat is sold in Pakistan at Rs. 5 a maund. Glorious, I said. That is the position there. Look at Ceylon. There, rice is sold at three measures a rupee. Look at Burma. There is plenty of rice. You may say, that is a rice-producing country. Ceylon is giving rice at three measures a rupee. Such being the case, why should India alone suffer when all other countries are having their food. That question is uppermost in the minds of all people. That is the reason why I ask the Food Minister to go to Delhi and tell them we are hard hit in respect of procurement. Let him be bold and

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tell the Prime Minister of India that we cannot afford to starve the people of our State so long as he is in charge of food administration. If necessary, tens of Members of this Assembly are prepared to support him by going with him to Delhi for the purpose. I do not want to be hard on any body and I only request the Food Minister, the Hon. Mr. Roche, who is known to me as a gentleman for a long time, in addition to being a gentleman, I want him to be a fighter, and let the gentleman Roche Victoria be a fighter and get urgent victory. That is my request to the Food Minister. I will only summarise my advice to the Hon. Food Minister in these two words 'Delhi chalo'."

* SRI C. M. KOTHARI :—" Mr. Speaker, Sir, I stand to speak before this House with apprehensions as regards what is likely to happen to this State in the near future when I read the historical document which was presented to this House and the efforts which were made for procurement and also for going to Delhi and getting more food. Sir, it reveals complete failure, in regard to planning and it also exhibits complacency. So many hon. Members have talked about this document that I would not like to make much mention of it except to say that your efforts before the Central Government have not been successful, because the Ministry had not properly done their duty. I would even go the length of saying that when the other States got what they required, so far as this Government is concerned, in an emergency like this, when hundreds and thousands are starving for want of food, how is it possible for the Centre to be callous to your demands. I speak with confidence when I say that the Prime Minister and the other members of the Cabinet at the Centre will come to our rescue if you only place your case before them vehemently. I feel, Sir, all the time, it was more or less a request, by appealing and cajoling the Food Minister at the Centre and returning empty-handed if he does not give anything. But, have you told them that if you do not give food within, say a week, hundreds and thousands of people will be starved and massacred for want of food. This kind of complacency is one for which this Ministry should be condemned. I feel, Sir, if my manager had done this kind of thing, I would have fired him that very minute. But, Sir, with the management in their own hands and with the steam-roller majority that they have, the Ministers will talk with complacency and they will continue to do so as long as they are there. Sir, when the Food Minister of the Centre, the Hon. Mr. Munshi, was here, the knowledgeable Ministry, having the monopoly of all knowledge, never in their mind of minds felt that it was their duty to introduce Mr. Munshi to others, either in the Opposition or the commercial people. If so, they would have told him their mind and said that if we are not given sufficient supply of food, we are going to die for want of food. Of course, when Mr. Munshi was here in Madras, he visited a few places, along with the Ministers perhaps, but did he care to meet the Chambers of Commerce or did our Ministry care to ask Mr. Munshi and tell him that they are the people whose opinion he should care for

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and did it occur to them that it was necessary for him to know what the members of the Chamber felt about it. Sir, this could happen only in a State which was benighted and neglected by the Ministry. On the other hand when Mr. Munshi goes to Bombay what does he do? The first thing he does, after seeing the Chief Minister of Bombay, is to go to the Indian Chamber of Commerce and lay all his cards before them and get a good deal of the mind of the commerce people. (The Hon. Sri J. L. P. Roche Victoria: 'He had a talk with the members of the Oil Merchants' Association.') I am sorry, though I belong to that association, it is not connected with foodgrains. I am told that the Hon. Minister for Food of the Centre, met the Oil Merchants' Association. They are the people, perhaps who give oil and produce no food.

"Sir, I am alarmed, because my constituency, the Planters Constituency, which engages about two lakhs of people, are feeling that any day there may be a mass massacre by starvation. I would therefore request the Hon. Minister for Food to rush stocks of food to the Anamalais, the Nilgiris, Wynaad and other districts, more because these estates are 15 to 20 miles away from places of rationing and if the estates are not supplied with stocks, I cannot imagine what would happen to the people there. I just now received a letter from the Anamalais and to the credit of the Collector there, I must say that he has been able to collect sufficient stocks to last sometime. That is not all. I want the Hon. Food Minister to assure us that there is sufficient stock available and that there will not be mass massacre or mass starvation. I think I have special priority and privilege in this State because I employ about two lakhs of people—I mean the planters employ 2 lakhs of people—in collective farms and tea, coffee and rubber are the greatest exports of the country to-day. In this condition it is the duty of the Ministry to see that the people engaged in such important industries like these are not allowed to starve even for a day.

"Sir, some people have suggested ways and means of solving the food difficulty by long and short range policies. I think I can give you one or two important points for the consideration of the Hon. Food Minister. Have you ever thought why the agriculturist is not giving you food and why he is going on growing commercial crops. Does anybody think the agriculturist is a fool not to grow food but grow commercial crops? I say the agriculturist has very good common-sense and if anybody were to say he has no common-sense I discount that. On the other hand agriculturist's economy has never been studied by any State or by the Centre. He was in debts for a number of years and he has not been able to recover from the heavy debts. Therefore he is growing commercial crops, instead of food crops, because the food grain is not paying. Moreover, he has to pay for his other requirements at heavy price, which are not controlled. The result is the agriculturist suffers."

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MR. SPEAKER:—"May I know whether the hon. Member 1 p. would like to continue his speech after lunch, or he would like to finish if he is given two or three minutes more."

* SRI C. M. KOTHARI:—"I shall finish in two or three minutes, Sir. Now, Sir, has anybody given his thought to the condition of the agriculturist. If you want to get food from him, you must pay him some high price, even by giving him subsidy. But, do not feel that the agriculturist is going to give you his crop for nothing. Sir, when I talk about subsidy, I hear the Hon. Mr. Madhava Menon saying it is not a possibility. May I say it is a great possibility. The Centre has always been thinking of inflation and the cost of living having gone up. Sir, I ask is the agriculturist alone to be blamed for it and is he to be penalised for the high cost of living? I admit that foodgrains form a good portion of our crops, but it is necessary that the agriculturist should not be given any price at all?

"Sir, as the Hon. Speaker has given me only a few minutes, I wind up by saying that a new disease called "Disease of loud thinking" has obsessed us all. Recently, we have heard of agrarian reforms and that an agricultural tax is possible. In the speech of the Hon. Finance Minister in 1949 it has been definitely stated that the agricultural tax was not possible. But, today by such loud thinking what we have done is, we have done much mischief because the agriculturist feels that he will have to pay the agricultural tax next year. He will try to avoid the tax. The result will be black-marketing about which we are all very much afraid, will go rampant in foodgrains.

"Sir, there is one point which I would like to bring to the notice of the House and it is about index of the cost of living going up and inflation being high. I do not want to take much of the time of the House, except to say that it is a dubious point of economics; we are not paying the foreign exchange if we raise the cost of foodgrains by a small percentage and pay the agriculturist who well deserves it, and then only he will put his money in food crops. Surely, it will be an encouragement to him in the matter of the grow more food campaign."

MR. SPEAKER:—"The House will now rise and meet again at 3 o'clock."

(After lunch—3 p.m.)

* JANAB N. MUHAMMAD ANWAR:—"Mr. Speaker, Sir, I have been watching and watching all the time sitting here both yesterday in the course of this debate and the other day in the course of the debate on His Excellency the Governor's Address, Member after Member narrating tales of woe and the plight of the millions suffering from difficulties of ration. Indeed, I have my own experience to confirm the illustrations that hon. Members provided the House as unfortunately the district of North Arcot to

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which I have the honour to belong, is the worst among the victims. Indeed the situation is turning grave and heading fast towards a crisis of the utmost gravity and the people are utterly hungry and angry against the Government. When things are like this, what is it that I see here on the Treasury Benches and what is the wind of Government that we have in our State? Of course, Hon. Ministers, most of them, are as usual not here to-day but when you see them, Mr. Speaker, you do not get any impression of the seriousness of the situation in the State. Nearly every one of them is comfortably cushioned and every one of them presents a smiling countenance as if nothing serious is happening in the State and the Hon. Minister for Food—Oh, I pity his lot, he has been relegated to the last place on the Treasury Bench as though that is the importance which this Government is attaching to his portfolio and he is left now severely alone on the Treasury Bench! Not that I join others in attacking him; this good Christian, this excellent rotarian, I have got every admiration for his personality and I have been following his speeches outside this House and he has been speaking admirably on every subject except Food (laughter) and that has been his privilege and that has been our experience. (Laughter.) After all, Mr. Speaker I know he is a victim of circumstances; he has inherited a legacy of past mistakes and he is not entirely to blame. That calm, cool and collected Member on the Treasury Bench, the Hon. Dr. T. S. S. Rajan, in the evening of his life has handed over, after making so many experiments with this Department, this baby, this unwanted baby, neglected baby and the result is that the Hon. Roche Victoria is now holding this inconvenient baby and facing the music. (Laughter.) When I look at the Hon. Dr. Rajan, I have the impression that presumably with foresight, he has gone over to the Department of Public Health expecting the results of his policy because no other department can give that treatment for the pathology which is his creation. (Laughter.)

“Now Mr. Speaker, we have got the Hon. Mr. Gopala Reddi, the Leader of this House. When we pressed him for a debate on Food, this product of Santiniketan, with philosophic disposition counters you with this: Why should we have a debate on Food; why should it be for a day; why should it be for two days; can we not live without food? (Laughter.) When we confront him and say: What is all this that your Government has brought about; you started with 16 ounces, came down to 12 ounces and you are now having your way to six ounces and even that believe me Mr. Speaker, is only held out on paper and actually, we do not get more than a day's rations or at best two days a week and with little or no rice at all and that is the prolonged agony of the suffering to which our people are subject to-day—when we confront him and ask him what is all the calamity that is coming about, the Hon. Mr. Gopala Reddi, as I said with that philosophic disposition, says in the scriptural language. ‘Oh, man does not live by bread alone;’ (Laughter) this is the consolation which he gives; when we tell him that he is our Chancellor of the Exchequer and he should not

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Why do you worry about that; after all this is one hundred and eight lakhs of rupees (Laughter), why should you be worried about it. This is the way he has been approaching this problem of food. This six ounce ration, Mr. Speaker, is not what we hear about here on the floor of the House but in everyday life in the villages, in hundreds of villages, particularly in my district of North Arcot and I could well understand the same position obtaining in almost every district in this State and as I said, it is merely on paper. When the hon. Mr. Vaidyanatha Ayyar with the accumulated treasures of his mature experience was shedding tears this morning as he narrated the woes and distress of the people, everybody was moved by this avalanche of human tragedy that was overcoming the country, the Hon. Mr. Gopala Reddi sat with his legs across the table and was found in the most indifferent fashion mind yet, Mr. Speaker, he is the Leader of the House!

“And now, Mr. Speaker, I come to that intelligent Member of the Ministry, the Hon. Mr. Madhava Menon. Of course, he has not spoken but the hon. Mrs. Madhava Menon spoke (Laughter) and she said: After all this situation is not worse than what it was in 1946 when Hon. Mr. Prakasam was in charge of our Government. But Mr. Speaker, I should like to ask: Is that the consolation? How I wish she gets back to that land of palms and beauties (Malabar) and says the same thing. I leave her at that.

“Now, Mr. Speaker, there is the Hon. Minister for Agriculture, a very nice gentlemen, the Hon. Mr. Shetty. Mr. Speaker, his job is to produce and he produced and what has he produced. (Interruption: What?) Yes, he produced speeches, statements, broadcasts, pamphlets and everything except food! (Laughter.)

“Mr. Speaker, silent water run deep and the Hon. Mr. Bhaktavatsalam is the power behind the throne and only the other day we heard that he has got to his credit a grand array of wonderful achievements, Malampuzha, Papanasam, Ramapadasagar, Tunghabadra and so many other major projects but what is the result? Famine is growing and that is all the net result!

“There are other Ministers, the Hon. Mr. Sanjeeva Reddi, the Hon. Mr. Chandramouli, the Hon. Mr. Parameswaran and the Hon. Mr. Perumalswami, coming from my district; they are there on the Treasury Bench. Let them be there. Before I come to the Chief Minister, there is another Hon. Minister whom I cannot leave out of account. That expert, that gentleman who always answers: ‘As I said the other day, as I explained the other day, everything is all right’ I mean the Hon. Mr. Sitarama Reddi. Of course we have seen the results of the major schemes of the Hon. Mr. Bhaktavatsalam but when we come to the minor schemes and when we look at the Grow More Food Campaign and the Subsidy Schemes, what we find is that the wealth of our State has gone underground; but nothing has sprouted (laughter) and nothing is added to the food crop that we expected to have to save the situation. After all, I can understand this Hon. Minister.

“Coming to the Chief Minister, it is he who is responsible particularly in view of the joint responsibility of the Cabinet.

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Of course, we have not much use for him in this House because there are his spokesman and his conscience-keepers who can deliver his goods (Laughter). What we want of him now when the situation is developing almost into a calamity, a catastrophe and a cataclysm, his job is not here, in fact he has got to fly to night to Delhi and offer Dharna (Satyagraha) and that can only be his Dharma! I cannot understand how any one can allow the Government of India to be still viewing the problem with the same indifference. I only wish the Hon. the Chief Minister to go to Delhi and there to warn everybody of the impending famine. If he only puts his appeal in the strongest possible language before the Hon. Prime Minister of India in whom we have the greatest of our humanitarians, I am sure that very soon, we shall have the best of results for this State.

"But when I spoke of the Hon. Ministers, I should not be misunderstood that I have no respect for any of their henchmen; they are there; there is that great expert, that authority on every problem under the sun, that man of master plans; (Interruption: 'Who? who?') Haven't you the imagination to guess who else can it be than the hon. Mr. Varadachari? (Laughter.) It was with considerable astonishment that I listened to him yesterday when he said that there is enough food inside our very State and that we need not go for it outside and when every hon. Member of consequence opposed and condemned the policy of self-sufficiency of the Government, here he was a man who defended it! He said: Why do you want to go outside; why do you want to go to the Madhyapradesh or the Uttar Pradesh while we have everything inside our Pradesh. (Laughter.) What a wonderful solution he has put forth at a time when people are howling and wailing for food? He is in a strong position being the only man who has got a solution, for every problem but, of course when his solution miscarries, he has no responsibility. (Laughter.) But that solution is implemented and I know he has got a solution from the womb to the tomb. (Laughter.) I do not know what will happen when we will witness the results of his policy. (Laughter.) I am reminded in this context of that great and that considerate Commissioner of the Corporation who in 1942, when our City was confronted with the problem of evacuation consequent upon the threatened Japanese invasion, that great and considerate Commissioner of the Corporation of Madras gave the word of hope and cheer when everybody was running pellmell; when people were running hither and thither for safety, he gave the word of cheer, hope and comfort to the people. He summoned the Civil Defence Committee. What was it he said? 'Don't you be worried? Don't you run away? I have already prepared eight thousand graves for you; there they are getting ready', and the people heaved a sigh of relief. At least, here is a considerate Commissioner who will care for us after death!' (Laughter.) Now we can die with peace. I only wish Mr. Varadachari will give us the same consolation of what will await us when we are all dead!" (Laughter.)

* Dr. S. SUBRAHMANYA AYYAR:—"Mr. Speaker, Sir, before offering my remarks on the note prepared by the Food

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Ministry, I would like to tell you about the food situation in the Ramnad district to-day. Sir, it has always been a deficit district. We found on the 5th instant our stock position was so low that we could offer ration only for two days for the whole week. I have been to my place towards the end of the last week, and on going there I found, even in the statutory rationed area of Karaikudi, last week they supplied rations only for two days, Friday and Saturday, and that too with a little difficulty by exchanging certain commodities. Till I left the place for Madras on the 8th evening they have not supplied anything to the people of the taluk for this week. Last week when people knew that I was at the headquarters, I found men, women and children, all came to my hospital and stood in front of it with baskets on their head. That was the situation; and if one were to see them, one would actually shed tears; they are all mere bones with skin hanging loose, as if they had no food for days.

"Recently we had the Hon. Mr. Munshi amidst us, and I wish he had come to my district and gone to the villages and seen them; for it is in the villages we have got informal rationing with intensive procurement. If he had done so and investigated he would have seen to what position the villagers have been reduced. Sir, people have been saying that a lot of foodstuff is available in blackmarket. Quite true. But how can poor people go in for that? How is blackmarketing in rice created? It is created by big landlords withholding food from the officials, and the officials do not have the courage to go to them and take the food from them. It is in this way, big landlords corner stock and sell it at times when food is scarce at a high price. Then, there is another class of people, who lend money on paddy interest. There, interest is collected in the shape of paddy; and all that is cornered and find their way to the blackmarket. And the worst thing is yet to come, and that is bogus ration cards. When Government entrust the issue of ration cards to the village munsif, he issues bogus cards, and all ration purchased on those cards find their way to the blackmarket. I know in Karaikudi, when the rationing officer recently carried out a thorough inspection in respect of ration cards, in one week, he was able to catch hold of 600 bogus family ration cards. As a result of that, the stock required came down considerably low. While it was 55 tons a week before, now, it is only 47 tons; and all this is because we have been able to unearth bogus ration cards.

"Coming to informal rationing, this is what we find in the Note furnished by the Food Ministry—

'Under the scheme of rural or informal rationing, Collectors have been given discretion to vary the scale and composition of rations, with reference to the stock position. In the exercise of these powers, many Collectors had already reduced the scale with a view to make the available stocks go as long as possible and serve the largest number, as the stocks in several ration shops in the deficit districts have come down to a very low level. Government have always been making a distinction between statutory rationing in municipal areas and rural rationing elsewhere. Municipal towns contain a much larger percentage of industrial population and non-producers than other areas and are thus vulnerable spots. They have therefore been given priority over rural areas all along since the introduction of rationing, on the ground of administrative necessity.'

So the cat is out of the bag. The Government are more careful about the urban population, who do not produce food; while the

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people who produce food are not cared for. The above statement is a confession of that intention. When the Government have confessed their interest for the safety of the people in the towns what confidence can the villagers have in them. And in future can their officers go boldly to villages to procure food? And is it surprising that people do not offer what they have? And what about the Government's procurement methods? They have reached the maximum amount of tyranny. In a certain case, procurement officers, who took reserve police, surrounded a village and asked the people to surrender their grains. That happened in my own constituency, in a village on the frontier near Tiruchirappalli district where it touches Melur, Tirupattur and Manapparai taluks. It is a fertile village, and one fine morning at 10 o'clock, the District Supply Officer with the Deputy Superintendent of Police came there with Reserve Police. They were out to take away all the stock. Some of the leading villagers came running to me and sought my help. When I went there, I found the Deputy Superintendent of Police and the District Supply Officer with two lorryload of Reserve Police. They expected one thousand kalams of paddy from that village. I told the officer that I would have a talk with the local leaders to see what they can offer and fix a quota. In twenty minutes we fixed a quota for each family and it all came to 315 kalams. When I told the officers about it, they said, they would like to verify it, to see whether it is true. Accordingly they went into half a dozen houses and looked into the granary and were satisfied that it was a true estimate. Thus, ultimately they agreed to take 315 kalams as against their estimate of 1,000 kalams. Now, I ask, why do the Government want to terrorise the people like that for this thing? There is a feeling in the village that informal rationing is bad enough to make the people corner their stock. Besides the cultivator, there are artisans in the village, there are landless people and labourers in the village, all of whom have entirely to depend on the ration shop for their ration. When such is the case, unless the Government are able to supply ration to them, it is high time they scrap rationing in the village altogether and leave them to their fate. I represent a rural constituency; I know what the feeling of the people there is; I know what suffering they are undergoing now for want of ration; so if the Government cannot provide ration for them, do away with ration in village, and they would look after themselves. Let the Government look to the townfolk, and leave villagers alone. In the whole of Ramnad district, during last week, there was ration supply available for two days in the week, and that means, only eight days ration is available in a month! So, how is it possible for the people to live? It is through eating roots and palmyra shoots and palmyra fruits! I wish the Government supply these things in the ration shops in the urban areas; for, then only people can understand the sufferings of the villagers. At present, how horribly they are suffering is known only to those living in rural areas.

"Coming now to the administration of the Food Department, it is high time that this Department is manned by a different set

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of officers. We have the same old type of Food Secretary, Deputy Secretary, Under Secretary and Assistant Secretary the same old type of officers who cannot think otherwise than in the routine type of disposing of files. I do not have anything against them personally. Let us have a set of new officers who can chalk a better and new policy. The present set has become old fossils, and it is time they get out of the Ministry.

"I was reading a speech on this subject by an M.L.C., a nominated member. He has said, 'let us try coercion and see whether we are not able to procure food.' People know your game, and next time they won't return you. So, the procurement policy of the Government is so framed as to supply ration to capitalists, industrials, etc., and they have nothing to do with rural people. In fact, the Government do not care for them.

"Sir, 6,200 tons were allotted to Ramnad district. The allotment was made on 23-6-1950; and the communication reached the Collector of the district on the 27th June. This was the quota for the month of July. In the normal course, all the allotment should have moved sufficiently early. But till to-day, July quota has not moved. There are yet two thousand tons to come from Tanjore and 2,000 tons from Tadepalli and another 2,000 tons from Kakinada. From the statement furnished to us I find that on the 5th instant we have a stock of 1,567 tons to be moved from the supply districts to our Ramnad district. I would like to know where the bungling is. If the Food Minister is honest, if the department is honest, let them reveal it. When the merchants asked the authorities in Tanjore about it, they replied that they have no orders from the Board of Civil Supplies to supply Ramnad. That is what the Tanjore District Supply Officer has replied. At Kakinada the authorities say, 'we have no stock.' How this allotment could then have been made when the Board knew that there was no stock available in the supply districts, is a matter yet to be revealed. This shows that these people are not fit to be in charge of procurement or distribution work.

"Now, I shall describe another thing which recently happened. A ship was chartered to take all the food from Kakinada to Tuticorin. I understand all on a sudden that ship was ordered not to take in the load, but another ship which would arrive at Kakinada on the 12th instant should take the load. I know what I am saying is bare truth. For, I know who gave the orders, and I only want not to expose him, and so I do not give out his name. For the information of the House, I shall read what the Co-operative Stores, Rajahmundry, on the subject 'All permits by rail cancelled. Transport by sea being arranged' Co-operative Stores, Rajahmundry. Now, Sir, a ship that was readily available has been given up and a ship that is yet to come is preferred. Further, who knows whether the ship that is to come hereafter will be able to take in the whole load. Supposing that is also available, how long will it take to load the ship. Perhaps it will take one week. And then to unload it at Tuticorin six miles off from the shore it will take one week; also take into consideration the time required

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for the ship to travel from Kakinada to Tuticorin. Now, Sir, we have got the broad gauge railway line from Kakinada to Tiruchirappalli and it is only from thence we have the metre gauge railway line. The whole journey, if the supply is to be brought by rail will not take half the time required for the sea route. Therefore I say the Food Ministry has no imagination, it has no sense of urgency. No one in responsible position would not have done that.

"Then, Sir, we learn from the newspapers that about 108 lakhs have been paid to the Uttar Pradesh to supply rice to deficit areas. I find from the statement of Hon. Sri Munshi in the Parliament that 12 crores is to be paid by the Central Government and 4 crores by each State for food subsidy. I will now suggest to the Government to scrap the entire subsidy and let them give a better price for the rice. Why? Because people go in for a cash crop since it fetches a better price than paddy crop. So, if the Government would only give the entire subsidy amount to our own ryots, the ryots would have come forward and cultivated paddy crop and then there would not have been this deficit in food. As I said, this department lacks imagination. Scrap the whole department; we do not want it; this department will never be able to achieve anything; they will never sign their death warrant; for the Food Secretary would always come forward only with a short supply for obvious reasons. So abolish the whole department. And here I warn the Government that the internal security of the State is in danger. Throughout the ryots are becoming restive; take care; beware, the situation is very bad; our people are suffering, and unless the Government do something urgently to improve affairs, the situation will become bad and the Government cannot tackle the situation properly and it will break down."

3-30 P.M. * JANAB H. S. HUSSAIN :—" Mr. Speaker, Sir, enough and more has been said on the present difficult food situation. Let me begin by at once saying that I do not agree with the previous speaker, the hon. Gentleman Dr. Subrahmanya Ayyar, when he said that the old staff should be scrapped and that the old fossils should go. I would say that it ought to be the other way round. It is better to deal with a known enemy than to deal with an unknown friend."

DR. S. SUBRAHMANYA AYYAR :—" Perhaps the hon. Member does not know."

JANAB H. S. HUSSAIN :—" Certainly I do know as much as, and perhaps even more than, the hon. Member."

"It is not by scraping them that we can solve the problem. When we have got a staff very well trained and well experienced who have gone through the vicissitudes of the food crisis in the State, it is better we tell them as to what they should do. That is what I propose to do. We should be constructive in what we say and not simply try to wipe out the whole staff, get in new blood and create more confusion and chaos especially in a vital matter like food. Producers are harassed, consumers are famished and

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the Government are perplexed. That is our food situation to-day. We have all along been tied to the apron strings of the Centre. The people have to beg for food from the State Government, the State Government have to beg from the Central Government, and the Central Government in their turn have to beg from the other countries of the world. That is the position. I should think that the State Government should have some autonomy in the matter of food as to what they should do and how they should proceed. If there is any serious deficit, of course the Centre can, and ought to, help. But then, I should say that the State Government also should be free to purchase rice wherever it is available and supply to the people without having always to depend on the doles from the Central Government. What we find here is that we always plead helpless. Let us not lose heart. Let us be given a free hand to deal with the situation and then I feel sure that it will be possible to get over the food crisis. If we have got the will and determination, we can and we shall win the battle for food. Of course, this is only a temporary phase. We know the districts are passing through very hard times. In my own district, according to the statement of the Food Minister himself, the stock of rice on hand will last only for two days. It is a very alarming situation. But we have to face the situation and act like men. We must take courage in both our hands and tell the Central Government that we want more and more rice, as the South is a rice-eating area, and that they cannot satisfy us by simply asking us to eat more wheat and more vegetables. Of course, the Hon. Mr. K. M. Munshi can advise us to eat vegetables and wheat. But can he make the horse drink after leading it to the water? He cannot. When the Hon. Mr. K. M. Munshi visited a village on the outskirts of Madras, the villagers came and complained that they had only ration cards and no rice in the ration shops. The Hon. Mr. Munshi turned to the Chief Minister for an explanation. The Chief Minister could not explain. It was the Commissioner of Civil Supplies who in a grim humour told Mr. Munshi bluntly that they could be given only ration cards and no rice because there was no rice. That was the situation put in a nut-shell as was described with such grim humour by the Commissioner of Civil Supplies. Mr. Munshi has the intelligence to grasp the situation and I believe he grasped it.

"Now let us ask ourselves what the remedy is. I have got great admiration and respect for the Hon. Mr. Roche Victoria. He is a great and good gentleman. He is a Rotarian and all that as was remarked by my hon. Friend Mr. Anwar. But, then he is too good and at the same time not very much experienced. I hope he will excuse me if I call him a junior Minister. (Mr. W. J. Fernandez: 'Junior most'.) As Mr. Fernandez says, he is the juniormost Minister. I would like to see a senior Minister put in charge of this subject either independently or jointly with Mr. Roche Victoria. The Hon. Mr. M. Bhaktavatsalam is a senior and seasoned Minister who has survived all the downfalls of the Ministry from 1946 up-to-date and has gathered sufficient experience and I think he is

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the right person to tackle the present food problem. It requires cool thinking and deliberate action. I hope I shall not be misunderstood by the Food Minister if I say that he could as well request the Hon. Mr. Bhaktavatsalam to assist him in the food administration. If Mr. Bhaktavatsalam is willing to take over the whole portfolio and carry on the administration, I am sure, the situation can be improved. Let us not make the innocent Food Minister, Hon. Mr. Roche Victoria, the target of attack, having put him in charge of the Food portfolio. I think what I have suggested is a better arrangement. If the Government think over the problem and make some such arrangement, it will inspire confidence in the people. We have got a very good Food Department, very good Civil Supplies Department, and very good Food officials in the districts. Complaints arise because there is shortage of rice. If there has been a plentiful supply of rice, no complaints will be forthcoming. People complain because they cannot stand the pinch of hunger. There are some greedy people here and there who hoard and sell rice in blackmarket and make money in dubious ways. It is quite possible that the food scarcity has been aggravated to a great extent by such malpractices. But I must assure this House, so far as my experience goes, that there has not been much of a maldistribution. The Food Department has been doing its best to see that there was equitable distribution as far as possible. The fact is that there is no rice. We do not want wheat, milo or any other grain. If the Government increase the rice content of the ration even by one ounce, the whole country will be satisfied. Like magic, it will work a complete revolution in the outlook of the people. There is no use of criticizing the Government. Madras State wants rice, more rice and nothing but rice, and we must concentrate on getting more rice. Let the Centre give the State a free hand to purchase rice from wherever it is available even if it be at a higher price. I think that will be a very good arrangement.

"We have had so many agencies for procurement. In some places we have got the Government agency itself. In some places there are millowners and there are also co-operative agencies. During the last war, procurement and supply of rice to the Government were entrusted to private trade channels. There was one very big merchant Hussain Kasim Dadha. He had more than one hundred branches all over India. In the Andhra area or somewhere he was entrusted with the task of procuring and supplying rice to the Government. He was in a position to purchase rice even to the tune of several crores of rupees, as he had ample resources at his command. The present procuring agents have no money. They approach the Land Mortgage Bank or the Provincial Co-operative Bank for loan. Until the loan is sanctioned, the producers have to wait without getting the price for the paddy that they have delivered. Traders know the business and they will manage to get rice from somewhere. They will even purchase at an exorbitant price in the blackmarket and supply it at the price fixed by the Government. That is the spirit in which a merchant

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will work. I think that we may try this at least as an experiment in some selected part of the State and see whether we cannot procure more within the State itself.

"In conclusion, I strongly recommend my first suggestion that the Hon. Mr. Bhaktavatsalam may be associated with the Hon. Mr. Roche Victoria in the Food administration. Two heads are always better than one when there is a war crisis and the food crisis is no less than a war crisis."

SRI R. RAGHAVA MENON :—"It has already been . . ."

MR. SPEAKER :—"The hon. Member has forgotten to address the Chair."

SRI R. RAGHAVA MENON :—"I am sorry. That is always implied."

"Mr. Speaker, Sir, it has been very clearly brought to the notice of the Assembly that the whole State is in the throes of a great famine. I come from a surplus taluk in the deficit district of Malabar. There the rationing system is on the verge of a breakdown. It has not actually broken down. The authorities are moving one bag and half a bag from one ration shop to the other to save the situation. We had so many food debates. I must say that what we speak here is not properly heeded by persons who must take heed. There is no use of food debates unless the suggestions made are acted upon. It cannot be said that all Members are talking irrelevant things. Some at least may talk relevant things and the Government must pay heed to them. From 1946 when the Congress took up office, we have been having a gradual reduction of rice ration, from 16 oz. to 14 oz. and then to 12 oz. and then to 10 oz., and then from 10 to 8 oz., and afterwards from 8 oz. to 7 oz. and now to 6 oz. In 1946, during the Prakasam Ministry we were able to maintain the ration at 16 oz. Thereafter there has been a reduction from year to year, till it was kept at 12 oz. for some time and then reduced to 10 oz., and the balance of 2 oz. was made up of wheat and wheat products. What is the reason for this shortage in rice? Where has the rice gone? The obvious reason is that the present procurement system is not working properly. In 1946 it was working most efficiently. It has been going slack from year to year and this year it is at its worst. Not even 50 per cent of the produce has been procured. The other 50 per cent of the produce remains, not with the poor cultivator, but with the rich cultivators and big landholders. No procurement is made from the latter. The procurement officials only go to the small cultivators and harass them and take away all the stocks they have, without leaving anything even for their seeds and other requirements. But they are afraid to approach the rich landholders and demand anything more than what they are pleased to surrender. I entirely agree with my hon. Friend Mr. Vaidyanatha Ayyar, when he said that they are left scot-free. We can only point this fact to the Government and it is for them to take effective and vigorous action to procure all their surplus produce."

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I ask, 'Why don't you approach them and ask them to surrender their entire surplus? Where are your procurement officials? Where is your police and all other paraphernalia that the Government can command? Why not they all enter their houses and bring out their hoarded stocks?' I submit, Sir, that the whole procurement system has become most inefficient and the procurement officials are not doing their duties without fear or favour. That is the first reason for this state of affairs.

"Secondly, Sir, there is the transport difficulty. The other day, some of the villages in Malabar were threatened with food famine and starvation, because there was no rice for the next day. I met the Collector of the district and apprised him of the situation. Of course, he has been taking the utmost effort and doing his best to see that the situation is managed somehow. But then, a telegram came from the Revenue Board telling him that 20,000 bags of rice had already been allotted for Malabar and that the stocks were moving from some place in North India. But they have been moving for the last 25 days and till now they have not reached anywhere near Podanur. Some stocks had arrived at Shoranur, some in Palghat and some other stock in some other station, but actually the food has not reached them and they are on the verge of starvation. I ask the Government, 'Why can't they rush these supplies to the starving people in some lorries, instead of these railway waggons which are moving so slowly? Have they not got enough lorries? Could not they commandeer all the lorries available in the districts for this emergency? Have you not got enough petrol?' You simply say that rice is available, but that the transport is not quick. Your stocks will only reach them after 12 days. How could they live till then? You must commandeer all private lorries and all the lorries available with you and rush your stocks to those people who are starving and are on the verge of death. What is the use of our having this food debate in this Assembly when it is not followed up with any concrete action. We simply speak and debate for two days in this Assembly on the food situation in the State, and disperse and nothing happens afterwards. Are not cars transported from Bombay and Madras? What is the difficulty in transporting food alone? While thousands of bags of rice are lying down somewhere at the Itarsi and Nagpur railway stations, waiting for waggons, our people here are dying of hunger. I am afraid, Sir, that none of these words and suggestions made in the Assembly by Members will be heeded by the Government, and one is rather tempted to keep quiet, because there is no response and there is no action to any of our requests or pleadings.

"The third reason for the present crisis is the reduction of the ration to 6 oz. If you give only 6 oz. ration, it means that you are indirectly encouraging blackmarketing in rice. If you reduce the ration, producers would begin to hoard and secrete their stocks for selling them in blackmarket, because the 6 oz. ration is absolutely insufficient for a person. They know that the consumers will have to pay any price for their rice and so, the big producers try all their

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means to hoard the stocks and refuse to surrender them to the procurement officers. So, we are moving round a vicious circle and do not know how to get out of it. You are not able to procure more and so you reduce the ration; and because you reduce the ration, producers will hoard and your procurement will be less. That is how the vicious circle is completed. Unless you make your procurement agencies more efficient and your procurement system perfect, you cannot improve the situation. You are now having one Taluk Supply Officer for a taluk of 110 villages. He will take six months to visit all villages and how do you expect him to procure all the surplus stocks in all these villages, when he takes six months to visit them? You must appoint more officers. If you want to enforce food control effectively, you must have the necessary machinery. You must put a dozen Taluk Supply Officers in each taluk and ask them to go to every producer at the time of harvest and secure all his surplus stocks without fear or favour. The richer landholders should be tackled more effectively. Some years ago, we had what are called village food committees. They assisted the procurement officials in their procurement and supplied them with all the necessary information to make the maximum procurement. You have abolished these village committees and so you are not able to get the statistics of how much each cultivator produces and you are depending upon the village karnam or the Menon for everything. About 27,000 village food committees had been abolished with one stroke of the pen one fine morning. What is the result? You see what happens now in the villages. The District Supply Officer or the Firka Supply Officer is not able to approach the rich and influential landlords but only harass the poor cultivator, and are able to procure only 50 per cent of the produce. Therefore you must have a dozen District Supply Officers and a number of Inspectors and other subordinate staff under them to make procurement more effective and more intensive. Some hon. Member said that had it not been for this reduction of ration from 7 oz. to 6 oz., you would not have all this confusion and all this crisis. You have stated that the overall ration of 12 oz. will be maintained, but where is the supplemental 6 oz. of wheat or milo? They are invariably not given to these people at all. They are intended for somebody else. They never reach Malabar or Palghat. There again, the difficulty is the transport. I suggest, Sir, that a Deputy Collector be placed in entire charge of the transport of food and he should see that some official travels along with the food wagons from the station in which they are put in the wagons to the place where the stocks are required, so that there is no delay in transport. The wagons should move from the place where they start straight to the place of their destination and not allowed to lie in some stations midway for days together for transshipment or for other reasons.

"Another suggestion that I should like to make in this connexion is this. If you are not able to enforce procurement and rationing effectively, then by all means stick to this 6 oz. ration for cities and municipal towns, but for Heaven's sake, abolish rural rationing and allow the cultivators to sell the remaining 50

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per cent of their surplus stocks in the open market. Now the village karnam or Menon supplies you some figures that each ryot in his village cultivates and you are able to procure only about 50 per cent of their surplus produce. If this remaining 50 per cent is at least allowed to come into the open market, there will be less blackmarketing and people in the villages may be able to get their rice at competitive price in the open market. When people know that they can sell their rice in the open market after surrendering a portion of it to the Government, they will not hoard the stocks or resort to black-market. It is more or less a modified form of the levy system and might be tried in some places. For getting over the transport difficulties, you must, as I said just now, commandeer all the lorries available in the districts, from private individuals, from merchants and from other departments, if the lorries in your hands are not sufficient. That is the only way to overcome the transport difficulty in the present crisis.

"Sir, in this connexion, I want to say one thing in regard to the grow more food schemes. In the Malabar district, there is what is known as the Malampuzha Scheme which the Government have proposed to take on hand. I have told the Minister about the drawbacks and disadvantages of that scheme. While it may help to irrigate certain areas in Malabar, some of the best lands on one side of the channel will be affected, because these lands will have to be acquired for widening the channel. Certain fertile villages will also be affected by this Malampuzha project. On the other hand, instead of acquiring these lands, and spending so much money over this scheme, if the Government give some subsidy for repairing the existing tanks and irrigation sources, that will go a long way towards helping the cultivators to bring more lands under cultivation. I find everywhere, the villagers who were once enthusiastic about this scheme, are now up in arms against it. They say that the channels would affect some of their best lands, and that if the scheme is completed, there would be less production than now, because the channel has to be widened on one side, by about 120 feet, and all the lands lying along the channel will be rendered unfit for cultivation. I therefore submit, Sir, that instead of spending so much money on this scheme the Government would do well to spend it in other ways for improving the irrigation facilities in Malabar.

"Sir, the Central Government and the State Government are talking day in and day out that we should become self-sufficient by 1951. I am afraid, Sir, it is simply going to be a mockery, because if you are going to reduce the ration from year to year, how can you hope to become self-sufficient by 1951? Perhaps you may get self-sufficiency in this way: If you reduce this 6 oz. ration to 3 oz. and from 3 oz. to nil, then probably you may be satisfied that there is self-sufficiency. Is that the kind of self-sufficiency that you are aiming at? Is that the self-sufficiency that the Central Government want? It is all a myth, a farce, and a mockery to talk of self-sufficiency by 1951. We can never be optimistic about our self-sufficiency programme, because I find thousands and thousands of acres of lands which had been under paddy cultivation

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hitherto, are now turned into cash-crop areas. See how many petitions are received in the revenue department and how many people are approaching the Ministers and revenue officials saying, 'This land has been cultivated with tobacco, or groundnut or sugarcane, so please allow us to raise the same crops now also'. If you want to attain self-sufficiency by 1951, you must reconvert these lands into paddy fields and compel the ryots to cultivate paddy or other food-crops only. Then perhaps there is a chance for us to become self-sufficient.

"The last point that I wish to mention is this. You go to the Central Government and explain your difficulties and ask them to allot more rice for this State. But then the Central Government will say, 'We have allotted more rice for you, but it is your job to move them to your State as quickly as you can, and it is your mistake to have not moved them earlier'. Therefore, the mistake is not really with them. On the other hand, we have got a first-class gentleman and an able Food Minister in the Hon. Mr. K. M. Munshi who has got full of philosophic ideas and ideals about food. He has asked us to fast for one day in the week, to take vegetables only on some days, or to eat some other thing during the rest of the week. That is how he is asking us to solve the food problem. I submit, Sir, with all respect to him and in all humility that, that is not the solution for any Minister to go and preach. To say that you must fast or eat this or that, is no solution of the problem. What is the use of planting trees now, when we are in a food crisis? We do not know what the kind of trees we have got to plant or whether such trees will grow on our soil. How much money is unnecessarily wasted on this Vanamahotsavam! Instead of that, you can usefully spend that amount on some irrigation schemes. Sir, I have spoken with so much emotion, because I want the Minister to act and to act quickly and to take vigorous steps to meet and to tide over the present food crisis in our State."

MR. SPEAKER:—"As there are many more Members who want to take part in the debate, I am reducing the time-limit of each speaker to ten minutes hereafter."

* JANAB P. K. MOIDEEN KUTTY:—"Mr. Speaker, Sir, I was amusingly disappointed, if not dissatisfied, or distressed to see the approach of this Government towards this problem which was completely reflected by the indifferent attitude of the Hon. Leader of the House, when he was replying to the suggestion made by certain Members on the floor of the House that we should have 'two days' debate on the food situation. Then again, Sir, while replying to the debate on the address of His Excellency the Governor, we found the same sort of indifferent attitude on the part of the Hon. Leader of the House when he expressed a sort of thorough helplessness of the Government in tackling the food situation in this State.

"May I ask this Government, Sir, that if they feel so helpless 4 p.m. in this matter of bringing food to the people of this State, why on earth all these gentlemen have undertaken the responsibility of

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feeding the people? Either they have to assert themselves and see that the Government of India provides food to the people of the States or clear out. A suggestion was made on the floor of the House that this Government should send an outstanding personality to the Central Government to be always impressing upon the Government of India the necessity for giving us our quota. I would suggest that a man like Sri Prakasam, who has had the experience of administering the Food Department of this Government and who was also at the helm of affairs in this State, should be sent to Delhi so that he may bang them and try to get our quota in time. Again, I may also throw out a suggestion. The Government should have a sort of freedom to negotiate with other Governments, for example, the Leader of the Opposition or a delegation including himself can be sent to Pakistan to get some rice or wheat for this State. Again, the Government can send the Raja of Chettinad to Burma or Thailand to bring rice into this State. I would not have at this late hour intervened or taken part in the debate but for the fact that apart from the telegrams we have been receiving from the district of Malabar. I came across a report in the 'Mail' with the heading 'No rice in Pon-nani taluk', a taluk from which I come and it is the taluk in law, if I may put it, of the Hon. the Minister for Law. The report given says that there was not even a grain of rice in the Kuttipuram firka from which I hail. (The Hon. Sri K. Madhava Menon: 'That is my taluk also.') I am glad that it is his taluk also. My impression was that his wife belonged to that taluk. The report says that in Kuttipuram there was not a grain of rice, and the Collector had to rush 100 bags of wheat where the people are not accustomed to take wheat. I would earnestly urge upon this Government to see that food is rushed to such distressed areas.

"Coming to food control I am completely in agreement with what the hon. Member Dr. Subramaniam has expressed. This famine or this scarcity, I feel, is only official-made scarcity. Unfortunately this food problem has been a war legacy, and somehow this food scarcity complex has got into the system of this Government, and the officials are interested in keeping on this department, which is almost a white elephant. If this department and the Ministry cannot feed the people, I do not really understand the necessity for retaining such a very costly department. It should go lock, stock and barrel. (At this stage Dr. Subramaniam, Chairman, occupied the Chair.)

"If the Government of Madras can impress upon the Government of India to allow this Government a sort of freedom in the matter of food administration, I would suggest that they should impose a sort of ban on the inter-district movement of grains. As long as we have all the statistics from the Menons and the officials, we need only ask the ryots the amount that they should surrender every year, and there is no need for procurement staff throughout the State, and the Government can have a sort of levy system. With the ban on the inter-district movement of grains, the Government can rush stocks from what it gets from the Government of India to areas where there is absolute scarcity.

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"In the matter of growing more food, I would request this Government to lay more stress on intensive cultivation. The real problem in the villages, as far as I know, in the district of Malabar is that most of the ryots are very poor. They have not the means to manure their lands properly. There are very many ryots who cannot even afford to have a pair of good bullocks. Therefore, instead of wasting money on staff, the Government can encourage the ryots by giving subsidies and other necessities so that there may be intensive cultivation.

"The next point I would urge upon the Government is that the soaring prices have added to the food problem. The villager is feeling the strain of soaring prices so much that even if he has the necessary quantity of rice or any other food article, he is not able to procure the other bare necessities of life. The other day when I raised this question, immediately after the Korean War, the Collector of Malabar felt so helpless that he said he could not do anything in the matter unless the Government took it up. Now I am glad that the Government of India has taken up this subject, and is going to bring in some sort of legislation in that connexion.

"Then, Sir, with regard to transport and import of rice there is a great anomaly. Unfortunately, the foodgrains that are imported through sea are unloaded in Cochin as far as Malabar is concerned. This creates a very serious handicap and a bottleneck in the matter of transporting the foodgrains. If the Government can divert these imports and distribute this unloading in the minor ports also, the problem of transport will be very much eased, and to the interior parts of taluks, grains could be easily sent.

"Another matter that I want to bring to the notice of the Government is the unnecessary delay in fixing prices. Even if there are grains in the godowns or in the ration shops, fixation of prices takes even months, with the result there is a delay of months in the distribution of grains or sugar. It is because the Collector or the authorities could not order the disposal of stocks without prices being fixed. I would, therefore, request the Government to give some discretion to local officers so that they may, in the first instance, dispose of or sell the grains or sugar without even the prices being fixed, and then realize any excess later."

* SRI L. N. GOPALASWAMI :—"Mr. Chairman, Sir, I was one of those honourable but unfortunate Members who have been waiting for a turn to express the grievances of our constituencies, but I forgot that we were living in ration times. From half an hour it has dwindled to 15 minutes, and from 15 minutes it has now been reduced to 10 minutes. And I do not know what to speak within these 10 minutes, while we have got a lot of grievances to represent. All the same I will try to express what I feel in this matter of food and control. On all hands it is accepted that the food situation is not alright, it is absolutely bad, and that the controls have failed and failed miserably. But all of us have been thinking of blaming either the one or the other for it. The State Government blaming the Centre or the Centre blaming the

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States, the Ministers blaming the officers, the officers blaming the public, and the public blaming the control officers, all to no effect. The real problem is we are absolutely alien to this system of rationing. Unless and until we get into our heads to see that this system of rationing and this system of controls are removed altogether from this State, there is no salvation for us. A few years back, we thought that by 1951 we would be self-sufficient. But as times advanced we find that we are more near the other end, than the goal that we were aiming at. People in this country value grains and lands much more than they value money. We are in a land where we attach more importance to grains. Every mirasdar, every landholder, and every villager thinks more in terms of grains even to-day in 1951 than other people in other countries. In England rationing might be successful, because every ounce of food is being imported from other countries. But here it is absolutely different. We cannot, therefore, adopt western methods in our country. They are thoroughly alien. Even to-day if we go to every house including the house of the hon. Members, I am quite sure that there will be more grain in the house than is actually necessary or the rationing system would permit. In every home it will be so. We pride in the glory of keeping more in our granaries than keeping only a few ounces or that which is necessary for our needs. I therefore think that we should go back upon the system as a whole. Instead of going to the Centre with a begging bowl, we should say that this system of controls should go. There is a good precedent for this. We have given the lead in prohibition where others have failed. We can, therefore, take courage into our hands and say that these controls should be removed, and then we will see that we become self-sufficient. So long as we are putting this off, there is absolutely no possibility of our becoming self-sufficient. The reasons for the failure of rationing are not far to seek. Nobody feels that he has a duty cast on him. Everybody thinks that he has only his part to play, and that it is not his duty to see that everything else is kept up. Our Hon. Minister thinks that if Government pass orders for moving so much grains to such and such a place, everything will become alright. The officials think that they have worked out the statistics; the deficit is so much, the requirement of the district is so much, and so on, and they think that their duty is over with that. If we go to the districts, the Collector at every Food Committee meeting reads a paper saying so much of grain was received, so much expected, and there is grain for 15 days' rationing in the district, and that in another 15 days something more was expected. But nothing happens in practice. We are simply going on saying that we are working the rationing system well. It is our first duty to remove that idea from our minds that we are working the rationing system at all. We are not at all working it. It is absolutely a mistake to say that our rationing system is working in any proper manner.

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10.21. "Sir, another thing, which I do not understand is this. Members may differ from me and the Government also may differ from me in this respect. Why should they have this rationing only in the City areas? Why should a distinction be made between

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statutory and non-statutory areas? If we really want this rationing system to work properly, it should be on the basis of the whole population. We should take courage into our hands, procure every ounce of grain that is produced in the fields of our country, bring them into the public granary and dole out to every individual, however great he may be, 8, 10 or 12 oz. according as the stock position may permit. But you bleed white these villagers who toil day and night and who produce the grains, take away the grains from their granaries, bring them to the towns and distribute them among the towns-people. When the villager asks you in return, 'Give me millet', you say 'Millet is expected from America; wait and you will be given.' I understand that this Government have suggested to the Centre that rural rationing might go. Nothing can be more absurd than that. Having bled white the villager and having taken all the grains from him by force, what is the earthly use of saying now, 'We will leave you to your own fate?' That is not proper. I, therefore, want the Government to take courage into their hands and say, 'Off these controls, or in the alternative to introduce rationing for each and every individual.' If the men in towns suffer, the men in the villages also suffer. If the villager suffers, the townsman also should suffer. I do not see why any distinction between man and man should be made, so far as food is concerned.

"If the man in the town is going to suffer, Mr. Chairman, I say there will be a revolt and the Government will think in terms of feeding those towns-people. But if the man in the village suffers and dies, nobody cares for him. Some other reasons will be attributed to his death. It may even be said that he ate more food than necessary and that therefore, he died out of overfeeding.

"Now, Sir, I want the Government to give just consideration to this whether they have been working this rationing system as it is properly. The present system of procurement is not based on the production that is expected from the fields but on the requirements of the State. Our State is divided into parts and each district is asked to procure so much of grains. When I ask the Collector of my district, why he has fixed such a target, he says: 'I have not fixed it. The Government have fixed it and sent it to me. We will try our best to procure the fixed quantity.' When I say that it is not possible to procure that quantity, he says: 'No, no, we cannot reduce the target. We will rather say that we are not able to procure.' That is the way in which this system of procurement and allotment of procured quantity is working.

"Coming to distribution, the less said about it the better. I shall give you only one instance. Lalgudi, a place from which I come, abounds in rice fields. You can find no inch of land where rice is not grown. There is a Harijan hostel in my place. I had occasion to point this out sometime ago in my Budget speech also. Every grain of rice has been procured from my place. The Harijan hostel from the 2nd of August has been suffering from want of rice. Nobody ever cared for it. When we went to the Firka Supply Officer, he asked us to go to the District Supply Officer. When we went to the District Supply Officer, he in his turn asked us to go to the Collector. The District Supply Officer had also the audacity

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to ask 'Who asked you to run these hostels?'. I beg to submit that this is not the way to work the rationing system. Even when we do not want to dole out anything to a beggar and ask him to go away, there is a method in saying it. If you go and say roughly, the beggar will retort and say, 'If you have nothing to give me, say so and I will go away. Why are you angry with me?' That is what the beggar says in his turn. But on behalf of these poor boys, the Warden goes to the District Supply Officer and asks him for food, and the District Supply Officer asks 'Who asked you to run these hostels? Have you not got any other business?' That is the sort of officers we are having. The reason is not far to seek. The main trouble is that for procurement, rationing and other similar things, we recruit only members of the Revenue Department. A clerk who has not been confirmed in the Upper Division will be working under rule 9 (a) (1) as a Tahsildar or as a procurement officer. Perhaps a muchi or a peon will be working somewhere as a Taluk Supply Officer. The Government think that the people from the Revenue Department alone can deal with these things. That idea should be effaced and more efficient people should be put in charge of rationing of foodstuffs. Let them be more courteous to the public."

SRI A. KAMESWARA RAO :—"Mr. Chairman, Sir, I am really sorry to say that not only the Food Department of our State but also the Food Department of the Centre have failed and failed miserably in feeding the people of the country. The duty entrusted to us by the nation and the Father of the Nation was to govern this country. To govern means to give food and clothing to the needy and the poor. But we have utterly failed in that respect. By way of self-criticism, we must say that we have failed because we had not got the foresight or the vision to see that such a crisis would come up. If any person who is at the helm of affairs cannot foresee a crisis of this magnitude, he is unfit to be there. Whoever it is, whether it is a person or a Committee or a Party, they are unfit to be there and they are a misfit in that particular affair. Now, what is it that we can immediately do? We have to enlarge this department. We should form a Food Cabinet. Let there be a Procurement Minister, a Production Minister, a Transport Minister and a Distributing Minister. Four eminent Ministers of the type of Mr. Prakasam have to be in charge of this department. What did Mr. Prakasam do when he became the Premier and when he had to face a similar situation? He formed Village Committees and announced in the papers immediately that so much of bonus would be given for every bag of rice delivered. At once rice came forward in thousands of bags. Thus we were able to tide over the difficulty then. Even after that, when there was some crisis, my hon. Friend Mr. Chandramouli went to Gudivada and he was able to procure a lot of rice. But now we have failed miserably and I say this very boldly. Especially in the Centre Hon. Mr. Munshi is unfit to be the Food Minister. (Laughter.) As soon as he came, we thought that he was a very clever man and that he would tide over this critical food situation. On the contrary, he has been preaching things which are superstitious. He talks of the Paniwala Maharaj and says that here is a man who can find out what is inside the

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earth by inspiration. It is all nonsense. I would request Sardar Patel to take over this portfolio. Only he can tide over this situation. To-day this State may suffer; tomorrow another State may suffer. So, I would request him to take charge of this department.

In the matter of food administration there must be a plan. But the Government have no such plan at all. Even our leaders, with great respect to them, I would say have failed in this respect. They have been looking to what is happening in other parts of the world and watching the international situation but have not been paying sufficient attention to the local situation. They have not attempted to find out where the defects lie. What is it that we have to supply to the people? It is food and clothing. But this thing has not touched the brains of our leaders. I would request our leaders of eminence like Sardar Patel and Pandit Nehru to concentrate on this and see that wherever food is available, it is procured immediately. Now, there is Java. You can get sugar at very cheap rates from Java. Why do you allow the sugar mill-owners and capitalists to defraud us and to make huge profits? Why do you give them protection? Wherever there are essential foodstuffs, let us import them, and let us export our commercial crops. For instance, in Guntur district we have got tobacco plantations. We grow tobacco very nicely. Tobacco of that quality cannot be grown anywhere else except in Rhodesia in America. When such is the case, supposing you stop the growing of this commercial crop and ask us to grow more rice, we cannot do it even in 10, 15 or 20 years, because the land is particularly suited for the growing of tobacco. Where cotton is grown, you cannot grow rice; where tobacco is grown, you cannot grow wheat. Thus certain places are suitable for the growing of one particular crop only. Therefore, import rice from Burma, Japan and other places and that immediately. If the Government do not want to trust the private agencies, let them take up the responsibility as they have got their expert Ambassadors in Burma and other places. Especially Madras State Government have miserably failed in their duty. They should have foreseen that such a situation would arise. I shall give one instance which has occurred in my district. I quite agree with you, Mr. Chairman, that the food administration has become rotten and inefficient. In Guntur town which is considered to be a surplus town, there are wholesalers who are grabbing every month Rs. 4,000 or Rs. 5,000. They are getting per bag something like two or three rupees. I begged on my bended knees the Hon. Mr. Roche Victoria several times to remove these wholesalers. But it has been of no avail; they are still being continued. When the food system has come into operation in West Godavari and other places, it has been stopped in Guntur; some stay has been ordered somewhere. There is a notorious person who is a black-marketeer in our town. He comes and says in the open streets of Guntur that he has spent Rs. 10,000 and a stay has been ordered. It is shameful on our part to allow such things to take place. I really thought many times, 'Am I fit to be here? Shall I resign and go away?' Now I have come to the conclusion that it is better to resign and get out than to remain here, allow such things and

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mar the fair name of the Congress. I would not say that we have failed completely or that we have not done well in governing the country. We have done all that we can in the best way but still we have to do it in a better way.

"Then, there is much land to be cultivated. Why don't you start Government farms? I have myself seen the Government farms in Russia. They have managed them very nicely and are producing much of wheat. By tractors they plough a land of 500 or 600 acres in a day and they sow it from aeroplanes. They produce much of wheat, sell that wheat and eggs and get machinery in return. To-day, it stands second to no nation, not even the biggest nation, America, who have got so much of steel to produce tanks. We are seeing it in the Korean War. Even with regard to atomic energy, they have found it in the Ural Mountains and they are using that energy in order to make the rivers flow and produce more wheat. Why not you do it here? India is a country with vast lands and abundance of man-power. Why don't you import machinery and start Government farms and co-operative farms? As I have suggested, a Food Cabinet should be immediately formed by the State Government, because the State is deficit in food. I wish the Hon. Mr. Roche Victoria retires from his Food Department and as my hon. Friends have suggested, people like Mr. Bhaktavatsalam may take up this portfolio and see that food and clothing are immediately given to the people. Let us thus serve the nation and do our duty honestly."

4.30 p.m. JANAB HAJEE MOULVI ABDUL KHADER JAMALI:—

"கனம் தலைவர் அவர்களே! கனம் உணவு மந்திரி அவர்களால் இந்தச் சபை முன்பு வைக்கப்பட்ட அறிக்கையை முழுவதும் நான் படித்துப் பார்த்தேன். அதனால் எனக்கேற்பட்ட ஒரு எண்ணம் என்னவென்று சொன்னால் அனுதாபத்தை தவிர வேறு ஒன்றுமில்லை. நேற்று பத்தி மாற்றி கனம் பிரதம மந்திரி அவர்கள் கொடுத்திருக்கிறார்கள். இந்த இரண்டும் ஒரு விஷயத்தைத்தான் சொல்லுகின்றன. இந்த பரிசுட்டத்திற்கு நம்முடைய தொகுதிகளிலிருந்து, நாம் இந்த அசம் விருந்து வந்தபோது எந்த எண்ணத்துடன், எவ்வளவு பரபாப்புடன் வந்தோமோ அந்த நம்முடைய மனக்கிலேசத்தை குறைக்குமளவு இந்த அறிக்கைகள் இல்லை யென்பதை யாரும் மறுக்கமுடியாது.

"கனம் உணவு மந்திரி அவர்கள் அறிக்கையில் 5½ லக்ஷம் டன் தான் நம் நாட்டின் பற்றுக்குறை. இயற்கை வேறு மூன்று வருஷங்களாக மோசம் செய்துவிட்டது என்று சொல்லியிருக்கிறார்கள். வாஸ்தவம் தான். இயற்கையைக் குற்றம் சாட்டிவிட்டு நம்மை எமாற்றிவிட்டமுடியாது என்று சொல்ல நான் ஆசைப்படுகிறேன். இயற்கை மோசம் செய்ததற்காகப் பல விதமான உபதிட்டங்களைக் கோடிக்கணக்கான ரூபாய்கள் செலவில் அழுலாக்க நாம் இந்தச் சபையிலே மானியங்கள் நிறைவேற்றிவைக்கவில்லையா? அதனால் என்ன நன்மை ஏற்பட்டதென்பதைச் சற்று சிந்தித்துப் பார்க்க வேண்டும். இப்போது இந்த உணவு உற்பத்தித் திட்டம் கிணறு மானியங்கள் எல்லாம் முழுக்க முழுக்க ஒருவித பயனுமில்லாமல் போய்விட்டதென்பதை யாரும் மறுக்க முடியாது. இப்போதுள்ள நெருக்கடியான உணவு நிலைமையை, இந்தப் பற்றுக்குறை ஏற்பட்டதை என் இவ்வளவு குறுகிய காலத்தில் உணவு இலாகா அதிகாரிகள் அறிவித்திருக்கிறார்களென்பதைப்பற்றி நினைக்கும்போதுதான் நாம் உணவு இலாகாவை அதிகம் குறை கொல்லக்கூடியவர்களாக இருக்கிறோம். இதற்கு உணவு மந்திரியிலே சொல்லி யிருக்கிறார்கள். அதை நான் முழுக்க எதிர்க்க விரும்புகிறேன். உண்மையில் உணவு மந்திரி அவர்களுக்கு உணவின்கா

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அதிகாரிகள் சரியான போதனையைச் செய்ய, அவர்களுக்குச் சரியான யோசனையைச் சொல்ல, அவர்களுக்குச் சரியான, உண்மையான எண்ணங்களை ஊட்டத் தவறிவிட்டார்கள் என்று சொன்னால் நான் குற்றம் சாட்டுவதாக எண்ணக்கூடாது. மேலும் நமது மந்திரி சபையார் உணவு மந்திரி அவர்கள் ஒருவரையே இந்த விஷயங்களுக்குப் பொறுப்பாளியாக்கிவிட்டார்கள். கனம் டாக்டர் ராஜன் அவர்கள் உணவு மந்திரியாக இருந்தகாலத்தில் இந்த மந்திரி சபை முழுதும் அவருக்கு உறுதுணையாக இருந்து அவருடன் ஒத்துழைத்தது என்பது உண்மை. கனம் டாக்டர் ராஜன் அவர்கள் காலத்தில் ஒருதலை இந்தச் சபையில் இதேமாதிரி ஏற்பட்ட உணவு நெருக்கடியைப் பற்றி ஏற்பட்ட விவாதத்தின்போது அப்போது பிரதமராயிருந்த கனம் ஓமந்தூர் ராமசாமி ரெட்டியார் அவர்கள் தமிழிலே சபையில் பேசி அவருடைய அனுதாபத்தைத் தெரிவித்துக் கொண்டார்கள். ஆனால் இன்று நம்முடைய பெரிய பிரச்சனையை ஒருவருடைய தலையிலே கட்டிவிட்டு இந்த மந்திரி சபை வேடிக்கை பார்த்துக் கொண்டிருக்கிறதென்று நான் முழு மனதுடன் சொன்னால் அதை யாரும் மறுக்க மாட்டீர்களென்று தெரியும். முக்கியமான இந்தப் பிரச்சனையை ஏதோவென்று லேசாக எண்ணிவிடக்கூடாது. இந்த உணவுப் பிரச்சனை ஐந்து கோடி மக்களின் உயிர்ப்பிரச்சனையாக இருக்கிறது என்று சொல்ல ஆசைப்படுகிறேன்.

"உணவுப் பொருள்களை பல இடங்களிலிருந்து கொண்டு வருவதனால் பலவிதமான கஷ்டங்கள் ஏற்பட்டிருக்கிறதென்று அறிக்கை சொல்லுகிறது. பல மெம்பர்கள் லாரிகள் மூலமும், ரயில் வசதிகள் மூலமும் கொண்டு வரலாமென்று சொன்னார்கள். சிலர் பாசஞ்சர் ரயில் வண்டியைக்கூட நிறுத்திவிட்டு உணவைக் கொண்டுவந்திருக்கக்கூடாதா என்றுர்கள். நான் சொல்லுகிறேன், 'கப்பல் மூலம் கொண்டு வந்திருக்கக்கூடாதா', என்று; காகிநாடாவிலிருந்து, ராமநாதபுரம் ஜில்லாவிற்கு 2,000 டன் உணவு அனுப்பப்படுகிறது. காகிநாடாவிலிருந்து கப்பல் மூலம் தேவிபட்டினம் கொண்டுவந்து இராமநாதபுரம் ஜில்லா மக்களின் தேவையை என் பூர்த்திசெய்யக் கூடாது என்று தெரிவித்துக் கொள்ளுகிறேன். ஆகையால் இதை யெல்லாம் யோசித்து உணவு இலாகா தன் முழுப்பொறுப்பை உணர்ந்து வேலை செய்யுமெனில் யென்று தான் நான் உணவிலாகாமீது குற்றம் சாட்ட விரும்புகிறேன்.

"நம் நாடு முழுக்க முழுக்க அரிசியையே நம்பியிருக்கும் நாடு. இருந்தாலும் இப்போது அரிசியை மாத்திரம் நாம் நம்பவில்லை. அரிசி கொடுக்காவிட்டாலும் பரவாயில்லை. இன்று, இந்த சர்க்கார் கொடுக்கக்கூடிய அரிசி, இதர புஞ்சை தானியங்களைவிட நல்ல நிலைமையில் ஒன்றுமில்லை. ஆகவே இதர தானியங்களைக் கொடுத்து நம் சர்க்கார் ஓரளவு உணவு நெருக்கடியைத் தீர்ப்பதாயிருந்தாலும் சரி என்கிறார்கள் மக்கள். இன்று காலை பத்திரிகையில் அறிக்கை யொன்றைப் பார்த்தேன். மத்திய சர்க்கார் ஓரிசாவிற்கு 30,000 டன் அரிசி கொடுத்திருக்கிறார்கள். நமக்கு 30,000 டன் கோதுமை கொடுத்திருக்கிறார்கள். ஓரிசா மக்களின் உணவு கோதுமை தான். நாம் கேட்பது அரிசி. நமக்குக் கொடுப்பதோ கோதுமை. இந்த விஷயமாக மத்திய சர்க்கார் சென்னை மாகாணத்திடம் என் இவ்வளவு பாரர்முசமாக இருக்கிறார்களென்பதை சற்று நம்முடைய அங்கத்தினர்கள் எல்லோரும் சிந்தித்துப் பார்க்கவேண்டும். அத்துடன் மட்டுமல்ல. மத்திய உணவு மந்திரி கனம் முன்ஷி அவர்கள் நமக்கு ஆறுதலான ஒரு விஷயத்தை உறுதியாக தெரிவித்திருப்பதாக நம் மாகாண பிரதம மந்திரி அவர்கள் நேற்று நடந்த பத்திரிகை நிருபர்கள் மகாநாட்டில் தெரிவித்திருக்கிறார்கள். இம்மாகாணத்தின் ஐந்து கோடி மக்களையும் காப்பாற்றுவதாக உறுதி கூறிய முன்ஷியின் கடிதம் வந்ததாகச் சொல்லிவிட்டார். அதாவது 5 கோடி மக்கள் உயிரையும் காப்பாற்ற வேண்டிய நடவடிக்கை எடுத்துக் கொண்டிருக்கிறோ மென்று அந்தக் கடிதம் சொல்லுகிறது. அந்தக் கடிதத்தை வைத்துக்கொண்டு நம்முடைய மக்கள் உயிரை காப்பாற்றி விடுவார்களா வென்று சர்க்காருக்கு கேட்க ஆசைப்படுகிறேன். இன்று இந்த சர்க்கார் மத்திய சர்க்காருக்கு ஜவாப் சொல்ல எவ்வளவு பொறுப்பு வாய்ந்திருக்கிறார்களோ, அதேமாதிரியே எங்களுடைய தொகுதி மக்களுக்கு ஜவாப் சொல்ல நாங்கள் பொறுப்பு வாய்ந்திருக்கிறோ

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மென்பதை ஒவ்வொரு M.L.A.யும் மறுக்க முடியாது. நாங்கள் ஊர்களிலிருந்து வந்து 12 நாட்களாகத் தங்கியிருந்து இன்று ஒருவித விமோசனமும் தேடிக்கொள்ளாமல் ஊருக்குப் போகிறோம். ஆனால் இந்த நிலைமையில் எங்கள் தொகுதி மக்கள் முகத்தில் நாங்கள் விழிக்க முடியாது. அவர்கள் தேவையைப் பூர்த்தி செய்யாது திருப்பிப்போனால் அவர்கள் கேட்பதற்கெல்லாம் ஜவாப் சொல்ல மிகமிக கடமை பட்டிருக்கிறோம். ஆகவே இந்த சபையில் நாம் எல்லோரும் விவாதத்திற்கு எடுத்துக்கொண்ட உணவு விஷயத்தை உதாசீனம் செய்ய முடியாதென நான் மந்திரி சபைக்கு பொதுவாகச் சொல்ல ஆசைப்படுகிறேன். ஆகவே நம்முடைய முதல் முக்கியத் தேவையான உணவுத் தேவையைப் பூர்த்தி செய்ய பல இடங்களிலிருந்தும் உணவு தானியங்களைக் கொண்டுவந்து நிரப்பவேண்டும்.

“கனம் வைத்தியநாத அய்யர் அவர்கள் மிக அழகாக யாவற்றையும் எடுத்துரைத்தார்கள். அதை எல்லோரும் வரவேற்கத்தான் வேண்டும். ஆனால் ஒருவிஷயத்தை மட்டும் நான் ஆதரிக்க விரும்பவில்லை. இப்பொழுது இருக்கக்கூடிய நிலையில் படி ஒன்றுக்கு 2½, 3 ரூபாயாக அரிசி விற்கப்படுகிறது. இந்த நிலைமையில் ரேஷனை எடுத்துவிட்டால், கண்ட்ரோலை எடுத்து விட்டால் இன்னும் பாமர மக்கள் மிகவும் கஷ்டப்படுவார்கள். ஆகவே கிராமாந்திரங்களில் ரேஷன் முறையை எடுக்காமல், கண்ட்ரோல் முறையை எடுக்காமல் தாராளமாக மக்களுடைய தேவையை பூர்த்தி செய்யவேண்டும். சர்க்காரால் உணவு சப்ளை செய்ய முடியாவிட்டால், தனிப்பட்டவர்களிடம் விட்டுவிட்டால் அவர்கள் எங்கிருந்தாவது கொண்டுவந்து நிரப்பிவிடுவார்கள். செட்டிநாட்டு ராஜா அவர்கள் “தன்னிடம் பொறுப்பை விட்டுவிட்டால் தான் பர்மாவிலிருந்து கொண்டுவந்து நிரப்புவதாகச் சொன்னார்கள். அது வாஸ்தவம். ஆகவே இந்த சங்கடமான நிலைமையை மத்திய அரசாங்கத்தையே நாம் நம்பிக்கொண்டிருப்பதால் பிரயோசனமில்லை.

“இன்று காலை பத்திரிகையில் நமது பிரதம மந்திரி அவர்களும், உணவு மந்திரி அவர்களும் 19-ந்தேதி உணவு மகாநாட்டில் கலந்து கொள்ள மில்லி போவதாகப் பார்த்தேன். அதனால் என்னுடைய தொகுதி மக்கள் சார்பாகவும், இந்தச் சபையின் சார்பாகவும் நான் அவர்களுக்கு சொல்லுகின்றேன். மத்திய உணவு மந்திரி அவர்களிடம் சென்னை மாகாண நிலைமையை எடுத்துக் கூறி அவர்களை இம்மாகாணத்திற்கு அதிகம் சப்ளை செய்யவேண்டுமென்று சொல்லுகிறேன். மறுத்தால் சண்டைபோடுங்கள். அது வெற்றிபெறவில்லையானால் உங்கள் பதவியை ராஜினாமா செய்துவிட்டு இந்த மாகாண மக்களின் அன்பை சம்பாதித்துக் கொள்ளுங்கள் என்று நான் கேட்டுக் கொள்ளுகிறேன்.”

* SRI D. V. RAMASWAMI :—“Mr. Chairman, Sir, rightly, the question of food has become the burning topic of the day and I am deeply grateful to the Press of the State for giving very useful prominence to the various difficulties and disabilities under which the vast numbers of citizens of this State have been suffering. I don't mean to say that the observation of the Hon. Chief Minister in his address to the Pressmen of the State the other day has been quite in keeping with the tradition of the Government of the day. I thought that he will have some kind words to offer to them. As a rule, all of them have not been simply overdrawing the picture and creating a sort of panic in the minds of the people. As far as I am concerned, I feel that it is very essential that necessary light on the food situation in the State ought to be shed by the Press, so that the State Government as well as the Central Government, into whose hands the fate of so many people is committed, could realize the strength of the feeling in the State. It is but proper that the Central Government ought to know the real state of affairs in this State and they should also know that the food problem is

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assuming the gravest magnitude. Sir, I feel that of all the questions—be it clothing, housing or whatever else, the question of food is the most essential and we should pool all our resources to tackle this question. This is a very serious problem affecting the tiller of the soil, producer, non-producer, man, woman, child, industrial worker and the labourer on the field. Unless, by a wise and statesmanlike action our Government which is the ‘National Congress Government’ finds out ways and means to tide over the present food crisis in a very able and lucid manner, I am afraid the future of our State will be very dismal. Already we notice that certain forces have begun to make political capital out of the present unhappy situation to achieve their own ends. But one thing we must understand and that is the present situation is not entirely our own making. As a matter of fact, as has been said by the Hon. Minister that in spite of the State Government's having done its very best, we must note that this State Government is under the control of the Central Government to a certain extent. The State Government is not allowed to carry on its own programme in this respect and they are not allowed to devise their own ways and means to meet the situation. To that extent, our State has been under a serious handicap. It is true that our Government is not allowed to work its way through and have its own plans. The hon. Rajah of Chettinad has said, or I must say has really issued a challenge, ‘Give us powers and necessary permits. We shall certainly procure from Burma and other places as much rice as is needed by the vast population of this State.’ Sir, it must be accepted that there are rice-producing countries nearer to us like Burma. We must explore all possibilities to procure rice from wherever possible. Apart from the larger question, let us take the Food Advisory Council of the Visakhapatnam district. It has tendered certain suggestions, for the reorganization of the existing systems. I ask, why should Visakhapatnam depend upon the imports of rice from Raipur or from Krishna or Guntur. In fact, we can get sufficient quantities of rice from East Godavari and thus we need not also have to face the transport bottleneck. If this is done, the transport problem could have been solved in no time. In our Food Council as well as the Food Production Council, we have reiterated our suggestion that there is a way of getting over the present difficulty which we are facing to-day. Visakhapatnam is a deficit district and not a surplus district. Yet, in the appendix attached to the statement of the Hon. Minister under the head, ‘Statement showing the stock position of rice and other foodgrains in the several deficit districts as on 5th August 1950’, there is no mention of the district of Visakhapatnam. I know from several facts and reasons, the district of Visakhapatnam has not been receiving that much of attention which it deserves. It is a very backward district. It provides all the cool labour who have all been going to Burma and Ceylon, to eke out their livelihood. They are not able to go there at present.

“The question of increasing irrigation facilities is by itself a big problem. If this problem is solved to some extent, the food situation could also be somewhat solved. But even in this matter, Visakhapatnam has not received that degree of attention, which it

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is entitled to. In these circumstances, when I heard that about a thousand tons of rice will be moved from Visakhapatnam to Malabar or some other place in Cochin, I was simply shocked.

4-45
p.m.

"We received telegrams after telegrams from responsible persons like members of the A.I.C.C. and the A.P.C.C.—men like Dr. Subbaraju—that in the taluk of Anakapalle rations have been reduced to three ounces. There is commotion in the villages. Why is this there? Foodgrains from this place are exported to places outside. At the end of the Food Minister's statement it is stated that one rice special will leave Visakhapatnam with 1,000 tons on 8th August 1950 for Malabar. Perhaps that has taken place and hence the Collector had to issue an order that more than three or four ounces of rice could not be issued. Nevertheless, what are the people to do? Where are they to be driven? To blackmarketeers? Everyone knows the mentality of the blackmarketeers—these money grabbers. What is to happen to the poor women and children living in such a big district like Visakhapatnam which is almost double the size of other districts? I would, therefore, plead that the Government should take into their heads to solve this problem immediately by taking up the matter with the Government of India and rushing supplies to the Andhra districts. Then, if the Government want really to get over the transport bottleneck, Visakhapatnam district should receive proper attention in the re-adjustment that is called for and should soon take place. I hope, Sir, that the Government will issue instructions to the Collector of Visakhapatnam not to carry out his orders reducing the rice ration to three ounces. After all why should the townsmen be treated on a better footing than the villagers? The villagers toil and moil on the fields and work hard to produce food for us. Because we have more fluid money, we have practically no difficulties in procuring our needs. But the villagers have no money and their work is simply to produce food for us to enjoy. At this rate what incentive will there be for the villager to produce more? If the Grow More Food schemes are to be a success, the first and foremost thing we must do is that we should have the courage to stop production of commercial crops like tobacco. Year after year, the area under tobacco is increasing. Once the I.L.T.D. was monopolizing the tobacco trade. Now the National Tobacco Company has come in, investing five crores or six crores of rupees. Is this in the interests of the people? They may say that they make money. But the people are losing food. We resort not to cows and buffaloes for good ghee but we go in for the factory ghee 'Vanaspati' which is most dangerous and most deleterious to the health of the people. We need not waste money on hospitals and other things if only we see that this food problem is solved satisfactorily.

"One word, Sir, with regard to Controls and I have done. Controls could be justified when a war is on. But happily for us the war ended nearly five years ago and yet we see Controls here while in several other countries Controls have been abolished. No war was fought in our country and still we hang on to Controls. Everything is controlled. Have we not the right to plan our own

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lives? Are we ever to follow the commandments, 'thou shalt not eat, thou shalt not drink, thou shalt not go there, thou shalt not marry and rare family'? Why are these restrictions still continued? They are greatly nauseating and it is high time that all those restrictions were removed and normal life resorted with the help of normal trade channels. There are honest merchants. They need not be ruined. They have been helpful to us. They have given the best quality of things—best stocks of rice—possible in the days preceding the war. They have supplied good rice, good millets, good dhall and so on. If I just think of those old days when merchants used to compete and supply good stuff not at their shops but at our very doors I wish it were given to us to live in such happy days once again. Finally, Sir, it is nearly five years since the war ended. Every one of the hon. Members would agree that the controls have outlived their usefulness. Therefore, I would request the Government to do away with them as early as possible."

* SRI R. VENKATA REDDI :—"Mr. Chairman, Sir, as a member of the Provincial Food Committee I have been telling the Government that rural rationing has worked the greatest havoc in the villages. Not only in this Council, but in the District Food Council also, I have been expressing this view on the basis of information received from the villagers, agriculturists and ryots who possess first-hand knowledge of things. This rural rationing and control has been a bane on our society and helps only to retard food production. The result is, to take my own district, Chittoor, which is almost self-sufficient normally, there is deficit. The cost of production has gone very high and the control price offered by the procurement agents is quite incommensurate with the production cost. The villagers are averse to raise any food crops. In fact, for the last three or four years, they have begun cultivation of sugarcane and groundnut so that our district is deficit to-day and in a most deplorable condition. I would like to urge the Government to open their eyes and do something drastic in this regard to improve matters. Otherwise the morale of the people will be gone and the agriculturists will be completely dissociating themselves from any programme of food production. Coming to the procurement policy of the Government, I am afraid that the situation would become very serious if the Government think of further intensive procurement. The food available in the villages is so very insufficient that if any more strain is put on them, it would be the last straw on the camel's back. I saw in to-day's papers that Collectors have been asked to hold conferences, go about the villages and make a house-to-house demand for rice. As has been pointed out by many hon. Members, there is no use at all of tinkering with this problem of food. The matter has reached a crucial stage when there is no grain left in the villages. There is no grain in the ration shop. Even in surplus areas, it is surprising to find that there are no grains at all. As my hon. Friend, Mr. D. V. Ramaswami has stated, movement of grains takes place even from deficit areas in a hasty manner. It is evident that the Government have no policy, no long-range view of things. Chittoor which is famous for production of millets is bereft of millets as all

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the millets were removed to other districts immediately after the harvest. At this rate the rural population cannot live. Their mainstay is millets. The policy of the Government—if there had been a policy at all—has gradually failed. A few years ago, a long-range plan was evolved during Mr. Prakasam's premiership with the help of experienced experts. If that policy had been pursued by this Government, there would have been no trouble at all. It was a fool-proof method of procurement that was evolved whereby the people were asked to take care of the investment and procurement in the surplus districts which are often the last resort of the deficit areas. If that had been followed, there would not be so much shortage now and there would not be any need for the creation of buffer stocks as are asked for by several hon. Members. This unfortunate situation would not have arisen when both surplus and deficit districts are in a pitiable state. I would, therefore, submit that at least at this stage the Government should take courage in their hands to change the system of procurement. This intensive procurement system has already created a fear complex in the villagers and despondency has set in. On top of all these, if more intensive procurement is to be undertaken, there will be much more demoralization among the rural population. This is the psychological moment when intensive procurement should be given up. The Government should not do anything that will provoke the people. It will not be in the interests of the Government. Then, rural rationing has not served any purpose, as I have said. Mr. Chairman, as you pointed out in your speech, rural rationing must go. It is simply annoying. It is not giving sufficient food to the agriculturist. Secondly, movement control should go. In big cities where there are no producers rationing may continue under the supervision of the municipalities. (At this stage, Mr. Speaker occupied the Chair.) Coming to the levy system, several members have pointed out that intensive procurement has failed because the officials of Government have not been able to tap the sources like big landlords where they can get proper recompense for their labour. The officials go in search of small producers. I would therefore advise the Government to confine procurement only to big landlords. At the same time, I think a more reasonable margin should be allowed to them. In the circumstances I feel that the levy system would prove much better than the present intensive procurement system. If this is not adopted the morale which has been lost will be lost for ever and it will prove a positive danger to the popular Ministry."

MR. SPEAKER:—"The House will continue to sit till 6-30 p.m. As many hon. Members as possible will be allowed to speak till then and the reply to the debate will be made to-morrow by the Hon. the Minister for Food after question hour."

5 p.m. * SRI PYDAH VENKATANARAYANA:—"Mr. Speaker, Sir, both yesterday and to-day I have been following with interest the speeches of hon. Members in this House. Whether he belongs to the Congress Party or to the Opposition Groups, Member after Member has been deploring the present food position and expressing his concern over it. I have also received reports from my

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Constituency of Kakinada in East Godavari to the effect that there has been absolutely no improvement in regard to the food position there. People have been half starving even in the so-called surplus district. It has appeared in the press that large quantities of rice are being shipped or sent by rail from this district to Ramnad and other southern districts. That has created a panic in the minds of the people in my district of East Godavari. It is the paramount duty of the Government to see that sufficient rice for the local consumption is retained and only the surplus, if any, should be exported to the other deficit districts.

"Sir, the Food Minister of the Central Government, Sri K. M. Munshi, even after visiting the other States maintains that there are sufficient foodgrains available not only in the State of Madras but also in other States all over the Indian Republic. If that was so, what was wrong with his Government or with the State Governments that they were not able to procure the required paddy, millets and other grains? If he feels that the State Governments are unable to properly administer, he might take over the administration himself. The Central Government might manage this.

"Sir S. V. Ramanurthi, the Honorary Regional Director, has been advising the people to take to tubers and roots. But it is unnecessary for him to give this advice to people who are already eating leaves, tamarind seeds and prickly-pear after removing the thorns.

"Sir, I want to say a few words about these controls. The control over production, movement, distribution and prices is really very good in theory. But when once it is introduced, it must be administered well. If the Government with the huge staff under them are unable to administer the controls properly, it is better to give them up altogether, because on account of these controls there is hoarding everywhere. The producer has been hoarding, the procurer and the merchant have been hoarding and even the consumer has been hoarding a great lot. The rich people, if they really need only 10 or 20 bags, are actually stocking 40 to 50 bags. There has been hoarding in every house, where an individual family can afford to hoard it.

"Sir, these controls have created vested interests. Even many high-ranking officials, Hon. Ministers and hon. Members of this House do not want the lifting of the controls. They think that several officers might have to go out of office. Many big men might be affected, no doubt, by removing the huge staff. But that does not mean that the control should continue for ever. I hope that the Minister concerned and the officers under him would see that the administration goes on well in the districts hereafter.

"Sir, I think that the food situation in the State has assumed such enormous proportions to-day that it is impossible for a single Minister to administer this department. There must at least be two or three Ministers, and together with the Chief Minister they must form a Sub-Cabinet in order to administer this department

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efficiently. It is better that the Ministers and the high-ranking officers visit all the districts in the State for 10 or 15 days and see that all available surplus paddy and other foodgrains are procured.

"In the statement of the Hon. the Food Minister, it has been stated that there was famine in the southern districts and the central parts of the State and that there was cyclone havoc in the Circars. But it is not a thing which happened to-day or yesterday. It was a thing which occurred a long time ago, about a year ago. It affected the food-crops and the effects have been there all the while. The Government have not realized the seriousness of the situation. They ought to have taken precautionary measures even from the beginning of the Kharif year, but they failed to do so. They speak as if this has come all of a sudden and so they are justified in reducing the rice portion of the ration to 6 ounces while maintaining the over-all 12 ounces. Due even in the statutorily rationed areas, this 6 ounces of rice and over-all 12 ounces are not given. In the informally rationed areas, the people are asked to return home with empty hands. The statement placed on the table of the House by the Food Minister shows the quantities of stocks in the deficit districts. It is a shameful affair. There is nothing to comment upon. In some districts, the stock of rice varies from one day's supply to six days. I really wonder how the administration can go on in these districts. The Minister for Food in Bihar State admitted, yesterday or the day before, that the food position there was so bad that he could not help people half-starving. It would have been better and graceful on his part to have resigned instead of making such a statement. I do not think our Food Minister will make such a statement, but strive hard to see that the food situation improves very early."

SRI K. K. SUBBANNA GOUNDER :- "கனம் தலைவர் அவர்களே, இப்பொழுது நம் மிகாணத்தில் உணவு நிலை மிகவும் நெருக்கடியான நிலைமையிலிருக்கிறது. இந்த இரண்டு நாட்களும் இந்த உணவு பற்றிய விவாதம் எதனால் வந்தது என்றால் நகரங்களில் இப்பொழுது ரேஷன் அளவை குறைத்துவிட்டார்கள். அதாவது அரிசி பங்கீட்டை 12 அவுன்சி லிருந்து எட்டு அவுன்சிக்கும், எட்டு அவுன்சிலிருந்து ஏழு அவுன்சிக்கும், ஏழு அவுன்சிலிருந்து ஆறு அவுன்சுக்குமாக போய்க்கொண்டிருப்பதால் இந்த விவாதம் இங்கு நடக்கிறது. நகரங்களில் உணவு ரேஷனை குறைத்ததால்தான் எல்லா இடங்களிலும் நெருக்கடி இருப்பதாக தெரிகிறது. அது ஒரு பெரிய விவாதத்தில் கொண்டுவந்து விட்டிருக்கிறது. அது வாஸ்வம்தான். கிராமங்களில் முன்பு இருந்ததைப் போலவே இப்பொழுதும் பங்கீடுமுறை சரியான முறையில் நடக்கவில்லை. ஒருவருஷத்தில் எடுத்துக்கொண்டால் மூன்று மாதங்களுக்குக்கூட சரிவர கிராமங்களில் ரேஷன் கொடுக்கப்படுவதில்லை. வாரக்கணக்காக, சில சமயங்களில் மாதக்கணக்காக கூட தொடர்ந்து ரேஷன் கிராமங்களில் கொடுக்கப்படாமலிருந்து வருகிறது. ஆனால் அதைப்பற்றி யாருக்கும் தெரியாது. அதை எடுத்துச் சொல்லவும் கிராமத்திலுள்ள ஜனங்களுக்கு சக்தியில்லை. கிராமங்களில் ரேஷன் கிடைக்காமல் கிராமவாசிகள் படும் கஷ்டங்களைப்பற்றி நகரத்தினுள்ளவர்களுக்கு தெரியாது. அவர்களும் (கிராமவாசிகளும்) தங்களுடைய கஷ்டங்களை எடுத்துச் சொல்ல முடியாத நிலைமையிலிருக்கிறார்கள். அவ்விதமிருக்கும்பொழுது கிராமங்களிலெல்லாம் பெருவாரியாக கொள்முதல் செய்துவிடுகிறார்கள். அப்படி கொள்முதல் செய்துவிட்டு நகரங்களில் பங்கீடு செய்து கொடுக்கிறார்கள். இந்த முறை நியாயமா என்பதை யோசித்துப் பார்க்கும்படியாக கேட்டுக்கொள்ளுகிறேன்."

[11th August 1950] [Sri K. K. Subbanna Goundar]

"உழுது விதைத்து அறுப்பவனுக்கு உணவு இல்லை", என்று சொல்வது நம் நாட்டிற்கு மிகவும் பொருத்தமாக இருக்கிறது. வருஷம் முழுவதும் நிலத்தில் பாடுபட்டு உணவை உற்பத்தி செய்கிறவர்களிடமிருந்து, அவர்களுடைய தேவைக்கு போதுமான அளவுகூட வைக்காமல் கொள்முதல் செய்து கொண்டுபோய் விடுகிறார்கள். அதனால் அவர்களுக்கு சரிவர உணவு கிடைப்பது இல்லை. ரேஷன் வாங்குவதென்றாலும் கூட அவர்களுக்கு ரேஷன் உணவுகூட கிடைப்பதில்லை. அநேகம்பேர்கள் தங்களுக்கைய தேவைக்குக்கூட வைத்துக் கொள்ளாமல் கொள்முதல் காலங்களில் தான் யங்களைக் கொடுத்துவிட்டு, பின்னால் அதிகாரிகளிடம் ரேஷன் காட்டுகளுக்குப் போகும்படியான நிலைமை ஏற்பட்டுவிடுகிறது. அவ்விதம் கேட்டாலும் ரேஷன் காட்டுகள் கொடுக்கப்படாமலுமிருக்கின்றன. ஆகவே ரேஷன் முறை இன்றையதினம் சரியான முறையில் நடத்தப்படுகிறது என்று சொல்லமுடியாது. ஆனால் நகரங்களில் வெற்றிகரமாக நடந்தது. அதுவும் இப்பொழுது சரியான முறையில் நடப்பதாக தெரியவில்லை. ஆகவே இந்த நிலைமையை சமாளிக்க நாம் செய்ய வேண்டிய காரியம் என்னவென்றால் கிராமங்களில் பெயருக்குமாதிரி பங்கீட்டை வைத்துக்கொண்டு நகரங்களில் மாத்திரம் கிராமங்களிலிருந்து கொள்முதல் செய்யும் தான்யத்தை பங்கீடு செய்யும்படியாக வைத்திருந்தால் போதுமானது அல்ல. கிராமவாசிகள் வருஷத்தில் முக்கால்வாசி நாட்களிலும் பட்டினிகிடந்து கஷ்டப்படுவதால் கிராம பங்கீடுமுறையை அவசியம் எடுத்துவிட வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். சட்டபூர்வமாக அமல் நடக்கவில்லையென்றால் அது இந்த ரேஷன் முறை ஒன்றுதான். ஒரு வாரத்திற்கென்று கொடுக்கும் ரேஷன் மூன்று அல்லது நான்கு நாட்களுக்குமட்டும் வந்தால் ரேஷன் சட்டத்தை மீறாமல் பட்டினி கிடக்க முடியுமா என்பதை யோசித்துப் பார்க்கவேண்டும். சட்டப்பிரகாரம் பாக்கி நாட்களுக்கு சாப்பாடு இல்லாமல் இருக்கமுடியுமா? அவர்கள் என்ன பண்ணுவார்கள். சட்டத்தை மீறித்தானாகவேண்டும். ஒருவேளை சாப்பாடில்லாமலிருக்க முடியுமா? பொறுத்தமில்லாத சட்டம் ஒன்று இருக்கிறதென்றால் அந்த சட்டம் இதுதான் என்று சொல்லவேண்டிய தில்லை. எவ்வளவு யோக்கியமானவராக இருந்தாலும், எவ்வளவு யோக்கியமாக நடக்க வேண்டுமென்று எண்ணிக் கொண்டிருந்தாலும் ஒருவராலும் இந்த ரேஷன் சட்டப்படி நடக்க முடியாது. இந்த சட்டத்தை மீறும்படியாகத்தான் ஏற்படும். இந்த சட்டத்தை மீறாதவர்கள் யாராகிலும் இருக்கிறார்களா வென்று விரல்விட்டு எண்ணும்படியாகத்தான் இருக்கும். ஆகவே இந்த பங்கீட்டு முறையை அங்கங்கே கிராமங்களில் எடுத்துவிட வேண்டும். நகரங்களில் மட்டிலும் வைத்துக்கொள்ளலாம். அதற்கு வேண்டிய தான்யங்களை உபரி ஜில்லாக்களிலிருந்து கொள்முதல் செய்து அதை வைத்துக் கொண்டு நகரங்களில் பங்கீடுசெய்யலாம் என்று எனக்கு தோன்றுகிறது. அவ்விதம் நகரங்களில் மட்டில் வைத்துக்கொண்டு கிராமங்களில் எடுத்துவிட வேண்டியதுதான் நியாயமானமுறை. கிராமங்களில் ரேஷனை கொடுக்காமல் அங்கிருந்து கொள்முதல் செய்து அதை நகரங்களில் 12-லிருந்து எட்டிற்கும், எட்டு அவுன்சிலிருந்து ஆறு அவுன்சிக்கும் குறைத்துக் கொடுத்து வருகிறார்கள். இது ரொம்பவும் நியாயமற்றகாரியம். உணவு உற்பத்தி செய்கின்றவர்களுக்கு உணவு கிடைப்பதே இல்லை."

"இன்னும் கொள்முதல் செய்யும் காலங்களில் கொள்முதல் அதிகாரிகள் விவசாயிகளுக்குக் கொடுக்கும் உபத்திரவங்களைப் பார்த்தால் அவர்கள் இந்த தொழிலையேவிட்டு விடலாமென்றுகூட தோன்றுகிறது. பல்லிடங்களில் இந்த அதிகாரிகள் கொடுக்கும் தொந்திரவுகளினால் விவசாயிகள் உணவு உற்பத்தி தொழிலை விட்டுவிட்டு இதர தொழில்களில் புகுந்து விடுகிறார்கள். ஆகவே பங்கீட்டு முறையை நகரங்களில் மட்டும் வைத்துக் கொண்டு கிராமங்களில் எடுத்துவிடவேண்டியது அவசியமாக இருக்கிறது என்று நான் சொல்லுகிறேன்."

"அடுத்தபடியாக உணவு உற்பத்தியை அதிகப்படுத்த வேண்டுமென்று சொல்லுகிறார்கள். விவசாயத்தை எப்படி பெருக்குவது என்று பிரசாரம் செய்வதால் மட்டும் இந்த உணவு பற்றாக்குறையை தீர்த்துவிடமுடியாது. இன்னும் விவசாயிகளுடைய தேவைகளை பூர்த்தி செய்வதற்காக அரசாங்கம் நடவடிக்கை எடுத்துக் கொண்டிருக்கமேயானால், இந்த உணவு உற்பத்தியை

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DISCUSSION ON FOOD SITUATION IN THE STATE

[Sri K. K. Subbanna Goundar] [11th August 1950]

பெருக்கியிருக்கமுடியும். விவசாயிகளுக்கு வேண்டிய எரு, உரம், இரும்பு, வண்டிப்பட்டா, இன்னும் மற்ற சாமான்களை காலாகாலத்தில் அரசாங்கம் கொடுப்பதே இல்லை, ஆனால் இவைகளுக்கெல்லாம் கண்ட்ரோல் வைத்திருக்கிறார்கள். அந்த கண்ட்ரோல் விலைக்கு ஒருவராவது வாங்குவது என்பது கிடையாது. எல்லா சாமான்களையும் கள்ளமார்க்கெட்டில்தான் வாங்கி வருகிறார்கள். அதைப் போலவே ஒவ்வொரு சாமானையும் அதிக விலை கொடுத்துதான் வாங்கிவருகிறார்கள். உதாரணமாக விவசாயிக்கு மாடுகள் அவசியம் வேண்டியதாக இருக்கிறது. இது ரொம்பவும் ஜீவாதாரமான பிரச்சனை. இதற்கு முன் இந்த மாடுகளுக்கு விலை இருந்ததைவிட இப்பொழுது பன் மடங்கு அதிகரித்திருக்கிறது. முன்பு இரண்டணுவிற்கு விற்பனை புல் சுமை இப்பொழுது இரண்டு ரூபாய்க்கு விற்கப்படுகிறது அதாவது பதினான்கு பதினாறு மடங்கு விலை ஏறி இருக்கிறது. இந்த நிலைமையில் அவர்கள் வாங்கும் ஒவ்வொரு சாமானும் பன்மடங்கு விலை அதிகமாகியிருக்கிறது. இவ்விதம் மற்ற விலைவாசிகள் இருக்கும்பொழுது நெல் தானியத்திற்கு மட்டில் இரண்டு மடங்கு அதிகம் விலையில் கொடு என்றால் அவர்களால் கொடுக்க முடியாத நிலைமையிலிருக்கிறார்கள். ஆகவே கொள்முதல் விலையை அதிகப்படுத்த வேண்டும். நமக்கு உத்தர பிரதேசத்திலிருந்து அரிசியை வரவழைக்க வேண்டாம். எவ்வளவோ கோடி ரூபாய் கொடுத்து பிறநாடுகளிலிருந்து அரிசி தானியங்களை வரவழைப்பதற்கு பதிலாக நம்முடைய விவசாயிகளுக்கு விவசாயத்திற்கு என்று சிலவழித்து வந்தால் உணவு உற்பத்தியை அதிகப்படுத்த முயலுவார்கள். இன்னும் கொள்முதல் விலையை அரை மடங்கு சேர்த்துக் கொடுக்கவேண்டும். அதோடு கிராமப் பகுதிகளில் வைத்திருக்கும் பங்கீட்டு முறையையும் எடுத்துவிட வேண்டுமென்று சொல்லிக்கொண்டு இத்துடன் முடித்துக் கொள்ளுகிறேன்.”

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SRI K. KOTI REDDI:—“ Mr. Speaker, Sir, I wish the Government had provided at least one or two days more for this very important debate, so that our time could not have been limited by the Speaker to ten minutes. I feel that within these ten minutes, I won't be able to do justice to a topic like this.

“ Sir, from the note that has been circulated to us, which was the speech of the Hon. Minister for Food, and from the speeches made by hon. Members here, especially those coming from the southernmost districts of the State which are more affected than the other parts of the State, and from what we hear from reports, we are indeed in a very grave situation in regard to food. Ordinarily people might not have relied on these statements thinking that we, Members, representing our constituencies are exaggerating the situation. Sir, my wife had occasion recently, on the 31st of last month, to visit a place somewhere near Dindigul and she related to me an incident. I have no reason to believe that she has not told the truth, because she was telling it to me casually. In a place about ten miles from Dindigul on the way to Mathurai, on the road she met along with other ladies belonging to the Mathurai district, a man who was lying by the side of the road; she took him to be almost dead if not dead and so she wanted the driver to stop the car just to see what was the matter. The man would not stop the car but after going some distance, when the ladies questioned him as to why he behaved like that, the driver said that the man might have been dead and he might be taken to task by the police or somebody for having run the car over him and said that he could relate a number of such things that had occurred. Sir, the man might have been dead or might not have been dead, but I am almost certain that for want of food

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for a number of days, he must have fainted then. I have had occasion, Sir, in my own district which has been often afflicted with famine conditions, to see such things. I had occasion in the famine year 1935, to pass through a number of villages in Anantapur, Kurnool and portions of the Cuddapah and Bellary districts; never had I an occasion to witness a sight like that. Yet, those were famine days. Our foreign rulers in those days had guaranteed to us in the Famine Code that nothing would happen like people dying of starvation and that of thing. But to-day, Sir, in the Congress Government, I am afraid we may have to witness instances of starvation. I just sympathize with the Government in their difficulties, but still, can we honestly say that this Government is not at all responsible? We know there has been cyclone, we know there has been failure of the monsoon; but that very calamity of a cyclone and failure of monsoon ought to have given the Government sufficient warning to see that all extraordinary precautions were taken by them to provide sufficient food for the people in the coming months. They say now that they have done all that they can, and they also say that the Government of India have been helping this State in many ways. They may say all that, but still, what would the common man say? After all, he would, in his own uncanny way, feel that the truth is not at all that. Actually, Sir, I submit that is the feeling in the country. But let me not say anything more in the way of finding fault with this Government or that Government; let us now face facts.

“ Sir, for some years now, we know, particularly during the times of the war and after that, that this country and particularly this State, has been importing large quantities of foodstuffs. Nobody can deny the fact that we are deficit in the matter of food. We can also say that so far as rationing is concerned, it has been a failure. At any rate, it does not work in the way in which we expected it to work. If there was time available, I could easily prove how it has failed, why it has failed especially in a country like this where the majority of the people are agricultural population and labourers, and why it has been impossible to work it satisfactorily unless we spend, not one crore as we do now, but crores and crores to see that it works satisfactorily. The only remedy so far as I can imagine, is that control, primarily of foodstuffs, must go. Whether under the present situation that has been brought about, we can think of decontrol now is quite a different matter. But I know that if this Government can declare even now that from the next year some food will be imported and these controls will be withdrawn, the position will certainly improve. Whatever we may say, unless there is a clear margin for the producer to give him the incentive to produce more and more food for the people of the country—I am sorry within the time at my disposal, it is not possible for me to take you through figures and statistics taken from friends of mine who are actually cultivators themselves—he may not care to continue to produce food as you expect him to do, in his land. Many of us know that these labourers who work in the land require at least 45 to 50 ounces of cholam and that unless he is given that quantity of cholam, he may not be able to work in the fields. I know a man living somewhere

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near Shenoyanagar who has to walk about 7 miles to Adyar where he is employed. How could you imagine that the 6 oz. which you give him will give him sufficient strength to enable him to attend to his work the next day? (At this stage, the Speaker sounded the gong.) I only wanted to appeal, Sir, before my time is over, to the Government to see that so far as this food control is concerned, it goes; no doubt it need not go at once, but as I said, it may go in course of time. If however they think that control should continue for some more time, at least from the rural parts, it must go. If they do that, I am sure the position in the districts will improve. Some time ago, when the Hon. Minister visited my district, he promised to do something; but probably on account of the situation that has developed now, he has not been able to do anything. I think, Sir,

SRI S. A. DEVANAYAGA IYAH :— “கனம் தலைவர் அவர்களே !
 நம் மாகாணத்தின் உணவு நிலைமை எவ்வளவு கஷ்டமாக இருக்கிறது
 என்பதைப்பற்றி நம் வீடுகளிலும், காப்பி ஹோட்டல்களிலும், ரயிலில்
 பிரயாணம் செய்கின்றபோதும் ஜனங்கள் பேசுகின்ற பேச்சு நம்மை மிகவும்
 கவலைக்குள்ளாக்குகிறது. இந்த உணவு திட்டாட்டம் காரணமாக இந்த
 அரசாங்கத்தை தூற்றுக்கிற நிலைமையும், அரசாங்கத்தார் இது விஷய
 மாக தகுந்த கவனம் செலுத்தவில்லையென்ற கூக்குரலும், ஜனங்க
 ளுடைய பிரதிநிதிகள் என்ற பெயரால் அவர்கள் மத்தியில்
 பிரயாணம் செய்யும்போது நாம் தலையை தொங்கவிட்டுக்கொள்ள
 வேண்டிய நிலைமை சிக்க முடியவில்லை யென்பதைத் தெரிவித்துக்
 கொள்ளாமலிருக்க முடியாது. உண்மையில் இயற்கையில் நமக்குப் பல
 விதமான இடையூறுகள் ஏற்பட்டிருக்கிறதென்பதை நாம் ஒப்புக்கொண்டா
 லும் இன்றைய தினம் இருக்கின்ற நிலைமையை சமாளிப்பதற்கு வேண்டிய
 முயற்சியை சரியான முறையில் அரசாங்கம் எடுத்துக்கொள்ளவில்லை
 யென்று சொல்வது மிகையாகாது. கிராமங்களிலுள்ள ஜனங்களிடமிருக்
 கின்ற நெல்லைப் பிடிநிக்கக்கொண்டு அங்கேயுள்ள ஜனங்களுக்கு ரேஷன்
 சப்ளை செய்வதில் அதிகாரிகள் சிரத்தை காட்டுவதேயில்லை. அநேக இடங்
 களில் சிறிய மிராசதார்கள் வீட்டிலும், சிறிய குடியானவர்கள் வீட்டிலும்
 அவர்கள் விதைக்காகவும் சாப்பாட்டிற்காகவும் வைத்திருக்கக்கூடிய உணவு
 தானியங்களை பேரீசில் படைகளுடன் உள்ளே புகுந்து வாரிக்கொண்டு
 போவதில் அக்கறை காட்டுகிற அதிகாரிகள் பெரிய நிலச்சுவான்தார்கள்
 வீடுகளில் புகுந்து அவர்கள் மூன்று நாளுக்கு வருஷங்களுக்கு சேமித்து
 வைத்திருக்கக் கூடிய தானியங்களை எடுக்க அஞ்சுகிறார்கள். அதற்குக் கார
 ணம் எவ்வளவோ இருக்கின்றன. ஜனங்கள் பலவாறு சொல்லுகிறார்கள்.
 இதனால் மக்களிடையே ஏற்பட்டிருக்கும் வெறுப்பு உணர்ச்சியை நாம்
 மாத்திரம் குற்றம் கூறுவதினால் பிரயோசனமில்லை. நாம் பிற நாடு
 வரவழைக்க கோஷக்கணக்கான ரூபாய்களை, சிலவழித்து வருகிறோம்.
 விலை கொடுத்து வாங்குகின்ற நாம், நம் மாகாண விவசாயிகளிடமிருந்து
 procure செய்கிற உணவு தானியங்களுக்கு கொஞ்சம் அதிக விலை
 கொடுக்க முன் வந்தால் விவசாயிகள் மனமுவந்து நெல்லை அதிகமாக
 கொடுக்க முன்வருவார்களென்று சொல்ல ஆணைப்படுகிறேன். பிற நாட்டு
 உணவு தானியங்களுக்கு கோடிக்கணக்கான ரூபாய்கள் கொடுக்கத்
 தயங்காத நாம் நம்முடைய மாகாண விவசாயிகளுக்கு கொஞ்சம் விலையை
 அதிகம் கூட்டிக்கொடுக்கத் தயங்குவது பெறும் தவறாகும். அவர்களுக்குக்
 கொஞ்சம் விலையை அதிகம் கூட்டிக்கொடுத்தால் ஏராளமான நெல்
 சர்க்காருக்குக் கொடுக்கக்கூடியவர்கள் இருக்கிறார்கள். அவர்கள் இன்றைய
 தினம் விவசாயத்திற்காகச் செலவிடும் பணம் அளவிட முடியாது.
 பயிர்களுக்குத் தண்ணீர் இறைப்பதற்காக, குழாய்களுக்கும், பம்பு

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செட்டுகளுக்கும் அவர்கள் செலவிடும் பணம் கொஞ்சநஞ்சமல்ல. அவ்வளவு கஷ்டங்களோடுகூட அவர்கள் பாடுபட்டாலும் இயற்கையும் அவர்களுக்கு விரோதமாக இரண்டு, மூன்று வருஷங்களாக இருக்கின்றது. விவசாயத் தொழிலின் கூலியும் ஒன்றுக்கு மூன்றாக அதிகரித்துவிட்டது. ஆகையால் இவர்கள் விவசாய தரணியங்களின் விலையை கொஞ்சம் அதிகரித்துக் கொடுக்க முன்வரவேண்டும். அதை விட்டு விவசாயிகளின் பேரில் மாதந்திரம் குறை கூறிக் கொண்டிருப்பதால் பிரயோசனமில்லை. மத்திய அரசாங்கத்தின் அனுமதி பெற்றுத்தான் நெல் விலையை உயர்த்த வேண்டுமென்று சொல்லிக்கொண்டிருப்பதாலும் பிரயோசனமில்லை. மாகாண அரசாங்கம் தைரியமாக முன் வந்து விலையை உயர்த்திக்கொடுக்குமென்று நம்புகிறேன். அவர்களுக்குத் தேவையான உரம், குழு, கலப்பை முதலியனவும் சப்ளை செய்யவேண்டும்.

செய்யவேண்டும்.

“ அடுத்தபடியாக ஏழை, எளிய சிறு குடியானவர்கள் வீட்டிலெல்லாம் புகுந்து சாப்பாட்டுக்கும், விதைக்கும் வைத்திருக்கின்ற தானியங்களைப் பிடிங்கிகொண்டுவரும் அதிகாரிகள்,” ஐயா அவனிடம் ஆயிரக் கணக்கான மூட்டைகள் இருக்கின்றது போய் **procure** செய்யுங்கள் என்று சொன்னாலும் செய்வதில்லை என நண்பர் சிதம்பரம் ஸ்ரீ பாமரானந்த ராயர் சொன்னபடி அங்கே போய் பேசிக்கொண்டிருந்துவிட்டு 100 மூட்டை, 200 மூட்டைகளை மாத்திரம் வாங்கிக்கொண்டு வந்து விடுகிறார்கள். எங்கள் ஜில்லாவிலே யாரிடம் அதிகம் தானியங்கள் இருக்கின்றன அவைகளை **procure** செய்யுங்கள் என வற்புறுத்திப் பல தடவை சொல்லியும் எங்கள் பேச்சை அதிகாரிகள் கேட்காமல் அவர்களிடம் போய் நூறு மூட்டையும், இருநூறு மூட்டையும் வாங்கிக்கொண்டு அவர்களை விட்டு விட்டிருக்கிறார்கள். எந்த இடத்தில் அதிகம் **procure** செய்யலாமோ அங்கே இப்படி குறைந்த அளவு **procure** செய்துகொண்டு வந்துவிட்டால் இந்த முறை எப்படி வெற்றிகரமாக நடக்குமென்று கேட்கிறேன்.

“இன்றைய தினம் ஐங்கு பார்த்தாலும் சாதாரணமாக அரிசி சாப் பிட்டுக்கொண்டிருந்த ஜனங்களுக்கு கோதுமையையும், சோளத்தையும் கொடுத்து சாப்பிடு என்சிறார்கள். அவைகளைப் சாப்பிடுவதினால் எத்தனை எத்தனையோ புதிய வியாதிகள் உண்டாகின்றன. பழக்க மில்லாத தானி யங்களைக் கொடுத்து சாப்பிடு என்றால் நம் ஜனங்களுக்குப் புதிய வியாதிகள் வராமல் என்ன செய்யுமென்று கேட்கிறேன். இன்றைய தினம் இந்த செக்ரடேரியட்டில் வெல் செய்கின்ற ஒரு ப்யூன் சொல்லுகின்றான்: இந்த கோதுமையையும், சோளத்தையும் வைத்துக்கொண்டு நாங்கள் எப்படி சாப்பிடுவோம். எங்களுக்குக் கேழ்வரகாவது கொடுங்கள்-போறும். அல்லது அரிசி கொடுங்கள் இந்த கோதுமையைத்தின்று எங்கள் சக்தியை போய் விட்டது. நாங்கள் எப்படி வேலை செய்ய வாழடியுமென்று.

விட்டது. நாங்கள் எப்படி வேலை செய்ய வேண்டும் என்று சொல்லுகிறார்கள். “நாழ் பிற மாகாணங்களிலிருந்து கொதுமையை வரவழைத்துக் கொண்டு கோதுமையை கொடுக்கிறோமென்று சொல்லுகிறார்கள். எத்தனை கிராமங்களில் சரியாகக் கொடுக்கப்படுகிறது? ஒரு கிராமத்திலாவது கோதுமை சரியான முறையிலே கொடுக்கப்படவில்லையென்று தெரிவித்துக்கொள்ள ஆசைப்படுகிறேன். அநேக வாரங்களில் இரண்டு நாள் அரிசி மாதிரிம் போட்டு விட்டு கோதுமை ஸ்பாக் இல்லை. அடுத்த வாரம் வா கொடுக்கிறேன் என்று சொல்லுகிறார்கள். அடுத்த வாரம் சென்றால் அந்த வாரத்திலேயும் இரண்டு நாள் தானியம்தான் கொடுக்கிறார்கள். சென்ற வாரத்திற்குச் சேர்த்துக்கொடுப்பதில்லை. அந்த வாரம் போனது போனது தான். சாதாரணமாக ஒரு வாரத்திற்குக் கொடுத்தால் உணவு 4, 5 நாள் தான். சாதாரணமாக ஒரு வாரத்திற்குக் கொடுத்தால் உணவில் தவிக்கும் களுக்குக்கூட சாப்பிடுவதற்குப் போதாது. இந்த நிலைமையில் வாரத்திற்கு கொண்டு மூன்று நாளைக்குத்தான் தானியம் கொடுத்தால் ஜனங்கள் என்ன செய்வார்கள்? வாரத்தில் ஆறு நாளைக்கு உணவில்லாமல் தவிக்கும் பெற்றோர்களைப் பற்றி கவலையில்லை. அவர்களே பட்டினியால் செத்துக் கொண்டிருந்தாலும் பெற்றோருக்குக் குழந்தைகள் பசியினால் வாடி விடிக் கொண்டிருந்தாலும் அவர்கள் வயிரு எறிய இந்த சர்க்காரைத் தூறுகிறார்கள் என்று தெரிவித்துக்கொள்ளுகிறேன். இன்றைய தினம் நிலைமை மிகவும் மோசமாக இருக்கிறது.

[Sri S. A. Devanayaga Iyah] [11th August 1950]

“எங்களுடைய ஜில்லாவிலே உணவுப் பொருள் ஏதோ ஒரு தாலாகா விலே அதிகம் உற்பத்தி செய்யப்படுகிறது அதாவது சிதம்பரம் தாலாகாவிலே விளையும் தானியங்களை வேறு ஜில்லாக்களுக்கு அனுப்பப்படுகிறது. மற்ற ஜில்லாக்களுக்கு இப்படி **procure** பண்ணிக்கொண்டு போய் விட்டால் எங்கள் கதி என்ன? வருஷம் முழுவதும் சாப்பாட்டுக்கு வேண்டுமென்றால் இப்போது கொடுங்கள். அப்புறம் நாங்கள் உங்களுக்குத் தருகிறோம் என்கிறார்கள். சாப்பாட்டுக்கு வைத்திருப்பதையும், விதைக்கு வைத்திருப்பதையும் கூட எடுத்துக்கொண்டு உங்களுக்கு நாங்கள் ரேஷன் தருகிறோம் என்கிறார்கள். அப்படி தானியங்களை எடுத்துக்கொண்டும் போய்விடுகிறார்களே தவிர சரியாக ரேஷனும் சப்ளை செய்யவில்லை. நூற்றுக் கணக்கான டன் விளைகிறது என்கிறார்களே தவிர அங்கு ஜனங்கள் கஷ்டப்படுகிறார்கள். நீங்கள் சிதம்பரம், செஞ்சி தாலாகாவிலே கேட்டால் தெரியும். ரேஷன் அதிகாரிகளைப் பார்த்து உணவு பெற அனுமதி வாங்கி வருவதற்குள் 4, 5 தினங்களுக்கு மேல் ஆகிவிடுகின்றன. சமயங்களில் வார, மாதக் கணக்காகக் கூட ஆகிவிடுகிறது. மக்கள் தவிக்கிறார்கள். அங்கெல்லாம் பஞ்சகாலம் ஆரம்பமாகி விட்டது. இந்த நிலைமையில் மக்கள் நிலைமையை உணராமல் நாம் இங்கே உட்கார்ந்து கொண்டு சுகமாயிருக்கிறோம் என ஜனங்கள் குமுறுகிறார்கள். இனி கொஞ்சம்கூட தாமதிக்காமல் இந்த நிலைமையை மாற்றுவதற்கு அரசாங்கம் தக்க நடவடிக்கை உடனே எடுத்துக்கொள்ளவேண்டுமென்றும் நாம் அனைவரும் இங்கு சும்மாயிருப்பதால் பிரயோசனமில்லை யென்றும் தெரிவித்துக்கொள்ளுகிறேன்.”

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p.m.

* MR. W. J. FERNANDEZ :—“Sir, the problem that calls for urgent solution is the conversion of the Government from its present attitude of complacency in a matter of vital importance to millions of this State into one of a grim realization of the gravity of the situation that prevails in this State. It is said that the face is an index of the mind. A serious countenance connotes thoughtfulness while a smiling countenance denotes light-heartedness. It was rather disconcerting and distracting to observe the face of some of the Hon. Ministers and officials of the Government wearing a complacent smile when Members of the House were endeavouring to bring home to the Government the gravity of the food situation. When Members in close touch with the actual situation in their constituencies were giving a graphic description of the conditions prevailing, the faces of responsible officials seemed to indicate that in their opinion the whole thing was a gross exaggeration of the real picture. The Government have said, that after all the overall position is not bad, but the people who have come from various parts of the State and watched the day to day life of the people have said that things are very serious, people are starving and are on their way to eternity, Sir, both cannot be right. At least, let the Government give some little credence to what has been said in this House and be more serious about this problem. Let them be converted to the way in which Members wish them to be converted. If this Government does not consider the position to be really grave, what is the use of asking the Chief Minister or the Minister of Food to go to Delhi, or again how will the Hon. Mr. Bhaktavatsalam, who as some Member has suggested be put in charge of the Food portfolio, succeed better where the Government of India? The Government of India are responsible for feeding the people of all the States in the Union and naturally

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they cannot distribute more to us, because they have to distribute to all the States, but if you tell them the real picture of your State and convince them that the position is grave, then only will they give more to this State. On the other hand, if you adopt an attitude of complacency, then you cannot expect the Government of India to come to your rescue, or will it be fair on the part of any Member, or even the Government to lay the blame at the door of the Government of India? It is your primary duty to feed the people. You know that this State has always been a deficit State, you know what the deficit is and you also know that the monsoon failed during the last three years in succession and consequent on all these factors you cannot place too much reliance upon procurement. Therefore, fix the minimum of what you think you can hope to get from the Government of India and then only you can hope to get something. If you do that, then you can handle the situation properly.

“Sir, there is danger from hungry stomachs, because they know no law or order. If the situation worsens, there will be looting, rioting and shooting and people will die of starvation and do what you may, you can never bring those people back to life. I therefore, appeal to the Government to view the situation carefully and adopt the best measures possible to tackle the problem. If necessary, they should snap their fingers at the Government of India and get food from outside at their own cost and feed the millions who are now on the verge of starvation.”

SRI P. VENKATARAMA AYYAR :—“கனம் தலைவர் அவர்களே, ‘கடல் வாங்கியும் பட்டினி, கல்யாணம் பண்ணியும் பிழம்பச் சாரி’ என்று தமிழில் ஒரு பழமொழி உண்டு. இதைப்போல்தான் இருக்கிறது தஞ்சை ஜில்லாவின் நிலைமை. தஞ்சை ஜில்லா ஓர் உபரி ஜில்லா என்று எல்லோரும் சொல்வதில் சந்தேகமே இல்லை. தஞ்சை ஜில்லாவில் பஞ்சமே இல்லை. ஜனங்கள் நன்றாக சாப்பிடுகிறார்கள் என்று எல்லோரும் சொல்வதை ஒப்புக்கொள்ளவேண்டியதுதான். அப்படி இப்போது பஞ்சம் இல்லை. எல்லோரும் நன்றாக சாப்பிடுகிறார்கள். ஆனால் இப்போது தஞ்சை ஜில்லாவில் **procurement** பண்ணும், தொழிலையைப் பார்த்தால் தஞ்சை ஜில்லாவிற்கும் பஞ்சத்தை கொண்டுவந்துவிடுவார்கள் போல் தோன்றுகிறது. **Procurement**-ன் கொள்கையைப் பார்த்தால் இந்த வருஷத்தோடு அல்லாமல் அடுத்த வருஷத்தில்கூட அங்கே பஞ்சத்தை கொண்டுவந்து விடுவார்கள் போல் எண்ணுகிறேன். எனக்கு வந்திருக்கும் கடிதங்களையும் தந்திகளையும் பார்த்தால் கூடிய சீக்கிரம் அங்கும் பஞ்சம் வந்து விடும்போல் தோன்றுகிறது. இப்போது **procurement** செய்வதற்கென்று கூட்டம் கூட்டமாக கிராமங்களுக்கு பெரிய அதிகாரிகளும் செய்வதற்கென்று கூட்டம் கூட்டமாக கிராமங்களுக்கு பெரிய அதிகாரிகளும் போகிறார்கள் **R.D.O.**, ‘தாசில்தார், சப்-மாஜிஸ்ட்ரேட்டு, **D.S.O.**, **T.S.O.**, **F.S.O.** களும் போகிறார்கள். அங்கு போய் பார்த்தால் என்ன இருக்கிறது! அங்கே சாப்பாட்டிற்கும், விதைக்கும், விவசாய செலவிற்கும் சாகுபடிக்கும் எவ்வளவு வேண்டுமோ அவ்வளவுதான் வைத்துக்கொண்டு இருக்கிறார்கள். அவர்கள் செலவிற்கும் சாப்பாட்டிற்கும் வைத்துக்கொண்டிருப்பதை ஏதாவது கணக்குப் பார்த்து கேட்கிறார்களா! அதுதான் இல்லை. எவ்வளவு ஏக்கர் சாகுபடி செய்யவேண்டும்? இந்த நிஷ்சாகுபடியை வீட்டில் சாப்பிடக்கூடியவர்கள் இருக்கிறார்கள்? இவர்கள் சாப்பாட்டிற்கும் செல நம்பி எவ்வளவு பேர் இருக்கிறார்கள்? இவர்கள் சாப்பாட்டிற்கும் செலவிற்கும் என்ன அண்ணம்? அவனிடத்தில் இது போக மீறக் கூடியது ஏதாவது இருக்கிறதா என்று கணக்குப் பார்க்கிறார்களா? குத்து மதிப் பாசு தங்களுக்குத் தோன்றியபடி இவ்வளவு கொடு அவ்வளவு கொடு என்று சொல்லுகிறார்கள். கணக்குப்படி அவ்விதம் மிச்சம் இராது என்று

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போய் விட்டால் ஜனங்களுக்கு அதிக உற்பத்தி செய்வதற்கு எவ்வாறு உதலாகம் ஏற்படும். இன்று நண்பர் ஸ்ரீ A. வைத்யநாதய்யர் அவர்கள் சொல்லியவாறு நெல் விலையை காட்டிலும் இதர உணவு பதார்த்தங்களின் விலை மூன்று அல்லது நான்கு மடங்காவும் இன்னும் சில சாமான்கள் 10 மடங்காவும் உயர்ந்திருக்கின்றன. இவ்விதம் மிகையாய், மல்லி, மஞ்சள், வெங்காயம், எண்ணெய் முதலிய சாமான்களின் விலை உயர்ந்து நெல் விலை மட்டும் உயர்த்திருந்தால் நெல்லைமட்டும் உற்பத்தி செய்யும் ஜனங்கள் மற்ற சாமான்களை வாங்கி ஜீவனம் செய்வது எவ்வாறு? இதர சாமான்களை இப்போது இருக்கும் உச்ச விலையில் வாங்க வேண்டுமானால் தஞ்சை ஜில்லாவில் அதிக நெல்லை விற்புத்தானே மற்றவைகளை வாங்கி ஜீவனம் செய்ய வேண்டியதவசியமாக இருக்கிறது. இந்த நிலைமையில் procure பண்ணுவதற்கு அவசியமே இல்லை. Procure செய்யாமலேயே தங்களுடைய ஜீவனத்திற்காக நெல்லை வலுவிலேயே விற்கவேண்டிய நிர்வந்தம் ஏற்பட்டுள்ளது. 190-க்கு 90 மிராசுதார்கள் ரூபாய் 100-க்கு குறைவாகவே வாய்தர் செலுத்துகிறார்கள். அவர்களிடம் பணம் கிடையாது. நெல் தானியங்களை விற்புத்தான் மற்ற சாமான்கள் வாங்கி ஜீவிக்கவேண்டி இருக்கிறது. முன் 10 கலம், 15 கலம் நெல் விற்பு வாங்கிய சாமான்கள் இப்போது 30 கலம், 40 கலம் விற்பு வாங்கவேண்டிய நிலையில் இருப்பதால் வலுவிலேயே நெல்லை விற்க வேண்டிய நிலைமையில் இருக்கின்றார்கள். ஆகவே procure பண்ண வேண்டிய நிர்வந்தமேயில்லாமல் போய் விடுகிறது. தானாகவே நெல் தானியங்களை விற்கும் நிலைமையில் இப்போது தஞ்சை ஜில்லா இருக்கிறது. இப்போது நெல் உற்பத்தி செய்வதால் லாபம் இல்லையென்று கருதி எல்லோரும் கரும்பு, கடலை, பருத்தி, புகையிலை இந்த மாதிரியான கையில் காசு பெறக்கூடிய வியாபாரப் பொருள்களையே அதிகப்படியாக உற்பத்தி செய்யமுன்வருகிறார்கள். முன் உணவுப்பொருள்கள் உற்பத்தியான நிலங்கள் இப்போது வியாபாரப் பொருள்கள் உற்பத்தி செய்வதில் பெருகிக்கொண்டு வருவதே அத்தாட்சி. உணவு உற்பத்தி பெறுவதற்கு வேண்டிய உபகரணங்களும் அருகிலுள்ளன வியாபாரிகளுக்குக் கிடையாது. ஆகவே வியவசாயிகளுக்கு உரம், நல்ல விதை முதலியனவற்றை சொற்ப விலைக்கு சப்ளை செய்யவேண்டும். இன்னும் அவர்களுக்கு வேண்டிய பாசன வடிகால் வசதிகளை செய்து தந்தால் கட்டாயம் அதிக உற்பத்தியை செய்து காண்பிப்பார்கள். யுத்த காலங்களில் மற்ற திட்டங்களை நிறுத்திக் கொண்டு யுத்தத்திற்கென்று முழு கவனம் செலுத்துவதுபோல் இந்த உணவு பஞ்சமாய் யுத்தத்தை சமாளிக்கவேண்டிய முக்கிய காரியங்களை மட்டும் செய்துவிட்டு மற்ற திட்டங்களை நிறுத்திதான் ஆகவேண்டும். சாதாரணமாக எல்லா ஜில்லாக்களிலும் நிச்சயமாக உணவு கிடைக்கிறது என்ற நிலைமை வரும் வரையில் மற்ற திட்டங்களை நிறுத்தி வைத்துவிட்டு உணவு உற்பத்தியில் மட்டும் தான் நாம் கவனம் செலுத்தவேண்டும். உணவுப் பஞ்சம் என்றும், உணவு உற்பத்தியை பெருக்கவேண்டும் என்று ஒரு பக்கத்தில் சொல்லிக்கொண்டும் மற்றொரு பக்கம் கிடைக்கும் உரங்களையும் மற்ற வசதிகளையும், கரும்பு, கடலை, பருத்தி, புகையிலை, தேயிலை, காப்பித்தோட்டம் முதலானவைகளுக்கு கொடுத்துக்கொண்டு போனால் கடலை எண்ணெயால் வேண்டாத வனஸ்பதியும் கரும்பினால் தடுக்கப்பட்ட கள்ளச்சாராயமும் காய்ச்சி தேசத்தை அழிப்பதாகத்தான் ஆகும்.

“நம் மாகாணத்தில் சாதாரணமாக 4,900,000 டன்கள் தானியம் உற்பத்தியாகிறது. இது போதாமல் 500,000 டன்கள் வெளியூர்களிலிருந்து வருவதாக உணவு மந்திரியர் கொடுக்கப்பட்ட அறிக்கை கூறுகிறது. நம்மாகாணத்தில் இப்பற்றாக்குறை வெகு நாட்களாகவே இருந்துதான் வருகிறது. அப்போதுகூட சாதாரணமாக கடுங்காவல் கைதிகளுக்கு 20 அவுன்ஸ் அரிசியும் வெருங்காவல் கைதிகளுக்கு 18 அவுன்ஸ் வீதமும் ரேஷன் கொடுக்கப்படுவதது. இதுதான் மனிதனுக்கு கிரமமான ஆகாரம் என்ற பாவனையோடு.

“ஆனால் இப்போது procurement வருஷா வருஷம் பெருகி வருகையில் ரேஷன் மட்டும் 8 அவுன்ஸ் அரிசி என்று சொல்லி, 7 அவுன்ஸ் ஆகி, 6 அவுன்ஸாகவும் குறைத்து விட்டு, 4 அவுன்ஸ், 2 அவுன்ஸ் வீதமும் சில இடங்களில் கொடுக்கப்படும் சில இடங்களில் ரேஷன்

[11th August 1950] [Sri P. Venkatarama Ayyar]

முறிந்து விட்டதாகவும் பத்திரிகை செய்தி கூறுகின்றன. இவ்வருஷம் ஜூலை முதல் டிசம்பர் முடிய 6 மாதத்திற்கு 1 அவுன்ஸ் வீதம் அரிசி குறைத்து கொடுத்தால் 89,000 டன்கள் அரிசி மிதமாகும் என்று உணவு மந்திரி கேள்விக்கு பதில் அளித்தார். ஒரு வருடத்தில் 1 அவுன்ஸ் வீதம் குறைத்தால் 178,000 டன்கள் மீதி ஏற்படுகிறது. இருபது அவுன்ஸ் அல்லது 18 அவுன்ஸ் கைதிகளுக்கு கொடுக்கக்கூடிய அளவில்லாமல் 16 அவுன்ஸ் வீதம் கொடுப்பதில் இருந்து 8 அவுன்ஸாக குறைப்பதால் வருஷம் ஒன்றுக்கு 1,424,000 டன்கள் குறைந்தபடியும் மீதம் ஏற்பட வேண்டும். சாதாரணமாக 500,000 டன்கள்தான் இம்மாகாணத்தில் பற்றாக்குறை ஏற்பட்டு வெளி நாட்டிலிருந்து வருவதாக உணவு மந்திரி அறிக்கை கூறுகிறது. அது வெளியிலிருந்து வராததாக வைத்துக்கொண்டால் கணக்குப்படி 924,000 டன்கள் 8 அவுன்ஸ் ரேஷனால் மிச்சப்பட வேண்டும். இந்த வருஷத்தில் புயற்காற்றினால் 350,000 டன்களும் மழை குறைவினால் 600,000 டன்களும் குறைவு ஏற்பட்டு இருப்பதாக அறிக்கை கூறுகிறது. மொத்த உற்பத்தியில் இவ்வருஷம் உணவு மந்திரி கொடுத்து இருக்கும் புள்ளி விவரப்படி 8 அவுன்ஸ் வீதம் கொடுப்பதால் ஏற்படக்கூடிய மீதத்திற்கும் விளையாமல் போன நஷ்டத்திற்கும் சரியாய் போய்விடுகிறது. இம்மாகாணத்திற்கு வருஷா வருஷம் வெளியிடங்களிலிருந்து அரிசி இறக்குமதி செய்யப்படுகிறது என்றும் இவ்வருஷமும் 350,000 டன்கள் அரிசி இறக்குமதி ஆகியிருப்பதாகவும் மேலும் எதிர்பார்க்கப்படுகிறது என்றும் அறிக்கை கூறுகிறது. அப்படியிருக்க 8 அவுன்ஸுக்கு குறைவாக 6 அவுன்ஸ் வீதம் கொடுக்க நேரிடும் என்று சொல்வதில் என்ன அர்த்தம் இருக்கிறது.

“ஜனத்தொகை வருஷா வருஷம் 1.1 % அதிகரிப்பதால் பற்றாக்குறை அதிகமாகிறது என்று ஒரு சமாதானம் சொல்லப்படுகிறது.

“ரஸாயன உரம் நல்ல ஜாதி விதை பசுந்தான் உரத்திற்கான விதை முதலிய விநியோகங்களினால் உணவு உற்பத்தியை வெகுவாக பெருக்கியிருப்பதாக வியவசாய இலாகா ஒருபுறம் தம்பட்டம் அடிக்கிறது. வியவசாய இலாகா சாதனை இந்த 1 % ஜனத்தொகை பெருக்கத்திற்குக் கூட ஒரு வித நன்மையும் ஏற்படவில்லை என்று யாரும் சொல்லமுடியாது. அல்லது விவசாய இலாகாவின் சாதனை தப்பாக இருக்கவேண்டும் அல்லது எவ்வித அபிவிருத்தியும் ஏற்படவில்லையென்று சொல்லவேண்டும். இம் மாதிரி செப்பிடுவித்தை காட்டுவது போல் சிலபுள்ளி விவரங்களை காட்டி இந்த தேசத்தில் பஞ்சம் சிருஷ்டிக்கப்படுகிறது. கொளமுதல் அதிகரித்தும், விநியோகம் குறைந்துகொண்டும் வருவதில் எதோ கோளாறு இருக்கிறது. அதிகமாய் இருந்தால் அதிகமாக சாப்பிடுங்கள், குறைவாய் இருந்தால் குறைவாய் சாப்பிடுங்கள், இல்லையானால் உபாசம் இருங்கள் என்று சொல்வதற்கு அதிகாரிகள் தேவையில்லை. இந்த இலாகா தாங்கள் இருக்கவேண்டியதற்காக பஞ்சம் பஞ்சம் என்று சொல்லி புள்ளி விவரங்கள் காட்டி பயமுறுத்துவதற்காகத்தான் என்று எண்ணவேண்டியிருக்கிறது. புள்ளி விவரங்களைப் பார்த்தால் 8 அவுன்ஸுக்கு குறைவாய் ரேஷனை கொடுத்து சமாளித்துவிடலாம். உத்தரப் பிரதேசத்தில் இருந்து அதிகப்படியான பணம் கொடுத்து உணவு உற்பத்தி செய்பவர்களிடம் கொடுத்து கள். அந்தப் பணத்தை உணவு உற்பத்தி அதிகரிக்க அவர்களுக்கு உதவியிருந்தால் உணவு உற்பத்தியை அதிகரிக்க அவர்களுக்கு உதவலாகம் ஏற்படும்படி செய்துயிருக்கலாம். அதிலிருந்து ஜனத்தொகை அதிகரிப்பைக்கூட சமாளித்துவிடலாம்.

* SRI G. VENKATA REDDI :—“Mr. Speaker, Sir, the situation in this State especially in most of the districts is very grave. The stocks in most of the districts including those that are in transit are meagre and the stock position is deteriorating from June. As mentioned in the Statement, in the month of June 135,000 tons would have been enough to meet all the needs of the rationed areas but unfortunately this 135,000 tons per month has not been stabilised; there has been always deficit and stocks have not been evenly distributed and the Government have

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P.M.

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miserably failed in rushing stocks to the places where they are needed with the result that the stock position in the month of July dwindled to meagre dimensions. Therefore, they could not maintain and rush stocks to the places needed when every step ought to have been taken to replenish the buffer stocks. The Government have been going on indiscriminately cutting down rations from eight to seven ounces and from seven to six ounces. This they could have done more prudently by bringing the matter before the House and after a discussion here and being armed with the opinions of the House they could have more prudently done it. Here also, I must state, Sir, the Government have failed in discharging their duty. Now they say in the Statement laid before the House that the situation is not critical and that the position could still be retrieved, calculated at the rate of 135,000 tons per month, according to prevailing conditions, the quantity that is needed for the three months August, September and October is about 400,000 tons besides buffer stock. If we have all the imports and if the procurement as anticipated goes on well we can have about 600,000 tons. All that is needed is to see all the resources, both by way of import and procurement and rush them to the needed places. Every effort should be made towards this end and no pains should be spared. I am of the opinion that more than 100 to 150,000 tons of buffer stocks could be built up at the end of three months if everything goes on well. As regards the target, I must say that it has been indiscriminately fixed and the result has been that in places where there ought not to have been any scarcity, scarcity has been created. My own district is deficit in rice but it is surplus in millets. Even as long ago as March or April, I urged on the District Collector that we could not spare more than 5,000 to 6,000 tons for export outside the district. But he did not heed it and what has been the result? As a result of pressure, 10,000 tons of millets have been taken away from the district and to-day scarcity conditions have been created in the district. Is it not, under these circumstances, too much to say that scarcity has been created by man where nature had no hand in it at all and far from it, nature has been kind to us. To-day nature has not been kind and even man also has followed suit so much so that a critical situation has arisen not only in places where there is deficit but also in surplus districts. As regards controls, Sir, the less said the better. It has been the bane of society. If really the Government want to be self-sufficient in the matter of food, the present policy should be given up and they should think of other means. There is absolutely no inducement or incentive for the producer to give up his stocks. If there has been any inducement or incentive, we can expect better yield in food crops and even the acreage under food crops is sinking because fair and attractive prices are not forthcoming. Prices offered to food products are not attractive when compared with the prices of other commodities which are steadily rising. One of the means to induce the people to resort to food crops is either to give up price control or to give by way of bonus to cover the loss. Cash bonus paid to individual producers alone is the better method. The Government tried the method of giving

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coupons for manure. What has been the result? The result has been a disaster and it has given scope for many anti-social elements to make huge profits out of it and the real cultivator who is engaged in production is denied the benefit of it. It is only the anti-social elements that derive any benefit from control and even the small benefits that are being afforded by the Government do not reach the agriculturists. Therefore, I suggest to the Government to give inducement and incentive to agriculturists to produce more and more to get over the deficit."

MR. SPEAKER:—"Still, there are a large number of Members who want to take part in the discussions. So, I reduce the time limit to five minutes."

SRI K. LINGA RAJU:—"Is it in your discretion, Sir, that you have fixed this time limit?"

MR. SPEAKER:—"It is I that decided that the time limit should be reduced to five minutes."

* SRI A. S. SAHAJANANDA:—"கனம் தலைவர் அவர்களே! 6 p.m. உணவு நெருக்கடி ஏற்பட்டிருக்கிறதென்றால் அது ஏன் ஏற்பட்டது என்று பார்க்கவேண்டும். உண்மையில் உணவு நெருக்கடி ஏற்படவேண்டிய தில்லை. பெரிய மிராசுதார்கள் உணவு தானியங்களைப் பதுக்கிக்கொண்ட தாலையே தான் உணவு நெருக்கடி ஏற்பட்டிருக்கிறது. நான் உள்ளபடி உணர்வேன். பெரிய மிராசுதார்கள் ஏழைகளுக்குக் கொடுக்காமல் தானியங்களை பிளாக் மார்க்கெட்டிலே வண்டி வண்டியாக அனுப்புகிறார்கள். அப்படி கள்ள மார்க்கெட்டிற்கு அனுப்புகின்ற நிலச்சுவாந்தாரர்களுக்கு கிராமங்களிலுள்ள அதிகாரிகளும் துணையாக இருக்கிறார்கள். எனக்குத் தெரியும். காட்டுமன்னார்கோவில் அருகில் நெல்லு மூட்டைகளை கள்ள மார்க்கெட்டில் கடத்தும்போது அதைப் பிடித்தார்கள். கள்ள மார்க்கெட்டில் கெட்டை பிடிக்க நியமித்திருக்கும் போலீசர்கள் 7, 8 பேர்கள் வந்தார் கள். சப்-இன்ஸ்பெக்டரும் கிராம அதிகாரிகளும் வந்திருந்தார்கள். ஆனால் கிராமத்திலிருந்து சிலர் வந்து நாங்கள் அவர்களுக்குக் கூலி கொடுத்திருக்கிறோம். அவர்களைப் பிடித்தது தப்பி என்றவுடன் காட்டுமன்னார்கோவில் சப்-இன்ஸ்பெக்டர்களும் அவர்களை விட்டு விட்டுப் போய் விட்டார்கள். ஆகையால் இப்படி பெரிய மிராசுதார்களுக்குத் துணையாக அதிகாரிகள் இருக்கிறதிலேயே இப்போது உணவு நெருக்கடி ஏற்பட்டிருக்கிறது. எனக்குத் தெரியும். ஒவ்வொரு பெரிய மிராசுதார்கள் வீட்டிலும் மூன்று, நான்கு வருஷங்களுக்குத் தேவையான உணவுப் பொருள்கள் இருக்கிறது. இரண்டு, மூன்று ஆண்டுகளுக்கு முன்னால் நெல் பிடித்த காலத்தில் அவர்கள் கொடுத்த மூட்டைக்குத் தக்கபடி போனால் கொடுத்தார்கள். அதைப்போலவே இப்போது நாம் தானியங்களைப் பதுக்கி வைத்து விட்டால் தம் இஷ்டத்திற்குத் தக்கபடி பிளாக் மார்க்கெட்டில் விற்குப் பணம் அதிகம் கிடைக்கும்; அல்லது போனால் கெடுத்தாலும் கொடுக்கலாமென்ற பண ஆசையினால் மிராசுதார்கள் உணவுப் பொருளை பதுக்கி விட்டார்களே தவிர மற்றப்படி நெல் எங்கும் போய் விடவில்லை. பிளாக் மார்க்கெட்டில் விற்பனையாகாததானிருக்கிறார்கள். சர்க்கார் நெல் விலையை இன்னும் கொஞ்சம் அதிகப்படுத்தி, அதாவது இப்போது இருப்பதை விட இன்னும் அரை மடங்கு விலை கொடுத்து வாங்குவதோடு சர்க்காரிடம் காட்டாது பதுக்கி வைத்தவர்களை குற்றவாளியாக்கா விட்டால் உடனே நெல் வெளியில் வரும்."

"கிராமங்களில் பல ஏழை ஜனங்களுக்கு ரேஷன் கார்டு கிடையாது. அதேக கிராமங்களில் ரேஷன் ஷாப்புகளை கிடையாது. பல விவசாயத் தொழிலாளர்களும், ஹரி ஜனங்களும் உணவில்லாது வாடி வதங்கி உயிர் விடும் நிலைமையிலிருக்கிறார்கள்."

[Sri A. S. Sahajananda] [11th August 1950]

“மேலும், தீர்காழி தாலுகாவிலே போலீசார்கள் ஹரி ஜனங்களுடைய வீடுகளிலே புகுந்து, அவர்கள் வைத்திருந்த உணவுப் பொருள்களை எல்லாம் வாரி வீதியிலே கொட்டி நாசப் படுத்தியிருக்கிறார்கள். இது விஷயமாக சர்க்காரோ அங்கேயுள்ள அதிகாரிகளோ மனது வைத்து போதுமான கவனம் செலுத்தவில்லை. அவர்களைக் கேட்டால் இல்லை யென்று பதில் சொல்லி விடுகிறார்கள். உள்ளப்படி ஒரு public enquiry போட்டால் உண்மையென்னவென்று தெரியும். உணவுப் பொருள் களுக்கு எவ்வளவு நஷ்டமேற்பட்டிருக்கிறதென்று தெரியும்.”

“மேலும் ‘நான் சொல்லுகிறேன், பெரிய மிராசுதார்களிடம் ஏராளமான நெல் இருக்கின்றது. அதையெல்லாம் procure செய்தால் யாதொரு பஞ்சமும் இருக்காது. நாட்டில் நெல் இருக்கிறது, அதை உணர்ந் திருக்கிறேன், அதனால் சொல்லுகிறேன்.”

* SRI R. SUBBA IYER :—“ Mr. Speaker, Sir, as in the case of rationing in the rice content of our ration, it seems as a corollary we should ration our words in ventilating our grievance on rationing. And so, naturally during the five minutes allowed to me I shall have simply to say this is my first point, this is my second point and so on.”

MR. SPEAKER :—“ That is the best way.”

* SRI R. SUBBA IYER :—“ In my district, the suffering is so great that no words are sufficient to describe the distress of the people. For the last one and a half months, there is no full ration available. What has been distributed so far is just half a measure or one measure. From the last week onwards, wheat is rusted, no doubt. But even that wheat is given only for two days. It is a funny thing to see that out of the limited ration available, a little quantity is rice, a little quantity is wheat, a little quantity is millet, a little quantity is milo and so on. It is with this the people have to carry on for the whole week. Hitherto somehow or other people were carrying on with what little they got in the unauthorised market (I would not call it black market) in the words of one of our Ministers. But that too is not available now. Sir, on account of the failure of the monsoon for the last three years consecutively, no cultivation is possible, and even if anybody ventures to cultivate land, it is very doubtful whether the cultivator would get anything to take home. That is the plight of the people in the rural parts. And so, people are now willing to take whatever is given to them, as they want something to eat. Sir, during the meeting of the District Food Council, we were given to understand that four thousand tons were available every week, but very little of it went to the consumer, and it is not known whether it is all a jugglery of figures and where the rest of it went. During the previous debate on food, it used to be generally said that the Hon. Food Minister would lay down his life even if there is one death due to starvation in the State. But our present Food Minister is more realistic. He knows he cannot lay down his life, and so, every thing the bye-products of starvation. I hear already whispers in my district that people are contemplating to loot lorries carrying rice bags to the various wholesale stores, never mind what the consequences are. That is the plight of the people. They prefer

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jail life to suffering pangs of hunger in the country. Now, Sir, what is the picture that has been described by the Hon. Food Minister? He says that we must be satisfied with 75,000 tons of cereals a week and be satisfied with it. Now, what do we see? Procurement has broken down, distribution has broken down and tranship arrangements have broken down. We have simply to sit down and pray to the Central Government to help us. I appeal to the Government to do something at once to relieve distress. If they are unable to do it, please lay down your office.” (Opposition cheers.)”

SRI N. ANNAMALAI PILLAI :—“ கனம் சபாநாயகர் அவர்களே இப்பொழுது இரண்டு நாட்களாக நடந்து வரும் உணவு விவாதத்தில் பல பேர்கள் பல அவிப்பிராயங்களை வெளியிட்டார்கள்.”

MR. SPEAKER :—“ உங்களுக்கு மூன்று நிமிஷங்கள் தான் அதற்குள் முடித்துவிடுங்கள்.”

SRI N. ANNAMALAI PILLAI :—“ இப்பொழுதே மூன்று நிமிஷங் கள் முடிந்திருக்குமே. (Laughter.) அவ்விதம் அபிப்பிராயம் சொன்ன வர்கள் சர்க்காரின் நிலைமையைப் பற்றியே சொல்லவில்லை. சென்ற மூன்று, நான்கு வருஷங்களாக மழை இல்லாமல் ஜனங்கள் பரிதவித்துக் கொண்டிருக்கும்படியான இந்த சந்தர்ப்பம் ஏற்பட்டு, அதனால் ஏற்பட்ட பஞ்சத்தைத் தீர்ப்பதற்கு சர்க்கார் எடுத்துக்கொண்ட முயற்சியைப்பற்றி யாரும் பாராட்டி பேசினார்களா என்று பார்த்தால் ஒருவருமே பேசியதாகத் தெரியவில்லை. ஒவ்வொருவரும் அவரவர்களுக்கு ஏற்பட்ட கஷ்டத்தையும் தோன்றிய மனக்கசப்புகளையும் உணவு நிலை திருப்திகரமாக இல்லை என்ற ஒரு காரணத்தையும் மனதில் வைத்துக்கொண்டும் பேசி னார்கள் தவிர இந்த சர்க்கார் செய்த வேலைகளை பாராட்டி யாரும் பேசினதாகத் தெரியவில்லை. அவ்விதம் பேசுவதற்கும் சக்தியில்லாமல் போய் விட்டார்கள் அதற்காக நான் ரொம்பவும் வருத்தமடைகிறேன். இப்பொழுதிருக்கும் நிலைமைக்குக் காரணம் என்ன வென்பதை பரிசீலனை செய்ய வேண்டியதவசியமில்லை. இப்பொழுது நம் முன்னால் இருப்பது உணவு பஞ்சம். அதை நிவர்த்தி செய்வதற்கு வேண்டிய யோசனைகளைச் சொல்லுகிறார்களா வென்று கேட்டால் ஒரு யோசனையையும் ஒருவரும் சொல்லவே இல்லை. மத்ய சர்க்கார் தோற்றுப்போய்விட்டது, சென்னை சர்க்கார் தோற்றுப்போய்விட்டது என்று சொல்லிவந்தே காலத்தைக் கழித்துவிட்டார்கள். நாம் உணவுதான் கேட்கிறோம். என்னுடைய கழித்துவிட்டார்கள். வட ஆற்காடு ஜில்லாவாகிகள் பஞ்சத்தால் வாடி செத் துக்கொண்டிருக்கிறார்கள். அவர்களுடைய கஷ்டத்தைப் போக்குவ தற்கு என்ன வழி சொல்லுகிறீர்கள் என்று இந்த சபையிலுள்ள அங்கத் தினர்களைக் கேட்கிறேன். கனம் சபாநாயகரைக் கேட்கிறேன். (Mr. Speaker : ‘நான் சொல்வதற்கு ஒன்றுமில்லை.’) கனம் மந்திரி களைக் கேட்கிறேன். ஏனென்றால் இப்பொழுது நாட்டில் ஏற்பட்ட மக்க ளின் பசியை நிவர்த்தி செய்யவேண்டும். அதற்கு உணவு வரவேண்டும். எங்கிருந்து வரவேண்டுமென்பதைச் சொல்லவேண்டியதைவிட்டு சர்க்கார் தோற்றுப்போய்விட்டது, பிரதம மந்திரி தோற்றுப்போய்விட்டார், அண்ணா மலை பிள்ளை தோற்றுப்போய்விட்டார் என்று சொல்லிக்கொண்டிருப்பதைக் கேட்டால் ரொம்பவும் வருத்தமாக இருக்கிறது. பஞ்சத்தைப் போக்க சர்க்கார் எவ்வளவு வேலை செய்திருக்கிறார்கள், எவ்வளவு கிணர் வெட்டி னார்கள், எவ்வளவு பணம் சிலவழித்தார்கள் என்பதைப்பற்றியே பேசினார்களில்லை. இந்நிலைமை இயற்கை கோளாறினால் ஏற்பட்டது. மழை பருவகாலங்களில் பெய்யாததினால் தான் இவ்விதமாக இங்கே பேசுவதற்கு இடம் கிடைத்திருக்கிறது. இதற்குக் காரணம் நாம் செய்த தவறு இல்லை. தெய்வம் இழைத்த அபராதம்தான். மழை யில்லாமல் போனால் சர்க்காரை எவ்விதம் நடத்த முடியும்? சர்க்கார் பல திட்டங்களை நிறைவேற்ற வேண்டுமென்றால் முடியாமலிருக்கின்றன. ரோடு

[Sri N. Annamalai Pillai] [11th August 1950]

கள் போடவேண்டுமென்றால் தண்ணீர் கிடையாது. கிணறுகளை வெட்டினால், தண்ணீர் கிடைப்பதில்லை. பல வேலைகளைச் செய்யவேண்டுமென்றால் அதற்கு வேண்டிய செலாகரியங்களில்லை. இவ்விதமிருக்கும்பொழுது உணவு எப்படி கொண்டு வருவது என்று கேட்கின்றேன். இதை யெல்லாம் யோசித்துப் பார்த்து தகுந்த யோசனையை சொல்லுங்கள். நான் ஒரு யோசனை சொல்லுகிறேன். நமக்கு இருக்கும் deficit 1½ லட்சம் டன் தான். மூன்றரை லட்சம் டன் உற்பத்தியாக இப்பொழுது கிடைத்திருக்கிறது. இன்னும் 1½ லட்சம் டன் உணவு பொருள் கிடைத்தால் போதுமானது. சோளத்தை தாராளமாகக் கொடுத்துவிடவேண்டும், அப்படி கொடுத்துவிட்டால் சோளம் சாப்பிடுகிறவர்கள் அரிசியை வாங்கமாட்டார்கள். பிறகு மற்ற control களை எடுத்துவிட்டால் சோளத்தை இஷ்டப்பட்டு சாப்பிடுகிறவர்கள் அதையே வாங்கி பூராவும் சாப்பிடுவார்கள். அனேகமாய் ஏழை மக்கள் அரிசி வாங்கமாட்டார்கள். அரிசி நெருக்கடி ஏற்படாது. கள்ளமார்க்கெட்டில் விற்கப்படும் அரிசி தானாகவே வெளியில் வந்து வேண்டியமட்டும் கிடைத்துக்கொண்டிருக்கும். அரிசி நெருக்கடியும் தீர்ந்துவிடும். இதைச் செய்ய முயற்சிக்கவேண்டும். இதைச் செய்வதற்கு ஏதாவது கஷ்டங்களிருந்தால் மதய சர்க்காருக்கு இந்த சர்க்கார் சிபார்சு செய்யவேண்டும். கலப்பு தானியங்களுக்கு உள்ள கட்டுப்பாடுகளை எடுத்துவிடவேண்டும். சோளம், கம்பு, கேழ்வரகு முதலியவைகளை விரும்பி சாப்பிடுகிறவர்களுக்கு தாராளமாக கிடைக்கும்படி செய்யவேண்டும். அவரவர்களாகவே அவைகளை தருவித்துக்கொள்வதற்கு வசதி செய்துகொடுக்கவேண்டும். அப்பொழுதுதான் அதிகமாக அரிசி கிடைத்து பட்டினி என்பது இல்லாமலிருக்கும். இவ்விதம் பட்டினியை தீர்ப்பதற்கு வழி செய்ய வேண்டுமென்று சொல்லிக்கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்கிறேன்.

SRI K. LINGA RAJU :—“ Mr. Speaker, Sir, I have no command of language to express my feelings in brief. I have been listening to the debate since yesterday, and we have been hearing only of the agony of the people due to food scarcity in the State. Sir, an impression has been created in this House that in some of the surplus districts, there is any amount of rice which can be spared, and that they are deliberately withholding it. The hon. Gentlemen Messrs. Anwar and P. Natesan were very emphatic about it. Let me tell them that they are ignorant of the condition of things in the surplus districts. The same long queue which one witnesses in the deficit districts, one witnesses there also. Even on the day I left my place for Madras, in the evening on my way to the railway station, I saw in front of the ration shops a long queue waiting to purchase ration, like Members of this House waiting to speak; and most of them are disappointed (even as some of us are here when we do not get a chance to speak) when only half the number waiting could get some ration, or rather one kuncham. And the price they pay for it is somewhere near three rupees for a kuncham. I have not the time to describe in detail all this. One reason we have failed is that this Government has strangled, literally murdered the producer-cum-consumer societies, which were doing very good work by way of procurement. Sir, I have not the time now to deal with the present condition of my district in detail. At present I saw a number of bags of rice waiting export at rail heads. I do not know to which place they are to be exported. I inquired of the local officers at Kakinada. They told me that ship was waiting in the harbour. They had been asked to load it with all the available grain, even if it be without supplying the local people. But unfortunately that supply has not yet moved, or if it had

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moved by this time, it would be moving and moving and moving and not reached its destination to relieve distress. Sir, till a couple of months ago, procurement was alright. There is a dearth in procurement only during the last two months. The reason is that the millers have been entrusted with this work. A few days back when the Hon. Minister was there, the millers represented to him that they were not responsible, but that the ryots were not willing to give away rice. But when this procurement business was entrusted with the producer-cum-consumer societies they were collecting without difficulty. Only the Government were not able to make use of them, and hence all this trouble. Even now it is not too late to entrust them with this work: for most of them are not liquidated yet, since they are all working as multi-purpose societies. But, Sir, this Government views everything with complacency. Truly they can afford to be complacent as long as the spirit of Mahatma Gandhi can control the masses and as long as the goodwill of Pandit Jawaharlal Nehru and Vallabhai Patel is there. Verily Government can like the distinguished politician of old exclaim, 'where are food riots, where are hunger marches, if there really is starvation in the country?'

“ Sir, though I have still more to say, as my time is up I resume my seat.”

MR. SPEAKER :—“ Sri V. Raghavayya gave notice of an adjournment motion. At that time I promised that I would give him a chance to speak on the food debate. So I now call upon him to speak.”

SRI S. NAGARAJA MANIGAR :—“ Sir, we are meeting after a lapse of four months, and we should be given an opportunity to speak.”

MR. SPEAKER :—“ I had a talk with the Leader of the House and we came to the conclusion that the House should rise at 6-30 p.m. to-day.”

* **SRI V. RAGHAVAYYA :—**“ Mr. Speaker, Sir, I should like to support the Government in this matter though it seems to be rather hazardous to do so, seeing the tempo of the people outside and even of the Members inside. It is rather hard to come to the rescue of the Government at such a time. Some gentlemen had been very hard against the Food Minister. I sympathize with him. Perhaps they think that some other Minister would do better. Even if they are going to bring the Prime Minister of India to occupy that place, I can assure you that he cannot improve the situation. The food portfolio is dumped upon a man whom they want to easily dispose of. Here I do not refer to anybody in particular. Even if Mr. Munshi or Sardar Vallabhai Patel or still bigger men take up this portfolio, they are sure to be finished. They are sure to be 'Dunkirked', 'Shanghaied' or 'Koread'. The trouble is not with the Minister but with the policy of the Government, not this Government alone but the Governments elsewhere too.”

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"Coming to the crux of the problem, we must all recognize one point. If we go and ask the ryot to part with his foodgrains, he will give a kick from behind. If we go and ask the middleman in the town who is minting money at your cost, at my cost and at the country's cost, he will not give us his vote to-morrow. If we tell the Government that their food officials are not behaving properly, they simply say that they referred the matter to the Collector who in turn says that everything is quite all right. The Government do not care to find out the facts. Even if they care, they are not going to bring more food. If they at least show that they are prepared to bring food, people would be satisfied. The Treasury Bench is not the proper place for the Ministers at the present juncture. Each Minister should take up two districts, find out the surplus stock with each ryot or landholder, procure it and ease the situation. I have got only one remedy for the food situation and that is the remedy which was applied by the clever Secretary of the Town Congress Committee of Tirunelveli. Then food will come into the market. But the next step will be anarchy. We have to choose between anarchy and control. Some gentlemen have been glibly suggesting the removal of controls in villages. Newspaper reporters and correspondents and educated men here may be satisfied because they live in towns. If the Government accept the suggestion, they will be inviting our cousins who are waiting at the other side of the Nalgonda district. They the Communists need not fight any battle in future; the Communists will occupy the field themselves. The poor man is already hit hard and the acceptance of the suggestion will only aggravate the situation. From top to toe, from Delhi to Madras, show me one Government official who is not at the feet of a Dalmia or a Birla or similar persons on a smaller scale. I do not want the hon. Members to mistake me; I am not referring to any particular Government. The trend of society is to support the rich man, because they are afraid of losing his vote. The legislators are afraid of losing the vote of the hoarder and the black-marketeer and they do not touch him. A hoarder or a black-marketeer would have been hanged in Russia. There is death sentence for black-marketing, not even for killing, in Russia and in Communist China. The Government require a lot of courage to make enemies of people. Mr. Prakasam made enemies of the cloth mill owners and he paid the penalty for it. If the Food Minister makes enemies of the rich people, he will pay the penalty for it. The very innocent and honest Food Minister will be toppled down and turned over. Taking the society as it is, it is impossible to enforce law and order strictly. If all the M.L.As. who spoke very harshly go to their respective areas, help in the enforcement of law and order and co-operate with Government officials, things will be alright. I was ashamed to hear a Member from the surplus district of Guntur or Krishna talking of food riots there. The famine situation there is not due to want of food; it is a man-made scarcity. Let the Members go to their respective areas, and without any reservation give the names of all the boarders to the Collector or the District Supply Officer. Then I think, we will get all the food that is necessary. If there is a deficit even after procuring all the available surplus, then let

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us approach the Government of India to make good the deficit. It is easy to harangue here and then quietly sleep over the matter. To 'riddle' the Food Minister simply because he happens to sit on the Treasury Bench is unfair for the Congressmen.

"I will conclude my speech by reiterating my appeal to the Members to co-operate with Government officials. I have done that in my district. I have given them the names of hoarders. I have been responsible for booking several black-marketiers including brothlers-in-law of Ministers. Subsequently some of them escaped and that is a different matter. There was food in Nellore. Only the officials did not procure. At my suggestion, the Government have been able to procure more for the last two and a half years. The Food Secretary will bear testimony to this statement. I therefore request the Members to do their duty rather than lay the blame on the Food Minister. After all, he is not so wicked and it is unfair for us to criticise him harshly. He could have easily escaped by saying: 'The Telugus are a very bad people. They want to hit the Tamilians. That is why they are not co-operating in procurement.' If he had said that, all would have been satisfied. He has not done that and we must thank him for it."

Sri B. VENKATANARAYANA REDDI :—

అధ్యక్షా, మహాశ్వము లాది ఆహార దుస్థితి విషయమై పలువురు సభ్యులు పలువిధములైన సలహాలను ప్రభుత్వము వారికి ఇచ్చియున్నారు. ముఖ్యంగా, ఒకవైపు ఉత్తరదేశములలో హెచ్చు వర్షాలచే విశేషమైన నష్టాలకు పాలైయుండగా, దక్షిణదేశంలో వర్షాలు బాగా లెకుండ కాలా నైరులు ఎండిపోయి ప్రజలు కాలా కష్టపడుచున్నారు. ఇటువంటి దుర్భర సమయంలో కూడ, ప్రభుత్వంవారికి, తమ ఆహారకాంక్ష దుస్థితి నివారించుటకు తగిన విధానములను, తగిన పద్ధతులను, తగిన సూచనలను చేయలేకపోతున్నది. ఈ దుస్థితి తెచ్చి పెట్టుటకు కొంతవరకు ప్రస్తుతము ఆసులులోనున్న కంట్రిలు విధానము కారణమని చెప్పవచ్చును. ఈ కంట్రిలు విధానమువల్ల కష్టించి భూమిని ఫలవంతము చేసే రైతులు నిరుత్సాహులౌతున్నారు. రైతును ప్రోత్సహించుట అధికావశ్యకమై చేయించి దేశాన్ని ఎదుర్కొన్న తొమ్మిది నివారించవలసిన ఈ తరుణంలో ఈ కార్యకలపాల నడుపవలసిన ప్రభుత్వోద్యోగులు రైతులపట్ల ఎట్టి అభిమానం చూపుతున్నారో గమనించవలసిన విషయం. అసలే సాగు ఖర్చులు వివరంగా తెలిసిపోయి వ్యవసాయం ఆర్థికంగా లోటుగా ఉన్న విదేశీ విధంగా కృషి సాగుచున్నట్టి రైతులకు ఈ ఉద్యోగములు ప్రభుత్వంవారు నిర్ణయించిన ధరలైనను ముట్టజెప్పలేదు. మా జిల్లా లలో నేకరించబడిన ధాన్యానికి అనేక చోట్ల ప్రభుత్వోద్యోగులు, పుట్టి రూ 6 లు గత సంవత్సరమునకన్నా తక్కువగా ధర నిర్ణయించినారు. దీనివల్ల రైతులలో కాలా అసంతృప్తి విస్తరించింది. గత సంవత్సరం నేకరించిన రెండవ వంట ధాన్యానికి ప్రభుత్వం వారు పుట్టి 1 కి రూ 180 లు ధర నిర్ణయించినప్పటికి రూ 164, 165 లు మాత్రమే ముట్టించి. ప్రభుత్వోద్యోగులను "ఇదేమి, ఈ విధంగా తక్కువ ధర పెట్టియున్నారు. ప్రభుత్వంవారు నిర్ణయించిన ధర అయినా కూడ మాకు ఎందుకు ఇప్పించరు" అని అడిగితే, వారు ప్రభుత్వంవారు నిర్ణయించిన ధర గరిష్ఠ ధర (maximum price) మాత్రమే కాని, కనిష్ఠ ధర (minimum price) కాదు, విధానానికైన ఇంతకన్న తక్కువ ఇవ్వకూడదని ప్రభుత్వంవారు నిర్ణయించలేదు. కాబట్టి మాకు న్యాయమని తోచిన ధరను

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ఇస్తున్నాము అని సమాధానము చెప్పారు. ఇది విమోచము సబబుకాదు. ఈ తరుణంలో రైతులను విమోచం అనిమానించక వారి కష్టనష్టాలను గురించక ప్రభుత్వోద్యోగులు ప్రవర్తించే అధికారోత్పత్తి చేసి తాము నివారణ చేయడం సుసాధ్యమే అని గమనించగోరుతాను. ముఖ్యంగా ఆహారశాఖవారు రైతులపట్ల న్యాయంగా ఉండక పోతే ప్రభుత్వానికి చెడ్డపేరు రాక తప్పదు. ఈ విషయంలో ప్రభుత్వవారు తగు శ్రద్ధవహించి రైతులకు న్యాయమైన ధర ముట్టేటట్లు చూడవలసిందని మనవి చేస్తున్నాను. అంతేకాకుండా, ప్రభుత్వోద్యోగులు రైతులకు విరుద్ధంగా సహాయ పడుతున్నారని విషయము ప్రభుత్వవారు దర్శాత్తు చేయవలసిందని నవసరము. గత సంవత్సరాలలో మన రాష్ట్రములోని అనేక ప్రదేశాలలో పంటలు ఎండిపోయి రైతులకు ఏ మాత్రముకూడ ఖాస్యము మిగులలేదనే విషయం ప్రభుత్వంవారికి తెలిసినదే. అటువంటి వేద రైతులకు తిరిగి వ్యవసాయము చేసుకొనుటకుగాను విత్తనపు ఖాస్యము ఇప్పించే విధానము ప్రభుత్వంవారు చేయలేదు. ఈ విషయంలో ఎక్కడెక్కడ ఉన్న ఏదో రైతులకు ప్రభుత్వోద్యోగులు విత్తనాలు ఇచ్చారో అనే విషయం ప్రభుత్వం వారు గమనించవలసియ్యవచ్చు. అనేక సంవత్సరాలలో విత్తనపు ఖాస్యము తొరకక రైతులు అవస్థలు పడవలసివచ్చింది. కాబట్టి ప్రభుత్వంవారు ఈ విషయమై శ్రద్ధ వహించగోరుతాను.

“మన రాష్ట్రంలో చుండించబడిన ఖాస్యమునకు ధరను నిర్ణయించే విషయంలో మాత్రం రైతులకు అన్యాయము జరిగింది. ఈ మధ్యన ప్రభుత్వంవారు Uttar Pradesh రాష్ట్రంలో విశేషంగా కామ్యుథరకు వియ్యం కొని మన రాష్ట్రంలో పంచివేడుతున్నారని విని రైతులు నిలువెల్ల కుండిపోతున్నారు. అనేక కోట్ల రూపాయలు Uttar Pradesh ముదలగు రాష్ట్రములలోని రైతులకు ఇచ్చిన మన ప్రభుత్వం మనకు ఏ మాత్రం కూడ కామ్యుథర ఇవ్వలేకపోయిందే అని రైతులు అంటున్నారు. ప్రభుత్వం చేస్తున్న ఇటువంటి పనులు రైతులలో అసంతృప్తిని కలిగిస్తున్నవి. కాబట్టి ఇటువంటి అసంతృప్తి విర్వదకుండా చూడవలసిందని ప్రభుత్వంవారికి మనవిచేస్తున్నాను.

“నిన్నటిరోజున, ఈరోజున పలువురు సభ్యులు ఈ ఆహార కొరత విషయమై ప్రసంగించుచూ నేడు విర్వదిన మర్బర పరిస్థితులన్నీటికి ఈ కంట్రోలు విధానమే కారణమని, కాబట్టి వెంటనే కంట్రోలు తీసివేయవలసిందని ప్రభుత్వంవారికి సలహాలు ఇచ్చి ఉన్నారు. నేనుకూడ కంట్రోల్ను ఉండకూడదు అనే సూత్రంపై విశ్వాసం కలవాణ్ణి. కాని తక్షణం కంట్రోల్ను తొలగించకూడదని నా అభిప్రాయం. ఈనాడు గ్రామాలలో సరిపోయినంత ఆహారధాన్యాలు లేవు. రైతులవద్దనున్న ధాన్యాన్ని ఇదివరకే ప్రభుత్వోద్యోగులు నేకరించి ఉన్నారు. ‘Rural rationing’ తీసివేసినట్లయితే ఈ పరిస్థితులలో గ్రామాలలోని మాలినాలిచేతుకొనేవారికి సరసమైన ధరలకు వియ్యం లభించదు. కాబట్టి తిరిగి పంటలు పచ్చే సమయమువరకు Rural rationing ను అమలులో ఉంచి తరువాత de-control చేయవలసిందని నా అభిప్రాయం. ఆ విధంగా చేసినట్లయితే పట్టణాల సరిపడినంత ఖాస్యం ఉంటుంది.

“ఈ రేషనింగు విధానం మన రాష్ట్రంలో గత 4, 5 సంవత్సరాలు నుంచి అమలులో ఉన్నది. ఖాస్యం ఈ విషయంలో అనుభవం కలిగింది. ఈ పద్ధతివల్ల ప్రజలు బి విధంగా బాధపడుతున్నారో కూడ అందరకు తెలిసిన విషయమే. ఇది కాల లోపభూయిష్టమైన విధానమని ఈ సరికి ప్రభుత్వంవారు, ఆహారశాఖవారు గుర్తించి ఉంటారని అనుకొంటున్నాను. దీనివల్ల ఎవ్వరికిని ఎటువంటి లాభము

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కలగదా లేదు. నూటికి ఏ పదిమందో ఈ రేషనింగును కావాలంటారేమో కాని మిగతా 90 మంది దీనికి ప్రతిపాదులూ ఎవరుకూడ ప్రభుత్వం వారిచేట్టువంటి రేషనులో కాలక్షేపము చేయుటలేదు. ఈ గంగతి మళ్ళికందరకు తెలిసినటువంటిదే. ఈ నాడు విర్వదిన ఆహార కొరతకు ఎవరు బాధ్యులుకారు. ఇందుకుగాను ఆహారశాఖ మంత్రిగారినిగాని ప్రభుత్వంవారినిగాని ఇతర ఉద్యోగస్తులనుగాని నిందించి లాభం లేదు. కంట్రోలు విధానము రేషనింగు విధానము లోపభూయిష్టమైవని. ప్రజలలో ఈ పద్ధతులకు అనుకూల అభిప్రాయం లేదు. కాబట్టి ఇక్కడ ప్రభుత్వంవారు యదార్థ పరిస్థితులను గమనించి, ఏ పట్టణవాసలలో మాత్రమే రేషనింగు ఉంచి పట్టణాంతరాలలో పంటలు పండిన ఆరంభంనుంచి రేషనింగు పూర్తి తొలగించవలసిందని ప్రార్థిస్తున్నాను.”

Mr. SPEAKER :—“Before we adjourn, I may tell the House that a revised agenda for to-morrow has been circulated to the Members.”

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

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, the 12th August 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. SPEAKER:—"We have a heavy agenda to-day and I want to finish the questions as early as possible. I hope that hon. Members will co-operate with me."

* 51 Q.—MR. SPEAKER:—"I will take up question No. 51 at the end."

* Amendment to the Court Fees Act.

* 52 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state whether the Government are taking any steps to amend the Court Fees Act and if so, what they are?

THE HON. SRI K. MADHAVA MENON:—"In 1938, the Government appointed late Sri R. Satyamurthi Ayyar as Special Officer to examine the question of revising the Court Fees Act, 1870, so as to remove the anomalies and defects in it. His recommendations were examined by the Government in detail in 1940-42 in consultation with the High Court and the Board of Revenue; but before final decisions could be reached and steps taken to recast the Act, the Government decided to postpone legislation for the duration of the war. After the cessation of hostilities, the Special Officer's report was taken up for re-examination. Decisions have been reached on all his recommendations except those made in regard to 'money suits'. The High Court and the Board of Revenue have been consulted in regard to certain suggestions made about the rates of Court Fee to be levied in 'money suits'. The High Court's reply has been received. The Board's reply is awaited. Necessary action to amend the Court Fees Act will be taken as soon as the Board's views are known and decisions are taken in the matter."

BEGUM SULTAN MIR AMIRUDDIN:—"In view of the fact that this matter has been pending for the past 12 years, will the Government take action promptly on the recommendations of the Special Officer, as the litigant public are very much hard-hit on account of the anomalies in the Court-fees Act?"

THE HON. SRI K. MADHAVA MENON:—"Not only are the litigant public are hard-hit, but the Government themselves are hard-hit, because they are also losing revenues from court-fees. In their interests also, we will have to dispose of the matter as quickly as possible."

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BEGUM SULTAN MIR AMIRUDDIN :—" May I know, Sir, whether the Hon. Minister for Law read the speeches that were delivered at the Lawyers' Conference held at Palghat in Malabar? "

THE HON. SRI K. MADHAVA MENON :—" Yes, Sir, I was present at the conference. "

SRI V. RAGHAVAYYA :—" May I know, Sir, whether the trend of the recommendations of the Special Officer is towards an increase or decrease in the court-fees? "

THE HON. SRI K. MADHAVA MENON :—" It cannot be said definitely now, Sir, whether his recommendations tend towards an increase or decrease in the court-fees. The idea of the Government is that where more time is taken up by the Court, there should be greater share of payment by the litigant by way of court-fees. From the point of view of litigant public, it is the idea of the Government that court-fees for poorer litigants should be comparatively less than that of the richer and that both should not be on the same level. "

BEGUM SULTAN MIR AMIRUDDIN :—" Is it not a fact, Sir, that the present Act is illogical and full of anomalies? Are not the fees low in certain cases and very high in certain others, and will not the Government certainly stand to benefit when this Act is suitably amended? "

THE HON. SRI K. MADHAVA MENON :—" The Act, as also the interpretations of the Act on various decisions are illogical, Sir. "

SRI V. RAGHAVAYYA :—" Are we to understand from the answer of the Hon. Minister that the greater the number of adjournments the greater should be the court-fees levied on the litigant public? "

THE HON. SRI K. MADHAVA MENON :—" It is not exactly a case, Sir, based on the number of adjournments, but it depends upon a number of other factors. Perhaps it is my hon. Friend's experience of the happenings in courts that has led him to think that low court-fees means less adjournments and more court-fees means more adjournments. "

Amount spent in the Highways Department in the Andhra and Tamilnad areas.

* 53 Q.—JANAB MOHAMED ABDUL SALAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) the amount that has been spent in the Highways Department in Andhra and Tamilnad areas in the years 1947-48 and 1948-49; and

(b) the number of Andhras and Tamils that are in the Highways and Public Works Department in the category of Supervisors, Assistant Engineers, Divisional Engineers and Executive Engineers?

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THE HON. SRI M. BHAKTAVATSALAM :—" The information^a asked for is given in the paper placed on the table of the House. "

The East Asiatic tour of the Registrar of Co-operative Societies.

* 54 Q.—SRI V. RAGHAVAYYA : Will the Hon. the Minister for Local Administration be pleased to state—

(a) the facilities given for the East Asiatic tour of Mr. J. C. Ryan, the Registrar of Co-operative Societies; and

(b) the necessity for this tour?

THE HON. SRI K. CHANDRAMOULI :—" (a) Sri J. C. Ryan has been permitted to draw from the Food and Agriculture organization an honorarium at the rate of \$650 per month during the period of his service under the organization in addition to transportation costs and also daily allowance at the rate of \$12 per day. He is also eligible for joining time admissible to him under the Fundamental Rules. As a special case, this Government agreed to bear the contribution towards leave salary, including compensatory allowance for periods of leave in or at the end of foreign service, pensionary charges payable on behalf Sri Ryan and his transit pay.

" (b) At the instance of the Co-operatives and Rural Welfare Division of the Food and Agriculture Organization of the United Nations, the Government of India requested this Government to lend the services of Sri Ryan to the Food and Agriculture Organization for a period of two months to follow up the recommendations of the Food and Agriculture Organization Co-operative Conference recently held at Lucknow. The Union Government also pointed out that they had been pressing very strongly in the various Annual Conferences of the Food and Agriculture Organization for a larger representation of the Indians in the staff at the higher cadre of the Food and Agriculture Organization, and stated that it would be helpful if this Government could consider the offer favourably. It was also considered that it would be valuable experience for Sri Ryan to meet the Co-operative workers of other countries. After a careful examination of all these aspects, this Government decided to lend the services of Sri Ryan to the Food and Agriculture Organization for a period of two months. "

SRI V. RAGHAVAYYA :—" Is it not a fact, Sir, that it is the western countries like Europe and Great Britain alone that have specialized themselves in the field of co-operation and that officers are sent there alone to learn and study co-operation, and that being so, may I know, why is it that South-East Asia has been chosen as the field for Mr. Ryan to learn and study co-operation on this occasion? "

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THE HON. SRI K. CHANDRAMOULI :—“ He was not chosen by us, Sir. We were asked by the Government of India to lend the services of Mr. Ryan for the Food and Agricultural Organization of the United Nations, which is an international organization. It is not an oriental or an accidental organization and it is not confined to any particular nations exclusively. I may inform my hon. Friend, Sir, that we can learn from each nation provided it has got something to contribute to our knowledge.”

Payment of dearness allowance to the teachers in Government Colleges.

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

(a) whether the teachers in Government Colleges have been paid dearness allowance from 1st January 1948 till now; and

(b) what the recommendation of the University Commission is in respect of the basic salary of college teachers?

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

“(b) The University Commission has recommended the following scales of pay—

Colleges with post-graduate courses.

Lecturers—Rs. 200—15—320—20—400—25—500.

Professors—Rs. 500—25—800.

Principals—Rs. 800—40—1,000.

Colleges with no post-graduate courses.

Lecturers—Rs. 200—15—320—20—400.

Professors—Rs. 400—25—600.

Principals—800—40—800.”

SRI V. RAGHAVAYYA :—“ Do the Government realize, Sir, that what is sauce for the goose is sauce for the gander also, and that being so, whether they have taken steps to see that the same dearness allowance that is paid to the Government goose in Government colleges is paid in the case of the gander in the private colleges also under the control of the University? ”

THE HON. SRI K. MADHAVA MENON :—“ I do not follow the goose and gander simile of my hon. Friend, Sir. If he tells me who is the goose and who is the gander, then I shall be able to reply to him.”

SRI V. RAGHAVAYYA :—“ The Government have sanctioned dearness allowance at certain rates to the staff of the Colleges under their control. May I know whether they have seen to it that private colleges under the control of the University similarly pay dearness allowance to their staff at Government rates? ”

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THE HON. SRI K. MADHAVA MENON :—“ Colleges run by private agencies can be controlled and directed only by the Syndicate of the University and the Vice-Chancellor, Sir. The Government have no direct control over them and cannot enforce their rates of dearness allowances on private agencies.”

SRI A. VEDARATNAM PILLAI :—“ May I know, Sir, whether any basic salary has been fixed for the language pundits, and if so, whether regional language pundits and Hindi pundits are getting the same salary as the other professors, and, if not, the reason for the same? ”

THE HON. SRI K. MADHAVA MENON :—“ I have not got the scales of pay of the pundits with me at present, Sir. If the hon. Member puts a separate question, I shall call for and furnish him the information.”

SRI V. RAGHAVAYYA :—“ Will it not be an invidious distinction, Sir, and will it not demoralize the great and learned profession, if there is variation in dearness allowance paid to the professors of the Government colleges and those in private colleges? ”

THE HON. SRI K. MADHAVA MENON :—“ It is a matter for the respective Syndicate of the University to take up, Sir, and to see that such variations are avoided. We have addressed the Universities concerned in the matter on complaints received from lecturers of certain private colleges, and we have requested them to see that uniformity is maintained in the dearness allowance paid to their staff.”

BEGUM SULTAN MIR AMIRUDDIN :—“ In view of the fact that Government are giving grants to aided colleges, may I know, Sir, whether the Government have no voice in the matter and whether they cannot compel private managements to pay dearness allowances to their staff at the Government rates? ”

THE HON. SRI K. MADHAVA MENON :—“ The grant given by the Government to private colleges is based on certain definite percentages. If the Government pay two-thirds, the private managements should pay the remaining one-third. If we pay two-thirds dearness allowance, it means that they must pay one-third from out of their funds, and perhaps some private agencies might find it too much for them. In such cases, we cannot compel them to do so.”

SRI V. RAGHAVAYYA :—“ If the college authorities do not respect the wishes of the Government, is it not open to this Government to coerce them to do so, because they are giving grants to the University? ”

THE HON. SRI K. MADHAVA MENON :—“ The question of coercion does not arise, Sir. Our grant, as I said, is based on a certain proportion of deficit. One portion is met by the Government and the other by the management. If only the management pays the Government rates, the Government

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will give their portion. If the management is not prepared to sanction dearness allowance at Government rates, we cannot compel them, but simply withdraw our grants towards dearness allowance. It is not like grants to buildings or equipment, because, if we stop them, the private colleges will have to close."

Price of jute in the Madras and West Bengal States.

* 56 Q.—SRI N. S. VARADACHARI: Will the Hon. the Minister for Industries be pleased to state whether the attention of the Government has been drawn to the fact that for the same quality of Bimili or mestha jute different prices have been fixed under the control orders of the Madras and West Bengal Governments?

THE HON. SRI C. PERUMALSWAMI REDDI:—"Yes, Sir. The Government are in correspondence with the Jute Controller in the matter."

SRI N. S. VARADACHARI:—"Is the Hon. Minister aware that if two such different prices prevail in West Bengal and Madras, the Visakhapatnam district alone will lose to the extent of Re. 1 crore according to the information I have in my hand?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"The price of jute has been fixed in five States and it has been fixed at the instance of the Government of India and the price is uniform in all these four States, namely, Madras, Bihar, Assam and Orissa."

SRI N. S. VARADACHARI:—"Is the Hon. Minister aware that the price for this quality of jute which is grown only in the Visakhapatnam district is fixed differently in the Madras State from that in West Bengal?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"I do not know that, Sir. But I think, the same quality is grown in Bihar, Orissa and Assam also."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, whether the Government enhance the price of controlled commodities taking into consideration the container also, that is to say, whether they charge an extra price for the gunnies also?"

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask the Hon. Minister whether he can give the House any idea as to the prevailing price of jute in West Bengal, Madras, and the other three States which he had referred to?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"The rate is uniform in all these States, Sir, and there is only a difference of Rs. 5 in one State, West Bengal."

SRI N. S. VARADACHARI:—"Sir, according to the information in my hand, the price of the same quality of jute is fixed at Rs. 28 in Madras and Rs. 33 in West Bengal. Therefore a firm operating in Madras can buy at Rs. 28 and sell the same at Rs. 33 in West Bengal. This means that the producers of this

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jute at Visakhapatnam lose Rs. 2 crores on 20,00,000 lakhs of maunds they produce there. I want to know, Sir, whether a proper enquiry has been made in this matter in order to see that the producers of jute in that district may not lose such a large sum of money, which they are threatened with by such difference in price."

Scheme for the construction of "poor man's house".

* 57 Q.—JANAB S. MOHAMMED ISMAIL: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether any new scheme for the construction of "poor man's house" at a cheap cost has been drawn; and

(b) if so, the broad features of the scheme?

THE HON. SRI N. SANJEEVA REDDI:—" (a) A scheme for the constitution of a 'poor man's housing fund' for subsidising the construction of houses for the poor was considered early in 1950 and was finally deferred for consideration when the financial condition of the State improves.

" (b) The scheme has not yet been finalised."

SRI S. NAGAPPA:—"Sir, what was the estimated cost of 11-15 each house when it was considered by the Government?" a.m.

THE HON. SRI N. SANJEEVA REDDI:—"There was no complete plan ready yet. We were only thinking how to give such a subsidy for those houses. It is only later that we found we could not afford to give subsidy."

SRI S. NAGAPPA:—"May I know what was the plinth area that was expected to be provided for this poor man?"

THE HON. SRI N. SANJEEVA REDDI:—"When I stated that it was not considered, and that we could not finance it and give any subsidy, my hon. Friend need not go to the extent of asking for the plinth area and other things."

SRI B. S. MURTHY:—"Arising out of the answer of the Hon. Minister that the scheme has been given up, may I know, Sir, whether the existing co-operative housing schemes are to receive the help or not?"

THE HON. SRI N. SANJEEVA REDDI:—"There are housing schemes at present also. The lower middle classes and the lower classes of people can become members and have the benefit. The Government are prepared to give portions of the loan for their paying one-fourth, and we will encourage people constructing a large number of houses costing Rs. 3,000 each. That is our ambition, and that is the Government's view also."

SRI P. NATESAN:—"May I know, Sir, when does the Hon. Minister think that the financial conditions of this State will improve so that the question of giving subsidy to the poor man's house can be reconsidered?"

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THE HON. SRI N. SANJEEVA REDDI:—"When all the rich men in the State think that they can afford to pay more taxes, certainly the Government will be prepared to consider the schemes."

SRI V. RAGHAVAYYA:—"Let alone poor man's house of Rs. 3,000. I ask, Sir, have this Government, despite repeated requests for three years, taken any steps to provide housing either on a free basis or co-operative basis on the hut model within Rs. 2,000 in the villages for the homeless?"

THE HON. SRI N. SANJEEVA REDDI:—"Such schemes do not come under the present schemes on co-operative housing colonies. We may take it up under the Special Development Schemes. The existing housing schemes does not allow us to do it."

SRI B. S. MURTHY:—"May I know whether the Government have any information in their possession regarding the homeless and the houseless in this State?"

THE HON. SRI N. SANJEEVA REDDI:—"I am afraid that is fairly a big question. I have no statistics before me now."

SRI S. NAGARAJA MANIGAR:—"Sir, is not Rs. 3,000 a costly affair for the poor man? Is it not possible to construct houses cheaper than that?"

THE HON. SRI N. SANJEEVA REDDI:—"I do agree that even Rs. 3,000 is a very big amount for the poor man. But we will have to construct houses which will at least stand for 30 years so that we can recover the amount advanced within 20 annual instalments."

SRI L. N. GOPALASWAMI:—"May I ask the Government, Sir, if they cannot finance these schemes, will they be in a position to help private individuals or organizations who come with proposals to build houses?"

THE HON. SRI N. SANJEEVA REDDI:—"We will give all sympathetic consideration if any institution is prepared to do it."

SRI S. NAGAPPA:—"Arising out of the answer that at present due to financial conditions the question of providing poor men's houses has been deferred, may I at least ask the Government, Sir, to take this up so far as the Special Firka Development schemes are concerned?"

THE HON. SRI N. SANJEEVA REDDI:—"I am not sure about that department. A separate question may be put."

JANAB M. S. ABDUL MAJID:—"May I ask whether the Government know that the prefabricated house scheme of the Government of India will enable this Government to build cheapest houses, and are the Government of Madras prepared to consider that scheme?"

THE HON. SRI N. SANJEEVA REDDI:—"As far as our knowledge goes, even these houses are a bit costly for the

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poor man. They would cost more than Rs. 3,000, I am told. But even then those houses are not ready. When they are ready, we will import some and see whether they will be useful for the poor men."

SRI N. S. VARADACHARI:—"Will the Government, Sir, try to substitute, for instance, for costly timber, palmyrah which is very good, and solid timber, for poor man housing, and thus economise the cost, and make it possible for poor men's houses to be built even at a cost of Rs. 1,000?"

THE HON. SRI N. SANJEEVA REDDI:—"I do not think, Sir, only by substituting palmyrah for timber it would reduce the cost very much. But still it would be a little less costly. But in spite of all this, it would be more than Rs. 2,000 for the house has to stand for at least thirty years."

SRI L. S. KARAYALAR:—"May I know, Sir, what is the percentage of the poor man in this State?"

THE HON. SRI N. SANJEEVA REDDI:—"We do not know what the standard of poverty is. Almost all of us are poor in the sense that we cannot compare ourselves with rich men."

SRI S. NAGARAJA MANIGAR:—"Sir, if the loan that will be granted to the poor man cannot be treated as a subsidy, cannot a portion at least of the loan be treated as a subsidy?"

THE HON. SRI N. SANJEEVA REDDI:—"As I said earlier the financial conditions are there, and we cannot afford to give subsidies. If we could, we would have been very glad to do it."

Opening of a Leprosy Sanatorium for the Andhra districts.

* 58 Q.—JANAB SHAH ALAM KHAN SAVOI (on behalf of Janab S. Mohamed Ismail): Will the Hon. the Minister for Health be pleased to state whether there is any proposal under the consideration of the Government to open a Leprosy Sanatorium at any place in Andhra districts?

THE HON. SRI B. GOPALA REDDI (on behalf of Hon. Dr. T. S. S. Rajan):—"The answer is in the negative."

SRI B. S. MURTHY:—"May I know, Sir, whether the Government will take up the Labour Home at Ramachandrapur and develop it as a nucleus for a bigger one in the Andhra Desa?"

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

SRI V. RAGHAVAYYA:—"Taking the expert medical opinion into consideration, is it not the Government's view, Sir, that leprosy is increasing by leaps and bounds in the coastal districts of Andhra Desa, particularly in Visakhapatnam and Nellore?"

THE HON. SRI B. GOPALA REDDI:—"We are awaiting a sort of census, and only after that census, we can see whether it is on the increase, and then take steps."

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Quantity of rice received from Uttar Pradesh.

* 59 Q.—SRI S. NAGAPPA (on behalf of Sri N. Venkatasayya): Will the Hon. the Minister for Food be pleased to state—

(a) the number of tons of rice that has been received from Uttar Pradesh into Madras State after March 1950; and

(b) the prices that have been paid by the Madras Government to Uttar Pradesh Government?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“(a) 9,455 tons of rice have been received from Uttar Pradesh from 1st April 1950; and

“(b) This Government paid the Uttar Pradesh Government for the above rice at the rate of Rs. 24-15-0 per maund.”

Alleged alienation of communal lands, lanka lands, etc., by the ex-Zamindar of Devarakota.

* 60 Q.—[MR. SPEAKER :—“The hon. Member is not in her seat. The answer will be printed in the proceedings.”]

* SRIMATHI V. SITAMAHALAKSHMAMMA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the action that has been taken on the petitions submitted by the ryots of several villages in Devarakota Estate in Krishna district, that the ex-Zamindar of Devarakota has alienated communal lands, lanka lands, waste lands and forest lands for several lakhs of rupees, deliberately disregarding the provisions of the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Act, 1947; and

(b) the action that has been taken against the said zamindar for having cut trees worth several thousands of rupees in the estate?

THE HON. SRI H. SITARAMA REDDI :—“(a) & (b) The allegations in the several petitions received by Government and the subordinate authorities were duly enquired into. The Zamindar of Devarakota was reported to have contravened the provisions of Acts XIV of 1947 and XXVII of 1949 in respect of the lease of five lankas, namely, Nadakunduruletha lanka, Tummaladibba, Ravilanka, Venkayyadibba and Gokuladibba in Divi taluk. Trees to the value of about Rs. 3,000 were also reported to have been cut by certain persons in contravention of the statutory provisions, in Tummaladibba, Ravilanka and Gokuladibba. Steps are being taken to ask the Zamindar to show cause why he should not be prosecuted in respect of the leases of lankas referred to. Action is also being taken to prosecute the persons who cut trees in contravention of the statutory provisions.”

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Recommendations of the Three-Man Committee for the Government Bus Service.

* 51 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Finance be pleased to state whether the Government propose to implement the recommendations of the Three-Man Committee for the Government Bus Service?

THE HON. SRI B. GOPALA REDDI :—“Several of the recommendations of the Committee have already been implemented while a few of them are still under consideration of Government. A Press Note has been issued giving a summary of the action taken so far on the more important recommendations of the Committee.”

BEGUM SULTAN MIR AMIRUDDIN :—“May I know, Sir, when the Government propose to constitute a Road Transport Committee for this State?”

THE HON. SRI B. GOPALA REDDI :—“We are expecting the Government of India to participate in this matter, and I expect some legislation has to be gone through in Parliament.”

BEGUM SULTAN MIR AMIRUDDIN :—“May I know, Sir, whether it is not a fact that the Three-Man Committee recommended that the Government should not extend the nationalization of the bus service to the mufassal areas until the nationalization scheme has proved a complete success in the City, and, if so, why is it that the Government now intend to extend the scheme to the districts?”

THE HON. SRI B. GOPALA REDDI :—“That is why I stated that the Three-Man Committee's recommendations have been adopted wherever possible, and wherever it was not possible they were not accepted. It is not binding on the Government that every recommendation of the committee should be implemented by the Government.”

JANAB ABDUL HAMIED KHAN :—“May I know whether the Government feel that their finances are so sound that they can launch upon experiments of this kind and lose?”

THE HON. SRI B. GOPALA REDDI :—“We do not expect to lose. Since we want to make some little money we want to extend nationalization of the services to the districts.”

JANAB MUHAMMAD RAZA KHAN :—“May I know, Sir, whether the advice of the Three-Man Committee has been sought with regard to the existing number of buses plying in the City of Madras?”

MR. SPEAKER :—“This question has been put by the same hon. Member a number of times.”

SRI N. S. VARADACHARI :—“May I ask the Hon. Minister, Sir, if there is not enough in our own depreciation reserve in the

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motor transport department to buy, if necessary, additional buses and run them in the three districts where the service is to be opened up? "

THE HON. SRI B. GOPALA REDDI :—" For the capital we have invested, which is nearly about Rs. 60 lakhs, over Rs. 30 lakhs has been paid by the department. I think we can draw upon this Rs. 30 lakhs for this purpose."

SRI V. M. RAMASWAMI MUDALIYAR :—" May I ask, Sir, whether the Three-Man Committee has expressed any opinion about peak-hour traffic, and what is the solution that the Government propose to adopt? "

MR. SPEAKER :—" The hon. Member can see it from the report circulated."

SRI V. M. RAMASWAMI MUDALIYAR :—" My question is whether the Government have come to any conclusion with regard to the solution of that problem? "

THE HON. SRI B. GOPALA REDDI :—" What is the conclusion, Sir? "

JANAB ABDUL HAMEED KHAN :—" Arising out of the answer that the Hon. Minister is going to make money from this nationalization, may I ask whether the Government have given equal priority for rendering services to the people while making profit? "

THE HON. SRI B. GOPALA REDDI :—" Along with making profit in the City transport, we hold that we have been giving the people greater amenities than they were getting before nationalization."

SRI B. S. MURTHY :—" May I know whether Hon. Minister is aware that the bus passengers of the City have been constantly complaining that accommodation and other amenities allowed after the bus service has been nationalized are inadequate, and may I know what the Government are going to do to make travel more comfortable? "

THE HON. SRI B. GOPALA REDDI :—" Now, that if bus been nationalized, they are complaining. It is not as if there was no complaint before nationalization. Because previously it was not a national organization, the people could not complain. Now because the bus service is nationalized, they are making all complaints."

JANAB M. A. MUHAMMAD IBRAHIM :—" Sir, in all these utility services, is not utility as such the governing factor than mere business profit? "

THE HON. SRI B. GOPALA REDDI :—" Quite so; the hon. Member is right."

MR. SPEAKER :—" Questions are over. The Hon. the Food Minister will now reply to the food debate."

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

II.—DISCUSSION ON THE FOOD SITUATION IN THE STATE—cont.

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Mr. Speaker, Sir, for the last two days we have all listened to the speeches of Members arising out of the statement that I placed before the House. I thank the hon. Members for all the suggestions that they have made with regard to the food situation as to how to improve it and how to deal with it effectively. The food position is difficult not only in Madras but in almost all the deficit States in the country, viz., Bihar, Mysore, Travancore-Cochin and perhaps Bombay also. It is not thus a mere State matter which could be tackled by each State Government independently of the Centre. Ever since controls were introduced in 1943-44, the Government of India have been meeting the requirements of all deficit States by directly importing the quantity of foodgrains required and apportioning their imports according to the size of the deficit in each State. The question of import cannot be left to each State to be taken up by them independently of the Central Government as the use of dollars or sterling is involved in such imports. Further, if this State is permitted to import direct from abroad, other States also will claim similar privileges with the result that there will be competition among the States in the countries where rice is available, namely, Burma, Indo-China and Siam. Each State will then be putting up the price making it impossible for the other States to buy. Such competition in States belonging to the same Union in another country will be extremely unhealthy from every point of view. Further, the Government of India have been doing their utmost to purchase as much rice as possible from foreign countries and they have definitely discounted the idea that any greater quantity of rice is available in Burma, Indo-China or Siam than what they have been able to negotiate for and purchase. Therefore, even if the Madras State had freedom to act on its own in this matter, it could not have secured larger supplies than what the Government of India have been able to or at any rate, it could not have secured any greater quantity of rice without unduly increasing the prices and incidentals and creating difficulties for other States which depend upon foreign rice."

"It was said that the statement placed before the Assembly painted a rosy picture of the situation and that it had failed to mention the real state of affairs in the State. I beg to submit that the statement placed before the Assembly was a statement of facts which could not be suppressed because it might create a wrong impression elsewhere. Hon. Members might be aware that on any matters connected with the administration of a State we have to anyhow go on statistics and the figures which were available with the Government, and whatever conclusions or opinions might have been expressed in their statements, it is for the hon. Members to accept or to suggest their modifications. I submit, Sir, that the

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motor transport department to buy, if necessary, additional buses and run them in the three districts where the service is to be opened up?"

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II.—DISCUSSION ON THE FOOD SITUATION IN THE STATE—cont.

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Mr. Speaker, 11.30 a.m.
Sir, for the last two days we have all listened to the speeches of Members arising out of the statement that I placed before the House. I thank the hon. Members for all the suggestions that they have made with regard to the food situation as to how to improve it and how to deal with it effectively. The food position is difficult not only in Madras but in almost all the deficit States in the country, viz., Bihar, Mysore, Travancore-Cochin and perhaps Bombay also. It is not thus a mere State matter which could be tackled by each State Government independently of the Centre. Ever since controls were introduced in 1943-44, the Government of India have been meeting the requirements of all deficit States by directly importing the quantity of foodgrains required and apportioning their imports according to the size of the deficit in each State. The question of import cannot be left to each State to be taken up by them independently of the Central Government as the use of dollars or sterling is involved in such imports. Further, if this State is permitted to import direct from abroad, other States also will claim similar privileges with the result that there will be competition among the States in the countries where rice is available, namely, Burma, Indo-China and Siam. Each State will then be putting up the price making it impossible for the other States to buy. Such competition in States belonging to the same Union in another country will be extremely unhealthy from every point of view. Further, the Government of India have been doing their utmost to purchase as much rice as possible from foreign countries and they have definitely discounted the idea that any greater quantity of rice is available in Burma, Indo-China or Siam than what they have been able to negotiate for and purchase. Therefore, even if the Madras State had freedom to act on its own in this matter, it could not have secured larger supplies than what the Government of India have been able to or at any rate, it could not have secured any greater quantity of rice without unduly increasing the prices and incidentals and creating difficulties for other States which depend upon foreign rice."

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mere placing of such a statement before this House has not in any way prejudiced our case. On the contrary, that has only strengthened the hands of this Government with regard to procurement and obtaining more supplies from the Government of India and added to that, the valuable suggestions now put forward by the hon. Members naturally will help us to tackle the situation much better than if we were merely discussing this matter without such a statement.

"On the matter of imports, as I have said, we cannot act independently of the Centre but that does not close the door upon this proposal. As I have already said on a previous occasion, there were some offers from merchants of this State and those offers were forwarded to the Government of India for their consideration and I think the Conference which has been called to consider the food situation in the whole country will be able to look into this matter also. That is with regard to the position of supplies from outside sources. Hon. Members might have seen in to-day's papers that the allotment for the Madras State has been made for both the months of August and September and more is also being got ready for our requirements.

"Coming to the other difficulties, it was stated that the Government did not take early steps to move quickly whatever supplies were available to the required places. The officers concerned in the transport of foodgrains were, of course, fully alive to the need for making adequate arrangements for transport. But the difficulty in July was, as explained in the note supplied to the Members, due to the heavy arrivals of stocks at Madras and Cochin Ports which had to be cleared in the quickest possible time. The Civil Supplies Officers are, of course, in constant touch with the railways and are making special arrangements to speed up movements.

"There was a statement by one hon. Member that a certain railway official had said that there was no scarcity of wagons and that on the other hand, there were no goods for transport. Though it may be admitted that there is a shortage of foodstuffs in the State, it cannot be denied that the railways were unable to cope with the movement of foodgrains quickly. It may be stated in this connexion that in the month of July, the M. & S.M. Railway were not able to place at our disposal on any day, the number of wagons that we required. I can prove that by a statement which I have got in my possession. During the month of July when we demanded the following number of wagons, only a certain number of wagons were supplied to us.

Number of wagons required by us.	Number of wagons supplied to us.
116	38
106	41
83	32
77	23

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When the position was becoming very difficult, 123 wagons were required but for about four or five days no wagons were at all supplied. I do not, therefore, think the information given by one of the Members is correct. In spite of our best efforts, we were not able to get wagons. We even approached the Government of India in their Railway Department to interfere in this matter earlier.

"As a matter of fact, between the 18th and the 22nd of July when the demand for wagons varied from 123 to 167, literally not one wagon was supplied. It may be mentioned that in the same month when large imports were received at the Madras Harbour, to the extent of 43,000 tons, the movement had to be spread practically over the whole month and beyond, the maximum quantity which the railways could manage to move was 1,746 tons on the 3rd of August. On most other days the quantity moved was very much less, the lowest being 341 tons on 26-7-1950. There were thousands and thousands of tons remaining to be cleared from the Madras Harbour, but the movement had to be spread over, in view of the fact that the wagon position was not satisfactory.

"The third most important point is regarding procurement, whether the Government have been careful to take all possible steps to get all the surplus from the districts. Several Members raised that question. I shall just give certain particulars with regard to this. The procurement plan which has been adopted in this State which hon. Members know and which has been published several times is what is known as the intensive procurement. After leaving for the requirements of the producer, we try to procure all the surplus from the district. But there have been, of course, certain complaints that only the small landholders and the small producers are being harassed and that all the big landholders are being let free. Though complaints were received from time to time, all our officials were strictly instructed not to harass small landholders. Wherever we received complaints, they were specially asked to look into those complaints."

(At this stage, Raja Muthiah Chettiar rose to speak).

MR. SPEAKER:—"The Hon. Minister is not yielding."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Under the intensive cultivation scheme, special attention is also bestowed on the surplus districts. (Again Raja Muthiah Chettiar: Sir . . .) I am not dealing with details, Sir. If I go into details and deal with all the points raised by the hon. Members, I do not think it can be finished quickly. That is why, as I have said in the beginning, I am dealing with only important issues raised during the discussion. Finally, we shall try to see what can be done for the future.

"Hon. Members referred to the fact that the normal deficit of 5 lakhs together with the losses caused in 1949-50, as a result of the unfavourable seasonal conditions, etc., should amount to about 18 lakhs tons, and that there was no point in the State

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Government asking for 8 lakhs or 10 lakhs tons. This suggestion arises out of failure to appreciate the proper position. The normal deficit of 5 lakhs was based with reference to normal conditions, when there was no rationing, and the per capita consumption was 19 oz. But in estimating our demands, we have necessarily to base them on the present conditions, under which the consumption is restricted to 12 oz. It may also be stated in this connexion, that generally speaking one-third of the population will be self-sufficient producers, one-third partial producers and the remaining one-third non-producers. On an average, the partial producers may have to depend on ration shops for about six months in the year. Thus, we may take it that about 50 per cent of the population will be under rationing for the whole year, the actual number varying from time to time. The smallest number of persons will be under rationing immediately after the harvest, and we may except the largest number at the fag end of the year. In calculating our demands for help from the Centre, the quantity required for distribution to this population through ration shops at the restricted rate of consumption is the one that is taken into account and not the quantity that might be required under conditions of free trade.

"It was also asked since the monsoons had failed for the last three years why we did not anticipate a failure this year also. Well, when we submit our estimates to the Central Government, we must take things as normal. We cannot take it that since we had failure of monsoons during the last two or three years this year also there will be a failure. That is how the original estimate of deficit was made. But unfortunately the South West Monsoon, though it did not fail entirely, started very late in the year. When it came, our estimates had to be cut down according to the seasonal conditions. That explains how there is some difference between the previous estimates we submitted to the Government of India and the later deficit in which we now find ourselves.

"I now proceed to deal with some of the points raised by hon. Members during the debate. Something was mentioned about the tightening up of the austerity measures. I have pointed out on several occasions on the floor of this House when answering questions that we have been in correspondence with the Government of India in this matter and in consultation with them have drawn up certain rules in this regard which are now being fully observed. If there are any violations of these rules, they are dealt with properly. So we consider that further tightening up of these rules is not necessary, especially in view of the fact that the Government of India want that these measures should be more or less uniform in the whole country and differences in the different States must be more or less on the same scale.

"One of the hon. Members complained that in my statement I have mentioned that the money spent on the well subsidy scheme was practically a waste. I never said that the scheme was a failure. I merely said that owing to the present conditions and owing to the failure of the monsoon, all the wells dug by the

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people are waiting to get water and so they are at present remaining empty. Naturally, all the schemes, that the Government have undertaken not only in digging wells, but also in improving the existing tanks and channels and also doing everything possible with regard to affording small irrigation facilities, have not given us the full benefit on account of the failure of the monsoon in some districts and absolute absence of any rain in certain other districts.

"Regarding decontrol, some hon. Members spoke in favour of it. But I am glad to see that most of the hon. Members were afraid to introduce it at the present moment. The question of decontrol has been raised again and again here. But, as I said previously, the question of decontrol is not a matter which could be dealt with only by this State Government. It is also a common policy of the Government of India and whatever decision they take in the matter will have to be followed by all the States, of course, taking into consideration the difficulties experienced by the different States. Statistics may be misleading, but unless we are fairly certain of meeting the demands of all our people what is the guarantee that the people in the villages will get their meagre quota if left to the tender mercies of the landholders? Sir, this is an All-India policy which only the Government of India can decide.

"What is to be done now to improve the position and supply more food and stop further deterioration is the question. To be harping on the existing difficulties and trying to paint a lurid picture of the situation does not help us much at the present juncture. Suggestions regarding procurement, handling and quick despatch of grain to the affected areas were welcome and will certainly be borne in mind in tackling the present food problem, which is not only the Government's responsibility, but also that of every responsible citizen of this State. Speakers after speakers have admitted how the administration has been cheated and still being cheated by people not willing to part with their surplus foodgrains. I am not sure if the food now left unprocured in the State will be sufficient for all of us; but one thing is very clear that if the greater portion of the unusable stock were brought to light, our position will considerably improve. I am sorry to hear hon. Members from the surplus districts complaining of certain hardship caused to their mirasdars and producers by a further search for more grains. Can they not put up with some inconvenience for the sake of their starving neighbours especially when they are allowed to keep for their own requirements a producers quota of 16 oz. ? I am not trying to sidetrack the issue. I mention this only to show that even if the Government machinery is perfect, peoples' co-operation must be there. The Government wanted to bring the Anti-Black Marketing Bill sometime ago before this House, but we withheld it with the full hope and belief that hoarders and black-marketeers will behave themselves better and the provisions of the existing Acts will be quite sufficient to deal with them. The Government note with great regret that

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there is no improvement in the situation. On the contrary we see prices going up like anything increasing the hardships already caused by the food shortage.

"It has also been said that this Government had not brought sufficient pressure to bear on the Government of India with regard to the present food situation in time. I might just reveal one fact, to this House. Ever since the three lakhs tons of foodgrains was allotted to this State by the Central Government when our demand was for eight lakhs of tons, we did not spare any pains to bring home to the Government of India that it may not be possible at all even if the monsoon was normal and even if the procurement went apace, to carry on with the three lakhs of tons. We said that this quantity of three lakhs would be nothing to meet our full requirements. In spite of our repeated reminders, Sir, it was only in June, the Government of India came forward with 2½ lakhs of tons of further foodgrains and during this time, we were not keeping quiet. There were two Food Ministers Conferences. During these conferences as well as at every other meeting with the Central Government officials, we have pressed this matter. At one of these meetings, even Sardar Patel, the Deputy Prime Minister of the Union Government himself was present and he appealed to the other States to come to our rescue. To-day, we find that Mr. Munshi has issued a similar statement that the other States which are surplus in the country did not realize that they form part of one Indian Union and that there are States like Madras where people are suffering for want of food and the surplus States ought to come to their rescue and help. This matter was probably not sufficiently realised by the other surplus States, because even in their procurement policy and methods they were far behind to what we have been accustomed to here in this State. They have their own easy-going way of procurement, because they are surplus States and whatever was procured was utilised by them for their personal use and the rest was exported according to some standard which was not at all the maximum that they could provide for the Governments of the other States. That is why we pressed the matter home during the Food Ministers Conference. Though Sardar Patel was not expected to be present during this Conference, he called for a special meeting of all the Ministers present there and who had come from different States. At this special meeting, he explained the position to the other States. Now, Mr. Munshi has also taken up that question. Many hon. Members have complained that the Food Minister of the Central Government has not done anything to ease the present situation in the State. But I must say that he has done one great service in this respect. He is hammering on the other States with regard to their responsibility in this matter. I am sure such a move on the part of the Government of India will have a beneficial effect and at the next Food Conference which is expected to be held shortly in Delhi, I am sure some other arrangement will be evolved which will be more satisfactory to us than what we have been experiencing so far.

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"It was said that I threw the blame entirely upon Nature which was not good and all that. If I blame Nature, it is only to bring home to the hon. Members the fact that we could not reap the full benefit of all our short-term schemes over which we have spent crores of rupees. My point was that Nature did not co-operate with us in whatever scheme we may undertake. That would be a better way of putting an interpretation on my statement. As I said, we are spending lakhs and lakhs of rupees with regard to our irrigation schemes, well subsidy schemes and so many other improvements from which we might get a quick return. Of course, hon. Members raised the question of big projects like the Tungabhadra Project and so on. But we cannot expect to get quick returns from them and we cannot get any immediate benefits from them just at the present moment. We expected that by undertaking short-term schemes like improving the existing tanks, digging of new wells and so on we might get quick returns and immediate benefits in our programme, within a year or so. Anyone who has toured the districts and especially, the neighbouring district of Chingleput will know that at several places, people who have been given subsidies to do the work with regard to the irrigation improvement schemes and digging of wells and so on have done their work well, but these wells and tanks are still waiting to receive the supply of water through sufficient rain. To-day one can see in these deficit areas, small patches of green lands near and around these wells dug by the villagers under this scheme. I must say that this is somewhat helpful to these poor ryots. Besides, the other measures that the Government took with regard to this difficulty in which we are placed, is the popularisation of other foodstuffs. Though the Government have not done much with regard to the popularisation of the unfamiliar food, still we have been giving every help to the private agencies in this matter. Many people looked upon it as a huge joke because everybody thought that rice alone will satisfy our people. Of course rice is our main staple food which everybody knows. At the same time, when we have to face facts as they are at present we must face them. When there is shortage of rice, some other food can easily support our people and come to our rescue as supplementary food. Rice shortage was generally treated as equal to general food shortage. In many places, if the rice went short, it was considered that there was no food at all available. I am sure that many people especially in the urban areas have during the past few years been gradually changing their food habits. But in the rural areas, of course it has not become so popular as we anticipated. They still expect their share of rice and nothing more. In rural parts, millets are given and in certain areas these are becoming popular. In some parts, they were content with millets and they did not mind even if the rice portion of the ration was reduced.

"One of the results of the introduction of rationing in areas where people were formerly accustomed to millet eating is that those people have now begun to say that they have a taste for

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rice also. Accordingly they demand more rice and this new demand has resulted in falling of stocks of rice. They are however not happy since shortage of rice has set in.

"India is not the only country which faces such a shortage of food. Many would have seen or learnt through the newspapers how difficult the conditions in England were during the war and how the English people began to adjust themselves to the change in their food habits warranted by the then prevailing situation. Of course, we in India are always happy and proud to say that we can produce what we require. But we are reluctant to go in for other foodstuffs than rice. I agree that rice is our staple food. But when we are face to face with a severe shortage like the present one, thought should be given, especially by the educated people, to the substitution of other food in the place of rice or supplementing the rice portion of our food with other grains, in order to relieve the pressure on rice. Many hon. Members have said that more production is the only remedy. It is true that more production is the only cure for our chronic shortage and the Government have taken steps to the extent possible to increase production. I have given some idea of the work done in this connexion on previous occasions. Hon. Members are aware that there is a Food Committee for each district of which they are also members. They also know what schemes have been undertaken with regard to each district. Whenever they give any practical suggestions, they are attended to by the Government as quickly as possible. It may be that in certain places, they might have put up certain schemes which have not found favour with the Government. If there are any such schemes, I may inform the House that they are not practicable ones or not quite easy of execution or will not produce immediate results. Such schemes might have been kept in abeyance by the Government. Nevertheless, it is the duty of every district to help and co-operate with the Government in meeting the situation that has arisen out of food shortage. If this is forthcoming, then the Government need not go into the details of productions; they can attend to the recommendations of the Food Committee at the Secretariat level.

"Sir, some hon. Members made mention about the Manimuthar scheme in the Tirunelveli district. This affords an example of how a district which is deficit can tide over the situation by collective effort. The people have subscribed to a fund which will go to finance the scheme. I am giving you this information not because it is my district but because such attempts by the people will go a long way in easing the position. The position has to be eased at some time or the other and it is better that it is done quickly. There is no use of saying that we should try to get more supplies from outside. If every other district emulates the example of Tirunelveli it will not only solve the food crisis in the State but will improve the food economy of the country as a whole thus making it unnecessary for us to run up to Delhi at every stage.

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"The Government receive reports from the districts not only through the local officers but also directly from the touring higher officials. It was said in one of the speeches that the Government were not in touch with the conditions in the districts. It is not true to say that we are not in touch with the districts. In the last few days things have moved so fast that the Government have ordered that daily reports of the food situation in the districts should be submitted to the Government by wire. We are fully alive to the situation. The Nutrition Officer attached to the Government of Madras is constantly touring the districts and he is also giving reports as to the availability of foodgrains, the general health of the people, and their immediate requirements. Sir, samples of rice supplied to Coimbatore were demonstrated yesterday in this House. The other day another sample was demonstrated in the other House. After a previous demonstration of this kind, a thorough inquiry was made and it was found that the sample, which was from the district of Visakhapatnam, was not a representative one. It was taken out of a small lot and made much of. The gentleman who has sent the sample from Coimbatore is himself a member of the City Rationing Committee. He could have, as such, shown the sample to local authorities and taken an officer to the very spot for verifying facts. The Collectors have been empowered to destroy any stock that they find not fit for human consumption without any reference to the Government. Instead of taking up the matter with the local officials he has taken the trouble of sending the sample to this House (The Hon. Sri B. Gopala Reddi: 'to get cheap publicity') to get free advertisement. How does this help the people? It only adds to the general depression.

"Sir, there is one other matter which I wish to emphasise. We receive scores of telegrams and letters from the districts complaining of food shortage. The Government, before taking any decision, have to consult the local officials and it takes some time for them to submit a report. As I have been telling the people while on tour, it would be much better if the matter is taken up with the highest official of the district which will ensure quick results. I do not mean to suggest that otherwise it means trouble for the Government. It takes time to attend to individual cases and that results often in irritation and discontent among the people.

"There is a report which appeared in the Press—and an hon. Member also mentioned about it—that in Visakhapatnam the rice portion of the rations has been reduced to 3 ounces. According to the existing rules, millet-eating areas get only 3 ounces of rice and it is in respect of such areas that the order was passed. As such it was not passed for Visakhapatnam alone but for the whole State. There is an agitation over the question that the Government have removed a few thousand tons of rice from Visakhapatnam which is already a deficit district. The whole question will be well understood if I tell hon. Members how movements are arranged. While I concede that Visakhapatnam is a deficit

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district, it may also be called a 'surplus area' in the sense that whatever grains that are received into the State from the neighbouring States of Orissa and Madhya Pradesh are put in storage godowns in Visakhapatnam first and then only they are moved to other places in the State. Whenever movements are ordered provision is made for local consumption and the surplus alone is moved. People get confused over this and they think that all is produced in Visakhapatnam which I consider is a granary from the point of view of storage for other places—is taken outside that district. Since some misunderstanding has been created, we contacted the Collector of the district and he has given full particulars of the situation. The reduction as I have stated already was only in respect of millet-eaters. In the circumstances I am really surprised at the press report.

Regarding prices of foodgrains, it was said that we must control them. While the prices of cash crops like cotton are influenced by the economic conditions in the country, in respect of foodgrains, it is not desirable to pitch up their prices when they are indigenously produced. We have also to look to the interests of the consumers to whom we have to supply such an essential commodity as foodgrains at the minimum prices possible. But the Government have also to take into consideration so many other factors such as increase in the cost of cultivation, etc.,—which necessitates at times an increase in the margin allowed to the producers.

12-15 p.m. "Sir, the question was raised again that there is no rationing in surplus districts. If there is no rationing in the surplus districts, it is because the quantity of rice available is locally consumed—roughly at the rate of 10 ounces each—by the non-producers and partial producers and the surplus is moved to other deficit areas. Inasmuch as the surplus is procured for distribution elsewhere there is no point in having rationing in such areas which generally results in unnecessary and wasteful expenditure without producing any material benefit to the people. Sir, it is natural that judging from the figures hon. Members may think that in several places there is stock only for a day and there may not be anything for the day following. As I have already explained there are several bottlenecks in this process of procurement and distribution. In spite of these stocks are rushed to the interior places and therefore it does not mean when once the stocks are exhausted there will be no more stocks. Every day stocks are rushed to the places where there is need. Supplies are being rushed from all sides and the matter is being attended to. As a matter of fact, on the 9th August the stock of rice in Chingleput was more. In North Arcot also it was the same case. Further stocks are being rushed to these deficit district. The situation will improve when all the quotas allotted to these districts reach them.

"Sir, in this connection, I want to say a few words with regard to the moving of the stock from Kakinada to Tuticorin. It was said that the Government refused one of the previous offers of the

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steamer companies to transport the stock from Kakinada to Tuticorin and that the Government waited unnecessarily and delayed in the matter of transporting the paddy. The fact is that the Government invited offers from 2 or 3 steamer companies whether they will be able to take the stock of grains from Kakinada to Tuticorin and it was only one company which finally agreed to transport the stock. This steamer is leaving Kakinada port to-day. So, it is not at all the fault of the officers who arranged this thing that an early steamer was not given the chance, because there was actually no steamer. It might have been that one of the small steamers plying along the coast might have offered to transport the grains, but the quantity to be removed was 9,000 tons and unless they all go by one steamer there will be further delay. Such a large quantity cannot be economically distributed in two or three steamers. There is also the question of reliability of the steamer services. Some steamers may be taking their own time. Unless we are sure that the stocks are transported by regular line steamers, we cannot be sure how long they will take to reach their destination. So, the Government did not want to fix up any available steamer. On the contrary we have now fixed up one of the regular line steamers and that steamer is now moving from Kakinada to Tuticorin.

"Then Sir, I want to say a few words regarding the millet position in Rayalseema. It is true that the Rayalseema districts have given us more millets this year than in the previous years because the cyclone which struck the Circars and damaged some of their crops was somehow helpful to the Rayalseema districts because they got some water sufficiently early last year, with the result that their crop was fairly good. They have been generous enough to offer this extra surplus of millet for the deficit districts. Sir, when I was touring the districts, a suggestion was made to me that, since they are now surplus districts, the control might be removed and that they should be allowed to distribute the grains freely without any restriction. But the Government foreseeing some difficulty in this State later on did not agree to the suggestion. But we were careful enough to leave sufficient quantity of millets for local consumption. We have now finished moving our quota and I do not think any more millets will be removed hereafter from the Rayalseema districts.

"Sir, one of the charges made against me and also the Government in general was regarding certain matters in Guntur. It was said that we favoured the rich wholesalers and deprived the ordinary retail distributors of their due share of profit margin. The whole matter is centred round certain persons there, and I need not enter into the details here. The matter was referred to us. It is under examination by the Collector, because it is a matter in which the Government do not intend to do anything directly. It was a sort of local arrangement which they wanted to make and the Collector is being consulted as to how far this arrangement would benefit them and how far it will also help procurement and distribution. Naturally the Collector had to make the necessary

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enquiries, not only in his own district but also in the neighbouring district of Krishna in which it is already in force. It has taken some time. I am sorry that the Member who raised this point was rather vehement about it. And so, I thought that a word about this matter might be of some use.

"Sir, there are so many other points which hon. Members have raised on the floor of the House. I need not now go into them in detail. The main point was whether we anticipated the situation in time, whether necessary steps were taken in time, whether we approached the Government of India in time, whether sufficient pressure was put upon the Government of India in time, whether the grains intended for the deficit areas were moved in time and whether the present arrangements which we are now making will meet the situation. I have dealt with most of the points. I need not now go into the other points which hon. Members have been kind enough to suggest. As a result of this debate, the position has been very well understood not only by hon. Members here but also by the public outside. Now that the Government have taken the necessary steps and are bent upon seeing that the situation is dealt with as expeditiously as possible, I request hon. Members to co-operate with the Government and help the Government in the arrangements they are making in the districts. Hon. Members, by remaining in their districts will be able to render great help in this matter. Whatever the Government can do from here, we will do. I can assure hon. Members that we will spare no pains and see that everything is done to meet the situation and satisfy the people. I request hon. Members also to co-operate with the Government and see that the present situation is eased as much as possible, that we avoid the serious consequences which might arise if the present situation were allowed to continue. I have nothing more to add, Sir. I now request the Hon. Leader of the Opposition and Sri M. G. Natesa Chettiyar who have moved their amendments to kindly withdraw their amendments, in view of the fact that I have tried to put everything before the House as best I can and what is now required is some speedy action to meet the situation. I request them to co-operate with the Government. I thank you very much, Sir."

JANAB M. MUHAMMAD ISMAIL:—"Sir, a request has been made that my amendment may be withdrawn. What exactly is my amendment, Sir? It says that there has been suffering in the State. It has not been shown that there has been no suffering at all. In the second place I have said that the suffering might have been avoided. It has not been proved that this suffering was unavoidable. Then, Sir, I said that timely action . . ."

MR. SPEAKER:—"The hon. Member has no right of reply."

JANAB M. MUHAMMAD ISMAIL:—"I know, Sir, that I have no right of reply. If I had a right of reply, I would have

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proved my statements in the amendment. Sir, I have to submit to the rules though it is a question of life and death. We have not only to live according to rules, but also to die according to rules. (Laughter.) I am therefore not making any reply, Sir. I am only saying that my amendment has stated that there has been neither timely action nor adequate action. I am not convinced that the Government have made out a case that they have taken timely action and adequate action, so that avoidable suffering might have been prevented. Of course there has been some light thrown on certain points, but I have to state that the Government have not disproved my amendment. I am therefore very sorry I am not able to withdraw my amendment.

"Secondly, Sir, an appeal was made for co-operation. It is only for offering our co-operation that this debate was pressed upon the Government so that we may know how we are to offer it. As a result of this debate some light has been thrown on certain points, but it does not go far enough. I may assure the Government, Sir, that not only 100 per cent co-operation, but even 200 per cent co-operation is there, ready and waiting for the Government to avail themselves of. We want to know how we are to co-operate. It should not be a hush-hush policy, even as it has been indicated in a news item in the papers that information has been denied about the situation. We must know what exactly is the situation . . ."

MR. SPEAKER:—"I said that the hon. Member has no right of reply, but he is actually making a reply."

JANAB M. MUHAMMAD ISMAIL:—"For a regular reply, I would require one hour's time. I am prepared to prove the statement that the people are suffering. So, I am afraid I cannot withdraw the amendment."

MR. SPEAKER:—"I shall put the amendment to the vote of the House. The question is—

'Add at the end the following:—

"and on such consideration this House is of the firm view that the Government have failed to take timely and adequate steps to prevent avoidable starving of the people of the State.""

The amendment was lost.

* SRI M. G. NATESA CHETTIYAR:—"Mr. Speaker, Sir, I am requested to withdraw my amendment. That means, I am asked to simply withdraw the facts existing as at present and sometime before."

MR. SPEAKER:—"As I told the Hon. the Leader of the Opposition, the hon. Member has no right of reply."

* SRI M. G. NATESA CHETTIYAR:—"I request your indulgence in the matter, because it is a very important subject."

MR. SPEAKER:—"I know that."

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* SRI M. G. NATESA CHETTIYAR :—“ The fact is that the suggestions in my amendment are for the future and for the present to overcome the terrific indifference prevailing in the rural parts in regard to production of foodgrains.”

MR. SPEAKER :—“ I shall allow the hon. Member two minutes more.”

* SRI M. G. NATESA CHETTIYAR :—“ My amendment will help the Government. It is in conformity with the Government of India's policy also. To-day we have seen in the papers that the Congress Party in the Dominion Parliament has proposed to revise the procurement policy throughout India. It is in the interests of the country, the rural population and in the interests of the Grow-More-Food Campaign. It is true that the question of decontrol may be in the hands of the Government of India, but this Government has also to make the necessary suggestions. Is it not necessary, I ask this Honourable House, to represent our views to them? It is only for that purpose that I have moved my amendment. The way in which food control was introduced in this State, has also been according to my amendment . . .”

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

12-30 p.m. * SRI M. G. NATESA CHETTIYAR :—“ The Hon. Food Minister said just now that rationing is not in force in the surplus areas, that sufficient rations are given to them and there is no necessity to supply them. I ask the same question in respect of the rural population, who produce foodgrains.”

MR. SPEAKER :—“ Order, order. I wish to know whether the hon. Member is withdrawing the amendment. He has no right of reply.”

* SRI M. G. NATESA CHETTIYAR :—“ I beg your pardon, Sir; I request your indulgence for a minute; I shall finish my sentence. I was saying that as a result of procurement, sufficient surplus is not left behind in the producing area. Is it right that you should deprive the producer of every grain he has produced and also say that ‘ I am not giving him also any grain?’ It is not right. I am sorry to say, Sir, instead of asking me to withdraw my amendment, the Government may as well ask me to withdraw from the House—I am sorry to say it. So, I am not withdrawing; I am pressing my amendment.”

MR. SPEAKER :—“ Is the hon. Member withdrawing or not, I am not able to follow.”

* SRI M. G. NATESA CHETTIYAR :—“ No, Sir; I am not withdrawing.”

MR. SPEAKER :—“ Then I have to put the amendment to the vote of the House.”

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SRI A. VAIDYANATHA AYYAR :—“ Mr. Speaker, I would like to mention two or three points on which Government can throw some light. Would they immediately rush food to the rural areas which are now on the verge of starvation? That is number one. Again, until the next harvest that is coming, will they say they will not apply the screw to the poor people, but as a matter of fact try to procure only from the rich people who have got stock? That is number two. Thirdly, before the next harvest, will the Government try their level best—not merely do what they can here, but also press on the Central Government the fact that except in municipal areas and corporation area which have to be fed from surplus areas as well as from imports, rice will be sought to be decontrolled and that no procurement will be made there? Would the Government throw some light on these three points?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Sir, I have already said, during my reply, that we are dealing with this matter just now raised by the hon. Mr. Vaidyanatha Ayyar. I can only again repeat that all these facts will be taken into consideration and immediate attention will be paid to these matters.

“ With regard to the amendment which my hon. Friend Mr. Natesa Chettiyar has moved, there also I have said that it is not a matter in which this State Government can give any opinion or can come to any decision. It is entirely a matter which has to be placed before the Government of India; and I have already said that the matter will be raised at the next meeting in Delhi. Under such circumstances, I do not see how this matter can be pressed now on the attention of this Government.”

SRI M. G. NATESA CHETTIYAR :—“ As a matter of personal explanation, Sir. If the Government assure me that they will place the substance of this amendment before the Government of India, I am willing to withdraw. If they are not going to do it, if they do not assure me like that, then I press my amendment.”

MR. SPEAKER :—“ Is there any assurance going to be given by the Government? (After a pause.) I shall now put the amendment to the vote of the House. The amendment of Mr. Natesa Chettiyar is this—

‘ Add at the end the following :—

“ and on such consideration, this Assembly resolves that the Union Government be urged to confine food control and rationing to municipal and corporation areas of the Madras State only, the supply of which may be met from the procurement made in the rice surplus areas and from the quota of imported rice allotted by the Centre.” ’

The amendment was lost.

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SRI M. G. NATESA CHETTIYAR :—" I demand a poll, Sir."

MR. SPEAKER :—" I request hon. Members to occupy their allotted seats. Members of the other House will leave the hall now, if they are here. No more Members will be allowed into the House when the poll is being taken."

SRI PYDAH VENKATANARAYANA :—" Will the Hon. Minister for Food, as a special case, be allowed to remain, Sir?"

MR. SPEAKER :—" No."

(At this stage Sri Guntur Narasimha Rao, was seen entering the House.)

MR. SPEAKER :—" Will the hon. Member kindly leave the House?" (The hon. Member left the House.)

A poll was then taken, and the House divided thus :

Ayes.

- | | |
|-------------------------------|-------------------------------------|
| 1 Sri M. G. Natesa Chettiyar. | 3 Srimathi Bhupathiraju Bangarayya. |
| 2 S. Guruvulu. | 4 Sri A. Vaidyanatha Ayyar. |

Noes.

- | | |
|-------------------------------------|------------------------------|
| 1 The Hon. Sri B. Gopala Reddi. | 31 Sri M. R. Apparao. |
| 2 Sri A. Vedaratnam Pillai. | 32 S. Nagaraja Manigar. |
| 3 Dr. M. J. Samuel. | 33 G. Seetharamaswami. |
| 4 Sri Raja Gurunatha Chettiyar. | 34 V. Shanmugasundaram. |
| 5 N. Annamalai Pillai. | 35 K. Iswara. |
| 6 T. S. Arunachalam. | 36 N. Nagaraja Ayyangar. |
| 7 Dr. A. Chandu. | 37 R. Subba Ayyar. |
| 8 Sri O. Chengam Pillai. | 38 R. Kuppuswami. |
| 9 M. Doralkannu. | 39 B. Perumalla Nayudu. |
| 10 M. A. Easwaran. | 40 M. S. Pattabhiramiah. |
| 11 Dr. P. Govindan Nair. | 41 V. Ponnuswami Gounder. |
| 12 Srimathi V. Seethamahalakshamma. | 42 W. S. Srinivasa Rao. |
| 13 The Hon. Sri M. Bhaktavatsalam. | 43 R. Ramanujulu Reddiyar. |
| 14 The Hon. Sri H. Sitarama Reddi. | 44 A. Rayappa. |
| 15 Sri K. Rajaram Nayudu. | 45 S. K. Sami Goundar. |
| 16 B. Ananthachar. | 46 P. M. Velayudapani. |
| 17 P. Kakkan. | 47 P. S. Veluswami Gounder. |
| 18 S. Krishnan. | 48 Pydah Venkatanarayana. |
| 19 M. Kumaran. | 49 B. Venkatanarayana Reddi. |
| 20 A. Kuppuswami Nayudu. | 50 G. Venkata Reddi. |
| 21 Srimathi Anjalai Ammal. | 51 L. S. Karayalar. |
| 22 Mrs. Jebamoney Masfameoney. | 52 P. Venkatarama Ayyar. |
| 23 Srimathi K. Lakshmi Ammal. | 53 K. S. Nataraja Gounder. |
| 24 The Hon. Sri A. B. Shetty. | 54 M. P. Damodaram. |
| 25 Sri K. Chandramouli. | 55 R. Natesan. |
| 26 Sri B. Parameswaran. | 56 Sri V. Raghavayya. |
| 27 Sri N. Sanjeevi Reddi. | 57 S. Nagappa. |
| 28 Sri K. T. Kosalram. | 58 N. M. R. Subbaraman. |
| 29 S. K. Govindaraju Naicker. | 59 Thyagaraja Sholagar. |
| 30 K. Shanmugam. | 60 V. Kurmayya. |
| | 61 The Raja of Venkatagiri. |

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Neutral.

- | | |
|--|---|
| 1 Sri N. Govindaswami Nayudu. | 15 Janab P. K. Moideen Kutti. |
| 2 L. N. Gopelaswami. | 16 A. K. Kader Kutty. |
| 3 K. R. Karanth. | 17 Begum Sultan Mir Amiruddin. |
| 4 Dr. D. S. Ramachandra Rao. | 18 Janab Mahin Schammad. |
| 5 Sri D. V. Ramaswami. | 19 Muhammad Raza Khan. |
| 6 A. Jogi Nayudu. | 20 M. S. Abdul Majid. |
| 7 Raja Muthiah Chettiyar of Chettinad. | 21 N. Muhammad Anwar. |
| 8 Janab Abdul Hameed Khan. | 22 M. A. Muhammad Ibrahim. |
| 9 Sri W. J. Fernandez. | 23 V. S. Ibrahim. |
| 10 Janab H. S. Hussain. | 24 Sinna Kaziar Haji Moulvi S. A. F. Ibrahim. |
| 11 Shah Alam Khan Savoi. | 25 M. Ebrahim Coonhee. |
| 12 Sri A. S. Sahajananda. | 26 Haji, Moulvi Abdul Khader Jamali. |
| 13 Janab M. Muhammad Ismail. | |
| 14 Mahboob Ali Baig. | |

MR. SPEAKER :—" Ayes 4, Noes 61 and Neutral 26."

The amendment was declared lost.

MR. SPEAKER :—" I now put the original motion to the vote of the House." 12-4 p.m.

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Before you put the original motion, Sir, I would like to make a submission to the Hon. Food Minister. Now that the poll is over, the Hon. Food Minister can come in."

MR. SPEAKER :—" Suppose some Member asks for a poll on the original motion?"

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Then he will go out. My submission to you, Sir, is, there is nothing to prevent the Ministers from coming in."

MR. SPEAKER :—" The Hon. Leader of the House is here and the hon. Member can make his representation. If the Hon. Ministers want, let them come in."

(The Hon. Sri J. L. P. Roche Victoria and the Hon. Sri K. Madhava Menon entered the Chamber.)

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Sir, may I make a submission through you to the Hon. Food Minister before the main motion is put to vote? It would be a nice thing on the part of the Government, if in view of the serious situation that has been portrayed in the discussion here, the Hon. Food Minister would tell us that he would send immediately the proceedings of this debate to the Food Ministry of the Government of India."

THE HON. SRI B. GOPALA REDDI :—" The suggestion will be considered, Sir."

MR. SPEAKER :—" The motion is—
'that the food situation in the State be taken into consideration.'

The motion was carried.

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MR. SPEAKER:—“ Now there are 10 Bills before the House and I would like all of them being finished soon, because they are non-controversial so that as soon as the Bills are over, we may take up the educational policy of the Government.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—“ Since it is now quarter to one, we can finish all the non-controversial Bills and then take up the educational policy. Do you think, Sir, the educational policy can be taken up at 2-30? ”

MR. SPEAKER:—“ It all depends upon the House. If they pass all the ten Bills in 10 minutes, we can take up the other things soon.”

THE HON. SRI B. GOPALA REDDI:—“ Not likely, Sir. The educational policy can be taken up only in the afternoon.”

III.—GOVERNMENT BILLS.

(1) THE MADRAS BUILDINGS (LEASE AND RENT CONTROL) AMENDMENT BILL, 1950 (L.C. BILL NO. 1 OF 1950).

THE HON. SRI N. SANJEEVA REDDI:—“ Mr. Speaker, Sir, I beg to introduce the Madras Buildings (Lease and Rent Control) Amendment Bill, 1950, as passed by the Legislative Council and move—

‘ that the Bill be taken into consideration at once.’

“ Sir, this is a Bill to extend the life of the existing Act, till we bring forward amendments which are being considered by the Joint Select Committee. It is a most non-controversial Bill, which seeks to extend the life of the present Act by one year. I, therefore, hope the House will agree to it without any further discussion and pass the Bill and extend the life of the Act by one year.”

MR. SPEAKER:—“ Motion moved—

‘ that the Madras Buildings (Lease and Rent Control) Amendment Bill, 1950, as passed by the Legislative Council be taken into consideration at once.’ ”

JANAB ABDUL HAMEED KHAN:—“ Mr. Speaker, Sir, ordinarily, I should certainly not oppose the consideration of this Bill, but I would like to ask the Hon. Minister whether the Government have made any contribution towards the policy of giving up this measure at some stage and whether they can assure the House that they would bring into existence sufficient number of houses both for the poor as well as the middle-classes of people in the State who are living both in the municipal areas and in the cities. Will the Government tell us now at least that beyond this one year, they will not come forward with another Bill to extend the Act still further, or even bring in any other measure of any type? ”

** Printed as Appendix III on page 669 infra.*

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THE HON. SRI N. SANJEEVA REDDI:—“ Mr. Speaker, Sir, I am not sure if I can give such an assurance to Mr. Hameed Khan. It is impossible to foresee the future and say we will be able to solve the problem within a year or two. We have been trying our best to build some colonies here and there; there is the Gandhinagar colony, another at Aiyavaram and recently we have laid the foundation stone for another colony, and it may be ready within another year. So, Sir, the Government are trying to do what they possibly can under the present circumstances, and if we can find accommodation without resorting to this Act, we will be very glad. But, in view of the present difficulty, we have to resort to this Act and I am afraid it will not be possible to give it up in another one year. My hon. Friend Mr. Hameed Khan is on the Joint Select Committee and if he considers it desirable, he can bring forward some suitable amendments, we can discuss them and see if we cannot do anything useful in the matter. I, therefore, request him to support the motion.”

DR. D. S. RAMACHANDRA RAO:—“ Sir, I would like to ask a question . . . ”

MR. SPEAKER:—“ How can the hon. Member speak when the Hon. Minister has replied to the debate? ”

DR. D. S. RAMACHANDRA RAO:—“ I would like to ask him a question for clarification. I would like to know whether the Government will consider that in letting out houses the house-owner also will be consulted as to whether a particular party could possibly use the house properly or not, because the house-owner is responsible to see that the house is properly looked after and he would also be quite willing to let the house to such a party. So, Sir, the Government should also consider the wishes, as far as possible, of the house-owner also.”

THE HON. SRI N. SANJEEVA REDDI:—“ Sir, that question is now before the Joint Select Committee, they may decide one way or the other and I do not want to commit myself now. Moreover, in some cases it will be difficult to get the consent of the house-owner always. In certain cases, if the house-owner wants to create trouble, and is not prepared to give the house for Government tenancy, he will not give his consent for any officer who is proposed for that house. So, in some cases there will be that difficulty. Anyhow, Sir, this point will be borne in mind during the discussions in the Joint Select Committee and suitable amendments will be made.”

MR. SPEAKER:—“ The question is—

‘ that the Madras Buildings (Lease and Rent Control) Amendment Bill, 1950, as passed by the Legislative Council be taken into consideration at once.’ ”

The motion was carried.

Clauses 1, 2 and the Preamble were put and carried.

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THE HON. SRI N. SANJEEVA REDDI:—“ Mr. Speaker, Sir, I move—

‘that the Bill be passed into law.’”

MR. SPEAKER:—“ The question is—

‘that the Madras Buildings (Lease and Rent Control) Amendment Bill, 1950, as passed by the Legislative Council be passed into law.’”

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

(2) THE MADRAS ESSENTIAL ARTICLES CONTROL AND REQUISITIONING (TEMPORARY POWERS) AMENDMENT BILL, 1950.

THE HON. SRI J. L. P. ROCHE VICTORIA:—“ Mr. Speaker, Sir, I beg to introduce the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1950, and move—

‘that the Bill be taken into consideration at once.’

“ Sir, in moving this Bill, the Government consider that the life of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949, which expires on the 30th September 1950 should be continued for a further period of one year, that is, up to and inclusive of 30th September 1951. Clause 2 is intended to give effect to this object. Clauses 3 and 4 of the Bill seek to bring section 5 of the Act as far as it relates to the payment of compensation for immovable property requisitioned or acquired under the Act, into accord with the provision of Article 31 (2) of the Constitution.”

MR. SPEAKER:—“ Motion moved—

‘that the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1950, be taken into consideration at once.’”

1 p.m. SRI A. VAIDYANATHA AYYAR:—“ Mr. Speaker, I am glad that the Government are bringing in the measure after the Constitution so that for acquisition purposes the value sought to be given may be in accordance with the market value and not fictitious value. The original Act as it stood was one which enabled property to be acquired not with reference to the market value. The amendment, therefore, is not merely consistent with the Constitution but will also be just and equitable. But one point I would respectfully ask the Hon. Minister in charge of the Bill is that it goes against the fundamental principles of equity. Even under the original Act, there were two processes: The Government may require certain property and they may requisition it alone and it need not at all then want to acquire the property; the Government may not at that time want that property and it may require it for a temporary purpose. But at a later stage the Government may think of acquiring the property

* Published in Fort St. George Gazette Extraordinary, dated 31st July 1950.

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itself. Under any law applicable between man and man if you want to take any property for occupation, it must be with reference to terms and conditions obtaining at that time and similarly if you want to acquire it at a later stage, say ten or twenty years hence and have it for yourselves, it must be with reference to the value obtaining on the date when the acquisition is made; the value has to be fixed on that basis. The value at that time may be higher or may be lower. In clause 5, sub-clause (1) (d), the proviso says:—

‘Provided that where any property requisitioned is subsequently acquired, the arbitrator, in any proceedings in connexion with such acquisition, shall for the purposes of this clause, take into consideration the market value of the property at the date of the requisition as aforesaid and not at the date of its subsequent acquisition.’

To those who are acquainted with the scheme for town improvements the hardship will be quite clear. I have myself a case in Mathurai where they wanted to assess it at the rates obtaining in 1928. That is unfair. I find that running through many of the Acts is the one principle that so far as contractual relationship is concerned, the Government are not in any way in a superior position with regard to contracts. So the principle behind the proviso I have mentioned is against the ordinary contract law. So, considering that it is retrograde, I would respectfully suggest to the Hon. Minister in charge of the Bill to remove that proviso in order to make it consistent with the Constitution.”

JANAB M. A. MUHAMMAD IBRAHIM:—“ Mr. Speaker, Sir, I congratulate the Government on having brought in this measure so that the Act may be in conformity with the vital principles of the Constitution. The purport of it, as I read, is to introduce the principle of the Land Acquisition Act and in giving compensation the Land Acquisition Act elaborates certain procedure. But the proviso under sub-clause (1) (d) of clause 5 nullifies the whole thing. I, therefore, appeal to the Government along with the Learned Gentleman Mr. Vaidyanatha Ayyar that this proviso is inconsistent with the Constitution and may be removed. I also wish to point out that sub-clause (3) (a) of clause 5 is not also necessary at this stage. It also gives vast powers to the Government and they can pitch upon any person to give certain information and it does not restrict the powers of the Government to relevant persons who can give such information. That clause says:—

‘The State Government may, with a view to requisition or acquire any property under section 4, by order require any person to furnish to such authority as may be specified in the order, such information in his possession relating to the property as may be specified.’

Therefore, any person without any sort of connexion with the property may be asked to give some information about the property whether he is occupying the property or not or whether he is related to him or not. I submit, Sir, that it is too drastic and that clause also must be removed.”

SRI N. M. R. SUBBARAMAN:—“ கனம் தலைவர் அவர்களே! ஸ்ரீ வைத்தியநாத அய்யர் அவர்கள் சொன்னதைப் பூர்ணமாக நான் ஆதரிக்க

[Sri N. M. R. Subbaraman] [12th August 1950]

கிறேன். சர்க்கார் அதிகம் அதிகாரம் எடுத்துக்கொள்வது நியாயமில்லை. தனி நபர்கள் விஷயமாக சட்டம் எவ்வாறு இருக்குமோ அதேமாதிரிதான் சர்க்கார் விஷயத்திலும் இருக்கவேண்டும். சொத்து requisition செய்யும் போது அதற்கு தகுந்த விலையை உடனே கொடுக்காடல் வைத்துக்கொண்டு சில வருஷங்கள் கழித்து அவர்கள் acquisition பண்ணும் போது requisition செய்த காலத்திலிருந்து சொத்தின் மதிப்பைக் கொடுப்பதென்றால் பெரும் நஷ்டம் சொத்துக்காரர்களுக்கு ஏற்படும். இவ்விதம் செய்வது நியாயம் இல்லவேயில்லை. Requisition செய்த காலத்திலேயே பணம் கிடைத்திருந்தால் அதை வைத்துக்கொண்டு வியாபாரம் செய்தோ வட்டிக்கு விட்டோ பாங்கில் போட்டோ ஒருவர் சம்பாத்தியம் செய்யலாம். தவிர acquisition செய்யும் காலத்தில் வெளியே மற்றவர்களுக்கு விறகுல் அப்போதைய கிரயத்தொகை அவருக்குக்கிடைக்கும். ஆகவே இந்த மாறுதலைச் செய்யக் கூடாது என்று கேட்டுக்கொள்ளுகிறேன்.

THE HON. SRI K. MADHAVA MENON :—“ Mr. Speaker, if I have understood Mr. Vaidyanatha Ayyar correctly, his contention is that the proviso under clause 3 goes against natural justice since the property might have grown in value after it was requisitioned and so the actual value at the time of the acquisition must be given.”

SRI A. VAIDYANATHA AYYAR :—“ So far as the Land Acquisition Act is concerned whenever any property is acquired, it contains a proviso—

“ With a view to acquisition, the Government may occupy. In that case, the occupation is part of the acquisition itself. But under the Essential Articles Control and Requisition Act the property may not be acquired at all and it may be taken for temporary user which is not a case of acquisition at all. So long as it is a question of occupation, the question of acquisition does not arise. If they are going to enter on the property with a view to acquisition, it may be all right to say that the value at the time of taking it over should be taken into consideration. But when that did not arise then but subsequently the Government want to acquire the property, the market value on this date must be the guiding fact, namely, the date on which the Government intimates its intention to acquire the property.”

THE HON. SRI K. MADHAVA MENON :—“ Mr. Speaker, I do not know whether my hon. Friend meant that because it goes against the principles of natural justice, it will offend the Constitution.”

SRI A. VAIDYANATHA AYYAR :—“ The amending Act was intended to bring the original Act in conformity with the Constitution. But this aspect of the case, offends the principles of natural justice and contractual law as between man and man.”

* THE HON. SRI K. MADHAVA MENON :—“ Mr. Vaidyanatha Ayyar suggests that under land acquisition, when a notification is issued, the parties know that they will only get the price based on the value of the market rate at the time and his contention in cases covered by the amending Bill is that the party has no knowledge that it will be acquired for the property might

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have been taken up temporarily but the party will not be getting the advantage of increased price obtaining at the time when the property is acquired and so it is against natural justice. So far as I could see the principle adopted is the principle of the Land Acquisition Act and if the Government want to acquire the property the party will get the market value on the date of the occupation.”

SRI A. VAIDYANATHA AYYAR :—“ The most material thing is that there must be occupation with intention to acquire.”

THE HON. SRI K. MADHAVA MENON :—“ It can be argued that there is a little bit of unfairness in the matter and we will look into the matter.”

SRI A. VAIDYANATHA AYYAR :—“ But every case will not be one taken up with a view to acquire.”

THE HON. SRI K. MADHAVA MENON :—“ In the matter of fixing the price, we shall try to rectify things by executive orders and that is all that can be done in the matter now.”

JANAB MAHBOOB ALI BAIG :—“ The thing to be remembered is that, Sir, between the date of the occupation and the date of acquisition, the party is paid compensation for the occupation, for the use thereof; therefore, in those circumstances, how can the party said to lose anything?”

THE HON. SRI K. MADHAVA MENON :—“ That is an answer to Mr. Vaidyanatha Ayyar; it may be quite correct that the party will be getting rent during the period.”

SRI A. VAIDYANATHA AYYAR :—“ Under land acquisition, the party knows that the Government will be taking over the land compulsorily and the price will be fixed according to it. But here if rent is paid for a period for which you have entered upon the property of another person, how can it be called compensation paid to him, when there is no mention of your taking the property.”

SRI K. R. KARANTH :—“ Mr. Speaker, I think, Sir, the point is one which cannot be done by executive orders of the Government. If the Statute clearly says that it shall be the market value of the property on the date of the requisition of the property—it may be ten years ago when an acre of land would have cost Rs. 100 but to-day by mere inflation that Rs. 100 would have become Rs. 400 how can the position be set right by executive orders? There are also certain difficulties which the Government ought to take into consideration. The land which has been requisitioned might have been a vacant land and later the Government during the period of requisition might have put up some construction upon it. Therefore, they should also take into consideration the nature of the property at the time of the requisition

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and not after the improvement. Therefore, I feel that it cannot be done by executive action since it has been stated in the enactment that the market value shall be the basis on which the price will be fixed. It is, therefore, a matter which ought to be considered by the Cabinet. There is of course no objection to the extension of the Act for a year but the other point is one which requires further consideration."

SRI PYDAH VENKATANARAYANA :—" Mr. Speaker, Sir, it is unfortunate that no hon. Member has given notice of an amendment to the Bill but that does not mean that the Government should not come forward with any amendment. Requisition is quite different from acquisition and requisition has become quite popular everywhere because for military purposes they wanted lands for temporary purpose. But if they want to acquire it at a price prevailing at the time when the property was requisitioned which would have been ten years ago or more, it is not justice. The Government may think of acquiring any lands now at this stage, at prices obtaining ten years ago, when properties have appreciated in value; that will not be doing justice to the people. It is impossible for the Government, after this Bill has been placed on the Statute Book to say that they will rectify things by executive orders because no executive order can run counter to the provisions of an Act. I, therefore, request the Hon. Minister to reconsider the matter and at least at this stage come forward with an amendment."

SRI A. VAIDYANATHA AYYAR :—" Mr. Speaker, I believe the Hon. Law Member was quite bona fide in thinking that he might rectify by rules. But unfortunately according to the Bill placed before the House, the wording is 'shall take into consideration the market value of the property at the date of the requisition' and it does not contemplate the price being fixed with reference to rules or executive instructions to be issued by the Government for rectifying the injustice."

THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, it is a matter of policy for this House to define what exactly the price which the Government should pay when they take a property for their own purposes. Apart from that, with due deference to Mr. Karanth and Mr. Vaidyanatha Ayyar, the wording in the Bill is, 'the arbitrator, in any proceedings in connection with such acquisition shall, for the purposes of this clause, take into consideration the market value, etc.' The wording is not 'shall award'; it is only 'shall take into consideration.' That means, it will be one of the matters he will have to consider in fixing the price. So, there is no difficulty in accepting the proposed amendment. Then, Sir, this is only a Bill for extending the existing Act till 30th September 1951; and so, if this Bill is not passed the original Act will cease to operate. Further, I can also say that as far as possible the Government would not acquire any property; and even if such unfortunate acquisition

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happens, there is the wording in the Act 'shall take into consideration the market value' only and not 'shall award.' So there is no harm in accepting the amendment."

The motion was put and carried.

Clauses 2, 3, 4 and 1, and the Preamble were put and carried.

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

'that the Bill be passed into law.'"

MR. SPEAKER :—" The question is—

'that the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1950, be passed into law.'"

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

MR. SPEAKER :—" I have to announce that the House will sit till 1-45 p.m. The Leaders of the parties have agreed to it."

(3) THE MADRAS ENTERTAINMENTS TAX (AMENDMENT) BILL, 1950.

THE HON. SRI B. GOPALA REDDI :—" Mr. Speaker, Sir, I beg to introduce the Madras Entertainments Tax (Amendment) Bill, 1950, and move—

'that the Bill be taken into consideration at once.'

" Sir, in this Bill we are only extending the life of the measure we passed last year by another three years. The view was held last year whether the Government of India's measure on the information bill would affect this Entertainment Tax Act. So we passed this Act only for one year. Now we see there is no such danger, and so we are extending this Act for three years. I have also got figures of receipts from the Entertainments Tax, which shows that the income from this source is not at all impaired. It is steadily on the increase. In 1949-50 the total revenue from this source is 113.50 lakhs; out of which the receipts from cinema shows is 26 lakhs, and this year, it is 27.40 lakhs; and so the fear expressed by Mr. Vaidyanatha Ayyar last year that there may be a decrease in revenue has not come true. And this year, for the first three months, that is, till the end of June the revenue from cinema shows is 26.58 lakhs. All told we have a surplus of five lakhs. It is not a small sum; and so it is necessary that we should extend the life of this measure. The original Act expired on the 31st July 1950; and we issued an Ordinance, as the Legislature was not in session. Then, again, Sir, we have decided to forgo the sales tax on newspapers (which may come to two lakhs) as a gesture of goodwill to the Press, which has been rendering yeoman service to the public. We have decided also to forgo the entertainment tax on dramatic benefit performances (though orders have not yet been issued); for drama is

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now in a dying stage, and we want to revive it or keep it alive. We may be forgoing three to four lakhs. So, Sir, I seek the permission of the House to continue this measure for another three years."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, the Government seek to extend the life of this measure for three years. May I ask them what does it indicate? Does it indicate that the present Government expect to be in office for three years more?"

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

JANAB ABDUL HAMEED KHAN:—"If that is so, why should they commit the future Government? Why not leave it for them to revive it or amend it or annul it by passing this Bill only for one year. After all, the Government of India intend to hold the elections in May 1951. That being so, why should we pass this Bill for three years?"

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, while I agree with the Government that entertainments may be taxed or ought to be taxed, we ought to consider one point. After all this tax is supposed to bring in a revenue of five lakhs. Sir, in the last few days and months, we have had to pay to the Madhya Pradesh and Uttar Pradesh a sum of one crore and eight lakhs of rupees to import rice for us. Besides that we have had to pay 42 lakhs of rupees to import rice from abroad. Thus all told it comes to two crores. One is tempted to ask, therefore, why should the Government levy this tax on already overburdened people? So I request the Government not to bring this measure as a measure of economy."

SRI B. S. MURTHY:—"Mr. Speaker, Sir, I am glad to hear that the Government are contemplating to exempt drama from entertainments tax. Recently, the report of the Dramatic Art Revival Committee has recommended that it was high time that drama was revived and was encouraged by the Government. It is a fact that drama in the Andhra is deteriorating. The Government have not done anything to give it a fillip. If the entertainments tax is not levied on dramatic shows, that is, on amateur dramas, it will go a long way to revive that dying art. A popular Government should try to give entertainments to the people. The Government should contemplate on taxing the rich and allowing the poor people to have some entertainment. Therefore, if I give my vote for the passing of this Bill I do so with the request that the Government come forward very soon for the complete abolition of entertainments tax."

SRI PYDAH VENKATANARAYANA:—"Mr. Speaker, Sir, in the cinema show there is no life; but in drama there is life and as that art is fast dying, it requires protection. The Hon. Minister said that the Government are contemplating of exempting

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dramatic shows from entertainments tax. I wish they had done so in this Bill itself. I hope very soon they would come forward with the necessary legislation."

THE HON. SRI B. GOPALA REDDI:—"I have nothing to reply."

MR SPEAKER:—"The question is—
'that the Madras Entertainments Tax (Amendment) Bill, 1950, be taken into consideration at once.'"

The motion was carried.

Clauses 2, 3 and I and the Preamble were put and carried.

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, I beg to move—

'that the Madras Entertainments Tax (Amendment) Bill, 1950, be passed into law.'

"Sir, it is only with regard to taxing cinema shows in places where there are two lakhs of residents in cities, two lakhs of residents in bigger municipalities, one lakh of residents in smaller municipalities and with over ten thousand persons in other cases this Bill would apply. The question of giving exemption to dramatic performances is certainly receiving sympathetic consideration of the Government, and it may be, we may bring necessary legislation, if found necessary. We hope to bring it very soon."

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

(4) THE MADRAS CONTINGENCY FUND BILL, 1950.

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, I beg to introduce the Madras Contingency Fund Bill, 1950 and move—

'that the Bill be taken into consideration at once.'

"Sir, as explained in the statement of objects and reasons appended to the Bill, the Government could hitherto meet expenditure on new schemes not provided for in the budget of the year as and when necessary and regularize it later by moving a supplementary demand for a grant. The present Constitution does not permit of this procedure but it authorizes the State Legislature to pass a law for establishing a Contingency Fund in the nature of an imprest to meet unforeseen expenditure. It is accordingly proposed to establish a Contingency Fund for this State.

"I may mention that some other States, for instance, Bihar and Assam have already constituted Contingency Funds with effect from the 1st April 1950. The Government of India are also introducing in the current session of the Parliament the

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necessary legislation for constituting the Contingency Fund of India with a sum of Rs. 15 crores to its credit. In fact, from the newspapers this morning we find they have just passed such a legislation. Provision has been made in the Bill for withdrawing a sum of one crore of rupees out of nearly thirty-four crores of rupees now at the credit of the Revenue Reserve Fund of the State and transferring it to the credit of the Contingency Fund. In accordance with Article 267 (2) of the Constitution of India, the Contingency Fund will be at the disposal of His Excellency the Governor and he will make advances out of the Fund for the purposes of meeting unforeseen expenditure pending authorization of such expenditure by the Legislature through a Supplementary Appropriation Act. As soon as any such expenditure is regularized by the State Legislature, the amount of the advances originally made from the Contingency Fund will be recouped to the Fund.

"The budget of each year prepared in advance for that year cannot be expected to provide for all kinds of expenditure that may have to be incurred during the year. Unforeseen expenditure will always arise and in case of extreme urgency, it will not be practicable to wait for the regular approval of the Legislature for incurring the expenditure. At the same time it is necessary to ensure that as far as possible expenditure not provided for in the budget should not be incurred in anticipation of the authorization of the Legislature. The amount of one crore of rupees to be initially credited to the Contingency Fund has been determined with reference to the above factors, and it is only about two per cent of the Government's present annual revenue. In previous years, supplementary estimates used to be presented towards the close of the year, that is after practically all the expenditure has been incurred, to the tune of Rs. 10 crores or over. If this Bill becomes law, the Government can incur expenditure only up to Rs. 1 crore through the machinery of the Contingency Fund on urgent unforeseen items. If the expenditure in excess of this limit has to be incurred at any time, prior sanction of the Legislature will have to be obtained. I am sure that the Hon. Members will welcome this limitation on the amount of supplementary estimates that may be presented to the Legislature for *post facto* approval."

SRI A. VAIDYANATHA AYYAR:—"May I know from the Hon. Minister what, he means by 'imprest'?"

THE HON. SRI B. GOPALA REDDI:—"It is a sort of permanent fund from which we can draw whenever we are likely to incur expenditure not included in the regular budget; and towards the end of the year we seek the sanction of the Legislature for a consolidated sum of expenditure incurred. Till now we were incurring such expenditure and bringing a supplementary demand of expenditure to the tune of nine or ten lakhs. But hereafter we cannot do it, for there is an automatic limitation put on what we can spend in anticipation of the sanction of Legislature."

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SRI A. VAIDYANATHA AYYAR:—"Suppose an expenditure which is met by taking an advance from the Contingency Fund is refused by the Legislature when it comes up for regularization. What happens to the money?" 1-30 P.M.

THE HON. SRI B. GOPALA REDDI:—"Then the Government resigns."

JANAB ABDUL HAMEED KHAN:—"On a point of order, Sir, the motion has not been put to the House but the discussion is going on."

MR. SPEAKER:—"The motion is—
that the Madras Contingency Fund Bill, 1950, be taken into consideration at once."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, I am sorry that the Hon. Leader of the House seeks to pass a highly controversial Bill like this within ten minutes."

THE HON. SRI B. GOPALA REDDI:—"How is it controversial?"

JANAB ABDUL HAMEED KHAN:—"It is absolutely controversial though he may not consider it to be so. This is a measure of far-reaching importance in which he wants to take power to spend as much as one crore of rupees without the previous sanction of the Legislature."

"Section 11 of the Madras City Municipal Act empowers the Commissioner to incur any expenditure within the prescribed maximum and then come up before the Corporation Council for ratification. The possibility of an emergency is taken into consideration and the Commissioner is given that power. A similar power is sought to be taken by the Government. They want power to spend as much as one crore of rupees without including the item in the budget. It is true that the Constitution necessitates this legislation and that the Government of India also have come forward with a similar legislation. If the Government of India and this Government resort to measures like this, one cannot but characterize it as a Fascist attempt to take away the very small vestige of democracy that they seek to establish in the country. I therefore suggest that the Hon. Finance Minister might adjourn the consideration of this Bill and take it up at the proper time. Nothing will be lost thereby. I do not think that there will arise any emergent necessity on which the Finance Minister will have to spend without reference to the budget for the year as passed by the Legislature."

THE HON. SRI K. MADHAVA MENON:—"We have to pay a higher salary to the elementary school teachers."

JANAB ABDUL HAMEED KHAN:—"The Hon. Gentleman, the Minister for Education, retorts that he has to pay a higher

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salary to the elementary school teachers. Certainly he ought to have anticipated it at the time of the budget, and come forward with some other measure.

"The Government should not rush through the legislation in the manner in which they seek to do it. This should have been referred to a Select Committee. To-day the Government are justifying their existence by passing any number of Bills within half an hour. If this cannot be called 'rushing through' legislation, I do not know what else to call it. They may say that these Bills are non-controversial. Certainly this is not the way in which they should treat the Legislature."

SRI K. R. KARANTH :—Mr. Speaker, Sir, I support substantially what the hon. Gentleman has said just now. The virtue of a 'new scheme' is that it should come up before and be approved by the House. It is no doubt true that during the last two or three years, crores of rupees were spent and the Government came forward with supplementary demands later on. I remember that in the olden times the Government could never spend anything without the Legislature sanctioning at least a token demand for it. This Bill enables the Government to approve any new scheme that they think necessary without consulting the Legislature and incur expenditure on it by taking an advance from the Contingency Fund. The amount in the Fund is not small; it is as much as one hundred lakhs. I have the least objection to give them fifteen or twenty lakhs of rupees for an emergent purpose like affording relief to the sufferers in a flood or cyclone when urgently needed and there is no time to summon the House and get its approval. If there is time to summon the House, every new scheme should be placed before the House. Under this Bill, the Government can spend anything up to a crore of rupees without consulting the Legislature and later on come up for more funds to make up the deficit in this Fund. This is a very unwholesome practice and I submit that it takes away the usefulness of the budget. At the time of the budget, we discuss the priority of the schemes with reference to the total revenues of the State. I say that this Bill takes away an essential power of the House and that is against the principles of democracy."

SRI PYDAH VENKATANARAYANA :—Sir, I request the Hon. Minister to enlighten me on the following three points. Firstly, does this Bill confer more rights or restrict the rights already enjoyed by the Government? Secondly, when any expenditure is incurred by taking an advance from the Contingency Fund, is it not necessary for the Government to get the approval of the Legislature subsequently? Thirdly, will this one crore of rupees suffice, considering the fact that the supplementary demand in the past years has been as much as seven crores, eight crores and so on?

* SRI L. N. GOPALASWAMI :—Mr. Speaker, Sir, while I support the Bill, I want some clarification. I want to know whether an advance from the Contingency Fund can be taken only

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for expenditure on new schemes or whether it can also be for excess expenditure in respect of schemes already approved by the Legislature. If advances can be taken for excess expenditure on approved schemes also, then I am afraid this one crore will not be enough. As and when necessity arises, the advance taken will have to be recouped from the general funds.

"As regards Sri A. Vaidyanatha Ayyar's point about the expenditure incurred from the Contingency Fund being turned down by the Legislature, that is exactly why the Bill restricts the amount which the Finance Minister can spend and I think this is a step in the right direction."

THE HON. SRI B. GOPALA REDDI :—Mr. Speaker, Sir, there is a Case Law given by the Accountant-General and also by the Public Accounts Committee as to what should be termed a 'new service'. Four or five days ago, a meeting of the Public Accounts Committee presided over by the Leader of the Opposition was convened to consider some variations in the stipulations which constituted a 'new service'. Increase in expenditure on schemes approved by the Legislature cannot be met by drawal from the Contingency Fund. Suppose there is a budget provision of thirty lakhs of rupees for the Commercial Tax department. If we appoint some more officers and the expenditure is increased by one or two lakhs on that account, it will not come under the definition of a 'new service'. Only expenditure on items which have not been contemplated by the budget altogether and which are 'new services' under the rules in the matter can be met by taking advances from the Contingency Fund. This subject was considered at great length by the Constituent Assembly and also at the Finance Ministers' Conference. The position in the States and the Centre was not at all satisfactory. The Constitution-makers thought that it should not be allowed to continue any longer and put a definite limitation on the expenditure on unforeseen items incurred without the approval of the Legislature to the amount in the Contingency Fund which the State Legislature was authorized to constitute. Hereafter we cannot go in the way in which we were going in the past. The supplementary demand in 1946-47 was for nine to ten crores. In 1947-48, it was about seven crores and last year it was about five crores. Last year the supplementary demand of the Central Government was for one hundred crores and every member raised a hue and cry in the Parliament.

"The Bill restricts the expenditure that can be incurred on unforeseen items to the amount in the Contingency Fund, that is one crore. The expenditure incurred by drawal from the Fund will have to be approved by the Legislature subsequently. A Contingency Fund of one crore is not much for a State which has a revenue of fifty-five crores and an investment on capital work of fifteen crores. The Legislature may not meet for several months. This time we have met after a lapse of four months. During the interval many irrigation, electricity or similar schemes may come up for approval. It is a well-known fact that we are extending irrigation and electricity. Those schemes might not have been

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ripe for inclusion at the time of the preparation of the budget. We cannot anticipate all the schemes and provide for them in the budget."

MR. SPEAKER :—" The question is—

' that the Madras Contingency Fund Bill, 1950, be taken into consideration at once.' "

The motion was carried.

Clauses 1, 2 and 3 and the Preamble were put and carried.

THE HON. SRI B. GOPALA REDDI :—" I move—

' that the Bill be passed into law.' "

MR. SPEAKER :—" The motion is—

' that the Madras Contingency Fund bill, 1950, be passed into law.' "

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

The House then rose to meet again at 2-30 p.m.

(After lunch—2-30 p.m.)

(5) THE MADRAS CO-OPERATIVE LAND MORTGAGE BANKS
(SECOND AMENDMENT) BILL, 1950.

THE HON. SRI K. CHANDRAMOULI :—" Mr. Speaker, Sir, I beg to introduce the Madras Co-operative Land Mortgage Banks (Second Amendment) Bill*, 1950 and move—

' that it be taken into consideration at once.' "

" Sir, at present there is no provision in the Madras Co-operative Land Mortgage Bank Act, 1934, for the issue of certified copies of documents obtained and kept by land mortgage banks in the course of their business and any entries in such documents, for purpose of evidence in courts, although there is such a provision in respect of documents before the officers of such banks under sub-section (1) or (2) of section 29-A of that Act. As a result of this, the original documents will have to be produced before courts and this involves some trouble and inconvenience to the banks, not to speak of the delay which occurs in the return of the documents by the courts. The Bill provides for the grant of copies of original documents or any entries in such documents obtained and kept by land mortgage banks in the course of their business and they are admissible as evidence in courts. A similar provision is contained in sub-section (3) of section 29 of the Land Mortgage Bank Act in respect of documents produced under sub-sections (1) and (2) of that section.

" With these words, I commend the Bill for the consideration of the House."

* Published in the Fort St. George Gazette, dated 16th July 1950.

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MR. SPEAKER :—" Motion moved—

' that the Madras Co-operative Land Mortgage Banks (Second Amendment) Bill, 1950, be taken into consideration at once.' "

JAYAM M. A. MUHAMMAD IBRAHIM :—" Mr. Speaker, Sir, I heartily congratulate the Government on having brought forward a Bill of this nature. It is a long-felt need and it has been recognized in courts and this defect in the Land Mortgage Banks Act has been severely criticized in courts. For want of a provision of this sort, the whole documents have to be produced by the land mortgage banks before courts, not to speak of the trouble and inconvenience involved. Hereafter certified copies of the documents could be produced and this would save a lot of trouble, time and inconvenience to the banks and the clients. I therefore wholeheartedly support the Bill."

MR. SPEAKER :—" The motion is—

' that the Madras Co-operative Land Mortgage Banks (Second Amendment) Bill, 1950, be taken into consideration at once.' "

The motion was carried.

Clause 1 was put and carried.

Clause 2.

MR. SPEAKER :—" The hon. Mr. Bhaskiyam who gave notice of an amendment to this clause is not here. The amendment is deemed to have been withdrawn."

Clause 2 was put and carried.

The Preamble was put and carried.

THE HON. SRI K. CHANDRAMOULI :—" I move, Sir—

' that the Bill be passed into law.' "

MR. SPEAKER :—" The question is—

' that the Madras Co-operative Land Mortgage Banks (Second Amendment) Bill, 1950, be passed into law.' "

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

(6) THE MADRAS AGRICULTURISTS' RELIEF (AMENDMENT) BILL,
1950.

THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, I beg to introduce the Madras Agriculturists' Relief (Amendment) Bill*, 1950 and move—

' that it be taken into consideration at once.' "

" Sir, as the House is aware, we made certain amendments to the Madras Agriculturists' Relief Act year before last, on account

* Published in the Fort St. George Gazette, dated 26th July 1950.

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of certain difficulties experienced in the working of that Act. Now as a result of the working of the Act for the last two years, we have found that certain other difficulties have crept in. Explanation III to section 8 of the Act, as it now stands, includes not merely the case where there is no change in the identity of the debtor or creditor or where the change is only an apparent one cloaking *benami* transactions but also the case where an independent loan is raised for the purpose of discharging a previous loan and having no other connexion whatever with it. To regard such an independent transaction as a renewal of the original loan will give rise to considerable hardship. It is rather unfair that an independent loan to be wiped off like that, and so I want to exclude such an independent transaction from the purview of the Explanation. The other thing is that the Explanation is not applicable to a case where the original debt is split up among the heirs of the debtor or creditor. Thus the debt does not come within the scaling down provision, and I want to see that even if a debt is split up, it comes within that provision.

Then, Sir, in the usufructuary mortgages where the mortgagee is in possession of property the Act has to be applied under certain conditions. Many cases have been brought to our notice where in a hundred items of property, about 50 items were usufructuary mortgages and the remaining items were hypotheca and the High Court has said that the Act would not apply to such cases. I am only making the Act applicable to these cases also.

"Sir, the other amendments are only consequential amendments and I commend the Bill for the consideration of the House."

MR. SPEAKER :—"Motion moved—

'that the Madras Agriculturists' Relief (Amendment) Bill, 1950, be taken into consideration at once.'

SRI A. VAIDYANATHA AYYAR :—"Mr. Speaker, Sir, even when the Hon. Law Minister brought forward the original Bill for including usufructuary mortgages and also for renewal of debt, I pointed out this difficulty. But somehow or other the Act had not been amended then. I pointed out that new persons who had advanced money for the discharge of other persons' debts should be brought within the ambit of this Act, though they had paid cash for the discharge of other persons' debts. I am glad that the Hon. Minister has at least now realized the necessity for bringing in this amendment."

"Sir, one other thing that I want to mention is this. Wherever this Act has been worked, there is this complaint and I do not know whether the Hon. Minister has come across with such complaints. The complaint generally is this. Obviously the reason for scaling down all the mortgage debts in the case of usufructuary mortgage for 30 years or part thereof is due to presumption that the persons in the enjoyment of the usufruct would have given the requisite money not merely for the purpose of satisfying

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the interest but also a proportional share of the principal. It is on that presumption that the Hon. Minister has brought forward this amendment, so as to bring usufructuary mortgages also within the scope of the Agriculturist Debt Relief Act, making for the total abolition of the debt, if the mortgage is more than 30 years and for a proportionate reduction of the debt if it fell short of 30 years. In respect of one class of cases where the mortgagee has leased the property to the mortgagor, the amendment as introduced says that rent shall be treated as interest and shall be taken into consideration for the purpose of scaling down the debt under sections 8 and 9 of the Act. That means, that if the mortgagor is in possession of the land under a lease agreement with the mortgagee, but never pays the rent and it is allowed to accumulate, then, only the balance of the amount alone is wiped off or proportionately reduced. Under such conditions, the mortgagor is really getting a double benefit, because the interest on the loan is scaled down by the original Act, treating the mortgage amount as a loan. But, at the same time though the mortgagee never enjoyed the actual land, nevertheless the principal also is wiped off. In such cases, it has been stated in *mufassal* courts that the rent payable shall be deemed to be interest and shall be scaled down under sections 8 and 9 of the Act. I am sorry, Sir, that this aspect of the question has not been noticed by the Hon. Minister for Law, though it is most common in *mufassal* courts. I therefore want the Hon. Minister for Law to consider the cases I have mentioned and to see that there might not be any double benefit given to the mortgagor, in cases where the mortgagee is not in possession of the property but has leased out the property to the mortgagor, because he loses both interest and principal."

JANAB P. K. MOIDEEN KUTTI :—"Mr. Speaker, Sir, I do not know why the Hon. Minister is rushing through this Amending Bill. I do not think, Sir, it is so simple or so innocuous as it looks. In fact the point referred to by hon. Gentleman Mr. Vaidyanatha Ayyar was brought to the notice of the Hon. Minister for Law during the last amendment in the Select Committee. In fact, it is a very hard case, where a mortgagor is put in possession of the property by the mortgagee, he does not even pay the interest, but simply because he has been put in possession for such a long time and he has not been able to pay, not only interest but the principal also has to be wiped off by this amendment. Therefore I strongly urge upon the Hon. Minister for Law, that since there are so many points of controversy in this Bill, it might be referred to a Select Committee, so that these points might be thrashed out and the difficulties and hardships caused to one or the other party might be removed."

JANAB M. MUHAMMAD ISMAIL :—"Mr. Speaker, Sir, the Amending Bill, as it is, deals with an important matter. The previous two hon. Members who spoke on this Bill have put forward certain points for the consideration by the Hon. Minister. This Bill affects real interests and real property. Therefore, I don't

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think it ought to be one of the Bills that ought to be passed so urgently and in a few minutes at this juncture. I think that the Government will be doing justice to all the parties, the mortgagee and the mortgagor and the agriculturists and the others, by referring this Bill to a Select Committee and enabling the members of the Select Committee to thrash out these points. I do not think, Sir, that this is such an urgent Bill as the previous ones and therefore, I may add my request to those of the previous speakers that it may be referred to a Select Committee. I therefore request the Hon. Minister to come forward with a motion that this Bill be referred to a Select Committee."

THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, I am sorry that the hon. Leader of the Opposition was talking without reading the Bill at all. My hon. Friend Mr. Vaidyanatha Ayyar was not referring to this Bill at all when he made his remarks. He was telling us that there was another section which was passed last year, where a mistake had been committed according to him and which had to be corrected. That has nothing to do with the Amending Bill now under discussion in this House. He pointed out that in the case of usufructuary mortgages, where the mortgaged property has been leased back to the mortgagor, we are presuming that the rent has been paid by the mortgagor, and in such cases the rents go to reduce not only the interest but also the principal on the original mortgage. If he did not pay the rent, he should not get the scaling down of the interest or the principal. Of course, I understand the difficulties in such cases and I shall examine them and try to rectify if it is really a mistake. But that is not the subject-matter of the present Bill; so that the speech of my hon. Friend Mr. Vaidyanatha Ayyar need not be taken as opposing this Bill altogether."

2-45 p.m. SRI A. VAIDYANATHA AYYAR :—" May I point out, Sir, what the Hon. Mr. Madhava Menon is just now doing is merely to alter certain clauses in the Bill and substitute for those clauses new clauses? The substituted clause contains that. Therefore it can be altered."

THE HON. SRI K. MADHAVA MENON :—" Sir, my answer to Mr. Vaidyanatha Ayyar is this. In the prior amendment that we have accepted this has been anticipated by me. It is not a case of overlooking. In sub-clause 9 (b) of clause 4 of the Bill, it is stated :

"In cases falling under sub-section (5) (a), where the property has been leased back to the mortgagor by the mortgagee, nothing contained in that sub-section shall affect the right of the mortgagee to recover any rents due to him under the lease for any period before the date on which the mortgage debt is deemed to have been wholly discharged by virtue of that sub-section, if such rents have not become barred by limitation under any law for the time being in force."

If there is a case where the mortgagee has not been able to get the rent from the mortgagor, that is saved, and the mortgagee can sue for the rent and get it back. There is no question of double payment or double loss for the mortgagees. The Bill is in favour

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of the debtor, though, of course, I do not say that everything in favour of debtors should be rushed. But the delay in passing this Bill will reduce the benefit which we have given in the last amendment. I cannot, therefore, agree to the Bill being referred to a Select Committee."

SRI A. VAIDYANATHA AYYAR :—" The Hon. Mr. Madhava Menon, Sir, pointed to a sub-clause which says 'where the rent is not barred by limitation, he will be entitled to recover'. It means, all those rents within three years. Now, it is very well known that where a person seeks . . ."

THE HON. SRI K. MADHAVA MENON :—" Sir, if the rent is a charge on the property, then it is 12 years and not three years."

SRI A. VAIDYANATHA AYYAR :—" May I draw the attention of the Hon. Minister that in cases where the mortgagor sues for redemption of the mortgage, then all rents and profits that the mortgagee has received or which the mortgagee should have received are calculated irrespective of the question of the law of limitation, and the entire account is taken as one? The question of limitation or otherwise does not arise at all. Where the mortgagor sues for the redemption of the mortgage, and the mortgagee is able to show in account all the rents that he has received irrespective of the final suit for rent, it should be taken as one account. The remedy that is given here is only to save the rents which are in arrears for three years. The Government are not doing justice in this matter. Suppose all the previous years' rents are barred. But at the same time the mortgagor sues for reduction of rent under the ordinary law. So long as he has not paid the rent, there is no point in the mortgagee's losing interest and also losing a corresponding part of the mortgage principal."

SRI K. R. KARANTH :—" Mr. Speaker, Sir, with some reluctance I beg to differ from my hon. Friend Mr. Vaidyanatha Ayyar. Since the amendment of the Transfer of Property Act in 1929, he will remember that there is no consolidation or tacking as such unless there is an agreement to the contrary. The question of rents cannot be clubbed with the question of redemption. That was not the law before the amendment in 1929. Since then there is a specific provision which says that a mortgagor can redeem and he is not bound to pay the rents due, unless there is an agreement to the contrary. My hon. Friend Mr. Vaidyanatha Ayyar may also see that the whole of section 9-A is being recast by this amending Bill. Sir, usufructuary mortgages were not originally in the Agriculturists' Relief Act, but by the amendment which this House passed two years ago, they were brought in, and in that the process of wiping out was established. So far as the wiping out is concerned, the whole of section 9-A is being replaced now. My hon. Friend may kindly look into it. With regard to the other argument of the hon. Member, that is, to remove the defects pointed out, for example, renewals, the High

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Court has held that in its present wording the section is undoubtedly defective. The intention could have been only to apply the Act in cases of debts renewed in favour of benami creditors. For instance, if the promissory note in favour of the father is renewed in favour of the son, really the creditor is the same. It has been pointed out by the High Court that it would not be the intention of the Legislature to affect debts incurred in favour of a new creditor altogether. The amendment to section 9-A is for the reason that particularly in my district, a great difficulty was experienced. I do not know whether it is found elsewhere also. In my district as elsewhere we gave the benefit of the redemption of usufructuary mortgages. But what happened was in some cases there would be a small subsidiary clause which said that if any extra assessment was paid by the mortgagee, interest should be paid upon such assessment. The moment the courts saw such a clause they began to hold that the benefit of redemption was not given. Some suits have been dismissed like this. These things were brought to the notice of the Government, and they have been good enough to bring forward this legislation."

THE HON. SRI K. MADHAVA MENON :—" Sir, Mr. Karanth has explained the position. I have got to say only one word more. Before 1929, all rents due on the mortgage can be decided in a redemption suit or a sale suit. The very object being to protect the debtor, and to avoid the recovery of the accumulated arrears from him, the Agriculturists' Relief Act was passed. So, this is a matter in which we will have to move as quickly as possible.

MR. SPEAKER :—" The motion is—
' that the Madras Agriculturists' Relief (Amendment) Bill, 1950, be taken into consideration at once.' "
The motion was carried.
Clauses 1, 2 and 3 were put and carried.

Clause 4.

MR. SPEAKER :—" The motion is—
' that clause 4 do stand part of the Bill.' "

THE HON. SRI K. MADHAVA MENON :—" Sir, I move—
' that in new section 9-A, sub-section (9) (a) shall be re-numbered as sub-clause (i) of that sub-section, and
(1) in that sub-clause, after the words " the rent due to the mortgagee under the lease ", the following shall be added, namely :—

" (after deducting from such rent any revenue, tax or cess paid or payable by the mortgagee in respect of the property) " ;

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(2) after that sub-clause, the following sub-clause shall be inserted, namely :—

" (ii) Nothing contained in sub-section (3) or sub-section (4) shall apply to any debt falling under sub-clause (i). " "

MR. SPEAKER :—" Amendment moved—

' that in new section 9-A, sub-section (9) (a) shall be re-numbered as sub-clause (i) of that sub-section, and—

(1) in that sub-clause, after the words " the rent due to the mortgagee under the lease ", the following shall be added, namely :—

" (after deducting from such rent any revenue, tax or cess paid or payable by the mortgagee in respect of the property) " ;

(2) after that sub-clause, the following sub-clause shall be inserted, namely :—

" (ii) Nothing contained in sub-section (3) or sub-section (4) shall apply to any debt falling under sub-clause (i). " "

SRI A. VAIDYANATHA AYYAR :—" Sir, the hon. Member Mr. Karanth referred to the fact that there was no question of tacking on and the Hon. Minister for Law mentioned that point. The Hon. Minister did not see two points in my argument. The first is the question of tacking on for the purpose of redemption. But the second is when we are seeking to reduce the mortgage principal itself, it is on the basis that the mortgagee has received the usufructuary property. But suppose the mortgagee has not received the usufructuary property. The Government say it is barred by limitation so far as the mortgagee's right to recover it is concerned. Whatever that may be the principle of wiping out interest and also principal does not arise. Because the mortgagee has not realized the principal on which interest or the income of the property on which alone it is based in theory. He has taken not only interest but part of the principal each year. That point is there, whether it is recoverable or not. When the mortgagee has not got the income from the property, and the mortgagor has been in enjoyment thereof—whether it is as a matter of fact barred by limitation or not—the principle that it should be reduced does not follow. Therefore, it is, I say that there is a case for double reduction."

SRI K. R. KARANTH :—" I would only say while there is a great deal of justification for what Mr. Vaidyanatha Ayyar says this point was urged in this House when the last Bill was passed. I myself am personally against wiping out. Simply because 25 or 30 years had passed that usufructuary mortgages should be completely wiped out, is not correct. I am against it. But at the time when the Government brought forward legislation it was said that we could not enter into accounts beyond the limitation period. Suppose the limitation period within which a suit can be filed is 12 years for rents if we are to open up an account for

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30 years, it would be 18 years after deducting 12 years. In most cases the mortgagor would have paid the rent without obtaining receipts. Therefore the legislature thought that we should not enter into past transactions. Because there has been a long lapse of time and to take an account for the past years would lead to trouble. So it refused to take an account. It is a principle that the legislature rightly or wrongly has accepted. Therefore, to go into it again probably would be to reopen what has already been decided. The present Bill is only an amending Bill."

THE HON. SRI K. MADHAVA MENON :—" Sir, as the hon. Member Mr. Karanth stated, it is a question of principle which has already been accepted by the House of wiping out usufructuary mortgages. The cases conceived of by Mr. Vaidyanatha Ayyar will not arise in cases where the mortgagee himself is in possession. It arises in cases where the mortgagee has leased the property to the mortgagor and where the mortgagee has received rent. In every case the mortgagee is in possession, he must be presumed to have taken the property for interest. In other cases, it was the desire and principle laid down by the legislature that if he has not received the rent, he should be allowed to receive the rent which is legally entitled as on any other loan and nothing more. Otherwise it will work hardship on the mortgagee. So, it was the intention of the legislature to give relief and to that extent it is a principle which the House should accept."

The amendment was put and carried.

Clause 4, as amended, was put and carried.

Clauses 5, 6, 7, 8 and 9 and the Preamble were put and carried.

THE HON. SRI K. MADHAVA MENON :—" Sir, I move—
'that the Bill, as amended, be passed into law.'"

MR. SPEAKER :—" The motion is—

'that the Madras Agriculturists' Relief (Amendment) Bill, 1950, as amended, be passed into law.'"

SRI A. VAIDYANATHA AYYAR :—" Sir, I want to say only a few words. Whenever any Bill comes up, when we point out any hardship, and when any marching away from the principles of natural justice is pointed out, my Hon. Friend the Law Minister says that it will be considered when rules are framed, though the Act may possibly be quite different. I can give an instance of what we did just now. When the Essential Articles Bill was passed to-day, it was stated in the proviso to clause 3 the arbitrator, in any proceedings in connexion with such acquisition, shall, for the purposes of this clause, take into consideration the market value of the property at the date of the requisition as aforesaid and not at the date of its subsequent acquisition." When referring to this, the Hon. the Law Minister stated that he would give indications about that. I mean that any rule that is issued will be *ultra vires*, and will not be proper, if it goes against the provisions of the Act. Whenever a Bill comes up,

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we point out the defects by means of moving amendments. Sir, you know what fate amendments meet with. You saw in the morning on the food debate that everybody supported practically the principle of the amendment but when it came to voting, nobody would, as a matter of fact, vote for the amendment. So, unless the Government accept any particular thing absolutely, there is no object in moving any amendment.

"In respect of this Bill, it is pointed out that last time when the Bill came up the House accepted the principle of the Bill. But my hon. Friend admits that it went against natural justice. But he says the House had not accepted it against natural justice. It is never too late for the Assembly and particularly for a Legislature which they call under the Constitution, is equal to a sovereign Legislature, to revise now and again what it feels to be a hardship. The present Bill is an instance of that. Under the Act as it was framed originally, we pointed out that it would shatter even persons who lent newly for the discharge of old debts, but it was not accepted. Now the Law Minister brings it to us for review. Of course, the Assembly is going to accept the amendment again. Therefore, when once a particular thing is consistent with natural justice, it does not mean that because once the Assembly has not accepted it, it should not be reopened. The argument that once the Assembly has not accepted an amendment is one that I would respectfully urge should not be advanced as a reason for not accepting proper amendments. In fact, you see, Sir, that time and again no Act of our Legislature goes without a periodical amendment, something like a hardy annual. as first amendment, second amendment, third amendment and so on. We pass things in a haste and then repent at leisure and bring forward amendments taking away the time of the House and always having the trouble of explaining to the House why this or that was done and why a thing which was promised to be done was not done properly. Every person who points out any weakness in a legislation must be taken to be a person who helps the Government in order to see that the Act is properly laid on the anvil. If it is not so, it will only be a leakage like a leaky boat which may subsequently require to be patched. Therefore, I would again request the Law Member whenever any Bill is brought before the House to consider the defects that are pointed out and rectify them. What has happened with regard to the Buildings (Lease and Rent Control) Bill? It has gone to the Joint Select Committee. It is going to come back before the House in a few days and all the amendments can be considered. They need not rush the Bill through. So, any measure can go to a Select Committee and some three or four days' time might be given. Any law should be consonant with natural justice. Otherwise, laws singularly fail in their object and might become a weapon against justice. I, therefore, request the Law Member to have all things that are unjust considered and rectified."

JANAB M. MUHAMMAD ISMAIL :—" Sir, when I raised the question of referring this Bill to a Select Committee, the Hon.

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Minister in charge of the Bill disposed of it summarily by saying that I did not go through the Bill. He is welcome to have any opinion he pleases but what I urged was that it was a thing which might do away with the justice of the matter. What I wanted him to do was to give more consideration to the Bill. That is not answered by the statement he thought fit to make; whether he is justified or not I am still not prepared to quarrel with him. Sir, Members have got so many things to say which might be matters of some importance to some parties. There are always two sides to a question. Therefore, when we are considering such a matter of importance, nothing will be lost in referring it to a Select Committee and having it thoroughly examined. He said that certain parties had been without the benefit which this Bill sought to bestow upon them. Every Bill, as a matter of fact, purports to bestow some benefit upon some party or other and that is no reason why that should be passed particularly at that juncture. If the Government thought of bestowing the benefit upon the party from the 12th August 1950, they ought to have taken the opportunity long before and come before the House earlier. Simply because they have come up on the 12th of August and wish that the benefit must be bestowed from the 12th of August, to say that the Bill must be passed here and now and that no more consideration ought to be given to it is really very unfair to the House, to the parties and to the Minister himself. Therefore, what I have said has not taken away the justice of his plea; it only strengthens his case. Somehow he is in a hurry to get this Bill passed when the House is thin in attendance and when it is not in a mood to go into such questions perhaps. When Members put forward real points at issue, they must be given due consideration. The benefit which they want to bestow upon the interests concerned would not be defeated by a delay of two or three days. The Select Committee might consist of only five members."

MR. SPEAKER:—"The hon. the Leader of the Opposition must know that this is the third reading stage."

JANAB M. MUHAMMAD ISMAIL:—"Even now they may be prepared, Sir. There is always a way. When the Government are capable of doing so many other things circumventing natural justice and attributing motives to Members, they can do this as well in the name of real justice. They need not have a big Select Committee; they may have a small Select Committee of only five members, expert lawyers, and then the Select Committee may be asked to report in two or three days and we can go over the question once again."

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, I would not have spoken on this Bill at all, because it is mostly concerned with lawyers settling differences in litigation which have arisen in courts since the passing of the last Act. Now I wish to say this. Generally legislation ought to be introduced in such a manner as to make things simpler than they were before and not

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more complex than before the legislation was brought. Unfortunately, this Bill concerning usufructuary mortgages and the application of the law of damduput to them was passed in a hurry and the exceptions that were made have brought a tremendous amount of litigation in all the courts. The most unfortunate part of it all is that the mortgagor who claims that his mortgage debt is wiped out altogether has been forced to go to court in order to establish his right. Every case has turned on the question of bona fides, whether a partition has been entered into bona fide, whether there has been a transferee stepping in bona fide and whether any transaction between the date of the passing of the Act and that of the notification of the Bill which was in the first instance the date fixed by us in one of the exceptions, was bona fide. When the last amendment was passed, I strongly opposed it at that time no doubt on the general ground that agricultural credit would be very much interfered with. Now I find everywhere to my knowledge and several friends have written to me that we pass legislation in such a manner as to make the man whom the legislation seeks to benefit go to a court to establish his claim. It is very unfortunate. If it had been the other way, it would have been better. As a matter of fact, to-day in all courts throughout the State there are hundreds of cases where this question of bona fides has been touched. Sir, such a legislation should not be undertaken in a hurry and if we have undertaken and if we have passed it with the full knowledge of what has happened just now, it is for the Government to take counsel and review the position over again, and find out how best to help the man in difficulties. Let me assume for the moment that the Government are correct that the law of damduput or whatever it is, should be applied even to usufructuary mortgages. In the original Madras Agriculturists' Debt Relief Act, this was deliberately left out on the ground that any realization from the land which the mortgagee may have had would not anywhere approximate to the rates of interest then prevailing. When that was pointed out, the Law Minister was kind enough to amend his original proposal and put in all these long clauses about 30 years and proportionate payment if it were less than 30 years and so on. All that is good. But there is a case for the revision of this entire legislation in view of the tremendous amount of litigation that has arisen throughout the country after the passing of the last amendment.

"One word more and I have done, Sir. We must examine the structure of agricultural credit of this country. We have never done so fully. Let us see how our legislation affects it. On the one side, you claim that there is no need for agricultural debt relief at all, in view of the rising prices. On the other side, you claim that there are still people in debt and so badly in debt that we need to apply the law even to usufructuary mortgages. What is the hurry in the passing of this legislation? We must really examine the whole question afresh, *de novo*, and find out how far and what forms of agricultural credit are needed and how we shall help the unfortunate man in debt without making him to go to courts of law to establish even his right and his claims for relief under the law."

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JANAB P. K. MOIDEEN KUTTY :—“ Sir, there seems to be a sort of conspiracy between the Law Minister and the ex-Revenue Minister. Otherwise, I cannot really understand why of all the people Mr. Karanth should get up and say that though he was convinced of the injustice of the matter he was not going to oppose it now because the House had had a say on that matter. I am really surprised why this Bill should be hustled by the Hon. Minister for Law. There is no point in bringing forward amending legislations piecemeal simply because somebody has represented some matter or because the High Courts have given some judgments. I would request the Hon. Minister for Law to bring forward a consolidated amending legislation so that all the controversial points may be discussed in a Select Committee and justice meted out to all parties concerned and the legislation may be passed.”

THE HON. SRI K. MADHAVA MENON :—“ Sir, much eloquence which would have been worthy of a better cause has been lavished upon this by the Leader of the Opposition and Mr. Varadachari. I still maintain that if the Leader of the Opposition had studied my amendments a little more than what he has done, he would not have lavished such eloquence.

“ Mr. Varadachari has taken the opportunity to speak not about this amendment but about the general principle of damduput being applied to mortgages. If I had not brought this Bill, there would have been more confusion according to himself. He said how the principle of damduput had worked hardships and so on, so that it was a criticism of the amendments that were placed before and not of the amendments in this Bill. He could have told me somewhere else and not in this House.

3-15 p.m. “ Mr. Vaidyanatha Ayyar has taken advantage of the present occasion to reply me for what happened before lunch. He said something which may be correct according to him; but they are not applicable to the present instance. Regarding the other matter, I have already answered that though on principle what he has stated may be correct according to his own view, I feel that all the eloquence displayed for the poor man may not be genuine if this amendment was not passed. My feeling is that this amendment will really be helpful to the poor man to some extent.”

MR. SPEAKER :—“ The question is—
‘ that the Agriculturists' Relief (Amendment) Bill, 1950, as amended be passed into law.’ ”

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

(7) THE MADRAS CITY MUNICIPAL (AMENDMENT) BILL, 1950.

THE HON. SRI K. CHANDRAMOULI :—“ Mr. Speaker, Sir, I beg to introduce the Madras City Municipal (Amendment) Bill, 1950, and move—

‘ that the Bill be taken into consideration at once.’ ”

* Published in the Fort St. George Gazette, dated 18th August 1950.

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“ The Madras City Municipal Act, 1919, permits the Corporation of Madras to levy on tramcars a half-yearly tax only up to a maximum rate of Rs. 100 per tramcar. Recently, the Government have permitted the Madras Electric Tramway Company to increase its fares from 9 pies to 1 anna per mile. Under these circumstances, the Government consider that the rate of tax on the tramcars should be increased to Rs. 900 per half year and that four-ninths of the proceeds of the tax should be paid to the State. With this object in view, the present Bill is brought forward and I commend the same to the House.”

MR. SPEAKER :—“ Motion moved—

‘ that the Madras City Municipal (Amendment) Bill, 1950, be taken into consideration at once.’ ”

JANAB ABDUL HAMEED KHAN :—“ Mr. Speaker, Sir, of course I feel that it would be very difficult to oppose anything that is brought forward by the Hon. Gentleman Mr. Chandramouli; but, in this regard it is rather impossible for me to agree with him. In the first instance, he has committed a mistake, if not a grievous wrong to the people of Madras State by agreeing to the enhancement of the fares of the tramcars. It is a grave mistake that the Government has made in agreeing to the Tramway Company's proposition. People have to pay more than what they were paying before. Wherever such a permission is given, the party which gets the permission from the Government utilizes it to the best advantage. As things stand today, the Tramway Company have increased the fares even beyond the rates permitted by the Government in some cases. To that extent, the citizens of Madras are hard put to. Sir, you know how the Tramway Company has been making enormous profits on account of the various facts that are well known to the people of the State and those who come and stay in the City for sometime. The Tramway Company has not taken care to renew the cars that they have been plying in this City and they have not taken trouble to add to the number of tramcars with the result that they have been possessing the same number of tramcars all along and consequently the people are compelled to use the tramcars from early morning till late in the evening by boarding these tramcars. As there is acute shortage of transport vehicles in the City, people are obliged to get into these overcrowded tramcars, and stand all the time by holding the post or some other thing which comes their way. So to this extent, the Tramway Company are making enormous profits. Their revenues have gone up but commensurate expenditure has not been incurred by them in renovating the existing tramcars which are very noisy and uncomfortable. They are running their business so economically that they have not added even a single new tramcar of any new design by spending sufficient money. Thus, they have not given any facilities to the tramway passengers by way of offering more comfortable accommodation. In view of all these, they are not at all justified in increasing their rates. Of course, the Hon. Gentleman, the Minister for Transport, might feel happy on this

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occasion and say that compared to the facilities afforded by the Tramway Company at present, the facilities offered to the public by his buses are better. I must say that there can be no comparison between the buses and the tramcars. In any case, the Tramway Company has no justification to run its service in this ramshackle manner. Firstly, they have ramshackle tramcars. Secondly, the number of the cars has not been increased. The cars are all old fashioned and out-moded ones. I don't know whether the Government have power or not to compel the Tramway Company to utilize the money that it takes from the public on improvement of the tramcars. They have not done so. On the other hand, they have jumped up to agree to the increase of the fares. Why did they agree to the enhancement of the fares? Here, the cat is out of the bag. They have agreed to increase the fares not so much in the interests of the Corporation of Madras nor in the interests of the citizens of Madras, but they have done so in their own interest. Here, like the cat, the Hon. Finance Minister is always watching for some little piece or bit which he can catch and feed himself. Perhaps, it was with that object that the Hon. Finance Minister persuaded the Hon. Minister for Local Administration to agree to the increase of the fares. Having increased the fares ostensibly in the interests of the Corporation of Madras, they have thought it expedient, or I should say that they are trying to take away a large portion of that revenue themselves, which ought to have gone to the Corporation. Sir, sub-clause (3) of clause 2 says, 'Four-ninths of the proceeds of the tax on tramcars levied under this section every half-year shall be paid to the State Government.' What exactly is the justification for the State Government to take even a single pie out of this revenue? What is it that they have done except that they agreed to the increase of the fares? What exactly is the service that they have done to entitle them to get even a single pie out of this revenue? The whole of this revenue should have gone to the Corporation of Madras. The hunger of the Hon. Gentleman the Finance Minister knows no limits and he would like to swallow anything that comes his way. Otherwise, the Hon. Gentleman Mr. Chandramouli would not have thought of this measure at all. But the difficulty is, there is the Finance Minister who wants every pie wherever he finds it. After all how much money they can get from this? I do not think that they can get anything substantial. The Hon. Finance Minister should realise that the finances of the Corporation of Madras are not so very good that he can pounce upon the Corporation's legitimate sources of revenue and take away a big share of their revenue. The Corporation has to afford amenities to the Hon. Ministers and others in every possible way and they have to lay and maintain good roads and provide good drinking water for all. Besides these, there are ever so many other amenities that they are expected to provide for the citizens of this City. For doing all these, they certainly require adequate finance. After all, what is it that the Government of Madras have given to the Corporation in the shape of loans and grants? They are only very small amounts. The Government have taken away very many sources of revenue by their legislation. For example, entertainment tax has been taken away from them.

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The road revenue has been taken away. Legitimately, the Corporation ought to have been permitted to run the bus transport system in the City. The Hon. Finance Minister has become the Transport Minister also and thus deprived the Corporation of its legitimate source of revenue from the transport system. These are matters which the Hon. Gentlemen the Ministers for Local Administration and Finance should think and think seriously and come to a conclusion. In these circumstances, I suggest that the Hon. Gentleman withdraws his Bill and comes forward with a measure without this sub-clause (3) of clause 2 and amending it in such a way as not to take even 1/9th of the proceeds of the tax on tramcars to the Government coffers. I would have suggested the reference of this Bill to a Select Committee, but I thought it was not necessary to do so or to move any amendments. I know the Hon. Gentleman Mr. Chandramouli is a very reasonable gentleman and I am confident that my suggestion will have the desired effect on him and he will come forward with a Bill after amending it suitably in order that they may come in public and before this Legislature not as grabbers but as very respectable gentlemen."

JANAB MUHAMMAD RAZA KHAN:—"Mr. Speaker, Sir, I am sure the citizens of Madras will be really thankful to the Hon. Mr. Chandramouli and his Government for his great generosity and magnanimity. He has been really careful enough to see that the tax on these tramcars is increased from Rs. 100 to Rs. 900 and that the Madras Government shares with the Madras Corporation this tax in a proportion mentioned in the Bill. But the Hon. Minister never thought for a minute the difficulties experienced by hundreds of thousands of the people of this City whose unfortunate lot it has been to use these tramcars or the buses run by the State Transport Department of which the Hon. Gopala Reddi is the Minister. Sir, even before this Bill came for consideration in this House, I understand that the Tramway Company has increased the fares from 9 pies to 1 anna and from 1½ anna to 1½ annas. Therefore the net result of this Bill is that the public of Madras who take to these rotten tramcars or to the much-advertised nationalised bus transport in the City are asked to pay more and more for the mere suffering that they are to undergo. My hon. Friend Mr. Hameed Khan was right when he said that the Tramway Company are making enormous profits; I say this of course subject to correction. But I know it personally that they have not increased the number of cars. From my 7th or 8th year I have been observing these tramcars. Their number seems to be the same. Though traffic in the City has increased three or four times, there has not been any increase in the transport vehicles. Previously, only middle-class people used the buses and trams. But that is not the case at present. Today, if you ask your servant to go to a place on business, he immediately demands one anna or two annas just to get into a bus or tram. People have become accustomed to this unfortunate practice of having to use these vehicles even if they are to walk half a mile. So, when the traffic has increased three or four times, the Tramway Companies have not correspondingly increased the number of tramcars. I think these tramcars were introduced in the City somewhere between 1910

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and 1915. I see the same old tramcars that were plying then. These are nothing but mere scrap vehicles which are being reconditioned and repaired every day and every evening. So the Tramway Companies are making enormous profits without in any way increasing the number of tramcars or increasing the amenities to the thousands of passengers who use these tramcars every day. The question is what is the provocation for the Government of this State to give permission for the Company to increase the tram fares and at the same time take a large share of the revenue themselves without giving the same to the Madras Corporation, especially when the latter is in need of adequate finance.

3-30 p.m. "Is it by a rough and ready method that the Government have raised the tax from Rs. 100 to Rs. 900? Or is it that the Government felt that since they have permitted a rise in the rates of fares—nine pies for the first mile and so on—they should increase the tax? Or is it the intention of the Government that the people should pay a high tax to the Government in the shape of increased fares? Or, lastly, is it that the Government think, 'we have increased the bus fares, why not we also permit an increase in tram fares so that incidentally we may derive an increased revenue'? There is absolutely no point in saying that this is a small Bill with only three or four clauses providing for an increase in tax only by Rs. 800, four-ninths of the total tax accruing to the State! Sir, when the Government permitted an increase in the fares, why have they not told the Company, 'you must put in more trams or otherwise your licence will not be renewed'? They ought to have taken this course. While on this subject, let me refer to another question, although it is not directly connected with the Bill, with which our Hon. the Finance-cum-Transport Minister is concerned. I ask him whether he is right or justified in limiting the number of buses plying in the City of Madras. I am often accused of repeating and reiterating this question. But I do it purposely and I shall do it many more times if opportunity arises because the inconvenience to the public is horrible. They have to wait for half an hour and one hour at the intermediate bus stops. After all, it is not for luxury that they travel in buses. They have their business to go about. It is indeed heart-rending to find people indulge in rowdiness to get a seat in the buses. What is the fate of others who are left behind? Buses generally make provision for only nine or ten standing passengers. But the rush is so much that we often see that thirty or forty people are jammed together and they travel standing for two or three miles. I am alive to the fact that whatever I may say will not move the Hon. the Minister and that he would not take it seriously but would 'direct us to the High Court if there were any illegalities in his action'. But let me tell him now—I do not want to use any harsh words—that since the Government monopolise the transport in the City, they should put in more number of buses. To cite one instance, the members of the Secretariat staff have been asking for some arrangements being made to make more buses available to them so that they can go to their homes early after the day's work. The situation still remains the same and they have to wait for hours on end to catch their bus. While things are taking place in this fashion, it is wrong on the

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part of the Government to come out with a Bill of this sort which is nothing but robbery. In order to see that the Corporation gets some more money and incidentally they also get some money, the Government should not increase the fares only to follow it up with an increased tax. In the circumstances, I think nothing will go wrong if the Hon. the Minister withdraws this Bill. Let him examine the whole question. Let him go into this matter thoroughly in order to see whether there is really no need to increase the number of the trams for the transport problem to be successfully tackled. The fact today is that the Government do not care for the convenience of the travelling public and their tendency is to grab money—hundreds and thousands of rupees—wherever possible and waste it. Let this not be the motivating factor in this case at least. This is my humble submission to the Hon. the Minister."

* SRI N. S. VARADACHARI:—Mr. Speaker, Sir, I do not grudge supporting this Bill. But I would say that the Government have not taken into consideration the matter raised casually by the previous speaker opposite. What does this Bill seek to achieve? The Corporation keeps complaining that it has not enough revenue and so the Government want to assist it, by throwing a few crumbs, so to say, at the barking animal, in improving its revenue position with the problem. There are competing modes of traffic and each mode of traffic is suitable to a particular set of people. There is the suburban railway which is nationalised and against which no hon. Member, whether on this side or on the opposite benches has complained. It may be fast; it may be slow; but the authorities adjust the transport to peak hours and to hours when traffic is low and dull. Then, Sir, there is the electricity supply which runs these tramways. The Government have nationalized it and get a handsome revenue out of it. They have increased the facilities to the public. They have improved the services to such an extent that everybody sings the praise of the officer of the Government in that Department. Take up this means of transport, the tramways. They cater to a different class of people who want to get to their offices in a cheap, though slow, conveyance. They can wait because they cannot pay the fare charged by buses. They resort to the tramcars. These trams are all old: they were planned to suit an old city with lanes and not with broad enough roads where there is vast traffic. But now the whole picture is changed and I must tell the Government, through you, Mr. Speaker, that they must, at an early date—the sooner the better—nationalize this means of transport just as they have nationalized the means of running this transport—electricity supply. The Central Government have nationalized Railways and the State Government has nationalized bus services. Such being the case, there is no justification to postpone the taking over of the tramways by the Government. If they do it, they can adjust one mode of traffic to the other. Then they can plan their peak hours, low traffic and so on. Then only the whole question of revision of fares should be taken up. I may tell the Hon. the Minister for Local Administration that he will

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not suffer in the least if my suggestion is accepted. I would like the Government to ensure proper administration of the Corporation finances. Let them have a statutory board of experts to look into the revenue figures, keep proper control on the expenditure, to look at the surplus and also look at the mechanical side and then if any surplus is left, let it be used for providing amenities to the public—maintenance of roads for which the Government do not pay and the Corporation does not get enough revenue. If the Government propose taxes, people complain, 'we are paying direct taxes, indirect taxes and so on'. But they may not be put to this necessity if the Government run the services themselves. The hon. Gentleman opposite said that tramways were making enormous money. Yes, it is true. When it is true, why should this Government hesitate to take them over. They can remodel them; they can transform the whole system, break up uneconomic lines. For instance, the lines that bar traffic, as in places lying on the Ice House Road to Barber's Bridge route, can be cut off. There is very little traffic on the route and one bus will carry all the passengers through without any obstruction. I can give many more instances. The China Bazaar to Central Station route is very crowded. All these can be remodelled and refashioned. What is it that we will find when we have made all these adjustments? There will be handsome profits which can be utilized for bettering the condition of roads. Then the Corporation will not complain, will not grudge. Now the Government grants are indefinite and meagre. Some years the grant may be more and in other years it may be less. If however the transport services are run by the Government they may come to proper conclusions with regard to grants to the Corporation and they can share in whatever manner the profits from the divisible pool. Therefore, it would be in the interests of the Government and of the people if traffic in the city is so marshalled as to give maximum service on the one hand and maximum return on the other. Sir, the proposed method is not the way to improve finances. This is not the way to formulate policy. It is not by doling a few hundreds or thousands that you can hope to meet the needs of the Corporation. How many tramcars are there after all? About a hundred? (The Hon. Sri K. Chandramouli: 105.) What is the grant you are going to make to the Corporation—about five-ninths of the total proceeds. That is five hundred rupees per tram which comes to Rs. 50,000 per half-year. Is it worthwhile? Is that the way to reorganize the Corporation's finances or the finances of the Government for that matter? You must earn more, spend more, arrange more convenience to the public, see that the roads are maintained better, close all uneconomic lines. This will enable traffic to go on smoothly without much expenditure, without neglect and give room for all kinds of competing traffic which will carry peak-load with increased vehicular facilities and also cater dull hours by the employment of fewer and fewer traffic vehicles."

JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, as the hon. Gentleman Mr. N. S. Varadachari has stated, the money that the Government and the Corporation might be getting from

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the increase that is proposed in the tax to be levied on the tramcars is about Rs. 50,000 and for this what have the Government done? They have sanctioned an increase in the rate of fare of the passengers. (Interruption by the Hon. Sri B. Gopala Reddi.) It may be due to anything that the tax has been raised. But this is what the Hon. the Minister for Local Administration said: 'The tax has been increased on the basis of the increase in fares'.

THE HON. SRI K. CHANDRAMOULI:—"I have not said that we have increased the rate of fares on the basis of the contemplated taxation. It has nothing to do with this."

JANAB M. MUHAMMAD ISMAIL:—"The reason, the only reason the Hon. the Minister gave for this measure was that only recently the Government have permitted an increase in the tramcar fares from nine pies to one anna. This is what he said. Now what I am coming to is this. The Government have no justification whatever, as the previous speaker pointed out, in allowing such an increase. Why should this increase have been allowed at all? Have the tramway company complained of any increase in expenditure? Yes, it is possible they might have said that prices of commodities have increased and so they have to pay higher salaries to their staff. Then, you must see the income. What is the number of passengers that travel by tram today? What is the capital expenditure incurred by the company and what is the recurring expenditure on the rolling stock? If we only go along the road, we hear a hell of noise caused by these tramcars. They have become antediluvian. They are not fit to be called cars at all. If you want perhaps to cure yourself of any dumbness you must get into one of these cars. They are not only rickety but unsafe; they will break down in the middle. This is the feeling I got this very morning. Furthermore, small children pounce and hang to them wherever they can find a hold, at the back and in front. This is the way in which tramways are managed. Then I would come to the rails. I deliberately looked into a set of rails. I found them worn out, uneven and in some places they have not been changed for a number of years."

THE HON. SRI B. GOPALA REDDI:—"Yes, they run!"

JANAB M. MUHAMMAD ISMAIL:—"Yes, they run and the Transport Minister might feel happy because we are saying all these as a rival to bus transport. But we are looking at it from the point of view of the people. Because of the increase in traffic, the Company is getting more than what is its due and yet the Government have thought it fit to allow this increase in fare. They say that they are going to get Rs. 50,000 and that the Corporation would get Rs. 50,000. It is like a man setting fire to a house and getting fire for lighting his cigarette. That is what the Hon. Minister Mr. Chandramouli has done. I request him to go into the whole matter once again and cancel this increase. I do not say that the Government are not justified in bringing forward such a Bill for the increase of the taxes on trams. As it

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is, even on the old rates, they must be getting much more revenue than they were getting years ago. Except for the increase of wages for the staff and some such things, they are not spending money on other things on which they have to spend. Moreover, I am repeatedly saying that their income is much more than what it was previously. Therefore they cannot make out a case for the increase in the fares. The Government should look into this question again, Sir."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, my objection to this Bill is that it is a left-handed method of legislation for raising taxes. It sins against all principles of taxation. When the Government want some money, they should impose taxes directly. Instead of doing that, they have caught hold of the City Municipal Act, enable the Corporation to levy a tax on trams and out of the proceeds of the tax, take a share for themselves. The very object of municipal taxation is lost if such a method is pursued. A Municipality or Corporation is allowed to levy property tax or scavenging tax or some other tax only in order to enable them to perform certain duties which they have to perform. The taxes collected are intended to go into the municipal funds and to be spent for the purposes for which the Municipality is intended. Instead of that, the Government take hold of the City Municipality Act, empower the Municipality to levy a tax and from out of the proceeds of the tax, take four-fifths for the purposes of Government. It is not a very happy method of taxation. It is just like this. If I am in need of money, I ask my Friend Mr. Gopalaswami to take it from somebody else and give me half a share. That is the method adopted by a man if he has no credit. This is not the method by which the Government should try to raise money, as pointed out by previous speakers. After all, what is the magnificent amount that is realised? Even when we were discussing the Entertainments Tax, I pointed out that for the sake of a small sum of Rs. 5 lakhs, it was not advisable to spend large sums in engaging a huge staff of officers, printing entertainment tax stamps and so on. But the simplicity of this proposal is that the Government do not appoint the machinery for the collection of the taxes; the taxes are collected by the municipality and 4/5 of it is handed over to the Government. It is not in consonance with the principles of taxation. It is not consistent with the objects for which the Municipalities or the Corporation are empowered to levy the taxes, because they are to levy taxes only for the purpose of discharging their duties. The amount realised also is very small. If the Government want to tax tramcars they may themselves levy this tax, instead of adopting this round-about procedure which is not consistent with principles of taxation and with any municipal law. I am sorry that the Hon. Minister for Local Administration, instead of trying to help the local bodies, is as a matter of fact asking them to collect taxes with one hand and hand it over with the other to the Hon. the Finance Minister."

"Thirdly, Sir, when any tax is increased, it must be increased by degrees. This sudden jump from Rs. 100 to Rs. 200

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per half year is rather repugnant. The total amount collected is also not much. If the Government want to increase the tax, they may do so within moderate and reasonable limits. On these three grounds, namely, that the tax does not produce a large amount, that it is opposed to principles of taxation, in that the method proposed is like that of the monkey using the cat's paw for taking the chestnuts out of the fire and that the increase is too much, I think that is not a very proper taxation."

* JANAB M. S. ABDUL MAJID:—"Mr. Speaker, Sir, I do not for a moment think that the Hon. Gentleman Mr. Chandramouli is responsible for this mischief which goes by the name of a Bill further to amend the Madras City Municipal Act. Sir, I see the invisible hand of the Hon. the Finance Minister behind this move."

THE HON. SRI B. GOPALA REDDI:—"It is visible."

* JANAB M. S. ABDUL MAJID:—"Yes, Sir, I see the visible hand of the Hon. the Finance Minister. Ministers of the Government of India from the Prime Minister downwards have been crying from the house-tops that the rising spiral of prices must be brought down and Hon. Ministers of this Government, particularly the Hon. the Leader of the House, have times without number, stated that this rising spiral of prices must be brought down. He even went to the extent of saying that even non-violent picketing of shops selling goods at very high prices was legal. As to what forces of disorder this innocent suggestion of the Hon. the Leader of the House is going to create, it is not the time now for me to say. He has said that out of his anxiety to bring down the prices. Therefore I really do not understand why the Government are now bringing forward a measure which will ultimately raise the prices of things and put particularly the common man to considerable difficulties. The Government say that they are the representatives of this unfortunate individual, the common man. I really do not know whether they are really representatives of the common man. I have seen the common man in Low's cartoons. It is freely said that it is about the common man that the Hon. Ministers and the Government are thinking, but nothing is exactly done for his betterment, well-being and progress; in fact everything is done to make him undergo suffering. This Bill is ultimately going to injure the interests of the poor people who have to take to trams."

"Coming to trams as such, I do not call them as trams at all. They are moving infernoes and ante-diluvian monsters. If only the Hon. Minister for Transport or all the Hon. Ministers of this Government, instead of going about in their limousines travelled in these tramcars, particularly during the peak hours, they could have experienced what these tramcars are. (Interruption.) The Hon. the Law Minister says that he has travelled in them, but I ask him whether he has travelled in them now. He might have travelled in them years before, when he was not a Minister of the Government. The tramcars are so rickety that while moving they make an infernal noise. It is said that noise cut down the

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lives of the people. I say that this moving inferno is really cutting down the life of the citizens. It should at once be scrapped. I appeal to the Government to introduce trolley buses, which will move smoothly in the streets without making much noise.

Sir, if the Government are levying this indirect tax on tramcars, they should see that more convenience and comfort are afforded to the people who have to use these cars. If the Government say that they would give better amenities and comforts from the collection of this tax, well and good. But I know, Sir, nothing is going to result from that. The Hon. the Finance Minister is anxious to catch at anything. If the Constitution says he may create a Contingency Fund, he at once creates that Fund so that he can draw large amounts. He at once presents a Bill for that purpose. He is anxious to catch at anything. He does not care about the effect of such measures."

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, there are two distinct things in this and some hon. Members have confused them. The enhancement of the rates has nothing to do with the taxation that is brought forward in this measure. About a year or two years ago, the Company asked for the enhancement of the fares and for one reason or other it was put off. Ultimately, they pressed very hard and we appointed a Special Officer, the Inspector-General of Registration and the Registrar of Joint-Stock Companies, to go into the matter and see whether the Company can maintain the present tariff or whether they really need any enhancement of the fares. He gave an award that there was a case for the enhancement of the fares and this came into force some time ago. That has nothing to do with the Bill here. This Bill has been introduced on the specific request of the Corporation itself. They wanted to enhance the taxes and levy the taxes according to the seating capacity; as the buses are taxed according to the seating capacity, they wanted the same principle to be applied to trams also. They wanted to enhance the tax to Rs. 3,000 per tram—for a year or half-year. I am not quite sure. The Government thought that it would not be fair to enhance the tax from Rs. 100 to Rs. 3,000 or Rs. 1,500 and that it would be reasonable to enhance it to Rs. 900. This is being shared between the State Government and the Corporation.

"Sir, there are a number of lorries, cars and buses running in the City and they do not pay any taxes to the Corporation. Whatever motor vehicles tax they pay, it goes into the coffers of the Government; of course the Government give some grants to the Corporation. In the same way, the trams also may be taxed and the whole taxation may go to the Government. But we did not want to deprive the Corporation entirely of this source of income. Therefore we wanted this enhanced tax to be shared between the Corporation and the Government. It is not as if the Government wanted to grab this Rs. 50,000 or that Rs. 50,000. The Government thought that the principle by which the entire motor vehicles taxation goes to the Government must also apply to the

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tram cars. Hon. Members may also remember that we are paying toll-gate compensation to the local bodies from out of the taxation we get from motor vehicles. About Rs. 90 lakhs is being distributed both to the Corporation and to the municipalities and district boards from what we get from taxation of motor vehicles, private lorries, etc. Therefore there is nothing new that we are doing now. The Corporation also gets a little money from out of this and we are also getting a little money out of it of course. I may also state that we are awaiting the Local Bodies Taxation Enquiry Committee's report; the committee which was appointed by the Government of India came here some time ago, and I think it is now drafting its report in Simla; we are awaiting that committee's recommendations. If they for instance recommend that we should give some more grants to the Corporation and the local bodies, perhaps we will have to give. There are so many requests made to us and perhaps we will have to give some more money to the municipalities and local bodies, for some other things and this may be one of them. For the present, this amount will be shared between the Corporation and the Government; it may not be much by itself; but still, it may be something substantial for the Corporation. Ultimately it may amount to some lakhs of rupees which may not be an inconsiderable sum for the Corporation. We are not therefore coming through the back-door and we did not ask for this money at all; in fact, it was on the specific recommendation of the Corporation that we have agreed to this Rs. 900 being charged, while actually they wanted to charge about Rs. 3,200."

* THE HON. SRI K. CHANDRAMOULI:—"Sir, I should like to answer only one or two objections raised against the proposed legislation. From the trend of the speeches made by hon. Members, it is quite clear that the tramway company, which is a private company licensed by the Corporation for running it in the City, is getting some profits. Clearly, I heard hon. Members saying that the tramway company is making profits. In that case, I do not find anything wrong in our increasing the licence fee to some extent, either on behalf of the Corporation or on behalf of the Government. This is a salient point which several hon. Members have referred to; the hon. Mr. Vaidyanatha Ayyar also said that this ought to have been exclusively for the Corporation because under the Act this should go to them. No doubt, it is true; but hon. Members cannot draw such a cut-and-dried distinction hereafter as between the local administration and the Government and say that these two are quite exclusive bodies which have nothing to do with each other. Whatever was the original idea underlying local administration, in the future at any rate, local administration will have some sort of relation with the Government, and both of them should not feel that they are separate entities. That is the idea with which this Bill has been brought forward. The hon. Gentleman Mr. Hameed Khan has asked 'what is the Government doing for getting this money?' May I also ask him, what is the Corporation doing for getting this tax? It is all very easy to ask the question, Sir. As I said,

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this tramway company is a private company, it is given licence to run the cars in the City, and it is but proper that we should charge them certain rates. The idea of enhancing the tax has emanated not from the Government but from the Corporation itself; it is the latter that wanted to increase the tax to Rs. 3,000 per tram-car for a half-year, and the total amount came yearly to more than Rs. 6 lakhs. But from the figures I have got with me, I found that the tramway company was not making so enormous profits as hon. Members are imagining. Last year, I think it got Rs. 4 lakhs of profit, excluding the income-tax and other charges incurred in England. These are figures furnished by the company itself and examined, published and audited. From what I can see, we are practically getting one-fourth of the profit they are making; I think it is not a small sum."

JANAB M. MUHAMMAD ISMAIL:—"I think it was Rs. 4 lakhs before the increase."

THE HON. SRI K. CHANDRAMOULI:—"I am giving last year's figures; from the company's audited reports, they have been called out. There is also another point I wish to mention. Supposing we do not tax anything at all. Hon. Members now say they are not getting any amenities; if we do not tax anything, are they likely to get any amenities? That is not the point of view to be argued by hon. Members here, it should be argued by the company itself. So, from whichever point of view we may see, I think the enhancement is practical, justifiable and also, I think it will go some way, as the hon. Mr. Varadachari, said towards the policy of nationalisation that we have set before us. There are in that respect, certain limitations now, because the Government are under agreement with the company now, and when we are really going to take charge of these tramways, we must have in view the benefit of the Government and the Corporation. From all these points of view, Sir, I think this is a very mild measure, and I would request hon. Members to accept it."

MR. SPEAKER:—"The motion is—
that the Madras City Municipal (Amendment) Bill, 1950, be taken into consideration at once."

The motion was carried.

Clauses 1 and 2 and the Preamble were put and carried.

THE HON. SRI K. CHANDRAMOULI:—"Sir, I now move—

that the Bill be passed into law."

MR. SPEAKER:—"The motion is—

that the Madras City Municipal (Amendment) Bill, 1950, be passed into law."

JANAB M. MUHAMMAD ISMAIL:—"Sir, just now, we were told by the Hon. Minister in charge of the Bill that the net income of the company last year was only Rs. 4 lakhs. I just want

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to know the correct position. Supposing there are 20 trips for a car and they have got only about 80 cars in use, it comes to about 1,600 trips."

MR. SPEAKER:—"The Hon. Minister said that 105 cars are running."

JANAB M. MUHAMMAD ISMAIL:—"I have taken into account only 80 cars at the rate of 20 trips a day; there may be some difference in both respects and probably they will cancel each other. As I said, it comes to about 1,600 trips, and at the rate of an one-fourth anna increase, it will work up to Rs. 50,000 per mensem or Rs. 6,00,000 per annum. Whatever may be the income of the company usually, this is the amount which the Government have given to the company now. This is just what I wanted to point out; that is all."

MR. SPEAKER:—"I shall now put the motion to the vote of the House. The question is—

that the Madras City Municipal (Amendment) Bill, 1950, be passed into law."

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

IV.—MOTION UNDER RULE 22 (3) OF THE ASSEMBLY RULES.

THE HON. SRI B. GOPALA REDDI:—"Sir, under Rule 22 (3) of the Assembly Rules, I move—

that item IV in the Revised Agenda, namely, the motion re the study of languages in Secondary Schools, be taken up before item III (8), namely, the Madras Land Encroachment (Amendment) Bill, 1950."

"I suggest we need not take up just now the Bills referred to in items Nos. (8), (9) and (10) of the Agenda, but may go on to the next item on the Agenda, viz., the motion given notice of by the Hon. Sri Madhava Menon regarding the 'Study of languages in Secondary Schools'."

The motion was put and carried.

MR. SPEAKER:—"Before the Hon. Mr. Madhava Menon moves his motion, let me know till what time we will have to sit this evening."

THE HON. SRI K. MADHAVA MENON:—"Sir, I am prepared to sit as long as you are prepared to sit here."

MR. SPEAKER:—"I am prepared to sit till 8 o'clock."

THE HON. SRI K. MADHAVA MENON:—"You are presiding over a meeting, Sir, at which I am to speak to-day. I think we can go on till 6-30 p.m."

MR. SPEAKER:—"So, it is agreed that we sit till 6-30 p.m. to-day."

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V.—GOVERNMENT MOTION.

STUDY OF LANGUAGES IN SECONDARY SCHOOLS.

* THE HON. SRI K. MADHAVA MENON :—“ Mr. Speaker, Sir, I move—

that the orders a G.O. No. 2121, Education, dated 27th July 1950, regarding the study of language in Secondary Schools under the reorganized scheme of secondary education be taken into consideration.

“ Sir, I have already placed before the House a statement^a about the position of the study of languages, with a little history of it. I may be permitted now to explain it a little further.

“ Ever since I assumed charge as Minister for Education numerous representations have been made to me by experienced teachers, both in their individual capacity^a as well as in their representative capacity as office-bearers in South Indian Teachers' Union, Madras Teachers' Guild, etc., that some aspects in the re-organized scheme of Secondary Education introduced by Government in 1948, required urgent re-consideration. This was particularly so, according to the information that I received, in regard to the place of languages. When I tried to acquaint myself with all the details of this vexed problem, I realized that the problem is so intricate and difficult that what at first sight might appear very good and fool proof and the best solution to the author, may prove to be capable of improvement even to that author himself. I am not making this comment in any light-hearted mood as will be clear to the hon. Members on an analysis of the statement^b I have placed before them.

“ The first Government Order on Re-organization of Secondary Education to which I wish to draw the attention of the hon. Member is G.O. No. 1394, Education, dated 29th May 1948. According to these orders the position of languages was as follows :—

- (1) Hindi should be taught in Forms I to III.
- (2) As an alternative to Hindi, students could offer Sanskrit, Arabic, Persian or Urdu.
- (3) That the study of Hindustani or its alternative in Forms I to III should be compulsory in Andhra, Kerala and Karnataka but optional in Tamil Nad.
- (4) English was to be commenced only in Form II contrary to the recommendations made by the Board of Secondary Education.

“ It is unnecessary for me to point out that these orders providing for the teaching of Hindi or its alternative as optional in one linguistic area cannot be justified on any conceivable educational

^a Printed as Appendix IV on page 670 infra.

^b Printed as Appendix V on pages 671-674 infra.

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ground. I cannot understand how a third language could be considered as desirable in the Andhra, Kerala or Karnataka area but not so in the Tamil Nad.

“ Another peculiar feature of these orders was that in respect of the alternative languages prescribed for pupils who did not wish to take Hindi, viz., Sanskrit, Arabic and Persian are not spoken languages in our country. The fourth language that was included in this group was Urdu which some Muslims claim as their mother-tongue even in this State. While permitting this minority group to offer Urdu as an alternative language, it was prescribed that students who offered Urdu should learn the Nagari script also. I felt that this was a difficulty imposed on a section of the community who were anxious to learn their mother-tongue.

“ Scarcely a month after these orders were passed, further changes were introduced which, with respect, may I say, were much more reasonable and logical and they were that the study of a third language, that is Hindustani or its alternative, was to be compulsory even in Tamil Nad. Secondly, provision was now made for offering any other Indian language as an alternative to Hindustani. Provision was thus made for pupils to study their mother-tongue where the actual medium of instruction was the regional language, a concession which would benefit not only the minorities but also other language groups such as Tamils studying in Telugu area and vice-versa.

“ Hon. Members are already aware that the standard of attainment in English has been deteriorating rapidly and as long as English continued to be the medium of instruction in the University stage it was absolutely essential that this tendency had to be arrested. Experienced educationists made it quite clear that with the reduced allotment of periods in the time-table to the teaching of English it would be disastrous to commence the study of this language in Form II. It would never have been possible for such pupils to have attained sufficient mastery in that language to receive instruction in the University classes through that medium. This criticism was so insistent and so obviously reasonable that even without consulting the Secondary Education Board of the Provincial Advisory Board of Education, Government passed orders restoring English to its original position in Form I during the regime of my predecessor, Hon. Mr. Shetty.

“ It was left to me to take action on the other criticisms and difficulties which though not so urgent, were not less important. In the Re-organization Scheme due recognition had not been given to classical languages, in particular, Sanskrit. I do not think it is necessary for me to dilate on the special cultural value which a study of this language possesses. I felt that it was not fair to have made Sanskrit a alternative to Hindu. Till the 1948 scheme, the position was entirely different. Sanskrit could be offered as a language in the place of the regional language. Though I am not less enthusiastic than my friends in this House about the paramount importance of the regional language and mother-tongue, I cannot conceive of the need or the justice for relegating Sanskrit

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as an alternative to Hindi. If Hindi is to be the Federal language, it is obvious that our educational system should offer the fullest facilities for candidates to learn that language should they choose to do so; but to be asked to give up Hindi if they wished to offer a classical language or their mother-tongue is really to place the pupil and parent in a most unfair dilemma. Yet this was the position.

"Coming now to the place of language in Forms IV to VI, the first language which was the regional language was divided into two parts—intensive and non-intensive. A pupil could take both these parts if he chose to. If he did so he would have only one other language to study, namely English. If he wished to offer a third language either a classical language or Hindi or his own mother-tongue where it was not the regional language, he could take the non-intensive part or Part I of the regional language and in the place of Part II, study the third language that he cared to offer. Some friends have been criticising me for neglecting the regional language or mother-tongue and charging me with making regional language or mother-tongue optional—saying that it is a most outrageous crime. I should like to point out to the House that if there was any neglect of the regional language or mother-tongue it can be found in the 1948 orders which did not allow a pupil to study his own language properly if he wished to study Hindi. For the very large number of pupils who wished to learn the Federal language the option was for them to be contended with a much lower standard in their own regional language than in the old S.S.L.C. Scheme. As is clear from this, both at the I Form stage as well as at the IV Form stage students and parents were required to make a difficult, and if I may say so, an unpleasant choice.

"Since these orders of re-organization were issued only on the 26th June 1948, they could have reached the respective schools only towards the end of the month. There were no syllabuses, no text-books and not even instructions sufficiently detailed as to enable harassed schoolmasters to understand the full implications of this scheme. It was just possible for these teachers to struggle along if these orders had been introduced only in Form I and if the reorganization was allowed as according to me it should have been to develop gradually year by year. The reorganization was brought into effect simultaneously in Form I as well as Form IV. Many exemptions had, therefore, to be granted almost immediately after the issue of these orders to a number of schools to adhere to the old two language scheme of the reorganization days.

"The Regional language in the higher Forms IV to VI was thus to be taught according to three different standards—a non-intensive lower standard, the 1929 higher standard and a yet higher standard contemplated in the intensive course. The difficulties which this multiplicity of standards gave rise to can easily be imagined by the hon. Members. The parents, the pupils, the schools, the S.S.L.C. Board and even the Universities were faced with difficult problems of choice, organization, examination and eligibility for admission to the Universities. Many schools which

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had chosen to adopt the reorganized scheme in languages requested for permission to revert to the older scheme as the pupils were not up to the required standard having begun the third language only in Form IV. Many schools could not also provide for the teaching of the languages according to the reorganized scheme.

"As a temporary solution for all these difficulties till Government could declare a definite and acceptable language policy, the S.S.L.C. Board resolved to set a common language paper for all these three groups of pupils a paper of the lowest standard—the non-intensive Part I standard. This temporary arrangement was to be in force till the 1953 examination, i.e., till the pupils admitted in Form I in 1948 and who had begun their studies according to the re-organized scheme could come up for the S.S.L.C. Examination.

"The Universities were good enough to accept this recommendation for the purpose of determining eligibility. I must take this opportunity for expressing my gratitude to all the authorities of the different Universities for the sympathy and consideration they have shown in accepting a definitely lower standard in language than was hitherto in existence. While doing so, the Vice-Chancellors have expressed to me the desirability of coming to a definite decision in the matter of language as expeditiously as possible. Similar representations were made to me by other bodies and agencies.

"Accordingly, the S.S.L.C. Board, the Provincial Advisory Board and a special expert committee were all consulted. I was myself present at some of these discussions and in accordance with their unanimous recommendations Government decided, firstly to make independent provision for the teaching of Hindi from Form I to Form VI giving that subject a reduced allotment of periods in the time-table. Hindi was no longer to be an alternative but could be studied by any pupil at his choice without having to sacrifice any other language. Continuity of instruction throughout the Secondary Schools course was also thus assured. Secondly, it was made possible for a pupil to study a classical language like Sanskrit or Persian or Arabic or in its place the mother-tongue where the medium of instruction was not the mother-tongue, without having to give up Hindi.

"When these orders were passed it was clearly understood that the regional language was not to be completely neglected as alleged by a number of critics but that all the candidates should possess a basic minimum of the regional language. Thus the pupil who took Sanskrit or Arabic did not altogether avoid the study of the regional language. He had to learn that language, naturally up to a lower standard, and sit for an examination. I realize that this was not made explicit in the orders that were passed in G.O. No. 1375, Education, dated 28th April 1950, as Government felt that the extent and scope of this basic language course could well be left to the expert committees that the Director of Public Instruction was asked to constitute immediately to define.

"On this account numerous criticisms were made that Government had approved a policy by which the regional language

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was to be completely neglected. This criticism was not quite justified. Yet to set all doubts at rest, Government have in their latest Order No. 2121, Education, dated 27th July 1950, defined the position of languages beyond all doubt. The regional language or mother-tongue is compulsory for all pupils. The syllabus is to consist of two parts even in Forms I to III as was the case in the syllabus for Forms IV to VI in the re-organized scheme—the first part being compulsory for all pupils. It was left to the option of the pupils to take Part II or in the alternative a classical language or another language. To make it quite clear to the syllabus-drafting committees that it is not the intention of Government that the attainment in the regional language should not be merely superficial a directive has been given that the proportion of time to be allotted to the two parts should be 4 : 3, 4 being allotted to Part I and 3 to Part II. The major portion of the time is thus given for the compulsory part of the regional language.

“As regards Hindi, provision for its teaching is to be made in all schools and in all Forms. It is to be studied independently at the choice of the pupil. There is however no compulsion as a pupil can take instead a craft, though it is my earnest hope that even though option is given the majority of the pupils will exercise it in favour of Hindi. Nothing is gained, individually or collectively, by showing hostility to a language which as the Federal language is bound to gain increasing prominence.

“Lastly, I have taken care to see that these orders are given effect to only in Form I and that the new scheme extends gradually in succeeding years to the next higher form.

“This resume of events and developments which I have given will, I trust, assure the Members of this House that Government have throughout been anxious to arrive at a sound educational policy unaffected by transient political agitation. Our school children should not be the victims of political prejudices.

“The general reception to the final scheme adopted by the Government is very encouraging. Though I feel that the scheme is good, as good as all compromises could be, I am not vain enough to feel that it cannot be improved. I therefore welcome all criticism, and will be grateful for the valuable suggestions of this August Assembly.”

4-30 p.m. MR. SPEAKER:—“Motion moved—

“that the orders in G.O. No. 2121, Education, dated the 27th July 1950, regarding the study of languages in Secondary schools under the reorganized scheme of secondary education be taken into consideration.”

“I suggest that the hon. Mr. Karanth and the hon. Mr. L. N. Gopalaswami, who have given notice of amendments, move their respective amendments formally. After they are seconded, the main motion and the amendments may be taken into consideration together.”

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SRI K. R. KARANTH:—“Mr. Speaker, Sir, I move the amendment that stands in my name—

“and on such consideration, this House is of the opinion—

- (1) that the first language (regional) should not be split up in forms I to III but taught as a whole; that it should be split up in forms IV to VI, so that in the place of its optional part a classical language like Sanskrit may be taken up;
- (2) (a) that Hindi be taught from form III with an examination in it for the S.S.L.C.; and
(b) that it be made compulsory;
- (3) that the syllabus for English be lightened but that the method of teaching be improved and made more efficient than it is now.”

SRI V. RAGHAVAYYA:—“I second it, Sir.”

SRI L. N. GOPALASWAMI:—“Sir, I move the amendment that stands in my name—

“Add the following at the end of the Government resolution:—

“On such consideration this House feels that the importance of ‘Hindustani’ as the national language of our country has been given the go-by, as it has been assigned a place among non-compulsory subjects, while English an absolutely foreign language has been assigned a compulsory place in preference even to the lingua franca of our country.”

SRI A. VAIDYANATHA AYYAR:—“I second it, Sir.”

MR. SPEAKER:—“Now the main motion and the amendments are before the House for consideration.”

* SRI K. R. KARANTH:—“Sir, I quite appreciate and welcome the last sentence in the speech of my hon. Friend, the Education Minister, namely, that he has not made up his mind finally, and if there is any good thing that is going to be suggested he is quite willing to consider it. It is not my purpose to condemn, or to criticise or to assess the relative merits of the several orders passed because we have had so many orders and even though I tried my best to understand them it is rather difficult for me to do so. It looks like algebraical formulae of permutation and combination. In 1948 they issued two orders, another order was passed by another Minister, and two orders by this Minister himself. I quite appreciate the spirit, that this is not a matter for party or personal politics either, not even for provincial politics, whether it be for Tamilnad, or Andhra or Kerala. It is an important thing which affects the children. Therefore, I am glad this matter has ultimately come before this House. But, I regret that when an important subject like Secondary education is being dealt with by Government, I wish that in addition to expert bodies—experts are no doubt useful—this House, which is the most

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important institution in this State is also consulted. In the case of food, on which we have had so much discussion in the last two days, any democratic Government can benefit from the many useful suggestions which have been made. Similar is the case with regard to education. Now, in the amendment which I beg to place before this House, I do not claim any infallibility. I have put it in three portions, so that each part may be considered by itself.

"The amendment reads thus:

"and on such consideration, this House is of the opinion—

(1) that the first language (regional) should not be split up in forms I to III but taught as a whole; that it should be split up in forms IV to VI, so that in the place of its optional part a classical language like Sanskrit may be taken up;

(2) (a) that Hindi be taught from form III with an examination in it for the S.S.L.C.; and

(b) that it be made compulsory;

(3) that the syllabus for English be lightened but that the method of teaching be improved and made more efficient than it is now."

"I will now take the first portion relating to the regional language.

"Regarding the regional language, my chief difficulty is with its splitting up as proposed by the recent order. I feel that it is quite impossible or rather inadvisable to split up the regional language in forms I to III. A child is barely ten years when it comes to the first form; it enters school in its fifth year and it will be 10 or 11 when it comes to the first form. In fact, I have myself a daughter studying in form I, and I see the effect of the new scheme of education on her. It is difficult for her to understand English because it is a language which is quite contrary in its nature to any of our Indian languages. Therefore, at that stage to have a third language or a fourth language is certainly not very desirable. Further as long as the regional language is going to be the medium of instruction from forms I to VI, I expect a child to have a thorough grounding in the regional language itself. Therefore, it is not desirable, and it is not in the interests of the children, that there should be any splitting up of the regional language in forms I to III. I do not know what the optional part of it is going to be and if the relative importance will be four is to three or anything like that as stated by the Minister the pupil will suffer. Grammar and composition are important at that stage. One must have a first-class grounding till form III. I had a talk with an hon. Member just a few moments back and he told me that even up to the form VI stage, in the High school stage also, it should be compulsory and the whole of it should be taught. I quite see the reason behind that view. A boy of form VI ought to know his regional language well and he ought to be an expert in it. If in my amendment I attempted to split up the regional language from forms IV to VI, it was only so that a place could be found for a classical language like Sanskrit and that those who went to have a

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knowledge of Sanskrit could be given the option of having it without sacrificing the regional language. If by any means, it is possible to give place to a study of a language like Sanskrit without splitting up the regional language it is quite desirable. If it is impossible by any means to do so, then only I say that the regional language should be split up in forms IV to VI.

"As regards Hindi, I feel that in forms I and II, at any rate, there should be no third language. As the proposals stand to-day, a child can take up four languages in form I, of which Sanskrit can be taken as optional and Hindi also. If I am not mistaken, it is rather difficult for a child to grasp some of these things all at one time and I am afraid that the proposals are so arranged that you can take up all. There may be parents who believe that our children are capable of learning three or four languages but ordinary schools are meant for ordinary children. If people desire that Sanskrit if taught in form IV will be too late then I feel that, I cannot agree with them. I know of several people who learned Sanskrit up to a certain extent. When I was in prison, I asked one of my boys to take up Sanskrit and he gave up his school where there was no provision for the teaching of Sanskrit and he lost one year by that. I found that with very great difficulty he passed Sanskrit in Intermediate but I do not find him touching any Sanskrit books now. There are so many who graduate in Sanskrit but who do not at all pursue their studies after that. All the same, I agree that provision for teaching that language must be made in our High schools for those who desire it. The question is, however, at what stage is that to be done? Certainly not at a time when the child is in the first or second form. Simply because some few intelligent children are capable of receiving lessons in so many languages you should not plug into their minds the regional language, English, Sanskrit and Hindi. English is a very difficult language. With thirty years of studying that language, we are not able to speak in that language for even ten minutes correctly. I know the difficulty and I am even to-day reading books in English and with all that my knowledge in the regional language—I belong to the first S.S.L.C. of 1911 and there was no grammar then—is very poor: I think in English and I write and speak English, yet I know the difficulty of mastering that language. I know its effect upon our children. Therefore there is no use trying to give anything more than two languages and let there be no third language in at least forms I and II though I would have said for the III form also.

"There is another thing to which I wish to refer. It has been mentioned in the Sargeant Committee Report, and its main principles have been accepted by the Government, namely, that the High school course should not be thought of as a conduit pipe or gateway to go to the University. It should be a complete course in itself. Out of the 60,000 of the pupils appearing for the S.S.L.C. only one-third can expect to go into the University. Therefore, the S.S.L.C. course should be an end in itself and a boy coming out of it must have a good knowledge of the essential things so that he may be able to start his life on his own and there should be no attempt to reduce that minimum.

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"Regarding Hindi, I would tell my Tamil friends with the utmost humility that though the Hon. Minister for Education may say that he has not yielded to any agitation, I think that it is obviously a matter of yielding to it; that is clear beyond any doubt. At one stage Hindi was made compulsory and at another stage, it was made compulsory for others and an exception was made in the case of Tamilians. I think, Sir, if Hindi is necessary and will be to our interest in the future it will be so for all people and it must be taught to all. It is very much to be regretted that after getting Swaraj in the country, we should still hug English and that there should be a reaction in its favour more than in the past even though within a period of 10 or 15 years, Hindi has to take the place of English as the All-India language. That is a position which I cannot understand."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"It is going to be more and more."

SRI K. R. KARANTH:—"Then we shall have to go more and more south. It is unfortunate that in our country the south should be fighting with the north. It was the same in the history of the United States. I am asking the hon. Gentleman who made that observation. Do you not want this country to be one? Why should the Tamilians alone feel differently on the question of Hindi from the Kannada people or the Andhras. (An hon. Member: Not all.) I am glad to hear that not all Tamil people are of that view and am glad that my hon. Friends in the Congress in Tamilnad have been working for the spread of Hindi all these years, but still the opposition to Hindi is more in Tamilnad than anywhere else; that must be conceded and I regret that it should be so. I can understand their sincerity or their fear when they say: 'Do not reduce the efficiency or importance of the regional language.' But when that is conceded, should they say that they would not learn Hindi? Is it right? We must see that Tamil should not suffer and that it should be taught to the utmost till form VI, but I cannot see when that that is done Hindi should not be learnt. I beg of hon. Members to see that we must think of a time when we must be able to drop English. Even our self-respect demands it. I know it is an international language but all our people are not going to France, Europe or the United States. They are going to be here; I expect that one-third or a little more of our 60,000 S.S.L.C. pupils would be going to the University but for all the others a good working knowledge of English is enough. Articles 343 to 351 of the Constitution deal with the question of the official language. Hindi is the Union language and we have been given fifteen years to prepare ourselves for that task and at the end of the fifth year and again after the tenth year, Commissions are to be set up by the President to see what progress has been made in the States. I am asking if this sort of opposition to Hindi is good under the circumstances. I feel that if Hindi is good it is good for all and no distinction should be made between anyone. I am asking my Tamil friends why, when their demand for a thorough working knowledge of Tamil has been conceded and it is to be taught as they desire, they should oppose the learning of Hindi? Let it be made optional from

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form III and let people take Sanskrit from form IV. I shall explain why I have placed Hindi in form III. Before I came here, I had a discussion with some of the most experienced teachers in Mangalore. Nearly one-third of our boys come from higher elementary schools in the villages. There the school fees in the upper classes of the higher elementary schools are only annas eight or so per mensem whereas in the secondary schools, the fees are three or four rupees and the students continue in higher elementary schools for as long as possible and they get admitted in the form III though by this they lose a year, as they are not allowed directly to come to form IV. If Hindi is to be taught at any stage, I prefer form III. For the first two years in forms I and II, I say that three languages should not be taught and instead of paying lip service to it by devoting two hours for it per week, from the third form when one-third nearly of our children come from the higher elementary schools, Hindi must be taught and it must be taught for more hours and compulsorily also. Otherwise, I feel that we are not doing our duty by the country as a whole. I can of course understand the reactions against Hindi. Our Northern friends are trying to force it down down our throats; it will be all right if instead of it, they force on us more of paddy or rice (Laughter.) Much fuss was made when the Constitution was being drafted about the numerals. If in Northern India you have the misfortune of being knocked down by a motor car, you do not know the number of the car because it is in Hindi. The Arabic numerals are not there. If these gentlemen had seen the 'Story of Civilization' written by Will Durant published in about 1939, they will find what greatness is given to India; the so-called Arabic numerals originally began in this country itself. They are called Arabic numerals because Arabia adopted them. The fight over the Hindi numerals gives an idea of their fanaticism for forcing the language on others. But let us not react equally foolishly. Our duty to the country as a whole must be borne in mind. Go anywhere else, except in Madras Province or Mysore, to Hyderabad or Delhi or to Bombay where I was a student studying law, only Hindustani is spoken; it is the same thing everywhere. Of course I agree that the language is somewhat difficult in regard to genders and other things and it ought to be improved but its study is useful and necessary. Secondly the North and also the Central Government must learn one thing hereafter: If our children have to take the All-India Service, they will have to know Hindi. Otherwise, they will have no place in it. Similarly every North Indian student who takes to the All-India Service should have been learnt at least one South Indian language.

"Let us say and act as of one mind as we belong to the same country, and not as if we are somewhere in South Africa. In fact, when 'Kannada' was mentioned in the Central Assembly some years ago by a Karnataka M.L.A. a North Indian M.L.A. asked 'Where is it, is it in Canada?' If a speech were to be made in Kannada or in Malayalam in the Central Assembly, it arouses a lot of mirth. All this prevails because of want of proper perspective on the part of the Northerners. This can be probably set right by bringing the capital of the Union to a Central place. For at present, Delhi is too far in the north, and it would be well to

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bring the capital to some place in the Central Provinces. Then people would have a better perspective and have a broader vision regarding the South. And we of the South also should have a better vision of the North. We should certainly lessen our craze for English in the South though it would be inevitable in the transitional stage.

"Now, Sir, I shall deal with the place assigned to English in the course of studies in the new curriculum. I have taken some trouble to see what it is at present. We all know what it was in the olden days. In former days we used to be encouraged to study and speak always in English, though it would not be a patriotic thing from to-day's point of view. We used to have associations and debating societies, where we were encouraged to speak only in English. We were asked to speak only in English in the classes and to the teachers; otherwise, if a boy talked in his regional language he would be fined; and that was the attitude towards English then. The medium of instruction was English, and the standard of English fixed was pretty high. If we contrast what we speak now with the speech of those who studied English in days earlier to mine, we see the marvellous difference between the two. I find, when my friend, Mr. Prakasam makes a speech, there is hardly a mistake; but when I read the manuscript of my own speech I find there are lots of mistakes in it.

"Now let me see, what the position is to-day. The old syllabus still remains; the medium of instruction has been changed to the regional language and only a few hours are allotted to the study of English. I do not oppose the change in the medium of instruction. I am glad, pupils now are able to study well and grasp quicker; I am glad children are able to compose even verses in the regional language; I am glad they are clever in Mathematics and most other subjects. But I am told that in the School Final Examination nearly fifty per cent of the failures are in English, because the standard is the still old standard, whilst all the other things which prevailed then had been removed. I am anxious that all our pupils should go out of the high school with a proper working knowledge of English, so that they might be able to converse correctly at least. I have in my hands last year's English text book prescribed for the S.S.L.C. Examination. When I turn over the pages in it, I find what a lot of scribbles in pencil in the margin and underlinings, vertical and horizontal, all through. That shows what amount of trouble the pupil has taken and what amount of waste of brain energy has been undergone by the pupil in studying it. I fail to see what bearing the study of Merchant of Venice and the other things we find in the text-book, has to the present condition of things. The lessons are all difficult to be understood by the pupils and the teachers have been telling me that the pupils do nothing but mug up things! No intelligent study is being made by the pupils, as the whole thing is too difficult for them. This text-book, which I show to the House was prescribed last year for the S.S.L.C. course and it contains more than 100 pages, consisting of prose and poetry selections. Very often, the text-book is not available to the students before the end of August. In my district, the high schools reopen in the month

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of June, and for the two months of June and July, no text-book is available, the lessons have to be rushed through. I am told this acts as too much of a strain on the pupil, and it is not in the interest of the future generation that it should be so. Therefore while I am next to none in our anxiety to see that our children get a good knowledge of English, the present standard is too high and should be reduced. The method of teaching should be altered and improved. Otherwise it would be a colossal waste of energy for our pupils.

"Sir, I do not want to take more time of the House. What I wish to inform the Government is, I do not expect any offhand answer to the points I have raised in my speech, that the orders recently issued have not yet reached the high schools. Till I left my place, the order had not reached my place, and there may be several such cases; so, there is enough time even now to modify the order suitably. The order should be modified in the light of the suggestions I have given. And when once Government come to a decision, they should not go on altering it every month or once every six months, because there is a change of Ministers as has been the case till now. Having come to such decision the Government should see that it is carried out in an effective manner."

* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I beg to say a few words on the amendment, which I have already moved.

"The amendment is—

Add the following at the end of the Government resolution:—

"On such consideration this House feels that the importance of 'Hindustani' as the national language of our country has been given the go-bye as it has been assigned a place among non-compulsory subjects, while English an absolutely foreign language has been assigned a compulsory place in preference even to the lingua franca of our country."

Sir, I only want to express the feeling which has been created in the minds of the people like me when we see the educational programme that is being adumbrated by the Government. I am not an educationist myself, and so I do not arrogate to myself the expert opinion of how many languages should be taught, when they should be taught and where they should be taught. But I know this much that we in the State of Madras, irrespective of the districts to which we belong, belong to the one country of India, whose common language has been proclaimed to be Hindustani by its Constitution. When I tabled this amendment it is only to express my feeling that we have given the go-bye to Hindustani while we have stuck to English like a leech. We have been slaves to Englishmen till now, and though we have won our freedom, we still want to continue to be the slaves of English language. (Interruption.) I have absolutely no objection to talk in Tamil, but I want myself to be heard by all people in this House as well as outside. Long before the Englishmen had left our

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shores, we as Congressmen have pledged ourselves in our election manifesto to the introduction of Prohibition and the adoption of Hindustani as the common language of India. It is on that verdict that we have been returned to this House. But what do we see here? Sir, when I follow the educational programme of the Government here on the language question, I am only reminded of the story of the old man, his son and the ass and the sequel to their trying to please everybody. If a number of people join together and hold a meeting and pass a resolution that Sanskrit should be given more prominence, that request is conceded. Should there be an agitation that Tamil has been given the go-bye and that it should be given more scope in the course of studies in the primary, secondary and high school courses, that again is conceded. If there is an agitation somewhere against the compulsory study of Hindustani, Government give the go-bye to the study of that language. Now the anti-Hindi agitators are celebrating their victory in that they have been relieved of Hindustani. But the Hon. Minister says, 'we have met the opposition and we have agreed at a common factor.' Sir, I really do not know whether this is the victory of the Hon. Minister over the anti-Hindi agitators or that of the anti-Hindi agitators over the Government. Then, Sir, it is said that that regional language should have all its place. I have absolutely no objection to that. But what have the Government done next, I ask. No. They have said that next to regional language, English is compulsory. Why, I ask, Sir should English get precedence over our national language? No reason has yet been assigned by the Hon. Minister to this throughout his long opening speech. Perhaps it is an international language and so it should be learnt from the first form and that compulsorily."

THE HON. SRI K. MADHAVA MENON :—" I have not said, it is international language."

SRI L. N. GOPALASWAMI :—" But why then make the study of English compulsory when not even one per cent of our people have the anxiety to learn it. We have been given only fifteen years to make ourselves fit to speak Hindustani language. Afterwards, all our States are going to be administered in that language only. Are we now making preparations for that, I ask? No, we are thinking only in terms of our own corner of India not about the entire nation."

" Sri Karanth labours under two misapprehensions. One is that the people of Tamil Nad were opposed to Hindi. May I tell him that it is not at all so. I challenge any one to contest the elections in any constituency on that issue and I am sure he will be defeated. Some of my friends said, 'Alright, we agree with you that Hindustani should be given more emphasis in our study; what are constructive criticism you are going to offer?' Yes, here is my answer. Here and now I make this proposal: Hindustani should be assigned the place which English has been given now, and English should be given the place which Hindustani has been given. That will be quite all right. There has

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been a positive disservice and step-motherly treatment meted out to Hindustani. It has been excluded from the purview of Part II of the First Language. The Government Order reads thus :

'Pupils will be allowed to choose either Part II of the mother-tongue or regional language or a classical or any other Indian language (except Hindi).'

Sir, what is the crime that Hindustani has committed? If a pupil wishes to study it in preference to a classical language like Sanskrit or Arabic or any other Indian language, why should he be prevented; Sir, I ask why not allow him to study Hindustani even as Part II? Is this Policy in consonance with our election programme? Another misapprehension is that Hindustani is being forced on us. This argument of Mr. Karanth, I am unable to understand. Where is the force, I ask and who is forcing it? That language happens to be the language of the majority of the people of our country. And if we are going to have our proceedings conducted only in that language hereafter and if we are asked to prepare ourselves for that in fifteen years, what is the force employed in that I fail to understand? Did we not all learn the difficult English language simply because a foreign power ruled over us? Did we not then sit down and study it earnestly day-in and day-out. I therefore want the Government to take a broader view in this matter. We should not bury ourselves in one corner of India and declare that we consider English language to be more important than Hindustani. Here I will only repeat in support of my argument, what was said by our revered leader, Sri C. Rajagopalachariar, in 1937 when he introduced compulsory study of Hindustani :

'If now we make Hindustani compulsory it is only in the interest of those that oppose it now. Just as the others who took up to English, got the benefits of it early, they will study Hindustani also. But the former would not do so now but would repent later. The result would only be that there will again be a clamour for the protection of the weaker section which should be avoided in the interest of our national well being.'

Before I close, I would like to echo what Sri Alladi Krishnaswami Ayyar expressed during his arguments before the High Court about what our attitude should be. He said :

'We are imprisoned in a narrow hole and are thinking only in terms of it. We refuse to see beyond the border of our hole. Let us put the new Constitution into effect in a Catholic spirit surcharged with the new spirit of freedom and the idea of bringing our mind to bear on that problem before us in terms of the nation and terms different from the wretched business of this part of the country or that. We must think in larger terms of the body politic and this petty-fogging which haunts us both morning and evening must go.'

Sir, I only want to conclude by saying there is absolutely no opposition to the study of Hindustani. I will give one example. I have a number of friends in the Nadar community in Virudhunagar. They never seek Government job. I have personal knowledge of them. They prefer to study only up to Form III. They learn Tamil only and then their parents send them to foreign

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places for doing business. In spite of my hon. Friend's view, they are all very well versed in Hindustani. They go to Karachi, Lahore, the Punjab to do business there. If I ask them, 'why not learn English, they reply, 'why learn English! It is only for reading a telegram and that can be had by employing an Ayyar on Rs. 20 or Rs. 30 a month. We will go to every nook and corner of the world and mint money.' So, from the view of practical politics, to stick only to Tamil or to English (the language of a nation which is six thousand miles off) is definitely wrong. Sir, I enter my emphatic protest on the exclusion of compulsory Hindustani from the curriculum of studies."

5 p.m. RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, Sir, we are very grateful to you and the Government for the opportunity that has been afforded to us to know in full the policy of the Government underlying the change effected with reference to the teaching of languages in schools and to express our opinion. I shall not take up the time of the House by traversing the ground of controversies that have taken place over languages during the last fifteen years. If I were to do that, I can grow eloquent and it will take two hours for me to finish. But I am going to finish my speech in a few minutes. I am one who has taken a fairly leading part in those controversies. Many have known my views and I make no secret of them. I have always said that I am not in any way unnationalistic when I ask for giving more importance to our mother-tongue and making Hindi optional. These two things have been the crux of the controversy. I shall not now go into detail in the policies underlying the various Government Orders prior to the latest order. This discussion is mainly concerned with the latest order. We are very glad that the Hon. Education Minister and the Government have understood the feelings of the people throughout the country and revised their order to this extent. I take this opportunity to congratulate them on the very reasonable compromise order that they have passed, though I do not agree with even this order in toto for the Government have not conceded fully the demands of the various sections of the people.

"I shall now refer to the question of the mother-tongue. The hon. Gentleman, Mr. Karanth, has made a very very clear and lucid statement on the question of the importance of the mother-tongue and I cannot improve it. I subscribe myself in toto to his speech with reference to the importance to be given to the mother-tongue with one addition. We should revert back to the days before his school days. He himself has admitted that his schooling has given him an imperfect knowledge of Kanarese. I am a much later student. I took Tamil as my optional subject in the fifth form. I am mentioning this only to show that even in those days optional subjects had to be taken up only in the Fifth Form. We have had to study the languages compulsorily in the B.A. class also. Those who speak in the name of nationalism, those who want the progress of our country and those who want Tamil to be the medium of instruction even in the University classes should have even from now that full importance is given to it so that in

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course of time it may be the medium of instruction from the lowest class right up to the highest University class. There must be no difference of opinion about it. To give due recognition to the mother-tongue, the first and foremost necessity is not to give any option to give up the mother-tongue. That is what the Government have done and I congratulate them on it. But I do not agree with the Government in splitting it up into Parts I and II. It must be a non-divisible whole. The whole lot of whatever is taught in Tamil, Telugu, Malayalam or Kanarese in the several periods of the week must be studied by all students. In saying this I am voicing the opinion of a very large section of the people outside, though in this House I, along with twenty other Members, may form a small minority. I wish to bring to the notice of the Hon. Minister for Education that there is a very strong feeling in this country that it is essential to keep the study of the language in full without any option to give up a part. We were hoping that the Government would give full facility to study the mother-tongue without dividing it into Parts I and II, but were taken aback when we saw the Government order. We are not against Sanskrit as such. By all means, let the Government give facilities for the study of Sanskrit. Let every school provide for the study of Sanskrit if the students are willing to take it. We only suggested that the study of Sanskrit should be at the option of the students. I went to the extent of suggesting to the Government that if a student wanted to study Sanskrit without attending the drawing and drill classes, he might be allowed to do so. If I remember aright, Mr. T. S. Avinashilingam Chettiyar, when he was Education Minister, told us, that a deputation which waited on him on behalf of those who advocated provision for Sanskrit wanted only two hours in a week for Sanskrit study and said that the Headmasters might be allowed to allot these two hours even outside the school hours. They only wanted facilities. That was the only demand that was before the Government. Therefore it is enough if it is made an optional subject. Under the latest Government order, a student can take up Hindi or a craft. What I suggest is that Hindi and the languages comprised in Part II of the First Language ought to be in one group and the student may be asked to take whichever language he likes. If there is a brilliant student who wants to take an additional language or languages, let him be allowed to take them as additional courses. But he must take either Hindi or Sanskrit. With reference to Hindi, I shall only content myself with saying that the Government could never have done a more right thing than what they have done in the latest order. By making it optional they are putting a onerous responsibility on persons like me who advocate the study of Hindi. I realize the responsibility. To the extent to which my voice counts, I shall certainly advocate the study of Hindi voluntarily. I can speak Hindi in a conversational style and that knowledge stands me in good stead even now. For persons who go to North India, knowledge of Hindi is essential. Willy-nilly we have to learn Hindi. Otherwise we will regret fifteen years later. If the language is made compulsory, there is agitation. If it is made optional,

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I am sure there will not be any trouble. After all facilities for its study should be there. By making it compulsory, the Government are not going to improve the situation. We want full proficiency in our mother-tongue. Mr. Karanth said that the boy's attention should not be diverted from the mother-tongue by making the study of any other language or languages compulsory. It is to the compulsory study of other languages that we object. I emphasize that all the other languages should be made optional so that the boy's attention may be devoted completely to the mother-tongue. Let him read Hindi or Sanskrit optionally. Under the latest order, such a thing is not possible. Hindi or a craft is compulsory. This should be taken to the Part II group of the First Language and the Parts I and II should be clubbed together.

"I may also mention—not because of my love for the English language—the need for the study of English. India's progress and freedom would not have been possible without English language. If we had not English education, we would never have become equals with the British, American and other nations of the world. If we want to keep up our position in the world, English is necessary. Even now the percentage of India's population who know English is very small. To reduce it still further will not be in the best interests of the country. We cannot also reduce the standard of English instruction. Boys find it difficult to follow the subjects in English in the college classes because there is no grounding of English. If the Government are going to reduce the standard, there is a very great danger. I shall not be tired of urging that the importance of English will continue for another twenty-five years at least. The Constitution fixes the transition period at fifteen years. Why should we think that the period will not be extended by another ten years for the sake of South India? We know the controversy over Hindi. We refused to sign the petitions brought to us by Sri Seth Govind Das. The Prime Minister himself was not very enthusiastic. The proposition was carried by a small majority. The majority of the population are not for Hindi. It is being thrust. I know the Government of India will spend even a crore of rupees on the preparation of text-books in Hindi. It should not be taken for granted that the fifteen years will be final; it may be extended. Within fifteen years, Hindi will not become perfect to the University standard, and it will not also be possible to prepare books in Hindi on technical subjects like medicine, engineering and so on. If we neglect English in the secondary school stage, fifteen years later we will have lost English and we will not have books in Hindi for the University classes. Therefore we must keep the importance of English till such time as we are able to prepare enough books, especially on technical subjects, in the mother-tongue, regional language or national language as the case may be.

"I think, Mr. Speaker, I have made my views clear. I do not want to enter into controversies, because this is not an occasion for controversy at all. As a matter of fact, much of the controversy has died down and let us hope there will not be any more controversy. Controversy there is over the question of less importance having been given to the study of the mother-tongue. I

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say that the optional subject should be only from the Fourth Form. Otherwise it will not be possible for the student to concentrate on Tamil, Telugu, Malayalam and Kanarese. I have advocated the study of mother-tongue in a full measure even to the B.A. class.

"I do hope and pray that the Government will take into consideration the feelings of the people and see that Part II of the First Language is clubbed with Part I and that the mother-tongue is given full importance in a non-divisible manner."

SRI T. S. AVINASHILINGAM CHETTIYAR:—"Mr. Speaker, Sir, I am very glad that we have had this opportunity of expressing our views on this very difficult subject. Apart from the difficulty of the subject, the matter has been complicated by the importation of sentiments for or against some of these proposals. 5-15 p.m.

"Before going into the subject, I should like first to express my high sense of appreciation for the way in which the present Minister for Education has sought to bring into effect the re-organization scheme of secondary education which was sponsored by me while I was in charge of the Education portfolio in this State. Except in the matter of language, I am glad, Sir, to find that most of the reforms that I had adumbrated had been put through, and I have no doubt that some of our boys and girls—I must say, most of them—are realizing the benefit of many of these activities that have been introduced by the bifurcation scheme, which has brought our education system up-to-date and placed it on a par with the educational standards obtaining the other progressive countries of the world.

"Now, Sir, I come to the very vexed problem, namely, the problem of language. Indeed, our main difficulty and our main job was how to provide for Sanskrit in our scheme of studies. Sanskrit was made optional and as an alternative to Hindi. There were a great number of school-going population belonging to the progressive communities in education who wanted to study both Hindi and Sanskrit and they urged that we should provide opportunities for them for the study of Sanskrit in addition to Hindi. Sir, as far as that position was concerned, no reasonable man could object. No doubt, Sanskrit is a cultural language. It is a language which contains rich treasures of knowledge and it has been handed over to us from time immemorial. So, those who urged for it should be given the opportunity to study it also. But the day in which it was sought to be done was something worse than the disease. In no country in the world has the language of the country been made optional. It is a mistake and it requires a courageous man to admit the mistake he has committed. It was on account of a mistaken advice that we did it, but I am glad that my Hon. Friend, the present Minister for Education had the courage to admit that it was a bad advice and has come forward to correct it. Sir, I was one of those who said that mistake must be corrected some day, and I am glad that my hon. Friend Mr. Madhava Menon has done well in correcting that position and in making regional language compulsory for whatever part it is. Apart from the question of sentiment, it is also the fact that

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in no country in the world has the regional language or mother-tongue been made optional, and looking at the question from the point of view of the future good of this great country, we urge that we must make our regional language compulsory and not optional. Sir, fortunately in the olden days most of our people who were well-educated in Sanskrit did possess also a very good education in Tamil, and similarly people were well-versed in Tamil had a sound knowledge of Sanskrit. But with the advent of the British rule, things had changed and English was made compulsory and Tamil and Sanskrit were relegated to the background and made optional. And from that day, the quarrel began. People who were great scholars in Tamil thought that there was nothing in Sanskrit and people who were well-versed in Sanskrit thought that there was nothing in Tamil, with the result they preached their own pet theories, and thus communal hatred, communal passions and communal jealousies were roused and these have been worked up to such a high pitch that there are people of both types to-day who, if I may say so, are prepared to swear that either Tamil is inimical to Sanskrit or that Sanskrit is the enemy of Tamil. This controversy is still going on in some places. But for those who are in charge of Education in our State, the most intelligent planning would be to make regional language which is the mother-tongue of most people and which is the language of the area, compulsory for all and such of those who want to study other classical languages, should be also provided facilities for doing so, by making them optional. That is the thing that has been done by the revised Government Order that has just now been passed by the Government.

Sir, I know all sorts of views have been expressed about the regional language in certain newspapers and by people who have not given proper thought to that subject. They say that regional language is the language that is spoken in the buses, in the streets and in the bazaars and that it is enough for our boys to read the language and the things that are contained in the Ananda Vikatan and journals like that in order to learn the regional language. I must say, Sir, that this is a very wrong view and it can never be contended that the language that is learned in the bazaars and the market place can constitute real learning of the language. Sir, I had been to Delhi several times, and had stayed there for about six months in the year and for eleven years, but still I did not learn their language, but my servants were able to get a working knowledge of it by going round the bazaars and markets, without actually studying it. Can you say that this is the real learning of the regional language? Certainly not. The bazaar language will not give any cultural or educational background nor will it make our boys really learned. So, Sir, it is necessary that our boys must study the regional language as a language in the school with the background of our culture, our race, our traditions, and the habits and customs of our people, who comprise 2½ crores of the regional population in our State and I am glad, Sir, that that view has been recognized by the Government.

Sir, as my hon. Friend on my right, Mr. Karanth has rightly said, and also the hon. Gentleman, the Leader of the United

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Democratic Party, supported it, instead of making this distinction why not you make the regional language compulsory for all and at the same time provide for Sanskrit as an alternative language to something else, if you do not want everybody to study Sanskrit. That is a suggestion, Sir, worth considering and that I think will give a unity of outlook among all boys and girls. Those who want to learn any other language besides the regional language can certainly study a classical language in addition to it.

Now, Sir, let me come to the other language that has to be studied, namely, Hindi. You know, Sir, that Hindi is going to become the Federal language of this country. Then again, Sir, there is English which is really the international language to-day and it is certainly required to open the gates of higher knowledge for our boys on scientific subjects and for research in order to enable them to keep up with the progress of the modern world. But there is one danger. You know, Sir, and this House knows, how great has been the opposition against English and how we had to face this anti-English agitation. I have heard many discussions over this question in the Constituent Assembly and I was myself present during the discussions over this subject in the Central Advisory Board of Education in which I had the honour to represent this State and I know that there has been a great deal of agitation in the country because many public men and leaders in the country want that Hindi should take the place of English.

Sir, my hon. Friend, Mr. L. N. Gopalaswami, has vehemently pleaded that Hindi should be made compulsory and not optional because it is going to become the *lingua franca* of our country. It is no doubt true that because English was made the medium of instruction all these days that we had been slaves in this country and our men and women had been hewers of wood and drawers of water all these 150 years, under the British rule. As English was made the essential subject, most of our people could not study English because it was a foreign language and since the medium of instruction was English in schools and colleges, only a very few percentage of the population were able to study the foreign language and as there were not enough books in Tamil or in the regional language on science and higher studies, we could not keep pace with the progress in other countries and remained slaves for all these years because of the domination of the foreign rule and the imposition of a foreign language as medium of instruction. The result was ignorance and poverty among the general masses of the country and we were unable to raise their standard of living nor could we rise up intellectually and culturally as a great nation. Therefore, it must be clearly understood that if our country is to raise up its head among the civilized nations of the world, if our people are to raise to their full stature and if we are to hold our own in the world, the highest knowledge of everything must be made available to our people in our own language and that is possible only by making our mother-tongue the medium of instruction in our schools and colleges. I am glad to be able to tell you, Sir, that the Conference of the Ministers of Education and the Vice-Chancellors which was held last year

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did recommend that whenever a change in the medium of instruction was to be made in the University, it must be by the substitution of the regional language and not Hindi. That is a suggestion, Sir, which I think nobody can dispute. My hon. Friend, Mr. L. N. Gopalaswami wants that Hindi must be studied as a national language and that it must be made compulsory, although it is not now a medium of instruction in our colleges. It is this language jingoism or language imperialism, if I may say so, that has put some people into fright and it is they who urge that we ought to have our own language in our country, especially after we had attained independence and that English should be relegated to the background, because it is that language that was responsible for having kept us under slavery during the last 150 years of British rule over this country, and that it is not good for the millions of our men, women and children. Whatever it is, Sir, it is clear that if a language is to flourish and if it is to be of use to the people at large, it must contain such literature as would impart the highest knowledge in all subjects and our schools, colleges and Universities must be enabled to give instruction in our own language, so that our level of thought, intellect and culture might grow and that common man in the country might be able to rise to the highest stature. - That is the meaning of democracy and that is what the language of a nation ought to be capable of.

"Now, Sir, I should like, in this connexion, to sound a note of warning to those who are very enthusiastic about Hindi. I am as zealous as any hon. Member of this House that as many of our boys and girls as possible should study Hindi. But there is one factor that must be taken note of by any Education Minister of any State and that is the inherent nature of the child itself. There are certain people who are linguists and who could pick up any number of languages. I have known some friends of mine who knew 17 languages and could well speak and write in those languages. There are others who could not learn more than one or two languages and that is due to their mental capacity. There are some people who are mathematically-minded, while there are some others who would dislike mathematics, like anything. In certain countries multi-lingual policy is not encouraged among children, because they think it is wasting the energies of the children, taxing their brains and filling them with confusion and thus spoiling their mental capacity, while there are children who could easily learn and grasp more than one or two languages without difficulty. Therefore, having regard to the inherent capacity and the inherent quality of the children, the State must see that no compulsion is resorted to in regard to languages which are not mother-tongue, but that a certain amount of option is given to such of those children who have the desire and the capacity to learn those languages other than the mother-tongue. That is why we see that most of our boys to-day are failures in English, because it is a foreign language and that has been made compulsory. My Hon. Friend, the Minister for Education, has therefore done the right thing in making Hindi an optional subject, although it is to become the national language of our country.

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"Now, Sir, let me come to the third point which I should like to mention. According to the original order, the regional language was made the first language, Hindustani or Urdu (with both Persian and Nagari script), the second language and English the third language. But now that order has been slightly changed and English has been made the second language and Hindustani the third language. While I do appreciate the value of English and the reason for making it compulsory, I must say that in the years to come, we must make an earnest attempt to see that the highest knowledge of all the subjects that we could get through the language is made available in our languages also, and it should not be our reason, that because we have not got sufficient books in our own language, we shall continue to have English till eternity. It must be the endeavour of the Government and of the Universities to make earnest, systematic and persistent efforts to see that books in our own language are made available containing the highest knowledge of all subjects, which are now obtained in English within a reasonable time, so that we shall be able to make our own language the medium of instruction in our schools and colleges. Therefore, viewing the whole question from that point of view, we say that Hindi, the Federal language of this country, should be given the second place rather than the third, which is now given in the revised order of the Government.

"On the whole, Sir, I must say that the latest Government order has tried to meet the various points of view. But I would ask the Government to consider the points of view which have been ably put forward by the Raja Saheb and others about the non-divisible regional language. It is very detrimental to the children to learn all the new languages in the same class. In the re-organization scheme of 1948, while Hindi was taken as a second language in the first form, under the latest order English and Sanskrit begin in the first form: That is no doubt a burden upon the normal child. Beginning a year later will not be difficult while learning all new languages in the same class will create a difficulty, and will even be a burden. Another point of view to be remembered is not to be learning only languages, but acquire knowledge. The reason for learning many languages is to get knowledge. But to burden the child with so many languages, will mean that the knowledge portion of the language which he has to learn and understand will lessen to a certain extent. After all human knowledge is limited and intelligence is limited. When we force certain things upon them certain other things are bound to suffer. From the point of view of education, quality and the nature of the child itself, it is difficult to ask the child to learn two or three languages. One language at a time to be taken will be good enough, and to learn two or three new languages will be hard and will not be conducive to proper education. I do not want to say anything more except to say that the recent and the latest order of the Government has generally met some of the objections that have been raised. I do not want to blame the Hon. Minister for showing deference to the advice from well-intentioned quarters. That is a thing which he has very ably done. But I would like him to consider the view points which I have put."

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JANAB ABDUL HAMEED KHAN :—" Mr. Speaker, Sir, I am glad that we are having a discussion on a very important subject of languages in the secondary stage of education. We were groping in the dark early in 1948 as to what place should be assigned to the mother-tongue and what place should be given to the regional language and what place to English and Hindi. Subsequently we have learnt and found out the mistakes that were made earlier. I am glad that our Hon. Minister for Education in his latest order has brought about a very notable change in the order in which languages have to be taught in the secondary stage.

"It cannot be denied that mother-tongue should always have the first place even in the secondary stage. Then comes the regional language. After all, after becoming proficient in the mother-tongue and after receiving some education in the mother-tongue, the boy should necessarily learn the regional language, since he cannot get on without knowing the regional language. Let us take our own State. For a Muslim boy whose mother-tongue is Urdu, he receives his education in the early stages and also in the later stages through the medium of Urdu. Then he will certainly be groping in the dark with his own country men if he does not know the regional language. Naturally he has to learn the regional language. Then the question arises as to which place one should allot to English. There have been two opinions. There are some hon. Members, both here and elsewhere, who believe that English even from to-day should be gradually reduced to the extent of nullity after 15 years have elapsed. They are believing so without giving a certain amount of thought to this question. It is impossible to reduce the knowledge of a language gradually. If the language should be there at any stage, in any form, or to any extent, the standard thereof should be kept up at all stages. The language can be given up after 15 years all on a sudden. We cannot go on reducing the standard of the language from the first form stage, i.e., first year, second year, third year, and so on, and gradually bring about its death. That is an impossibility. I am sure any educationist will subscribe to this idea. Therefore the suggestions made by some hon. Members that we should reduce the standard of English in the first form from where we begin now, is positively wrong. The standard should be kept up. Otherwise, let us give up the language, even from now on. If we are going to keep the English language at all for 15 years, the standard must be maintained. That is so far as English is concerned. The value of the language, Sir, the treasure it contains, the literature it contains, and the usefulness of the language, all these things are conceded, and yet the hon. Gentlemen go to the extent of saying that the standard of the language should be reduced so that it may die after 15 years in this country. I am sorry that they have not understood the question. If they consult any educationist, they will realize that they are making a mistake. When we are going to continue English as the medium of instruction in the University classes, it is very necessary that the boy or girl who wishes to take to University education should have to maintain a high standard from the lower classes up to

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S.S.L.C. so that when he or she enters the University class he or she should be in a position to cope with the standard that is obtaining in the University classes. That is one of the reasons why English should be given great importance in this country. If we go to Triplicane or Mylapore or even to the places of the hon. gentlemen who speak of the regional language or Hindi and of the importance of Hindi and Hindustani, we will find that a major portion of the words of the language come from the English language. Only a minor portion come from the Tamil language. Even those people who speak Tamil ostensibly speak more English than Tamil. For the very same people to come and tell us that the standard of English should be reduced and that Hindi should be given equal place along with English, is a thing which one cannot understand. What is the place that one has to give to Hindi? We know that it is a language we are speaking to a very large extent, although Sanskritized Hindi is sought to be forced on all those who have been till the other day speaking Urdu and Hindustani of the Arabic type. It is impossible for us to accept that proposition. We can understand simple Hindustani and not Persianized or Sanskritized Hindustani. Muslims speaking Urdu can easily learn that language. But to insist upon learning the Nagari Script is a thing which I do not understand. As we are living . . . (Interruption.) That has been given up. I do agree that Urdu-speaking people should learn the Nagari script also. Many things which were forced on us in the past have been given up rightly, and now we are thankful to the Hon. Minister for these very necessary changes in the study of languages, because, after all, what is the use of forcing on an unwilling person where the thing is not useful to the people or to the country around him? So far as Hindi is concerned, some of the hon. gentlemen thought that it should not be kept optional. On that question there is a very strong opinion held in this part of the country. They know that the vast majority of the people do not agree to compulsory Hindi. For various reasons they think that if a language which is not their own is forced upon them, to that extent it would affect the study of the regional language. I can understand a language which, if it is taken, has opportunities for people speaking that language to learn a lot of literature in that language. Or, in other words, the literature in that language will grow. On that account naturally friends insist upon Tamil being given an exclusive place of its own either by bifurcation or by keeping one language. I do understand the point of view of the Government that so far as the regional language is concerned, it is very much more useful and practical to bifurcate it, for learning of that language is done by a fairly good number of people. But then there are a small number of people who would like to have the intensive study of that language. If these people want to make an intensive study of that language and its literature certainly opportunities should be afforded to them. It is for the sake of this minority that this language has been bifurcated. The intensive and the non-intensive parts of the language should be there. I do not agree with the hon. gentlemen Mr. Karanth and Mr. Gopalswami that they should be unified. Certainly unification may or may not be useful. As I said the majority of people may not

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learn a language for the literature therein. But there is a very good minority who would certainly like to take their mother-tongue for intensive study, and I say it is very necessary that they should be given opportunities to do so. So far as Hindi or Hindustani is concerned, my Tamilian friends and others are of the opinion that that language should necessarily be made optional. Anybody who understands things and sees things as they are in our country, knows the importance that this language is assigned to in the education of the people, and the life that they will have to live afterwards, knows very well that a knowledge of Hindustani and intensive study of Hindustani is very necessary.

5-45 p.m. Those people who are really aspiring for very many good things will certainly take up Hindi or Hindustani, which is not absolutely necessary for a vast majority of people in this State for they will neither go to North India nor will Hindustani come here. The controversy that is going on between the North and the South itself shows that there is very clear demarcation between people and people. There are people who do not want to know Hindustani; why should you force it on them? Therefore, keep Hindustani as an optional subject. You are making provision for the teaching of Hindustani in all schools. That itself means that those who really want to learn that language may take up that subject."

SRI A. VAIDYANATHA AYYAR :— Mr. Speaker, Sir, my first complaint is that Hindi has not been given that place which is necessary having in our mind the necessities raised firstly by the Constitution and secondly by our conduct, promises and assurances of the past. My second complaint is that English is given too much of a prominent and compulsory place, a place which you have got to be ejected from as soon as possible to make way for the national language. Article 343 of the Constitution says, "The official language of the Union shall be Hindi in Devanagari script." For 15 years no doubt English has been permitted to continue, subject to a Commission sitting under Article 344 (1) to report on the progressive use of the Hindi language for the official purposes of the Union and the restrictions on the use of the English language for all or any of the official purposes of the Union. So, what is contemplated by the Constitution is as soon as five years have elapsed from the commencement of the Constitution, a Commission should sit in order to see that Hindi language is progressively used for official purposes and to report upon the restrictions to be imposed on the use of the English language.

"Again Article 345 says—

the Legislature of a State may by law adopt any one or more of the languages in use in the State or Hindi as the language or languages to be used for all or any of the official purposes of that State

"Article 346 says—

"The language for the time being authorized for use in the Union for official purposes shall be the official language for communication between one State and another State and between a State and the Union. Provided that if two or more States agree that the Hindi language should be the official language for communication between such States, that language may be used for such

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Towards the end, in Article 351 there is a specific duty placed upon the State to promote the spread of the Hindi language. That article indicates the line on which we are to proceed. It says—

"It shall be the duty of the Union to promote the spread of the Hindi language, to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India and to secure its enrichment by assimilating without interfering with its genius, the forms, style and expressions used in Hindustani and in the other languages of India specified in the Eighth schedule

Therefore, according to what is contemplated by the Constitution, there is space for the regional language and there is space for the official language to be Hindi. There is a specific direction to remove English as soon as possible. The Constitution throws a duty upon the State to see that Hindi is spread to serve as a medium of expression for all the elements of the composite culture of India. That is one thing we have to keep in mind.

"The second thing that we have to keep in mind is that our country being a single Union, many of our people both for purposes of business and for purposes of employment are spread all over India. To-day a number of Malabari friends who are in the North and a number of those belonging to our several communities who are there form a big contingent and if in a short time you are going to have Hindi as the official language of the Union, certainly you will be wanting in faith if you do not apply strict standards to judge our examinees. Otherwise, those who go on employment they may not have as much proficiency in Hindi as to-day we expect in English itself. It would not be out of place to point out that 15 years hence those who appear for the I.A.S. and Engineering examinations, all those who go to the Army and all those who work in the several cities in the North would be expected to possess not merely speaking, conversational knowledge of Hindi but a good literary knowledge of Hindi itself. The question is whether at the present time the way in which the Government have given opportunity for the study of Hindi will achieve that object. Out of 14 periods given for the study of languages, two periods in a week are given to Hindi and that too not compulsory, only optional; that is as an alternative which may be avoided by taking up 'craft'. If we give merely two periods in a week in Forms I to VI to Hindi which could also be avoided by merely taking up 'craft', is it likely that we would be able to discharge the obligation that compulsory lies upon us to see that all of us are initiated with so much Hindi that we may use it as fluently and freely as we are using English to-day as official language? Certainly it will not be possible at all. On the other hand, it is stated that there is some opposition and that people feel some difficulty."

THE HON. SRI K. MADHAVA MENON :— May I know where it is stated that two periods should be given to Hindi? The Government Order under discussion is Ms. No. 2121, dated the 27th July 1950. It only states that provision should be made for the study of Hindi and those who do not choose Hindi will be

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allowed to learn an additional craft or occupy themselves during the period allotted for the study of that language in any other approved activity."

SRI A. VAIDYANATHA AYYAR :— "The Government Order does not mention that two periods should be given to Hindi. But the actual working results in this. Out of 14 periods that are generally allotted, three periods are given to the study of Part I of first language (mother-tongue or regional language), three periods to Part II, and six periods for the study of second language (English), and the balance of two periods is given for the study of Hindi. In this conjunction three portions are compulsory out of which English is given a very large context. But Hindi is only optional. It is given a step-motherly treatment and it has not been given such a position as would place our people on a par with those of whom Hindi is the mother tongue or with those to whom Hindi is an allied tongue. This would place our people at an entire disadvantage. So far as English itself is concerned, you know the difficulties which our people have had in attaining proficiency. You know how long it takes before a man becomes proficient in it. Starting from the I Form up to the time of passing the B.A. degree examination, how much time is spent? Not less than 10 years in the ordinary course of business and that too if it is studied as a compulsory language as we have been doing till now; yet we are not proficient in that language. If, therefore, with a considerable number of hours for the study of that language, we are not able to attain proficiency in it, how can we be proficient in the national language of Hindi if it is made an optional one?

It is stated that the present arrangement is the most excellent possible, looking at it from all points of view. I do not agree with that at all. Nobody has any objection to the study of the mother tongue or the regional language being enforced. But what we have to see is that at the end of 15 years our people, our young students, become so proficient in Hindi that they will be in a position to compete anywhere with anybody and attain high places. Secondly, in an All-India Union, bigger institutions like research and scientific institutions are likely to be spread over vastly in every State. It might be that we have been able to put up only some central institutions with respect to every department. In such cases unless we are thoroughly proficient in Hindi, it is not possible for us to express our views.

Therefore, my suggestion is this. Just as we have been till now insisting upon the compulsory study of English, it being the official language, we should give the same place to Hindi, i.e., it should be made compulsory. How can we have proficiency in the official language as we have been having in English language for the last 150 years, unless it is being taught compulsorily during the time when the boy is at school? The fact that a boy likes or dislikes is no consideration at all. There are people who dislike English, nevertheless having to go through the University career, they study it from the earliest possible time. Some similar

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standard should necessarily be adopted in the case of Hindi also. Thus, on both the considerations, there is necessity for giving larger number of periods to Hindi from the earliest possible time and for making it a compulsory subject and for side by side reducing the importance of English, so that as contemplated in the Constitution it might disappear. It might be there has been a lot of love for English by those who still want English to continue. The Raja of Chettinad was mentioning that 'English will never go; English cannot go, and you are likely to revise your opinion.' For the last 30 years, we have been doing propaganda for a national language and for not being mere slaves of some other country's language. We have talked from platforms and instilled it into the minds of the people that an indigenous national language of ours is essential for national unity. Merely because some educated people who held a different view at the time when we were doing propaganda amongst the people, who never co-operated with us in the freedom struggle, and who originally were hanging on to English, not merely to English but also to English domination, say that this English shall continue and is likely to be continued, are we to subject ourselves to their advice and are we to retrace our steps? We should take courage into our hands and see that the position of importance which English has occupied till now is given to Hindi itself.

One other thing that was mentioned here and there was this. Nobody doubted whether the Hindi language, mother tongue or the regional language would have predominance. Of course, the question of what is the additional language is an important one. Some views were expressed here that people here, particularly in the Tamil Nad, were not agreeable to take up Hindi. You should not think that the only people who cry are merely those who conduct processions or hold anti-Hindi demonstrations. They do not at all express the views of the people. If it did, we would not be to-day an independent country, administering our own affairs. If it had been left to their choice, they would never have trusted us. They never co-operated with us. Therefore, you should not be cowed down by such opinions as are expressed through demonstrations merely because they are conducted by students as if there is some aversion to the language. Our country has just begun its independent course. It is not a case of our taking opinion from other people. We, who are their leaders and who are governing the country as representatives of the people, should tell those people who say that 'they do not want Hindi, Hindi is essential for you, you have to study it.' Would you, as a matter of fact, give up English because there was demonstration against English in the past?

Would you give up English if there was demonstration 6 p.m. against it? The same action should be taken with regard to Hindi also. I perfectly sympathize with the Hon. Minister for Education who has to bother himself with so many things. One would rather prefer to go through ten pregnancies than this kind of adjustment of various sections and feelings. At the same time I ask him to be true to the cult upon which the party to which

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all of us have the honour to belong, has come to office and also to the cult which obtained Swaraj for us. He should not lose sight of the fact that the study of Hindi is one of the 18-point programme insisted by the Father of the Nation. Could we now go back upon that and say, 'Well, we shall leave it, because of the demonstrations'? If you do that, you will be untrue to the cause which you have undertaken. Therefore I request the Hon. Minister to put Hindi as a compulsory subject and give more time to its study. You may reduce the time now allotted for the study of English if you like. But, for God's sake do not reduce the time for the study of Hindi. You must give more periods to that subject. I would also request the Hon. Minister not to make the study of Hindi optional. I would have been glad if he was able to secure six hours. It would have been better even if it was transferred to Part II. Of course, there is the question of learning a classical language. My point is that we should see that Hindi becomes more popular. I think this is going to be the life-blood of to-day and to-morrow. I hope the Hon. Minister will take note of these facts."

MR. SPEAKER:—"Mr. Anwar will now speak. I have to remind the hon. Member that there is barely quorum in the House. So, it would be better if he is brief."

* JANAB N. MUHAMMAD ANWAR:—"Mr. Speaker, Sir, I heaved a sigh of relief that at long last we have got a Government Order which sets at naught the confusion that prevailed so long in the field of education. Because, I must say that this Government Order bears the impress of a cosmopolitan personality who has endeavoured his best to give us a blending, a harmonious blending, of various opposing principles and forces. I note from this Government Order that he has been able to reconcile the rival claims of so many languages and of so many crafts and that is as it should be. 'Mr. Speaker, it is all-right for us to speak like frogs in the well glorifying our own culture and imagining the wonders of our own language. But if only we get out of the frontiers of this State, we can understand the value of Hindusthani and if only we get out of the frontiers of India, we can understand the beauties and usefulness of that great language called English. It is not for nothing that Japan and Russia have taken to English. It is sheer expression of inferiority complex if we to-day say something against that mighty language which has given us a stature in the comity of Nations. I would appeal to them not to be untrue to that language, and ungrateful to ourselves as well as to that great language which has given us the wonderful literature that Shakespeare produced. People talk of Slavery and all that when they come to the question of the study of English. I simply cannot understand this. I must say that English has liberated us from slavery and has given us freedom and world stature. I can say this much without any mental reservation whatsoever, that English is the best language in the whole world. I say so not only because it is the best in the field of science, industry and commerce, but also because it is the language of the world. If India wants to be one of the leading countries of the

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world and if every one of us want to be the citizens of the world, we have got to learn and practise this language in order to share everything that is good in this world.

"Mr. Speaker, I must say that in this particular Order, after a long time, we have got a via media, a happy compromise and a golden mean. There is ample provision here not only for regional or mother tongue, but also provision has been made in what I should say the intensive and extensive Part II of the First language. Ample provision has been made in the ratio of 4 : 3 and provision for any one of the languages of India has also been made. I welcome that step, particularly as it will be a boon for the minorities who speak their mother tongue and in my case it is Urdu and in the case of Brahmins it may be Sanskrit. Now, as for the Second language I have said enough.

"The Hon. Minister has made ample provision that while we should consider the requirements of Hindi as a national language and as a federal language, at the same time sufficient latitude has been allowed for those who have an aptitude for crafts. If there are friends who are opposing the compulsory study of Hindi, it is but proper that we should take note of the realities of the situation. Let us not say that we will by an executive order force that language into the throats of the unwilling people. It is not in that spirit that we can find a solution to this problem in this State. It is by the free will and option of the parents and by the aptitude of our children that we can give encouragement for the study of Hindi. Definitely this could not be done by an edict or order from Delhi saying that we must take to Hindi all at once. We cannot get our children learn Hindi by forcing down that language into their throats. I should think the present Government Order does provide for the study of Hindi as well as crafts. In course of time, the parents will slowly but steadily come to realise the importance of Hindi and ask their children to learn it. In this connection, I would like to say a word about Hindi. It has not become very much popular, because it has been too much sanskritised. That is why it has not come to be freely used and understood by the people as before. It is Hindusthani which is easily understood. Pandit Nehru himself has rightly conceded this. The protagonists of orthodox sanskritised Hindi should take note of this. The language should be such that it would be possible for laymen to talk in markets and other places. In this respect, I should say that the present Government Order is a happy compromise in that it reconciles the requirements of psychology and requirements of expediency. I welcome this move and would like to compliment, and congratulate the Hon. Minister for having brought forward such an Order and thus given a lead, I should say an excellent lead to the rest of the country. Let it be said that in a country where jingoism and linguism are rampant everywhere, here is a State which has given a lead in this matter by effecting a harmonious and happy combination of so many languages and crafts."

MR. SPEAKER:—"Mr. Varadachari will now speak. I can allow the hon. Member only five minutes."

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* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, I agree to the time-limit as I wish to make only a few observations. As for this Government Order, I feel that any language must ultimately express or rather co-ordinate itself to the choice of the parents. This fundamental fact has always been forgotten by many. I am glad that this Government Order has not forgotten to take into account this supreme consideration. The language of the Brahman is not Sanskrit as Mr. Anwar very wrongly said. It is either Telugu, Tamil or Kannada . . . (The Hon. Sri K. Madhava Menon: Or Malayalam) or as the Hon. Minister says Malayalam. I also wish to point out one more fundamental fact. I do not very much appreciate the difference between compulsory and optional. These are made at home. If education is meant for service, the parent will ask his children to take to Hindi and study that language. If education is meant for the full expression of his personality, even then, the parent will say what subjects his boy has to study. I would like the Hon. Minister to make one distinction which he has not made in the present Order and about which sufficient thought has not been given. The classification of compulsory and optional may be different in so far as the marking is concerned. For optional subjects, we may allow a low minimum, but for compulsory subjects, we may prescribe a fairly higher standard so that the students might know what they are in for.

"I do not wish to make a long speech about the objectors. If a man does not wish to study Hindi or Sanskrit, I am not going to force him to learn it. Coercion will not make him learn all this. But I feel that the force of circumstances and the vicissitudes through which this country would pass will certainly make the people learn the language which they need most for the expression of their personalities.

"I would like to say a word about the place of English. I love that language and I think I know that language well enough. I know I make that arrogant claim here, but still I feel that in the circumstances in which we are placed English will naturally lose its importance, however much we may bolster it up. Sir, it may be necessary for certain people to know that language. Again, it is not all of us who go to foreign countries. What is the experience of the foreign countries in this matter? People come and tell me that the Japanese and Russians learn English. But my experience is otherwise. I have met many marines at the harbour here and believe me, they cannot talk English at all. They never learn English. In foreign countries, only those few clever politicians, businessmen or industrialists learn that language. Even so, they need not at all attend a school to learn English. They learn the language by sheer day-to-day experience. As an instance, I would like to point out that Gujarati or Marwari businessman may not know very much of English and may not have attended an English school but they can send out a cable to their partners or say a firm in England much better than I who know English very well and who, if asked to do this job, would make mistakes.

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"Coming to Hindi, I do not mind whether you make it compulsory or optional. But my point is that you must give sufficient time that is necessary for the study of that language to the same extent as is done in the other parts of the country. Otherwise, our students may miss the chance of effectively competing with the students of the other States. This is very important and the Hon. Minister would do well to take note of this. As for English, I really wish that by mere compelling force of circumstances, the Hon. Minister will, in spite of his having placed it in the compulsory list at present, make it really optional in course of time. English will lose its importance and value in the next five years or so. I would also wish to mention here that the parents would not have the same views as they are having to-day for all time to come. They will certainly want their children to have a fuller life with more vigorous expression of their personalities in order that they might play their full part in the country. They will certainly want habits to change, circumstances to change and methods to change. So, it need not be assumed that, though the choice of the parents to-day may be for English, it will continue to be the same after five years. Therefore, the educational policy must not be static and must constantly be reviewed and should correspond to the national needs of the country which should be ascertained by the Government from time to time. I would very much like to see that Hindi takes the place of English, in whatever manner you call it—either compulsory or optional. In the actual process of handling the education of children, I would ask the Hon. Minister to take note of all the facts mentioned here. Even the Rajah of Chettinad said that he was for the voluntary learning of Hindi. So instead of raising objections and counter-objections I want that even the few objecting people in Tamilnad should learn Hindi voluntarily. That would be very good. I am sure that both by the force of circumstances and the power of persuasion many would take to the study of Hindi, as otherwise they will be left far behind in the race. I am confident that when things are brought before us for review once again, all these circumstances would have been taken into consideration and necessary changes made therein to suit national needs."

SRI M. R. APPA RAO:—"Mr. Speaker, Sir, after all the discussion, it becomes clear that in the set up that we are now having three languages are there. We cannot under any circumstances avoid the mother-tongue. It is very important. Without that, we cannot have any culture or any clear expression. Nobody in the world can produce anything great except in their mother-tongue. That is why we Andhras want politically also that the mother-tongue should be the medium of administration. When we advocate such a policy, others call us linguists, separatists, etc. That is not the case. It will never be possible to have the foreign language for ever.

"We realise the importance of the mother-tongue and it is but right that it should be given the first place. As for English being the second language, it is a world language which we must

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Hindi there is no obstruction placed in their way to learn it. At the same time unwilling parents may ask their children to go without Hindi. I, however, contend that there must be a sufficient number of periods allotted for the study of the subject because if boys take it up they must be able to attain proficiency in it in a reasonable period of time. Otherwise all the time given to its study will be wasted.

"Some hon. Members pleaded that the study of Hindi must be made compulsory. It is not desirable. Of course our friends here speak of those who are against the Congress party as being the people who want Hindi to be an optional subject. I know, as a matter of fact, that even in the majority party, the Congress party, a very large section does not want Hindi to be made a compulsory subject for study. Therefore, those who have an idea of getting into services for which a knowledge of Hindi is prescribed as a qualification or those who have to depend upon Hindi completely for their future livelihood can take to the study of Hindi. They are not prevented from doing it.

"Finally, coming to English, Sir, certain people are very hard upon this very poor language. They speak as if there is a proposal to import this 'new' language newly into the State. They speak of the Japanese and the Russians as not caring to learn English. Such people must know that English is already with us and they must, therefore, view this question in that context. This is a very important point. So it has been rightly made a compulsory subject for study in the secondary school stage. Nobody can, after all, claim proprietorship in the matter of language. Language belongs to everybody and moreover we need not have the inferiority complex to-day. We are free and independent now. If it was said that we must take to the study of English and if any undue praise was showered upon that English some five or ten years ago, then it had a certain meaning. Now it has got a different meaning altogether. When people speak of the desirability of retaining the English language in the national life of the country, it is not as slaves that they are resorting to its study but because of its usefulness and its necessity. Now as we are independent, we have to play our part in the international sphere. We have to make other peoples understand us. When we are already in possession of that language there is no meaning in giving it up now and then trying to learn it later on only to help to create a few experts to play their part in the body politic. Apart from the part we have to play in the international sphere, there is also another question. That is, much of scientific knowledge is contained in the English language. Therefore, while we have already got possession of that language, we must preserve it. Translations and substitutes cannot do the part of the original language itself. Until conditions change in the world, we must give an important position to this language and when we give it a position, it should be a proper position. We should not do it in a half-hearted manner with a view to reducing its level gradually. In the circumstances, English has been rightly given its place and nobody need fight shy of having to learn it.

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The whole world knows that it is out of our free choice and out of our own feeling and conviction we learn it in view of its necessity in the present context of the world. We learn it not because we are compelled by any force or by any agency against our will. On the whole, Sir, the G.O. though it may not be satisfying all the opinions in the State to the fullest possible extent, is an honest and fair attempt to reconcile and satisfy as many interests as possible. I wish it all success and I once more hope that no more manipulation will take place with reference to this important question which is affecting the education of our children."

SRI A. VAIDYANATHA AYYAR :— "On a point of information, Sir. If the Central Government issues a notification that passing an examination in Hindi would be a necessary qualification for some appointments or for some other kinds of work, would the number of periods allotted for Hindi as an optional subject be sufficient, would there be an examination which will be recognised?"

* THE HON. SRI K. MADHAVA MENON :— "Sir, I shall begin my reply to the debate with the answer to the question put just now. If people here are sensible and intelligent and wise, certainly they will learn Hindi. But I do not think we need compel people to be sensible or wise or intelligent. Nobody can compel anybody to be sensible or intelligent or wise. Nobody need compel them also. If the Central Government makes a direction that a certain number of marks in Hindi are necessary, then people who are wise, intelligent and sensible will certainly take up to it, as many people took up English and became successful and others became jealous of them afterwards and simply because of that jealousy are speaking so many things. We need not and should not and, it is not possible to compel people to be sensible or intelligent. But it is necessary for us to tell them what is the sensible intelligent and wise course, and if they do not follow that, the result will be that utter disaster will overtake them. Sir, I am only giving this as an answer to the question put just now. That is not my reply to the debate, as I have to deal with various questions here.

"Sir, the difficulty of the problem is clear from the nature of the discussions here. Eleven hon. Members have spoken here and all of them have given different views on this subject. Even when the Hon. the Leader of the Opposition and Mr. Anwar generally supported the Government Order in toto, the Leader of the Opposition said that more periods should be given to Hindi and Mr. Anwar said that something more should be done for Hindustani. All the eleven hon. Members spoke in different ways. Mr. Gopalaswami referred to the story of the old man and the ass. Let me refer him to another story if he would not misunderstand me. All of us here were in the position of the six blind men who went to see the elephant and each one of them touching the trunk, the ear or the tail and thinking that the elephant was just like what he touched. Therefore I only want my hon. friends to

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all learn, especially when we are placed in the advantageous position of having good teachers in English. The arguments advanced by some hon. Members for the learning of Hindi by South Indians will largely apply in the case of English. While Hindi is an All-India language which we in the south should learn, English is an international language and the language of communication in the country. Then, coming to Hindi, it is equally important as English and it has to be learnt by one and all lest it should be very difficult fifteen-years hence to attain proficiency in it when it will be the medium of communication and the language of the State. It may not be possible for us then to compete in Northern Indian examinations. The most important thing to be done, therefore, is that provision should be made for attaining proficiency in that language by making it a subject for the Public Examination. If it is not done, we shall not make much progress because I know—I have consulted several Headmasters in this matter—that in several schools, nobody studies Hindi since it is not a subject for examination. Any amount of provision made for its study will not be of any use unless the study of the subject is made compulsory. I support the amendment moved by my hon. Friend, Mr. Karanth and I hope that Government will give due consideration to it."

JANAB M. MUHAMMAD ISMAIL :—" Mr. Speaker, I hope that the conglomeration of Government Orders has ended now and the present Order is going to hold the ground. A few days ago, I had occasion to speak to the Hon. the Minister for Education on this question. Then I saw in what sympathetic manner, in what understanding manner he dealt with the question and I was satisfied with what he said. In this connection, I would like to make it clear that I did not want a debate such as this. Since, however, this question has been decided to be debated I thought I could add a few words to the remarks of other hon. Members.

"The latest G.O. on the subject, which I hope is the last, issued on the 27th July 1950, is, I think, a compromise. It is a good compromise. A compromise will not fully satisfy any party. But that is all that can be done. It is really, Sir, a two language course that has been adumbrated in the G.O. because if you read the G.O. you will find that under 'First Language', Part I, i.e., the mother-tongue or the regional language is made a compulsory subject for study, and where one's mother-tongue and the regional language are the same, one can choose under Part II the same subject as under Part I for intensive study. Thus one can confine oneself to the study of one language under 'First Language'. Then the 'Second Language' is English whose study also is made compulsory. The 'Third Language', Hindi has been made optional. Therefore, in the case of many students, they can stop, if they like, with two languages. Also if there are parents who think that to make the children learn too many languages will be a strain on them, they can stop with two. It is for this reason I say that it is a 'two-language G.O.'. Then, Sir, if there are people whose mother-tongue is different from the regional language, they are

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given the chance to study the regional language as well. There may be others who want to learn one of the classical languages or any other Indian language. There is room for them also. Here, Sir, with due deference to my hon. Friend, the Rajah of Chettinad, I must say that the division of the 'First Language' should be kept up. Otherwise, there will be difficulties for certain groups of people. Those who want to take up an intensive study of their mother-tongue or the regional language can do so under the present G.O. . . ."

RAJAH MUTHIAH CHETTIYAR OF CHETTINAD :—" Part I under the 'First Language' alone is compulsory. Part II is not compulsory, and it need not be read at all under the present Order."

JANAB M. MUHAMMAD ISMAIL :—" No. It is compulsory. Only the choice of the subject is optional."

RAJAH MUTHIAH CHETTIYAR OF CHETTINAD :—" No. It is not compulsory."

THE HON. SRI K. MADHAVA MENON :—" Both the parts under the 'First Language' are compulsory."

MR. SPEAKER :—" There is a sort of conversation going on between the Treasury Bench and the Opposition. Hon. Members should address the Chair."

THE HON. SRI K. MADHAVA MENON :—" Part II is compulsory so far as the study of the subject goes. As to what should be the subject for study is left to the choice of the pupil."

JANAB M. MUHAMMAD ISMAIL :—" Parts I and II under Group I are compulsory. Under Part II we can learn any one of the Indian languages. Those who want to make an intensive study of the mother-tongue or the regional language are not prevented either, from studying them. There are people who, besides their mother tongue, want to learn a classical language like Sanskrit or Arabic. There is room, as I have said, for these people also. There are some others who want to learn Urdu. That is to say, there are Muslims in the State whose mother-tongue is not Urdu. A vast majority of Muslims of the northern districts and a large number of them in the southern districts have got Urdu as mother-tongue. But the bulk of the Muslims I know of in Malabar and some other Tamil districts have got either Malayalam or Tamil as their mother-tongue. But even among those people, we find, there is a great desire to learn Urdu. The reason is that they know the Arabic script—because it is their religion—and it is easy for them to learn Urdu in addition. Urdu is a language which contains the Muslim culture and has much of their religious literature. That being so, this language is often being resorted to by the Muslims in order to acquire a knowledge of their religion. For such people also there is room made now. It is, therefore, a good compromise.

"As regards Hindi, it has of course been made optional, and properly made an optional subject. If people have a mind to learn

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realise the complexity and the difficulty of the problem for even while we are discussing it here, eleven hon. Members could not come to an identical conclusion in this matter. I am glad that Mr. Karanth's daughter is now reading in the 1st form; otherwise Mr. Karanth would not have known about this and would not have given so much thought to this point. I am grateful for it. It is not as easy, as the saying goes, for the players in the field to know their mistakes as for the on-lookers. The fact that Mr. Karanth's daughter is in the 1st form, has now given us an opportunity to have a serious discussion about this.

"Sir, Mr. Karanth said that this House is supreme, that it must be the final authority in all matters and that I must be guided by the expression of opinion given in this House. It is all correct, Sir, correct theoretically and practically also. But in a matter like this, regarding the education of children, I am in an unfortunate position. I have no children of my own now to be educated in secondary schools, nor am I likely to have hereafter. I have to deal with the education of other people's children. In answering one point or other which has been raised here, I am only thinking aloud and not expressing any opinion. No one of us can be so dogmatic.

"Sir, Mr. Vaidyanatha Ayyar's speech is a well-reasoned argument on the sections of the Constitution. He reminded me that we were elected to the House on a certain ticket and on certain particular pledges. Apart from what the Constitution says and other things, most of us are only speaking from our own personal experience, from the experience we have of our own children. But whatever is spoken here, I must, with your permission, place the matter before those people, the teachers who have to deal with the children. I should have their opinion also in this matter. It is as much entitled to weight and consideration as the supreme decision of this House. Certainly, I am bound by any mandate given in this House. But any mandate given by the House will have to be tested by the people who are everyday dealing with the children and who know their capacities. Therefore you will pardon me if I do not give a categorical answer to the eleven different views expressed here. I want to place this matter before the Provincial Education Board which consists of some of the best educationists in the Province, the South Indian Teachers' Union and also the Headmasters' Association, who, I may say, generally supported me in this matter and to whom I owe considerably for the Government Order that has been under discussion here now.

"Sir, we must realize that if we take 40 to 50 minutes for a period, there are 35 periods in a week for teaching children. Out of these thirty-five periods, we have now been providing about 15 periods for language study. There are more subjects than languages to be learnt in the interests of the students. Language is only the medium for learning knowledge. Knowledge has to be given in the other subjects also. We have to think of the time at our disposal in making the revision. I entirely agree that the mother-tongue or the regional language must have the first priority. The

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Raja of Chettinad who generally supported me was very vehement on one point namely that we ought not to divide the mother-tongue or the regional language into two parts and that it must be one. Suppose I do not put it as Part I and Part II but simply say, 'Mother-tongue—four or five periods, as the case may be', and 'Intensive study of the language—three periods'. Suppose I do not use the words 'Part I' and 'Part II', I hope he will be satisfied. I will go a step further. I am not so much concerned whether the mother-tongue should be divided or undivided. I am really concerned what should be the standard of knowledge that a student should have in his mother-tongue or regional language. After issuing this Government Order or deciding about the nature of the Government Order to be issued, I left it to the Headmasters' Conference and the Board of Secondary Education and the Director of Public Instruction to allot the number of hours and prepare the syllabus for the studies according to this Government Order. The idea was that we should start only from the I Form instead of introducing it in the intermediate stages. I find that the Headmasters' Committee, the Secondary Education Board and the Departmental Officers met and said that Part I of the regional language should consist of—the Raja Sahib of Chettinad may please note this—Part I should be a self-contained language unit including prose, poetry, language exercises in grammar and composition, so that it is not mere *namkeraste* knowledge that is put down in Part I. It is a sufficiently good knowledge of the mother-tongue that is contemplated there. You should also remember that the medium of instruction for the other subjects is the mother-tongue. So that, the specific study of the language in Part I and the medium of instruction in the other subjects for about 20 periods a week being in the mother-tongue, should give anybody a comparatively reasonable standard of knowledge in the mother-tongue which is absolutely necessary.

"The Raja Sahib of Chettinad did not want partition of the regional language into Parts I and II, or he wanted that at least the four periods should be made into five. I shall consult the experts concerned and see whether the thing which has to be learned by the students cannot be done in the given time.

"Then, Sir, Mr. Karanth also said that the mother-tongue or the regional language should not be split up. Why did we split it up? The reason is that the regional language is not the mother-tongue of all the people in this State. There are a number of Tamils in Telugu areas and a number of Telugus in Tamil areas and a number of Malavalees in Tamil and Telugu areas, and a number of Kannadigas in Tamil and Telugu areas and so on. If we insist that the mother-tongue is the most supreme thing and there is no splitting up of the first language, what will be the position? For the time being we cannot forget the fact that we have to learn English for some years at least. Fifteen years is fixed as the period. After five years, a commission is to decide how far English is to continue. The Universities in this Province continue to have English as the medium of instruction. I was present at a meeting of the Central Advisory Board of Education

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a couple of months ago when the University Commission's report was being discussed and decisions taken. The University Commission has suggested that gradually we must have the mother-tongue as the medium of instruction and not Hindi. At that Board meeting one the Vice-Chancellors very strongly pleaded that Hindi should be the medium of instruction in all the colleges throughout India. I strongly objected to it. I did not want Hindi to be the medium of instruction in Madras. If we are to have any other medium, it must be the mother-tongue and not Hindi. That apart, English is to be taught for sometime more. I do not think anybody will dispute that position.

6-48 p.m. "I do not think anybody will dispute that position, for I have only to tell Mr. Gopalaswami and Mr. Vaidyanatha Ayyar that if I say 'alright, you have Hindi as optional to English,' all except perhaps half a dozen of us here, and probably even the most enlightened Brahmans—because they are the people who are more clever to understand the future of things—will rather prefer to take English and not Hindi. I can challenge you, if to-day I say that Hindi is optional to English and ask the people to read and write and study either Hindi or English, they will say 'we do not want Hindi as optional to English' and they will take English and not Hindi; and that will retard the progress of Hindi in this country indeed. Sir, I do not want that to be done in this country now. I have to say this, because unfortunately Mr. Gopalaswami referred to Sri Alladi Krishnaswami Ayyar's speech; it ought not to have been brought here, and it was unfortunate they made reference to it. Your speech is going to be interpreted that you have had the best advantage of English up to now and if you are going to bring in Hindi, they will take the best advantage of Hindi—that will be the interpretation if you are going to bring in the communal Government Order and Sri Alladi Krishnaswami Ayyar's speech here; as I said, it was absolutely unnecessary and unfortunate. That apart, we cannot forget the fact that for the time being, we cannot give up English or keep aside for the time being the number of hours we have to give to English. You want the mother-tongue or the regional language, you want English and you also want Hindi to be compulsory. What is the chance for a Tamil boy in Vijayavada to learn Tamil? Suppose there is a colony of 100 Tamil boys in Vijayavada, what is the chance for them to learn Tamil? Similarly, what is the chance for a Telugu boy in Madras—of course I am taking it that Madras belongs to the Tamil Nad—or in Chingleput or Tiruchirappalli or Mathurai? If there is a colony of 100 Telugu boys in any one of these places, what is their chance to learn Telugu if you wish that English, Hindi and regional language alone should be compulsory and nothing more? I am not compelling anybody; I am only giving a facility where there is a difficulty, by giving an alternative in Part II of the first language; and if a person is particular of making himself an expert in the mother-tongue or the regional language, let him take an intensive study of the mother-tongue besides the general study. If the regional language is not the mother-tongue and if Urdu or Telugu

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or Malayalam or Cannada is his mother-tongue, or if a parent wants that his child should learn Sanskrit, then for Part II he can take Sanskrit. Mr. Karanth said the other day that there were some who were faddists about Sanskrit. I may tell him I am not a faddist about Sanskrit; but if a set of people in this State want to learn Sanskrit, I want to give them the facilities, and I do not want to make it impossible for them to learn Sanskrit. That is my justification for having these two parts in the first language. Whether the first part is to have three periods or the second part is to have four or five periods—that is a matter which requires consideration.

"Sir, Mr. Karanth also said that no child should be asked to study so many languages in one class. I feel, as Mr. Varadachari said, in the secondary schools, a child generally comes to the school-final class by the time he is about 14; a child is in the third form by the time he is 11 and when is eight years old, he is in the first form; at that age, he is not in a position to choose as to which of the languages he should study. And apart from the question of the capacity of the child in the first three forms to choose his language, the choice is to be made by the parent. In the scheme I have now put forward, if the teacher of a class thinks and tells a parent 'I want your child to study only two languages' as the hon. Leader of the Opposition said, this scheme permits the study of only two languages. If Tamil is his mother-tongue, he will have only Tamil in Parts I and II, and he need study English and the mother-tongue and he need not study Hindi."

THE HON. SRI K. R. KARANTH :—"But study Hindi later."

THE HON. SRI K. MADHAVA MENON :—"According to this scheme, if he wants to study Hindi, he can take it at any time, because I have put Hindi as an alternative to a craft. Only the starting point is at an earlier age. So, my answer to Mr. Karanth is that instead of starting a new language in the fourth form and continue it only for three more years, he can as well start at an earlier age to study it. Mr. Vaidyanatha Ayyar wants proficiency in Hindi; if we take to Hindi, I am sure we can defeat the Hindi-speaking people themselves in their own mother-tongue, even as we have been defeating Englishmen in English. As a matter of fact, we have been defeating in English not so many Englishmen alone but even our own people in other parts of India. Perhaps we are as much clever as the Northerners, but I must say I do not know whether it is possible or necessary or advisable or even practicable to get as much proficiency in Hindi as the Northerners themselves. After all, what is the standard of proficiency to be? To me, if a practical working knowledge of Hindi can be obtained, I shall be satisfied. An intensive knowledge of Hindi may be acquired by people who may like to go to the I.A.S., I.P.S., I.F.S. and other high posts; I shall be satisfied with a thorough knowledge of the mother-tongue and a working knowledge of Hindi. At the same time, it is not a question of my satisfaction. Proficiency in Hindi you can never have, if you start it in the fourth form stage. On the other hand, according to my scheme, you must start the language in the first form and continue it right up to the sixth form, without

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stopping it in the third form; you must continue it for six years. Again, the question was raised that two periods are not sufficient, that at least three periods must be given, and there must be alternate periods of the study of Hindi. One friend suggested 'you can do it by giving up English'. Certainly gradually we shall do so, and we shall reduce the period for English if that is possible; but even with the existing periods for English, we cannot more or less attain a particular standard of English. Some of us do not want English at all, because it is a satanic language, the language of the Britishers who were ruling over us all through. Therefore, a sentimental hatred for English is developing now; whatever may be the language of the Englishmen, we cannot forget the fact that the English language is the language in which we have the latest and the largest amount of literature to-day. I read a couple of months ago in the 'Readers' Digest' an article about the number of books published in English. It said that three followed by thirty cyphers was the number of books published in the English language. I do not think any other language in this country or in the world can boast of a literature like that. So that, a knowledge of a language like that is not going to be a sin even if it be the language of the Englishmen who kept us as slaves. When I say this, I am not pleading for English; but there is no necessity for us to get unnecessarily and sentimentally angry with English as a language. I agree with Mr. Vaidyanatha Ayyar and Mr. Gopalaswami and I would rather give up a portion of English and devote it to Hindi because that is going to be more useful to us hereafter. English may be a sort of luxury to those people who want to study its literature and go to other foreign countries to learn. But let me at once tell my friends that even to-day the demand from parents whose mother-tongue is Tamil, Telugu, Malayalam or Kanarese, is more for English as medium of instruction for their children. It is because we do not like it; the demand in the Anglo-Indian schools of children who are going to take English as medium of instruction is very heavy, but we are not permitting it. It is necessary that the Government should discourage the desire; it must be stopped. We must face the facts to-day. I say that as a rule, there is a demand for English, and there is something genuine about it. I do not think we can give it up. I do not know if Mr. Vaidyanatha Ayyar and Mr. Gopalaswami will ask me to completely give up English. They said 'at least take away a portion of the period given to it and add it on to the period for Hindi'. I shall certainly consider that suggestion and take advice. After all, the educationists in our Province are as much patriotic, the people who are in the teacher's profession here are equally if not more patriotic than ourselves—otherwise, what is to become of our children who are to be brought up by them—and I shall certainly consult them in regard to this matter. Our Press also is so efficient and I know it will carry this discussion and this suggestion to all parts of this Province in a day or two, and I will be able to benefit by their advice.

Sir, there are various other points that have been raised. One of the points that impressed me most, and I think impressed the House too, was that Hindi should be made compulsory. Mr. Vaidyanatha Ayyar asked me to take courage in my hands and

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not be cowed down by demonstrations and threats. Sir, I do not want to be a bravado and say that I am not cowed down by threats, demonstrations and all that. I am very particular to see that as many people as possible learn Hindi, not make a demonstration of it, show the big gun and the strength which the administration can possess, and say: 'Yes, I shall drive it down'. As I said the other day in another place, my feeling is that if there is honey, the bees need not be attracted to it; we need not drive down honey into the mouths of bees. Half a dozen demonstrators there may be perhaps; I am sure every one of us is here in spite of those demonstrators; we, who are so anxious to study Hindi and want it to be studied by as many people as possible, will study it, even if the stick is not waved against us. To continue the simile, we need not drive down honey into the mouths of bees, the bees will certainly come and take it. I do not want to create a sort of unnecessary irritation or objection to Hindi by saying that it is compulsory, if I can get it down the throats even without my saying so. One of the eighteen points of Mahatma Gandhi was Hindi, Mr. Vaidyanatha Ayyar said. Yes. So also, even prior to Hindi, was spinning. And if Mahatma Gandhi was alive to-day and was given the choice between spinning and Hindi for a South Indian, he will say 'you had better take to spinning and learn Hindi gradually.' So I say, if you do not want Hindi, I will make you spin or do something similar to that—I have made provision for the study of Hindi compulsory in every school, and have provided for the teaching of Hindi by a teacher, although the converse may not be true that Hindi will be actually taught in every school. So, it will be seen that I am anxious that the thing should be done, and it is not for a label that I wish to make Hindi compulsory. Various arguments have been advanced for Hindi being made compulsory, I do not want to dilate further upon that.

Then, somebody said—I do not know whether it was the 7 p.m. Raja Sahab of Chettinad—you provide for other languages some other time, let the first language be undivided and if anybody wants to learn Sanskrit, you provide him the time. But, what shall I provide during that time for the pupils who are taking Sanskrit? If I put some additional hours for Sanskrit for a set of pupils, during that time some other work should be given to the other pupils. That is why I have divided the first language into two parts. Apart from that question, suppose for argument's sake, we pass a law making Hindi compulsory—we can certainly pass it. But, the law must be obeyed; otherwise the consequences are there. Suppose we make Hindi compulsory. All right. We can punish those who do not learn it or those who refuse to teach them. There is no doubt about it. Suppose we make Hindi compulsory by rule or law—and there is also no anti-Hindi agitation; even if there is agitation, we can quell it and that is,—resort of force—and suppose the father does not want to send his son to school if Hindi is made compulsory. My point is why should a child suffer for the obstinacy of the father. In such Hindi compulsory areas, the father of each child says, I am not going to send my child to school, it is not the father we are punishing, but the child. It is not the case where the child does not want to study Hindi. In

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fact, if the choice is left to the children, every one will say, I will study Hindi, but if there is the inducement of the father, the answer will be no. That is why we have provided that those who do not want to choose Hindi will be allowed to learn some useful craft, so that the child may have some opportunity to use that craft in his life. I do not want the child to lose such a choice. So, I must tell my hon. Friends, what we should care for is more spirit than anything else. I can appreciate and understand the argument of hon. Members based upon the various articles of the Constitution that Hindi is a federal language. It is a better language. As I said, if we are wise, we must learn that language. I do not want to make people wise by compulsion. If a man wants to be a fool, and wants his son also to become a fool, let him burn his fingers. Of course, that will not be right or good, but for the time being, we have to go under that consolation.

"Sir, I do not want to keep the House any further. I must say that I have been benefited very much by the discussions here. I am in the same position as any one of you, perhaps with this disadvantage, that I have no child studying in the secondary school now. That might perhaps give me an opportunity to see things, not from a particular obsession but from a disinterested point of view.

"Sir, the reorganized system of education which was started in 1948, that is the bifurcated course, is excellent and Mr. Avinashilingam Chetti deserves all praise for it. As I have said in the statement placed before you in the last paragraph, the attempt that is made in this Government Order is merely carrying a step further the achievement of the object with which the diversified courses have been started. Years ago the old Matriculation required every student to take the same subject. The School-Final course first provided for an optional subject chosen by the candidate. Our diversified courses have enormously widened the choice to suit varying abilities and needs. I must here thank my hon. Friend for having provided that. There was some difficulty in the matter of the language, which is obviously in the nature of the discussion in this House, and which is as I said, 11 people giving 11 different opinions, so that I do not think each one would claim that his opinion was the correct opinion and that of the others wrong. If we are so obstinate about it, we will be wrong. Neither am I going to be dogmatic and say this is the last word said about this matter. So, Sir, I appeal to Mr. Karanth and Mr. Gopalaswami to withdraw their amendments with this assurance that I shall try to place this matter before the people who are to teach our children primarily and with their advice I shall see that we give such a form of education in the language as will be beneficial to the children whose care has been entrusted to us."

SRI K. R. KARANTH :—"I withdraw my amendment, Sir."

The amendment was, with the permission of the House, withdrawn.

SRI L. N. GOPALASWAMI :—"With the permission of the House, I withdraw my amendment, Sir."

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The amendment was, with the permission of the House, withdrawn.

MR. SPEAKER :—"The question is—

that the orders in G.O. No. 2121, Education, dated 27th July 1950, regarding the study of languages in secondary schools under the reorganized scheme of secondary education be taken into consideration."

The motion was carried.

SRI K. R. KARANTH :—"Before you make your announcement regarding the date of the next meeting, I would like to know up to what date the House is going to be adjourned. Otherwise, it might cause some inconvenience to some of us if we have no idea about it beforehand."

MR. SPEAKER :—"It will be adjourned to the 30th instant."

The House then adjourned to 11 a.m. on Wednesday, the 30th August 1950.

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APPENDIX I.

[Vide answer to starred question No. 53 asked by Janab Mohamed Abdul Salam at the meeting of the Legislative Assembly held on 12th August 1950, page 557 supra.]

(a) Amount spent in Highways department in—

	1947-48. RUPEES IN LAKHS.	1948-49. RUPEES IN LAKHS.
Andhra area	175.64	287.55
Tamilnad area	301.50	372.51

The expenditure in Tamilnad area includes the cost of the administrative staff and of the tools and plant purchased for the department at Madras which are common to the Andhra and Tamil areas.

(b) Number of Andhras and Tamils in Highways and Public Works Departments—

	Supervisors.		Assistant Engineers.		Divisional/Executive Engineers.	
	High-ways.	Public Works.	High-ways.	Public Works.	High-ways.	Public Works.
Andhras ..	232	416	59	139	19	19
Tamils ..	342	478	85	175	20	44

APPENDIX II.

[Vide answer to starred question No. 51 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly, held on the 12th August 1950, page 565 supra.]

GOVERNMENT OF MADRAS.

Public Works (Information and Publicity) Department.

Press Note No. 132, dated 31st July 1950.

[Government Bus Service, Madras City—Recommendations of the Three-Man Committee.]

It was announced in the Press Note, dated the 20th July 1949, that a committee consisting of Mr. W. W. Ladden of Messrs. Simpson & Co., Madras, Sri M. S. Sundaram, Retired General Manager, T.V.S., Mathurai, and Sri P. C. Mathew, I.C.S., Deputy Transport Commissioner, was constituted to investigate and report on the structure and scope for improvement of the Government Bus Service, Madras City. The committee submitted two interim reports and made its final report in February 1950. A copy of the report of the committee has been released to the Press.

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Several of the recommendations of the committee have already been implemented while a few are still under the consideration of the Government. The following is a summary of the action so far taken on the more important recommendations of the committee :—

(1) The question of constituting a High Power Committee for the State Transport with independent powers of administrative and financial control has been deferred pending the constitution of a Road Transport Corporation for the State.

(2) The proposal to employ a Public Relations Officer for the Government Bus Service, Madras City, has been deferred for consideration later.

(3) It has been decided that audit checks must continue to be exercised by the Accountant-General, Madras, with his own staff and that the fee payable should be calculated on the basis of the actual cost of staff employed for the purpose.

(4) Hours of work of the administrative and accounts staff in the Bus Service have been revised so as to conform as nearly as possible to practice obtaining in similar commercial organizations.

(5) Maintenance work of all buses is being attended to only at the Bodyguard Lines.

(6) The Government Automobile Workshop, however, attends to the following major items : Dismantling units from chasses from the reconditioning, rebuilding and testing units—assembly of chasses from reconditioned units.

(7) The suggestions of the committee for reorganizing the Government Coach Building Factory at Chromepet on scientific lines have been implemented as far as possible.

(8) It has been decided that there should be no increase in the bus fares for the present, even though the committee has suggested a revision of the fare structure.

APPENDIX III.

[Vide item III (1) at page 584 supra.]

L.C. BILL No. 1 OF 1950.

(As passed by the Council.)

A Bill to amend the Madras Buildings (Lease and Rent Control) Act, 1949.

WHEREAS it is expedient to amend the Madras Buildings (Lease and Rent Control) Act, 1949, for the purpose hereinafter appearing; It is hereby enacted as follows :—

1. This Act may be called the Madras Buildings (Lease and Rent Control) Amendment Act, 1950.

2. In section 1, sub-section (3), of the Madras Buildings (Lease and Rent Control) Act, 1949, for the words, figures and letters "up to and inclusive of the 30th September 1950" the words, figures and letters "up to and inclusive of the 30th September 1951" shall be substituted.

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APPENDIX IV.

[Vide item V at page 624 supra.]

G.O. Ms. No. 2121, Education, dated 27th July 1950.[Education—Secondary—Reorganization—Study of languages—
Revised orders—Issued.]

READ—the following :—

G.O. Ms. No. 1375, Education, dated the 28th April 1950.

Government Memorandum No. 14289-B/50-2, Education,
dated 18th June 1950.**Order—No. 2121, Education, dated 27th July 1950.**

In G.O. No. 1375, Education, dated the 28th April 1950, the Government decided that three languages should be studied during the secondary-school stage, namely, (i) the regional language or mother-tongue or a classical language or any other language as the first language, (ii) Hindi as the second language and (iii) English as the third language and that these changes should be given effect to progressively commencing from Form I in the school-year, 1950-51. Subsequently, it was ordered that the changes should be held in abeyance during the current school-year and that there would be no change in the curricula for the study of languages until further orders.

2. The Government have considered the question further and have decided that henceforth provision should be made for the study of languages in secondary schools as shown below :—

(i) *First Language*.—The mother-tongue or the regional language consisting of two parts (Parts I and II) of which the study of Part I will be compulsory. Students will be allowed to choose either Part II of the mother-tongue or regional language or a classical or any other Indian language instead.

(ii) *Second Language*.—English—Compulsory.

(iii) *Third Language*.—Hindi—Optional—Those who do not choose Hindi will be allowed to learn an additional craft or occupy themselves during the period allotted for the study of that language in any other approved activity.

3. The above changes in the study of languages will be introduced from the school-year 1950-51, commencing from Form I and given effect to progressively every year up to Form VI.

4. The Director of Public Instruction will prescribe the syllabuses for the various languages to be studied under the revised system approved in this order and also the periods of study for each language. He is requested to submit to Government a copy of the instructions issued by him to the managements of secondary schools in this regard.

(By order of His Excellency the Governor)

S. A. IYENGAR,
Secretary to Government.

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APPENDIX V.

[Vide item V at page 624 supra.]

STUDY OF LANGUAGES IN SECONDARY SCHOOLS.

The position of languages in the reorganized scheme of secondary education introduced in June 1948 (in G.O. Ms. No. 1394, Education, dated 28th May 1948) was as follows :—

First Language.—Regional language.

Third Language.—English from Form II.

Second Language—Forms I to III.—Hindustani or Urdu (with both Persian and Nagari scripts) or a classical language like Sanskrit, Arabic or Persian, compulsory in Andhra, Kerala and Karnataka and optional in Tamil Nad.

Forms IV to VI.—Any language other than the First and the Third or a special course in the First Language.

The above orders were modified in respect of the Second Language in G.O. Ms. No. 1643, Education, dated 26th June 1948, eliminating the distinction between the different regions of the State and adding to the list of alternatives to Hindustani for Forms I to III to allow any language other than the First and the Third. Thus modified, the scheme was simultaneously introduced in Forms I and IV of 1948-49. Forms II and III and Forms V and VI followed the old scheme. The actual working of the scheme was not found to be as satisfactory as was expected, for the following reasons :—

(1) Certain practical difficulties were experienced by teachers in respect of syllabuses, text-books and time-tables.

(2) From the viewpoint of parents, who alone naturally decide for their children at an age when the children themselves cannot be expected to think and choose, the scheme was found to create difficulties and restrictions of one form or other in respect of the languages the children were asked to choose as their Second Language in the new scheme.

The practical difficulties of the teachers were—

(a) Complete and final syllabuses in the regional languages were not published until late in the school-year 1948-49 and consequently suitable text-books for the pupils and reference books for the teachers for a really satisfactory teaching of the languages were not available.

(b) No definite provision was made for pupils in Forms II and III in 1948-49 to prepare them to come into the new scheme when they would reach Form IV, at which stage they were expected either to take an intensive course in the First Language or

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to take an altogether new language which they had not in all cases learnt in the lower forms (since the process of introduction of Hindi in Forms II to IV under G.O. No. 2049, dated 28th October 1946, was not complete for all the schools in the State).

(c) Many schools were not in a position to introduce the languages scheme in Form IV for want of facilities and had to be granted exemption to follow the old scheme.

(d) The different schemes for the Second Language for Forms I to III and from Form IV upward created several anomalies, e.g., a pupil who learnt Hindi in Forms I to III had to drop it if he wished to make an intensive study of the regional language when he came to Form IV; another student could be allowed to learn Sanskrit or a new Second Language at the IV Form stage even though he had not studied it in Forms I to III.

(e) The beginning of English in Form II was not expected to achieve by the end of Form VI a standard sufficient for University courses of study.

The disabilities felt by parents on behalf of their children were—

(a) A child whom the parent wanted to learn a classical language like Sanskrit could do so only by foregoing the learning of the equally, if not more, important language of Hindustani.

(b) Similarly, a child desiring to learn Hindustani could not learn a classical language.

(c) A child whose mother-tongue was different from the regional language and who wanted to study both could study neither a classical language nor Hindustani.

The difficulties in respect of teaching were solved for the time being by administrative measures after consultation with members of the teaching profession and officers of the department. These measures were—

(i) Pupils were given the option to choose either the old scheme (known as the 1929 Scheme) of languages or the new one (the 1948 Scheme) until the S.S.L.C. Public Examination at the end of the year 1952-53, when the II Form students of 1948-49 would pass out of the high school.

(ii) The question papers for the 1951 S.S.L.C. Public Examination for both the schemes would be the same.

(iii) No examination was prescribed in the Second Language except for those who took Hindi.

(iv) In the case of those who took Hindi and appeared for the examination, the marks were not to be taken into account in deciding their eligibility for University courses of study.

The inherent disabilities of the scheme of languages were considered first by an Expert Committee of parents, teachers, University authorities and language interests, and then by the

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Provincial Advisory Board of Education and in April 1950 Government (in G.O. No. 1375, Education, dated 28th April 1950) directed that three languages should be studied during the secondary school stage, namely :—

(i) the regional language or mother-tongue or a classical language or any other language as the First Language,

(ii) Hindi as the Second Language, and

(iii) English as the Third Language,

and that this change should be given effect to progressively from Form I from the current school-year. Subsequently, these orders were kept in abeyance until further orders, as it was represented that it would be difficult to give effect to them during the current year. It was contemplated but not explicitly stated in the order that whatever language may be taken as the First Language a certain basic minimum of the regional language or the mother-tongue should be studied by all pupils. This basic minimum had not been defined at the time of the issue of the orders and it was felt that without such a definition the orders could not be given effect to by the schools.

The matter was therefore further considered and the position according to the latest orders of Government (G.O. Ms. No. 2121, dated 27th July 1950) is as follows :—

First Language.—The mother-tongue or the regional language consisting of two parts (Parts I and II), of which the study of Part I will be compulsory. Pupils will be allowed to choose either Part II of the mother-tongue or regional language or a classical or any other Indian language (except Hindi).

Part I will consist of a complete and self-contained language unit, including Prose, Poetry, Language Exercises and Grammar, and Composition. Part II when it is the same language as the mother-tongue or regional language of Part I will consist of graded selections from standard works in prose and poetry; and in the case of classical or additional languages, it will consist of a complete self-contained course on the basis of the language being begun in Form I. The proportion of time between Part I and Part II will be 4 : 3.

Second Language.—This will be English and its study will be compulsory.

Third Language.—This will be Hindi and its study will be optional. For those who do not choose Hindi, provision will be made for the learning of an additional craft or for their being employed in any other approved school activity. The alternatives thus provided will meet the requirements both of those who desire to learn Hindi and of those who have a greater aptitude for achievement in the field of crafts and educative activities.

Thus it will be seen that a pupil can be content with only two languages, his mother-tongue and English. This will satisfy

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the view that teaching too many languages to young children is educationally unsound. It also avoids retarding the progress of those who may lack the talent to pick up several languages but whose intellectual ability may be quite good. But those that have the particular talent can take one or even two more languages. They can take up a classical language without losing the chance of studying their mother-tongue or Hindi.

This is merely carrying a step further the achievement of the object with which the diversified courses have been started. Years ago the old Matriculation required every student to take the same subject. The schools final course first provided for an optional subject chosen by the candidate. Our diversified courses have enormously widened the choice to suit varying abilities and needs. The change now proposed for languages has the same end in view.

K. MADHAVA MENON,
Minister.

THE MADRAS LEGISLATIVE ASSEMBLY

Friday, the 1st September 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Language policy in the scheme of studies for secondary education.

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

(a) whether any representation has been received by the Government in regard to the adoption of a definite language policy in the scheme of studies for secondary education; and

(b) if the answer to (a) above is in the affirmative, the points that were urged in regard to this matter?

THE HON. SRI K. MADHAVA MENON:—“(a) & (b) Various individuals and bodies have been sending representations to Government. It is not clear which of the representation is meant by the Member.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I know whether the anti-Hindi-ites made representations to the Hon. Minister?”

THE HON. SRI K. MADHAVA MENON:—“I cannot exactly understand the question. There are many people who are anti-Hindi-ites of various degrees and so I am unable to follow exactly which association or individual the hon. Lady Member has in view.”

SRI K. R. KARANTH:—“After the last discussion the Hon. Minister promised to hold consultations with certain bodies and pass final orders. May I know at what stage the matter stands in this regard?”

THE HON. SRI K. MADHAVA MENON:—“Various suggestions were made at that meeting, a note of which has been summarized. I have consulted the Director of Public Instruction as to the feasibility of following any or some of them.”

SRI K. R. KARANTH:—“May I know whether final conclusion has been arrived at?”

THE HON. SRI K. MADHAVA MENON:—“We had already issued orders regarding the study of languages. I have not stayed that order. Any implementation of suggestions here is not difficult to follow. These changes are sought to be introduced in the First Form and we can do so even before the end of the year.”

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SRI V. RAGHAVAYYA:—“ Mr. Madhava Menon is not a linguist . . . ”

MR. SPEAKER:—“ Mr. Madhava Menon has nothing to do with the question.”

SRI V. RAGHAVAYYA:—“ The Hon. Minister, Mr. Madhava Menon, is not a linguist. So, may I know on whose suggestion and advice he started these linguistic changes in the curriculum of studies? ”

THE HON. SRI K. MADHAVA MENON:—“ I would like to know the definition of the word ‘linguist’ before I can answer the question of the hon. Member.”

MR. SPEAKER:—“ It is only a few days ago we had a full-dress debate on this subject. Hence I pass on to the next question.”

Alleged closure of the Choolai Mills from the 15th August 1950.

* 62 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that the authorities of the Choolai Mills have proposed to close down the mills from the 15th of this month;

(b) if so, whether any intimation has been given to the Government; and

(c) what steps the Government propose to take in this connexion?

THE HON. SRI H. SITARAMA REDDI (on behalf of the Hon. Minister for Industries):—“ (a) Yes.

“ (b) Yes.

“ (c) The mills have at the instance of this Government applied to the Textile Commissioner, Bombay, for assistance in the matter of cotton supplies to them. It is seen from a communication from the Textile Commissioner, Bombay, that the mills have not applied in the form prescribed under the Cotton Control Order and that they have been asked to do so.

“ They have also been asked by the Textile Commissioner, Bombay, to explain why, when they themselves are facing a shortage of cotton, they have thought fit to transfer 701 bales of Jarilla cotton to their sister concern, Messrs. Khandesh Spinning and Weaving Mills Company, Limited, Jalgaon, without prior permission. The mills have not thought fit to apply for cotton in the prescribed form and with the necessary deposit, as they are not prepared to accept the terms for requisitioning cotton, namely, that there will be no guarantee either with regard to the quality or year of the cotton that may be requisitioned and that whatever quantity is requisitioned will be entirely at mills' own

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risk. They have stated that they are prepared to purchase suitable varieties of cotton at controlled rates fixed by Government provided samples of the same are approved by them in advance.”

SRI M. KANNIAPPAN:—“ தலைவர் அவர்களே, பதிலை தமிழில் சொன்னால் பொம்பையும் நல்லதாக இருக்கும் என்று நினைக்கிறேன்.”

THE HON. SRI M. BHAKTAVATSALAM:—“ (a) ஆம், (b) ஆம், (c) பருத்தி சப்ளை விஷயமாக அந்த மில்கள் இந்த கவர்ன்மென்ட்டின் தூண்டுதல்களில் பம்பாய் டெக்ஸ்டைல் கமிஷனுக்கு எழுதி அனுப்பினார்கள். ஆனால் பம்பாய் டெக்ஸ்டைல் கமிஷனரிடமிருந்து வந்த கடிதத்திலிருந்து மில்கள் காட்டன் கண்ட்ரோல் ஆர்டர்படி யுள்ள பாரத்தில் apply செய்யவேண்டுமென்றும் அந்தமாதிரி அவர்களும் apply செய்யவேண்டுமென்று கெட்டுக்கொள்ளப்பட்டதாகவும் தெரியவருகிறது. மேலும், அவர்களுக்கு பருத்தி குறைவாக இருக்கும்பொழுது Jalgaon Khandesh Spinning and Weaving Mill க்கு 701 பேர்களை ஏன் அனுப்பினார்கள் என்று கேட்டிருப்பதாகவும் டெக்ஸ்டைல் கமிஷனரிடமிருந்து வந்த கடிதத்திலிருந்து தெரிய வருகிறது. மீண்டும் பருத்தி வேண்டுமென்றால் நிபந்தனையின்படி தான் கொடுக்க முடியுமென்றிருக்கிறது. அதாவது பருத்தியின் தரத்தைப்பற்றியோ, வாங்குதலைப்பற்றியோ ஒன்றும் guarantee கேட்கக்கூடாது என்றிருக்கிறது. இந்த நிபந்தனையின்படி மில்களார் கள் ஒப்புக்கொள்ள தயாராக இல்லாத காரணத்தால் அந்த மில் களார்கள் மீண்டும் குறியிட்ட பாரத்தில் பருத்தி வேண்டுமென்று கேட்கவில்லை. மேலும் கவர்ன்மென்ட் கெட்டுப்படி கொடுப்பதாக இருந்து sample-கள் அனுப்பினால் அவர்கள் தரம் முதலியவைகளைப் பார்த்துத் தன்மேல் தாங்கள் வாங்குவதற்கு தயாராக இருப்பதாகவும் சொன்னார்கள்.”

SRI M. KANNIAPPAN:—“ தலைவர் அவர்களே, அவர் சொன்னதி லிருந்து மில் முதலாளிகள் வேண்டுமென்றே தொழிலாளர்களைமேல் பழி வாங்க வேண்டுமென்று நினைத்திருப்பதாக தெரியவருகிறது. ஆகவே இந்த சந்தர்ப்பத்தில் அந்த மில்களை அரசாங்கமே நியாயமாக எடுத்து நடத்த உத்தேசம் உண்டா என்று கேட்கிறேன்.

THE HON. SRI H. SITARAMA REDDI:—“ The Government have asked the mill to explain why they sent their cotton against the provisions of the Control Order and so far as I know we are awaiting their reply.

“ அந்த மாதிரி பருத்தியை உத்தரவு இல்லாமல் ஏன் அனுப்பினார்கள் என்று மில்களார்களை explanation கேட்டிருக்கிறோம். அதற்கு reply வந்தபிறகு எல்லாவற்றையும் விசாரிக்கிறோம்.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the Government will depute their Director of Industries to send for the mill-owners and the management of the different mills for the purpose of discussing the position of labour, especially as 300 and odd labourers have been thrown out of work on account of the wanton act of the management and also in view of the prejudicial effect on the production of cotton yarn which the mill has been producing? ”

THE HON. SRI H. SITARAMA REDDI:—“ I may add for the information of the hon. Member that a representative of the management did come and meet me, as the question of labour was also involved in the matter. He has had some discussion with me and from the discussion that I have

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had with the representative, it looks that they are willing to start working as soon as cotton is available. The whole difficulty seems to be that they are questioning the quality of the cotton according to some business standards while the procurement or requisitioning can only be of the cotton that is available and at prices fixed by the Government. There seems to be some hitch over this matter, but I hope, that things will smoothen themselves out very soon."

JANAB M. S. ABDUL MAJID:—"May I know whether the unwillingness of the mill to spin yarn is due entirely to scarcity of cotton or due to the ceilings fixed by the Government of India which the mill thinks are very uneconomic?"

THE HON. SRI H. SITARAMA REDDI:—"During the discussion that I have had with the management's representative, he said that he could not procure cotton of the quality that he wants at the ceiling rates."

SRI P. NATESAN:—"May I know when the Choolai mills started functioning? Is it not a fact that it was closed down for a number of years?"

THE HON. SRI H. SITARAMA REDDI:—"I do not have the exact date when the mills started functioning. It is true that it was closed for a long time and the management started the mills some months ago and closed the mills on 15th August 1950."

JANAB M. MUHAMMAD ISMAIL:—"With regard to this question of the quality and price of the cotton that is to be supplied to these mills, may I know how the other mills in the State take the price and quality of the cotton that is supplied to them? When they are able to carry on under this control, may I know why this particular mill alone is not able to do so?"

THE HON. SRI H. SITARAMA REDDI:—"That is exactly the question that I asked of the management and they were not able to answer me satisfactorily. They said that they found it difficult to procure cotton of the quality that they want at the ceiling price."

The Sriperumbudur, Producer-cum-Consumers' Co-operative Society.

* 63 Q.—SRI N. S. VARADACHARI: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government have ordered any enquiry into the affairs of the Sriperumbudur Producer-cum-Consumers' Co-operative Society; and

(b) the reason for the delay in putting through the enquiry?

THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a) Yes. The Government have issued orders that the accounts of 'Sriperumbudur Producer-cum-Consumers' Co-operative Society, should be closely checked by the qualified staff of

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the Co-operative Department with a view to detect the irregularities complained about and any other irregularities that the society might have committed.

"(b) There has been no avoidable delay in the issue of the above orders."

SRI N. S. VARADACHARI:—"Is the Hon. Minister aware that the charges made against the society were that it sold class 2 rice as class 1 rice for a number of years and rebagged all imported grains and took away certain measures from each bag and credited them to the society's account?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is not fair to go into the details when the whole matter is under enquiry. The charges are being enquired into and the one mentioned by the hon. Member is also included as one of the points for enquiry. As soon as the enquiry is over, the matter will be published and the concerned parties will be informed."

SRI N. S. VARADACHARI:—"Is it not a fact that in addition to the complaints that were already made, another serious complaint has also been made that false measure was used by the society, which was short by 16 cents so far as the volumetric contents go? The Government promised to enquire into the matter months ago."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is true that this is one of the points which are under enquiry and as I have already said, there has been no avoidable delay in the matter. As this matter concerns the co-operative institutions, it has to pass through one or two departments and probably that is the cause of some delay in the matter."

SRI P. NATESAN:—"May I know, Sir, whether it is the Co-operative Department that conducted the enquiry or is it somebody else who has got nothing to do with the Co-operative Department?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Usually complaints against co-operative societies and organizations are conducted by the Co-operative Department itself. If there is sufficient reason to warrant other kinds of enquiry, they are resorted to."

SRI T. VISWANATHAM:—"May I know, Sir, the date on which the Government were first made aware of these irregularities and the date on which the enquiry was ordered? What is the interval between these two dates?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I have not got the particulars with me here. As I have already said, the interval may be a few months."

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JANAB M. V. HYDROSS:—"In view of the serious allegations made against the producer-cum-consumer co-operative societies, will the Government, Sir, consider the advisability of scrapping them altogether especially with regard to the distribution of foodstuffs?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I do not think, Sir, that when these societies are doing useful work, they should be scrapped because they belong to a certain organization."

SRI N. S. VARADACHARI:—"Is the Hon. the Minister aware that under the Intensive Procurement Order (Foodgrains), Civil Supplies, there is a machinery provided for enquiring into such complaints and that in pursuance of that order the Government ordered an enquiry actually on 11th May 1950 appointing staff for the purpose from the Civil Supplies Department which alone is authorized to look into these complaints in terms of that order?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I do not agree that according to any particular order of the Government enquiries should be conducted nor do I think it should be done in a particular way. As I have already said, this being a co-operative organization, the first enquiry has to be conducted by the Co-operative Department and the Government have ordered that should be done now."

SRI N. S. VARADACHARI:—"Is the Hon. the Minister aware that the accounts of the co-operative society are checked and re-checked by the co-operative inspectors and none of these irregularities has so far been brought to light? Are the co-operative societies so sacrosanct as their accounts should be looked into by the co-operative officials alone and not by the properly constituted machinery under the Intensive Procurement Order?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I said, Sir, that in the first instance the enquiry is conducted by a specially appointed staff—and not by ordinary inspectors—and that staff goes into the question. If the Government think that the enquiry is not satisfactory they order further enquiries by a different staff altogether."

SRI N. S. VARADACHARI:—"Is it not a fact, Sir, that after the Government Order, dated 11th May 1950, was issued, there was a stay order by the Government by which they reverted to by-passing the Civil Supplies Department by an enquiry so-called by the Co-operative Department?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"There was no by-passing or whatever it is. Things are taking place in the usual course and I do not see why the hon. Member is trying to cross-examine me (laughter) on this question or why he has come to the conclusion that any special treatment is given to any particular institution."

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JANAB M. S. ABDUL MAJID:—"May I know whether it is the view of the Government that these co-operative societies are like Ceaser's wife above suspicion and, therefore, no enquiry should be made into the mismanagement of such organizations?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The Government are enquiring into all irregularities wherever they are found—whether it is a society or a private individual."

SRI V. RAGHAVAYYA:—"May I know, Sir, whether the local food officials were sleeping or naively conniving at these irregularities particularly when they are expected to check the stocks every week?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I cannot give any details until I receive the report."

SRI N. S. VARADACHARI:—"Is it or is it not a fact, Sir, that the Government, after the appointment of the necessary staff, stopped the enquiry by a stay order and on further reconsideration made this new arrangement for conducting the enquiry in the face of the fact that the Intensive Procurement Order (Foodgrains) Civil Supplies prescribed a machinery for the purpose of enquiries? Is it not also a fact, I ask, that, with reference to the advice tendered by the Public Accounts Committee, it is the accepted policy of the Government that every co-operative society in the country should be placed on the same footing so far as enquiries into accounts are concerned as private individuals?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I have nothing more to add to what I have already said."

SRI N. S. VARADACHARI:—"Since I consider the Hon. the Minister's answer very unsatisfactory and since he has not met any of the points I raised, I would request you, Sir, to allow a half-hour debate on this question."

MR. SPEAKER:—"I heard the Hon. the Minister say that he would publish a report on the enquiry as soon as it is over. As soon as it is circulated, the hon. Member may put short-notice questions and I shall, if need be, allow a debate then. Now it is not possible to have any debate."

Provision of banking facilities in villages.

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

(a) whether the Government have received any instructions from the Central Government as regards the banking facilities in villages;

(b) if so, what the instructions are; and

(c) what action the Government have taken thereon?

THE HON. SRI B. GOPALA REDDI:—" (a) to (c) In pursuance of an undertaking given in the Constituent Assembly during the debate on the devaluation of the rupee that steps would be taken to provide suitable governmental assistance

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for the extension of banking facilities in rural areas, the Government of India, in their resolution, dated the 8th November 1949, constituted a committee with the following terms of reference:—

- (1) To consider the measures that can be immediately adopted for the extension of banking facilities in rural areas.
- (2) To review in this connexion the present arrangements for the management of the cash work at Government treasuries and sub-treasuries including those where the work is at present managed by the Imperial Bank of India.
- (3) To consider to what extent the extension of banking facilities will be facilitated by entrusting the cash work at Government treasuries and sub-treasuries at places where the work is not at present being managed by the Imperial Bank of India to commercial banks and co-operative banks and in this connexion to consider—
 - (a) the future management of such work in the Provinces of India as well as in the States and Unions whose financial integration with the Indian Union will take effect from the 1st April 1950; and
 - (b) to what extent the management of the cash work in Government treasuries and sub-treasuries could be entrusted to either a new State-sponsored bank or to one or more of the existing commercial banks or co-operative banks; and the conditions to be fulfilled by and the assistance to be given to such banks.
- (4) To make recommendation in regard to the banks which may now be handling the treasury work in the States and the Unions.
- (5) To make any other recommendations.

"The Rural Banking Enquiry Committee has recently submitted its report to the Government of India and it is now under their consideration."

SRI S. NAGAPPA:—"May I know, Sir, whether there will be any facilities provided for the smaller villages where there are no Government treasuries?"

THE HON. SRI B. GOPALA REDDI:—"The entire matter is under the consideration of the Government of India and they are now in consultation with the State Government."

Observations on the sanitation and roads in Nellore Municipality.

* 65 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Local Administration be pleased to state what the observations of the Inspector of Municipal Councils and Local Boards on the sanitation and roads in Nellore Municipality are?

THE HON. SRI K. CHANDRAMOULI:—"The question does not say when and in what connexion the hon. Member thinks that the Inspector of Municipal Councils and Local Boards

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has made observations on the sanitation and roads in Nellore Municipality, which he wishes to know in answer to the question. The Inspector, while forwarding the administration report of the Nellore Municipal Council for 1948-49, has stated that some of the roads were narrow and required widening and that the condition of roads was generally reported to be good. He has not offered any specific remarks on the sanitation of the town in that connexion."

SRI V. RAGHAVAYYA:—"Are the Government aware, Sir, that Nellore has of late been infested with filaria and malaria on an increased scale owing to the very bad sanitary conditions obtaining there?"

THE HON. SRI K. CHANDRAMOULI:—"I must tell the hon. Member that in most of the municipal areas, sanitation and other arrangements are not very satisfactory. But still every effort has been made to see that these things are carried on properly and very efficiently consistent with the finances at their disposal."

SRI V. RAGHAVAYYA:—"May I know, Sir, if the Government have abandoned the underground drainage scheme sanctioned for Nellore ten years ago for which the Government also promised a grant of a crore of rupees?"

THE HON. SRI K. CHANDRAMOULI:—"The hon. Member may put a separate question."

SRI S. NAGAPPA:—"Arising out of the answer given by the Hon. the Minister that generally sanitary conditions are far from satisfactory, may I know, Sir, whether he gives, while on tour, any particular instructions to the municipalities in the matter of improvement of sanitary conditions?"

THE HON. SRI K. CHANDRAMOULI:—"I have already stated that every effort is being made to see that sanitary arrangements are kept up properly."

Extension of compulsory elementary education.

* 66 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state whether the Government do not intend to extend compulsory elementary education to any areas during the current year?

THE HON. SRI K. MADHAVA MENON:—"No; there is no proposal at present."

MR. SPEAKER:—"I may inform the House that we are going to take up the Elementary Education Bill after question hour."

BEGUM SULTAN MIR AMIRUDDIN:—"Is it not a fact, Sir, that the scheme for the extension of compulsory elementary education has been kept in abeyance for two years now?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir. It is a fact that we have not extended the scheme for two years now."

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BEGUM SULTAN MIR AMIRUDDIN:—" May I know, Sir, the reasons for keeping this scheme in abeyance for such a long period."

THE HON. SRI K. MADHAVA MENON:—" The reasons are very many, the principal reason being financial. One of the other reasons is that it is the idea of the Government to convert as quickly as possible all schools into basic schools and introduce thereby compulsory education."

SRI S. NAGARAJA MANIGAR:—" We are having adult franchise to-day and on one side we are trying to provide education to the adult. Is it not necessary that we should pursue the same policy in respect of elementary education also?"

THE HON. SRI K. MADHAVA MENON:—" Yes, Sir. Article 45 of the Constitution requires that the State should provide facilities for free and compulsory education for all within 10 years and so it is necessary that we should extend the scheme of elementary education."

BEGUM SULTAN MIR AMIRUDDIN:—" If the Government keep the scheme in abeyance in this manner, may I know, Sir, how the Government hope to implement the directive principles of State Policy enunciated in the Constitution?"

THE HON. SRI K. MADHAVA MENON:—" That is the very thing we are considering now."

JANAB H. S. HUSSAIN:—" By keeping in abeyance for the time being the scheme for the extension of compulsory elementary education is it the intention of the Government to expand only adult education and thus educate our voters under adult franchise?"

THE HON. SRI K. MADHAVA MENON:—" The Government have no illusions that by expanding adult education they can give elementary education to the boys and girls."

11-30 a.m. SRI KALLUR SUBBA RAO:—" May I know from the Hon. Minister Sir, whether the Government are satisfied with the results of the scheme where compulsory education is in existence in this State to-day?"

THE HON. SRI K. MADHAVA MENON:—" I cannot say that we are completely satisfied, but that is better than nothing."

JANAB M. MUHAMMAD ISMAIL:—" May I know, Sir, when the Government expect to bring basic education to the required level and when they propose to extend elementary education and whether they have a plan for this?"

THE HON. SRI K. MADHAVA MENON:—" There is no question of bringing basic education to the required level. It is on the required level even now. The question is about sufficient number of schools and teachers and other conveniences necessary for increasing the number of basic schools."

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JANAB M. S. ABDUL MAJID:—" May I know whether it is the intention of the Government to keep vast masses of people in everlasting ignorance and illiteracy?"

THE HON. SRI K. MADHAVA MENON:—" That cannot be the intention of any sensible Government and we think we are sensible, Sir."

JANAB M. MUHAMMAD ISMAIL:—" May I know whether it will take five more years for the Government to extend this compulsory elementary education further?"

THE HON. SRI K. MADHAVA MENON:—" I cannot prognosticate anything like that, Sir."

SRI A. VEDARATNAM PILLAI:—" May I know whether the Government are taking any steps to convert the schools in the compulsory area into basic schools and if so what those steps are?"

THE HON. SRI K. MADHAVA MENON:—" Yes, Sir, we are every year taking a number of ordinary schools and converting them into basic schools besides opening new basic schools. Almost all the training schools we have opened during the last two years have been only basic training schools."

SRI G. RAJAMANNAR CHETTI:—" May I know, Sir, whether this suspension of the scheme of extension of elementary education to new areas is also part of this Government's scheme of extension of elementary education within the prescribed period?"

THE HON. SRI K. MADHAVA MENON:—" I cannot understand, Sir, what my hon. Friend means by using suspension; extension and so many 'sions.' There is no question of suspension or extensions; only no new compulsory area has been declared for the last two years. That is all."

SRI S. NAGARAJA MANIGAR:—" Is it not a fact, Sir, that the Advisers Government started this scheme of compulsory education, and when it was possible for them to extend the scheme for two years and find the teachers and the other necessary equipment, is it difficult for our Government to extend it further?"

THE HON. SRI K. MADHAVA MENON:—" The Advisers Government could do anything they liked, whether it was good or bad, but we think it is not proper for us to extend compulsory education unless we have sufficient facilities and finance. There is no use of making it a farce."

SRI P. A. THANGASWAMI NADAR:—" Sir, is not the dearth of teachers due to the fact that if a person who passes the School Final Examination enters Government service he will get far more than if he undergoes training for two years and is employed as a teacher afterwards?"

THE HON. SRI K. MADHAVA MENON:—" I do not know, Sir, what that has got to do with this. We have no compulsory education in secondary schools. The idea is to give

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compulsory education to the children up to the age of 14 years. If my hon. Friend means that there is a dearth of people going in for training, I do not think there is any dearth at all of people going in for training. The dearth is only for space."

SRI T. VISWANATHAM:—"May I know, Sir, whether it is part of the policy of the Government to extend basic education to municipal areas also?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir wherever it is possible. We have extended it to some municipalities already."

SRI P. NATESAN:—"May I know, Sir, what is this elementary education that is going to be compulsory? Is it in the regional language or Hindi or English? What is it that is going to be compulsory?"

THE HON. SRI K. MADHAVA MENON:—"What is contemplated is only compulsory education for children up to the age of 14 years and that is elementary education. That is in the regional language and neither Hindi nor any other language comes in there."

SRI S. NAGAPPA:—"May I know, Sir, whether in the areas where there is compulsory education, poor children are given mid-day meals?"

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

JANAB M. MUHAMMAD ISMAIL:—"May I know, Sir, when the Government expect the completion of the conversion of all the elementary schools into basic schools? It is only after such completion that they propose to extend compulsory elementary education?"

THE HON. SRI K. MADHAVA MENON:—"According to our scheme, we want to convert the existing schools into basic schools and we want to have only basic schools in the State. Automatically there will be compulsory education also. Our idea is to complete the thing in the course of 15 years."

JANAB N. MUHAMMAD ANWAR:—"From the answers of the Hon. Minister, I understand that there are only two impediments—finance and accommodation. Will the Hon. Minister devise ways and means of increasing the education cess and at the same time try, as an experimental measure, the adoption of the shift system wherever there are already schools and thus extend this compulsory education?"

THE HON. SRI K. MADHAVA MENON:—"The Bill that is going to be moved shortly is for the increase in the education cess. Our idea is to increase it as much as the people can bear. Regarding the shift system, we are trying it in certain schools even now. We are examining the possibility of extending the shift system."

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BEGUM SULTAN MIR AMIRUDDIN:—"According to the Hon. Minister, it will take 15 years for the existing schools to be converted into basic schools. May I know why the Government are so much obsessed with the idea of the conversion of all schools into basic schools; why cannot they get on without the basic schools?"

THE HON. SRI K. MADHAVA MENON:—"If we are obsessed with that idea, it is because we are obsessed with the feeling that it is the correct thing to do."

JANAB M. S. ABDUL MAJID:—"Sir, in view of the adoption of adult suffrage in the country, will the Hon. Minister for Education compel the Hon. Minister for Finance to assign top priority to the extension of elementary education in the province?"

THE HON. SRI K. MADHAVA MENON:—"There is no necessity for us to compel each other in the matter of extending compulsory elementary education. The Hon. the Finance Minister is as much interested in it as myself, if not more."

Expenditure on the maintenance of livestock farms in the State.

* 67 Q.—

MR. SPEAKER:—"The hon. Member Mr. Salam is not in his place; the answer will be printed in the proceedings."

JANAB MOHAMED ABDUL SALAM: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Government are spending about 25 lakhs of rupees per year for maintaining livestock farms in this State; and

(b) the reasons why the Government are not able to maintain the farms on self-supporting basis?

THE HON. SRI A. B. SHETTY:—" (a) No Sir. The Government are not spending Rs. 25 lakhs a year on livestock farms in this State, but only about half that amount.

" (b) Excepting the Dairy-cum-Bull farm at Visakhapatnam, no other livestock farm in the State is run on a commercial basis, and it is not possible to run them on a self-supporting basis. These farms are all breeding and research farms, and the benefit derived by them for uplifting the animal husbandry in the country cannot be assessed in terms of rupees, annas and pies. As regards the Dairy-cum-Bull farm at Visakhapatnam, it is still in the initial stage, and until the required land is taken up (for which the land acquisition proceedings are taken up), and the organization works at full swing it will not be possible to maintain it as self-supporting."

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Alleged stay of the Ministers in private houses during their tours.

* 68 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Chief Minister be pleased to state whether it is a fact that the Ministers are lodging in private houses during their official tours at places where there are public rest-houses?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—"The Hon. Ministers generally lodge in public rest-houses only during their official tours. But sometimes they stay in such places as are convenient to them."

SRI V. RAGHAVAYYA:—"May I know, Sir, whether the occasional staying away from the rest-houses is due to considerations of safety, convenience or other considerations equally weighty?"

THE HON. SRI B. GOPALA REDDI:—"There are many considerations. Sometimes, the rest-houses may not be very good and, sometimes they may be very distant. Sometimes very good friends might have invited them."

JANAB MUHAMMAD RAZA KHAN:—"May I ask, Sir, whether the Hon. Ministers would set up a healthy convention and make it a point to stay in rest-houses only so that all people may have free access to them?"

THE HON. SRI B. GOPALA REDDI:—"Ninety per cent. of the stays are in rest-houses only, but occasionally they may prefer to stay with some friends or relations."

Collection of takkavi loan instalments.

* 69 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether any orders were issued by the Government to suspend takkavi loan collections in Chandragiri division of Chittoor district; and

(b) if so, whether this was applied to all villages in the division or only to certain villages, irrespective of zamindari or ryotwari villages?

THE HON. SRI H. SITARAMA REDDI:—" (a) It is presumed that the hon. Member is referring to the collection of takkavi loan instalments. The Government have issued orders directing the postponement, till fasli 1360, of the collection of loan arrears which fell due in fasli 1359 in all the estate villages in the Pattur, Tiruttani and Kalabasti taluks of the Chittoor district which were affected by adverse seasonal conditions.

" (b) No ryotwari areas in the district were affected by adverse seasonal conditions. The orders therefore apply only to the estate villages in the three taluks mentioned in the answer to clause (a)."

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SRI S. NAGAPPA:—"In view of the fact that some of the mindari villages are going to be taken over by the Government, may I know, Sir, whether this suspension will be extended still further?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, this is a loan. When there was some difficulty for payment, a concession has been shown. There is no need for extension. It must be collected some time or other."

SRI S. NAGAPPA:—"At present the seasonal conditions are adverse. Therefore, will the Government wait at least till the seasonal conditions become favourable to the ryots?"

THE HON. SRI H. SITARAMA REDDI:—"As the seasonal conditions were reported to be adverse, what was to be paid in 1359 is going to be collected in 1360."

Construction of cheap model houses in villages.

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

(a) whether it is a fact that the Government are contemplating to construct cheap model houses in villages; and

(b) if so, at what stage that contemplation is?

THE HON. SRI N. SANJEEVA REDDI:—" (a) No, Sir.

" (b) Does not arise."

SRI S. NAGAPPA:—"May I ask, Sir, whether it is not the duty of the Government to construct cheap model houses for the labouring classes also as they are contemplating to provide houses for the middle classes?"

THE HON. SRI N. SANJEEVA REDDI:—"The duties of the Government are numerous, but the possibilities also must be considered."

SRI S. NAGAPPA:—"Of the numerous duties of the Government, do not they feel that this is the most important duty?"

THE HON. SRI N. SANJEEVA REDDI:—"I fully agree but we are not able to provide enough buildings."

SRI S. NAGAPPA:—"Is it not advisable for the Government, Sir, to go in for a loan and see that the poor people are provided first instead of thinking of providing houses for the middle classes?"

THE HON. SRI N. SANJEEVA REDDI:—"If we can secure a loan, we will certainly use it for all beneficial purposes, for projects housing and many other things. But we cannot say that we will use the loan money only for this purpose."

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SRI S. NAGAPPA:—“ May I know what attempts have been made by the Government to secure a loan, whether they have failed to secure a loan or whether they have not floated any loans? ”

THE HON. SRI N. SANJEEVA REDDI:—“ The question may be addressed to the Hon. the Finance Minister, Sir.”

UNSTARRED QUESTIONS.

Applications for grants under G.O. No. 175, Firka Development.

1 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Rural Development be pleased to state—

(a) the names of the institutions or individuals who applied for grants under G.O. No. 175, Firka Development, dated 25th March 1948, the amounts applied for and the amounts granted to each of the applicants; and

(b) whether grants were refused to any, and if so, for what reasons?

A.—(a) & (b) The information is not readily available. The Government consider that the time and labour involved in the collection of information asked for, is not commensurate with public interests served thereby.

Grant of lands to I.N.A. men.

2 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Land Revenue be pleased to state whether the Government have allotted land to the Indian National Army men, and if so, how many persons have been allotted so far and where and how much?

A.—Yes. Three Indian National Army men have so far been granted lands in the Wynaad Colonization area, Wynaad taluk, Malabar district. Two of them were granted 5 acres of dry and 2 acres of wet land each and the third man 10 acres of dry land.

Taking over by Government of zamin villages in Madurantakam taluk.

3 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number and names of the zamin villages in Madurantakam taluk of Chingleput district that have been taken over by the Government under the Zamindari Abolition Act;

(b) whether the zamin village of Cheyyur is one among them;

(c) whether it is a fact that kists have not been collected in the area, and if so, why the area in Block B has been excepted; and

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(d) whether the zamindar of Block B has collected kist, and if so, what action the Government have taken or propose to take in this regard?

A.—(a) & (b) The Government have not so far taken over any zamin village in the Madurantakam taluk in Chingleput district under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.

(c) & (d) The Government have not the information, but have called for it.

Opening of a new police station at Pillaiyarpalayam.

4 Q.—SRI M. KANNIAPPAN: Will the Hon. the Chief Minister be pleased to state—

(a) whether the Government have received any representation from the Kancheepuram Town Congress Committee requesting the establishment of an additional police station at Pillaiyarpalayam in Kancheepuram;

(b) if the answer to clause (a) is in the affirmative, at what stage the request now is; and

(c) when the opening of the new police station can be expected?

A.—(a) Yes.

(b) & (c) The representation was duly considered by the Inspector-General of Police, but as the crime and other relevant statistics did not justify the opening of a station at Pillaiyarpalayam and as the “ Sivakanchi ” Police station could pay adequate attention to that place, the question of opening a new station was dropped.

Number of cases booked under the Madras Civil Disabilities Act.

5 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Rural Development be pleased to state the number of cases booked, charge-sheeted, convicted and acquitted under the Removal of Civil Disabilities Act in the State, ever since the Act came into force, districtwar?

A.—A statement is placed on the table of the House.

Number of special permits for marriage festivities.

6 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Food be pleased to state,—

(a) the names of the persons who were granted special permits for marriage entertainments in the City of Madras during the months of April, May and June 1950 enabling them to entertain guests in excess of the number permissible under the existing rules; and

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(b) the number of persons, each of these permit-holders were permitted to feed on the occasion of marriage festivities as a result of the permits granted to them?

A.—(a) None.

(b) Does not arise.

Deficiency of Andhras in the public services.

7 Q.—SRI A. SATYANARAYANA RAJU: Will the Hon. the Chief Minister be pleased to state with reference to question No. 100 on the subject answered on 20th March 1950—

(a) whether the Government have taken any steps for making up the deficiency in the proportion of Andhras to non-Andhras in services; and

(b) if so, what the steps taken by the Government are?

A.—(a) & (b) The question how best to make good the deficiency of Andhras in the public services is engaging the attention of Government.

Grant of land to political sufferers.

8 Q.—SRI G. LATCHANNA: Will the Hon. the Minister for Land Revenue be pleased to state the total number of applications received up to date and the number of applications disposed of in each district under the scheme of grant of land to political sufferers?

A.—The total number of applications received up to 30th June 1950 and the number of applications disposed of in each district are furnished below:—

Name of the district.			Number of applications received.	Number of applications disposed of.
(1)			(2)	(3)
1 Visakhapatnam	..	..	571	153
2 East Godavari	..	..	884	330
3 West Godavari	..	..	1,843	683
4 Krishna	..	..	1,718	369
5 Guntur	..	..	2,514	1,259
6 Kurnool	..	..	146	88
7 Bellary	..	..	347	113
8 Anantapur	..	..	301	252
9 Cuddapah	..	..	287	106
10 Nellore	..	..	637	302
11 Chittoor	..	..	224	136
12 Chingleput	..	..	538	280
13 South Arcot	..	..	602	260
14 North Arcot	..	..	577	406
15 Tanjore	..	..	1,442	721
16 Tiruchirappalli	..	..	572	518
17 Mathurai	..	..	2,280	1,014

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Name of the district.			Number of applications received.	Number of applications disposed of.
(1)			(2)	(3)
18 Ramanathapuram	..	..	1,170	117
19 Tirunelveli	..	..	722	269
20 Coimbatore	..	..	1,173	113
21 Nilgiris	..	..	355	284
22 Salem	..	..	554	222
23 Malabar	..	..	771	352
24 South Kanara	..	..	801	332

Lands reclaimed under the "Grow More Food Scheme."

9 Q.—SRI G. LATCHANNA: Will the Hon. the Minister for Land Revenue be pleased to state the extent of land brought under fresh cultivation, districtwar, and the quantity of food produced therein under the "Grow More Food Scheme"?

A.—(1) A statement^a showing the extent of waste and virgin land and old fallows brought under cultivation with the help of tractors and bull-dozers during the year 1949-50 (financial year) and 1950-51 (from 1st April 1950 to the end of June 1950), the anticipated production therefrom, and the additional production actually realized as verified by the Collectors is appended. The difference between the anticipated additional production and the additional production reported to have been actually realized is mainly due to the fact that most of the crops harvested in 1949-50 escaped assessment by the local officers. Necessary arrangements have since been made to properly assess the results in time and bring the additional production achieved to account.

(2) In addition to the total extent of 44,629 acres of waste and old fallows reclaimed by tractors in 1949-50, an extent of 73,691 acres has been brought under cultivation under the schemes relating to sinking of wells, Public Works Department irrigation and tank improvement works, pumping installations and assignment of lands, etc., but it is not known how much of this extent is waste and virgin land. It is possible that a portion of this extent was reclaimed by tractors and included in the area shown under tractor cultivation.

Number of plants planted in the State.

10 Q.—SRI G. LATCHANNA: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the total number of plants planted in the Madras State since the commencement of the Vana Mahotsavam, districtwar; and

^a Printed as Appendix II on page 750 infra.

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(b) whether the Government have made any provision for the growth of these plants?

A.—(a) Although the Tree-Planting Week commenced on the 1st of July 1950, it has since been extended by the Government of India till the end of August 1950. The counting of trees planted will, therefore, be made only after that period. There is, therefore, no information now about the number of trees planted in this State, but it may be stated that the target aimed at is 40 lakhs.

(b) So far as plantings on Government lands are concerned, the Collectors of the districts have been instructed to devote particular care to the growth of the seedlings till they reach maturity, to make arrangements to see that the plants are regularly watered till they establish themselves and to provide fencing or tree-guards made out of thorns to protect the plants from damage by cattle. They have also been instructed to take vigorous measures to control cattle trespass and to instruct the touring officers to check occasionally whether the trees planted are being given the necessary "after-care". The Agricultural department has also been instructed to arrange for the sale of cheap tree-guards and for the supply of barbed wire for fencing when more than twenty trees are planted in a compact spot. It has been impressed on the public during the Vana Mahotsava Week that proper care should be taken to water the trees to protect them against destruction by cattle till they establish themselves firmly and, if by any chance, any seedling gets withered, to plant a new one in its place.

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

II.—ADJOURNMENT MOTION *re* DISTRIBUTION OF YARN.

MR. SPEAKER:—"The hon. Member, Mr. Majid has given notice of the following adjournment motion, namely:—

'That the business of the House be adjourned for the purpose of discussing a matter of urgent public importance, namely, the failure of the Government of Madras to make arrangements for adequate and proper distribution of yarn to the several lakhs of handloom weavers in the State of Madras, as a result of which they are to-day facing a great crisis.'

Before I give my ruling, I wish to remind the House about certain principles which I have laid down with regard to these motions. Hon. Members should bear in mind that the subject of the motion should relate to a definite matter, that it should be of urgent public importance, namely, that it should be one

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of recent occurrence and that there should be Government responsibility for the matter. In England, such motions are brought forward very rarely. I think that this adjournment motion is out of order."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"May I make a submission to you, Mr. Speaker? Sir, I submit that the matter proposed to be raised in the adjournment motion given notice of by Mr. Majid is one of urgent public importance as it relates to the supply of yarn to the weavers."

MR. SPEAKER:—"It is a matter of day-to-day administration. It occurs every day."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"The supply of food by the Commissioner of Civil Supplies is also a matter of day-to-day administration. It goes on all the 365 days in the year. But there are some occasions when an acute crisis develops. My hon. Friend, Mr. Majid, will be able to explain his view-point better than I can do. The acute crisis is due to the defective system of the distribution of yarn. You will find many hon. Members in this House supporting the view that the crisis is created artificially and that it is the duty of the Government to come to the help of the millions of families who are suffering on account of the inadequate supply of yarn. Though the mills supply yarn, the weavers are not in a position to get the yarn. What is the reason for it? Something special has happened. It is a matter of urgent importance. It is one of recent occurrence as the situation has arisen in the last few weeks, in the interval between the time when the Assembly adjourned last time and when we have re-assembled now. I submit, Sir, that the matter raised in the adjournment motion of my hon. Friend, Mr. Majid, deserves very careful consideration as it is, in my humble opinion, one of very great importance and also of very recent occurrence."

JANAB M. MUHAMMAD ISMAIL:—"Sir, with reference to the points which you have raised in connexion with this motion, I beg to submit that this motion conforms to the ruling you have already given on a previous occasion. The Government have been letting this matter drift for a long time, i.e., in the matter of supply of yarn to handloom weavers. It is just now that the situation has come to a head. There is already scarcity of food in the country; added to it, the yarn situation has become bad; and it has added to the piquancy of the situation. All these circumstances have combined together and created a new situation where the people suffer very much. Unless the Government take immediate steps, the situation cannot be eased and there will be no relief to the people. It is that aspect that this adjournment motion wants to emphasize . . ."

MR. SPEAKER:—"But this is not the way by which the matter should be brought to the notice of the Government."

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JANAB M. MUHAMMAD ISMAIL:—"I submit, Sir, there is no other way open. You stated that in the British Parliament, such adjournment motions were really brought forward, but circumstances are quite different here. Here we are suffering from scarcity of food and scarcity of yarn more frequently than is the case in other countries. You will agree that the acuteness of the situation has been growing until it has now come to the present stage; and this motion seeks to bring the acuteness of the situation to the notice of the Government."

MR. SPEAKER:—"I would advise the Hon. Leader of the Opposition to have a talk with the Hon. Leader of the House and see if he can have a full-dress debate on this matter; and if he agrees to have a full-dress debate, I have no objection. But this method of bringing forward adjournment motions is not quite in consonance with parliamentary practice. I should like to know whether the concerned Minister has anything to say."

THE HON. SRI H. SITARAMA REDDI:—"As has been correctly pointed out by you, Sir, it is not a matter of recent occurrence."

MR. SPEAKER:—"I think it is a longstanding grievance."

THE HON. SRI H. SITARAMA REDDI:—"I do agree there is difficulty in the supply of yarn, but to bring it by way of a motion of this kind, it must be of recent occurrence or one of urgency. The difficulty has been there for some time now and the Government have been tackling the problem as best as possible. It was suggested that difficulty had arisen due to the system of distribution; but no new system of distribution has been introduced yesterday or the day before. The present system has been there for some time now and, therefore, I think this matter cannot be brought up in the form of an adjournment motion. As you have yourself suggested, Sir, there are other methods of bringing it up."

MR. SPEAKER:—"I have heard the concerned Minister; I want to know if the Hon. Leader of the House has anything to say in the matter."

THE HON. SRI B. GOPALA REDDI:—"Sir, as far as our information goes, in recent weeks the situation has actually improved. It was of course a little bad in May and June, but in recent weeks, the situation has improved. As you have rightly observed, this is a matter of chronic occurrence and it is not of recent occurrence. The desirability of having a full debate in regard to this matter will be considered in due course."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I am not quite so thorough with the rules, Sir, and that is why I want you to kindly help me. I agree there may be some technical defect in regard to this adjournment motion. What we are more concerned with is a debate. Will the Leader of the House, the Hon. Speaker and the Minister concerned evolve some other plan and

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tell the House in what form the matter may be brought forward for discussion in the House? I have no objection even if it is going to be a Government motion."

MR. SPEAKER:—"The hon. Member can have a talk with the Minister afterwards and try to evolve the plan himself."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"That is not quite so easy, Sir, we meet here and after we leave, we do not meet often outside the House and we have no opportunity for a personal talk. Unless therefore it is discussed here with your consent, there may not be much of a chance of our evolving a method. We do not want the debate to take place to-day or even to-morrow, let it be fixed according to the convenience of the Government, especially because you say that an adjournment motion may not be technically correct in this matter. We all agree that there is hardship caused to the people, and something must be done."

MR. SPEAKER:—"Then you may put a short notice question, and if the answer is not found to be satisfactory, you may ask for a half-hour debate."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"But does the Government agree to that?"

MR. SPEAKER:—"Why should the Government agree? It is entirely in my power to allow a half-hour debate. As regards an adjournment motion, Speaker Peel has said:

"What I think was contemplated was the occurrence of some sudden emergency."

That is how he has defined it. This motion is therefore clearly out of order, and I rule it out of order. But I also advise the hon. Member to come up with a short-notice question if he so desires; and if the hon. Member is not satisfied with the answer given by the Government, I will then consider whether a half-hour debate is necessary or not."

III.—ADJOURNMENT MOTION *re* HARASSMENT OF FOODGRAINS PROCURING OFFICIALS.

MR. SPEAKER:—"I have received notice of another adjournment motion from the hon. Mr. Moideen Kutty which reads:—

"That the business of the House may stand adjourned to discuss a definite matter of urgent public importance, viz., the action of the Government officials in making house to house searches in a part of Arcot for foodgrains and thus harassing the people of the locality which will have serious repercussions on the producers of the State."

I want to know how it is a matter of urgent importance."

JANAB P. K. MOIDEEN KUTTY:—"Mr. Speaker, Sir, I submit the matter has become very urgent in this . . ."

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MR. SPEAKER:—"Has any crisis arisen recently? All that is referred to is being done in the course of the day to day administration. If adjournment motions on matters like this are brought forward in the House, I am afraid we will be able to do no other business in the House."

JANAB P. K. MOIDEEN KUTTY:—"Such actions as are referred to here on the part of the officials will have very serious repercussions on the people, especially at a time when there is such a dearth of foodgrains in the State, and there will be absolutely no security. It is because of that I submit the matter has become very urgent. My whole purpose in bringing forward this motion was to request the Government at least to give us full information, such as they may have with them at present."

MR. SPEAKER:—"If the hon. Member's object is to have full information on this matter, he can give notice of a short-notice question."

JANAB P. K. MOIDEEN KUTTY:—"The situation is so volcanic that it may take a serious turn at any time if things are allowed to drift. The Hon. Minister for Food and the Hon. Chief Minister went to Delhi, but I am afraid they brought nothing . . ."

MR. SPEAKER:—"The hon. Member has not explained how the matter is very urgent."

JANAB P. K. MOIDEEN KUTTY:—"As I said, Sir, they went to Delhi and returned with empty hands; and having suffered a rebuff at the hands of the Government of India, they are, as it were, wreaking vengeance on the people of this State by adopting these methods of procurement. Therefore, in the interests of the Government themselves and the producers who are out to help the Government—instead of killing the goose that lays the golden eggs—the Government must have more consideration for the producers."

JANAB M. MUHAMMAD ISMAIL:—"In trying to understand the object of this motion, Sir, we must refer to the background. We all know this State has been suffering from scarcity of food; there was a regular full-dress debate in this House and the Government were implored to bring necessary relief at once. So far, it has not transpired that the Government have been able to do anything by way of bringing any relief to the people. The Ministers went to Delhi but they have not brought anything. Instead of getting more foodgrains for the State and instead of adopting methods which alone will enable them to procure more foodgrains from the people, what the Government officials are doing now will only make the situation more acute; these methods if persisted in, will have serious repercussions on the procurement of foodgrains in the State. That is what is sought to be brought out by this adjournment motion. In regard to the

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previous motion, you said, Sir, it was a chronic occurrence; this is not so. Suppose a man is suffering from a serious disease and it has been neglected for a long time and all on a sudden the disease takes a very serious turn. Would you still say that it is not a matter of urgent importance, when the matter taking a serious turn is itself due to continued neglect for a long time? This action on the part of the officials has really created an emergency under which I submit the people are suffering very much. Instead of making the people co-operate with the Government in the matter of procurement, this action of officials is creating the reverse effect. It is this aspect, that is brought out by this adjournment motion."

MR. SPEAKER:—"The hon. Leader of the Opposition has raised the point that the matter has become more serious after we have had the food debate, and the answer to it is provided in the Rules of the Assembly. Rule 42 says that 'the motion must not revive discussion on a matter which has been discussed on an adjournment or otherwise in the same session'. Only a few days ago, we have had a full-dress debate on this question, and it is against the rules to raise the question once again to-day on an adjournment motion."

* SRI P. NATESAN:—"Sir, I should like to make a submission. You have been drawing our attention to Speaker Peel's ruling. But conditions are different here; we in India cannot compare ourselves with people in England. In England such things do not happen day after day. People are starving here, the whole country is concerned about it, and we have got to bring forward an adjournment motion, whether we like it or not, whether it is according to the rules or not; if necessary, we may even have to go beyond the rules. Suppose there is shooting somewhere or other harassment of the people, we must have an adjournment motion here; but if you want to stand meticulously on your rules I am afraid, Sir . . ."

MR. SPEAKER:—"Is it the hon. Member's contention that we should not follow the rules?"

* SRI P. NATESAN:—"I do not say so, Sir, but where is the chance for us to bring forward any complaint against the Government if you are going to strictly follow the rules? I suggest you must relax a little bit your own powers, otherwise we will be always at the mercy of the Government. The Speaker after all is the custodian of the rights of Members of this House, and you are the person to whom we should look forward at every stage. If you say that Speaker Peel's ruling should apply here, then I must submit it cannot apply here. I am seriously talking when I say that conditions are so bad in this country that these Ministers simply smile and laugh at what the opposition Members say. The Opposition is very serious so far as this motion is

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concerned. There is no food in the country; yet you say it is not a matter of recent occurrence. How then are we to avoid a crisis? Similarly, there is no yarn available . . .

MR. SPEAKER:—"The hon. Member seems to have forgotten that we have already had a debate on food."

* SRI P. NATESAN:—"Debate is one thing and raiding by officials of people's houses is something different. This is a thing which has happened yesterday or a few days back, and there is no use referring Members to something that happened three weeks ago—the food debate. I suggest, Sir, you must relax the rules, so that you may give an opportunity, in times of crisis like this, to Members to serve their country. No doubt Congress Members may serve the country in their own way, but we also . . ."

THE HON. SRI K. MADHAVA MENON:—"The food debate was quite recent."

* SRI P. NATESAN:—"Everything is supposed to be recent; but the raids by the officials are much more recent. As I said, the analogy of England cannot apply in this country."

MR. SPEAKER:—"But we are following the practice and rules prevalent in England."

* SRI P. NATESAN:—"It may be so, Sir, but we are now free; we are working under a Constitution of our own. What is the use of being free if we are still going to follow the rules prevailing in England and France? At any rate, this is not the way in which England is being governed; there is no food shortage there. In short, my point is there is no analogy between England and our country. Our literacy is different from the literacy in England, our efficiency, our character, everything is different from what it is in England. You, Sir, as the custodian of the rights of the Members, must relax the rules and must not be so meticulous about the application of the rules; you must not invoke these rules just because they are in vogue in England."

JANAB M. MUHAMMAD ISMAIL:—"Sir I submit to your ruling. I know this question of food scarcity was debated upon only recently; but the subject-matter of this motion is very different, though some things relating to procurement might have been referred to in the course of the food debate. The main point raised in the adjournment motion is the harassment of the people by officials—harassment to an extent to which it has not taken place previously. Therefore, it is a definite matter and it is an urgent matter. I submit it is not the whole food debate which is being raised once again by this adjournment motion. This is a definite matter and this is an urgent matter, of recent occurrence,—I mean the raids by the officials and the harassment of the people when we are already in a very critical and peculiar situation."

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MR. SPEAKER:—"I wish to know whether the hon. Leader of the House has anything to say in the matter."

THE HON. SRI B. GOPALA REDDI:—"Sir, what my hon. Friend, the Leader of the Opposition, calls raid and harassment is only the procurement drive we are doing in response to the demands of this House. After all without proper procurement we cannot feed the millions of the people of the country and that was one of the demands made by hon. Members during the food debate. I do not think the police commit any excesses for the purpose of harassing people. For instance, some party might have concealed the rice and when such information comes to the police officers, it is their duty to see that the concealed rice is made available to the people. So, Sir, there is nothing urgent about the matter. Again, procurement has been in vogue for six or seven years, and even more than that and it is only part of the procurement drive. In fact, hon. Members ought to congratulate the Government on the drive they are giving in the matter instead of censuring the Government for it."

12 noon.

JANAB M. MUHAMMAD ISMAIL:—"All these points must be brought in in the reply to the debate that has been asked for."

MR. SPEAKER:—"In regard to the point raised by Mr. Natesan, namely, that I should relax the rules, I should say, I must follow the rules strictly and I do not want to leave a bad precedent to my successor."

THE HON. SRI K. MADHAVA MENON:—"We cannot eat the rules even for the sake of food."

JANAB ABDUL HAMEED KHAN:—"My hon. Friend, Mr. Natesan, did not mean that the Speaker should relax the rules, but his request was to use your discretion in favour of the people."

MR. SPEAKER:—"I have already given my ruling that it is not a matter of urgent public importance. I rule it out of order."

IV.—MESSAGE FROM THE COUNCIL.

MR. SPEAKER:—"I have to announce to the House that I have received messages from the Hon. Chairman of the Madras Legislative Council:—

(1) transmitting copies of the following Bills as agreed to by the Council without any amendment and signed by him:—

(a) The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1950 (L.A. Bill No. 19 of 1950).

(b) The Madras Co-operative Land Mortgage Banks (Second Amendment) Bill, 1950 (L.A. Bill No. 22 of 1950).

(c) The Madras Agriculturists' Relief (Amendment) Bill, 1950 (L.A. Bill No. 23 of 1950).

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(2) transmitting copies of the following Bills as passed by the Council in accordance with rule 99 of the Council Rules on the 31st August 1950, and signed by him for the concurrence of the Assembly:—

(a) The Madras Land Encroachment (Amendment) Bill, 1950 (L.C. Bill No. 2 of 1950).

(b) The Madras Repealing and Amending Bill, 1950 (L.C. Bill No. 3 of 1950).

(c) The Madras Legislature (Prohibition of Simultaneous Membership) Bill, 1950 (L.C. Bill No. 4 of 1950).

"I have also to announce the following other messages, dated 31st August 1950, received from the Hon. Chairman:—

(1) 'I transmit a copy of the following motion passed to-day by the Madras Legislative Council in respect of the Madras Entertainments Tax (Amendment) Bill, 1950 (L.A. Bill No. 20 of 1950):—

'That the Bill be passed.'

(2) 'I transmit a copy of the following motion passed to-day by the Madras Legislative Council in respect of the Madras Contingency Fund Bill, 1950 (L.A. Bill No. 21 of 1950):—

'That the Bill be passed.'

(3) 'I transmit a copy of the following motion passed to-day by the Madras Legislative Council in respect of the Madras City Municipal (Amendment) Bill, 1950 (L.A. Bill No. 24 of 1950):—

'That the Bill be returned to the Legislative Assembly with the following recommendation:—

'Delete the proposed sub-section (3) to section 116.'

V.—BILLS.

THE MADRAS ELEMENTARY EDUCATION (AMENDMENT) BILL, 1950.

* THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, with your permission, I present the report* of the Joint Select Committee on the Madras Elementary Education (Amendment) Bill, 1950 (L.A. Bill No. 12 of 1950), and move—

'That the Bill, as amended by the Joint Select Committee, be taken into consideration.'

"Sir, when I moved that the Bill be referred to a Joint Select Committee there was a detailed discussion on every aspect of this Bill. Sir, the position is this. Under section 37 of the Elementary Education Act, local bodies and municipalities were authorized to levy the education cess and under the proviso to section 37, the Government were bound to contribute an equal amount, that is, as much amount as was collected by the local bodies, as grant for elementary education. That was the practice till 1941

* Printed as Appendix III on pages 751-754 infra.

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and in 1941 because of the situation then created an Act was passed by the Advisers suspending practically the proviso to section 37, that is, the liability to contribute an equal amount, but they said that the liability of the Government will be confined to the amount that they were paying at the time of the amendment of the Act in 1941. There was some reason for that, because at that time, that is, in 1941, the maximum amount of elementary education cess that was being levied by the local bodies was 4 pies in the rupee—and in a few cases it was $4\frac{1}{2}$ pies—or you may take it at an average of $3\frac{1}{2}$ pies. Then, the local bodies asked for permission to increase the cess, because unless such a permission was given by the Government, they could not increase it. And if the Government gave permission to increase, it will increase their liability and so they adopted the subterfuge of not giving permission to increase the cess. So, they declined to give permission for the local bodies to increase the cess. Then the local bodies complained by saying, if you cannot pay, do not pay, but at least allow us to increase our cess. That meant, even though the Government might be faced with financial difficulties, and could not pay, at least the local bodies might be permitted to increase their share of the cess. That is what the local bodies said. The Government thought there was no harm in granting such a request, but that could only be done by an amendment of the Act and that was the reason for the amendment of the Act in 1941, which said that the liability of the Government shall be confined to the amount they were paying on the date of the Act. On the date of the amending Act of 1941, the total amount of the cess that was collected by district boards was Rs. 17,95,274 and the contribution that was paid by the Government was the same amount, viz., Rs. 17,95,274. That position continued and the local bodies increased the taxation to various degrees, so that now we have this taxation ranging from 16 pies to 37 pies in the rupee. Salem is the only district board that is levying the maximum of 37 pies in the rupee. But, the Government contribution still remained as it was in 1941. That Act was in force till 1945 and after the Advisers' regime, we extended it up to 1st April 1950, with the option of either continuing the Act, or omitting it altogether or by making some other new provision.

"Sir, it should not, however, be understood that because the Government limited their liability to the extent they were paying in 1941, they did not pay anything more. When the Government said they could not pay, the rest of the deficit remained and they had to pay it from out of the general revenues. The total amount of the cess collected in 1948 by the local bodies was about 110 lakhs 56 thousand—I am confining myself here to district boards—and the contribution which the Government had to pay was only 25 or 30 lakhs, but the Government were actually paying 178 lakhs odd, because they had to pay various subsidies by way of dearness allowance, etc., to make up the loss and for several years we have been giving subsidies to local bodies. As

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a matter of fact, the Government had been paying 178 lakhs odd as their contribution, while the tax collected by the local bodies was still 110 lakhs. I am referring to this because an amendment has been tabled in regard to this matter. This was argued at length even before the Bill was referred to the Joint Select Committee. Let us know the position before we think about it that there is something very very wrong is being done against local bodies. To repeat what I have said, we are paying 178 lakhs odd to local bodies, whereas the collection by way of elementary education tax is only 110 lakhs odd. We are now faced with the position whether we should allow an equal amount which can be collected which will mean considerable loss or give something more. There is no doubt we must give something more because local bodies are in a chronic deficit in the matter of elementary education and perhaps except the Tanjore District Board where the elementary education fund is not in deficit, the elementary education fund in other municipalities and district boards ranges from two to eleven lakhs deficit. That is the position and there is no doubt we have to augment the revenues of the local bodies from the general revenues. So, we are thinking what should be done. The result of the consideration of the matter is this. We do not want to withdraw what we are paying, namely, 178 lakhs and the question is whether to continue it or to give something more. If we continue the liability of paying an equal amount that will mean the Government will have to pay 110 lakhs odd over and above the 178 lakhs. Again that may not be possible under the circumstances. So, the question is what should be done. We came to a sort of *via media* and that is by putting a limit on local bodies increasing the taxation. We think even this 37 pies in the rupee is too much. That is why we say the maximum shall not be more than 35 pies in the rupee, in which case the Government contribution shall be only half of it and if it is 18 pies or less, it shall be half of it. So, whatever assessment the local bodies may have, we shall confine the Government responsibility to half of it. I want the House to realize that at the time the Act was passed the liability of the Government was only at an average of 4 pies in the rupee—in some cases it was $4\frac{1}{2}$ pies and in other cases $2\frac{1}{2}$ pies—and we wanted to limit the liability of the Government to 9 pies in the rupee and continue the other grant we are giving, namely, 178 lakhs, having increased it to 9 pies.

“Now, Sir, in regard to the proposed amendment to the Elementary Education Act that is placed before the House which was referred to the Select Committee, the Joint Select Committee did not make any change at all and except for certain verbal amendments they approved the original Bill and sent it back. According to their recommendation the Government have to contribute another 52 or 53 lakhs more besides 178 lakhs, which, as I said, if the amendment is approved by the House, the Government will have to contribute another 52 lakhs more to schools, so that it is not the case where even though we have restricted our liability

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to 9 pies in the rupee, still the position is, the local bodies will be enabled to get about 50 lakhs more. Of course, if the local bodies can get more, so far so good, but the thing is, how can they be in such a happy position. Suppose, these local bodies still find themselves in deficit, it is not possible for the Government, even if they want to, to go to their rescue. In fact, every year we are trying to see what can be done. Wherever retrenchment could be effected in local bodies, it had been done and to meet the deficit Government had to give subsidies. That is how we are managing. So, even if the House limited the liability of the Government it does not absolve the Government of their responsibility from giving further help to local bodies wherever necessary. That is what I want to impress on the House. Even though the original Act of 1921 remains as it is, the local bodies would get an equal amount and that equal amount will be only 110 lakhs, but we are giving more, namely, 178 lakhs plus another 52 lakhs if this Bill is passed. If, however, the local bodies want more money, we have to consider the question consistent with the financial position of the Government. That is the position. I have nothing more to add to what I have originally said, except to remind the House of the scope of the amending Bill and that is why I took the liberty of explaining it in detail. I move, Sir, that the report of the Joint Select Committee be taken into consideration.”

MR. SPEAKER:—“Motion moved—

‘That the Madras Elementary Education (Amendment) Bill, 1950 (L.A. Bill No. 12 of 1950), as amended by the Joint Select Committee, be taken into consideration’.”

JANAB ABDUL HAMEED KHAN:—“Mr. Speaker, Sir, it is true that the Government through this Bill are seeking to improve the finances of local bodies with respect to elementary education by giving them powers to levy increased taxation as well as by giving more contribution from the Government. But I submit it is time the Government realize how difficult it is for local bodies to find necessary finance for education purposes. No doubt the Government have expressed that they are not in a position to give equal contribution to local bodies, just as they were doing in the early stages. When they say this, they should, at the same time, not lose sight of the fact that by so doing, they are only retarding the progress of elementary education in the State. Fifteen years ago they envisaged a scheme of compulsory elementary education in the State, and to this day, it remains a dead letter. The Government should realize that the first duty of a State to its people is education; it ought to have the highest priority, and particularly so in view of the fact that the Constitution Act envisages adult suffrage. So at present there is all the more reason for speeding up the pace of elementary education and removing illiteracy. So, considering all these aspects of the question I would urge on the Government to take away education

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from local bodies and take it up themselves. If that is done education will spread quickly. As I said, it is the primary duty of the State to give its children elementary education, and so I urge on the Government to take away education altogether from local bodies.

“ Besides this difficulty of finance for local bodies, there is also one other reason for my saying that the Government should take over education from local bodies. For, there is the question of supervision. There is always a conflict between local bodies' supervision and supervision conducted by the Government Education Department. Either the Education Department should surrender their rights to the local bodies, or the local bodies should surrender their rights to the Education Department. In between the conflict between these two authorities, the standard of education suffers and the pace of progress of elementary education also suffers. Besides these factors, local board politics has a very adverse effect on elementary education. The tendency with local bodies is to give this subject a lower place in their scheme of things; they give a higher place to drainage, road-forming and similar things. Whereas if this subject of education is taken up by the Government, they would give it the highest place and they would see that elementary education spreads as quickly as possible. In answer to an interpellation this morning on the floor of this House, the Hon. Minister for Education said that he was not in a position to say when elementary education would be made compulsory or extended to districts where it does not take place.

“ Then comes the difficulty of basic education. To establish basic education throughout the State, sufficient number of teachers should be trained and made available; and it is only after that we could make elementary education compulsory in the State. So, Sir, all these things make one think that the State is the only authority fit to take up the spread of elementary education in the Province. Instead of doing that, they are now throwing the responsibility on the shoulders of local bodies; and those shoulders are not in a position even by levying a cess on property tax and land tax to spread elementary education as far and wide as the present day necessity requires.

“ The Hon. Minister for Education said that the Government are not in a position to give an equal amount of contribution to local bodies, as they were doing prior to 1941. At the same time, he said, that in some cases the Government were giving now a larger sum than that collected by local bodies in 1941. He said, in one case it amounted to seventeen lakhs and in another case it amounted to a lakh and seventy-eight thousand rupees. Now, if they are doing that, they are only discharging their duty and responsibility. So, I say, the Government may undertake education themselves instead of leaving it to local bodies. If the Government are not willing to undertake it, but wish to continue the present arrangement (that is, local bodies continuing

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to manage education) then, I would suggest to the Government to amend the Act in such a way, so that the Government pay the full amount equal to the cess collected by local bodies. To say, that they would only give as much as they were giving in 1945-46 is not correct. For, what tremendous difference there is between that year and now? The amount should have doubled or trebled to the local bodies. So, the contention of the Government would not meet the needs of the situation. If really the Government are anxious to help local bodies to spread education they should help them substantially. So, an amount equal to that collected by local bodies is the minimum that they should pay to local bodies. Otherwise the local bodies will not be in a position to satisfactorily discharge their duty to the people. I, therefore, hope the Government would come forward with an amendment that they will pay to local bodies a sum equal to that collected by means of cess by local bodies.”

* BEGUM SULTAN MIR AMIRUDDIN:—“ Mr. Speaker, Sir, I am sorry to note that this Bill has come back to us from the Select Committee in practically the same form as it was presented to this House in April last. The cool atmosphere of the Nilgiris, where the Government persisted in having the meetings of the Select Committee met, despite my dissent, does not seem to have had any salutary effect, for we find that no step was taken to improve the Bill. I could not understand why the Hon. Ministers for Education and Finance were obsessed with the feeling that they should have the meetings of the Select Committee in some hill station, in summer, in order to justify their presence there. It is a matter of common knowledge that Ministers of this State unlike the Ministers of Britain and other countries are ever on tour. As such there was no necessity to have the meetings of the Select Committee at Ootacamund to serve as a reason for their stay there.”

THE HON. SRI B. GOPALA REDDI:—“ May I know, Sir, how all this is relevant? ”

BEGUM SULTAN MIR AMIRUDDIN:—“ This is relevant because it shows that public money has been wasted. The whole bill could have been disposed of within half an hour by sitting in Madras itself, and as I pointed out there was no necessity to move to Ootacamund for holding further discussions. When the Government proclaim that they are hard pressed for funds, is it right on their part to waste public money in this manner.”

MR. SPEAKER:—“ It is the House that gave the permission.”

BEGUM SULTAN MIR AMIRUDDIN:—“ But I dissented and I am proving that the stand taken by me was correct; for despite the expenditure incurred from the public exchequer by holding the meetings in Ootacamund the result has been nil and the Bill has emerged from the Select Committee in the same form as it was presented to us when it was introduced in this House.

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"The Hon. Minister for Education stated that this Bill was discussed at length when it was introduced. I am surprised at this observation for you know, Sir, how the Bill was rushed through at the end of the last session and how Mr. Raza Khan and myself protested against the haste of the Government in the matter. If the Hon. Minister would look into the proceedings of the Madras Legislative Assembly for the last session, he would find that the Bill was introduced at the fag end of that session, and that members did not have an opportunity to express their views on the matter. Mr. Viswanatham also advised the Government not to rush through the measure but the Government were adamant. In the face of this how does the Hon. Minister assert that the Bill was discussed at length when it was introduced?"

"The Bill has now come back to us without undergoing any change and the statutory obligation of Government remains the same as before."

"When as early as 1920 a foreign Government realized the necessity for enacting a measure which imposed upon the Government the obligation to contribute an equal amount of the education cess or tax collected by local bodies or municipal councils, it is indeed regrettable that a National Government should fail to fall in line with similar legislation. It is true that in 1941 the Advisers reduced the liability of the Government. But we must remember that that was only a war-time measure. The Government then were immersed in activities pertaining to the war. They had huge commitments in that regard, hence their liabilities in respect of other matters had to be curtailed and they brought in legislation to reduce the statutory obligation of the Government in respect of contribution to local bodies. To our great surprise the National Government in 1946, instead of amending the legislation passed during the Advisers' regime, re-enacted that measure and continued its life till April 1950. And now, the Government have brought forward this legislation, it is not with the intention of restoring the pre-1941 position, as should have been done, but merely to increase to a small extent the Government contribution."

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"The Hon. Minister mentioned to-day that the additional contribution payable by the Government as a result of the passage of this Bill would be Rs. 52 lakhs. If I remember aright, when introducing the Bill he had stated that the additional contribution would amount to Rs. 31 lakhs. I do not know which figure is correct. Any way the position is that the Government will have to make an additional contribution either of Rs. 31 lakhs or Rs. 52 lakhs, whichever is correct. This additional contribution, it is needless to point out, is most inadequate."

"Having been the Mayor of Madras, you are aware, Sir, how the Corporation of Madras is handicapped for want of funds in the matter of promoting elementary education. The other municipalities and local bodies are even in a worse position. The Elementary Education Fund Accounts of many local bodies are working at

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a deficit and they have to make huge diversions from the general fund to balance the Elementary Education Fund account. It is mainly due to lack of finance that elementary education under local bodies is not making satisfactory progress. I have visited some of the schools run by local bodies and I have been appalled by the conditions that prevail there. I found those schools housed in dilapidated buildings and the pupils simply packed like sardines in ill-lit and ill-ventilated rooms. I felt that it would have been better from the point of view of the health of the children that they abstained from attending such schools. Of course this is not the case with all schools but in some of the schools that I visited conditions were really deplorable. When the district boards and municipalities are asked to rectify the existing state of affairs, they put forward the plea of paucity of finance consequent on the inadequate contribution received from the Government. Unless the Government help the local bodies with substantial contribution, the latter cannot discharge their duties satisfactorily in regard to furthering the cause of elementary education."

"To-day the total amount of tax that is being collected by local bodies is Rs. 110 or Rs. 116 lakhs. The Government should re-enact the Elementary Education Act of 1920 and provide an equal sum for the local bodies."

THE HON. SRI K. MADHAVA MENON:—"And stop other subsidies?"

BEGUM SULTAN MIR AMIRUDDIN:—"No, Sir. How can the Government stop other subsidies and grants in view of the provision in section 37 of the Elementary Education Act of 1920 that the contribution of the Government will be in addition to and not in lieu of the amount of recurring expenditure incurred from the provincial funds?"

"The Government should not compare their present contribution with that made in 1941, for their revenues have since considerably increased. The total revenue of this State in 1941-42 was only Rs. 18.21 crores but the total revenue for 1950-51 is Rs. 55.21 crores. In other words the total revenue has to-day trebled but the Government propose only to double the amount of their contribution as compared to that made in 1941. I urge upon the Government to restore the pre-1941 position, that is to say, to re-enact the Elementary Education Act of 1920 and make a contribution equal to the education tax raised by the local bodies. Unless this is done, there is no use in entrusting the task of promoting elementary education to the local bodies."

"Comparing our State with some of the neighbouring countries, we find that the position with regard to education is deplorable here. I was informed by the Hon. Sri V. V. Giri that in the little island of Ceylon, the Government are giving free education to the people from the elementary to the collegiate stage. Another neighbour of India, namely, China which resembles this country in many respects, is devoting its whole-hearted attention to the

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development of its educational system. An important Article in China's latest constitution provides that educational appropriation should constitute not less than 15 per cent of the total Central Budget and not less than 30 per cent of the provincial, district and municipal budgets. China is not a rich country like Britain or United States of America. She is a poor country like India with many other similar problems. If China can launch suitable measures to solve the problem of illiteracy, why cannot India do likewise? The Government should pay particular attention to education in view of the fact that we are now working under a constitution which casts an obligation on the Government in the form of directive principles of State policy to liquidate illiteracy within the course of ten years. If the principle of equal contribution by the Government was accepted so early as 1920 by a foreign Government, it was wrong on the part of a national Government to have discarded it in 1946. And it is doubly wrong on the part of the present Government to deviate from that principle particularly in view of the fact that the new Constitution of India imposes upon the State Governments the duty of making education universal within a short period. Therefore I urge upon the Hon. Minister for Education either to pay an equal contribution to the local bodies as envisaged in the Act of 1920, in addition to the existing grants and subsidies or divest them of their responsibility in regard to elementary education, the Government undertaking the task themselves. It is the primary responsibility of the State to educate those inhabiting the land and the proper course for the Government would be not to shirk this responsibility by entrusting the task to local bodies but to shoulder the burden themselves.

"When the Bill was introduced, I remarked that it was an important measure as I thought then that suitable improvements would be made in it by the Select Committee. But the form in which it has emerged from the Select Committee, compels me to state that this Bill is not at all important for it would make little difference if it were passed or not. The additional sum of Rs. 52 lakhs or Rs. 31 lakhs as the case may be could be given by way of grants and subsidies and there was no necessity to bring in a Bill for this purpose.

"Sir, I do not approve of the amendment proposed to section 50. It is a matter of common knowledge that local bodies did not enforce the penal provisions of the Compulsory Elementary Education Act. Hence these powers were transferred to District Educational Officers. But even after this we find that the position has not improved and that compulsory education continues to be a mere pretence. The proposed amendment will make matters still worse and afford greater loopholes to evade compulsion. Hereafter parents will claim exemption on the ground that their children are receiving instruction in an unrecognized school, which may be a play school. They may even make out their homes to be a school.

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The Government should either drop this amendment or clearly define so as to remove all ambiguity as to what they mean by an unrecognized school. Otherwise compulsory education will be even a greater failure in future than it has been in the past."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, in moving for the consideration of the Bill to-day, the Hon. Minister for Education was at great pains to convince this House that this was a very just Bill and gave some figures in a way that it was not possible for others to follow exactly his line of reasoning. The figures are not new to us. They have been placed on the Table of this House sometime ago and I have them here. In the first instance I want to clear a misapprehension. He said that, while the district boards were collecting Rs. 110 lakhs by way of education tax, the contribution made by the Government was about Rs. 178 lakhs. I submit he was not right. (Interruption by the Hon. Sri K. Madhava Menon.) If the Hon. Minister has not said that, the fact may be verified from the official report. I am glad, Sir, I am not so forgetful. But there was rather some confusion in the mind of the Hon. Minister when he mentioned this figure. We are now actually discussing an amendment of the Elementary Education Act, and not any other policy of the Government or of the contributions made by the Government towards this or that local body. There might be hundreds of other things for which the Government might pay contributions. Those had no reference to the present question at all. Therefore, Sir, the Hon. Minister for Education was trying to confuse himself, to confuse this House and confuse us all by bringing this figure which has absolutely no relevancy to the Bill under discussion. He will excuse me, Sir, if I use that strong expression, that he has confused himself. Now, Sir, if you will only please refer to columns (6) and (7) of this statement, containing particulars of Education tax, you will find the amount of education tax realized during the year 1948-49 and the Government contribution in respect of the tax realized during the same year, by all the district boards in this State. The total amount of education tax realized during 1948-49 in all the districts was Rs. 1,11,62,000 while the Government contribution in respect of the tax realized was Rs. 23,53,000 and not Rs. 178 lakhs as stated by the Hon. Minister. He need not have brought in that figure at all. I know that several hon. Members were looking rather anxiously and wondering at that statement, how it would have been possible for the Government to have contributed Rs. 178 lakhs, while the district boards had actually collected only Rs. 111 lakhs. Perhaps that amount might have been given to some other department or for some other purpose. There are so many departments and the Government are making so many contributions for so many purposes. But here, in this Bill we are confining ourselves to the question of the Government's responsibility for the spread of elementary education and their contribution to local bodies in respect thereof. Let me once again submit, Sir, that the true position is, that in the year 1948-49, a sum of Rs. 1,11,62,000 was collected by the district boards and the

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Government contribution in respect of the tax realized was Rs. 23,53,000. In the case of municipalities, the total education tax realized was Rs. 35,90,000 and the Government contribution was Rs. 19,70,000. Therefore, Sir, the Government cannot claim that they are actually giving anything more and that if we oppose this Bill, the Hon. Minister cannot turn round and say that the municipalities and local boards are likely to lose the great help which the Hon. Minister wants to give in the matter of elementary education by means of this amending Bill. I submit, Sir, that when the Bill was originally introduced, we had a full discussion over the various provisions of this Bill, and we dealt with all these aspects and even then I pointed out certain defects in the Bill to the Hon. Minister. But it appears to have produced no effect at all on the Minister. But we will continue to put forward our arguments, and continue to oppose this Bill, and if possible, we shall try to convince him of the reasonableness of our amendments and the unreasonableness of his attitude.

"Sir, in the first place, there is one aspect to which I should like to draw the attention of the Hon. Minister. In paragraph 5 of the report of the Joint Select Committee it is stated as follows:—

"At its meeting on the 19th April 1950, the Committee decided to request the Chairmen of the Municipal Councils of Cuddapah, Vijayavada, Mathurai, Srikakulam, Devakottai and Kozhikode and the Presidents of the District Boards of Malabar, Nellore, Chingleput, Coimbatore and South Kanara to send written memoranda containing their opinions on the Bill."

I submit, Sir, that there are 24 district boards and 94 municipalities in this State, not taking into account the recent additions to the list of municipalities. I do not know what made the Joint Select Committee invite the opinions of only six municipalities and five district boards. Under what conditions and circumstances they did so, passes my comprehension. I do not want to cast any reflection either on the Joint Select Committee or on the local bodies consulted. But I want to know why they had left out such first-class municipalities as Rajahmundry, Kakinada, Visakhapatnam and chosen Srikakulam and Devakottai which are only second-rate municipalities. On the other hand, it would have been very proper if they had asked all the municipalities and district boards to express their opinion on this Bill. They met only in June and they had two months before them and they could have certainly obtained the opinions of all the district boards and major municipalities by that time. But even these few local bodies which had been addressed had not all of them expressed their opinions. Opinions were received only from two municipalities, and the others did not reply. What were their opinions? Have they been considered by the Joint Select Committee or have they been brushed aside? I do not know why they should be treated as confidential, and why this House should be kept in the dark as to whether they had opposed the Bill or whether they had been in favour of it. Did they suggest any additions or alterations? Nothing is said in the report of the Joint Select Committee. But, Sir, speaking on behalf of the Chairmen

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of Municipal Councils, I can say with confidence that no Chairman would have supported this measure. I have no doubt about it. But, if on the other hand, the Hon. Minister had got the opinion of any Chairman of a Municipality supporting this measure, I shall be glad if that opinion is placed on the table of the House. Did he consult that body known as the Chamber of the Chairmen of Municipal Councils, which has been formed under the auspices of the Government and which has received the recognition of the Government? Did it give its opinion on this Bill? It is most unfortunate, Sir, that even that Body was not consulted, although such consultation was most necessary so far as this matter is concerned.

"Sir, as has already been mentioned by me, it was thirty years ago that the Government of those days—it was not a Welfare State then, but only a Police State—recognized the great responsibility of the State for the dissemination of Elementary Education throughout the State and it was that Government that put in this provision that any Municipal Council with the previous sanction of the Provincial Government, and if so directed by them, levy within its area taxes not exceeding twenty-five per cent of the taxation levied in the municipality under the law for the time being in force governing the same under all or any of the heads mentioned therein, etc. . . . Is it because a 25 per cent tax has been mentioned in this section and as under another section the Government are obliged to contribute an amount equal to the education tax realized by the Local Bodies that they have now come forward to amend Section 34 of the Act? The Government state that they would give their contribution only up to a certain period and up to a certain limit. Is it because they think that they cannot discharge their obligation to the local bodies in full in respect of the spread of Elementary Education? They have not chosen, of course, to pass this Bill as a permanent Act. They have not also consulted all the municipal councils in the State. Otherwise, many of the municipal councils would have objected to this Bill, even as we are objecting now. Although this Act has provided that the municipalities and local boards can levy a property tax up to 25 per cent for educational purposes, still, Sir, as you will be pleased to see from the statement placed on the table, no municipality had ever levied a tax more than 2½ per cent prior to 1941. So also no district board levied more than 4 pies in the rupee as Education Tax. I know, Sir, that most of the Municipalities were taxing only 1 per cent or 2 per cent and the maximum was only 4 per cent. The Coimbatore Municipality, which is a very big municipality levied only a tax of 1 per cent. The Devakottai, Kurnool, Aruppukkottai and certain other municipalities did not levy any tax at all. It was only in 1941 under the Advisers' regime that the tax was raised because certain local bodies pressed upon the Government to increase the rate on account of their financial difficulties. Therefore up to 1941, the majority

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Government contribution in respect of the tax realized was Rs. 23,53,000. In the case of municipalities, the total education tax realized was Rs. 35,90,000 and the Government contribution was Rs. 19,70,000. Therefore, Sir, the Government cannot claim that they are actually giving anything more and that if we oppose this Bill, the Hon. Minister cannot turn round and say that the municipalities and local boards are likely to lose the great help which the Hon. Minister wants to give in the matter of elementary education by means of this amending Bill. I submit, Sir, that when the Bill was originally introduced, we had a full discussion over the various provisions of this Bill, and we dealt with all these aspects and even then I pointed out certain defects in the Bill to the Hon. Minister. But it appears to have produced no effect at all on the Minister. But we will continue to put forward our arguments, and continue to oppose this Bill, and if possible, we shall try to convince him of the reasonableness of our amendments and the unreasonableness of his attitude.

"Sir, in the first place, there is one aspect to which I should like to draw the attention of the Hon. Minister. In paragraph 5 of the report of The Joint Select Committee it is stated as follows:—

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"Sir, as has already been mentioned by me, it was thirty years ago that the Government of those days—it was not a Welfare State then, but only a Police State—recognized the great responsibility of the State for the dissemination of Elementary Education throughout the State and it was that Government that put in this provision that any Municipal Council with the previous sanction of the Provincial Government, and if so directed by them, levy within its area taxes not exceeding twenty-five per cent of the taxation levied in the municipality under the law for the time being in force governing the same under all or any of the heads mentioned therein, etc. . . . Is it because a 25 per cent tax has been mentioned in this section and as under another section the Government are obliged to contribute an amount equal to the education tax realized by the Local Bodies that they have now come forward to amend Section 34 of the Act? The Government state that they would give their contribution only up to a certain period and up to a certain limit. Is it because they think that they cannot discharge their obligation to the local bodies in full in respect of the spread of Elementary Education? They have not chosen, of course, to pass this Bill as a permanent Act. They have not also consulted all the municipal councils in the State. Otherwise, many of the municipal councils would have objected to this Bill, even as we are objecting now. Although this Act has provided that the municipalities and local boards can levy a property tax up to 25 per cent for educational purposes, still, Sir, as you will be pleased to see from the statement placed on the table, no municipality had ever levied a tax more than 2½ per cent prior to 1941. So also no district board levied more than 4 pies in the rupee as Education Tax. I know, Sir, that most of the Municipalities were taxing only 1 per cent or 2 per cent and the maximum was only 4 per cent. The Coimbatore Municipality, which is a very big municipality levied only a tax of 1 per cent. The Devakottai, Kurnool, Aruppukkottai and certain other municipalities did not levy any tax at all. It was only in 1941 under the Advisers' regime that the tax was raised because certain local bodies pressed upon the Government to increase the rate on account of their financial difficulties. Therefore up to 1941, the majority

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of the Municipalities did not levy more than 2½ per cent. Afterwards, certain Municipalities like the Nagapattinam, Palamcottah, Dindigul, etc., increased the tax only up to 3, 4 and 5 per cent in spite of the fact that they were allowed to increase the tax up to 25 per cent. Even then, only a few Municipalities out of the 74 Municipalities in the State have increased the tax and that too only up to 5 per cent. I would therefore ask the Hon. Minister not to get alarmed at the 25 per cent maximum limit that has been fixed in the original Act, because no Municipality has ever raised it to more than 5 per cent and the Government would not really be paying more than 5 per cent as their contribution towards that tax. That being the case, there would really be no embarrassment to the financial position of the Government. There is no use of the Hon. Minister trying to twit us by saying that the Government would stop all other contributions if this Bill is opposed. [...] It is not a stand which a Minister for Education, who is interested in the extension of free and compulsory Elementary Education in this State, should take. I can understand some other Ministers taking such a stand, but not the Minister for Education. Whether the Government contribute to the expenses of Municipalities or not, it must be clearly understood that these Local Boards and Municipal Councils are not private bodies coming from Pakistan or from England. These Local Bodies are as much a part of the Government as any Government department and they function within the sphere of activities allotted to them. Within that sphere they are expected to function just as the various departments of the Government function within their sphere of activities. Therefore the Hon. Minister should not assume that their interests are hostile to the interests of the Government. This attitude of hostility or separateness should not enter into the mind of the Hon. Minister and it is rather unfortunate that he should take up such an attitude in regard to these local bodies and I would therefore request the Hon. Minister not to persist in that attitude. I once again request him to give up once for all the idea of twitting us by saying, "If you give up this tax, I will give you this tax or that tax; and if you do not give up this tax, I will stop some other contribution." The justification or otherwise of a measure does not depend upon the bargaining power of the Hon. Minister or upon the manner in which the Hon. Minister is able to pilot the measure. It is high time that such an idea is erased from the mind of the Hon. Minister. I therefore submit, Sir, that even though the Government might give grants to these Local Bodies under some other heads or for some other purposes, such grants should not be taken into consideration for this purpose or confused with the contribution to be made by them under the present measure. I have also pointed out certain glaring differences in the matter of the monies allotted to the various municipalities. For instance, the Dindigul Municipality collected a sum of Rs. 47,000 as Education tax during 1948-49 while the Government contribution in respect of the tax realised was only

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Rs. 16,000. The Coimbatore municipality collected an education tax of Rs. 71,000 but got a contribution of Rs. 70,793. I submit, Sir, that there must be some uniformity in this matter. Influential municipalities got a greater advantage than the one which is smaller and has no such influence, Sir, in this connection, I should like to point out to the Hon. Minister that certain municipalities are not able to discharge their obligation in the matter of the spread of Elementary Education even with the tax collected and the Government contribution thereon. Take for instance, the Visakhapatnam municipality. There we collect about Rs. 21,000 by way of Education Tax and the Government contribution came to about Rs. 18,000, but we actually spent about Rs. 45,000 more for meeting the expenditure in connection with the spread of elementary education. Let it not therefore be thought by the Hon. Minister that the Municipalities are not doing their part and that they are simply asking the Government to give more and more contribution. It is not so, Sir. I only want to submit that we shall try to collect as much as we can, but at the same time, we want the Government to realise that without adequate grants from them, these Local Bodies would not be able to discharge their obligation in full and that some Municipalities like Visakhapatnam are actually spending more than what they collect as education tax together with the contribution by the Government. I submit that in these circumstances there is no justification for the Government to bring forward this Bill. All on a sudden at the fag end of the session he introduced this Bill. He said then that he would not proceed with the 1941 Bill. I thanked him for that and I paid encomiums to him. But within 24 hours he came forward with this Bill. I said that it was the fag end of the session and so please do not proceed with this Bill; let us consider it at some other time. But he insisted and had the Bill referred to Joint Select Committee. As has been observed the Joint Select Committee has made absolutely no changes. The Joint Select Committee went to a Hill station (Ootacamund), and I may say without casting any reflection on any hon. Member of the Joint Select Committee that nothing except the enjoyment of the cool climate entered the mind of the Joint Select Committee.

"About other details, I shall not take up the time of the House now. I shall speak on them later when I move my amendments."

MR. SPEAKER:—"The House will now rise and meet again at 3 p.m."

The House then adjourned for lunch.

(After lunch—3 p.m.)

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, the Bill that is now before the House is certainly a great improvement on the one that was brought forward before. There is no doubt that in the original Bill there was the obligation on the part of the Government to contribute as much amount as was collected by the various

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bodies by way of education cess. The Government always try to minimise their contribution to the municipalities as much as possible. Therefore it is the natural tendency of the Government to say no whenever a municipality or a local board wants to raise the education cess, because there is a liability on the part of the Government to contribute as much amount as is collected. Therefore, I welcome the proposal that makes the Government a little more generous and more ready to comply with the request of the municipalities to raise their education cess. I think therefore this proposal is really an improvement on the original Bill.

" Apart from the general provisions of the Bill, I believe there are three interests to be considered in connection with this Bill. They are (1) the Government contribution, (2) the municipality or the local board allowed to raise its education cess, and (3) the children who are to be given education. All these three interests have to be reconciled when we consider the Bill that is before the House. As I said already, there is the question of the Government contribution. The natural tendency of the Government is to minimise their contribution or not to pay as much as is necessary. If we fix a high percentage, the Government will be slow or they will be unwilling to allow the municipalities to raise the cess. So far as the municipalities themselves are concerned, I do believe that it is their duty to promote elementary education within their areas. Therefore, the first duty must rest with them. Really it is their duty to collect the cess, and only subsidies or grants from the Government should be expected for the purpose of supplementing the collections made by them. But we know that as a matter of fact the municipalities and local boards are chronically insolvent. They do not find enough money for the many purposes they have in view. Not only do they find it difficult to raise the cess, but they also find it difficult to justify themselves before the residents of their areas. The persons within the local board area or a municipal area say 'we are already over-taxed.' Therefore, the municipalities or the local boards are not able to raise the tax. Thus, they find themselves between the devil and the deep sea. On the one hand the Government are unwilling to contribute and on the other the people are not willing to pay more taxes. They obstruct or at least do not want the taxes to be raised. There is the question of education of our children. These three conflicting interests have to be reconciled.

" As I said before, the Bill that is now before the House is a great improvement on the original Bill. One important and satisfactory fact which has been mentioned is that the Government will continue to pay as much as they have been paying till now whatever the realisation of education cess may be by the municipality or the local board. The contribution that they have been making to a particular municipality or local board, will be continued by the Government. This feature of the Bill has not been properly appreciated. The amount that is received so far

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from the Government as contribution, whether it is 10 per cent or 50 per cent or 100 per cent, will continue to be paid by the Government themselves, and it will not be reduced in any case. It will certainly be hard if the contribution is limited to the amount raised by the municipalities. The Government will not reduce in any manner their contribution. The Government have agreed to this amendment made by the Select Committee.

" The Government have been paying Rs. 178 lakhs so far by way of contribution or gracious contribution or contributions under statutory liability. Whatever that may be under the provisions of the Bill as they are to-day, if the maximum levy is made, the Government will be liable to pay Rs. 222 lakhs. It is certainly an increase of about Rs. 50 lakhs. The contribution by the Government is a matter which has to be reconciled with the financial position of the Government themselves. Considering all the three interests involved, the further contribution of Rs. 50 lakhs for the purpose of elementary education certainly meets the requirements of the case. I do not say that it is enough. Elementary education requires far more money than this. But considering the present financial position of the Government, this is a fair contribution by the Government. Therefore, Sir, I support the Bill."

* THE HON. SRI K. MADHAVA MENON:—" Sir, I have anticipated most of the objections that have been raised here. In a matter of this kind it is more a feeling and perhaps the right feeling that local boards and municipalities require more help that prevails, whatever may be the reasons for the Government to say that it will not be possible to help as much as the local bodies would desire the Government to. The hon. Member Janab Abdul Hameed Khan said that local bodies required more money, and that a greater contribution should be given to them. The point that he stressed most was that the Government must take the responsibility for the entire elementary education. 'Act or no Act,' he says, 'it is your business to promote elementary education; take away the elementary education from the local bodies; elementary education is the primary duty of the Government'. The hon. lady Member Begum Sultan Mir Ansiruddin also said, apart from the merits of the Bill, that elementary education was the primary duty of the Government, particularly now that adult franchise had come into force. She said that free and compulsory elementary education was the first duty of the Government, and that Article 45 of the Constitution (Directive Principles of State Policy) laid down that we must have free and compulsory elementary education, and that we must obey the Directive Principles. She said 'take over the entire elementary education; it must be the first responsibility of the Government; it must be given priority over everything else'. The hon. Member Mr. Viswanatham, apart from saying that the figures were misleading, said that I was confusing myself or confusing others. The third possibility is

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that he is confused or he is confusing others. That is the possibility which the House must consider. With Mr. Viswanatham it is a matter of confusion. But this was insisted upon by Mr. Viswanatham also that elementary education should have the first priority. Sir, I agree that education must be given the first priority. I do not think anybody in this House will say that education should not be given the first priority. There need not be any Directive Principle to say that education should be given the first priority. But our position in this country is such that each subject should be given priority. When I say with all sincerity that education should be given the first priority, my Hon. Colleague Dr. Rajan will say 'what a fool you are; if you want to give education, there must be children to be educated; if you want children, there must be healthy father and mother; our country is so bad in health and sanitation; therefore, first priority must be given to health and sanitation; there must be maternity homes and there must be hospitals'. My Hon. Friend Mr. Roche Victoria will then say look at these two people who are quarrelling for priority; unless there is food for people to eat, how are they going to give education to their children'; therefore, food should be given first priority; Mr. Viswanatham has been so much admiring the British administration who brought forward this Bill in 1920."

SRI T. VISWANATHAM:—"Sir, I never said a single word about the British administration."

THE HON. SRI K. MADHAVA MENON:—"Mr. Viswanatham did not say 'British administration'. He said that the Government in 1920 brought forward this legislation."

(Mr. T. Viswanatham was seen standing in his place.)

MR. SPEAKER:—"The Hon. Minister is not yielding."

SRI T. VISWANATHAM:—"The Hon. Minister cannot go on making misstatements, Sir."

MR. SPEAKER:—"Then the hon. Member must rise on a point of order."

SRI T. VISWANATHAM:—"I rise on a point of order, Sir. I never said anything about the British Government. I did not even mention 'British Government'. In 1920, education was in the hands of our Ministers (elected Ministers). I said that it was an elected Ministry that passed this measure. Let not the Hon. Minister confuse himself."

MR. SPEAKER:—"It is a point of explanation and not a point of order."

* THE HON. SRI K. MADHAVA MENON:—"Sir, I might confuse but I do not confound, but my hon. Friend wants to confuse and confound. He said 'the Government of 1920.' It does not matter whether it was an elected Government or any other Government. I take the correction, Sir. A great affection for

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the Government of 1920 has come for my hon Friend, Mr. Viswanatham. I am rather surprised at it. I am not very much surprised in Begum Amiruddin saying that the Foreign Government of 1920 brought this Bill. That is true. There are many things about the Foreign Government and the National Government. In 1941 it was the identical Foreign Government which enacted this measure. It is the unfortunate result of that Foreign Government that everything has got a priority now. So, although it may be technically correct to say that education must have the highest priority, we must know the present position of things. When you demand the highest priority for education, I can understand it. Nobody doubts it. But the position in our country is that we have nothing to build upon. We have to begin from zero. The difficulty is how to find the money for this purpose.

"Sir, there was a reference to our having Select Committee meetings at Ooty and going there. This was something which to me, if it is not unparliamentary, was not of good taste. Begum Sahiba said that Ministers went to Ooty on the plea that Select Committee meetings were held there and enjoyed the cool atmosphere of the Nilgiris. Sir, even if the Select Committee does not meet in Ooty, this House is not going to find fault with us if we go and camp in Ooty for about 10 or 12 days. It may be left to our good sense to do that or not. Even without the meeting of the Select Committee in Ooty, we can camp there for 10 or 12 days as we like. But fortunately or unfortunately I could not camp there for more than three days even for the Select Committee. So, Begum Sahiba need not have said that because we wanted to go to Ooty, we had transferred the meeting of the Select Committee to Ooty. That, I think, is not charitable. It may be a high ideal that the Government should not waste money. Perhaps that is what she meant. Of course, it is a good advice. She did not go to Ooty and waste so much money as we were doing.

"Sir, Mr. Viswanatham said that I was confusing. Let me repeat that I never said that the Government were paying 178 lakhs of rupees under section 37 of the Elementary Education Act. I said that the amount that was being paid under the Act was the same as in 1941. I never said that we were paying 178 lakhs under this section or under this Act. Therefore, I leave it to the House to decide whether it is a misstatement or confusion or attempting to confound matters to put it that I said that under this Act 178 lakhs of rupees were being paid.

"My hon. Friend questioned the figure of 178 lakhs as the amount of contribution for elementary education. I said that the amount was 178 lakhs. It was a mistake. I have verified the figures. The figure after 1941 was 194.69 lakhs. Of these 194 lakhs, the statutory obligation was limited to 27.76 lakhs under section 37 prior to 1941. Subsequent to 1941, a sum of

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59.60 lakhs is given as subsidy to dearness allowance for elementary education. There is another 20 and odd lakhs given for dearness allowance. These are all amounts given for elementary education, though they may not be under this section. I only said that we were giving so many lakhs and not that we were giving under this section. I said that what was being paid in 1941 was subsequently being continued. That was the confusion. It was found that the local bodies could not manage with it. The case of each local body was considered and we were paying more according to the requirements. I did not attempt to confuse my hon. Friend. If my hon. Friend wanted the other Friends to believe that I was confusing, I could not help it. That is all I can say with regard to it.

"Sir, I did make a mistake. I said 52 lakhs is the extra amount. You will find in column 9 of the statement that has been given it is stated as 52 lakhs 60 thousand. But that includes the amount of 23 lakhs that we are already paying, so that the exact balance will be only about 30 lakhs, for the district boards and there is another amount of 19 lakhs for municipalities. 30 plus 19 is 49 and not 52. So, the additional amount will be 49 lakhs and not 52 lakhs. That is a mistake which I committed.

"I was surprised when Mr. Viswanatham made another statement that the Elementary Education Act gave power to raise the taxation to 25 per cent and that we were allowing them to tax only 5 per cent. 25 per cent and 5 per cent of what is the only difference. It is provided that any municipal council may, with the previous sanction of the Provincial Government, if so directed by them, levy within its area taxes not exceeding 25 per cent of the taxation levied in the municipality. The hon. Member referred to this rate of 25 per cent prescribed in the Act of 1920 in regard to levy of education tax whereas the present Bill prescribes only the rate of 5 per cent in the case of municipalities. The rate of 25 per cent prescribed in the Act of 1920 was with reference to the rate of main tax on which education tax is levied as a surcharge. If the hon. Member wants an example, I shall give one. If the property tax is 20 per cent, this will be 25 per cent of that 20 per cent. That is what is meant by the Act. The 5 per cent referred to in the Bill is calculated with reference to property rentals and not to property tax. Before 1941 municipal councils were levying property tax at a rate ranging from 10 to 15 per cent of property rentals. The maximum rate of education tax leviable on property tax was only 25 per cent of 10 to 15 per cent of property rentals, i.e., not less than $2\frac{1}{2}$ per cent and not more than $3\frac{3}{4}$ per cent of property rentals while the present Bill authorizes the levy of education tax up to 5 per cent of the property rentals. The hon. Member has failed to differentiate between the levy of education tax in terms of property tax and the rate of property rentals. The present Bill does not remove any of the provisions of the old Act in respect of the levy of education tax. On the other hand,

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it gives more scope to local bodies to raise the rate of education tax. It is true if the entire amount is to be contributed, the local bodies will get more. If it is possible, we will give more. But at the present juncture, it will not be possible. Supposing we agree to pay an equal amount, what will be the result? We will have to stop the other subsidies. The poorer municipalities will suffer more. That is the reason why we have been giving subsidies according to the nature of the municipalities. If we withdraw those subsidies, they will only get the education tax. The poor municipalities will be made to suffer.

"Mr. Viswanatham asked what the reason for selecting 5 municipalities and 5 district boards was. The particular reason was that the poorest of the municipalities were selected, because they would be the municipalities which would be affected mostly under this Act. We also wanted to take perhaps one or two districts from Andhra, one from Karnataka, one from Malabar and two from Tamil Nad. This is the principle on which we selected them. Really I have no argument against the contention that the local bodies should get more money. I agree that they should get more money, but wherefrom is the question. So, we say our liability is to this extent. If the local bodies are not able to meet their expenditure, it is the duty of the Government to supply where there is deficiency."

MR. SPEAKER:—"The question is—"

"That the Madras Elementary Education (Amendment) Bill, 1950, as amended by the Joint Select Committee, be taken into consideration."

The motion was carried.

Clauses 1, 2 and 3 were put and carried.

Clause 4.

MR. SPEAKER:—"The motion is—"

"That clause 4 do stand part of the Bill."

"Mr. Viswanatham has given notice of an amendment. In my opinion it is out of order."

* SRI T. VISWANATHAM:—"May I submit that if you simply tell me that there is a doubt whether it is in order or not, I can express my views? It would be right. But please do not say that it is out of order before."

MR. SPEAKER:—"Before I rule it out of order, I will have the opinion of the hon. Member."

- a (1) In proposed new section 37 (1) (i), delete the words 'fifty per centum of'.
(2) In proposed new section 37 (1) (ii)—
(a) Delete the words 'fifty per centum of' in line 1.
(b) Delete the words 'ten per centum of' in line 4.
(3) In proposed new section 37 (2), delete the words 'fifty per centum of'.

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SRI T. VISWANATHAM:—"Please do not say, 'Before I rule it out of order.' Please do not make up your mind."

MR. SPEAKER:—"First I will explain the position. Then I will give an opportunity to the hon. Member to express his views."

SRI T. VISWANATHAM:—"Please do not make up your mind before hearing my views, Sir."

MR. SPEAKER:—"I have an open mind."

"I wish to draw the attention of the House as well as the Hon. the Law Minister to Articles 207 (1) and 199 (1) (b) of the Constitution. Article 199 (1) says that a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with the regulation of the borrowing of money or the giving of any guarantee by the State, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the State. Article 207 (1) says—

"A Bill or amendment making provision for any of the matters specified in sub-clause (a) to (f), clause (1) of Article 199 shall not be introduced or moved except on the recommendation of the Governor, and a Bill making such provision shall not be introduced in a Legislative Council:

"Provided that no recommendation shall be required under this clause for the moving of an amendment making provision for the reduction or abolition of any tax."

"I wish to know what Mr. Viswanatham and the Hon. the Law Minister want to say on this matter."

3-30 p.m. SRI T. VISWANATHAM:—"Sir, I do not know how my amendment is out of order. The Hon. Minister has come with a Bill. Although I am not ready, I will submit what I have got to say. I have also gone through this provision. The Bill has been introduced and has already received the recommendation of the Governor. Therefore, there is no question of want of recommendation of the Governor. All that you may be pleased to say is that my amendment involves the Government an expenditure. That is all."

MR. SPEAKER:—"As it involves expenditure, the amendment of Mr. Viswanatham requires the recommendation of His Excellency the Governor."

* SRI T. VISWANATHAM:—"Sir, my point is that this Bill has already had the recommendation of His Excellency. I have proposed a certain amendment."

MR. SPEAKER:—"But it relates to an increased amount."

* SRI T. VISWANATHAM:—"The amending Bill also involves an expenditure to the Government and my amendment also involves a certain expenditure. We are going to take the amount from the Consolidated Fund. So, whether it is Rs. 25 or Rs. 26, it is immaterial. It is meant to utilize some portion from the Consolidated Fund. The Hon. Minister has introduced

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the amending Bill. The recommendation of His Excellency is there. In these circumstances, the amending Bill as well as any amendments moved in that connexion are equally in order."

MR. SPEAKER:—"Am I to understand that it is in order even if it is meant to increase the amount?"

* SRI T. VISWANATHAM:—"Sir, that provision applies only with regard to the budget estimates and not with regard to such amending Bills. Even assuming it is so, my submission to you, Sir, is that as the Bill has received the recommendation of His Excellency, it must go on whatever the amendments may be. Secondly, even assuming that you are of the opinion that my consequential amendment involves the Government a certain amount more than what is required according to the Bill, I would respectfully submit that the Members of this House should not be deprived of the opportunity and right of moving amendments simply for want of the recommendation of His Excellency."

MR. SPEAKER:—"I must follow the rules."

* SRI T. VISWANATHAM:—"On a previous occasion when such an amendment was proposed, which involved extra expenditure to the Government, you were pleased to say that you will be good enough to take steps to get the recommendation of His Excellency the Governor. In the present case, the amending Bill has been introduced and taken for consideration, after obtaining the recommendation of the Governor. At this stage, even assuming that His Excellency's permission is necessary—and I do not think that it is necessary at all—for moving my amendment, I would appeal to you that you may be pleased to pass over this item for to-day and send this amendment for His Excellency's recommendation and obtain either his rejection or approval. I am strongly of the view that the moving of amendments by Members of this House is a valuable right and nothing should be done to deprive them of this right. After all, this is an amendment to an amendment. So, the provisions relating to the recommendation of the Governor should not be applied to such amendments to an amending Bill. We need not wait for the Governor's recommendation in the matter. If you are pleased to think that even consequential amendments should have the previous sanction of His Excellency, then the only course, which would be just and fair to the non-official Members of this House, is for you, Sir, to communicate to His Excellency and ask for his recommendation, as you have kindly promised to do on a previous occasion. If it is rejected, then it is all right and the Bill will get through. My only submission is that the privileges of the hon. Members of this House should not be cut off. Otherwise, what is the use of moving amendments? Any amendment and any action taken by the Government will certainly involve the Government in some expenditure or other. Even the printing of the amendments to the Bills involves expenditure. In that view, amendments should not

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be barred. If it is done, it will merely be straining the interpretation; it would be especially so when the Government have already obtained the recommendation of His Excellency for the introduction of this amending Bill. I think that all that is necessary under the rules has been done in the matter and therefore my amendment is absolutely in order. Sir, we should try to give a liberal interpretation of the rules. This is a matter concerning the privileges of the hon. Members of this House. Under no circumstances, the rights of the Members to move amendments should be taken away. I submit that it is the duty of the Chair to protect the rights of the hon. Members, I mean the non-official Members of the House, and interpret the Constitution in a manner which is liberal and which is just and favourable to the Members. Otherwise, any amendment can be thrown out on that ground. In conclusion, I would appeal to you to be more liberal to the non-official Members of this House. I submit that the Bill has already received the recommendation of the Governor which is the necessary requisite under Article 207. So I feel that my amendment is in order."

SRI K. BHASHYAM:—"Mr. Speaker, Sir, the matter involves the rights and privileges of the Members of this House, relating to the moving of amendments in respect of Bills, which may entail some expenditure for the Government Treasury. I think it is a very important matter on which we should bestow some attention and thought. For that purpose, I would like to observe that in the first instance, some more time will be required to consider all the necessary details concerning the matter. However, I shall explain my views in the matter before you. Article 207 refers to Article 199. Article 199 (1) (b) says: 'the regulation of the borrowing of money or the giving of any guarantee by the State, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the State.' Therefore, it is right and proper that when the Government seeks to amend the law with respect to financial obligations under this Act, they should obtain the permission of the Governor. When the Bill has been brought before the House, and the House is in possession of the same, it has got to go through all the processes to which the Bills are subject under the ordinary course. It is subject to amendments, motions, adjournment motions, etc. So it is subject to all the vicissitudes which any other Bill has to pass through. When once the initial permission has been given by His Excellency and the amending Bill has been placed before the House, I submit no further permission is necessary for moving amendments in respect of the amending Bill."

MR. SPEAKER:—"Even to increase the amount?"

SRI K. BHASHYAM:—"Whatever it is, the Article does not say whether it is increase or decrease. Even if the Government want to reduce their commitments under any enactment, I submit they must really go before the Governor. By amendment, it does not mean that it will always be an advantage to the

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Exchequer. So, the amendment may either before increasing or decreasing the expenditure. The introduction of a Bill is one thing. The introduction of an amending Bill to amend the original Bill is another and the moving of an amendment to these Bills is quite another thing. I would like to submit that these should be distinctively understood and should be treated accordingly. You cannot treat the amendment to an amending Bill in the same way as an amendment to a original Bill. The Bill-making provision and the amendment-moving provisions should be clearly understood. Otherwise, it will be very difficult to manage the business if we are to get the recommendation even for small things."

MR. SPEAKER:—"That is the principle that is followed."

SRI K. BHASHYAM:—"The principle is all right. But what is the principle is the question to be decided here. I thoroughly agree with you that when a principle is settled, it must be followed. But we must decide the principle in the first instance. Article 207 refers to the Bill and amendment making provisions for any of the matters mentioned in Article 199. This is an amending Bill and has already received the recommendation of the Governor. The proposed amendment seeks to amend this amending Bill in certain respects. So technically, also if we follow the provisions literally, it cannot be said that the amendment cannot be moved especially when once the permission of the Governor has been obtained for the amending Bill. Sir, this matter has got to be cleared. If, however, it is thought that the permission of His Excellency is necessary, this should have been sent to His Excellency for his prior permission."

MR. SPEAKER:—"The hon. Member has given the amendment only to-day."

SRI K. BHASHYAM:—"Then, we must adjourn the matter. Sir, the privileges and rights of the Members to move amendments should not be allowed to be taken away by such a clause like this. If you feel that each amendment requires some sort of permission by the Governor, then in all fairness to the mover of the amendment, you must adjourn the Bill to-day and ask for the permission of His Excellency and take up the Bill after the recommendation of His Excellency is received. Otherwise, it will really be very unfair and would not be just to the person concerned who has moved the amendment."

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir this is a very serious matter. We must look into the Sections properly and I readily agree with you in that respect. Article 199 (1) (b) which is referred to in Article 207 says: 'the regulation of the borrowing of money or the giving of any guarantee by the State or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the State.' Article 207, says that 'a Bill or amendment making provision for any of the

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matters specified in sub-clauses (a) to (f) of clause (1) of Article 199 shall not be introduced or moved except on the recommendation of the Governor. So, the position is this. No Bill enacting a new tax or making provision for any financial obligation, or an amendment of an existing law which involves financial obligations can be introduced without the recommendation of the Governor. In short, all financial measures can only be initiated by the Government and cannot be initiated in any case by any private Member of the House. Outside the Government, no financial measure can be introduced by any Member of the House. So that is clear. The Union Government introduce every year a Finance Bill and there are amendments to this Finance Bill which are brought forward every year as a consequence of the changes in their policy. This sentence, 'a Bill or amendment . . . means only when the Government makes up its mind on a definite policy it has the power to introduce a Money Bill. The Government can introduce a new measure of taxation which may be called a Bill or it can move an amendment to an existing law affecting the taxation measures by means of an amending Bill. In either case, only the Government have the sole authority to introduce such measures which require the sanction of His Excellency. Of course, no Government can run without a definite policy. The commitments are definitely made in every Bill or in the budget. So, the Bill or amendment referred to is the Bill or amendment originating with the Government. It has no reference to any amendments put forward to such Bills by Members of this House. Otherwise, it is a serious abridgement of the privileges of the House. In this connexion, we may read the proviso to Article 207 (1) which says, 'Provided that no recommendation shall be required under this clause for the moving of an amendment making provision for the reduction or abolition of any tax'. So, if the Government makes up its mind to abolish any tax that exists already, it need not take the previous consent of the Governor. But when it once increases the taxation or when it once introduces a new measure of taxation or wants to introduce an amending Bill involving financial obligations, the Governor's sanction becomes necessary. Because, the Government functioning as a whole must go to the Governor for this sanction in cases where the Cabinet has decided on its policy. Therefore under the Articles mentioned by me just now, the Government before introducing a Bill involving financial obligations has to come to a definite Cabinet policy and obtain the sanction of the Governor. That is what is meant by the Constitution and nothing more. If we accept the interpretation that is now advanced, it means that no Member of the House can ever move an amendment to any taxation Bill excepting the abolition of the tax, or reduction in the taxation measures. I think, Sir, that that interpretation is very serious infringement of the rights of the Members of this House. The Government are free to oppose such an amendment. Supposing the financial obligations of the Government are bound to increase by an amendment such as the one sought to be moved by my hon. Friend,

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Mr. Viswanatham, the Government have the liberty to throw it out, not resting on the constitutional provisions which are intended to safeguard the administration and ensure its proper working. I think, Sir, the Bill having been introduced in the House with the sanction of the Governor, any amendment can be freely debated upon in the House and the Government have an opportunity, not one but ample opportunities, of throwing it out if they so desire. Otherwise, as I have said, it means a serious infringement on the rights of private Members of this House and the Constitution which sought to enlarge the privileges of the Members of Legislatures certainly would not have forged this new fetter and restricted the value of debate and discussion and public consultation on matters affecting financial obligations. I hope, Sir, I have made myself clear."

* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, Article 199 of the Constitution deals with only Money Bills brought by the Government and not with amendments proposed by the Members . . ."

MR. SPEAKER:—"The hon. Lady Member will read Article 207."

* BEGUM SULTAN MIR AMIRUDDIN:—"Even there, there is no reference to amendments brought by private Members. Once sanction is accorded by the Governor to the introduction of a Bill or an amendment to a Bill, as Mr. Varadachari pointed out, there can be no objection to amendments being moved to that Bill or amending Bill by private Members."

MR. SPEAKER:—"I would invite the attention of the hon. Lady Member to Article 207 (1) which begins with the words 'A Bill or amendment'. The position is very clear."

BEGUM SULTAN MIR AMIRUDDIN:—"A mistake is made about the interpretation of this clause."

MR. SPEAKER:—"What mistake?"

HON. MEMBERS:—"Mistake in the Constitution." (Laughter.)

* BEGUM SULTAN MIR AMIRUDDIN:—"Sir, there is a little confusion about this matter. The amendment mentioned in the Article refers to Government amendments. My submission to you is that since this is a very important matter it would be better to postpone the discussion of this Bill."

MR. SPEAKER:—"I have no objection for postponing the debate if the House and the Hon. the Leader of the House so desire."

* BEGUM SULTAN MIR AMIRUDDIN:—"And if it is considered necessary, the permission of His Excellency the Governor may be obtained before discussion is resumed."

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MR. SPEAKER:—"I would have done that if the hon. Member had given notice of the amendment yesterday or the day before. It is only at 11 o'clock this morning that he gave in his amendment."

* BEGUM SULTAN MIR AMIRUDDIN:—"But that is a matter affecting the rights of the Members of this House. If it is held that Members cannot bring in amendments, such as given notice of by Mr. Viswanatham, I am afraid it would be a serious abridgement of our rights. I would, therefore, request you, Sir, to adjourn the House and take up this Bill again to-morrow so that the Governor's consent may be obtained in the meanwhile, if necessary."

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, there seems to be some trouble about the amendments proposed by Members to Bills which require the sanction of the Governor. In the first place, it is true, as a general policy, that the sanction of the Governor has to be obtained in respect of Money Bills before they are introduced in the House. But when once the Bill is introduced, there is no provision restricting the proposing of amendments, whether they involve monetary commitment or not, by private Members. It only means that an amendment to an existing legislation requires the previous sanction of the Governor. Sir, you were pleased to observe that any amendment that may result in financial commitments to the Government requires the previous sanction of the Governor. I make bold to say that it is not the case. If it had been intended so, it would have been made very clear. It was never thought of nor contemplated and it will never be construed in that light. For instance, we passed the Sales Tax Bill with a proviso that a certain number of staff should be employed to supervise the working of the Act, to make collections, etc. This was much more than what was originally contemplated by the Government. We discussed the matter threadbare and finally decided that more staff should be appointed which meant an increase in the Government's financial commitments. Do you mean to say, Sir, that we must take the Governor's permission to discuss such matters . . . ?"

MR. SPEAKER:—"Certainly when the liability of the Government is likely to increase, the Governor's permission must be obtained."

SRI R. RAGHAVA MENON:—"The liability of the Government at no stage can be correctly assessed or contemplated. It is contemplated in general once a year and the Estimates are placed before the House. The exact liability of the Government is a thing to be fixed by monetary legislation and that is done every year as I have said. But that is not the point here. When once a Money Bill is before us with the permission of the Governor, we are perfectly at liberty to discuss and propose amendments to it. It does not require the Governor's sanction because the amendments are only incidental to the main Bill. When a Bill

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is taken up, discussion, amendments and the passing of it are only incidental. Article 207 means only amendments to Bills passed by the House. If it was meant 'amendments to Money Bills which have already received the permission of the Governor for introduction' it would have been stated so. If the amendment is to an existing Act, as I have said, then the sanction becomes necessary as the amendment itself then takes the form of a Bill. Therefore, Sir, I am sure that Article 207 does not preclude amendments to Money Bills during the course of their discussion in the House. My submission is that such cases are not contemplated and will never be contemplated since they will take away the privileges of the Members."

MR. SPEAKER:—"Before the Hon. the Law Minister replies, Mr. Brahmanandam Reddi and Mr. Ibrahim want two minutes each to express their views. Mr. Brahmanandam Reddi will speak."

SRI K. BRAHMANANDAM REDDI:—"Mr. Speaker, Sir, much has been said on this question but I wish to remind the House that when a resolution about relief to the victims of floods in Andhra Desa was moved in this House some time ago, an amendment was proposed committing the Government to a certain specific expenditure on relief work and you ruled that amendment out of order . . ."

MR. SPEAKER:—"I cited even precedents."

SRI K. BRAHMANANDAM REDDI:—"Sir, you quoted extensively from the proceedings of the House of Commons and told us plainly that such an amendment without the previous sanction of the Governor was out of order. So much time need not be wasted on this question."

JANAB M. A. MUHAMMAD IBRAHIM:—"Sir, suppose for argument's sake you ask the Government to accept the amendment moved by Mr. Viswanatham. In that case, will not the sanction accorded to the moving of the original Bill cover the amendment also? "

* THE HON. SRI K. MADHAVA MENON:—"Sir, there is no room for doubt in this matter. My hon. Friend, Mr. Viswanatham was pleading with you for a liberal interpretation of the relevant Article in the Constitution. I conclude that a liberal interpretation must always be there. But one cannot certainly interpret it in such a way as to make it absurd or to make it nugatory. (Sri T. Viswanatham: 'That is what I am saying.') However liberal an interpretation one wants or however liberally it can be given, we cannot be a party to it if it should put us in a position which is ridiculous. My hon. Friend, Mr. Varadachari, very clearly explained the principle underlying this particular provision in the Constitution and why the Governor's permission is to be obtained. The reason why the Governor's sanction is

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necessary is, as he has explained, that since the Governor acts on the advice of the Ministers he would not allow any Bill to be moved which would put the Government in an awkward situation. Sir, what I have placed before the House is a Bill, though the effect of it may be an amendment to the Elementary Education Act. The amendment proposed by Mr. Viswanatham is to my Bill that is L.A. Bill No. 12 of 1950 which is a Money Bill. I have taken the permission of the Governor to move my Bill and so if any Member wants to move an amendment thereto he must also have taken the previous approval of the Governor. It is more so in the case of the present amendment wherein the Government's financial commitment is proposed to be doubled—from 50 lakhs of rupees to one crore. It is obviously clear that in all cases pertaining to Money Bills Governor's sanction must be sought whether they are sponsored by the Government or by private Members. So far as Article 207 is concerned, it comes into play only when an amendment is sought to be moved to a Money Bill. If this position is not conceded then the existence of such a provision in the Constitution itself will be rendered nugatory. In the circumstances, Sir, I feel that Governor's sanction is necessary."

* SRI T. VISWANATHAM:—"Sir, it is clear that my amendment and the amendment of the Hon. the Minister for Law which has come before the House in the form of a Bill are both to the Elementary Education Act."

MR. SPEAKER:—"But the Hon. the Minister has obtained the sanction of the Governor whereas the hon. Member has not in respect of his amendment."

* SRI T. VISWANATHAM:—"Well, Sir, I am trying to explain my position. This is a very serious position and if I am wrong I never persist. Now, the Bill before us is an amendment to the original Act with the same end. In fact, my amendment has been obtained. My amendment too is, in effect, an amendment to the original Act with the same end. In fact, my amendment is incidental to the moving of the Bill. Article 207 (1) does not use the words 'provision either for increasing or reducing expenditure'; it merely says 'a Bill or amendment making provision'. So, Sir, the amendments being identical in their object, i.e., 'making provision' I feel that Governor's sanction is not necessary in so far as the Bill has received the Governor's prior consent to its introduction in the House. When the Hon. Minister wanted to introduce the Bill, he has obtained the recommendation of His Excellency the Governor. All the incidental discussion is with regard to the Bill for which there is an amendment already. There is, therefore, I submit, no point in ruling this out of order."

"Sir, I entirely agree that the interpretation of the Statute must be such as not to make it absurd. If it is now said that my amendment is out of order, all the discussion of the Bill would be stifled. That would make the whole position absurd. The

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rights guaranteed by the Constitution are to be exercised by the House and the House should not be stifled in the exercise of those rights. Any interpretation which has got the effect of stifling discussion and debate would be absurd."

MR. SPEAKER:—"Nobody prevented the hon. Member from obtaining the sanction of His Excellency the Governor for his amendment."

* SRI T. VISWANATHAM:—"I had already submitted the amendment to the office and it is up to the Hon. the Speaker to obtain the sanction of His Excellency the Governor. I heard the Hon. Speaker say that the amendment was sent in only yesterday and that there was no time to get His Excellency's sanction. I perfectly agree. Then this subject may be postponed now and taken up to-morrow or the day after. We are now going to sit for ten days and there is no harm if we wait for a day or two. Therefore, Sir, instead of inviting a ruling, I move—

'That the consideration of this Bill be postponed and that the House proceed to the next item on the agenda.'

SRI B. S. MURTHI:—"I second it."

* SRI T. VISWANATHAM:—"Some time back the Hon. Minister for Local Administration brought forward a resolution for increasing the guarantee of the Government to the debentures of the Land Mortgage Bank. I raised a point of order that the recommendation of the Governor was necessary, but then you were pleased to rule that the recommendation of His Excellency the Governor was not necessary although the resolution increased the obligation of the Government. There is a precedent here for you to follow. If, however, Sir, you are of the opinion that the amendment is out of order for the present, until the recommendation of the Governor is obtained I suggest that the discussion may be postponed and that the Speaker may obtain the recommendation of His Excellency the Governor."

MR. SPEAKER:—"Under what rule is the hon. Member moving his motion—rule 22 or 67?"

SRI T. VISWANATHAM:—"Whichever is the most favourable, Sir. I have not got the rules here. I am entirely in your hands."

MR. SPEAKER:—"The motion is under rule 67."

THE HON. SRI K. MADHAVA MENON:—"Such a motion can be made only after the Speaker has given a ruling."

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, I propose to show to the House how, even if Mr. Viswanatham had sent his amendment to His Excellency the Governor, he would not have received the sanction. The Governor would not permit a private Member to commit the Government to increased expenditure. The very object of the rules is to make the Government initiate all

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expenditure. I may refer you to your last ruling relating to the Andhra Cyclone Relief resolution. The amendment of the private Member committed the Government to a particular expenditure and you ruled it out of order. Your ruling was correct because no private Member can commit the Government to an expenditure. Only the Government has to take the initiative in such matters. The Government alone must determine what amount of money can be spent on flood relief or earthquake relief. Then private Members would be allowed to discuss the matter. The question is one of initiative. It is not one of Government Amending Bills. The Bill or the amendment referred to is a Government Bill originating new taxation or an amending Bill to an existing measure of taxation or an existing Bill. Suppose I move an amendment asking for the appointment of additional staff for sugar control or paper control or something like that then I will commit the Government to expenditure. If you give a ruling on the subject that the amendment commits the Government to new expenditure, that it has not got the sanction of His Excellency the Governor and, therefore, it is out of order, that would not be the parliamentary way which Governments should adopt in combating the Opposition."

MR. SPEAKER:—"We should follow the Constitution."

* SRI N. S. VARADACHARI:—"The proviso to Article 207 (1) makes the meaning clear. It is intended to make the conduct of Government easy. The Government are the sole initiator of Money Bills. The sanction of His Excellency the Governor need not be obtained if they want to abolish taxes or reduce taxes. If increased taxes are to be levied or if new taxes are to be introduced, then they must go to the Governor, because the nature of the tax and the increase of the tax must be previously decided. That is the object of Article 207 (1). Sir, your ruling on the other matter solely related to the initiative, that is, no private Member can commit the Government to increased expenditure. The Government may then ask: 'What is the remedy if Members bring forward such amendments?' The Government can oppose such amendments. They need not take cover under the constitutional provisions. Keeping the liberty of the subject in view, keeping the necessity for public discussion and debate in view and also taking into account the privileges of Members, the Government can meet the situation on its merits and reject the amendment."

* THE HON. SRI K. MADHAVA MENON:—"Sir, it has been argued by Mr. Viswanatham that the original recommendation given to the Bill by His Excellency the Governor must enure to him also for the amendment he has moved. Then it would mean that if the Governor had given his recommendation to me to give 50 per cent or to spend Rs. 50, that recommendation would also cover an amendment asking me to give 100 per cent or Rs. 100. Such a thing would be wrong."

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MR. SPEAKER:—"Rule 67 says—

'A motion that any meeting or business be adjourned or postponed or that the House pass on to the business next in order in the list of business . . .'

SRI T. VISWANATHAM:—"My motion is that the House pass on to the business next in order in the list of business."

MR. SPEAKER:—"Is it the wish of the hon. Member that I should first give my ruling or straightway put his motion to the vote of the House?"

SRI T. VISWANATHAM:—"If the ruling is in my favour, I do not press my motion."

THE HON. SRI B. GOPALA REDDI:—"We are in the midst of the discussion of one item. A point of order has been raised. Only after completion of this item, we can have a motion like this asking that the second and third items be postponed and the fourth item be taken up. But can we take this up in the middle of the discussion?"

MR. SPEAKER:—"It can be taken up at any time. I will read out Rule 67—

'67. A motion that any meeting or business be adjourned or postponed or that the House pass on to the business next in order in the list of business may be moved at any time and without previous notice as a distinct question, but not so as to interrupt a speech. If the motion is carried, the meeting or business shall, subject to the provisions of sub-rule (3) of Rule 22, be adjourned or postponed accordingly, or if the motion carried be that the House pass on to the business next in order in the list of business the business then under discussion shall be considered to be disposed of.'

"I shall put Mr. Viswanatham's motion to the vote of the House."

The motion was put and lost.

MR. SPEAKER:—"Now I will give my ruling on the amendment. Regarding the principles, I have already explained them sometime ago when an amendment was moved to the resolution regarding Andhra Cyclone Relief; I need not repeat them again. I have taken into consideration Articles 199 (1) (b) and 207 (1) I rule the amendment of Mr. Viswanatham out of order."

SRI K. BRAHMANANDAM REDDI:—"This is a very important matter, Sir. We agree with your ruling, Sir; not that we want to question it. We only want to know what should be done when we want to bring forward such amendments."

MR. SPEAKER:—"The hon. Member can send them to the department concerned and they would send them to His Excellency the Governor."

SRI K. BRAHMANANDAM REDDI:—"As to how it should be done, hon. Members may be enlightened, Sir."

MR. SPEAKER:—"Let us proceed with the business before us. I shall make it clear some other time. I have now ruled the amendment of Mr. Viswanatham out of order."

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* SRI T. VISWANATHAM:—“ Would you be pleased to send this amendment on to His Excellency the Governor and get his recommendation, Sir? ”

MR. SPEAKER:—“ After having ruled it out of order? ”

* SRI T. VISWANATHAM:—“ Out of order only for want of the recommendation, Sir. ”

MR. SPEAKER:—“ The best way of doing it is to send it to the department concerned. ”

* SRI T. VISWANATHAM:—“ How should it be addressed, Sir? I have sent my amendment in the ordinary course to the Secretary and I submit, Sir, it is up to you to get the recommendation. Otherwise discussion here will be stifled. ”

MR. SPEAKER:—“ I shall give my consideration to it. ”

The motion now is that clause 4 stand part of the Bill. The amendment has been ruled out of order.

SRI K. BHASHYAM:—“ I want to say a few words about the procedure, Sir. ”

MR. SPEAKER:—“ Not about the procedure now. ”

* SRI T. VISWANATHAM:—“ I want to speak on clause 4. Sir, the Hon. Minister has already complimented me that I am a very confused man and that I am not able to follow the trend of the discussions. He said that he could not repeat the same figures and that the confusion was on my part. I want to know this categorically from him, Sir, whether I am confusing or he is confusing. The House is now concentrating and I am concentrating and I want the Hon. Minister and the Government to concentrate on the amendment before us or the Bill before us or the provision for the amendment of section 37 of the Elementary Education Act and not on other contributions or any other bargaining attitudes which the Hon. Minister would like to introduce in this discussion. I submit once more that the Government are not paying an equal contribution which they were paying prior to 1941. Now simply because I referred to the Act of 1920, the Hon. Minister grew furious and said that he was surprised and that he could not understand why I praised the British Government. I submitted in my personal explanation that I never praised the British Government and I never praised any Government. I simply said that in 1920, when the Act was passed, the then Ministers realized the importance of the thing, and that we should not now go back upon it. He was so angry with me as though he was the only person to be angry with the British Government and not I. I submit, Sir, I have had my share of being angry with the British Government. He may satisfy himself that I am an admirer of the British Government and that he is not. But on a hundred occasions he has said on the floor of the House that a particular Bill has been there since 1941 and that he was only

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repeating it. When we refer to something done in the past by way of chronology or from some point of date, he should not turn round and say, “ Here is a Congressman, who is an admirer of the British Government as against his own Congress Government. ” It is a wrong attitude on the part of the Hon. Minister to take up. I request him in all humility never to repeat such things against his own colleagues. I have got a hundred things to say now against him but I do not want to retaliate. I submit, Sir, that in those days the Government were obliged under the Act and that obligation ran up to the year 1941—to pay an equal amount. Even now, I submit, on merits, my proposition is a very just proposition, because as I have already submitted, the municipalities and district boards are not very strong in finance, a fact which he admits. He also admits that it is a very legitimate request on the part of a municipality to ask for equal contribution, but still he thinks that the municipalities should not bargain for this. I submit that other considerations should not be brought in here. This is a matter relating to the Elementary Education Act and the amount of grant which the Government have to give. The healthy principle which has all along been in vogue in regard to this matter should not be cancelled now. After all, 50 per cent will be nothing. Taking the example of my own municipality, the education tax which we are collecting is Rs. 21,183, while the Government are giving us Rs. 18,482, i.e., Rs. 3,000 less than what the municipality is actually collecting. What the Hon. Minister says is: you had better increase your tax, and then we will give half of it. The Hon. Minister seems to have forgotten, during the three years he has been here, what the rate of tax in the municipality is. As regards the property-tax, we have gone to the highest limit of taxation; it is 27 per cent; and we cannot go above that. Prior to 1941, we were collecting only 1 per cent as Education tax, and there was an increase in 1941, from 1 to 2½ per cent. I think other municipalities also increased their rates in 1942. Does the Hon. Minister suggest now that we should raise the tax to 5 per cent? He also referred to some difference in language of the old section and the proposed amendment. I have gone through the wording there; the language is the same. The wording is that it should be so much percentage of the property tax, and there is no question of a main-tax or a subsidiary-tax as the Hon. Minister imagines. Under section 78 of the District Municipalities Act, these are the taxes which a municipality can levy:

“ Every municipal council can levy a property tax, a profession tax, a tax on carriages and animals and a tax on carts. ”

This education tax was more or less a surcharge upon the property-tax and profession-tax. The language, I know, has not changed and there is no question of a main or subsidiary tax; it is all the same. The Hon. Minister said, “ you increase the tax to 25 per cent and you set apart something out of it. ” Sir, that is not the procedure to be followed. There is difference between agricultural and non-agricultural lands; there is difference in taxing them; education tax is leviable on one of the items but not on

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p.m.

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the other. The crux of the point is: whether you call it 5 or 25 per cent it is to be levied only on the property tax and in some cases on the profession tax, while in the case of the district boards, on the land cess and other items which are enumerated in the 1920 Act which are practically the same as those described in the present amending Bill. The Hon. Minister stated that the Government are not in a position to give more, that is however another matter, Sir. As I submitted in the course of the general discussion, while our expenditure in the Visakhapatnam municipality is about Rs. 90,000 the Government are getting only about rupees 21,000 as tax and another Rs. 18,000 as grant, with the result that we are paying the balance of Rs. 50,000 from out of general funds of our municipality. In Visakhapatnam of which I happen to know something, the property tax collections come to Rs. 6,21,000 while the profession-tax collections come to Rs. 13,000 or 14,000. And what is the total expenditure of the municipality? It is something between Rs. 9 and 10 lakhs. These are the conditions under which municipalities are labouring; they are put to great difficulties and they are not able to have decent roads. This morning, an hon. Member stated that the sanitation in most of the municipalities was bad; it is true, because it is not attended to as sufficient money is not forthcoming, as the cost of works has gone up, as the cost of living has gone up and the wages and salaries of employees also have gone up; the result is that what you were able to do with Rs. 100 in those days you are not able to do even with Rs. 500 to-day. Therefore, Sir, let it not be understood that the municipalities are simply bargaining to get something more from the Government. As a matter of fact, the municipalities do not adopt the attitude that this Government is a foreign body and that they can take from it as much as they can. The municipalities think that they and the Government form part of the same machinery of administration in the State and they are complementary to one another. Let the Hon. Minister also take the same attitude. If he will not agree to this proposition, he will be not at all be just or fair to the district boards and municipalities. There are 25 district boards and more than 90 municipalities in the State. For the Rs. 147 lakhs collected, the Hon. Minister is giving only 43 lakhs as contribution to them. I submit he must increase the amount at least to the extent where it will be equal to both. It may be that my amendment is out of order according to your ruling; it may be that I may not be able to bring in a Bill which will increase the expenditure of the State; but all the same, it is his duty especially because non-officials cannot bring in such a bill as that and for that reason the responsibility rests all the greater on the shoulders of the Minister and this Government to provide more money for education in the various municipalities. I submit that even if this Bill is passed, the Hon. Minister for Education and the Hon. Minister for Finance who have been keenly watching the vicissitudes of this Bill, will take all these things into consideration and bring forward another Bill to increase the contributions payable to the various municipalities and district boards in the State."

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SRI V. RAGHAVAYYA:—"Mr. Speaker, Sir, the unfortunate linking of the education tax to the property and profession taxes causes hardship to the people who do not possess either, and who form the bulk of the population in the municipal areas."

MR. SPEAKER:—"I hope the hon. Member will be brief in his remarks."

SRI V. RAGHAVAYYA:—"I shall be short and sweet, Sir. I can be sweet by praising the Government and I can be short by cutting short my speech. This should have been treated as a poll tax; everybody should pay such a tax because elementary education has been stressed as one of the most essential things like water and food all these years. It was in the days of Gokhale that this matter was being debated upon and the Government then was being requested very often to treat this as their primary concern. After so many years, that the Government should be thinking of fixing their contribution at 5 or 10 per cent does not speak well of a Government which ought to look far ahead and which ought to think that elementary education for the people of this country is a real precursor to our prosperity. I do not know, Sir, why the Government have thought it fit to follow retrograde steps in matters like this and why Hon. Mr. Madhava Menon particularly wants to make inroads into the educational field and step on the toes of others very often; I do not know why he should not take a more liberal view in regard to the spread of elementary education, for which he has been crying very loud all these days. Even if this Bill does not come up to the expectations of the public—at least the Sanskrit knowing public—and my hon. Friend, Mr. Madhava Menon is very fond of Sanskrit; in fact I feel he should have gone to Pali if he is not satisfied even with Sanskrit—I should suggest that another Bill should be brought forward by the Government very soon which will make taxation of every human being compulsory, just as we want compulsorily to make everybody study. We have compulsory education, and why not we have a compulsory tax? Why not the Government levy such a tax? Instead of that, they want some other people to take up the burden, and that is what the British Government were doing . . ."

MR. SPEAKER:—"Let the hon. Member speak on the clause proper."

SRI V. RAGHAVAYYA:—"I therefore suggest that instead of passing on the burden to somebody else, the Government themselves should come forward with a Bill very soon which will fix the responsibility on themselves and enable them to spend more and more money upon this precious subject of education."

JANAB ABDUL HAMEED KHAN:—"Sir, I wish to ask the Government what exactly is the idea they have as to the speed or the pace at which elementary education should progress in our State. If the Government believe that they can and must go

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slowly, of course, this Bill will do; but if they really want to speed up progress, then this Bill will not satisfy. Government must give to the local bodies at least an amount equal to that collected by them under this Act. If they are not prepared to do that, that will show that the Government do not want education to progress or that people should become literate in our State.

"Then, Sir, our Minister knows that the municipalities, and particularly when I speak, I also refer to the Corporation of Madras, are spending Rs. 2 to Rs. 3 lakhs every year on the maintenance of the schools,—I know the Corporation is spending that amount. The Government are not able to supplement the finances of the Corporation at least for maintaining the schools in the City, at least to the extent of the cess collected from the people, along with the property tax. We have been asking frequently and representations have been made from time to time, that the Government should give to the municipalities, including the Madras Corporation, at least an amount equal to what is collected by them according to the Education Act.

"Next, Sir, the hon. Gentleman stated: 'we have given promises during our election campaign that we would do so many things, that as soon as we get into the gadi here, we will see that all these promises are implemented', etc. The first thing they implemented was the introduction of prohibition. Why did they not, I ask, side by side with the implementation of the promise of introducing prohibition, see that illiteracy was removed from our State as quickly as possible?"

MR. SPEAKER:—"Let the hon. Member confine his remarks to the clause now under discussion?"

JANAB ABDUL HAMEED KHAN:—"I shall confine myself to clause 4 of the Bill, Sir. If the Government did not agree to the introduction of prohibition, I am sure it would have landed them in trouble. Naturally it follows and I ask the Government: why did they not take steps to eradicate illiteracy, which is an equally important question, like prohibition. Let the Hon. Minister get up and tell us 'I do not regard this as equally important as prohibition'; but I know he will not say that. The Government are trying to keep the people in the belief that they are as anxious to introduce compulsory elementary education, as they were anxious to see prohibition introduced. Do they mean to do that? If they really wish to implement their promises, let them say so definitely and if not, let them say that also. The people in the country know where they are and what they can expect from this Government, that is, they will not expect much more than what this Government can give."

* SRI K. LINGA RAJU:—"Mr. Speaker, Sir, it is very unfortunate that there are not many municipal chairmen and presidents of district boards in this House to advocate the cause of the municipalities and district boards. Of course, Mr. Viswanatham has more than compensated for the absence of many of

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them . . . (Sri K. T. Kosalram: 'There is the Hon. the Chief Minister, the Hon. Sri Perumalsami Reddi, the Hon. Sri K. Chandramouli and the Hon. Sri K. Madhava Menon himself.') I know that, Sir. Of course, the Hon. Mr. Madhava Menon claims to be a municipal chairman and rightly so. But those days are quite different now. What the Hon. Minister has been proposing to give the municipalities and district boards as additional grants will almost go towards dearness allowances to staff and other special allowances that are being given on the elementary education side. But my point is, after hearing the arguments of my hon. Friend, Mr. Viswanatham, it is for the Government to come forward with an early amendment of the Act to give more liberal grants to municipalities and district boards, because they can easily get permission from the Governor to bring in an amendment. Sir, I have some little knowledge of my own municipality where at least three times the amount that is being given either by way of grants or by way of tax collection is spent towards elementary education. These local bodies are carrying out a very important function of this Government in regard to the spread of elementary education and so, it is up to the Government to come forward with more liberal grants to them. Of course, the Government have their usual slogan of paucity of funds, but that should not stand in the way of local bodies who even after increasing their taxation do not get adequate contribution. The Government should enable them to spread elementary education by giving them grants liberally. I, therefore, appeal to the Hon. Minister to bring forward an amendment to this Act at an early date so as to give more liberal grants to municipalities and local boards."

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, my only point is this. If the Hon. Minister agrees to state that in the present circumstances the Government cannot make increased financial commitments in this matter, discussion might have been cut short. But he is really putting it on the ground that the Government, constituted as they are to-day, with all the various priorities arranged according to their policies, cannot possibly undertake more of the statutory obligation than is imposed under this Bill. If they went on under the old Bill, they would be in a false position. While they do not actually make an equal contribution when the Act remained in force calling upon them to make such a contribution, it would obviously be wrong. So, he is forced to amend the Act and make it an obligation and that minimum statutory obligation which the Government can undertake under present circumstances is only 47 odd lakhs to municipalities and district boards as against their total contribution of 140 lakhs odd. Besides this, the Government have already been incurring other expenditure in the shape of dearness allowance and rent allowances and so on to elementary school teachers. All this combined makes up an additional expenditure of 70 to 80 lakhs. That is good so far as it goes. It is for the Government to decide as

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to when and how it would become possible for them to make further contributions. I think, it is better that the Government did not commit themselves vaguely to an equal contribution or $1\frac{1}{2}$ times the contribution and so on. In fact, no Government should be run on that basis. We should not commit ourselves to the future in a vague and uncertain manner so as to embarrass our own position when it comes to a matter of the critics taking the place of the Government. It is good so long as this divided control of education continues between the Government on the one side which has supervisory control and the local bodies which have direct administrative control

MR. SPEAKER:—"Such speeches should have been made at the first reading stage and not at this stage."

* SRI N. S. VARADACHARI:—"This exactly pertains to clause 4 which is now under discussion, Sir. As a matter of fact, this is the only clause on which discussion is concentrated. The point is the Government have made a confession that they could not undertake more than the minimum statutory obligation which they are prepared to under the present circumstances considering the general run of expenditure and the various divisions of expenditure to which they are put. I can understand the position and I do not wish to talk about education in general or the priorities in general and say, if Prohibition is taken up, why not education and so on—that is not relevant to this clause. But, what is relevant to the clause is the Hon. Minister should state on the Floor of this House that if circumstances do permit and if the run of finance is found to be in their favour, they should on the merits of each application from every municipality or district board, decide on grants in excess of the statutory obligation which they are not putting themselves to. I wish the Hon. Minister could say something on this and this would satisfy so many of the municipalities. The point is this. The Hon. Minister should be able to say, this is the only statutory minimum and if the Government's finances permit of expansion, and are really expanding, there will be an exception now and then made and that each application, whether it is from the local bodies or municipalities, will be decided on its merits."

SRI B. S. MURTHI:—"Mr. Speaker, Sir, the Hon. Minister in charge of the Bill has been pleased to state that he realised the importance of education. But, the question is, whether the Government, as they are constituted to-day, would be able to give more contribution to local bodies and municipalities. Sir, the question of finance must not stand in the way of the Government going to the rescue of all the tottering local bodies. Sir, it is a well-known fact that most of the district boards are not able to spread elementary education which is essential for our freedom's fruition. The Government may think they have won the day, because of their statutory position. I request the Hon. Minister that he should not stand on any formality but should realise the necessity of

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educating our masters and give more contribution to local bodies. I think it can be done. As a matter of fact, we see that in many departments excess expenditure is being incurred and such things are brought to the Assembly for ratification later on. Therefore, Sir, whatever may be the provisions of this Bill, Government should keep in mind that education is their prime concern—not only of this Government but of any Government—and so they must give more contribution for the purpose to all the local bodies that are in need. I once again request the Hon. Minister to keep this in mind."

* JANAB H. S. HUSSAIN:—"Mr. Speaker, Sir, it is really strange that the Government are seeking to fix their own financial responsibility by statute with regard to their contribution to local bodies for the spread of elementary education in the State. While the Government have to admit that it is their elementary duty and primary responsibility to see that elementary education is spread without let or hindrance—I would even go a step further and say that the Government should undertake this responsibility on themselves—they should not leave the question of the spread of elementary education to local bodies. It has been our experience for the last so many years that the local bodies have not been able to manage elementary education satisfactorily at all. It has, in fact, been the crying need and a standing grievance of the people of the State. That being so, the Government instead of taking over the entire responsibility, are now seeking to limit their own financial obligations by statute. There can be nothing sadder than this, because the Government know that the progress and prosperity of the State and of the people depends primarily upon the spread of education and chiefly elementary education among the masses. And, if the Government are going to shirk this responsibility by means of this legislation, by fixing their own financial obligations in the matter of contribution to local bodies, I do not know what responsibility this Government have in bringing forward an amending Bill in the shape in which it is now before this House. I would, therefore, strongly plead that instead of fixing a limit, the Government should give more, even double the education cess that the local bodies are at present collecting. Of course, the Government would do much better if they could take over elementary education as their own responsibility and if it is not possible for them to do so at this stage and if it is considered too big a responsibility financially for the Government to bear, I would strongly plead that the Government should give double the amount of the education cess that the local bodies will be collecting. That would be the best remedy for solving this long-standing problem of the spread of elementary education in the State."

"Sir, only this morning, the Hon. Minister for Education said that for the last two years they had kept in abeyance the question of the expansion of compulsory elementary education in the State. If the Government are not in a position to extend

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compulsory primary education, I do not know how the illiteracy of the masses could be removed. At any rate, the Hon. Minister said that within 15 years they would be able to do that, but I do not think that unless the Government are liberal, and more liberal, in their grants to local bodies in the matter of elementary education, there can be any salvation to the millions of people who live in the State."

* THE HON. SRI K. MADHAVA MENON:—"Sir, I find there are no amendments to this particular clause and so it was not on this particular clause that the speeches have been made by hon. Members, but as you have suggested, Sir, those speeches should have been made at the first reading stage dealing with the general aspects of the Bill, the general policy of the Government, what the Government should do and what they should not do and so on. I find that the same arguments made at the first reading stage have been repeated subsequently and so there is not much for me to reply, except to say that the same arguments have been advanced and repeated."

4-45 p.m. "Mr. Varadachari asked me a question and of course, he has correctly put the position of the Government and it could not have been better put by me, that what the Government want is there should not be a legislation on the Statute Book which it will not be possible for them to implement, because the present financial condition and the statutory obligation must be such as we can perform now, so that if the Government are in a position to give more, or if the Government find that a particular local body requires more money, the Government can at any time give the money. I can only tell my hon. Friend, Mr. Varadachari,—I am sorry he is not here now though he wanted an answer from me categorically—from the figures I have, taking the Visakhapatnam Municipality, they were having 1 per cent of the tax prior to 1942. After 1942 they increased the tax and the tax that they collected was Rs. 12,893 and the Government contribution was Rs. 12,893. By the amending Act of 1942 the Government were not bound to pay more than Rs. 12,893 to the Visakhapatnam Municipality. When that municipality increased the rate of tax after 1942, the collections went up to Rs. 21,183, and the Government paid the Municipality Rs. 18,482. If the municipality were to raise the rate of tax from $2\frac{1}{4}$ per cent to 5 per cent the Government contribution under the Bill would go up to Rs. 23,000. So there is no hardship to the municipality."

* SRI T. VISWANATHAM:—"There are two sub-clauses under section 35, under which contribution is made to local bodies. Under sub-clause (1) there is one kind of contribution and under sub-clause (2) there is another kind of contribution, and the Hon. Minister is referring to the two payments put together."

THE HON. SRI K. MADHAVA MENON:—"But those sub-clauses were there even in 1942 Act."

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SRI T. VISWANATHAM:—"Then what about contribution under section 37?"

THE HON. SRI K. MADHAVA MENON:—"That is governed by section 35. That apart, Sir, we want our statutory liability to be fixed in such a way that we may not go against law, and that object, this Bill attains."

"Then, Sir, Mr. Hussain and Mr. Hameed Khan wanted me to say, what the Government would do after fifteen years. I cannot say what we will do. I said this morning in fifteen years compulsory education would be spread throughout the State. Beyond that, what we would do then, I cannot prognosticate. I can only say:

आत्मनि एव विभेद्यन्ते ।

दार्ढ्र्याणां मनोरथ ॥

That is the only answer I can give."

AN HON. MEMBER:—"What is the meaning of the sloka?"

THE HON. SRI K. MADHAVA MENON:—"Many of the desires and ambitions of people who are comparatively poor, oftentimes, have to be suppressed by them.' So on the question of finance with regard to what the Government have to pay, we can only cut our coat according to our cloth. That is the aim of this Bill and nothing more."

"Again, Sir, when I gave certain figures of what the Government were paying, Mr. Viswanatham said, that under the Elementary Education Act, I am paying more than that. What I said was, the Government are paying now what they were paying under the 1942 Act; and I also said that the Government are paying various other contributions to local bodies under several other Acts. For instance, they are paying 59 lakhs of rupees as dearness allowance, house allowance of twenty lakhs and so on. All these are not paid under the Elementary Education Act, it is true. Then, Sir, Mr. Viswanatham said that I was bargaining. Sir, I may tell him, I did not do anything in a bargaining spirit. I only said that the Government are fixing their financial liability under a statute. Sir, I have nothing more to add."

Clause 4 was put and carried.

Clause 5 was put and carried.

The Preamble was put and carried.

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I beg to move 'That the Madras Elementary Education (Amendment) Bill, 1950 (L.A. Bill No. 12 of 1950) as amended by the Joint Select Committee, be passed into law.'

"Sir, we had at every stage sufficient discussion of the principles of the Bill, and so I have nothing to add to what I have already said. With regard to the assurance or categorical answer which Mr. Varadachari wanted to his query, 'will Government

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then, the Bills are not proceeded with. In this, I am not submitting anything difficult for the Government. After all there is no urgency in getting this Bill passed in a day or two, because it is not a Bill like the Preventive Detention Act or the Maintenance of Public Order Act which should be passed overnight. The Government should be a little just to the Members of the House. Else what will happen is that when the Government put a figure of expenditure, the House will have no chance of discussing anything beyond that. That would be a substantial abridgement of the rights and privileges of the House.

"Sir, we have already expressed our views on the Bill. I believe that several Members including those who felt that my amendment was out of order are aware of the difficult financial position in which the local bodies are situated. I know that the Hon. Minister himself is aware of it. If he was aware of it in the beginning of the discussion, the whole turn would have been altogether different. I am glad that he is made aware of the position. He is once more reminded of the days when, as chairman of a small municipal council, he was put to difficulties in executing various schemes and expanding elementary education. Nothing is dearer to our heart than the spread of education. In these days when adult franchise has been given, it is the desire of everybody that we should expand education. I accept his word that he is as anxious to promote education as others. It is not a question of mere expression of one's anxiety. The anxiety must be reduced to writing and translated into action by providing the necessary funds. There is no use simply professing sympathy in one breath and denying the statutory obligation for translating it into concrete action in the other.

"Some Members suggested that elementary education should not be the responsibility of local bodies and that the Government should take it over. I have no objection. Because I am the chairman of a municipal council, I do not insist that elementary education should always be under the control of local bodies. If the Government provincialize it, they will find in course of time that they are mistaken in thinking that that will improve matters. They will require a number of advisory councils and other bodies sometimes conflicting with one another and that means further rules and regulations, further financial commitment and so on. If the Government want to spread education among the masses, they must have the help of local bodies. I submit in all humility that local bodies are the proper agency to spread elementary education. They are in more direct touch with the masses than the Government. It is a matter of policy. The Government have taken up so many subjects under their direct control. They have taken up food control and reduced the rice ration to six ounces. Similarly they can take up elementary education also. But I do not think it will be a right course. I will not offer any more remarks as the Government have not made it their

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policy to provincialize elementary education. I will not object if they take it up but I will only say that they will not be able to discharge their responsibility satisfactorily.

"As Sri N. S. Varadachari said, the Government should pay much more to the local bodies for education. The Government grant for the payment of dearness allowance, etc., should not be mixed up with this question. Local bodies have raised the taxes to the maximum and therefore they cannot raise them any further. We have to take loans from the Government, but they say that they cannot give interest-free loans. They charge 4 per cent. interest. If there is even a short delay in repayment, they charge penal interest and in that case the total interest works out to 6 or 7 per cent."

"The Government must give the highest priority to elementary education. The Hon. Minister said that there were so many priorities. It is true. But this priority is not like the priority given to irrigation wherein a single project may cost several crores of rupees which ultimately may or may not yield a sufficient return on the capital. If the Government contribute an amount equal to the amount of the Education Tax raised, it will not be more than Rs. 110 lakhs for the entire State. For a State with a population of about 50 millions and a revenue of Rs. 55 crores, this is not a large amount. Consistent with their financial position, the Government can give the topmost priority to elementary education. I hope they will do it and proclaim the fact to the satisfaction of themselves and of the world."

* THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, Begum Amiruddin said that this Bill was unnecessary and that the Government by an executive order could have distributed the additional sum that they proposed to give under this Bill. It is true but the 1941 Act has been repealed, the 1920 Act remains in force and the statutory liability of the Government to pay an amount equal to the amount of the Education Tax remains. If the Government want to minimise their liability, this Bill is quite necessary, however unnecessary the discussion might have been.

"Personally I am quite in agreement with the view of Sri T. Viswanatham that elementary education and even secondary education can be better looked after by local bodies than by Government. Local bodies being on the spot and with the compact area of their jurisdiction will be in a better position to know the requirements of the people than the State Government functioning from a distant place. Of course the finances of the local bodies should not be strained too much for the purpose. Whatever that may be, the question whether local bodies or the Government should take up elementary education is only of academic importance at the present time."

"About the question of increasing the Government contribution to the level of the Education Tax raised, let us hope better days will come."

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MR. SPEAKER:—"The question is—

'That the Madras Elementary Education (Amendment) Bill, 1950, as reported by the Joint Select Committee, be passed into law.' "

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

MR. SPEAKER:—"To-morrow the House will sit from 11 a.m. to 1-30 p.m. and there will be no meeting in the afternoon."

SRI T. VISWANATHAM:—"Does this apply for all Saturdays hereafter?"

MR. SPEAKER:—"No, this will be only for to-morrow."

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

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APPENDIX I.

[Vide answer to unstarred question No. 5 asked by Sri S. Nagappa, at the meeting of the Legislative Assembly held on 1st September 1950, page 691 supra.]

Statement showing the number of cases booked and chargesheeted, convicted and acquitted up to February 1950, districtwar under the Madras Removal of Civil Disabilities Act.

		Number of cases booked and chargesheeted.	Number of cases acquitted.	Number of cases convicted.
Anantapur	..	Nil.	..	..
Bellary	..	Nil.	..	..
Cuddapah	..	Nil.	..	..
Kurnool	..	1	..	1
Visakhapatnam	..	18	9	9
Tirunelveli	..	16	3	11
				(2 cases were pending).
Guntur	..	Nil.	..	..
South Kanara	..	112	9	82
				(other cases pending).
Mathurai	..	11	4	6
				(one case pending).
Nilgiris	..	Nil.	..	..
Salem	..	10	1	9
South Arcot	..	Nil.	..	..
Coimbatore	..	2	1	Nil.
				(other case pending).
West Godavari	..	1	..	1
Chittoor	..	1	..	1
Chingleput	..	1	..	1
Tiruchirappalli	..	23	3	20
Malabar	..	55	12	40
				(3 cases were pending).
Krishna	..	Nil.	..	..
Nellore	..	2	..	2
Tanjore	..	8	2	6
Ramanathapuram	..	4	1	3
East Godavari	..	2	2	..
North Arcot	..	Nil.	..	..
Madras City	..	Nil.	1	..

[1st September 1950]

APPENDIX II.

[Vide answer to unstarred question No. 9 asked by Sri G. Latchanna, at the meeting of the Legislative Assembly held on 1st September 1950, on page 693 supra.]

Land reclaimed by the use of tractors and bull dozers.

District.	Area reclaimed by the use of tractors and bull dozers.		Total.	Anticipated additional production.	Additional production actually realized as verified by the Collectors up to 30th June 1950.
	From 1st April 1949 to 31st March 1950.	From 1st April 1950 to 30th June 1950.			
(1)	(2)	(3)	(4)	(5)	(6)
	ACS.	ACS.	ACS.	TONS.	TONS.
1 Anantapur ..	1,929	..	1,929	482	22
2 Bellary ..	1,679	1,785	3,464	866	37
3 Chingleput ..	2,223	..	2,223	556	12
4 Chittoor ..	1,565	259	1,824	456	442
5 Coimbatore ..	3,919	..	3,919	980	..
6 Cuddapah ..	999	707	1,706	427	..
7 East Godavari ..	1,187	794	1,981	495	370
8 Guntur ..	1,521	..	1,521	380	11
9 Krishna ..	1,373	411	1,784	446	274
10 Kurnool ..	1,189	374	1,563	391	47
11 Mathurai ..	1,881	91	1,972	495	591
12 Malabar ..	1,604	662	2,266	566	543
13 Nellore ..	1,335	719	2,054	514	414
14 North Arcot ..	1,002	512	1,564	391	136
15 Ramanathapuram.	2,967	776	3,743	936	39
16 Salem ..	2,530	1,096	3,626	907	287
17 South Arcot ..	2,113	305	2,418	605	57
18 South Kanara ..	1,046	226	1,272	318	302
19 Tanjore ..	5,450	..	5,450	1,362	..
20 The Nilgiris ..	638	6	644	161	13
21 Tirunelveli ..	1,802	796	2,598	649	9
22 Tiruchirappalli ..	1,948	..	1,948	487	190
23 Visakhapatnam ..	1,852	553	2,405	601	30
24 West Godavari ..	877	1,120	1,997	499	..
Total ..	44,629	11,242	55,871	13,968	3,826

eptember 1950]

APPENDIX III.

[Vide item V on page 702 supra.]

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY,
MADRAS.

The Joint Select Committee appointed to consider the Madras Elementary Education (Amendment) Bill, 1950 (L.A. Bill No. 12 of 1950), has the honour to make the following report.

2. The Committee was appointed on the 4th April 1950.

3. The Bill was published in English in the *Port St. George Gazette*, dated the 23rd March 1950.

4. The Committee met in the Council Chamber, Fort St. George, Madras, on Wednesday, the 19th April 1950, and in the old Council Hall, Stonehouse Hill, Ootacamund, on Thursday, the 1st June 1950 and on Friday, the 2nd June 1950.

5. At its meeting on the 19th April 1950, the Committee decided to request the Chairmen of the Municipal Councils of Cuddapah, Vijayavada, Mathurai, Srikakulam, Devakottai and Kozhikode and the Presidents of the District Boards of Malabar, Nellore, Chingleput, Coimbatore and South Kanara to send written memoranda containing their opinions on the Bill. Opinions were received from the Chairmen of the Municipal Councils of Mathurai, Srikakulam and Kozhikode and the Presidents of all the district boards mentioned above.

6. The Committee considered the Bill with reference to these opinions and also the statement furnished by the Government in regard to the contribution now paid and likely to be paid when the Bill became law and approved the Bill as introduced with certain verbal changes.

7. The Committee decided that it was not necessary to republish the Bill.

8. A copy of the Bill as amended is annexed.

FORT ST. GEORGE,
6th June 1950.

K. MADHAVA MENON,
Chairman.

[1st September 1950]

Annexure.

[Note.—The changes made by the Joint Select Committee are shown in clarendon type.]

A Bill further to amend the Madras Elementary Education Act, 1920.

L.A. BILL No. 12 OF 1950.

(As amended by the Joint Select Committee).

WHEREAS it is expedient further to amend the Madras Elementary Education Act, 1920, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Madras Elementary Education (Amendment) Act, 1950.

(2) It shall be deemed to have come into force on the 1st day of April 1950.

2. In section 34 of the Madras Elementary Education Act, 1920 (hereinafter referred to as the said Act)—

(i) in sub-section (1), for the portion beginning with the words "levy within its area" and ending with the words "taxation levied in the municipality", the words "levy within its area taxes at such rates as may be considered suitable as an addition to the taxation levied in the municipality" shall be substituted;

(ii) in sub-section (2), for the portion beginning with the words "levy within its area" and ending with the words "taxation levied in such area or part", the words "levy within its area or any part thereof taxes at such rates as may be considered suitable as an addition to the taxation levied in such area or part" shall be substituted.

3. In the said Act, for section 35, the following section shall be substituted, namely:—

"35. (1) The rates of levy of any tax under section 34 shall be determined—

(a) by the local authority with the previous sanction of the State Government, in case the tax is levied by the local authority of its own motion; and

(b) by the State Government, in case the tax is levied at their direction;

Provided that the rates of any such tax levied as an addition to the taxation under the head of tax on companies

[1st September 1950]

or of profession tax shall be subject to the limits specified in any law for the time being in force governing the local authority or prescribed by rules made under this Act:

Provided further that the rates of any such tax levied by a municipal council as an addition to the taxation under the head of property tax shall not exceed five per centum per annum in the case of properties taxed on their annual value, one-fourth per centum per annum in the case of properties taxed on their capital value, and four rupees per annum for every 320 square yards or part thereof in the case of properties taxed on their extent:

Provided also that the rates of any such tax levied by a district board as an addition to the taxation under the head of land-cess shall not exceed three annas in the rupee of the annual rent value of the land.

(2) Subject to the provisos aforesaid, the local authority may, with the previous sanction of the State Government, and shall, if so directed by them, alter the rates of levy of any such tax."

4. For section 37 of the said Act, the following section shall be substituted, namely:—

"37. (1) When an elementary education fund is constituted under section 32 for a municipal council, the State Government shall contribute to such fund—

(i) a sum equal to fifty per centum of the proceeds of the taxation levied in the municipality under section 34, sub-section (1), under the head of property tax; and also

(ii) a sum equal to fifty per centum of the proceeds of the taxation levied in the municipality under section 34, sub-section (1), under the heads of tax on companies and profession tax, or a sum equal to ten per centum of the total taxation levied in the municipality under the said heads both under section 34, sub-section (1), and under the Madras City Municipal Act, 1919, or the Madras District Municipalities Act, 1920, whichever sum is less.

(2) When an elementary education fund is constituted under section 32 for a district board, the State Government shall contribute to such fund a sum equal to fifty per centum of the proceeds of the taxation levied in the district board area under section 34, sub-section (2), under the head of land-cess:

Provided that if the rate of such taxation exceeds eighteen pies in the rupee of the annual rent value of the land, the State Government shall contribute to the fund only

Substitution
of new
section for
section 37,
Madras
Act VIII of
1920.

Government
contribution
to elemen-
tary
education
fund.

[2nd September 1950]

SRI A. VEDARATNAM PILLAI :—" Sir, in spite of so many representations and agitations, no improvement has been made in the Port Calimere? May I know, Sir, why that port has not been taken up for development and why it has not been opened for passenger traffic? "

THE HON. SRI M. BHAKTAVATSALAM :—" I know, the hon. Member has been agitating for the opening of that port for passenger traffic. When that question is decided, steps will be taken to make the necessary improvements to that port."

SRI A. KALESWARA RAO :—" May I know, Sir, why no action is being taken to improve the Masulipatam Port which is a very important port in the Northern Circars? "

THE HON. SRI M. BHAKTAVATSALAM :—" Certain improvements for the Masulipatam Port are also under the active consideration of the Government, Sir."

SRI S. NAGAPPA :—" Sir, from the statement laid on the table of the House, I see that no expenditure has been incurred either in 1947-48, 1948-49 or 1949-50 for the improvement of the Masulipatam Port, may I know the reason for the same? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have already answered, Sir, that the question of improving the Masulipatam Port is just now under the active consideration of the Government."

SRI T. VISWANATHAM :—" May I know, Sir, whether any proposals are under the consideration of the Government for the improvement of the minor ports in the Visakhapatnam district? "

THE HON. SRI M. BHAKTAVATSALAM :—" I should like to have notice, Sir. The Visakhapatnam Port itself is a major port, Sir."

SRI A. KALESWARA RAO :—" May I know, Sir, what improvements are proposed to be made for the Masulipatam Port? "

THE HON. SRI M. BHAKTAVATSALAM :—" The reconditioning of the Dredger Coromandal, and deepening operations of the Masulipatam Port have been approved at an estimated cost of Rs. 79,500 and the question of executing the same is under the consideration of the Government."

SRI V. RAGHAVAYYA :—" May I know, Sir, whether the Government do not consider that the improvement of our minor ports would be profitable and remunerative, and if so, why is this hesitation to spend more money upon the improvement of these minor ports? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is no hesitation, Sir, on the part of the Government to spend as much money as is required for the improvements of the minor ports and the Government are in fact, spending whatever money is required for improving the minor ports, Sir."

[2nd September 1950]

JANAB M. A. MUHAMMAD IBRAHIM :—" May I know, Sir, why the Abhirampatnam Port has not been improved at all, and why it has not received due consideration by the Government? "

THE HON. SRI M. BHAKTAVATSALAM :—" I should like to have notice, Sir."

SRI N. S. VARADACHARI :—" Will the Hon. Minister enlighten us as to the surplus that is now available in the Minor Ports Fund? "

THE HON. SRI M. BHAKTAVATSALAM :—" I should again like to have notice, Sir."

SRI N. S. VARADACHARI :—" Will the Hon. Minister for Public Works be able to tell us, at least generally, if the receipts from the minor ports far outrun the expenditure so far incurred on schemes of improvement to these ports? "

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

SRI S. NAGAPPA :—" Sir, arising out of the answer of the Hon. Minister that a sum of Rs. 79,500 has been estimated for improvements to the Masulipatam Port, may I know whether that estimate has been sanctioned, or is likely to be sanctioned and if so, when the actual work will be taken up for execution? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have already said, Sir, that the question of the execution of the improvements are under consideration of the Government."

SRI A. VEDARATNAM PILLAI :—" May I know, Sir, whether it is not possible to improve the Nagapattinam Port as a major port? "

THE HON. SRI M. BHAKTAVATSALAM :—" There are bigger ports, Sir, like the Tuticorin and the Kakinada which have to be taken up for conversion as major ports and even those schemes have been deferred for the present on account of various reasons, and therefore the question of converting the Nagapattinam Port as a major port does not arise at present, Sir."

SRI T. VISWANATHAM :—" May I know, Sir, whether the low receipts from the minor ports referred to by the Hon. Minister are due to want of improvements, that is to say, whether they are directly traceable to the want of improvements of these minor ports? "

THE HON. SRI M. BHAKTAVATSALAM :—" Perhaps it may be so, Sir, generally. But sometimes, improvements to be taken up will depend upon the development of the trade in that particular port. It is both ways, Sir."

[2nd September 1950]

Grant for elementary education.

* 73 Q.—JANAB SHAH ALAM KHAN SAVOI (on behalf of Janab S. Muhammad Ismail): Will the Hon. the Minister for Education be pleased to state whether there is any proposal under the consideration of the Government to enhance the grant for elementary education?

THE HON. SRI K. MADHAVA MENON:—“ Presumably the hon. Member refers to the additional contribution proposed to be paid to local bodies in respect of education tax. If so, the answer to the question is ‘ Yes ’. The Government have also decided to raise the rate of grant payable on behalf of higher elementary grade teachers in aided elementary schools by Rs. 2 a month per teacher at an extra cost of Rs. 12 lakhs a year.”

Permission to municipalities to raise loans.

* 74 Q.—

MR. SPEAKER:—“ The hon. Member who put the question is not in his place. The answer will be printed in the proceedings.”

JANAB MOHAMED ABDUL SALAM:—“ Will the Hon. the Minister for Local Administration be pleased to state—

(a) why the Government have permitted the Visakhapatnam Municipality to raise a loan in the open market;

(b) the conditions under which the above municipality has been permitted to raise a loan; and

(c) the number of municipalities that have approached the Government to permit them to raise loans?

THE HON. SRI K. CHANDRAMOULI:—“ (a) & (b) The question of permitting the Visakhapatnam Municipal Council to raise loans in the open market is still under the consideration of the Government.

“ (c) Two municipalities, viz., Visakhapatnam and Tirunelveli, have approached Government to permit them to raise loans in the open market.”

Number of forests taken over from the panchayats in the Chingleput and North Arcot districts.

* 75 Q.—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Prohibition be pleased to state—

(a) the number of forests that have been taken over from the panchayats in the Chingleput and North Arcot districts; and

(b) the steps that are being taken for the effective protection of the areas taken over?

THE HON. SRI N. SANJEEVA REDDI:—“ (a) Sixty-nine panchayat forests in Chingleput district, and five panchayat forests and a part of the Kallapudi Panchayat reserved forest managed by the Kanguppam panchayat in North Arcot district have been taken over by the Forest department.

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“(b) The areas taken over have been formed into beats and the protection work is attended to by the Range Officers, Foresters and beat staff under the control of the District Forest Officer. The beat staff consisting of one forest guard and one or two watchers patrol the forests to detect or prevent illicit removal of forest produce, illicit grazing, etc.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I know, Sir, whether it is a fact that the forest staff allotted for this work is quite inadequate to cope with it, and if so, what steps the Government propose to take to conserve these forest areas?”

THE HON. SRI N. SANJEEVA REDDI:—“ We will be able to post a larger number of forest staff, provided these panchayat forest areas are big enough and we have more funds allotted for the purpose. From this year onwards, we will be able to provide more funds and a larger staff will be posted in these areas, Sir, for conserving these forests.”

SRI N. S. VARADACHARI:—“ Sir, will the Hon. Minister see to it that when the Government take over these panchayat forests, these forests are really made to serve the fuel and manure-leaf interests rather than any other interests, which the Forest department is generally expected to serve?”

THE HON. SRI N. SANJEEVA REDDI:—“ Sir, in many of these panchayat forests, there is practically no fuel at all. They perhaps simply serve as grazing fields or produce some leaf-manure. There are not much fuel in these areas, Sir.”

SRI S. NAGAPPA:—“ May I know, Sir, whether any of these forest areas have been reclaimed by the people who live there, and if so, whether those people are still allowed to cultivate those lands, or have they been turned out, on the Government taking over those areas from the panchayat?”

THE HON. SRI N. SANJEEVA REDDI:—“ If those people had reclaimed the land with the permission of the Government, they will be allowed to **continue**, and cultivate those lands, but if it is an unauthorised occupation, they will be evicted, Sir.”

JANAB M. S. ABDUL MAJID:—“ Is it not a fact, Sir, that several of these forests in the Chingleput district are not really forests at all, but contain only shrubs of 4 and 5 inches growth, and if so, is it not better to remove them from the control of the Forest department and bring under cultivation?”

THE HON. SRI N. SANJEEVA REDDI:—“ I know, Sir, there are practically no trees in many of the panchayat forests in the Chingleput district, but I think they will at least serve as grazing fields for the local cattle and also provide green-manure to the people in the locality. It is for that purpose that these forests are preserved and most of them will not be fit for cultivation.”

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SRI A. KALESWARA RAO :—“ May I know, Sir, whether it is the policy of the Government to take over these forest panchayat areas under their control and abolish the panchayat, at least gradually, and if so, whether it is not undemocratic? ”

THE HON. SRI N. SANJEEVA REDDI :—“ There is too much democracy in these forest panchayat areas and that is why we want to cut it short, by taking them over under our control.”

SRI N. S. VARADACHARI :—“ May I point out, Sir, that my question was not correctly understood by the Hon. Minister. My question was this. Will the Hon. Minister see to it that in the planning of the future of these panchayat forests, they are made fuel and manure-leaf forests, rather than forests which serve other interests? ”

THE HON. SRI N. SANJEEVA REDDI :—“ Sir, in some of the panchayat areas particularly in Bellary and Anantapur, where we have taken over, we have been trying to plant some trees to see which type of trees would grow better. If our experiment succeeds, we shall certainly develop the other areas.”

SRI V. RAGHAVAYYA :—“ May I know, Sir, why the Government still encourage charcoal buses, despite the protests very often made on the floor of the House by Members, against such a practice, which is the cause of the ruination of trees in the forests for charcoal purposes? ”

MR. SPEAKER :—“ I think the question should be addressed to the Transport Minister.”

JANAB N. MUHAMMAD ANWAR :—“ Sir, the Hon. Minister in reply to another question said that there was too much of democracy in the forest panchayats. Am I to understand, Sir, that he is against too much of democracy? ”

THE HON. SRI N. SANJEEVA REDDI :—“ What I meant was that too many people in the name of the President or the members of the panchayat enter and destroy the forests and that is why I said that there is too much of democracy there.”

JANAB H. S. HUSSAIN :—“ Arising out of the answer of the Hon. Minister, if some of the panchayat forests have been taken over by the Government, may I know what steps the Government propose to take to re-afforest those forest areas? ”

THE HON. SRI N. SANJEEVA REDDI :—“ As I have already said, Sir, we have been experimenting in some of the forests that we have taken over, what type of trees would grow best in those areas and if our experiment succeeds, and if our funds permit, we shall certainly develop the other areas on the same lines. We cannot take up all the forests at once and develop them. We are slowly trying to develop these forests, Sir.”

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SRI T. VISWANATHAM :—“ May I know, Sir, what proportion does the area of the forests bear to the whole area of the State? ”

THE HON. SRI N. SANJEEVA REDDI :—“ It is less than 25 per cent Sir. The minimum will be 25 per cent and that is why we are trying to develop the forests.”

SRI V. RAGHAVAYYA :—“ May I know, Sir, whether any trees were planted by the forest department in the Chingleput forest area in the recent ‘ Vanamahotsavam ’? ”

THE HON. SRI N. SANJEEVA REDDI :—“ The usual plantations were undertaken in many places. I cannot say off hand whether, and how many, trees were planted.”

Complaint against the Producer-cum-Consumer Co-operative Society, Sriperumbuthur.

* 76 Q.—SRI G. RAJAMANNAR CHETTI: Will the Hon. the Minister for Food be pleased to state—

(a) whether the Collector of Chingleput has reported the injustice and the excess profit of the Producer-cum-Consumer Co-operative Society, Sriperumbuthur, to the Board of Revenue (Civil Supplies), Madras;

(b) whether it is a fact that the Collector of Chingleput requested the Board of Revenue (Civil Supplies), Madras, for additional staff to go through all the accounts of the said society;

(c) whether the Board of Revenue (Civil Supplies) has agreed to the Collector's request for providing additional staff; and

(d) if not, why not?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ (a) Yes.

“ (b) Yes.

“ (c) The Board of Revenue recommended the request of the Collector for the employment of special Revenue staff for checking the accounts of the society. The Government after careful consideration of the above proposal decided that the qualified staff of the Co-operative Department should be deputed to do the above work. They have accordingly issued orders for the immediate checking of the accounts of the Producers-cum-Consumers Co-operative Society by the Co-operative Department staff.

“ (d) Does not arise in view of answer to clause (c) above.”

MR. SPEAKER :—“ Yesterday a similar question was put by the hon. Member Mr. Varadachari. To-day there is question No. 82 on the same subject. I am only drawing the attention of hon. Members to this fact.”

SRI G. RAJAMANNAR CHETTI :—“ May I know, Sir, whether the Collector's request was to check the stock accounts also to see whether the foodgrains control order was contravened, and, if so, may I ask why that request was not acceded to by the Board of Revenue or the Government? ”

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THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Among the many points raised by the Collector, this request is one. The investigation that is now going on will cover this aspect also. That is why the Government have agreed to the proposal that it should be looked into by the Co-operative Department staff.”

SRI N. S. VARADACHARI :—“ May I ask the Hon. Minister, Sir, whether a preliminary enquiry into this matter was not carried out by the District Supply Officer, and, if it has been carried out, was it not a fact that he found that most of the allegations made against the society were substantiated more or less?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Unless the enquiry is complete, I cannot answer the question. Because when allegations are made, the co-operative society itself must be given an opportunity to explain the complaints against it. Until the enquiry is complete, I will not be able to answer all these points.”

SRI N. S. VARADACHARI :—“ Sir, the Hon. Minister has apparently not understood my question. The question was: Has not the District Supply Officer, in pursuance of the duties prescribed under the Intensive Procurement Order, held a preliminary enquiry under the instructions of the Board of Revenue, and found that the allegations of re-bagging and selling of Class II rice as Class I rice fully substantiated in respect of a small period of time?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ I have not looked into the details regarding what the District Supply Officer has said. As I already said, the whole matter is being enquired into. All the details which my hon. Friend wants to know will be available when the investigation is complete.”

JANAB N. MUHAMMAD ANWAR :—“ Sir, it is alleged that there has been misappropriation to the tune of Rs. 10 lakhs. May I enquire from the Hon. Minister whether there is any truth in this allegation?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Where is it said that Rs. 10 lakhs has been misappropriated?”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I ask, Sir, whether the Government realise that allegations such as passing of Class II rice as Class I rice and short measurements of rice are serious allegations and are a fraud on the public, and that the sooner the Government completed the investigation the better it will be for their own morale and reputation and also that it will be a step to check further corruption in the co-operative societies?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ We are conducting the investigation as expeditiously as possible.”

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SRI N. S. VARADACHARI :—“ May I ask the Hon. Minister whether it is not true that the Collector seized the measure which was found short, and actually substantiated the charge made against the society and, if so, why was not action taken in that behalf?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ My hon. Friend is again repeating those details which I said I could not answer at present. This will be one of the points to be proved or disproved when the enquiry is complete.”

JANAB M. V. HYDROSS :—“ May I ask, Sir, whether the margin of profit allowed to these producer-cum-consumers' societies is responsible for the huge profit accruing to them?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ This is also a point which is under consideration now.”

SRI M. KANNIAPPAN :—“ தலைவர் அவர்களே, இவ்வளவு பெரிய அக்கிரமங்கள் நடப்பதற்குக் காரணம் அந்த ஊர் T.S.O. அவர்களும் அந்த சொசைட்டியின் தலைவராக உள்ளவரும் Car No. 7535-ல் பிரயாணம் செய்கிறார்கள். அப்படிச் செல்வதால்தான் இவ்வளவு பெரிய அக்கிரமங்கள் நடந்துகொண்டிருக்கின்றன. இதை எல்லாம் தடுக்க ஏதாவது நடவடிக்கை எடுத்துக்கொள்ள முடியுமா என்று கேட்கிறேன்.”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ I think I will not be able to say anything on this point, because the hon. Member supposes certain matters which may or may not be true.”

SRI G. RAJAMANNAR CHETTI :—“ May I ask, Sir, whether the Board of Revenue agreed to the Collector's request to conduct an enquiry, and later, at the instance of, and under instructions from the Government, the enquiry is being conducted by the Co-operative department?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ This has already been answered in reply to clause (c). The answer is: The Board of Revenue recommended the request of the Collector for the employment of special revenue staff for checking the accounts of the society. The Government after careful consideration of the above proposal decided that the qualified staff of the Co-operative department should be deputed to do the above work.”

SRI N. S. VARADACHARI :—“ May I ask the Hon. Minister, Sir, whether the Co-operative department is qualified at all to look into the alleged offences and infringement of the Intensive Procurement Order with which they have nothing to do? Is the Co-operative department aware of the many executive instructions that have been issued from time to time by the Board of Revenue which is the sole authority entrusted with the administration of that order? Is the Co-operative department at all qualified to do that?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ As far as the co-operative societies are concerned, the Co-operative department have everything to do with them. If the

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co-operative societies have failed to carry out certain rules and regulations of the Civil Supplies department, they will come up after this enquiry, and if the Government think that the enquiry made by the Co-operative department is not satisfactory, they can do anything with a view to find out the real truth, and bring the society or the people concerned to book."

SRI T. VISWANATHAM :—“ May I know whether the officers concerned with this co-operative society, which is the subject-matter of this question, have any political influences in Fort St. George, and whether the books and records are still in their possession or whether they have been seized by the investigating authorities? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Notice, Sir.”

MR. SPEAKER :—“ I have already allowed a number of supplementary questions. I now pass on to the next question.”

Petrol position in the State.

* 77 Q.—SRI V. RAGHAVAYYA (on behalf of Sri N. Venkatasubbayya) : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the petrol position has considerably improved in recent months;

(b) the areas in which petrol has been derationed;

(c) when petrol will be derationed in the other areas; and

(d) what quantities were allotted by the Centre to Madras State in the past four quarters and what quantity has been allowed in the present quarter?

THE HON. SRI B. GOPALA REDDI :—“ (a) The position has only slightly eased.

“(b) ‘ Madras City, Chingleput district and Fort Cochin municipal area ’.

“(c) ‘ Motor Spirit Rationing is administered under the orders of the Government of India. This Government have no information when petrol will be derationed in other areas.’

“(d) Quarter ending 30th September 1949—53.58 lakhs gallons.

Quarter ending 31st December 1949—59.96 lakhs gallons.

Quarter ending 31st March 1950—53.92 lakhs gallons.

Quarter ending 30th June 1950—57.11 lakhs gallons.

Quarter ending 30th September 1950—50.15 lakhs gallons.”

SRI V. RAGHAVAYYA :—“ Does this mean, Sir, that derationing will enable all the charcoal buses in the City to convert themselves into petrol buses immediately? ”

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THE HON. SRI B. GOPALA REDDI :—“ Even when petrol was derationed in the city, the Government of India wanted that charcoal buses and diesel buses should continue as they were, because for every gallon of petrol consumed, we would have to pay in sterling or dollar. That would mean the exhaustion of sterling or dollar. The Government of India expressed a desire that those buses might continue as they were previously.”

SRI T. S. PATTABHIRAMAN :—“ May I know, Sir, whether petrol has been derationed in the whole State of Madras, and, if so, whether the Government of Madras have issued orders to the mufassal to that effect? ”

THE HON. SRI B. GOPALA REDDI :—“ We have so far not received any orders from the Government of India, though I saw something in the papers.”

SRI S. NAGAPPA :—“ Sir, in case the Madras Government receive orders from the Government of India as regards the derationing of petrol in the whole State of Madras, what will happen to the existing staff? Will they be absorbed in other departments or will they be totally disbanded? ”

THE HON. SRI B. GOPALA REDDI :—“ When we receive the Government of India's orders about derationing of petrol in the whole State of Madras, we will certainly consider drastic retrenchment of the existing staff.”

JANAB H. S. HUSSAIN :—“ When orders are received from the Central Government abolishing petrol rationing, do this Government think that there will be sufficient quantity of petrol within this State? ”

THE HON. SRI B. GOPALA REDDI :—“ I think, Sir, the Government of India must have considered the entire aspect in consultation with the oil companies, and they would not have derationed petrol, if the position would be otherwise.”

SRI T. VISWANATHAM :—“ If the Government have not received orders from the Central Government, will they not take notice of press communiqués issued by the Central Government to the Press, and published in the newspapers? ”

THE HON. SRI B. GOPALA REDDI :—“ We must get official communication from the Government of India. We cannot be relying on press communiqués published in the dailies or weeklies.”

JANAB N. MUHAMMAD ANWAR :—“ How is it, Sir, that the Government of India should have reposed so much confidence in the Press as to release these communiqués first to the Press before they are sent to this State? ”

MR. SPEAKER :—“ This question should be put in the Central Parliament.”

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SRI A. KALESWARA RAO :—" May I ask, Sir, whether this Government have considered that there would be sufficient petrol after derationing in the whole of the Madras State when they recommended that there should be derationing? "

THE HON. SRI B. GOPALA REDDI :—" Sir, it is not a question of our recommending derationing. It is entirely a matter for the Government of India. They in consultation with the oil companies are taking this step. We are only carrying out the orders of the Government of India. It is only their responsibility."

JANAB MUHAMMAD RAZA KHAN :—" Will the Government of Madras make a representation to the Central Government that at least in future, whenever they decide on a policy, they will inform the Government of Madras first and then issue press communiqués instead of doing it in the reverse direction? "

THE HON. SRI B. GOPALA REDDI :—" I expect, Sir, the orders are in transit, and therefore there is this delay. They must have released it to the Press early so that we may get ready with all the necessary preparations."

SRI S. NAGAPPA :—" May I know, Sir, what is the percentage of increase in petrol consumption? "

THE HON. SRI B. GOPALA REDDI :—" It is not much. It is only about 10 or 15 per cent."

Reservation of seats in the Engineering Colleges.

* 78 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether in or apart from the rules issued to the selecting authorities to select students for admission for the Government Engineering Colleges, a reservation of a prescribed number of seats has been made for being filled up by the nominees of the Minister or Ministers or the Ministry;

(b) if so, what the number so reserved is in each of the above colleges; and

(c) what the basis adopted by the Ministers or Ministry is in making these nominations?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) to (c) Twelve seats were reserved by the Government in the Engineering Colleges for discretionary allotment with a view to ensure that deserving students who are children of Government servants and political sufferers got a chance for admission into the colleges. After the general selections of students by the Selection Committee was over, students for these twelve reserved seats were selected by the Hon. the Chief Minister, the Director of Public Instruction and myself sitting together. The twelve seats were not distributed among the four Engineering Colleges on any fixed ratio."

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SRI T. VISWANATHAM :—" May I know how many seats were given to children of political sufferers and how many to the children of Government servants? "

11-30 a.m.

THE HON. SRI M. BHAKTAVATSALAM :—" It was perhaps half and half."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know whether what was reported in the Press, viz., that the Hon. Chief Minister stated that one of the reasons for constituting this Committee was that the son of a Superintending Engineer or Chief Engineer had been denied admission, is correct? If so, may I know whether according to the Government, the hereditary principle should prevail with reference to the admission of students to colleges? If the answer is 'yes', may I inquire why this hereditary principle should be observed only with reference to Surgeons-General, Superintending Engineers and Chief Engineers and not with reference to children of educationists like the Director of Public Instruction, Principals of Colleges, District Educational Officers, etc.?"

THE HON. SRI M. BHAKTAVATSALAM :—" What the Hon. Chief Minister is reported to have said does not imply that the hereditary principle should be observed in these matters."

SRI T. VISWANATHAM :—" May I know who are the Government servants and political sufferers whose children have been given seats and what is the kind of political suffering that has been undergone by the latter? "

THE HON. SRI M. BHAKTAVATSALAM :—" Officers and Government servants who have retired come under the first category, viz., children of Government servants and those who have had a record of public service involving personal sacrifices do come under the category of political sufferers."

JANAB MUHAMMAD RAZA KHAN :—" Having decided that the whole selection should be made by a committee constituted by the Government, may I ask whether the Government have enhanced their prestige by saying that they would reserve seats for admission for 12 candidates and thus allow pressure and influence to be brought to bear upon them? "

THE HON. SRI M. BHAKTAVATSALAM :—" The selection of 12 candidates at the discretion of the Government was part of the decision of the Government and there was no question of enhancing the prestige or any such thing. However, the hon. Member is entitled to have his own opinion in the matter."

Proposal to provide a University for Rayalaseema.

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

(a) whether there is any proposal under the contemplation of the Government to provide a University for Rayalaseema;

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(b) if so, when; and

(c) if not, why not?

THE HON. SRI K. MADHAVA MENON :—“(a) No.

“(b) Does not arise.

“(c) The Government do not consider it desirable to sponsor a proposal for a new University for the duration of the present financial stringency.”

SRI S. NAGAPPA :—“May I know whether the Government can give an assurance, if not now, at least when they are in a better position financially, that they will consider the desirability of opening a separate University for Rayalaseema?”

THE HON. SRI K. MADHAVA MENON :—“I cannot give any such undertaking.”

Increase in the rate of tram-fare.

* 80 Q.—JANAB SHAH ALAM KHAN SAVOI (on behalf of Janab Mohamed Abdul Salam): Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Government have permitted the tramways to increase the rate of tram-fare subject to certain conditions;

(b) if so, what the conditions are that were imposed by the Government; and

(c) whether the Corporation of Madras has made any representation in this matter to the Government?

THE HON. SRI K. CHANDRAMOULI :—“(a) Yes.

“(b) The conditions are—

(1) The following shuttle services should be maintained :—

(a) From Luz Church Road to Mylapore and *vice versa* at the existing fare of six pies.(b) From Ice House Road to Barbers Bridge and *vice versa* at the existing fare of six pies.(2) In the route, Central to Purasawakam, the fare from Central to Elephant Gate and *vice versa* should be at the rate of six pies only either by introducing a shuttle service or creating a new stage at Elephant Gate maintaining the other stages and the rates therefor undisturbed.(3) The stage from Parry's Corner to Harbour and *vice versa* should be charged at six pies.

“(c) No, but the Council of the Corporation passed a resolution on 13th December 1949 protesting against the proposed enhancement of the tramway-fares.”

JANAB ABDUL HAMEED KHAN :—“May I ask whether, apart from the shuttle concessions that have been got from the Tramway Company, any better conditions were imposed for the benefit of all the people of the City?”

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THE HON. SRI K. CHANDRAMOULI :—“I have already given the conditions that have been introduced and no other conditions are imposed.”

JANAB N. MUHAMMAD ANWAR :—“Will the Government consider the feasibility of introducing a single-fare system as it obtains in Bombay instead of fares being charged for every station?”

THE HON. SRI K. CHANDRAMOULI :—“A separate question may be put.”

Protection of forests in Pudukkottai division.

* 81 Q.—SRI R. NATESAN : Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that the forests in Pudukkottai division are being slowly destroyed due to negligence on the part of the authorities; and

(b) if so, whether the Government have taken adequate steps to prevent the forests from destruction?

THE HON. SRI N. SANJEEVI REDDI :—“(a) The forests of Pudukkottai State have been under the administrative control of the Collector of Tiruchirappalli district since the merger. The question of appointing suitable staff to protect the forests has been under consideration.

“(b) The Government have since sanctioned a protective staff to look after the forests. The Chief Conservator of Forests has also instructed the Conservator of Forests, Coimbatore Circle, to post an efficient Ranger to take charge of the forests and to form a new range called Pudukkottai range to be attached to the Tiruchirappalli division. It is hoped, Sir, that with the formation of the new range the Pudukkottai forests will receive adequate protection.”

SRI R. NATESAN :—“As the present number of Watch and Ward staff is inadequate, will the Government be pleased to appoint more Watch and Ward staff?”

THE HON. SRI N. SANJEEVA REDDI :—“After the report is received from the Conservator of Forests, if he says that he wants more Watch and Ward staff, we will certainly sanction.”

SRI A. VEDARATNAM PILLAI :—“May I know whether it is a fact that the Government have allowed the free use of green leaves for manure purposes and whether the Government have allowed the State forests also this concession? If not, may I know whether the Government will consider the question?”

THE HON. SRI N. SANJEEVA REDDI :—“We have generally allowed the ryots to take manure leaves from almost any forest area from coupes which are going to be worked from the next year. That is, from the coupes which are to be worked next year, free manure leaves can be taken.”

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Alleged irregularities in the Producer-cum-Consumer Co-operative Society at Sriperumbudur.

* 82 Q.—SRI G. RAJAMANNAR CHETTI: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that the District Supply Officer, Chingleput, has found an excess profit of Rs. 43,000 (rupees forty-three thousand) in the accounts of the Producer-cum-Consumer Co-operative Society, Sriperumbudur taluk, Chingleput district;

(b) if so, why and how this excess profit has been earned;

(c) whether the Taluk Supply Officer, Sriperumbudur taluk, has previously reported the alleged irregularities of selling rice at higher price, of preparing a large number of bags by reducing the authorized number of measures per bag on the part of the said society to the District Supply Officer, Chingleput; and

(d) if not, what action has been taken against the Taluk Supply Officer in the matter?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) Yes.

“(b) The excess profit was earned by resorting to re-bagging and re-filling the contents of the consignment of imported quota received by the society from several sources, during the period from June 1948 to January 1949.

“(c) No.

“(d) Necessary disciplinary action is being taken against the Taluk Supply Officer.”

SRI G. RAJAMANNAR CHETTI:—“In view of the detection made by the District Supply Officer that the society has contravened the provisions of the Control Order, may I know why no action has been taken immediately, pending any further enquiry with regard to the functioning of the society by the Co-operative authorities?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The question whether the society is entitled to the amount that they have earned and also whether such a thing can be allowed to continue are under investigation and when that matter is settled, the society will be called upon to do and act according to the Government direction.”

Quantity of rice allotted to Madras State by the Central Government.

* 82-A Q.—RAJA MUTHIAH CHETTIYAR OF CHETTINAD: Will the Hon. the Minister for Food be pleased to state—

(a) the quantity of rice that has so far been received by the Madras State through the Government of India in the year 1950;

(b) the quantity of rice that is still due out of the allotment made by the Government of India for the year 1950 for the Madras State; and

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(c) the quantity of rice that has been allotted to the Madras State by the Government of India out of the rice contracted for by the Government of India with the Government of Burma?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) 173,173 tons as against the quota of 230,000 tons.

“(b) 56,827 tons.

“(c) The Government have no official information. They have received so far 55,873 tons of overseas rice and I believe that all of it was from Burma.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—“In view of the imperative necessity of supplying rice to the poorer classes of this part of the country, do the Government realize that the allotment of rice for the year 1950 and the uncertainty about the allotment of rice for the next year is causing great anxiety in the country and may I know what steps the Government propose to take?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“Out of the basic allotment of 2.3 lakhs of tons of rice to this State, that is the quantity allowed for this State during the month of August when we experienced greatest difficulty, there was no allotment of rice at all. But later, they have supplied us 4,000 tons of rice and another 11,000 tons of rice was received from different sources in India. Regarding wheat, 18,417 tons were allotted during August, but actually we received 24,000 tons of wheat. Regarding millets, out of the original allotment of 31,104 tons during August we got only 32,440 tons. For September which is also a difficult month, we pressed the Government of India to give us more and to supply the foodgrains as early as possible. The original allotment was 7,000 tons of rice for September, but now the allotment has been increased to 30,000 tons. The original allotment of wheat was 35,000 tons and this has been increased by a few hundred tons. Regarding millets, the original allotment was 42,000 tons. Now, the present allotment for September is 41,855 tons. So it is only on the representation of this Government, the Government of India have made these allotments months ago. They are now expediting the supply by providing additional waggons in time and also by making other States realize our difficult position. In that way, our supplies are now coming into the State as quickly as possible to meet the present emergency.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—“While the Government were aware of the position that they were short by about 8 lakhs of tons of foodgrains as early as March 1950 and while it has been possible for a small country like Ceylon to purchase 2½ lakhs of tons of rice from the 1950 crop from Burma, may I know why it was not possible for the Government of Madras to

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have urged the Government of India to buy more rice from Burma and also why it was not possible for the Madras Government to get all the rice bought by the Government of India from Burma in the year 1950?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ When representations were made by not only the Government of Madras, but by other deficit areas as well, the Government of India ordered and imported one lakh tons of rice. I think the whole quota has not arrived and a part of it has now reached this country. Out of this, not only the Madras Government, but also the other deficit areas like Travancore, Cochin and Mysore will get their share. About the reported 170,000 tons that the Government of India is importing from Burma, we have no official information. So far, we have no particulars and hence we do not know how much of that will be allotted to this State.”

JANAB ABDUL HAMEED KHAN :—“ May I know to what extent the Government of Madras have succeeded in influencing the surplus States in the country to give more rice to Madras? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ That has been one of the points that we have been pressing upon, all the time that the Madras State must be given more rice than what was allotted to us.”

11-45 a.m. JANAB M. MUHAMMAD ISMAIL :—“ At the beginning of the year when the question of allotment of quotas for different States was considered by the Government of India and when the Madras Government put their requirements at eight lakhs of tons, may I know, Sir, whether the Government pitched their demand higher than they felt it was necessary for the State? If not so, may I know why they accepted this five and half lakhs of tons of food-grains only? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ At that time, we thought that we would be requiring eight lakhs of tons. But even though we made a demand for that quantity, the allotment of the Government of India was only three lakhs of tons. They said that they would make a fresh allotment later on and we left the matter there so that the balance could be pressed for when we felt the need for it. It is only in June when they announced a further allotment of two and half lakhs that we found that our original estimate of eight lakhs was correct. Subsequently, however, things changed; for instance, monsoons did not set in as we expected and the deficit has increased to anything over eight lakhs.”

SRI D. V. RAMASWAMI :—“ In view of the reported negotiations for the purchase of Egyptian rice to the tune of some lakhs of tons, may I ask, Sir, whether our Government will press the Government of India to supply urgently the needed quantity of rice in view of the extreme scarcity of rice in this State? ”

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THE HON. SRI J. L. P. ROCHE VICTORIA :—“ We have no official intimation about the negotiations. But from what appears in the newspapers, it may be said that some supplies are received from Egypt also. The fact that the Central Government were in correspondence or in contact with several foreign countries for the import of rice was known to us while we were in Delhi last. But how much quantity was to be imported and when we did not know. Since our demand is already there before the Government of India they will give us, I hope, always preference with regard to supply of rice.”

JANAB M. MUHAMMAD ISMAIL :—“ Referring to the statement made by the Hon. the Minister that eight lakhs represented the real need of the State even at the beginning of the year, does he not realize that the requirements of the State now are even higher than eight lakhs in view of the unexpected failure of monsoon and the presence of other adverse conditions in the State? Do the Government think that they have done all that is necessary for getting the needed supplies of foodstuffs, of course having in view the requirements of Assam which requires the sympathy of all of us just at present more than any other part of the country? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Yes, Sir. That is why I have just now read out a statement showing how we are proceeding to meet the needs of the people of our State at least till the end of September. We have passed through very difficult times and things have improved a little now in that supplies to our State are more than what they were last month. But still the supplies are not sufficient to meet the entire demand of the State, and the deficit, therefore, must be met from grains to be further procured from the State which work is now going on. In some areas harvesting has started. In some districts it started last month, in some it will start this month and in some others next month. These will help us to get through the period ending December 1950 up to which we had budgeted at the beginning of the year.”

JANAB ABDUL HAMEED KHAN :—“ May I know, Sir, whether the Government, taking a lesson from what happened this year, prepare themselves for any possible contingency next year? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Certainly all that we have learnt this year will be borne in mind in meeting next year's requirements.”

JANAB M. S. ABDUL MAJID :—“ In spite of the fact, Sir, that several Members on this side of the House averred that there was considerable quantity of rice in Burma, the Hon. the Minister in reply to the Food Debate the other day said that there was no rice in Burma. We have now seen in papers that considerable quantities are being moved from Burma. May I ask, Sir, how this miracle has taken place? ”

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THE HON. SRI J. P. L. ROCHE VICTORIA :—" I do not remember to have said that there was no rice in Burma. I said that there might be difficulty in private persons getting rice from Burma. The case is different with the Government of India who have entered into an agreement with the Government of Burma and not with private individuals."

RAJA MUTHIAH CHETTIYAR OF CHETTIYAR :—" In view of the fact, Sir, that there is rice still available in countries like Burma, Egypt and Thailand, will the Madras Government urge the Central Government to get a few ship-loads of rice additionally from these countries for the immediate present and also impress upon the Government of India the necessity to enter into another agreement with the Government of Burma for larger quantities than the 170,000 tons of rice contracted for especially in view of the two major factors, viz., the floods in the U.P., the distress in Assam and the likely deterioration in the food situation in the country this time next year on the one hand, and the very good cultivation season obtaining in Burma just now and less Communist activities in Burma with regard to destruction of rice crops?"

THE HON. SRI J. P. L. ROCHE VICTORIA :—" Yes, Sir. We shall take up this matter with the Government of India and place before them the information given by the hon. Member and ask for more supplies."

JANAB H. S. HUSSAIN :—" May I know, Sir, whether the Government, in view of the statement made by the Hon. the Minister for Food that the food position is now improving though slowly, will consider the immediate necessity of increasing the rice content of the rations?"

THE HON. SRI J. P. L. ROCHE VICTORIA :—" It is not possible to say anything on this matter at present."

JANAB M. V. HYDROSS :—" May I know, Sir, whether any portion of the rice supplied by Burma to India has been allotted to this State and if so, how they are valued for purposes of distribution?"

THE HON. SRI J. P. L. ROCHE VICTORIA :—" They are distributed wherever there is demand. The quantity allotted to each district depends upon the requirements of the particular area."

SRI A. KALESWARA RAO :—" May I know, Sir, whether the Hon. Minister for Food in his recent tour in the Krishna and Guntur districts has seen the failure of monsoon in those districts and the scare of famine in many of the taluks of these districts?"

THE HON. SRI J. P. L. ROCHE VICTORIA :—" I saw them suffer more from the effects of the cyclone than from the failure of monsoons. When I was there, happily there was some rainfall which made me hope that monsoons would not be a complete failure this time. But all the same, the fear is there."

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JANAB MUHAMMAD RAZA KHAN :—" Sir, whatever the Government of Madras were able to get from the Centre was only in the usual course of things. I want to know whether the visits of the Hon. the Chief Minister and the Hon. the Food Minister to Delhi have really influenced the Government of India to give something more in view of the dire necessity of rice in this State?"

THE HON. SRI J. P. L. ROCHE VICTORIA :—" Certainly the opinions expressed in this House as well as the representations made by the Chief Minister and myself have borne fruit."

SRI G. LATCHANNA :—" May I know, Sir, whether the Government have realized that so long as the Civil Supplies Department continues to exist, the food problem cannot be solved?"

JANAB ABDUL HAMEED KHAN :—" In view particularly of what Mr. Munshi has said with regard to the availability of rice in Burma in reply to one of the interpellations in the Parliament the other day, is it not the duty of our Government to impress upon the Government of India that they should not give up importing rice from foreign countries for the next year also?"

THE HON. SRI J. P. L. ROCHE VICTORIA :—" The present position is well-known to the Government of India. But with regard to next year's programme, I am sure the Government of India will be guided by the conditions then prevailing and representations from this Government will naturally weigh with them in dealing with the food problem next year."

SRI P. NATTESAN :—" As the response to the representation of the Government has not been satisfactory from the point of view of this State, will the Government, Sir, impress upon the Government of India that self-sufficiency by 1951 is absolutely impracticable and that so far as Madras is concerned, the Government of India must undertake to replenish stocks here by imports? I want the Food Minister's assurance that he would do so."

THE HON. SRI J. P. L. ROCHE VICTORIA :—" We cannot arrive at conclusions and pass them on to the Government of India for implementation. We can only point out our difficulties, draw their attention to the existing situation in the State and tell them that due consideration should be given to the representation and proper supplies of foodgrains effected. We cannot express any opinion about self-sufficiency because many things have to be taken into consideration with regard to the drive for self-sufficiency in this State itself. So unless our opinion is based on all aspects of the question—say Grow More Food scheme and similar schemes—we cannot say that the self-sufficiency drive should be given up."

SRI V. RAGHAVAYYA :—" Despite all this import, Sir, can the Government hope that the price of blackmarket rice in Madras and elsewhere will go down at least by a quarter of an anna from to-morrow morning?"

MR. SPEAKER :—" From to-morrow morning!" (Laughter.)

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SRI T. VISWANATHAM :—“ The Hon. the Food Minister said that he could not increase the quantity of ration so far as rice was concerned. Will he be able to assure us at least good quality rice, that is, the six ounces of rice given to us for the whole week is real six ounces of clean rice? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The Government have taken all steps to supply good quality rice. The help of the local people is also necessary to watch the supplies made by the ration shops because in some areas complaints have been received that the ration shop-keepers themselves are responsible for the supply of bad quality rice. In fact in some districts we have appointed the local leaders or panchayatdars to keep a watch over the ration shop keepers. If such co-operation comes forth from the general public, that will help the administration a good deal.”

12 noon. JANAB N. MUHAMMAD ANWAR :—“ The Hon. Minister's procurement drive in the Circars recently has served as an eye-opener showing that there is much hidden stock there. May I ask the Hon. Minister whether he is completely satisfied that the entire hidden stock has come out to meet the urgent needs of the State from nearer home? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ It cannot be said that it is a hidden stock, Sir. There was a target fixed for each district. In the procurement of the quota fixed for the area, my presence there helped them to get it as quickly as possible. Even after the quantity which has been fixed has been procured, when I was there I found there were some areas which had something more and which were capable of giving more. Necessary attention is being paid by the district officers to this matter.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“ Will the Government be pleased to place on the table of the House their plan of procurement particularly by way of imports from abroad and procurement from other parts of the country, of rice and other foodgrains and the manner of their distribution for the next six months as it is necessary that the Government should always have a plan for the distribution of food for at least six months if not for a longer period? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ That is being placed at every meeting of the State Food Council. We generally prepare a food budget for the next six months and have a discussion in the Council on the budget. If the House also wants that information, it will be placed on the table of the House for the information of hon. Members.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“ Will the Hon. Minister be pleased to place the plan before the House before the close of the present sitting? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ We are not more or less in the middle of the term because our budget will go on at present till the end of December. It is only from

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1st January 1951 that we can have a regular budget for six months. It will be too early during this session to present such a budget. Perhaps during the next session, I may be able to give full particulars regarding our requirements for six months beginning from January 1951.”

SRI N. S. VARADACHARI :—“ Will the Government announce it as their policy that they would try to get as much rice as they could from the Government of India either by imports or by procurement from other States before the end of October and not hustle the Government of India into any kind of forced procurement or import resulting in useless and rotten rice being sold to us at very high prices by other countries when an impression of scarcity in our State has been unnecessarily created? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ We get whatever we can from our own State and from other States in India. If there is a deficit after that, we have to import it from other countries. When we do so, we will have no choice left to us and we may have to take rice of bad or indifferent quality, because we want to meet the deficit. The Government of India import grains not only for this State but for the whole country. They will, I am sure, take care to import as good quality as possible.”

SRI S. NAGARAJA MANIGAR :—“ When our Ministers went to Delhi after our food debate here, did they impress on the Central Government the necessity of increasing the prices of paddy and other foodgrains in view of the fact that all other commodities are selling at very high prices and an increase in the price of foodstuffs will help the procurement and also to grow more food, and if so, may I know with what result? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The general policy of the Government of India is to keep down the prices especially of foodgrains. The Madras price, as we have already admitted, is one of the lowest in the country. But still, at this stage, the Madras Government have not made any representation with regard to the increase in price, because the Government of India at the last conference insisted that the prices should be kept down as much as possible. We are now following the existing prices.”

JANAB M. MUHAMMAD ISMAIL :—“ Sir, I want to ask two things definitely. The Hon. Minister for Food and the other Ministers have been saying recently that the position has improved. If it has really improved, may I ask them whether they can increase the ration from 6 ounces to 8 ounces or at least 7 ounces, Sir? If they cannot do so, what do they mean by saying that the position has improved? That is one thing. The second thing is, do they not know from the conditions prevailing at present and the conditions that may be prevailing in the State in the near future, that the Government of India cannot but import foodgrains from abroad and that this self-sufficiency policy

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cannot be maintained without detriment to this State? I want to know whether the present conditions and the conditions which they expect to prevail in the near future would warrant the Government of Madras taking matters easy and leave the Government of India to go on with their self-sufficiency policy by 1951?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Regarding self-sufficiency, I have already stated that it is a policy followed by the Government of India. The Madras State is only a part of the country. We can place our difficulties and our doubts with regard to this plan before the Government of India, but we cannot dictate to them that they must give it up or act in a particular way, because they are concerned with so many states in the country. The Government of India will take all these into consideration in either continuing or discontinuing their policy. Then the hon. Member asked what was the sort of improvement we have at present in the State. It is not an improvement in the sense that we are able to give more than 6 ounces. There is an improvement in the sense that supplies which were not formerly reaching certain areas are now reaching them and that in places where formerly there were not sufficient quantities to give 12 ounces, we have now enough supplies. But still some areas are short of supplies. We are now making arrangements to see that throughout the State the promised supplies are maintained."

JANAB M. MUHAMMAD ISMAIL :—" Sir, the Hon. Minister said that the Madras Government could only express their opinion to the Government of India and leave the matter at that. Is it the way that they are discharging their responsibility to the people whom they have to feed? Supposing, Sir, the Government of India say that they cannot supply a certain quantity asked for by the Government of Madras, even as they did at the beginning of the year when the Government of Madras wanted 8 lakhs of tons and the Government of India said they would supply only three lakhs of tons, supposing they say so once again, what are we to do? Are the Madras Government to sit still and tell the people to starve because the Government of India would not accept their opinion? I want to know whether the Government do not feel it is their definite responsibility to feed the people and make every attempt, effective and successful attempt to feed the people and make the Government of India realize the situation?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The Government of India are as much responsible as this State Government to see that sufficient supplies of food are made to the people. Naturally they also must feel the responsibilities of food, as the Government of India feel the responsibility, they will always meet our requirements if the matter is placed before them. I do not think that they

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will lag behind in coming to our aid and meeting the demands of the Madras Government when we are in difficulties."

JANAB ABDUL HAMEED KHAN :—" The Hon. Minister was pleased to tell us that the Government of Madras had a plan up to the end of December this year. May I know whether he will be pleased to place that plan at least on the table of the House during this sitting of the House?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" It is not a plan of the Government of India; it is our own food budget. We can of course place it before the House. It is already known. We placed it before the Food Council at its last meeting. Probably some of the items have to be revised on account of what has happened subsequent to that meeting of the Council."

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

II.—HALF-HOUR DEBATE ON FOOD SITUATION.

* RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" In view of the unsatisfactory nature of the replies we have received to our questions and in view of the grave emergency of food shortage throughout the country still continuing, as more than half an hour will be required to have a debate on the situation, I request you, Sir, and I make an appeal on behalf of the hon. Members of the House and on behalf of the public to the Government, in their own interest to be good enough and to be generous enough to allot one day for a debate on rice in particular. We may have it on Tuesday. Otherwise as an alternative I request you to allow us to have a half-hour debate."

MR. SPEAKER :—" Half-an-hour will not satisfy anybody."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" When the Government are not able to give 12 ounces, we have to be content with six ounces. In the same way, if the Government are not able to allot a full day, let us at least have a half-hour debate. I make that as an alternative request. This is not a matter which concerns a few people. It is an imperative concern of the Government themselves. There are places where food has not been given for more than three days in the week, as in Tirupattur taluk in Ramanad district. I could not put all this information in the questions. I appeal to the Hon. Minister to allot one day. If it is not possible let us have at least a half-hour debate, because something is better than nothing. I once again appeal to the Government to allot Tuesday next for a debate on this question."

MR. SPEAKER :—" I have already issued the agenda for Tuesday."

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RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“ If the Hon. the Speaker and the Hon. the Leader of the House agree, the agenda may be changed at any time, because the matter is very important. We are only fortifying the hands of the Government of Madras and they must tell the Government of India that rice is absolutely necessary and if they cannot get rice from other parts of India, they must import it from outside. I threw a challenge on the floor of the House that rice was available in Burma and my statement has come true.”

MR. SPEAKER :—“ The hon. Member is making a speech on the food situation.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“ It is necessary to strengthen the hands of the Government of Madras. I want the debate for that purpose and nothing else. It may be short or it may be long. It may be over in half a day or it may go on for a day. I appeal to the Government to set apart Tuesday for this debate. Failing which, I request you to allow a half-hour debate.”

THE HON. SRI B. GOPALA REDDI :—“ The food situation is going to be discussed in the Legislative Council this afternoon. Sir. We had two days' debate in this House and naturally the Council also wants to have a debate on this question. The debate in the Council will strengthen our hands in making our representations to the Government of India and we will see what emerges out of the discussions in the other House. We shall consider in the course of the next week whether we can allot any time for this debate here. It may be half a day or full day or two hours. We shall consider it in the course of the next week.”

MR. SPEAKER :—“ We shall look into it next week.”

III.—MESSAGE FROM THE GOVERNOR.

MR. SPEAKER :—“ I have to announce to the House that I have received the following messages from His Excellency the Governor of Madras :—

1. In pursuance of Article 207 (1) of the Constitution of India, I, Krishna Kumarsinhji Bhavsinhji, Governor of Madras, hereby recommend to the Madras Legislative Assembly the introduction of the Madras Stamp (Amendment) Bill, 1950.

2. In pursuance of Article 207, clause (1) of the Constitution of India, I, Krishna Kumarsinhji Bhavsinhji, Governor of Madras, hereby give my recommendation to the introduction in the Madras Legislative Assembly of the Malabar Tenancy (Amendment) Bill, 1950, and in pursuance of clause (3) of the said Article, I also recommend to that Assembly the consideration of the said Bill.”

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IV.—THE MADRAS CITY IMPROVEMENT TRUST BILL, 1950 (L.A. BILL No. 11 OF 1950).

THE HON. SRI K. MADHAVA MENON :—“ Mr. Speaker, 12-15 Sir, with your permission, on behalf of the Hon. Minister for P.M. Health, I beg to present the Report of the Select Committee on the Madras City Improvement Trust Bill, 1950, and move—

‘ That it may be taken into consideration at once.’

“ Sir, this Bill was discussed at length before it was referred to the Select Committee, and I need not take the House into the details of the Bill. You know, Sir, that in 1939 the Madras Corporation requested the Government to create a board of trustees for City improvement and the Government, agreeing with the Corporation, appointed a special officer to go and see the working of City Improvement Trusts in Delhi, Calcutta, Nagpur and other places. That officer, after his visits to those cities, submitted his report; but that was not then taken into consideration, as it was not thought to be a very urgent matter during the Advisers' regime. Later, after the floods of 1943 in Madras, the then Mayor of Corporation again impressed on the Government the immediate necessity for the creation of a City Improvement Trust and the then Advisers' Government passed the City Improvement Trust Act of 1945. When at the time of the Repeal and Re-enactment legislation, the Government were asking for its extension for a further period, the House was insistent that it should be made permanent. We extended that Act thrice; and in the meanwhile the Government decided that it should be re-enacted permanently, and so the Bill was brought forward and referred to a Select Committee. The Select Committee went into the details of the Bill at considerable length and hon. Members have already got the proceedings of the Select Committee in their hands. The Select Committee went into the whole Bill very critically, and if I am not making any invidious distinction, I may say the Select Committee was considerably helped in its labours by hon. Members Messrs. Majid, Ramaswami Mudaliyar and N. S. Varadachari, not to speak of other hon. Members; these three Members were taking particular interest in the Bill and hon. Members will find from the proceedings of the Select Committee how deep an interest was taken by them in particular, in respect of each clause of the Bill. The Select Committee's report is now before the House. The important changes made by the Select Committee are: Firstly, ‘ the special representation given to the Chambers of Commerce was considered unnecessary and the Government were given powers to nominate three persons to the Board instead of one as proposed in the Bill.’ Sir, in the original Bill we find that the Board was to consist of ‘ a member of the Chamber of Commerce, Madras, elected by the Chamber, a member of the Southern India Chamber of Commerce, elected by the Chamber, and a person appointed by the Government.’ It was considered in the Select Committee that as there are more than two Chambers of Commerce—mentioned in the

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original Bill—in Madras, there would be demands by the other Chambers for representation on the Board. So, it was decided in the Select Committee that three members might be nominated by the Government themselves; and I may assure hon. Members that the Government, in making the nominations, will certainly take into consideration the claims of the respective chambers. I specifically mention this point now because I find the hon. Member representing Commerce in the City here has already given notice of an amendment that the Southern India Chamber of Commerce should be given a seat on the Board. Not that I have any particular objection to the Southern India Chamber—on the other hand, I think if any Chamber of Commerce deserves representation on the Board, it is perhaps the Southern India Chamber. But the idea with which the Select Committee made the change was that the House need not make a choice between one chamber and another even now, but may give the power to the Government and expect the Government to do the right thing. That is the idea with which the change has been made by the Select Committee.

“The second change is this: ‘In regard to 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. 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.’

“The next change made in the original Bill is this: ‘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 of at six per cent as provided in the Bill.’ The sub-clause providing for arrest of offenders on the written application of the Chairman has been omitted as unnecessary. The Committee also thought it necessary to insert a clause providing for surcharge and appeal thereon.

“These practically are the changes that have been made by the Select Committee, and you will find them printed in clarendon types in the Bill, as it has emerged out of the Select Committee. Although I think there may be some slight differences about details, the House on the whole at the time of the general discussion on the Bill, was very particular that the City Improvement Trust must be a permanent body as in the case of Delhi, Calcutta, Nagpur, etc. A number of amendments have been given notice of by hon. Members and particularly by my hon. Friend Mr. Viswanatham, most of which are verbal, with the idea perhaps of either making the meaning more clear or putting it in better language. As each amendment comes up, Sir, I shall say what I have to say in respect of it. I now move that the report of the Select Committee be taken into consideration.”

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Mr. SPEAKER:—“Motion moved—

‘That the Madras City Improvement Trust Bill, 1950, as reported by the Select Committee, be taken into consideration at once.’”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—“Sir, while I wish to support the motion for consideration of the City Improvement Trust Bill as it has emerged from the Select Committee, I only wish to recall to the House what I said on the occasion of the introduction of the Bill, viz., that the Government must come forward with more money for poor housing in the City of Madras. The Hon. Law Minister has clearly explained the scope of the amendments that have been incorporated in the Bill by the Select Committee. I generally agree with what he has said; but I should have been more pleased—and every one here would have been more pleased—if he had thought it fit to put in an amendment to the effect that the contribution to the Board by the Government was not to be Rs. 2½ lakhs but Rs. 5 or Rs. 10 lakhs; that would have been a real service to the City Improvement Trust. The Hon. Finance Minister points out to me that it is now ‘not less than two and a half lakhs of rupees’. I only wish that an amendment had been made to the effect that it was to be ‘not less than Rs. 5 lakhs or Rs. 10 lakhs’. I am not of course pleading for the City Improvement Trust as a body, but I just want to know what the Government are really doing with a view to encourage poor housing in the City of Madras? As a matter of fact, ever since the Government asked me to serve on this Trust, even at the very first meeting, we changed the policy of the Trust. For the last three years, the work of the Trust has been practically a waste; it has been busying itself with finding out bungalow areas for construction of buildings worth Rs. 50,000 and Rs. 60,000. I submit it was not its business to do that; I am glad to say we have since stopped it and we have made the Trust devote its attention to providing houses for the poor and lower middle classes. Of course we could not just now withdraw some of the acquisition proceedings already taken except perhaps in one case, and we have therefore to go through the remainder of the old scheme; but otherwise, as I said, our object now is to provide housing for the poorer classes and the lower middle classes. It is not possible to get back the amounts for the value of the land allotted to these people, and if we charge all the money spent by the Board for the sites allotted to them, the charges would become very heavy. It is therefore for the Government to give subsidies or grants for this purpose. I was hoping that the Government would come forward with proposals for larger grants, but anyway, I do not want to take up the time of the House except to say that if it is possible before this Bill is passed into law—and especially because there is no chance of any amendment being moved in this House for larger grants, or if moved, being accepted by the Government—the Government themselves should come forward with such an amendment. I strongly appeal to the Government to bring forward such an amendment, or at least

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give an assurance on the floor of this House that what the Hon. Finance Minister said just now, viz., that 'not less than Rs. 2½ lakhs' is actually given to the Trust and what is put in in the Bill is actually translated into action. I also appeal that in the coming years, the Government should increase the grant as much as possible and they should also ask the Corporation of Madras to increase its share of Rs. 2½ lakhs.

"There is one other matter which I may be permitted to mention, viz., the representation given to commercial bodies on this Trust. It is very necessary, Sir, that persons with business knowledge should be put on the Board, who will look at the work of the Board from a business angle and see that it is run in a businesslike manner. I may assure the Hon. Minister concerned that the members representing Chambers of Commerce are now doing very useful work on the Trust and it will be a great pity if the representation of the Chambers of Commerce is removed. I do hope it will be possible for the Government to accept the amendment given notice of by the representative of the Southern India Chamber of Commerce and to allow the Southern India Chamber of Commerce—the oldest Chamber of Commerce in this State which is working very efficiently—to continue on the Board. I may add I have no quarrel with reference to the claims of any other Chamber of Commerce; and if Government are satisfied with the claims of any other Chamber, I have no objection to its coming in, because I know full well it will only strengthen the work of the Trust. I may also assure the Hon. Minister for Law that the representation given to commercial bodies on this Trust is very useful and the members representing commerce thereon are discharging their duties very efficiently; they have brought into the work of the board a business aspect and we all know what thorough change the work of the Board has undergone. During the last four months, we have deviated from the old rut of providing bungalow areas for rich people and have turned our attention to poor housing. If only the Government can provide more money for poor housing and entrust the work to business representatives on the Trust, I am sure that the money will be usefully and well spent. The work of the Trust Board depends mainly on the men composing the Board and the Chief Executive Officer who, I am glad to say, is very energetic and puts enthusiasm in his work. And if only more money can be allocated by the Government and the Corporation of Madras, I am sure much good work can be done."

* SRI T. VISWANATHAM :—Mr. Speaker, Sir, the Hon. Minister prefaced his speech by saying that a thorough discussion has already taken place and there is not much to be said by way of improving upon the speeches which have been made. He also assured us that the Select Committee was very careful in dealing with all the aspects of the City Improvement Trust Bill. Referring to my amendments, he said that most of them were intended only to improve the language or meaning; yes, they are intended to do so. And if he is good enough to accept them, he will be doing only what is right.

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"Sir, I would like to draw your attention to the proceedings of the Select Committee on the Madras City Improvement Trust Bill. We have to remember that last time when the Bill was introduced, and referred to the Select Committee, it was the Hon. Mr. Madhava Menon who moved it. (The Hon. Sri K. Madhava Menon: 'On behalf of the Hon. Minister for Health.') Anyway, the Bill must have been approved by the Cabinet before it was brought before this House for consideration. But here, in the very first page of the proceedings of the Select Committee, it is said:

'The Hon. Sri K. Madhava Menon raised the doubt that since the present Improvement Trust and the Corporation of Madras seemed to possess similar powers in regard to certain matters, it might not lead to conflict between those bodies. The Corporation of Madras discharged the functions which were now purported to be handed over to the Madras City Improvement Trust and he could not find any warrant for the creation of this separate body.'

Again the Hon. Sri M. Bhaktavatsalam wanted to ascertain the relation between the Corporation and the Trust under this Bill. He was of opinion that any mutual conflict should be avoided."

The Hon. Mr. Bhaktavatsalam is another Minister of the same Government which approved this Bill in the Cabinet. Sir, these two paragraphs reveal a very interesting state of affairs as to how Bills are thought of, or framed, or discussed or approved by the executive of our Government. It does not require much comment to tell the Members of this House that this should not be the state of affairs, this should not be the state of legislation, the quality of the legislation. The Government must come forward with one clear mind and with one purpose and tell what exactly they want to do. Now, Sir, it falls to the Hon. Mr. Madhava Menon himself to move for the consideration of this Bill and its passing into law, though he said at the meeting of the Select Committee that he could not find any warrant for the creation of a separate body. I do not blame him for his opinion. As a Member of the Government he is obliged to move it, or he has changed his opinion since going through the various provisions of the Bill after it emerged from the Select Committee. Or, perhaps just as I want him to change his opinion and keep an open mind, he has changed his opinion and I am glad he has done it. However, the House would have been very glad if this paragraph in the proceedings of the Select Committee did not appear at all, because it does not reflect well on the Government.

"Sir, there are several other things in this which show that the Government did not first give any serious thought to this City Improvements Trust Bill and we are made to believe that the Government are very serious in improving the City. There are several of the provisions, as the Hon. Mr. Madhava Menon observed at the Select Committee, which are similar to the provisions which already find a place in the City Municipal Act itself. All this paraphernalia would have been justified if there is some money in this or if a sum of 50 lakhs or 75 lakhs is placed at the disposal of the Trust Board. I can then understand the Government coming forward with such a long Bill as this and constituting a Trust Board defining its powers, trying to avoid friction or conflict between officers and officers or between the Trustee and the Corporation or

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imposing restrictions upon this officer or that officer or on this item or that item. I submit I am one of those who want to have a City Improvement Trust, not merely for the City of Madras, but for the growing and important cities in the State. (A voice: 'Visakhapatnam') Yes, if Visakhapatnam is improved, I can tell you it is the State of Madras that is improved and if Visakhapatnam is improved it is the whole of the east coast that is improved and the improvement of Visakhapatnam will be one of the five greatest assets for this country. Please do not joke at it. Even if as a joke, it is said, if anything can be done to improve it please do it; it requires more improvement than even the City of Madras. (An hon. Member: 'What about Calicut?') Certainly Calicut deserves a lot of improvement.

"I submit, Sir, that the Government are not very serious in their purpose. While they have expressed an intention to improve the City, that they should come forward with an allotment of only 2½ lakhs is bordering on the ridiculous. Unless they set apart 50 lakhs a year in lump sum to be spent quickly and on a comprehensive basis, there is no purpose in passing this Bill; giving 2½ lakhs a year and another 2½ lakhs in another year and continuing the existence of the Improvement Trust, just as continuing the life of a tuberculosis patient will be of no use. With 2½ lakhs given by the Government and another 2½ lakhs given by the Corporation, I can assure the House that with the present state of the cost involved in works and the cost involved in land acquisition, nothing real can be done. Of course, we may satisfy ourselves that we have passed this Bill into an Act here, but we must be more serious than merely passing an Act. In a city like Madras, the Improvement Trust cannot effectively function so as to be able to say 'Here we are functioning and show to the world that we have done any improvement.' If really the Government are serious, let them increase this amount. I suggest that nothing less than 50 lakhs for a period of 10 years will be able to improve the City of Madras. Unless they are prepared to invest this sum, it will only mean waste of time on the part of everybody concerned. Of course, the Corporation is doing all this work with a similar purpose. They want a separate body to look after the improvement—a separate body with sufficient money—so that it can confine itself solely to the improvement of the City, apart from the routine work which the Corporation has to discharge. I submit that the Government should come forward with another amendment Bill, with proper recommendation of the Governor if it is necessary, so that the amount may be increased to 50 lakhs. Sir, the improvement of the City of Madras will not be a loss to the Government, it will not be a loss to the State."

SRI N. S. VARADACHARI:—"Sir, the hon. Member is perhaps labouring under a misapprehension. The City Improvement Trust is given a grant of 2½ lakhs by the Government and another 2½ lakhs by the Corporation, presumably to cover its initial establishment charges, but whenever they take up schemes,

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they will apply to the Government for loans. Of course, the whole success or failure of the Trust depends upon the ability of the Government to finance the schemes."

* SRI T. VISWANATHAM:—"Sir, I am really thankful to my hon. Friend Mr. Varadachari for the explanation he has offered, because he happened to be a member of the Select Committee. But, it is true the City Improvement Trust is given also power to raise loans just as the municipalities are given power to raise loans. That does not touch the point I am trying to press forward. I am suggesting to the Government, if they are serious, they must put in a great deal of money in a short time and on a comprehensive basis and they have a plan for improving the City within a reasonable compass of time and if possible, have a five-year or ten-year programme in which they can improve the City. Otherwise, there is no use saying, each year we shall give 2½ lakhs and if they require more they might apply to Government for a loan and the Government granting another 50 thousand or so. The purpose of the Trust is to do work quickly and in as short a time as possible and to effect as great an improvement as possible to the City, because the Corporation, involved as it is in its own ordinary duty, cannot concentrate itself on the improvement of the City."

"Now, Sir, I submit, if a great deal of money is put in their hands, I say all the provisions relating to restrictions on entering into contract, restrictions on the powers of the Chairman to accept tenders not exceeding ten thousand rupees and on the Board to enter into contracts exceeding ten thousand rupees but not more than fifty thousand rupees and the Government coming in in the case of contracts exceeding fifty thousand rupees and so on, will be relavant. It is all the same routine happening in the case of the major panchayats and municipalities. If that is to be the case, I submit, things will never move. I know, as the Chairman of a municipality, that things do not move because of the restrictions that are placed by the Statute. If similar provisions are embodied in this Bill, although the Trust Board may be situated in the City of Madras itself, papers will not move as quickly as necessary. Everybody will act as a post office and we know what can really be done in three days, will take nearly three months. Even if you want the Board to spend 10 or 15 lakhs, all these restrictions must go. I submit with the restrictions embodied in this Bill, it will not be possible for the Board to spend the money at all. Calling for tenders, fresh tenders and the various permissions and the various officers through whom papers have to pass from stage to stage, will obstruct work. Even if I am not a member of the Trust Board, I certainly wish these Trustees should be given more powers; they should be given powers in order to enable quicker despatch of work and in order to undertake work quickly on their own responsibility and to execute schemes on their own responsibility. I am sure they can be trusted to do their job. Otherwise, what is the meaning of your choosing a man with all the qualifications you impose as Chairman of the Trust Board and then tell him, you cannot enter into any contract whose pecuniary limit is

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beyond ten thousand. What is the use of putting a Trust Board with great status and position in the City and then say, if the pecuniary value of a contract is more than Rs. 50,000, you have no power to enter into such a contract but that it should have the sanction of the Government. Sir, I have some experience of sending some papers to Government and I know perfectly well that these papers take a long time, ultimately to be returned perhaps only with a query and not with the required sanction.

I submit, therefore, that if really the Government want this Bill—I believe they are sincere in their purpose—they should modify most of the provisions, so that the body which is created may be enabled even to spend the little amount that is placed at their disposal. To give effect to this intention, I have given notice of some amendment. I find in almost every clause in the Bill there is some vagueness which must go. Take for example, the very first '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.' Sir, you know the qualifications of the present Chairman of the Trust Board and do you expect similar qualifications will be required or do you expect that the Government have got even lower qualifications and if so, what are the qualifications they expect for the Chairman? Is it wrong for the House to know what the Government have in their mind when they tell us 'such qualifications as may be prescribed by the Government'. I ask: why not prescribe those qualifications here? For instance, when we appoint Judges of the High Court, qualifications are prescribed and when you appoint members of a Tribunal, qualifications are prescribed, but when you want to appoint the Chairman of the Improvement Trust Board, why do you not prescribe the qualifications now and here? That is my submission.

Coming to clause 5 for example, I am here referring to vagueness. It is said 'The appointment or election of the Chairman and the other trustees shall be notified in the Fort St. George Gazette'. Now that leaves us in some doubt. When does it take effect? Does it take effect only when it is notified in the Fort St. George Gazette or from any date mentioned in the order? My point is, it must be made quite clear. Of course, I am not going into all these small matters, but I am only pointing out these things to tell you that more care and attention should have been bestowed in drafting.

Again, take for example, clause 8 of the Bill, which says, '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'. I suppose, Government mean by this other employment while acting as Chairman.

Now, if you come to clause 16, there is some ancient provision which is embodied here, which is now not found in our own Local Boards Act. Reading the minutes of the previous meeting is merely a waste of time. It is said 'such minutes shall be read

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at the next ensuing meeting and signed by the person presiding'. Such a provision is found only in the old Acts and not in any of the modern Acts.

In clause 18 again, I find three or four words. I am only submitting this to clear my doubts. In three places in clause 18, the words 'any' and 'every' have been printed in clarendon type. We are made to understand that words in clarendon type represent amendments suggested by the Select Committee; we generally understand the situation like that. But there is no reference to any amendment having been made by the Select Committee to clause 18 and I am not quite certain whether several other things might not have been done in the same way. Again, let us take clauses 22 and 23."

THE HON. SRI K. MADHAVA MENON :—"Yesterday, the hon. Member charged me with making a mis-statement. I am anxious that he should not make it. Let it not happen to him though he may say that it happened with reference to me. I would invite the attention of the hon. Member to the following sentence which appears in page 17 of the printed proceedings of the Select Committee :—

'The Select Committee authorized the Chairman to approve drafting and consequential amendments which the Legal Department consider to be necessary.' So that the words 'any' and 'every' have been put in there in pursuance of that provision."

* SRI T. VISWANATHAM :—"If he takes up that attitude, I shall tell you of what happened in England once upon a time in the sixteenth century. There was no rule then that the entire Act should be printed; the clerk used to read the Bill and there was some discussion upon that and authority was given to the King to frame the law in terms of the conclusions arrived at by the Commons. It was found in a particular case that what the House of Commons wanted was not what was written in the Statute Book and a member raised the question that the House of Commons never came to such a decision. His Majesty and his Advisers changed their spectacles, looked at the thing and they agreed that it will be changed but the historians of the House of Commons tell us that that was never corrected and the Statute remained on the Statute Book for two hundred years. The authority might have been given to make consequential amendments, but they cannot be consequential amendments unless the clause was discussed: if it had discussed and had come to some conclusion, then there would be something consequential upon it. If he takes up the attitude 'the Select Committee has authorized me, I shall put in whatever I like,' I submit that is not fair. The example of the enactment of the House of Commons which remained on the Statute Book for two hundred years though it was not meant to be there, shows the utter danger of proceeding to draft in that manner and I submit that these things should not happen. Take for example clause 23. I do not find any discussions with regard to it. But it is stated that the Legal Department had been requested to put in a suitable redraft containing the decisions.

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This kind of leaving the redrafting will sometimes lead us into difficulties and I submit that this practice should cease in the interests of clarity and correctness of Statute-making. I say, Sir, it was up to the Department to get the redraft made immediately and to see that the wording satisfied the Select Committee. The clause restricts the powers of the Board and the Chairman regarding approval of estimates and execution of contracts and it would have been better had the redraft received the assent of the Select Committee and it satisfied the Select Committee. It may be said that it would be unnecessary meticulousness but to answer that shall I quote to you the instance of a Statute remaining on the Statute Book of England although it was not intended to be there. Some four or five hundred years ago, a Statute empowering the arrest of heresy was put on the Statute Book. The Commons at their next meeting told the King that the Statute had never received their concurrence and that it should be annulled. The King agreed to the request, but the Statute has remained till at least Hallam wrote his book on English Constitution four hundred years later. Sir, that this kind of thing should not happen in future. Let me take clause 24; I feel that there is something there which is not very clear. It reads—

“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.”

I feel, Sir, that if the Chairman makes a contract on behalf of the Board, it must bind the Board and not the Chairman. The intention is probably not to make him personally liable but the language seems to indicate otherwise. I am submitting these things to show that greater care should have been devoted to the drafting of the provisions and on all these, when the amendments which I have tabled come before the House, I shall go into them in greater detail.

“Clause 80 and the following clauses deal with betterment fees. I submit, Sir, that the idea of betterment fee is an exploded idea. It is true that in some of the old Acts passed in this House, the idea of betterment fee occurred every now and then. But I believe the system of betterment fee should go. In many States of America, neither the Government nor the local bodies collect any betterment fees because by the improvements effected the value of the properties rise and on account of the rise in the value of such properties, the Government or the local bodies are bound to realize a higher income. The betterment fee is something like a fee demanded by a land development company which is not a statutory body but a company started for profit. But here the Government creates the body and statutory power is given to it with the sole idea of improving the place. When the Government are making a contribution to the Trust from their general funds and when the Corporation is making a contribution from its general funds, there is no point in asking for a betterment fee in addition. Not only that; powers have been taken in later clauses to raise the property tax also and thus there will be double and treble taxation upon the same property. I submit, Sir, that the provisions relating to betterment fee and arbitration proceedings might all go. Where a dispute arises with

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regard to the title between the Trustee and the owner of the property, the proper authority is the civil court to decide it. I have myself an experience of one Arbitration proceeding under the Town-Planning Act continuing for nine years. If the Hon. Minister is interested in calling for the various Town-Planning schemes, he will find that in various Municipalities the Town-Planning schemes have been lying dormant for nearly fifteen or twenty years without coming to any finality. The Board, therefore, should be given quick powers and if there is any dispute, that should go before the City Civil Court or the Original Side of the High Court according to their respective jurisdiction. I shall take up other matters like acquisition proceedings later on when the clauses are taken up.”

SRI P. NATESAN :—“Mr. Speaker, Sir, I give my general support to the Bill. But I am greatly concerned about the important change the Select Committee has made with regard to the special representation given to the Southern India Chamber of Commerce by deciding that such representation was unnecessary. I am obliged to the Hon. Minister for recognizing that the Southern India Chamber of Commerce should find a place there and for assuring us that the Government would take that into consideration and when they appoint a member, they will probably choose one from that Chamber. To that extent, I am satisfied. I have to-day given notice of an amendment specifically to the effect that one member nominated by the Chamber should be included among the three members nominated by the Government. I hope, Sir, that that amendment will be accepted by the Government. So far as Southern India Chamber of Commerce is concerned, we have no objection to other Chambers also being given representation. It is possible that owing to the persistent demand of other Chambers, the Select Committee might have thought that it was better not to say anything about the Southern India Chamber of Commerce. During the period of the two years that the Act has been in operation, we have had two members there and they have been doing very good work. As the hon. Raja of Chettinad pointed out, it is always good to keep businessmen on a Board like this. So far as the Chamber is concerned, I would like to point out to the Government that this is the oldest and most representative chamber of commerce among the Indian Chambers in this State. It has now more than 900 members on its rolls scattered all over the Presidency with about 45 District Chambers of Commerce and associations affiliated to it. (Sri N. S. Varadachari : ‘What has all that to do with the Bill under discussion?’) The hon. Member can make his own comments when his opportunity comes. There are at least 650 members in the City of Madras. The hon. Member may have something to say about merchants generally or about the Southern India Chamber of Commerce not getting any representation but with regard to the representation of the Chamber here, I have got to make myself felt. The Chamber is neither communal nor linguistic and this has been the only Chamber that has been existing for a very long period of time. It is in consideration of this fact that when the original Act was put through in the Assembly, the Chamber was given individual representation; but that has gone in the Select Committee presumably for the reasons I have mentioned.

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"The hon. Member, Mr. Viswanatham, pointed out that the amount placed at the disposal of the Board was Rs. 5 lakhs. In that connection it is very pertinent to remember that even ordinary house-building societies come forward with an established capital of over Rs. 10 lakhs. I feel, Sir, that this Rs. 5 lakhs is something with which you cannot do anything and for that, there is no need for an Act appointing a Chairman and members and giving them the powers you propose. If you are really going to do any good work, the contribution both from the Corporation and the Government must at least be Rs. 10 lakhs. The powers of the Chairman have been defined but the salary of the Chairman has been left undetermined and it has been said that he shall be paid such salary as may be fixed by the Government. Knowing as we do, the finances of the State Government, it is possible that one day they may say: We shall pay the Chairman Rs. 500 as salary. I say, Sir, that we must have a Chairman at least on Rs. 2,000 per month. Otherwise the organization will suffer. These are all small things. I wish the Government gives the greatest attention to the financial aspect of the question. Starting off with almost no capital is bad enough and if you do not give good salaries, I do not think, it will serve any useful purpose. So far as tenders are concerned, the Chairman has got powers to decide tenders for small amounts and for Rs. 50,000 the whole thing has got to go to the Government. Regarding tenders, they are supposed to be accepted within a definite date and I myself know very often the Government of Madras takes long time to accept tenders and there are many instances in which they have asked the tenderers if their tenders will be valid for a certain time. Owing to causes beyond anybody's control, the market prices go up and the Government have to lose money because they had been indifferent enough not to accept a tender before a certain date. I wish the Government gives more powers to the Chairman and to the Board to deal with tenders instead of saying that tenders should be approved by the Board and the Government beyond a specified amount."

p.m. "Sir, it is all a vicious circle. If it is only a capital of five lakhs that is given to the Improvement Trust, what function can it do; or if the capital is only 2½ lakhs what business can the Trust do? It is all high-sounding to talk raising loan on debentures; there is no asset on which debentures can be raised. I do not see where the difficulty of the Government lies in not giving greater capital to the Trust. The Government find money to all other schemes like Prohibition, Separation of the Judiciary from the Executive, rural development and project schemes. So, cannot they give more to the Improvement Trust? I feel the Government must be able to set apart a little more money than they purpose to do now. Then there are a few small points which I reserve for a future occasion. But I am very keen that the Southern Indian Chamber of Commerce, as the most representative body of the commercial community, should get a seat on this board. I hope eventually the Government will accept the amendment which I have put forward."

* Sri N. S. VARADACHARI:—"Mr. Speaker, Sir, I was not present on the first occasion when this Bill was referred to the Select Committee. So if I take a little more time to run over

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the general principles of the Bill in the light of the Select Committee's report, I hope you will give me sufficient indulgence. While I agree with Mr. Viswanatham that this is a piece of luxury legislation, I must give totally different reasons for saying so. It is true that every great city must have an Improvement Trust, and so too, our city. But I must point out to the Hon. Minister, if he were only to closely examine, he will find that in a big city like the city of Bombay, there is no separate improvement trust existing to-day, but only a statutory committee of the Corporation of Bombay is performing these functions. I feel it is a very proper attitude for our Government to have taken. But it is too late in the day for me to suggest, as they have already brought the Bill and passed it through the Select Committee stage. Why I say so is because of this: we have heard hon. Members like Mr. Natesan and Mr. Viswanatham complaining that the money backing of this board is very slender now, and no one has been able to give a correct idea of the amount of money which would be available with this Trust for the next five years for the improvement of the City. Judged from this point of view there is much to be said in favour of the view that it would be better to have the Trust as part of the Corporation of Madras by statute than be a separate body outside the Corporation without a chance of its being democratically influenced. I will just bring out the meaning of my point. We are creating an improvement trust for specific reasons. We say that we want it to improve the poor housing. That is the only object behind this whole scheme; in fact that ought to be the only object. But even that ought to be shared between the industrial magnates who can house their own employees, and the Corporation with its town-planning scheme, which has already planned for building houses under an ordered scheme. The Improvement Trust ought to divide a portion of its work with them and not make itself an independent concern. The difference between this body and the other body which I contemplate and which I would prefer is this: however much efficient and well managed this body may be, it lacks one of the primary essentials of all democratic bodies, namely public criticism. Of course there will be provision for interference by the Government when there is difference of opinion between the Corporation and the Improvement Trust. No doubt all this is tortuous. I have no doubt this is luxury legislation; but never mind, let us make an experiment. Now, the only thing on which I wish to emphasise is this: This body which is a business body, whose aims are well-known, is not subject to the influences of any democratic action except at high level Government influence being brought to bear. If it had been treated as part of the Corporation and statutory recognition been given to it by this House, then it would have been saved from this vital objection, because every scheme that this committee would have to consider would, at some stage or other, come up for public criticism. That is what I suggest in my amendment to clause 172. Otherwise this House would have no control over it, once it is created with a capital of 2½ lakhs or so, except by a few copies of its reports or resolutions

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being placed on the table of this House. I cannot agree to the creation of a quasi-independent body, whose activities cannot be looked after by us, consistent with our own responsibility. That is why, I said I prefer that this body should have been a committee of the Corporation; statutorily recognized, so that democratic action may be brought to bear at every stage, if not directly, at least through the Corporation.

"Now, Sir, I proceed to the principles of the Bill. Much depends on the financial backing that would be given to it by the Government. It is wrong to assume that 2½ lakhs would be the only fund provided by the Government, or that 2½ lakhs would be the resources that would be made available by the Corporation to this Improvement Trust. After all, what is this Trust going to do? Let us take a problem like the poor housing. I know, at the Select Committee stage, I drew some information on the matter from the Chairman or the President of the Board. He was good enough to tell us that all his efforts made in the City of Madras met with only a very very small measure of success, if it could be called success at all! On the other hand I feel more and more convinced that poor housing within the city of Madras amid clean and sanitary surroundings on an economic rental basis, would be almost an impossibility. The best way to solve the problem would be to take industrial labour and such other poor as would be able to pay the economic rent just outside the City, and provide them with all the transport amenities that we can offer. That is why this Bill gives power to the Improvement Trust to go even outside the limits of the City Corporation and make its schemes, if necessary outside the city limits, for the housing for the poor. Now there are several schemes which this body can attend to. There is the general improvement scheme, there is the scheme for re-building houses, there is the scheme for re-construction of streets, there is the deferred-street scheme and so on. For this the Board should consist of proper persons selected by the Government. Mr. P. Natesan was taking pains to say that Southern India Chamber of Commerce needed special representation. I object very strongly to the anachronistic method of representation of small bodies on improvement trusts in general. The Government can take into account anything for this purpose. Even Trade Union Labour may be taken into consideration for this purpose. An engineer may be taken in to fix all the details of town-planning, or one who is thoroughly versed in the science of town-planning. A sociologist may be taken in; an economist may be taken in, who can find out what economic rent might be levied. I may mention there are at least five Chambers of Commerce in this City and perhaps a hundred trade unions; and it is impossible to distribute this favour on particular small bodies, however efficient they may be in the conduct of their business. Of course the Government will take all these things into consideration, and we have left it to them to find three persons. The Government must be undertaking heavy responsibility when it proposes to fill up vacancies in the Trust, or fill up posts in the initial stage when the Trust is being

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formed, by prescribing qualifications for the chairman and other members. This may be done within their own rule-making powers.

"Now, let me say one or two words about the duration of the Trust. It is complained that the chairman has not been given enough power or the Board has not been given enough power to handle finance. It is wrong to think so. In a body not open to democratic influences and not open to public criticism we must be doubly cautious in endowing the chairman or the board with any power. For, as I said, this House would have no opportunity of discussing any of this body's proposals, except perhaps a copy of the resolution or a copy of the balance sheet which the Improvement Trust may place on the Table of the House. But if we want to discuss the particular schemes of the Trust as well the general conduct of business by the Improvement Trust, then, we should have the Bill on the lines I have suggested. Therein the House will see the powers of the Chairman of the Board must necessarily be subject to some limitation or other, as the select committee has done. I may point however those amounts have been doubled or trebled from what they were in the Bill as it originally stood.

"Now, I will turn to another point. One more feature with regard to this Bill is that it is all drafted in a great hurry. In fact it is only a copy of the various similar Bills prevailing in other States, never taking into consideration the conditions prevailing in the City of Madras. That is why we find such absolutely unjust and irrelevant clauses creeping into our Bill, as clause 154. I think it was copied straightway from the Calcutta Act. For it says:

"Any police-officer may arrest any person who commits, in his view, 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" and so on.

This shows that the clause was intended to punish the refugees refusing to give their name and address, and that it refers to the migratory population which was not under the proper control of Government. So this clause is relevant only to Calcutta City."

THE HON. SRI K. MADHAVA MENON:—"There was no refugee problem at the time of the passing of that Act."

SRI N. S. VARADACHARI:—"It is certainly relevant to Communist menace in Calcutta, which is far more serious there than here. We could easily find in the innumerable lanes of North Indian cities people hiding and refusing to give their names and addresses. This provision is appropriate in an Act governing such places. I am doubtful whether this provision is at all necessary in an Act governing a City like ours. I objected to it and a part of it was deleted. But I object to the provision even as it stands. I wish the Government will delete the whole provision and not stand on prestige. They have copied elaborately from other Improvement Trust Acts. We should see that the Bill conforms to the requirements of our

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City. If it had been more carefully drafted, many of the clauses would not have found a place in it at all. The Hon. Minister may say: 'All this need not be said at this stage.' I beg of him to remove clause 154 on his own volition and not on an amendment moved by a Member of this House. It is unjust and irritating in the extreme.

"I would ask the Hon. Minister to give this House an opportunity to discuss the work of this Board at least once a year. It is good for the Board and it is good for the Members of this House to understand how it is functioning. Some people may want to be on the Board perhaps to get at contracts. That is not fair. The Government should nominate to the Board only such persons as will have no connection with any business done by it. That must be the principle on which the Board should be constituted.

"The Board should concentrate on a few schemes and give the first priority to the speedy execution of those schemes rather than spread its tentacles far and wide, undertake many schemes and actually achieve very little or nothing at all. It is a corporation outside the Corporation; it is not amenable to democratic opinion except perhaps to the rare passing show when its administration report will be placed on the Table of the House and discussed. In this view I strongly urge that the Board should concentrate on a few schemes and decide, in consultation with the other bodies interested in housing the poor, on how and where to concentrate its efforts. For instance, it need not concentrate on mill areas. It can leave to the industrial magnates the provision of housing for the labourers and making them contented, sober and happy. It can concentrate on other areas. It can execute housing schemes for the lower middle classes who are on the margin of subsistence, who earn a small income and are not able to get houses at an economic rent in areas adjacent to the City and provide transport facilities to those places. If that is done, the capital outlay will be small, betterment fee can be fixed at a low level and thereby avoid the displeasure of those to whose needs it caters. We will find fine cities springing up just adjacent to Madras instead of the present practice of expanding Madras without limit or conscience and making every problem more and more difficult. I strongly object to the extension of the City to farther and farther limits. It should be our aim to build rural towns, give them a new psychological turn and make the people feel that they can do some work near their home and produce the food that they need from the neighbouring land. That should be the idea on which the City Improvement Trust should work.

"So far as the present City Improvement Trust is concerned, it was admitted in the Select Committee that it was not able to put up tenements whose rent will be within the reach of the labour or the lower middle class people. This urgent and pressing problem of housing the lower middle classes who live on the margin of subsistence should be taken up and solved.

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"I think I have exhausted all that I wanted to say. I will close with this observation. We are creating a body—I say it again and again—which is not subject to democratic influences. (Interruption by Sri T. Viswanatham.) My colleague the hon. Sri T. Viswanatham reminds me of compensation and betterment fee. I do not like to go into a theoretical discussion of these questions. I quite agree with what he said that betterment fee is an anachronism. European countries have ceased to levy it for the simple reason that with the increase in the value of the property, the owner has to provide more amenities, spend more and pay more taxes. If housing schemes for the poor are undertaken outside the City as I have suggested, dry lands can be acquired at a low cost, the capital outlay will be small, the property tax and betterment fee can be levied at a low level, if they cannot be altogether avoided. I fought against the levy of betterment fee but succeeded only in getting the maximum reduced from one-half of the increase in value to one-third. I hope the Improvement Trust will not always levy the maximum permissible under the Statute and that in many cases it will be much less than the maximum.

"I do not want the Improvement Trust to start with no powers and no financial resources. Such a position is unimaginable in my opinion. We had better drop the Bill if we are going to strangle the little child even at its birth. At the same time I do not want the Government to commit themselves by saying that they will give so many lakhs of rupees. They have already made one commitment under the Village Panchayats Act by agreeing to pay to panchayats twelve and a half per cent of the land revenue. They do not know what they are doing. It means half a crore of rupees or even more scattered here and there in small heaps which can easily be mis-handled. If the sum had remained in one big lump, it could have been spent on various useful purposes with greater advantage. A similar mistake should not be committed here. Let us make small commitments. Let the Improvement Trust depend on its own initiative and resources and create new resources if need be. There is ample scope for work even under this condition.

"I wish well of the Trust. I want every member of it to take a solemn pledge that he will see to it that the Trust executes at least five or six schemes within one year from the date of its inauguration and thereby demonstrate its usefulness to the city."

THE HON. SRI K. MADHAVA MENON :—"Mr. Speaker, Sir, the hon. Sri P. Natesan and the Raja of Chettinad mainly dealt with the need for giving a seat on the Board to a person elected by the Southern India Chamber of Commerce. According to the provision in the original Bill, the Board was to include, among others, two members, one elected by the Chamber of Commerce, Madras, and the other elected by the Southern India Chamber of Commerce. There are five chambers of commerce in Madras, the Muslim Chamber, Andhra Chamber, Southern India Chamber, Madras Chamber and Hindustan Chamber. (Janab M. Muhammad Ismail :—There is also a Tamil Chamber.) I am told that there is yet another chamber, the Tamil Chamber. The Raja of Chettinad and Sri P. Natesan said that the presence

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of businessmen will be of considerable help to the Board. It is for that very reason that the Committee thought it better to give power to the Government to nominate three persons without giving scope for any complaint that only two chambers were given representation while the others were not.

"Sri T. Viswanatham said that it was reported in the first page of the Select Committee proceedings that I raised a doubt. I am at a disadvantage. The proceedings circulated to the Members are expected to be confidential and I cannot give the reasons in detail. I was not a member of the Committee. I was invited by the Chairman to attend its meetings. As such the proceedings did not come to me for approval before they were printed. I pointed out to the Committee that a number of doubts had been raised by others."

SRI T. VISWANATHAM :—"Am I to take it that the report is not correct?"

THE HON. SRI K. MADHAVA MENON :—"That is exactly so. I put it in another form. Doubts were raised and representations were made by various people. It was put as my doubt because I pointed them out to the Committee. I myself resolved those doubts after hearing the Chairman of the City Improvement Trust who was present there. It is only right that Sri T. Viswanatham should advise me that even if I had doubts, I must give in when those doubts were cleared. I want the House to consider one or two other comments made by Sri T. Viswanatham."

MR. SPEAKER :—"If the Hon. Minister is likely to conclude in about five minutes, we can continue the sitting till then."

THE HON. SRI K. MADHAVA MENON :—"I will take only about three minutes. Sri T. Viswanatham referred to the financial contribution to be made by the Government. The Board depends mainly on finance. I want to inform the Members that in the Calcutta Improvement Trust Act and the Delhi Improvement Trust Act, there is no provision at all for the State Government to contribute any money. In the Calcutta Act, provision is made only for the City Corporation to contribute a percentage of its revenue. In the Delhi Act even that is not mentioned. In this Bill it is provided that the Government shall contribute a sum of not less than two and a half lakhs of rupees. We have only provided for the minimum that the Government should contribute. This is an improvement on the other two Acts. There is one other thing, Sir, which was mentioned by my hon. Friend Mr. T. Viswanatham. He wanted to know what are the qualifications prescribed by the Government for the appointment of the Chairman. In the original Bill, we have simply said: 'The Board shall consist of ten trustees, as follows:—

"(a) a Chairman, who shall be appointed by the Government, etc." But the Select Committee has made it more restrictive and said, "The Board shall consist of ten Trustees, as follows:—(a) a Chairman, with such qualifications as may be

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prescribed who shall be appointed by the Government." The improvement made is the addition of the words "with such qualifications as may be prescribed". In the definition clause, we have defined the word, "prescribed", according to which it means, "prescribed by rules made under this Act". Of course the rules will be notified and all hon. Members will have an opportunity to know what the qualifications prescribed for the appointment of the Chairman are. Therefore, Sir, the Select Committee has only improved the clause by making it more restrictive.

"In regard to clause 80, dealing with the betterment fee we have made an improvement in the Select Committee, because we wanted to give as much income as possible for the Trust by way of a betterment fee. Sir, I shall not go into the details of the Bill at this stage, but I shall reply to those points, when we take up the detailed consideration of the Bill and the amendments given notice of by hon. Members. For the present, Sir, I move that the Bill be taken into consideration at once."

MR. SPEAKER :—"The motion is—

'That the Madras City Improvement Trust Bill, 1950, as reported by the Select Committee be taken into consideration at once.'

The motion was carried.

MR. SPEAKER :—"The House will now adjourn to meet again at 11 a.m. on Tuesday, the 5th September 1950."

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APPENDIX I.

[Vide answer to starred question No. 72 asked by Sri A. Vedaratnam Pillai at the meeting of the Legislative Assembly held on 2nd September 1950, page 755 supra.]

The following improvements have been carried out on the various minor ports:—

Serial number and name of port.	Nature of improvement effected.	Expenditure during			Total cost.
		1947-48.	1948-49.	1949-50.	
(1)	(2)	(3)	(4)	(5)	(6)
		RS.	RS.	RS.	RS.
1. Kakinada.	Reconstruction of canal boat wharf.	66,232	1,13,770	240	1,80,242
2. Do.	Reconstruction of dry dock.	12,344	63,023	1,01,438	2,36,805
3. Do.	Providing concrete coping slabs on top of north groynes.	33,851	..	..	33,851
4. Cuddalore.	Construction of a R.C. wharf wall.	16,648	21,132	1,07,045	1,44,825
5. Nagapattinam.	Do.	7,023	3,173	18,700	30,500
6. Tranquebar.	Reconstruction of north boundary pillar.	..	230	..	230
7. Tellicherry.	Construction of roads and drains.	19,642	399	..	20,041
8. Mangalore.	Forming roads on south reclamation area.	8,409	216	..	8,625
9. Do.	Constructing a wharf wall opposite to the railway siding.	91,018	11,358	5,410	1,07,786
10. Malpe.	Construction of a cargo shed at the port of Malpe.	2,100	4,020	..	6,120
11. Tuticorin.	Soling and metalling the stacking area inside the Port Trust premises.	10,823	..	..	10,823
12. Do.	Concrete pavement, re-alignment of electric posts in front of wharves, erection of shed for drinking water for labourers, fixing a fire alarm system at foreshore and reclamation for the extension of coal yard and firewood yard.	..	57,740	..	57,740
13. Do.	Concrete pavement, erection of flagstaff at foreshore, providing fire buckets and fire extinguishers for all sheds at foreshore, renewing roofing of "B" shed with asbestos cement sheets, renewing iron girders, ruder doors, of cargo shed with cut stone slabs, reclamation for the extension of coal yard and firewood yard and reclamation in front of "C" shed.	..	..	69,006	69,006

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APPENDIX II.

[Vide item IV on page 751 supra.]

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY, MADRAS.

The Select Committee appointed to consider the Madras City Improvement Trust Bill, 1950 (L.A. Bill No. 11 of 1950), has the honour to submit the following report.

2. The Select Committee was appointed on the 31st March 1950.

3. The Bill was published in English in the *Port St. George Gazette Extraordinary*, dated the 27th March 1950.

4. The Select Committee met in the Council Hall, Stonehouse Hill, Ootacamund, on the 25th, 26th and 27th May 1950.

5. At the outset the Committee considered the necessity for the creation of a separate body besides the Corporation and the possibility of conflict between the two bodies and decided to proceed with the Bill.

The Committee then considered the Bill clause by clause.

The important changes made by the Committee in the Bill are:—

(1) The special representation given to the Chambers of Commerce was considered unnecessary and the Government were given powers to nominate three persons to the Board instead of one as proposed in the Bill.

(2) In regard to 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. 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.

(3) 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 of at six per cent as provided in the Bill.

(4) The sub-clause providing for arrest of offenders on the written application of the Chairman has been omitted as unnecessary.

(5) The Committee thought it necessary to insert a clause providing for surcharge and appeal thereon.

(6) It was also decided that the copies of the Administration Report of the Trust should be placed on the Table of both Houses of the Legislature soon after its publication.

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(7) In case of deferred street schemes, the Committee found it necessary to fix a time limit and consequently introduced a proviso in clause 40 which refers to deferred street schemes that the time limit should not exceed twenty years, including the extensions given by the Government, from the date of the sanction of the scheme by the Government.

The other changes made in the Bill are all shown in the copy annexed, and it was considered unnecessary to refer to them in detail.

6. The Committee decided that it was not necessary to republish the Bill in view of the minor character of the changes made in the Bill.

7. A copy of the Bill as amended by the Committee is annexed.

STONEHOUSE HILL, OOTACAMUND,
27th May 1950.

T. S. S. RAJAN,
Chairman.

Annexure.

[Note.—The changes made by the Select Committee are shown in clarendon type and the portions omitted are shown by dots.]

L.A. BILL No. 11 OF 1950.

(As amended by the Select Committee.)

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 herein-after 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

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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 . . . ; IV of 1919.

(5) 'Government' means the State Government . . . ;

(6) 'land' has the same meaning as in clause (a) of Central Act section 3 of the Land Acquisition Act, 1894; 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.

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 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.

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*.

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 (f) 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.

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.

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11. (1) (a) When the Chairman is granted leave of absence Appointment, etc., of or when the post of Chairman falls Acting Chairman. vacant either by the resignation or death of the Chairman or otherwise, the Government may appoint a person to act as 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 Leave of absence to Chairman or an *ex-officio* Trustee, to other Trustees. 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.

13. (1) If at any time it appears to the Government that the Removal of Chairman Chairman has shown himself to be and other Trustees. 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.

(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

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(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 Filling of casual vacancies in certain cases. 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.

15.

(1) Subject to the provisions of sections 11 and 13, Term of office of Chairman and other Trustees. the term of office of Trustees including the Chairman but not including the *ex-officio* Trustees shall be as follows:—

(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.

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(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.

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.

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.

Power of Board to co-opt members for particular purposes.

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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:—

Constitution and functions of Committees.

(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.

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.

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.

Trustees (other than Chairman), and associated members of Board or Committee not to receive any fee for attendance at meetings.

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(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.

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.

Power to make and perform contracts.

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;

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(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.

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.

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.

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(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.

26. The Chairman shall take sufficient security for the due performance of every contract involving an expenditure exceeding **three thousand rupees**.

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.

28. (1) The Board shall from time to time prepare, and shall maintain, a statement showing—

Statement of strength and remuneration of staff.

(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,

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(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.

29. The Board shall with the previous sanction of the Government make rules—

Service 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.

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

Appointing authorities.

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,

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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.

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.

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 :

Delegation of certain of Chairman's functions.
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 ;

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(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.

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.

34. An improvement scheme may provide for all or any of the following matters, namely :—
Matters to be provided for by improvement scheme.

(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 ;

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- (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.
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—
- Types of improvement schemes.
- (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.

36. Whenever it appears to the Board—

- General improvement scheme.
- (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

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(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.

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.

38. The Board may frame schemes (herein called re-housing schemes) for the construction, main-

Re-housing scheme. tenance 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

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(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.

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:

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Provided that such time-limit including the extensions granted by the 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.

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.

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."

43. (1) Whenever the Board is of opinion that it is expedient and for the public advantage to control expansion 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.

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.

(3) If the Corporation decides not to make an official representation on any application made to it under clause (b)

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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.

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).

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.

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47. (1) When any improvement scheme has been framed, the Board shall prepare a notice stating that fact and specify—
 Preparation, publication and transmission of notice as to improvement schemes, and supply of documents to applicants.
 (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.

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.

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—
 Notice of proposed acquisition of land.

(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.

50. The Commissioner of the Corporation or the executive

Furnishing of copies or extracts from the assessment book of the Corporation.

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.

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.

Abandonment of improvement scheme, or application to Government to sanction it.

(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.

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.

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.

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 it:

Alteration of improvement scheme after sanction.

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,

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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.

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.

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, sewerage and draining of the street, and the provision therein of lighting, water and other sanitary conveniences ordinarily provided in a municipality.

57. (1) Whenever any building, or any street, square, or other land, or any part thereof, which—

Transfer to Board for purposes of improvement scheme of building or land vested in the Corporation or in a municipality or local board.

(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

Act Madras District Municipalities Act, 1920, in which this section is for the time being in force, and is vested in that municipality, or

(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.

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

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until it reverts 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 revert 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.

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

Transfer of private street or square to Board for purpose of improvement scheme.

constituted under the Madras District Municipalities 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—

(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 compensate any such owner or resident for such damage or inconvenience, shall also pay him reasonable compensation in money.

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.

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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61. Whenever the Board allows any street vested in it to be used for public traffic, it shall—

Repair and watering of streets vested in Board. (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.

62. Whenever any drain in, or the pavement or surface of,

Guarding and lighting when street vested in Board is opened or broken up, or when street is under construction and speedy completion of work.

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.

63. (1) When any work referred to in section 62 is being

Prevention or restriction of traffic in street vested in Board, during progress of work. 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.

64. (1) When any work is being executed by the Board

Provision of facilities, and payment of compensation, when work is executed by Board in public street vested in it. 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.

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(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 required.

66. (1) If any question or dispute arises—

Reference of disputes to Tribunal.

(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

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(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 Central Act I of 1894, were applicable to the case.

67. (1) Whenever the Corporation is satisfied—

Vesting in Corporation of streets laid out or altered, and open space provided, by the Board under an improvement scheme.

(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 52, 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

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(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.

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.

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.

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.

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.

Central Act I of 1894.

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72. The Government may, if they think fit, constitute a Tribunal to be constituted. 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.

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

Central Act I of 1894.

(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.

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*.

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.

76. (1) The President of the Tribunal shall, from time to time, prepare a statement showing—
Officers and servants of Tribunal. (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.

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.

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*.

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.

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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.

(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.

(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.

(2) If any such arbitrator dies, resigns, is removed, or refuses to perform or in the opinion of the Government

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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.

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:

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.

(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:

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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.

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.

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

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land, in the manner provided by the Madras City Municipal Madras Act, 1919, for the recovery of taxes and, if the said IV of 1919. 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.

88. The Board may direct by what authority any powers or duties incident under the Madras City Municipal Act, 1919, to the Madras Act IV of 1919. Board to appoint persons for enforcement of processes for recovery of dues. enforcement of any process for the recovery of taxes shall be exercised and performed when that process is employed under section 87.

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.

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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(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.

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.

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.

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

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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.

104. The two trustees referred to in sub-section (1) of section 103 in whose names any sinking fund is invested may be 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.

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*.

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.

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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.

(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.

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—

(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.

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.

(2) The provisions of sub-sections (3) and (4) of section 107 and of sections 108 to 110 shall apply to every supplementary estimate.

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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.

(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."

114. (1) Surplus moneys at the credit of the said account may from time to time be—

(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.

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(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.

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.

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.

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.

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.

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Credits to capital 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.

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.

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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.

123. (1) The moneys credited to the revenue account shall Application of revenue be held by the Board in trust, and account. 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;
- (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) or 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.

Madras Act
7 of 1919.

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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.

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.

Advances from revenue account to capital account.

(2) Every such advance shall be refunded to the revenue account as soon as may be practicable.

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.

Advances from capital account to revenue account.

(2) Every such advance shall be refunded to the capital account in the following financial year.

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.

Submission of abstracts of accounts to Government.

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.

Annual audit of accounts.

129. The said auditor may—

(a) by summons in writing require Powers of auditors. 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.

130. The Board shall pay to the said auditor such remuneration as the Government may direct.

Remuneration of auditor.

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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 person, 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

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Small Cause Courts Act, 1882, to set aside 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, with 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.

(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 case.

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.

133. It shall be the duty of the Board forthwith to remedy any defects or irregularities that may be pointed out by the 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.

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;

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(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—

(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.

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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*.

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.

(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.

CHAPTER VII.

SUPPLEMENTAL PROVISIONS.

140. Every Trustee, every officer and servant of the Board, Trustees, etc., deemed 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. 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.

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. 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 to such area.

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(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 to the council or a standing committee thereof shall be construed as references to the Board, all references to the Commissioner as references 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*.

(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—

(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

Board and Chairman
to exercise powers and
functions under the
Madras Town-Planning
Act, 1920.

Madras Act
VII of 1920.

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(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—

(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

(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,—

(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.

Powers of the Board
for facilitating move-
ment of the population.

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Central Act
XIII of 1885
Central Act
IX of 1890.
Central Act
IX of 1910.
Central Act
LIV of 1948.

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.

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.

150. The Chairman may, subject to the control of the Board,—

Powers of Chairman as to institution, composition, etc., of legal proceedings and obtaining legal advice.

(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.

151. No suit shall be maintainable against the Board, or Indemnity to Board, 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.

152. No suit shall be instituted 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 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

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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.

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.

154. (1) Any police-officer may arrest any person who commits, in his view, 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.

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.

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156. (1) No act done or proceeding taken under this Act shall be questioned on the ground merely of—

(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.

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.

(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—

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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

Newspapers in which advertisements or notices are to be published.

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.

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.

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—

(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—

Power to make surveys, or contribute towards their cost.

(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

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(b) contribute towards the cost of any such survey made by any other local authority.

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.

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

Punishment for acquiring share or interest in contract, etc., with the Board.

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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.

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of
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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.

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.

168. If any person fails to comply with any requisition made under section 129, he shall be

Penalty for failure to comply with requisition made by auditor. 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.

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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—

(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.

(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

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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.

(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, Madras Act XVI of 1945, is hereby repealed.

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.

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(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 said Act, except where a notification under sub-section (1) of section 4 of the 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.

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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 acquisitions."

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 :—

(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.

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(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.

(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.

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, the 5th September 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

* 83 Q.—

MR. SPEAKER:—"The hon. Member who put the question^a is not in his place. It will be taken up at the end."

Laying of the ghat road to Srisailam Mount.

* 84 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Public Works be pleased to state,—

(a) whether the Government have decided to lay the ghat roads to Attapadi valley and the Srisailam Mount; and

(b) if so, when the works will be taken up?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) The proposals are under consideration.

" (b) They will be taken up after they are approved by the Government of India and the requisite funds are allotted by them.

SRI V. RAGHAVAYYA:—"Do the Government realize that the Attapadi valley is a very useful place where coffee and tea plantations are grown largely and that this road, would certainly pave the way for the encouragement of further coffee and tea plantations in the valley?"

THE HON. SRI M. BHAKTAVATSALAM:—"It is because, Sir, the Government have realized the importance of this road, that they are considering its formation."

SRI V. RAGHAVAYYA:—"Are the Government aware that the Srisailam road leads to the Chenchu area where a large number of aboriginals have been living for a very long time, and if so, may I know, why the Government have not taken steps to investigate the project all these years?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Government are also aware of the importance of that road and that is why investigation is being done, Sir."

* Q.—MR. SPEAKER:—"Question No. 85^b may be taken up later, as the Hon. Minister for Education is not here at present."

^a Please see page 21 infra.

^b Question was not pressed. See page 20 infra.

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Exemption given to shops manned by owners under Shop Assistant's Act.

* 86 Q.—JANAB MOHAMED ABDUL SALAM: Will the Hon. the Minister for Land Revenue be pleased to state whether it is a fact that the Government have exempted from the Shop Assistant's Act all shops which are manned only by owners?

THE HON. SRI H. SITARAMA REDDI:—“The Government have exempted from the provisions of sections 7 and 47 only of the Act, all shops in which the owner alone or the owner and undivided members of his family do all the business and no other persons are employed.”

JANAB MOHAMED ABDUL SALAM:—“May I know, Sir, whether the Government have fully considered the repercussions of such exemptions in respect of shops where only one or two clerks are appointed, because if such exemptions are given, the owners of these shops would take advantage of them and dispense with the services of the clerks?”

THE HON. SRI H. SITARAMA REDDI:—“The whole object with which that Act has been passed is to see that the shop assistants are given as much help and relief as possible as any other employees, in the matter of rest, holidays, pay, etc., and as long as those objects are achieved, there could be no objection to the employers working according to its provisions, Sir.”

JANAB MOHAMED ABDUL SALAM:—“My point is this Sir. If exemptions are given in respect of shops manned only by the owners, then the shop-keepers will take advantage of these exemptions and dispense with the services of even one or two clerks under their employ. Such being the case, do the Government realize the repercussions of such exemptions?”

THE HON. SRI H. SITARAMA REDDI:—“There are provisions in the Shop Assistant's Act itself against such a procedure, Sir.”

SRI V. RAGHAVAYYA:—“Are the Government aware of the impression that exemptions under this Act are gradually getting larger in number than the provisions of the Act itself?”

THE HON. SRI H. SITARAMA REDDI:—“There are certain wrong impressions formed by some people and we cannot help them, Sir.”

Transfer of Municipal Commissioner of Vijayavada.

* 87 Q.—SRI A. KALESWARA RAO: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Municipal Council of Vijayavada has passed a resolution of no-confidence against the Municipal Commissioner and requested the Government to transfer him;

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(b) whether it is a fact that the Commissioner has applied for leave; and

(c) whether the Government propose to transfer him?

THE HON. SRI K. CHANDRAMOULI:—“(a) The council did not pass a no-confidence motion against the Commissioner, but resolved to request for the transfer of the Commissioner.

“(b) Yes.

“(c) Janab M. A. Rahman has been posted as the Commissioner of the Vijayavada Municipality in the place of Sri S. Krishnaiah Chetty, the present Commissioner, who has been granted leave.”

SRI A. KALESWARA RAO:—“May I know, Sir, whether this gentleman Mr. Krishnaiah Chetty is posted to some other place on the expiry of his leave, or is he coming back to Vijayavada?”

THE HON. SRI K. CHANDRAMOULI:—“It is not yet settled, Sir, but I can inform the hon. Member that when the council has requested the Government that he should be transferred to some other municipality, of course, he will be posted to some other municipality and not posted back to the Vijayavada Municipality again, Sir.”

JANAB MOHAMED ABDUL SALAM:—“May I know, Sir, what is the attitude of the Government in the matter of transfer of commissioners, whether they act according to the wishes of the municipal councils or whether the Act has laid down any provisions, with regard to the transfer of these municipal commissioners?”

THE HON. SRI K. CHANDRAMOULI:—“According to our administrative convenience, Sir.”

SRI S. NAGAPPA:—“May I know the reasons for which the council passed this resolutions, Sir? Was there any trouble between the municipal commissioner and the municipal council, Vijayavada, and, if so, what was the nature of the trouble?”

THE HON. SRI K. CHANDRAMOULI:—“The council said that the commissioner was not co-operating with the chairman and other members, while there were complaints against the council and the chairman also. The Government thought that, under such circumstances, it would be better to transfer the commissioner to some other municipality.”

SRI P. NATESAN:—“If the commissioner is found unsatisfactory by one council, what is the idea in sending him on to another council?”

THE HON. SRI K. CHANDRAMOULI:—“The idea is that he would work to the satisfaction of a new set of people in the other council.”

SRI V. RAGHAVAYYA:—“Do not the Government concede it as a salutary principle that where the commissioner and the

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council begin to quarrel with each other, that it is better to shift the commissioner to another council where there is a favourable atmosphere?"

THE HON. SRI K. CHANDRAMOULI:—"That is exactly, Sir, what we are doing in this case. If the council is not in favour of a certain commissioner, we will put him in some other place where there is a suitable atmosphere for him."

Intensive khadi scheme in the firkas.

* 88 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Rural Development be pleased to state—

(a) the number of firkas in which intensive khadi scheme is carried on by the Government and where they are situated;

(b) whether the Government have got any proposal to extend the scheme to other firkas;

(c) whether the khadi produced in those areas is consumed within those firkas and if not, how the surplus is being utilized;

(d) whether the All-India Spinners' Association is assisting the Government's scheme in these areas and if not, what the reason is;

(e) whether mill cloth and foreign cloth are permitted to be sold within the firkas;

(f) whether there is any proposal to ban foreign and mill cloth within the intensive khadi firkas;

(g) whether the Government consider that by allowing mill and foreign cloth to compete with khadi, the cottage industry, will be hampered; and

(h) if so, what remedy the Government propose to introduce in those areas to protect khadi?

THE HON. SRI B. PARAMESWARAN:—" (a) The intensive khadi scheme is carried on in the following seven centres:—

1 Avaniashi, Coimbatore district.

2 Vellakoil, Coimbatore and Tiruchirappalli districts.

3 Chinnasalem, South Arcot and Salem districts.

4 Payyanur, North Malabar and South Kanara districts.

5 Gurusvaredipalem, Guntur district.

6 Kotauratla, Visakhapatnam district and East Godavari district.

7 Yerragondapalem, Kurnool district.

" (b) No.

" (c) A good portion of the khadi produced in the centres is consumed within those areas. The surplus is being supplied to the Government departments, who are required to buy their requirements of cloth only in khadi. Such of the local odies as also required khadi are being supplied from the surplus.

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" (d) The centres were till very recently being run with the active assistance of All-India Spinners' Association. The Government did not accept the recommendation of the All-India Spinners' Association that the entry of mill-cloth and handloom cloth in the centres should be banned. The All-India Spinners' Association therefore expressed its inability to co-operate with the Government in the working of the scheme and have withdrawn the staff lent by them. Necessary staff has been appointed in the place of those withdrawn by the All-India Spinners' Association.

" (e) Yes.

" (f) No.

" (g) & (h) The Government consider that encouragement to the cottage industry should be given in other ways than by banning mill-cloth and compelling consumers to wear only khadi. Such encouragement is now being given by way of a subsidy of about 4 annas per yard of khadi which a spinner takes for the use of himself and his family."

SRI A. VEDARATNAM PILLAI:—" May I know, Sir, what is the difficulty in having the co-operation of the All-India Spinners' Association for the intensive khadi scheme in these firkas?"

THE HON. SRI B. PARAMESWARAN:—" There is no difficulty on our part, Sir. The difficulty was on the part of the All-India Spinners' Association, who were not able to co-operate with us for the reasons I have just explained in my answer."

SRI V. M. RAMASWAMI MUDALIAR:—" May I ask, Sir, whether the Hon. Minister can give us an idea of the amount of khadi produced at these centres and how much has been marketed and whether there is any surplus lying over?"

THE HON. SRI B. PARAMESWARAN:—" A separate question may be put, Sir."

SRI D. V. RAMASWAMI:—" Arising out of the answer to clause (d), may I ask the Hon. Minister whether the persons who had been working under the All-India Spinners' Association and who were lent to the Government, will get salaries provided by the Government and not what they drew from the All-India Spinners' Association before?"

THE HON. SRI B. PARAMESWARAN:—" That point is being examined, Sir."

SRI V. I. MUNISWAMI PILLAI:—" With reference to answer to clause (a), may I know when would the intensive khadi scheme be introduced in firkas other than those mentioned by the Hon. Minister?"

THE HON. SRI B. PARAMESWARAN:—" There is no proposal at present, Sir, to extend the intensive khadi scheme to other firkas."

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SRI A. KALESWARA RAO:—“ May I know whether in these firkas, khadi is produced in large quantities and whether khadi is supported by the people in the locality, although its competition with mill-cloth and handloom cloth is not eschewed in those areas? ”

THE HON. SRI B. PARAMESWARAN:—“ The Government are trying their level best to enforce the self-sufficiency scheme in those areas, Sir.”

JANAB ABDUL HAMEED KHAN:—“ May I know, Sir, what percentage of khadi produced in each firka is being used by the people of the firka and how much of it is exported outside the firka, and may I also know, what is the percentage of mill-cloth that is used in the firkas, where the intensive khadi scheme is being worked? ”

THE HON. SRI B. PARAMESWARAN:—“ Notice, Sir.”

JANAB M. W. HYDROSS:—“ May I know, Sir, whether it is not a waste of public money to spend so much amount for the production of khadi nowadays? ”

THE HON. SRI B. PARAMESWARAN:—“ The Government do not consider it a waste of public money, Sir.”

SRI L. N. GOPALASWAMI:—“ May I know, Sir, what useful purpose does the intensive khadi scheme of the Government serve, when it is fundamentally opposed to the basic principle of the All-India Spinners' Association? ”

THE HON. SRI B. PARAMESWARAN:—“ The Government are not working against the basic principle of the All-India Spinners' Association, Sir. On the other hand, the All-India Spinners' Association are adopting a policy in which we are not able to co-operate with them, because they do not want our co-operation so far as the self-sufficient centres are concerned, and that is why they have withdrawn from those centres. That does not mean that the All-India Spinners' Association is hostile to us. At the same time, we do not want to give up our policy, because there are certain difficulties in the way of banning mill-cloth in these centres, although the Spinners' Association wanted us to do so.”

SRI K. LINGA BAJU:—“ May I know, Sir, whether the Government have issued any instructions to local bodies making the purchase of khadi optional? ”

THE HON. SRI B. PARAMESWARAN:—“ No, Sir.”

BEGUM SULTAN MIR AMIRUDDIN:—“ Is it not a fact, Sir, that people are not inclined to purchase khadi nowadays, and that large stocks are lying unsold? ”

THE HON. SRI B. PARAMESWARAN:—“ It is not a fact, Sir, that large stocks are lying unsold. On the other hand they are being sold, and within another six months, we will not have any stocks, Sir.”

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JANAB N. MUHAMMAD ANWAR:—“ Will the Hon. Minister, by a subsidy scheme, make khadi cheaper than mill-cloth, as that will be the best of arguments, so much so, that he can expect even myself, to be wearing khadi? ”

THE HON. SRI B. PARAMESWARAN:—“ Even without a subsidy we are trying to make it cheaper, Sir, and I would only suggest to the hon. Member to wear khadi even now.”

JANAB H. S. HUSSAIN:—“ Are the Government satisfied that the people in the firkas where intensive khadi production is in force, have become sufficiently khadi-minded and if so, what is the percentage of the people who have already begun to wear khadi? ”

THE HON. SRI B. PARAMESWARAN:—“ A separate question may be put, Sir.”

SRI M. P. GOVINDA MENON:—“ In view of the fact that the very basis of the intensive scheme is to make khadi popular and universal in the particular firkas concerned, may I know, Sir, why the Government hesitate to take the very essential step of banning other kinds of cloth from that area instead of paying lip service to khadi? ” 11-15 a.m.

THE HON. SRI B. PARAMESWARAN:—“ Apart from other considerations, there are constitutional difficulties.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ May I ask, Sir, why the Government closed down the khadi depot which was stationed inside the Fort area where khadi could be had easily by those who wanted it particularly the legislators? ”

THE HON. SRI B. PARAMESWARAN:—“ They wanted to open it in another place.”

SRI A. VEDARATNAM PILLAI:—“ May I know what are the terms required by the All-India Spinners' Association to be introduced? ”

THE HON. SRI B. PARAMESWARAN:—“ The All-India Spinners' Association expressed its inability to co-operate with the Government in the work of this scheme, because the Government did not accept the recommendation of the Association that the entry of mill-cloth and handloom cloth into the centre should be banned.”

SRI N. S. VARADACHARI:—“ Is it not a fact that the object of the scheme is, given sufficient number of spinners and sufficient number of weavers who can produce this cloth, all the cloth so produced from local raw material should be entirely used in that area? ”

THE HON. SRI B. PARAMESWARAN:—“ Yes, Sir.”

SRI D. V. RAMASWAMI:—“ Is it not a fact that in Koturatl centre, there is dearth of cotton, and that it was brought

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to the notice of the Government that several spinners were out of work for want of sufficient cotton, and that the cloth manufactured here was easily being sold out?"

THE HON. SRI B. PARAMESWARAN:—"Steps are being taken to supply cotton there."

SRI M. S. PATTABHIRAMIAH:—"Is it not a fact that the Government are unable to supply mill yarn to the handloom weavers in most of the districts in Tamilnad, and will not the Government consider the desirability of extending handspinning and supply such hand-spun yarn to those weavers who are out of work now?"

THE HON. SRI B. PARAMESWARAN:—"We are on khadi question, Sir."

SRI A. KALESWARA RAO:—"May I know whether it is a fact or not that people are losing enthusiasm for wearing khadi on account of the step-motherly affection or treatment given by the Congress Government of this State to khadi production and to the self-sufficiency scheme?"

THE HON. SRI B. PARAMESWARAN:—"It is only motherly treatment that is being given and not step-motherly treatment. No State Government has devoted so much attention to khadi as this Government. This Government have not only entrusted this subject to a separate Minister, but nearly a crore of rupees is being set apart for this purpose."

SRI B. S. MURTHI:—"May I know, Sir, whether the scheme is a success and, if it is a success, according to the tenets of the Government, why all these firkas are presenting a dismal appearance in khadi production, Sir?"

THE HON. SRI B. PARAMESWARAN:—"The firkas are presenting a hopeful appearance and not dismal appearance."

SRI P. NATESAN:—"May I know the definition of intensive khadi centre, Sir?"

THE HON. SRI B. PARAMESWARAN:—"It is difficult for the hon. Member to be convinced unless he takes the trouble of visiting a centre like that."

SRI T. VISWANATHAM:—"Sir, there has been reference to some non-co-operation between the All-India Spinners' Association and the Government. May I know what it is about, and what are the points on which there is difference of opinion?"

THE HON. SRI B. PARAMESWARAN:—"I have already answered this question several times on the floor of this House, and even to-day I have answered it twice."

SRI V. I. MUNISWAMI PILLAY:—"Arising out of the answer of the Hon. Minister, may I know, Sir, what is the difficulty in extending this khadi scheme to other firkas? Is it the finance or the apathy of the people in the firkas?"

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THE HON. SRI B. PARAMESWARAN:—"In other firka development areas also the extensive khadi scheme is there."

SRI L. N. GOPALASWAMI:—"Sir, if self-sufficiency scheme is the aim of the Government, as was said by the Hon. Minister in answer to the hon. Member, Mr. Varadachari, what objection is there to their going the whole hog in seeking the co-operation of the All-India Spinners' Association by banning mill and foreign cloth from that area so that the scheme of self-sufficiency may be a success?"

THE HON. SRI B. PARAMESWARAN:—"The All-India Spinners' Association themselves were not particular of enforcing this ban on the entry of mill cloth into the intensive areas. The Secretary himself has written that unless people want it, this mill cloth need not be banned."

SRI A. KALESWARA RAO:—"Sir, so long as the Government do not follow strictly the principles of the All-India Spinners' Association, can it be said that this Government are giving motherly treatment to the khadi scheme?"

THE HON. SRI B. PARAMESWARAN:—"We are really having the assistance and co-operation of the All-India Spinners' Association, but they themselves do not agree with us because we did not comply with their request. Their request at the very outset was that there should be a ban on mill cloth in the intensive areas. They themselves agreed that we need not enforce this rule, and we need not be very strict, unless the people in the area requested us to do so. Therefore, we could not compel but only persuade them."

Supply of foodgrains to rural ration shops in Coimbatore district.

* 89 Q.—SRI R. KUPPUSWAMI:—"Will the Hon. the Minister for Food be pleased to state—

(a) whether the rural ration shops in Coimbatore district have been adequately supplied with foodgrains during the month of April 1950;

(b) if not, why not;

(c) the quantity of rice that has been allotted to the Tamil Valarchi Conference which was held on 20th and 21st May 1950 at Coimbatore and the number of delegates that were served with food there; and

(d) whether the industrial areas in Coimbatore district have been adequately supplied with foodgrains during the month of May 1950?

THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a) Yes.

" (b) Does not arise.

" (c) No rice was supplied from Government stocks. A quantity of 12 bags of rice was collected by the organisers of the conference from the philanthropic mirasidars of Gobichettipalayam. Two thousand delegates attended the conference.

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"(d) In the first half of May 1950, the industrial areas in Coimbatore district were adequately supplied with foodgrains and in the second half, adequate supplies could not be made owing to low stock position of rice and millets. All possible steps have been and are being taken to supply adequate quantities of foodgrains not only to industrial centres but also to other areas."

SRI R. KUPPUSWAMI:—"May I know, Sir, why the Government adopt different systems in distributing rice between town areas and rural areas?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"There is no different system, Sir, except in areas, which are millet eating areas, where the quantity of rice is reduced."

JANAB N. MUHAMMAD ANWAR:—"In view of the acute food crisis, will the Government, as a matter of policy, discourage, even if possible give up, the holding of such large scale conferences, particularly in the interior of our State, inasmuch as, from past experience, we have seen that under cover of conferences, marriages have taken place, paraphernalias have been displayed, and lakhs of rupees have been wasted?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Sir, conferences are as important in public life as any other meetings, and so they cannot be completely banned."

Tamilnad Bus Operators' Conference.

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

(a) whether the Government have received a copy of the resolution passed by the Tamilnad Bus Operators' Conference which met at Tiruchirappalli in the middle of May 1950;

(b) if so, what the contents of the resolution are and what action the Government have taken on the resolution so far; and

(c) if action has been taken, when and if not, why not?

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

" (b) & (c) A copy of the resolutions is laid on the table of the House. The nature of the action taken already or proposed to be taken and in cases where no action was considered necessary, the reasons, therefore, are indicated briefly against each of the resolutions."

SRI S. NAGAPPA:—"Sir, from the statement placed on the table of the House I see that against resolutions Nos. 7, 8 and 9, it is stated 'The matter is being examined in consultation with the Central Road Traffic Board'. May I know when will the Government be in a position to complete the examination and issue orders or rather to take action on these resolutions?"

* Printed as Appendix I on pages 851-955 infra.

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THE HON. SRI B. GOPALA REDDI:—"As soon as the examination is over, Sir."

JANAB MOHAMED RAFFEUDDIN AHMAD ANSARI:—"Sir, with reference to resolution No. 11 regarding the extension of nationalization to Chingleput, South Arcot and Nellore districts, may I ask the Hon. Minister if he has any further information about the number of buses he proposes to put in the Nellore district and the routes on which he proposes to put them?"

THE HON. SRI B. GOPALA REDDI:—"Since the railways also are going to participate in the corporation—I had a conference with the M. & S.M. and S.I.R. authorities—we have appointed Mr. Mathew to go into the whole question and submit a report to the conference so that the railways may also have a picture of what is going to happen, what their commitments with regard to the participation would be, etc."

SRI S. NAGAPPA:—"Sir, with reference to resolution No. 11, it is stated that it is proposed to extend nationalization of bus service to Chingleput, South Arcot and Nellore districts. May I know when this Government will implement this resolution in respect of the other districts? When are they going to take up the other districts?"

THE HON. SRI B. GOPALA REDDI:—"We are not taking up the districts in one jump. It is a sort of progressive realization of nationalization."

SRI S. NAGAPPA:—"May I ask, Sir, whether there is any five-year or ten-year plan to extend the nationalization to the districts, or, as and when the Government think, they will extend it to one district or more districts? Have they any definite plan or will they extend nationalization in an indefinite manner?"

THE HON. SRI B. GOPALA REDDI:—"The need for gaining experience is paramount and we want to wait till we complete nationalization in these districts."

SRI V. M. RAMASWAMI MUDALIYAR:—"Is it a fact, Sir, that the power to check or to adjust the timings, or to check overloading, etc., has been transferred from the Police department to the Regional Transport Authority, and, as a result of it, there is overloading in buses and similar deterioration in the transport service in the various districts?"

THE HON. SRI B. GOPALA REDDI:—"Till recently the District Superintendent of Police had no control over overloading except to report to the Regional Transport Authority. We have now given powers to the District Superintendent of Police; and if necessary, he may even order suspension not extending over a week."

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Gonamarigedda project.

* 91 Q.—SRI G. LATCHANNA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the investigation of the Gonamarigedda project in Ichchapur taluk, North Visakhapatnam district, is over; and

(b) if so, whether the construction of the project is proposed to be included in the first-year plan of the Grow More Food Scheme?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) & (b) In view of the fact that the area to be benefited by the project, which is all along the coast in Ichchapur taluk, is on a very low level and marshy, and submersion by tidal action is inevitable, it is not proposed to take up the investigation of the Gonamarigedda project.”

SRI G. LATCHANNA:—“May I know, Sir, the extent of the area that can be brought under cultivation under this proposal?”

THE HON. SRI M. BHAKTAVATSALAM:—“The examination so far made reveals that the land is marshy, and that it is not possible to bring it under cultivation.”

SRI B. S. MURTHI:—“May I know, Sir, the total area in this marshy land, and the number of acres that are submerged?”

THE HON. SRI M. BHAKTAVATSALAM:—“Notice, Sir.”

SRI V. RAGHAVAYYA:—“Sir, did the Government try to drain away the marshy area and thus make it fit for cultivation?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Government have not so far been able to say whether this land could be set right.”

SRI B. S. MURTHI:—“May I know, Sir, whether the Government consider this as a fit place for growing jute?”

THE HON. SRI M. BHAKTAVATSALAM:—“That matter will have to be examined by the Agricultural department.”

SRI D. V. RAMASWAMI:—“May I ask, Sir, whether it is not a fact that investigations showed that an area of 2,000 acres would be affected, but about 50 per cent of it (1,000 acres) would be useful for cultivation if the project came into existence?”

THE HON. SRI M. BHAKTAVATSALAM:—“I do not think, Sir, that the position as given by the hon. Member, is correct.”

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List of exemptions given under the Madras Shops and Establishments Act, 1947.

* 92 Q.—JANAB MOHAMED ABDUL SALAM: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the watchmen employed in commercial establishments are totally exempted from the operation of all the provisions of the Madras Shops and Establishments Act, 1947; and

(b) the number of shops that have been exempted by the Government from all the provisions of the above Act, and the reasons therefor?

THE HON. SRI H. SITARAMA REDDI:—“(a) No, Sir. Watchmen have been exempted from the provisions of Chapters II and III of the Madras Shops and Establishments Act and not from all provisions of the Act.

“(b) A list* of the classes of establishments exempted from all the provisions of the Act with the reasons therefor, is placed on the table of the House. The number of shops coming under those categories is not known.”

JANAB MOHAMED ABDUL SALAM:—“The Hon. Minister 11-30 a.m. has placed a list of only the nature of establishments. I wanted the number of shops that have been exempted by the Government.”

THE HON. SRI H. SITARAMA REDDI:—“I have already said that the nature of establishments and the classes of establishments have been tabulated, printed and given in the list placed on the table of the House. There is no public purpose served in trying to know merely the number of shops.”

SRI V. RAGHAVAYYA:—“Is it a fact that the Higginbotham's Book Stalls throughout the State have been exempted from the operation of the Act and that they are trying their level best to by-pass the Act by dismissing the stall-keepers or by asking them not to insist upon their rights?”

THE HON. SRI H. SITARAMA REDDI:—“I could not say what exactly the position is about the Higginbotham's stalls. As I have already indicated in the list, if they come within the purview of our exemptions, they are not liable to any prosecution. But any attempt made to penalize any employee will not be allowed by the Government.”

JANAB M. A. MUHAMMAD IBRAHIM:—“In view of the large number of exemptions granted from the operation of this Act, may I ask whether the Government are considering the repealing of the Act itself?”

THE HON. SRI H. SITARAMA REDDI:—“No.”

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Number of Labour Elementary schools in the West Godavari district.

* 93 Q.—SRI B. S. MURTHI (on behalf of Sri G. Venkanna): Will the Hon. the Minister for Rural Development be pleased to state—

(a) the number of Labour Elementary schools in the West Godavari district;

(b) the number of teachers working in those schools;

(c) the number of Harijan teachers among them; and

(d) whether the Government propose to start new labour schools in the district?

THE HON. SRI B. PARAMESWARAN:—“(a) Forty-three (43) Harijan welfare elementary schools.

“(b) & (c) Seventy-five teachers of whom 44 are Harijans and 30 are Harijan converts, and 1 belongs to other community.

“(d) No new schools will be started during the current year.”

SRI B. S. MURTHI:—“May I know whether the Government have received any application from any of the villages in this district asking for the opening of new Labour schools?”

THE HON. SRI B. PARAMESWARAN:—“One or two applications have come and the Government are considering them.”

SRI L. N. GOPALASWAMI:—“Arising out of the answer given by the Hon. Minister that in all the 43 schools only one non-Harijan teacher has been appointed, may I ask whether it is the policy of this Government to appoint only Harijans for these Harijan schools and when they are going to change to the whole-some principle of appointing caste Hindu teachers to these Harijan schools?”

THE HON. SRI B. PARAMESWARAN:—“The Government have fixed an order of priority in appointing these teachers—first, candidates belonging to the Harijan community; second, candidates belonging to eligible communities other than Harijans, i.e., tribal communities, aboriginal and criminal tribes, and Edukulas; third, candidates belonging to Christian converts from Scheduled Castes; fourth, candidates belonging to backward communities; fifth, candidates belonging to other communities.”

SRI L. N. GOPALASWAMI:—“My question was when they are going to change this principle of thinking that only Harijans, backward community people, hill tribes and aboriginals are the fit persons to handle Harijan children? That is basically wrong. Have they any idea of changing this principle?”

THE HON. SRI B. PARAMESWARAN:—“The object is to see that the Harijan children are educated and ample opportunity is given to the trained Harijan and other backward class teachers to get themselves employed in these

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schools. Certainly when there are vacancies which are not filled by these community people, the teachers from the caste Hindu community will be given a chance. It is not the intention of the Government to segregate this community and keep them separate. But it is the intention of the Government to see that as far as possible a kind of harmony exists between the caste Hindus and the Harijans even in the matter of education. The Government are really interested in the commingling of both the communities into a homogeneous community.”

SRI B. S. MURTHI:—“Have the Government any reason to believe that the staff now employed are not able to cope up with the work?”

THE HON. SRI B. PARAMESWARAN:—“As far as I know the Government are satisfied with their work.”

SRI V. I. MUNISWAMI PILLAY:—“As the representation of Harijans is very low in Government service, specially in the Education department, will the Government give a larger percentage in employing Harijan teachers in Harijan schools?”

THE HON. SRI B. PARAMESWARAN:—“That is what is being done.”

SRI R. RAGHAVA MENON:—“Will the Government be pleased to consider the question of abolishing all Labour schools and giving appointments to Harijan teachers in the caste Hindu schools, as the distinction between Harijans and the other people ought to be abolished?”

THE HON. SRI B. PARAMESWARAN:—“The Government are slowly switching on to that idea. It is very difficult for the Government now all of a sudden to get admission for Harijan children into the caste Hindu schools. It is because they are not able to get themselves admitted into the common schools that separate schools are being started. It is not the intention of the Government to start separate schools in places where there are caste Hindu schools or common schools available.

“So far as the employment of caste Hindu teachers is concerned, the Government have no objection to it. As I said, when admission is not secured for the Harijan children in common schools, it is not possible to consider the question of appointing Harijan teachers to those schools. I am sure that with the change of heart that is being shown by the caste Hindus, slowly the community will merge itself into the caste Hindu community and there will be no reason for the caste Hindu Members of this House to question the mode of appointment of the teachers, within a measurable period of time.”

JANAB MUHAMMAD RAZA KHAN:—“Is it not a fact that the appointment of Harijan teachers to Harijan schools is in

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keeping with the particular policy of the Government of Madras that a Harijan Minister alone should be in charge of the Harijan portfolio and that the Harijan Minister only should have the portfolios of Khadi Scheme and Harijan Uplift?"

THE HON. SRI B. PARAMESWARAN:—"The question must be put to the Hon. the Chief Minister. Apart from that, there is no objection for one who knows where the shoe pinches holding the portfolio."

Sugar position in the State.

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

(a) whether there is any prospect of the sugar position improving in this State in the near future;

(b) if so, when;

(c) when the Government propose to decontrol sugar; and

(d) whether this Government have made any representation to the Central Government to import sugar from foreign countries?

THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a) & (b) There seems to be no prospect of the sugar position improving in this State in the near future.

" (c) The question of decontrol of sugar is one to be decided by the Government of India on an all-India basis.

" (d) It will not be in public interests to answer this question."

BEGUM SULTAN MIR AMIRUDDIN:—"Is it not a fact that it was reported in the papers that this year we would be having a sweeter Deepavali?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Yes, Sir. We are making special provision for Deepavali and Dasara festivals."

BEGUM SULTAN MIR AMIRUDDIN:—"Is the Hon. Minister aware that there are large stocks of sugar available in the State and that large quantities are being sold in the blackmarket?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"We can judge only from the stock which the Government hold at present and from the estimate of requirements till the end of this year, we are afraid that we cannot increase the supplies at present looking into the stock position until we receive further supplies from the Government of India."

JANAB P. P. HASSAN KOYA:—"Is the Hon. Minister aware that the vagaries in the matter of sugar distribution in Malabar are due entirely to the fact that Malabar has to get its entire quota from factories outside this State? Is it possible for the Hon. Minister to consider whether Malabar could take a greater part of its quota from the Nellikuppam factory?"

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THE HON. SRI J. L. P. ROCHE VICTORIA:—"In distributing to the districts the quota which is available with the Government, the special position of Malabar is also taken into consideration and I think they are getting fairly satisfactory quantities. But if anything more is required, usually when the Collector asks for some more supplies to meet some special requirements, the Government always consider such requests."

JANAB M. A. MUHAMMAD IBRAHIM:—"May I know what the real suggestions this Government have made to the Government of India to ease the sugar situation in India are?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"We have no suggestions to make to the Government of India except the fact that we asked for 10,000 tons of sugar while we got only 7,000 tons."

SRI M. P. GOVINDA MENON:—"Is the Hon. Minister aware that even if sugar stocks are available in ration shops, they are not distributed because there are not proper offices to fix prices? Local officers who are given power to fix prices do not act quickly. Even Malabar Onam days were not sweet. Is the Hon. Minister aware of this condition?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Owing to the delay in the fixing of prices, there was some delay. But we have asked the district authorities not to delay the issue of sugar but to distribute it as early as possible and even to get telegraphic instructions from the Government."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask whether for the ensuing Hindu festivals there will be no discrimination made between the towns people and the villagers in the matter of getting sugar and whether it will be distributed on a uniform basis?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Yes, Sir, there is no discrimination made between those who use sugar both in the town and in the rural areas during a general festival in which all are participating."

SRI G. LATCHANNA:—"In view of the fact that there is a large quantity of sugar available in the black-market, will the Government agree that this control system is a failure?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"As I have already said, the question of control and decontrol is a matter for the Government of India to decide."

SRI A. KALESWARA RAO:—"Is it not a fact that by the removal of all control in respect of sugar the people will be more happy and all hidden stocks will come into the market? Therefore, will this Government propose to the Government of India to remove all controls at least with regard to sugar?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is only a matter of opinion whether all the people will be able to

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get sugar when it is decontrolled and whether the people are now happy under the control system or not. As I have already said, this Government are not able to express anything at the present stage when the matter is being considered by the Government of India."

SRI B. S. MURTHI:—"What are the stocks now available and how do the Government propose to meet the demand?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"According to the present supplies, the present system of distribution will continue till the end of this year. The stock is sufficient for that purpose."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"In view of the failure of the distribution system with regard to sugar and in view of the widespread feeling and demand that decontrol of sugar will to a great extent be successful, why should not the Government try decontrol for two months?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I have already answered this question, Sir. We cannot act independently of the Government of India, whatever may be the difficulties we are experiencing at present. We shall only hope that the whole position will improve. As the hon. Members are aware, the sugar position went through very difficult times owing to some difficulties in Northern India. But these matters have not been straightened out yet. Until an investigation is carried out by the Government of India and they come to some conclusion with regard to control, it is not possible for this State to express any opinion on this matter."

RAJA MUTHIAH CHETTIAR OF CHETTINAD:—"Instead of asserting that the Government of India have not moved in the matter, will the Hon. Minister make a representation to the Government of India that it is worth while decontrolling sugar for two months and await their reply?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"That matter will be considered by this Government."

11-45 a.m. JANAB K. M. SEETHI:—"May I know whether the Government are aware of the frequent complaints from the district of Malabar about the inordinate delay in fixing the prices of not only sugar but also other essential foodgrains such as wheat and whether the Government will give instructions to the district authorities that there should be no such delay in the fixation of prices?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"As I have already stated there was some delay, but now I do not think there is much delay in the matter. We have issued further instructions that there should not be any delay on account of fixing of prices hereafter, especially when we are short

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of supplies. So the district authorities have been instructed to expedite the fixing of prices by getting further instructions from us as early as possible."

BEGUM SULTAN MIR AMIRUDDIN:—"Has this Government received no intimation from the Central Government that they are importing sugar from abroad?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"No information, Sir."

SRI T. VISWANATHAM:—"May I know what the views of this Government are regarding the question of import of foreign sugar?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The more we have, the happier we will be."

JANAB MOHAMED ABDUL SALAM:—"May I know what exactly is the present position with regard to the distribution of sugar and whether it differs from district to district and whether they are classified as statutory rationed and non-statutory rationed areas?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The distribution of sugar in the districts is left entirely to the discretion of the Collectors. In some districts they have a particular method of distribution and in some others they have a different method. On the whole, they are asked to distribute whatever stock we have in the best manner possible and to the satisfaction of everybody."

SRI L. N. GOPALASWAMI:—"May I ask, Sir, whether the Government will see to it that in the matter of the celebration of a sweet Deepavali, the extra sugar that is proposed to be distributed is given not only in the towns, but it reaches every nook and corner of our State?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I have already answered that, every part of the State will be treated fairly in this matter."

SRI N. S. VARADACHARI:—"Will the Government recommend to the Government of India the import of sufficient quantity of sugar from abroad proportionate to the requirements of each State and that the same should be sold through the State Government so that the price structure may not be affected as between manufacturers and importers?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is a matter with the Government of India who are handling the whole import question and also the present supplies in the country. It is for them to arrange the matter in such a way that the price position is not disturbed. If, however, the hon. Member has got any concrete suggestions with regard to this matter, of course this Government will take them into consideration."

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JANAB N. MUHAMMAD ANWAR:—"Heavens are not going to fall if this sweet luxury is not available. Therefore, will the Government take up a neutral attitude—control or no control of sugar—with the Central Government?" (Laughter.)

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Probably, we may not get any sugar at all if we were neutral in the matter?" (Laughter.)

SRI T. VISWANATHAM:—"In view of the decrease in production will the Government be prepared to take over the sugar mills which are closed during the season and manufacture sugar themselves?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is not an easy matter for the Government to take over the concerns, especially when the private institutions have themselves found it difficult to run the factory and have closed the business. So, it is not easy for the Government to take over the management of such mills all on a sudden and run them on the same lines or in a better way. But, still whenever there is such a closure of mill and whenever the position is affected, the matter is immediately looked into and if there is any possibility of reviving the factory, steps are being taken also to see to it."

JANAB M. MUHAMMAD ISMAIL:—"Arising out of the statement made by the Hon. Minister to the effect that if we were neutral in the matter of sugar, we may not get anything at all from the Government of India, may I ask the Government to take up a reasonably strong attitude with the Government of India with regard to our requirements in future not only with regard to sugar, but also other essential articles?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Yes, Sir, that advice is being observed and this Government continuously keeps that view in mind whenever we approach the Government of India for further adequate supplies."

SRI S. NAGAPPA:—"May I know whether it is a fact that millet eaters in statutory rationed areas are not supplied sugar and only rice-eaters are supplied with sugar?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"There is no such distinction with regard to the supply of sugar. All ration-card holders in some areas are getting sugar according to their requirements. As I said, in the districts, they may be making some distinction between consumers of sugar on their side and those of another side. But as far as I know, there is no distinction made between millet-eaters and rice-eaters."

* 85 Q.—

MR. SPEAKER:—"I now take up question No. 85."

JANAB MOHAMED ABDUL SALAM:—"I do not press the question, Sir."

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THE HON. SRI K. MADHAVA MENON:—"I am sorry I was not present when the question was called up."

MR. SPEAKER:—"The hon. Member is not pressing his question. With regard to question No. 83, hon. Member Sri Kanniappan told me that he had to come late as he had been held up elsewhere unavoidably and requested that his question might be taken up. So I take up question No. 83."

Revision of the salary of the attenders.

* 83 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the salary of attenders is revised with an increase of 26½ per cent, although 50 per cent of increase is given effect to in respect of peons and clerical cadres; and

(b) if so, the reasons for this differential treatment?

THE HON. SRI B. GOPALA REDDI:—" (a) The revised scales of pay sanctioned for various classes of posts in 1947 were not fixed by applying a percentage increase over the old scales. The duties and responsibilities attached to each class of posts, the qualifications prescribed for them, the age and method of recruitment to the posts, and prospect of promotion were the main factors taken into consideration in revising the scales of pay of different classes of posts.

" (b) Does not arise."

SRI M. KANNIAPPAN:—"கனம் தலைவர் அவர்களே! இது தொழிலாளர் பற்றிய முக்கியமான கேள்வியாக இருப்பதால் தயவு செய்து தமிழில் சொன்னால்தான் நான் நன்றாகப் புரிந்து கொள்ளமுடியும். அதற்குத் தகுந்தாற்போல் உபகேள்வி கேட்க பதிலை தமிழில் சொல்லுமாறு கேட்டுக்கொள்கிறேன்."

THE HON. SRI M. BHAKTAVATSALAM:—" (a) 1947-ல் அனேக பிரிவுகளுக்கு 'சரிங்ஷன்' செய்யப்பட்ட நிலைவரல் ஸ்கேல்கள், பழைய ஸ்கேல்களின் மேல் நூற்றுக்கு இத்தனை சதவிகிதமென்று நிர்ணயிக்கப்பட்டிருக்கின்றன. பல போஸ்டுகளுக்கு புதிய ஸ்கேல்கள் நிர்ணயிப்பதில் ஒவ்வொரு வகையிலுமுள்ள போஸ்டுகளுக்கு ஏற்பட்ட பொறுப்புகள், பொருத்தமான சங்கங்கள், வயது, நியமிக்கும்வகை, பிரமோஷன் கிடைக்கக்கூடிய சந்தர்ப்பங்கள் இவைகளையெல்லாம் வைத்துக்கொண்டுதான் புதிய ஸ்கேல்கள் நிர்ணயிக்கப்பட்டன."

" (b) எழவில்லை."

SRI M. KANNIAPPAN:—"தலைவர் அவர்களே! புதிய ஸ்கேல்களைப் பற்றி தெரிவித்தார்கள். அந்த ஸ்கேல்களின் பிரகாரம் சரியான முறையில் அவர்களுக்கு வருஷந்தோறும் 'இன்கிரிமெண்டு'கள் வரவில்லையென்று தெரிகிறது. அந்த முறையை உடனடியாகச் சரிப்படுத்த முடியுமா வென்று கேட்கிறேன்?"

THE HON. SRI B. GOPALA REDDI:—"Once we begin trying to revise the scales of pay fixed in 1947, there would be no end of trouble, because all categories of Government servants will ask for such revisions."

SRI B. S. MURTHI:—"May I know whether it is a fact that this revision will adversely affect a great number of people?"

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THE HON. SRI B. GOPALA REDDI:—"No, Sir, I do not think that it will affect a great number of people. It only affects the attenders."

SRI M. KANNIAPPAN:—"தலைவர் அவர்களே! கீழ்தர சிப்பந்திகள் பொறுப்பான வேலைகளுக்குப் போவதற்கு லாயக்குள்ளவர்களாக இருந்தாலும் அரசாங்கம் அவர்களை கவனிக்காமல் இருப்பதாகத் தெரிகிறது. அப்படி பொறுப்பு வாய்ந்தவர்களை மேல்பதவிக்கு அனுப்ப முடியுமா வென்று கேட்கிறேன்?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir, we shall certainly consider."

SRI G. RAJAMANNAR CHETTI:—"If not for all cadres, at least for the lower grade staff such as peons, attenders, etc., will the Government consider the possibility of raising the minimum salary to Rs. 30 as has been done by the Government of India as per the Pay Commission's recommendation?"

THE HON. SRI B. GOPALA REDDI:—"I have often said that the Pay Commission's recommendations have nothing to do with our Government servants here and that they pertain to the Government of India servants. Regarding the question of giving Rs. 30, it can be considered only when we have resources as much as the Government of India."

SRI N. S. VARADACHARI:—"While the Government have given an assurance that promotions to higher cadres of service will be considered provided the attenders are duly qualified, may I know whether the Government would also consider the suggestion that one of the many considerations to be taken into account in fixing the salaries and scales of pay of people should be a rock bottom minimum wage?"

THE HON. SRI B. GOPALA REDDI:—"The fixing of a minimum wage will mean quite a big cost to the Government and I do not think we can afford to do that just now."

SRI B. S. MURTHI:—"May I know whether the Government are satisfied that the revision has given full scope to the minimum wage standard fixed by the International Labour Organization?"

THE HON. SRI B. GOPALA REDDI:—"I do not know anything about the International Labour Organization."

SRI L. N. GOPALASWAMI:—"Arising out of the answer of the Hon. Minister, may I ask, if the Government are satisfied that the grievance of the attenders that they are being paid very low is right, why should they just say that any revision of their pay will be followed by some other persons and that is why they are not considering the question of fixing the minimum?"

THE HON. SRI B. GOPALA REDDI:—"I am just considering what the cumulative effect of all these representations would be and whether we would be in a position to pay them."

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JANAB M. MUHAMMAD ISMAIL:—"With regard to the statement made by the Hon. Finance Minister that this question will be considered only when the State Government get as much resources as the Government of India, may I ask whether such a statement is fair and whether the State Government expect at any time in future to get as much revenue as the Central Government get? Then again, with regard to the stringency of finance, the Central Government are also afflicted with the same malady as the State Government and while they are giving a particular scale of pay to their servants who are doing more or less the same work as the people in this State, is it not desirable on the part of the State Government not to make any distinction between State servants and Central Government servants who are supposed to be doing the same amount and quality of work?"

THE HON. SRI B. GOPALA REDDI:—"I do appreciate the eagerness of the hon. Leader of the Opposition. But, the question of capacity to pay also must be considered. Despite their troubles and difficulties, the Government of India have ample resources and so they can pay Rs. 30 as the minimum. But, I think this Government has not got such ample resources. Of course for revising the pay of attenders we need not have 300 crores, but we must have ample resources."

JANAB ABDUL HAMEED KHAN:—"In view of the universal demand from labour all over the State that the Government should solve this problem immediately, particularly in view of the political situation created by other parties, may I know what the Government are doing to enable themselves to solve this problem and meet the demand of labour?"

THE HON. SRI B. GOPALA REDDI:—"It is a matter for the Hon. Labour Minister to answer. But I do not know whether labour will ever be satisfied with some revision of pay here and some revision of pay there. They would want much more than what we might be in a position to give for the present."

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

II.—CHANGE IN THE ORDER OF BUSINESS OF THE HOUSE.

JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, I find some change in the agenda for the day. Items left over on noon. the previous day are put at the end for consideration to-day. A similar change was made in the agenda for the second day of the meeting in this session in respect of items left over on the first day. May I repeat once again that it is highly desirable that we are given the programme of work of a particular sitting of the Assembly even before we begin the sitting? It will facilitate work and will also enable the Members to prepare for the work and arrange their other engagements. Of course emergencies can be considered if and when they crop up. Allowing for such a contingency, I think it is high time that we followed a certain

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practice indicating a more or less definite programme of work even at the beginning. With this statement, I would like to know now what the further programme of this House is for the current session."

JANAB ABDUL HAMEED KHAN:—"May I also submit, Sir, that the hon. the Leader of the House will do well to have some consideration for the Members of this House and not suggest changes of the kind that are suggested now? It becomes very difficult for Members, who according to the agenda supplied to them earlier come prepared to speak on the particular subjects, if they are suddenly told that some other subjects would be taken up before what was put originally on the agenda was taken up for consideration. We feel practically at sea when such changes occur and we are not in a position to do justice to the subjects proposed to be discussed."

* SRI T. VISWANATHAM:—"Sir, when the discussion on the City Improvement Trust Bill was going on the other day, a notice was circulated changing the order of the items in the agenda. In fact, we did not notice the change that day and this morning only we accidentally saw that this Bill would be taken up after certain other Bills are taken up and passed. Of course, I concede that the Government have the right to change the order from time to time. But when they decide on a change at a time when we are sitting, may I suggest that the Leader of the House should stand up here and tell us that he proposes to change the order of the agenda so that we may not be taken absolutely unawares?"

JANAB MAHBOOB ALI BAIG:—"Mr. Speaker, Sir, I wonder whether it is not possible for you to regulate the business of this House, that is, to insist on the Government to give us through you a programme of work for the session—the number of days the session will last, the work for each day and so on, making of course due allowance for anything cropping up suddenly, as the hon. Leader of the Opposition has put it, in which case the order may be changed after taking the sense of the House. This was what was done in the Constituent Assembly while sitting on the Legislative side and this is what is being done now in the Parliament. The programme is published beforehand and given to the Members in advance. It is commonsense that a person who wants to hold a meeting, or wishes to take part in a meeting should know what he has to do. Therefore, Sir, you as the authority to regulate the business of the House, taking into consideration the convenience of the Members, should"

MR. SPEAKER:—"The hon. Member is repeating what others have said."

JANAB MAHBOOB ALI BAIG:—"Sir, what I am asking you is whether it is not possible for you to insist on the Government to chalk out a programme beforehand. It is not only commonsense but saves a lot of our time also."

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MR. SPEAKER:—"Let me hear the Leader of the House."

THE HON. SRI B. GOPALA REDDI:—"Sir, I am very sorry to inconvenience the Members of this House. But what happened is this. On the 2nd afternoon, we circulated the agenda for today. Every day in the afternoon the agenda for the next day is circulated among the members so that they can come prepared to speak on the subjects contained in the agenda. The present agenda was circulated, as I have said already, on the 2nd afternoon and if hon. Members had not read it I am only sorry for them. Of course it is very desirable indeed to indicate when a particular item will be taken up actually. But how long a session will last we cannot say because a particular Bill may take three days or even six days or may be passed within half a day. So, unless the leaders of the various parties meet and come to an understanding as to how many days or hours—2 days or 2 hours or 4 hours—should be allotted for each Bill that comes up before the House it is not possible for the Leader of the House or for the Government to say how long a session will last. As far as the new items put on to-day's agenda are concerned, they are non-controversial Bills already passed by the Council and so will have a little priority over other Bills including the City Improvement Trust Bill. We expect that the discussion on these four Bills would be over within sixty or at the most ninety minutes when we shall take up the other Bills."

MR. SPEAKER:—"What about the programme of work for the rest of the days in this session? Hon. Members want to know for how many days the House will sit."

THE HON. SRI B. GOPALA REDDI:—"The hon. Member, Mr. Baig, must appreciate our difficulties also. Suppose we introduce the Hindu Religious Endowments Bill in the current session. We do not know how many days will be taken for discussion and for how many days consideration of clauses will go on."

MR. SPEAKER:—"If there is co-operation from the Whips on either side of the House, that is if they hand in a list of names of Members who want to speak on a particular Bill and assure me that those who are not in the list will not trouble me, I think it would be possible for me to regulate the programme of the House."

THE HON. SRI B. GOPALA REDDI:—"I hope, Sir, you will call for the Whips on either side and decide upon the duration of each session in accordance with the importance of the Bills put down for that session and try to stick to that programme."

* SRI K. R. KARANTH:—"Sir, I do not know how the Leader of the House says that the agenda was circulated on the previous day. We got up at 1-30 p.m. and till that time it was not supplied to us. Then, Sir, even if the agenda is placed on the table here, often Members may not see it—many may not be in the House—and, therefore, I would request the Government to arrange for the supply of the agenda at the residence of each Member soon after it is made available to the House."

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JANAB ABDUL HAMEED KHAN:—“ May I submit, Sir that the Hon. the Leader of the House or the Government cannot rightly assess the value or importance of a Bill? The Hon. the Leader of the House just now said that the Bills on the agenda were very small, non-controversial Bills and might not take more than sixty minutes. That view presupposes that he does not consider these Bills important and, therefore, there is no possibility of any debate taking place on them. May I say, Sir, that he should not do so in future? ”

THE HON. SRI B. GOPALA REDDI:—“ Sir, on the one hand I am being asked to state how long the session will last, the timetable for the discussion of each Bill and so on. On the other, the hon. Member, Mr. Hameed Khan, maintains that I should not say anything which would attach less importance to an important Bill or would make less controversial a controversial Bill. (Laughter.) I am really at sea when such conflicting demands are made of me.”

SRI T. VISWANATHAM:—“ In today's agenda we do not find the Madras Estates (Abolition and Conversion into Ryotwari) Second Amendment Bill, 1950, the Malabar Tenancy (Amendment) Bill, 1950, and the Hindu Religious Endowments Bill. May I know, Sir, whether they will be included in the next agenda or will not be moved at all? ”

THE HON. SRI B. GOPALA REDDI:—“ They have all been included in today's agenda itself under ‘ items left over ’.” (Laughter.)

SRI T. VISWANATHAM:—“ I want an assurance from the Hon. the Leader of the House that the present order will not be changed.”

THE HON. SRI B. GOPALA REDDI:—“ The hon. Member may rest fairly assured that it will not be changed.”

SRI M. BAPINEEDU:—“ Sir, as regards the view expressed by you that the Whips on either side should co-operate with you in regulating the programme of the House we are willing to co-operate with you provided you call out only those names submitted to you by us . . . ”

MR. SPEAKER:—“ The hon. Member cannot bind the Chair in any way.” (Laughter.)

SRI M. BAPINEEDU:—“ It is only a request, Sir, that I have made.”

MR. SPEAKER:—“ The hon. Member should give me the list of Members who would like to speak. He cannot say that only those Members should be permitted to speak and none else.”

JANAB M. MUHAMMAD ISMAIL:—“ I just want to say, Sir, that all along the Whips on this side have been consistently co-operating with the Whips on the other side and things have

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been taking place as they have been taking place in spite of such co-operation. Therefore, nothing should be said about non-co-operation in respect of this side of the House.”

MR. SPEAKER:—“ I think we can now take up the Bills.”

III.—GOVERNMENT BILLS.

(1) THE MADRAS LEGISLATURE (PROHIBITION OF SIMULTANEOUS MEMBERSHIP) BILL, 1950 (L.C. BILL NO. 4 OF 1950).

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

‘ That the Madras Legislature (Prohibition of Simultaneous Membership) Bill, 1950 (L.C. Bill No. 4 of 1950), as passed by the Council be taken into consideration. ’

“ Sir, this is certainly a non-controversial Bill, though Mr. Hameed Khan may take a different view. (Janab Abdul Hameed Khan: ‘ No, I do not. ’) There is provision in the Constitution which lays down that one cannot be a member of more than one legislative body. Matters like what happens to a Member of the State Legislature when he is elected to the Union Parliament, what is the position of a person who is elected to both the Houses of Legislature in a State where there is provision for two Houses, etc., are dealt with in Article 190 of the Constitution. Therefore, under that article we are bringing forward this Bill in order to regulate one's membership so that if one is a Member of this House and the other, his membership in the other House may be vacated. It has been provided in the Constitution that we should have a second chamber. Though the Government of India had not called for a specific recommendation from this House to that effect, yet provision exists for a second chamber for our State and its position is also determined in the Constitution. We are only now concerned with the question of what will happen if a Member of this House is elected a Member of the other House or if a candidate files his nomination for both the Houses and returned to both. There may be some Members who hold different views about the necessity for a second chamber who have been constitutional pandits and framers of Constitution who have been worried over the issue whether there is really a need for second chamber. We have also seen in many countries a bitter struggle going on with regard to the continuance of a second chamber. Recently in New Zealand, we have seen that the Government of that country took a decision to abolish the Upper House (Janab Mohammed Abdul Salam: ‘ Are the Government thinking of abolishing the Upper House? ’). At least the Government's opinion is that the second chamber may continue till, as is required by the Constitution and till the Assembly, if it thinks it advisable, passes a resolution by a two-thirds majority demanding the abolition of the Council. Even then, we can only recommend to

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the Union Parliament and they must pass the necessary legislation winding up the Upper House. We need not, however, go into the question whether it is necessary to have the Council. Whether it is a delaying chamber or a revising chamber, it has been provided for in the Constitution and the purpose of this Bill is to prevent simultaneous membership of both the Houses.

"The Bill contemplates that if a person who is a Member of the Council is elected to the Assembly, then his membership of the Council ceases. Likewise, if a person who is a Member of the Assembly is elected to the Council, then his membership of the Assembly ceases. But if he is elected to both the Houses simultaneously, if he takes his seat in one House, his membership in the other House will cease. But if the Legislature is not in session, he can resign his membership in one of the Houses by giving notice to the competent authority like the Secretary to the Legislature. There is nothing more in this Bill. I move, Sir, that the Bill be taken into consideration."

MR. SPEAKER:—"Motion moved—

'That the Madras Legislature (Prohibition of Simultaneous Membership) Bill, 1950 (L.C. Bill No. 4 of 1950), as passed by the Council be taken into consideration.'

* SRI K. BHASHYAM:—"Sir, this is a non-controversial Bill no doubt and it is consequential on the provision in Article 190 of the Constitution of India. But there is one important matter which I would like to place before the House for its consideration and it is this. So far as a person who is a Member of the Council is concerned, if he is elected to the Assembly and he takes his seat in the Assembly, he loses his seat in the Council. And vice versa if a person who is a Member of the Assembly is elected to the Council and he takes his seat there, he loses his seat in the Assembly. But if a person is elected to both the Houses at the same time, he is given the choice to say of which House he will be a Member. If he does not exercise this choice, it is stated that his seat in the Assembly will become vacant. I do not see why preference should be given to the Council. People are already agitating that there should be no second chamber and that the Council must be abolished. That being so, I think preference should be given to the Assembly and the Member's seat in the Council should be vacated. The Member should be allowed to sit in the Assembly. That would be a more logical position than the position now proposed, namely, that if a person is elected to both the Council and the Assembly, and if he does not intimate his choice, his seat in the Assembly should be vacated rather than the seat in the Council."

THE HON. SRI B. GOPALA REDDI:—"That is the penalty for the default of the Member."

* SRI T. VISWANATHAM:—"Sir, this is a right conferred by Article 190 of the Constitution on a person who is elected

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to both the Houses of the Legislature to exercise his choice as to the particular House in which he wants to retain his seat. Article 190 says that the Legislature of the State shall make a law 'for the vacation by a person' who is chosen a Member of both Houses of his seat in one House or the other. The law should not be framed by us in such a way as to deprive him of this right of choice. The right of choice is lost by the wording of the present Bill which says that the person loses his seat in one House on the day when he is chosen a Member of the other House. It is a different question altogether if it is stated that his seat is vacated in one House because he has taken his seat in the other House. But according to this Bill, on the date of the declaration of the results of the election, he automatically ceases to hold his seat and he is thus deprived of the right to choose. That is the reason why I have given notice of an amendment to make the matter clear. Supposing the Houses are sitting during those 15 days, the Member has got a right to take his seat in either the one or the other and thus express his choice as to the House in which he wants to be a Member. On the other hand, suppose the Houses are not in session, he cannot take his seat in either the one or the other and the choice should be left to the member to be expressed in writing. The election itself should not render his seat in the other House vacant. In the present form the Bill would be *ultra vires* of Article 190."

JANAB ABDUL HAMEED KHAN:—"Sir, I also feel that if a certain amount of imagination is exercised, the Government will be able to remove the difficulty in which a member will be placed, if after he has taken his seat in the Assembly the result of his election to the Council is announced in which case he automatically ceases to be a Member of the Assembly according to the provision made in this Bill. That will be a great hardship. If he takes his seat in the Council, I can understand his seat in the Assembly becoming vacant. But to penalise him for his election to the Council when he has not taken his seat there and when he is already sitting in the Assembly, is really very wrong, Sir. If an amendment is made that if a person who is chosen a Member of the Council takes his seat in the Council, then he ceases to be a Member of the Assembly, I can understand some reason for it. I suggest to the Hon. Minister that he should come forward with an amendment to that effect."

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, I think the Bill is a proper one on the whole. The reason for this is to avoid what is called double or treble contest by a Member to either House of which he finally chooses one. This practice arose in a very curious way. It was found in France that one member stood for 99 constituencies and got returned to all the constituencies. They were afraid that it would establish autocracy instead of true democracy. The choice between the two Houses consists

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in this. A person who thinks he is popular with a wider electorate always contests a seat in the Assembly. But for special reasons if he is unable to face a wider electorate and wants to confine himself to a restricted electorate, he contests a seat in the Upper House or the second chamber. It is not wise to prohibit altogether the choice to contest a seat in either House of the local Legislature. Now the Legislature of the State is given the right to determine the law in this respect and the Government have very rightly said that if a Member is elected to the Assembly first and then he contests seat in the Council, his seat in the Assembly will become vacant if he is elected to the Council. He certainly will go to the Council, since by his announcement of his intention to contest a seat in the second chamber he has given up his right to sit in the House of which he is a Member. *Vice versa* the provision is made in the other case also. The Government themselves may arrange in some cases, due to various reasons—administrative or political—that one member should shift from one House to the other. He may be a Member of the Upper House and he may be wanted in the Lower House. He may be given a right to contest a seat in the Lower House, in which case it is but right that when he is elected to the Lower House—a House which is far more representative than the second chamber—he should be allowed to sit in the Assembly. A third alternative comes in when a person is elected to both the Houses simultaneously. As I said at the beginning, the general law should be that they should not indulge in double contests to two Houses. But the contest is however allowed by law. The person stands for election with a certain amount of diffidence. He wants to contest both the seats. He probably thinks that he may more easily get into the Upper House and that it is not wise to stand solely for the lower House. If he is simultaneously elected to both the Houses, and the results are announced simultaneously he can exercise his option of sitting in either House. If he does not exercise his option, it is but right that his seat in the Assembly shall become vacant. The reason is simple. The person has chosen to contest two different electorates—a wider one and a smaller one. He has shown some diffidence in the beginning when he contested two electorates simultaneously. It was certainly a confession of his diffidence. At the time of the contest he looked forward perhaps with more certainty to election to the Upper House rather than to the Lower House. Therefore he should be made to take the risk of the second chamber being abolished altogether by a vote of the Lower House. This would prevent unseemly contests to both Houses."

JANAB M. MUHAMMAD ISMAIL:—"Sir, there is really some difficulty in spite of what Mr. Varadachari has been at pains to explain. Clause 3 speaks of a person losing his seat in one chamber if he is elected a Member of the other chamber. Take a concrete case. Suppose a person stands simultaneously for the Assembly and the Council. First, the results for the Lower House

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are announced and he takes his seat in the Lower House. A few days later, as circumstances might occur at times, the results for the Upper House are announced. As the Bill stands at present, the person who has taken his seat in the Lower House will *ipso facto* and as a matter of course lose his seat there, because the results of the election to the Upper House are announced a few days later. He is not given a chance to choose. That is the difficulty, Sir, that is not provided for in the Bill."

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I am one of those who are strongly opposed to the retention of the second chamber. But that is not the question at issue now. The question now is, if a person chooses to stand for both the Houses simultaneously, and if he is elected to both the Houses, in which chamber should he lose his seat if he does not choose, within the prescribed time, to state in which House he would like to sit or if he does not sit in a particular House when the House is in session. That seems to be the only question under consideration now. Of course with regard to the ordinary question that a person should not sit in both the Houses simultaneously, there can be absolutely no difference of opinion. If a person is sitting in one House and then chooses to stand as a candidate for another House and is elected to the latter, of course he must lose his seat in the former House. That is all right. With regard to the Upper House, there is always the danger, as expressed by some of my hon. Friends, of its being abolished by a resolution passed by two-third majority of the Assembly. Therefore when a person is not wise or prudent enough to state within the prescribed time his choice as to the House in which he is going to sit, it is better to allow him to continue in the lower House and automatically vacate his seat in the Upper House. That will be to the greater advantage of the person. After all, the Upper House has merely revising or delaying powers, powers of a restricted character. The Lower House is really representative of the will of the people. Therefore when a person stands for both and is elected to both the Houses, he is elected by a wider electorate and a larger number of people and therefore he should have the right to continue in the Assembly rather than continue in the Upper House and lose his seat in the Assembly. With regard to this matter, I think the Government should revise the Bill."

SRIMATHI C. AMMANNA RAJA:—"I just want to know 12-30 p.m. whether this Bill will have any bearing on members who are in the Legislatures of more than one State. For instance, there may be some people who are here as well as in Mysore; I want to know whether this Bill can interfere with them."

THE HON. SRI B. GOPALA REDDI:—"That is covered by a different article in the Constitution itself. We are concerned now only with simultaneous membership of two Chambers of the Legislature in the same State. If a person is elected as member both in Madras and in Mysore, then it is covered by a different article of the Constitution."

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MR. SPEAKER:—"I think the Hon. Minister may make his reply."

THE HON. SRI B. GOPALA REDDI:—"Sir, it is a question of whether it is a simultaneous election to both the Houses or whether a person is already a member of one House and he is being elected to the other. If he is already a member of one House and is elected to the other House, clause 3 comes into force; in the case of a simultaneous election, clause 4 comes into force; The Leader of the Opposition envisaged a situation where it will be covered neither by clause 3 nor by clause 4; he has in mind a quasi-simultaneous election or quasi-something else which will never happen, Sir. If a member is standing for both the Assembly and the Council—and the period between the declaration of one result and the other won't be much—he must choose within that period, whether he is going to retain this seat or the other seat. If he decides to take his seat in the Council, then he cannot take his seat in the Assembly. (Interruption.) In the case of a general election, the Assembly and the Council will have elections at the same time; no doubt the counting of votes may be on different dates. Suppose the result is declared for the Council on the 15th and for the Assembly on the 19th, you may take it from me, Sir, there won't be any meeting of either House between the 15th and the 19th. According to clause 4 of this Bill, the person must choose. In the case of a person who is already a member of the Lower House, he must be able to choose immediately whether he is going to continue here or to sit in the other House. He will have to make up his mind quickly and intimate the decision to the Secretary. That is what is contemplated here; the member cannot be allowed to go on toying with the Chambers as long as he likes."

JANAB M. MUHAMMAD ISMAIL:—"If he says that he will sit in the other House but still he may be defeated in the elections to that House . . ."

THE HON. SRI B. GOPALA REDDI:—"He can wait for the declaration of the second result and then exercise his discretion as to whether he will sit in this Chamber or in the other."

JANAB M. MUHAMMAD ISMAIL:—"And if fifteen days elapse between the two dates of declaration of the result?"

THE HON. SRI B. GOPALA REDDI:—"The period allowed to him to make up his mind is fifteen days from the later of the two dates. Suppose one result is declared on the 15th and another is declared on the 19th; then the fifteen days' period will count from the 19th and he will have enough time to exercise his discretion. (Interruption.) I know in Visakhapatnam there was a delay of about two to three weeks. But as I said, the period of fifteen days is to count from the later declaration, and in the meanwhile he can certainly exercise his discretion and decide whether he will be in the one House or in the other. After all, we want members here who are going to function as legislators;

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and they must surely make up their minds quickly as to which constituency they would like to represent and in which Chamber they would like to be represented. There is no use keeping everything and everybody in suspense: Clause 3 of the Bill refers to a person who is already a member of the Assembly, and if he stands for the Council and is elected to it, that itself means that he has a preference to the Council. In such a case, as soon as the result is announced, he must make up his mind to resign his membership of the Assembly, because he has shown a preference to the Council even though he is a sitting member of the Assembly and has desired to stand for the Council and get returned to it. Therefore, in this case, as soon as the election result is announced, his seat in the Assembly automatically gets vacated and his membership of the Assembly ceases. Again, if he is already a member of the Council and there is a bye-election pending for the Assembly, and he stands for it, that means that he has a preference for the Assembly, that he is disgusted with his membership of the Council and that therefore he has thought it proper to stand for the Assembly and get himself elected to it.

"With regard to the other point raised by Mr. Bhashyam that if the person does not exercise his choice at all for fifteen days and does not take his seat within that time, why should his Assembly membership be vacated, and his membership of the Council be retained—I think this point was raised both by Mr. Bhashyam and Mr. Kuleswara Rao—I may say that the member is given fifteen days' time after the declaration of the second election; and if he does not exercise his choice during those fifteen days, then it must be deemed that there is something wrong with the person; it will mean that he is so lazy or that he is too dignified to intimate his choice. The Upper House is a chamber which has got dignity of its own; it is a leisurely chamber, it sits only for about thirty days in a year, whereas this Assembly sits for nearly eighty days in the year. So, if he cannot think of expressing his choice within fifteen days, obviously he is fit for sitting in the Upper Chamber; he can be lazy there . . ."

MR. SPEAKER:—"The hon. Member must not say anything disparaging of the other House."

THE HON. SRI B. GOPALA REDDI:—"I am not saying anything like that, Sir. There is nothing disparaging in what I say. I am simply saying that the other Chamber sits only for about thirty days. That apart, the man is given fifteen days' time to exercise his choice; if during that time he takes his seat in the Lower House, then automatically his membership of the other House is vacated; but if he does not exercise his choice within the prescribed time, then he must be taken to have preference for the Upper Chamber."

BEGUM SULTAN MIR AMIRUDDIN:—"Supposing he is sick and is not in a position or able to sit in the other House and people also cannot approach him and ask him as to which House he would like to choose?"

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THE HON. SRI B. GOPALA REDDI:—"Then he will be in the House of Lords; he can sit there leisurely for thirty days in the year instead of for eighty days here; he may continue to be sick for some time and as the Upper Chamber sits only now and then, he can leisurely attend its sittings any day he pleases. So, Sir, I submit there is nothing wrong in this Bill. My hon. Friend Mr. N. S. Varadachari has ably given out the scope of this Bill."

JANAB ABDUL HAMEED KHAN:—"The point is there is no choice given to the member at all."

THE HON. SRI B. GOPALA REDDI:—"When a person is standing for both the seats, then clause 4 comes into force, and he can exercise his discretion within fifteen days from the date of the later of the announcements of election result. If, however, he is already a member of the one or the other House and he stands for election to the other chamber, that means he has a preference for the other chamber to which he stands although he continues to be a member of one chamber. In this case, as soon as the declaration is made that he is elected to the other chamber, his seat in the chamber in which he is sitting will be vacated. I do not see why in these circumstances, he should be given any further choice at all."

MR. SPEAKER:—"The question is—

'That the Madras Legislature (Prohibition of Simultaneous Membership) Bill, 1950, as passed by the Council, be taken into consideration."

The motion was carried.

The Preamble and clauses 1 and 2 were put and carried.

Clause 3.

MR. SPEAKER:—"The motion is—

'That clause 3 do stand part of the Bill."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, the Hon. Leader of the House has not appreciated exactly what I have stated in my general remarks. The question is one of choice. What is the choice given by the Article in the Constitution to a particular member? It is not the will of this House and it is not the preference of either the Hon. Leader of the House or myself that should prevail in this particular matter of a member's right to choose in which House he is going to sit as a member after the election results are declared. It is a right conferred upon the candidate as soon as he becomes a member of one House or the other, and it cannot be curtailed by our own inclinations as regards the efficacy or supremacy or the utility of one House or the other. The Hon. Leader of the House said: 'Why should he, when he is already a member of one House, stand for the other House at all? He implied that when a particular person is already a member of a House and stands for election to a seat in the other House, he

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has already exercised his right of choice. That is what the Hon. Law Minister also seems to think, as he is nodding his head. The person is a free citizen of this country and he has got certain rights. Those who were responsible for the framing of the Constitution have considered all aspects, and certainly the aspect referred to by the Hon. Leader of the House and the Hon. Law Minister, and they have come to the conclusion that his right to choose should not be curtailed. It is a right which is there, which cannot be curtailed by any amount of our arguing. It may be that our arguments may be more efficacious than those which weighed with the framers of the Constitution, but still that right is there. The article specifically says:

'No person shall be a member of both Houses of the Legislature of a State and provision shall be made by the Legislature of the State by law for the vacation by a person who is chosen a member of both Houses of his seat in one House or the other.'

"If the Constitution wanted that he should not stand at all, he being already a member of one House, the framers would not have given the option to the State to make provision by law for the vacation by a person who is chosen a member of both Houses of his seat in one House or the other.' Clause 3 is that if a person is chosen a member of one House after he has taken his seat in the other House, his seat in the latter shall become vacant; the Hon. Leader of the House might have even gone further and said that if he filed his nomination paper for election to the other House that would be enough proof of his preference, and so he should be deemed to vacate his present seat. His logic may be right but its effect is that it goes against the letter and spirit of the Constitution. I do not want to go into the expediency of his policy or of his logic; but what is expressed in quite unambiguous terms in the Constitution should be carried out. I may be a member of this House and there may be a vacancy in the other House; while continuing here, I may exercise my right to stand for that vacancy. At that stage, the right is not taken away. The Hon. Leader of the House says that at the next stage, i.e., as soon as my election result is declared, my seat here automatically ceases by virtue of this legislation. On the other hand, I submit the Article in the Constitution gives me the right to choose, which is sought to be taken away by this Bill. I must be given time to choose whether to continue in this House or to go to the other House. That choice can be expressed in two ways, one by giving notice to the Secretary and the other by continuing to sit in the one House or the other even after the result is declared; either course would be a definite expression of my choice in favour of one or the other House. That is a right which cannot be taken away by our legislation. My amendment is—

'In clause 3 (1), for the words "is chosen a member of the Council" at the end, substitute the words "takes his seat in the Council."

'In clause 3 (2), for the words "is chosen a member of the Assembly" at the end, substitute the words "takes his seat in the Assembly."

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"I shall explain myself. If I am a member of this House and I am elected to the Upper House also, my seat here is vacated on the date on which my election result to the Council is declared, that is according to the present clause. Under my amendment, my seat here will be vacated only on the date on which I take my seat in the other House. (The Hon. Sri B. Gopala Reddi: 'But if the other House is not sitting for some time?') I am providing for that also in my third amendment. When both the Houses are sitting, the Constitution says: 'provision shall be made by law for the vacation by a person of his seat in one House or the other'; but when either House is not sitting, he must have the right to express his inclination within fifteen days: and my third amendment provides for it. This Bill does not suggest any method for the vacation of the seat; it simply says that the seat 'shall become vacant', just because he is elected to the other House. Therefore, I submit it will be quite right to substitute the words 'takes his seat in the Council' for the words 'is chosen a member of the Council.'"

2-45 m. "Sir, I would also deal with my amendment to sub-clause (2) of clause 3, viz., for the words 'is chosen a member of the Assembly' at the end, substitute the words 'takes his seat in the Assembly.' As I said, Sir, the word 'chosen' is not right and here also the option must be given to the person concerned. Therefore, I have suggested the substitution of the words, so that it may be the date on which he takes his seat in the Assembly. I would go further and say, it is only when the Assembly or the Council is in session that the question will arise regarding his taking the seat either in the one House or the other. Therefore, his taking the seat must be the evidence of his decision.

"Then, Sir, there is also another amendment of mine to add a proviso, so that all my three amendments may be considered together. My amendment is as follows:—

"Add the following as a proviso to clause 3:—

"Provided, however, that a member elected as in section 3 (1) or 3 (2) above, shall have the right to resign his seat in the Assembly or Council as may be within fifteen days from the date of election in case the Council or the Assembly holds no sittings within such period of fifteen days."

"Sir, there will be no such thing as interminable indefiniteness about this thing. In a period of fifteen days a member has a right to declare his choice, in one case, of taking his seat and in the other case, he will note down by intimation in writing, about his choice.

"Therefore, I submit, Sir, the Hon. Leader of the House must consider these amendments carefully, or otherwise, if these amendments are not considered, either in the language in which I have written them or in any other suitable language which he might choose on further consideration, I am afraid, the Act itself will

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become *ultra vires* of the Constitution and it will be leading us only to further writs of mandamus applications. I therefore suggest, Sir, these amendments of mine should be accepted."

SRI K. VARADACHARI:—"Mr. Speaker, Sir, after hearing the remarks of my hon. Friend, Mr. Viswanatham, I feel that there is a genuine difficulty about the interpretation of the Article in the Constitution and also the provision made in this Bill for the automatic vacation of a member's seat if he is already a member in one House and stands for election to the other House. I think it will be better that the consideration of this Bill is postponed at least to this afternoon, so that Government may take counsel and consider the matter further so as to avoid the Statute itself being declared *ultra vires* tomorrow."

MR. SPEAKER:—"Is the hon. Member seconding the amendments of Mr. Viswanatham?"

SRI K. VARADACHARI:—"Yes, Sir. While seconding the amendments, I am simply suggesting to the Government to consider this matter a little more carefully with their law officers also and see that there is no lacuna or flaw in the Bill and avoid all serious consequences tomorrow after the general elections are over."

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, I rise to a point of order. I fear the whole Bill is *ultra vires*. My point is this. Under Article 190 of the Constitution, power is given to the State Legislature to make provision for the vacation by a person who is chosen as a member of both Houses of his seat in one House or the other. The wording used here is 'vacation by a person who is chosen as a member of both Houses.' My hon. Friend, Mr. Viswanatham has dealt with the first point that is raised, namely, vacation by the member. The other point which is more difficult is this. My reading of the words of the Article is that the words refer to simultaneous election of a member to both Houses. I am unable to accept the position when(?) a member is already elected to one House and then gets elected to the other House. This cannot come within the words of the Statute as it stands.

"As regards the amendment of Mr. Viswanatham, I think it is perfectly all right and is in accordance with the Article itself. It is in keeping not only with the wording in the Article but also with the spirit of the article. Therefore, it will be difficult to say that the Bill as it stands will be within the Statute Book. I would therefore like the Government to consult the department further and see whether they cannot accede to the amendment moved by my hon. Friend.

"There is one other point, Sir, I would like to make. If in the matter of vacation by a person, the choice is given to the person to say in which House he will sit as member, then in such a case, how long and how far that choice has to be effected. That

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is the only question that has come about. The procedure that a member has to adopt for vacating one seat or the other is the only thing that is left to the State Legislature and nothing else. It is a matter which is very clear, that is, vacation by a member who is chosen as a member of both the Houses. On these two points, I think, Sir, the Bill is out of order."

* SRI K. R. KARANTH:—Mr. Speaker, Sir, I feel it is a case in which lawyers have to disagree. Article 190 (1) of the Constitution says that the State Legislature shall provide for cases where a person is chosen to two Houses of the Legislature. There must be some provision to say when one of the seats shall be vacated and the article does not give option to the particular member. If my hon. Friend says that he should be given the option to choose one of the two seats and if such a thing were contained in the article and we are doing something against it, it could be said that it is *ultra vires*. All that Article 190 (1) says is, where such a contingency happens, then there shall be some provision whereby one seat shall be vacated. It does not mean that the member should be given the option. That is my submission. Therefore, it is not *ultra vires*.

"Secondly, there is a difficulty if that rule is to be followed. If a member is allowed the option, it would become very troublesome which the Legislature has wisely thought fit to avoid by saying that by his election there would be an automatic vacating of the seat. What they have said is, the moment he gets elected to the Council, he loses his seat in the Assembly. Otherwise, if he is given the option, we can visualize what will happen. Suppose he does not take his seat for months together, or even though for luxury he gets elected and says, I do not sit in the House and he goes on like that for months. (Interruption: 'He is given fourteen days for exercising his option.') Yes, he is given time to exercise his option, but what I am saying is, is the election to be held simply to suit the whims and fancies of that person? Of course, he has a right to stand for the other House and he gets elected. Then he says, I have the luxury of getting elected and I do not take the seat. The result is, the State will have to conduct another election for that seat. Further, this kind of choice should not be given.

"I realize, however, the third hardship envisaged by Bhashyam, that is Article 190, provides for a case contemplated under clause 4, where a person is chosen a member of both Assembly and the Council and not to one under clause 3. Wording of Article 190 admits of such an intention. But the itself would not make it *ultra vires*."

JANAB ABDUL HAMEED KHAN:—Mr. Speaker, according to clause 3 of this Bill, I submit

MR. SPEAKER:—I wish to know whether the hon. Bhashyam is pressing his point of order."

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SRI K. BHASHYAM:—"Yes, Sir."

MR. SPEAKER:—"Then, as soon as Mr. Hameed Khan finishes, I shall give my ruling on the point of order."

SRI K. BHASHYAM:—"I would like to mention, further, Sir."

MR. SPEAKER:—"Not necessary."

SRI K. BHASHYAM:—"So, Sir, it looks as if you have made up your mind."

MR. SPEAKER:—"How can the hon. Member say what I have in my mind?"

SRI K. BHASHYAM:—"I can say that from your face, Sir."

MR. SPEAKER:—"Face is not the index of the mind, as Shakespeare has said."

SRI K. BHASHYAM:—"Sir, the only question I would like the House to consider is, the words used are 'is chosen.' So, the present tense is used. That is why?"

"I pointed out that it means simultaneous election for both the houses at the same time."

MR. SPEAKER:—"As soon as Mr. Hameed Khan finishes his speech I shall give my ruling on the point of order raised by the hon. Mr. Bhashyam."

JANAB ABDUL HAMEED KHAN:—"I agree with what my hon. Friend, Mr. Bhashyam has said. According to the Constitution a person has a right to stand for both the Assembly and the Council. Then the question is, whether any member who is elected to the Assembly, in the first instance, and then the result of the election to the Council is announced in the second instance, the choice is left for the person concerned to prefer his seat in the Assembly to that in the Council or *vice versa*. If the choice is only after the results of both the elections are announced, the question of choice does not arise, because the person concerned has no opportunity to exercise his choice at the time whether he should take his seat and if so whether he would prefer the Assembly or the Council.

"Then, Sir, in regard to the point of order raised by Mr. Bhashyam, it is certainly a very important one, for according to Article 190 (1) of the Constitution, it is clear, the right is not given to the Legislature to vacate the seat, but it is given to the person concerned to vacate his seat, either in one or the other House. The Constitution does not provide for the seat being vacated by the Legislature or by the Government. Therefore, I would request the Hon. Leader of the House to come forward with an amendment to the effect that the person concerned is given the freedom to decide which seat he should vacate. If that right is taken away, I think, it goes contrary to the Article in the Constitution itself."

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* SRI N. S. VARADACHARI:—"Sir, I would like to say something on the point of order. The principle of Article 190 (1) is that no person shall be a member of both Houses of the Legislature of a State. The first part should be read with the second part together. It is clear that no one shall occupy two places together. The idea is that one cannot represent two electorates. One idea is, provision shall be made by the Legislature of the State by law for the vacation of a person who is chosen for both Houses, in one House or the other. This may happen in one of three ways. He may be a member of one House and may be sent to the other House by some political choice or for other circumstances; or it may be, a member of the Upper House may wish to go to the Lower House; or it may be a matter of simultaneous election. It may be one of these three things, permutation and combination.

p.m. "The general principle here is that no electorate shall go without representation along with the other principle, namely, that no person shall be allowed to represent two electorates. That is why the Legislature of the State is asked to make immediate provision for the vacation by a person of his seat in one or the other House; it does not mean that the person has to choose. 'Vacation by a person of his seat' is proper English and it cannot be unless provision is made by the State Legislature by law to conform to the two principles I have mentioned.

"I want to take a minute or two to explain how the law as framed by the Government represents a correct state of affairs. It is intended to prevent a member from seeking two simultaneous elections and retaining both the seats. He has to exercise the option or the Government says under the present law that he will go to the Council rather to the Assembly because a member who also chooses a limited electorate and sometimes with indirect franchise, has no right to aspire for a wider representation and take his seat in the Lower House having made a gamble in the first instance."

MR. SPEAKER:—"A point of order has been raised but the hon. Member is explaining the clauses."

SRI N. S. VARADACHARI:—"I have already informed you, Sir, that I have finished with the point of order and for the sake of convenience I shall take a minute over the clauses."

MR. SPEAKER:—"Let the hon. Member take another opportunity of doing so."

SRI N. S. VARADACHARI:—"I shall finish with one small observation, Sir. If a member is already in the Assembly and wishes to go to the Council, generally he does not do so, but the Government would like to send him down as they do in other countries."

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SRI T. VISWANATHAM:—"On a point of order, Sir, unless the ruling is given, there is no use going into the merits of the clauses. Therefore, Sir, I would request your ruling on the point of order."

MR. SPEAKER:—"Before I give a ruling, I want to hear the Government's side."

JANAB M. MUHAMMAD ISMAIL:—"Just one word on the point of order, Sir. From a reading of Article 190 (1), it will be seen that the whole thing rests on the words 'vacation by a person of his seat.' The Article does not say whether the vacation is to be made by law or at the free will of the person. It may be according to the provisions of the law or it may be by the free will of the person."

MR. SPEAKER:—"The hon. Member's contention is that the choice is not provided in the Article."

JANAB M. MUHAMMAD ISMAIL:—"Yes, Sir. It may be either this way or that and therefore, the Bill is all right; that is what I want to say, Sir."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I do not find any point of order in this case. What we do is in pursuance of a statutory duty enjoined on the State Legislature and that is what is being placed before the House. 'Vacation of seats' is the marginal notes in respect of Article 190."

MR. SPEAKER:—"The hon. Member assumes that there is choice and that choice is left out in the Bill and that is the point of order."

THE HON. SRI K. MADHAVA MENON:—"My hon. Friend, Mr. Varadachari, has mentioned about the two fundamental principles, that nobody can represent two electorates and no electorate shall remain unrepresented. The Constitution has laid it down that no person shall be a member of both Houses of the State Legislature. One member cannot be both here and in the other House and what we are asked to make under the present law is a provision where he should be. Provision shall be made by the Legislature of the State by law and that is what is being attempted now for the vacation by a person of one of the seats. The Legislature is making provision regarding the process how he should vacate his seat and what should be the principle under which the seat shall be vacated by him and we are not doing anything else beyond what the Constitution asks us to do. We are laying down the choice for him to be in one House or the other and if he is already in this House we presume that the moment he is elected, he has made his choice that he would be in the other House. Mr. Viswanatham has anticipated certain difficulties in the working of clause 3 and has suggested an amendment. But I would like to ask him what would be the position if the member

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does not resign or if both the Houses are not meeting. So, Sir, we are perfectly within the Constitution in making provision as to how this is to be done."

MR. SPEAKER:—"Regarding the point of order raised by the hon. Member Mr. Bhashyam, if my remembrance serves me aright, when the Zamindari Bill was passed, I explained to the House about the magic Latin words 'Intra Vires' and 'Ultra Vires'. I told the House at that time that in England, the Speaker is helped by a legal Council and there this question will not arise because they have a Unitary Constitution and the House is all-powerful. But in countries where we have the federal type of Government this question frequently arises whether it is intra vires of the Government to do a particular thing or it is ultra vires because certain subjects belong to the Centre and certain exclusively to the State, while there is yet another group of subjects which is the concurrent list belonging both to the Centre and the State. Regarding the phrase, ultra vires I must tell the House that the better place to decide is the court and not the Legislature."

"Regarding the other point raised by the hon. Member Mr. Bhashyam that the choice given by Article 190 to the member concerned is taken away by the Bill and that it is ultra vires of this House to pass this Bill, I am of opinion that it is not so and I do not agree with the hon. Member. I hold it is intra vires of the powers of this House and the Bill does not take away any power given under the Article."

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, it is not only a question of the choice being taken away by the Bill; I said, Sir, that the whole Article applies to cases where there are simultaneous elections at the same time and a person is chosen for both Houses and not to a case where a person is already a member of one House and he is elected to another House. A person must be chosen together and there must be simultaneous elections and it does not apply to other cases as stated in the Bill."

THE HON. SRI K. MADHAVA MENON:—"But in Article 190 there is not that word 'together'."

MR. SPEAKER:—"It covers the cases envisaged in the Bill. Amendment moved—"

"In clause 3 (1), for the words 'is chosen a member of the Council' at the end, substitute the words 'takes his seat in the Council.'"

"In clause 3 (2), for the words 'is chosen a member of the Assembly' at the end, substitute the words 'takes his seat in the Assembly.'"

"Add the following as a proviso to clause 3:—"

"Provided, however, that 'a member elected as in section 3 (1) or 3 (2) above shall have the right to resign his seat in the"

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Assembly or Council as may be within fifteen days from the date of election in case the Council or the Assembly holds no sittings within such period of fifteen days"

* SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, as I said, there are three possibilities of any member being a member of both the Houses of Legislature. Another one is when he chooses to go to the electorate which elects both Houses simultaneously. In that case, the Bill provides for a procedure which is absolutely correct. Generally a member who is elected to the Assembly does not prefer to go to the Council but there may be occasions when either the Opposition or the Government may like to contest the election on a particular issue and may not find candidates other than those already in this House. In such a case, it is clear that when he is elected to the Council, his election to the Council will stand rather than his seat in this House. It is a very common practice in England, where there is no election to the House of Lords, whenever one member has to be sent there, they elevate him to peerage. It may be that in the second Chamber the Government's majority may not be so strong as in the lower House and in such a case, the Government or even the Opposition may put up members from among themselves to contest elections which may arise in the Upper House. It is only in such cases that members shift their seats from one House to the other and it is not as if people choose to contest in an election as often as they like because election is a very costly business. We may have a person who may be in the Upper House but whose presence in the lower House may be needed. The State law must provide for such a contingency and it must provide for all practical contingencies taking into account the necessities of administration and it must not also lose sight of or violate two other principles of the Constitution, namely, that no person shall represent more than one electorate and no electorate shall remain without representation for even a short period of time and that is why for even simultaneous elections option is provided and the period within which it may be exercised is restricted to fifteen days. I would welcome it and it is a good thing and a democratic thing that the member is asked in such cases to signify his acceptance of his seat in one or the other House. I feel, Sir, that the Bill as it stands is a very sound measure and can be defended on democratic grounds."

JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, I do not want to raise any difficulties over the clauses of the Bill. I gave expression to certain difficulties which I see in the working of these provisions. The Hon. Leader of the House explained the Bill but still some sense of possible difficulties is lurking in my mind. But I do not want to create any difficulty where there is none and I want the Hon. Leader of the House to see whether there is no difficulty at all and also the Hon. Law Minister to see whether there is not any such difficulty as I am having in my mind. Supposing one voter stands for the Lower House as well as

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the Upper House. He is declared elected to the Assembly but with reference to his election to the Upper House, there is some legal action and the matter is in a court of law and it takes weeks or months for the authorities to give a decision in the matter. In the meantime, Sir, the Assembly began sitting and he takes his seat there. Three or four months later in the proceedings in the court, the finding is given in his favour and he is declared a member of the Upper House. Clause 3 says that on the declaration of his election to the Upper House, the member loses his seat in the Assembly. The Leader of the House may tell us that the member ought not to have taken his seat in the Assembly until the result of the law suit was over. I say, Sir, that after the decision of the court is announced, he must be given the choice to choose this House or the other House within fourteen days of such announcement by the court. Now, Sir, the difficulty is when a member wants to sit in the Assembly. Suppose I am already elected for the Assembly and I am taking my seat in the Assembly. Suppose I stand for election for the Council and I get elected, but there is an election suit pending with regard to it, and I do not want to sit in the Council. Before the result of the election suit to the Upper House is announced, do not declare that I cannot sit in the Assembly. Give me the right to elect and wait till the election suit is decided one way or the other."

1-15 p.m.

THE HON. SRI B. GOPALA REDDI:—"Is he declared elected or not?"

JANAB M. MUHAMMAD ISMAIL:—"After I am declared elected there is an election suit."

THE HON. SRI B. GOPALA REDDI:—"Then the matter is stayed."

JANAB M. MUHAMMAD ISMAIL:—"Suppose the whole thing is in dispute. Suppose the election itself is not held, and the court does not allow any election to be held, for there are four members declared to be nominated, and the question of validity of nomination itself is in dispute and so no election is held."

THE HON. SRI B. GOPALA REDDI:—"When there is no election the provisions of this Bill will not apply; only after the election this legislation will apply."

JANAB M. MUHAMMAD ISMAIL:—"Suppose with that nomination the election takes place and on the result of that, there is an election suit and it takes four months for the suit to be decided, will that member lose his seat in the Assembly even before the result of the election suit is announced? I want the Hon. Law Minister and the Hon. Leader of the House to clarify that position. If they say there is no difficulty on that point, that is all I want."

JANAB MAHBOOB ALI BAIG:—"Mr. Speaker, Sir, while I am of the opinion that the Bill as it has been introduced is perfectly *intra vires*, I feel that I should support the amendment

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or amendments of Mr. Viswanatham on merits. We find in the Bill, clause 4 gives a restricted choice to the person who has been elected to both Houses simultaneously. If he does not take his seat in either the chambers or does not express his choice to sit in one or other of them within fifteen days, then he is unseated in the Assembly. This is a restricted choice.

"But in the cases falling under clause 3, no choice is given to the man, the reason being that he being already in one of the chambers has no business to sit simultaneously in the other chamber. I entirely disagree with the presumptions and assumptions made by the hon. Gentleman, Mr. Varadachari, that since he has been chosen to be the representative in the other House, he has no business to be in this House. I do not agree with him there. For we are dealing with the citizen's right in this question. The law gives the right to the citizen to send his representative to the legislature. So why should the Government deprive that citizen of his right of choice? In the Constitution Act we have already provided that no member shall be a member of both Houses of the Legislature. So there is no necessity for a Bill of this sort. Therefore the argument of the hon. Gentleman, Mr. Varadachari, based on assumptions and presumptions has no basis at all.

"The point is when a person who is elected simultaneously for both the Houses is given a choice to choose to sit in one House or the other, why should not such choice be given to a person, who, though already a member of one House, gets elected to the other House? Therefore I entirely support the amendment of Mr. Viswanatham.

"The second point I wish to state is with regard to clause 4 and I shall deal with it when that clause is taken up for discussion."

* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I rise to support the amendment. The whole point for decision is whether provision should be made by this House or rather this Legislature for the vacation of one of the two seats when a particular member gets elected for both the Houses. Just as we have made provision under clause 4 we have also to make provision for cases falling under clause 3. Though the Constitution Act does not say anything on this point, it stands to reason that when one particular member has chosen to stand for election to the other House and gets elected, normally he should be given the right to choose or rather say, whether he wishes to retain his seat in the chamber of which he is already a member or he wishes to be a member of the chamber to which he is recently elected. In my opinion, if he does not elect even for some time, it will not matter. But what the amendment of Mr. Viswanatham asks is that he may be given fifteen days' time to elect. If that right of election is not to be given to him, then, we are only arrogating to ourselves the right of that person. It may be, at the time when he stood for election for one House he wanted to be a member of that House.

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But, subsequently after the declaration of election he might have changed his mind and so, we should not prevent him from exercising his right to sit in whichever House he wants.

"Another difficulty which was expressed was that no constituency should be kept vacant. This would not happen, for the simple reason that that would happen only when the same member is returned to both Houses with no provision of election by the members. Therefore, when there is provision for choice to be made, whether immediately or after some time reason and common-sense requires that the person who has been chosen by an electorate for both Houses should be given the choice or right to choose as to whether he wishes to be in this House or the other House. It is a very simple matter and nothing will be lost by accepting this amendment."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, after your ruling, what is now left to us is to suggest which is the better of the two alternatives given by the Government in this legislation. The view that you held, Sir, was that it was competent for the Government to bring forward a legislation for vacating a seat themselves. The other alternative you have ruled out of order is—Can the Government by legislation circumscribe the right of a member to choose his seat in whichever chamber he likes, after the election to both seats have taken place. So, in view of the fact, that this amendment of Mr. Viswanatham is in order, I would request the Government to accept it, for, thereby the Government will be conferring or recognizing the right of a particular member to choose his seat in whichever House he likes. Of course argument would be advanced that the member would delay resigning or that he will not easily come forward to resign one seat or the other. But that can be provided for in this legislation by limiting the period within which he should decide. So I request the Government to accept the amendment of Mr. Viswanatham."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, the amendments given notice of by Mr. Viswanatham are only with reference to clause 3. As I said previously, if they are accepted it would land us in a difficult position. Mr. Viswanatham said: suppose the person elected wanted to take his seat in the Assembly. Suppose, I say, he does not take his seat in the Assembly for some time. Or, suppose both the Houses sit simultaneously. Then what is the position? So it is, we are not fixing any time. Then, Sir, Mr. Viswanatham's amendment says, 'Provided . . . a member elected . . . shall have the right to resign his seat . . . Suppose he does not resign. What is the position? He must lose his seat in one House or the other. There is no provision for that in his amendment. (Interruption by Mr. Hameed Khan.) Mr. Hameed Khan says, 'You draft for it.' That is what we have done in this legislation. If he is elected for the Council he ceases to be a member of the Assembly. If this is accepted then the member need not resign, he need not take his

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seat in the Assembly. I cannot understand the contention of Mr. Gopalaswami to give six months' time. I do not know for what purpose it is. That again would put us in the difficult position, supposing, he does not resign.

"Here, I would remind the House of a similar provision in the Constitution Act, Article 101 (2), which provides for the vacation of seats in the Parliament and in the Assemblies and Councils of States. Clause (1) runs thus:

'101 (1) No person shall be a member of both Houses of Parliament and provision shall be made by Parliament by law for the vacation by a person who chosen a member of both Houses of his seat in one House or the other.'

(2) No person shall be a member both of Parliament and of a House of a Legislature of a State specified in Part A or Part B of the First Schedule, and a person is chosen a member both of Parliament and of a House of the Legislature of such a State, then, at the expiration of such period as may be specified in rules made by the President, that person's seat in Parliament shall become vacant, unless he has previously resigned his seat in the Legislature of the State.'

"So, Sir, it will be seen that we follow more or less the provisions of the Constitution Act, and so the amendments proposed are not necessary."

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, so far as clause 4 is concerned, there is no dispute at all. It contemplates the election of a person who is not a member of either House of the Legislature. That position is contemplated by the Constitution. The contingency for which provision is made in clause 3, that is, what is to happen when a member of one House is chosen a member of the other House is not at all envisaged by the Constitution. Suppose a member of the Assembly is chosen a member of the Council. If Mr. Viswanatham's amendment is accepted, he will have the choice to retain his seat either in the Assembly or in the Council. If he exercises his choice in favour of retaining his seat in the Assembly, again another election will have to be held for the vacancy in the Council. If he again files his nomination and gets elected to the Council from the same constituency and again exercise his choice in favour of retaining his seat in the Assembly, once again an election will have to be held for the vacancy in the Council. I do not think such a position stands to reason. It is better we stop this political bigamy. A person cannot marry the Assembly and yet be courting the Council, and when he is successful in his courtship with the Council, he does not want to marry. If he wants to marry, he must divorce his first wife. We have abolished marital bigamy and let us not give room for this political or legislative bigamy."

SRI T. VISWANATHAM:—"Sir, I want to reply to the points raised and I will require at least ten minutes."

(After lunch—2-30 p.m.)

THE HON. SRI B. GOPALA REDDI:—"Sir, before Sri Viswanatham replies, I would like to point out that we are doing nothing new in this matter. We have been having a Legislative Assembly

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and a Legislative Council from 1937. In the Madras (Prohibition of Simultaneous Membership) Rules, 1936, a similar provision exists and I shall read it for the benefit of the House—

‘If a person who is already a member of the Legislative Assembly of the Province of Madras and has taken his seat in such Assembly is chosen a member of the Legislative Council of the Province, his seat in the Assembly shall, on the publication in the *Fort St. George Gazette* of the declaration that he has been so chosen, become vacant.’

‘This is the provision in the existing rule. There is a similar provision also in the law made by the Uttar Pradesh Government under Article 190 of the Constitution—

‘Where a person who is already a member of Uttar Pradesh Legislative Assembly and has taken his seat in such Assembly is subsequently chosen a member of Uttar Pradesh Legislative Council, his seat in Uttar Pradesh Legislative Assembly shall, on publication in the *Gazette* of the declaration that he has been so chosen, become vacant.’

‘So we are not doing anything new or out of the way. What is already in existence is being continued in the new set-up also.’

* SRI T. VISWANATHAM:—‘Mr. Speaker, Sir, I am deeply obliged to the Hon. Leader of the House for taking us through the present rule in this State and the law made under Article 190 in the State of Uttar Pradesh. But that does not rebut my argument. If there is a flaw in my argument, he need not cite these examples. If there is a flaw in his argument, these examples will not help him. The question is whether what we are doing is in accordance with the terms of the Constitution. Probably the implications of the language of the article have not been studied deeply and it has given rise to a sort of self-sureness in the position that we have got the power to declare a member's seat vacant as soon as he is chosen a member of the other House. I would ask him to go through the language of the Article 190 carefully—

‘No person shall be a member of both Houses of the Legislature of a State

‘The fundamental principle is that a person shall not be a member of two Houses simultaneously. There may be occasions when a person may be elected to both Houses. Therefore the succeeding clause has been added—

‘and provision shall be made by the Legislature of the State by law for the vacation by a person who is chosen a member of both Houses of his seat in one House or the other.’

‘The vacation of the seat is not by a statutory declaration but by the person concerned. The Hon. Leader of the House should know that the article is very carefully worded. The arguments which he and the Hon. Minister for Law advanced are arguments which could or might have been advanced on the floor of the Constituent Assembly at the time of considering the Article. We have no right to go into the wisdom or otherwise of it, the difficulties that may arise in working it or the policy of the Constitution makers. We have got to understand that the Constitution is intended to conserve the liberties of the people. It only regulates and does not cut down except to the extent specifically

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provided for. Unless the Constitution says that a particular thing shall not be done, it should be interpreted so as to affect the rights in favour of the citizens. In view of the fundamental rights and in view of adult franchise, everybody, unless he is disqualified positively under the terms of the Constitution, has got the right to stand for election. That is the first thing. The second thing is that he has got the right to stand for election for both Houses. Not only that. A person who is a member of one House has got the right to stand for election to another House. There is no use of asking why he should think of the luxury of standing for another House when he is already a member of one House. He stands because he has got the right. That question should have been put in the Constituent Assembly when the Constitution was made. Probably the question was put and answered. The result of the discussion is the conferment of a right on the member of one House to stand for election to another House. Therefore there is no use of hurling adjectives and calling it a luxury, courtship and so on. It is a right conferred by the combined wisdom of the Constituent Assembly and the Legislature has no jurisdiction to abridge that right. The Hon. Minister says that this Bill does not cut down any right and that it only says that when a person, who is already a member of one House, is chosen for another House, his seat in the former House shall become vacant and quotes the Uttar Pradesh Act in support. In my humble opinion, that Act is equally wrong. The point is that the seat will have to be vacated only at the will of the member. The Constitution is very clear that the choice of vacating his seat in one or the other House shall be that of the person concerned. The proper frame of mind for exercising the choice will arise only after the result of a person's election to another House is declared. Prior to that declaration, there is no opportunity given to the member to exercise his choice. It is all only preliminary preparation. According to the Article, the State Legislature has got the right to prescribe a period of time within which he must exercise his choice. It may be fifteen days as in another clause and that is considered reasonable. We will not be satisfying the spirit of the article unless we give him the choice after the election result is declared. Therefore I submit that it will not be right on our part to curtail this right. I submitted that all the three amendments might be considered as having been moved together. The Hon. Minister for Law said that this was a useless amendment.’

MR. SPEAKER:—‘He never used the word ‘useless’.’

* SRI T. VISWANATHAM:—‘I noted it with my fountain pen as soon as he said it. He did not want to sneer at me. I will put the most charitable interpretation. He said that the amendment was useless in the sense that it would not serve the purpose and that it would prolong the period of suspense. It is not so. His contention was, what would happen if a member did not exercise his right. Provision is made for that contingency in clause 4, I agree with that, and on the basis of the existence of clause 4,

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I moved my amendment to clause 3. In the light of clause 4, the contention that the seat will have to be kept vacant and that there will always be suspense does not hold good. The clause says that his seat *shall* become vacant. In Article 101, the President is given the power to prescribe a period within which a person who is elected a member both of Parliament and of a House of a State Legislature should exercise his choice. At the expiration of such period, his seat in the Parliament shall become vacant, unless he has previously resigned his seat in the Legislature of the State.

"The Constitution contemplates all the three contingencies. This Bill contemplates only two contingencies and it does not provide for the third contingency of a member being altogether free to exercise his option. My amendment provides for that contingency on the lines of the provision in Articles 101 and 190 (2). I submit this amendment is perfectly reasonable. Only the Hon. Minister should give careful thought to it.

2-45
p.m.

"If I am quite clear, Sir, then I should submit that the House must accept my amendment, as the choice given under the Constitution should not in any way be denied to him. A right conferred by the Constitution cannot be taken away by us. It is true that my hon. Friend Mr. Bhashyam sought to move a point of order, stating that clause 3 of the Bill was *ultra vires* of the Constitution, but, you, Sir, were pleased to state, that it is a matter for the court to decide and that it is not for you to decide it in the House. But I submit, Sir, that as members of this House, when there is an opportunity for us to point out certain constitutional defects and mistakes in the Bill, it is but right and proper that you should consider the matter on its merits and give your ruling. It is not as if we are a Unitary Government; it is not as if it is a question of a political party. It is a constitutional point and when that point was raised by an hon. Member of this House . . ."

MR. SPEAKER:—"I said that the better place for it to be decided is a court of law. I never said that I had no right to give a ruling on it."

* SRI T. VISWANATHAM:—"Sir, the question of *ultra vires* or otherwise can also be raised in a court of law. We know that. But at the same time, we are not precluded from saying that the legislation is *ultra vires* even when a Bill is being introduced, and it is not possible for people to go to a court to get such a declaration, even when a Bill is being introduced. We can only object to the clause as such, stating that it is *ultra vires* of the Constitution. Even apart from the question of the clause being *ultra vires* or *intra vires* of the Constitution, we might, as the hon. Gentleman from Bezwada has pointed out, consider the merit of the amendment as such and see whether this Bill is not interfering with the right of choice conferred by the Constitution. In these circumstances, Sir, I submit that my position is correct and that

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my amendment must be accepted. If, in the opinion, of the Hon. Leader of the House, the language of my amendment is not suitable, he might adopt his own language and move his own amendment. But, all the same, Sir, my amendment is absolutely necessary, for we have no right to interfere with the right conferred by the Constitution."

THE HON. SRI B. GOPALA REDDI:—"Apart from what I have stated just now, Sir, this clause is in conformity with the existing rules which were framed in 1936. I do not think, Sir, that Article 190 contemplates simultaneous membership when a person is already a member of one House. What we have provided in this Bill, is that if a person is elected to both the Houses of Legislature, he must exercise his discretion within a fortnight to be a member of only one House, and that is all that is contemplated by Article 190 of the Constitution Act. But what happens if he is already a member of one House and if he stands for election to the other House and is got elected? Such a position has not been contemplated by Article 190, and that is what we are trying to provide by the present clause in the Bill. I do not think, Sir, that this provision is contrary to the intention of Article 190 of the Constitution, nor does it interfere with the right of choice conferred by that Article. We must consider the provision on its merits. Suppose a particular gentleman is a member of the Assembly, and suppose he stands for election to a seat in the Council and has succeeded. Suppose he wants to exercise his right of choice and chooses to retain his seat in the Assembly, then what will happen to his seat in the Council? The whole election becomes purposeless. It is obviously not the intention of the Government or the Constitution to hold purposeless elections. If he retains his old seat in the Assembly and vacates his new seat in the Council, it means that a further election or by-election has to be held. Certainly, Sir, it should never have been the intention of the framers of the Constitution to hold such purposeless elections or by-elections, if a certain member is strong and powerful enough to get himself elected to the Council any number of times, and chooses to retain his seat in the lower House, not to mention the trouble and expenses involved in conducting a by-election, and fixing the dates and time-tables for it. I, therefore, submit, Sir, that this provision is perfectly all right and other States have also adopted the same procedure and it is also in conformity with the existing rules framed in 1936. I am, therefore, unable to accept the amendment of my hon. Friend Mr. T. Viswanatham."

The amendment was put and lost.

Clause 3 was put and carried.

Clause 4 was put and carried.

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

'That the Bill be passed into law.'

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Mr. SPEAKER:—"Motion moved—

'That the Madras Legislature (Prohibition of Simultaneous Membership) Bill, 1950, be passed into law.'

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, a good deal of arguments have been advanced on the floor of the House as to whether this legislation is *ultra vires* or *intra vires* of the Constitution. Arguments have also been advanced in respect of the desirability or otherwise of accepting the amendment of my hon. Friend Mr. T. Viswanatham. But I should however like to point out one thing to the Government. Perhaps those arguments may be a right interpretation or a wrong interpretation of Article 190 (1) of the Constitution. On the one hand, it has been contended by my hon. Friend Mr. Viswanatham that we cannot take away the right of choice given under Article 190 (1) of the Constitution Act, and that by doing so, we shall be doing an unconstitutional act. On the other hand, it has been argued by the Government spokesman that no such choice has been given by the Constitution Act and that the Government and the Legislature are free to do as they like. But I should like the Government to consider the whole question from this point of view. Whether such a right of choice is given or not under the Constitution, why should it be made a point of controversy before a court of law? Should any law that is enacted in this House be a subject of controversy in any court of law? Should it not be free from doubts and flaws? Is it the intention of the Government that any defects or doubts raised in this House should be taken to courts of law and be cleared there? Suppose the matter is taken to the High Court; what happens? The High Court will take three or four days for the purpose of deciding the question whether this legislation is *ultra vires* or not of the Constitution. After all, my point is that when a doubt has been raised on the floor of the House as to the constitutionality or otherwise of this measure, it is up to the Government to consult expert legal opinion on the point before proceeding further, so that there need not be any question of doubt on that point and no need to take the matter up to the High Court to establish the legality of any legislation passed in this House. It is from this point of view that the Government should consider this legislation. Let us not hurry with this measure as we did in the case of another measure, which has recently been enacted in this House. We know what happened in the case of the Amending Bill which we have recently passed in this House to the Criminal Law Amendment Act. It was clearly stated on the floor of the House that such a clause as was put in that Bill was defective in that the definition clause cannot constitute a provision of law. The Government were very adamant and very obstinate and the Government spokesman stated on the floor of the House, 'No, No, we are right and our legal experts have assured us that there is nothing illegal in the Bill and therefore we can go on merrily with the legislation'. What happened afterwards? The matter was taken before the High Court and

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the same point was raised therein and it is pending the judgment of the High Court. Whether the Government will ultimately succeed or not is a different matter, with which we are not concerned, but my point is that where a constitutional doubt has been raised on the floor of the House, it ought to be cleared to the satisfaction of the House before we proceed further with the legislation, and it should not be stated that it is the High Court that will have to decide the legality or the validity of the measure. It is only after four days' argument by both the sides that the High Court, with three Judges sitting together, with the Advocate-General arguing the Government case on the one side and a number of advocates on the other side arguing the opposite side, is going to decide the matter one way or the other. Is it the intention of the Government that every Bill passed in this House should go through this process, if any doubts are raised in this House? If even when a Bill is under discussion, hon. Members point out something unconstitutional in the legislation and that it could be set right in a most reasonable way. I do not see any reason why the Government should not consider the point and take steps to rectify the defect, if it is really so. Why should they leave the matter to be decided by the High Court, when even at this stage it could be rectified? When I raised a point of order, the Hon. Speaker also said that it is the court that has to decide the matter and that he could not give a ruling."

Mr. SPEAKER:—"The hon. Member has thoroughly misunderstood me. What I said was that the High Court is a better place to decide the question. I never said that I had no right to give a ruling on the point of order raised by the hon. Member."

* SRI K. BHASHYAM:—"With all respect to you, Sir, I submit that with your prestige and dignity as the occupant of the Chair in this House, you ought to be able to persuade the Government to adopt the proper course in regard to these matters."

Mr. SPEAKER:—"It is not my business to advise the Government what they should do and what they should not do."

* SRI K. BHASHYAM:—"I only submit, Sir, about the desirability of the Hon. Speaker intervening in such a case, because in certain cases it is possible for the Speaker to point out the difficulty in the way of legislation and the Government might see whether that difficulty could not be removed in some way or other. After all, Sir, it is not a desirable or a happy position for the matter to be taken to a court of law and the court to sit in judgment over it, after a legislation has been passed by the whole House, with the Government and their legal experts sitting here and advising the Government and we, the members of the House, with our united wisdom passing it into law, while the Judges of the High Court, criticising us that all of us are wrong and that we were foolish to have passed this law. Why should the Government and the House be exposed to such a censure and criticism by the High Court. I cannot understand. I should, therefore, like to

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point out to the Government that in respect of this Bill, they may defer it for the present, clear the doubts raised by the members and then come before the House with the Bill after rectifying the defects if any. Nothing would be lost in the meanwhile. That is how the Government ought to look at the matter. I hope, Sir, that the Government will accept the position as I have stated and not stand on prestige as they did in the other case. It is for that reason that I urge the Government to consider this matter and then come up with a revised Bill, if necessary."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I want to submit that in spite of the learned argument of the Hon. Leader of the House, the stand he has taken is not right and the position is not free from doubt. Of course, he tried to cloud the real issue by asking us, what would happen if a person chose to retain his seat in the Assembly and yet contested a by-election for a seat in the Upper House and got himself elected. He feared that in such a case, there would be a series of purposeless by-elections and so on. That is not the way to look at this question at all, Sir. Suppose the same reasonable person, whom the Hon. Leader of the House mentioned, after retaining his seat in the Council, and after his seat in the Assembly has been declared vacant, again files his nomination papers for standing as a candidate for the Lower House, will not then a fresh by-election take place for the Lower House? How could it be avoided? We can conceive of legislation only in terms of ordinarily reasonable human beings and it is no argument to put forward that simply because there will be a repetition of purposeless elections, therefore we are proposing this Bill to deny his right altogether. In effect, Sir, what the Hon. Leader of the House says is this: 'I am proposing this Bill in order to see that the seat in one House is declared vacant by the statute itself to avoid repetition of elections.' I submit, Sir, that it is against all canons of public policy. What if, if there are too many elections? If elections there must be, why prevent them by means of this legislation? By all means, let the elections be held. After all, we are expected to deal with reasonable human beings and elections are not such simple things for any person to go through as he pleases, just as he goes to a restaurant to take a cup of coffee or tea. It is a very costly affair for any person and no person will say, 'I shall again and again stand for all vacant seats.' I submit, Sir, such things will not happen. Any way that is not an argument that will hold water."

"Sir, the real point for consideration is whether the person is given the right of choice or not, to sit in one or the other legislature. If so, is it proper from the point of view of the Constitution to legislate, declaring a seat vacant in any House, by a statute? I therefore submit, Sir, that the view taken by the Government is not right. Of course they have not accepted the amendment moved by me and when you, Sir, put my amendment to vote, the voices against it were very small and feeble as compared to the voices in favour of it or for the clause."

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MR. SPEAKER:—"The hon. Member did not challenge it then."

SRI T. VISWANATHAM:—"I am not questioning your ruling, Sir. I said that we heard only a small voice against my amendment and that only reminds me of two lines written by a dramatist who depicted the feelings of a certain Member of Parliament voting for his party in the House of Commons. He wrote—

"I have only voted at my party's call,
I have never thought of thinking for myself at all."

JANAB MAIBOOB ALI BAIG:—"Mr. Speaker, Sir, I would not have intervened in this debate at all, but for certain observations made by the Hon. Minister for Law and Education, in justification of clause 3 of this Bill. He quoted article 101 of the Constitution and stated that in the case of the Union Parliament also, the same provision finds a place in the Constitution. I should like to invite the attention of the House to article 101 itself, where there is a provision that the President shall, by some rule, fix a period after the expiration of which the member's seat in one of the Houses shall be declared vacant. That is what exactly the hon. Gentleman, Mr. Viswanatham has sought by his amendment to make out. In that amendment he stated that the person who succeeds in the elections to both Houses must be given the right to choose his seat in either of the Houses within a specific period to be fixed by rules made in this behalf."

"Under clause 3 of this Bill, no such period is given. Accordingly to us who supported the amendment, it prevents any person, who has got the right to stand for both Houses, from contesting both seats. That is not what is meant by the Constitution. What the Government seek to do is to take away the right of a person to stand for both seats. This is a right given by the Constitution. What is given by the Constitution is sought to be taken away by an indirect method. The Government threaten to say, 'Look here; if you stand for a seat in the other House, you should not be a Member of this House; the present seat in this House will go.' That is doing a thing indirectly which the Government cannot do directly. I say this is a fraud on the Constitution as lawyers would put it. By enacting this legislation, the Government are preventing a man from standing for election to both Houses on pain of losing his present seat. That is what is being done now."

"The second point is, when we advanced this argument, the Leader of the House took refuge under article 190 saying that article 190 did not apply to the cases contemplated. As I pointed out, the hon. Member Mr. Bhashyam said that article 190 did not apply to this case, and that it applied only to a case of simultaneous election to both. He said that the Government had no right to say in clause 3 . . ."

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MR. SPEAKER:—"At the third reading stage, the hon. Member should not speak on clauses."

JANAB MAHBOOB ALI BAIG:—"I am meeting the arguments of hon. gentlemen on the other side, and I wish to point out the effect of their argument and how they misunderstood the whole matter. Hon. Members who think that this enactment is not completely *intra vires*, are of the view that Article 190 applies to both cases, also to the election of a person who already belongs to one House getting himself elected for the other House. Therefore, my submission is, that clause 3 goes against the spirit of the Constitution, because, the Government are thereby preventing a person from contesting for both seats on pain of his losing his present seat."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, the Government by bringing forward this legislation seem to believe that they are carrying out the provision that is made in Article 190 of the Constitution Act. In doing that they could have taken a liberal view of that Article, instead of a narrow one. My opinion is that they have taken a narrow view. They have taken such a view with the result they are restricting the right of an individual to seek election to the two Houses simultaneously or one after another. In my opinion, the Article does not restrict the choice of the Government to take a liberal view of the Article. If they had taken a liberal view, they would certainly give the option to the candidate who seeks election for two Houses simultaneously and gets elected to both Houses to choose the legislature in which he would like to continue. That should have been the provision made by the Government in this legislation. I am sorry that the Government choose to take a very narrow view, and we have here a legislation which is certainly going to limit the right of members. It is true that the Hon. Finance Minister and the Hon. Minister for Law and others, who hold the other view, make a distinction between standing for an election and getting elected. The right to stand for election, they concede, is there for an individual, simultaneously for more than one legislature. But at the same time they do not admit the right of the person to get elected to both the seats. For, if they did concede that right, they would certainly not come forward and say that the Government should compulsorily decide which place a Member should continue to hold—either the Assembly or the Council. That is a narrow view taken by the Government. The hon. Gentleman the Leader of the House argued that there would be a series of elections if persons should stand for two seats simultaneously, resign one, and continue in another. Candidates will be standing for elections over and over again for the same seat necessitating bye-elections endlessly. But he forgot that the reverse also followed. If the person is unseated from the Assembly on account of the declaration of his election to the Council, there is to be an election for the vacant seat. What the hon. Gentleman

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is afraid of, is not eliminated by the method that he has employed. That is there automatically in both cases. Elections come either way. Either by the view he takes, or by following the view that we suggest, elections do come endlessly. Therefore, he does not eliminate, by the method he has adopted, the continuation of a series of elections. I would suggest to the Hon. the Leader of the House to take a liberal view in all matters of legislation in future."

THE HON. SRI B. GOPALA REDDI:—"Sir, certainly we shall take a very generous view of all legislation that we undertake and we do not accept the charge that we are taking a very narrow view of things that come up before us. This is merely an academic question. We have similar provision made in 1936, and we have had two general elections. Never there was a case of a Member being elected to both Houses, and his not choosing either way and his seat becoming vacant in the other House. More or less it is an academic question, and I am sure it would not work any hardship on any individual. Because having retained a seat in any particular chamber, if he has deliberately and purposefully chosen to stand for another seat, and gets himself elected, then he will certainly prefer the seat which he contested, and the other seat automatically becomes vacant. Otherwise it becomes a purposeless election. I am sure the Government of India also will be legislating in the same manner, and we have seen other States legislating in the same manner. I would therefore think that no great harm will be done by the narrow interpretation or generous interpretation, and, as I said nothing untoward will happen to anybody."

MR. SPEAKER:—"Before putting the motion to vote, I must clear certain misunderstandings regarding my ruling. The hon. Member Mr. Bhaskiyam has thoroughly misunderstood me. I never said that the Chair had no power to decide this question."

SRI K. BHASKIYAM:—"I never said that."

MR. SPEAKER:—"What I said was that the better place was the Court. I simply quoted the ruling of Mr. Abdur Rahim. Hon. Members should know that Abdur Rahim was the Judge of the Madras High Court for a number of years, and he was also the Chief Justice of the Bengal High Court. In one of his rulings, as President of the Central Legislative Assembly, he said:

"This question, whether the Chair will take cognizance of a question like this (whether a Bill is *ultra vires* or *intra vires*) as a point of order, has been raised before. Although I have not yet given any considered ruling on the point, I have come to the conclusion after very careful consideration of the subject, that this really is not a matter which can be or should be dealt with by the Chair on a point of order. A point of order, generally speaking, relates to matters which concern the proper conduct of the proceedings of the House. The question whether the Assembly is competent to entertain a certain proposal for legislation is one of great importance, and, in my opinion, it is for the House to come to a conclusion on that point, as well as other points submitted to the House on the question whether the Bill should be passed or not. I think hon. Members will fully realize that a question relating to the legislative competence of the Assembly, which may

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often involve much difficulty and complexity, should not be summarily settled by the Chair on a point of order. In fact, the Federal Court has been established for the very purpose of dealing with these questions and the Chair has really not the facilities or the time and the material on which to come to a satisfactory conclusion on a question of this character so as to be able to decide finally whether the Assembly should or should not consider the particular legislative proposal. I, therefore, hold that this is not a question which should be settled by a ruling of the Chair on a point of order, but I shall consider whether I ought not to give more detailed reasons for the conclusion I have arrived at.

In the course of the ruling I said that Court was the better place. The hon. Member Mr. Bhashyam has misunderstood me. I once again repeat and reiterate that the Chair has power to deal with this question.

I now put the motion to the vote of the House.

The question is—

That the Madras Legislature (Prohibition of Simultaneous Membership) Bill, 1950 (L.C. Bill No. 4 of 1950), as passed by the Council, be passed into law.

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

(2) THE MADRAS LAND ENCROACHMENT (AMENDMENT) BILL, 1950
(L.C. BILL NO. 2 OF 1950).

* THE HON. SRI H. SITARAMA REDDI:—“Sir, I move—
That the Madras Land Encroachment (Amendment) Bill, 1950 (L.C. Bill No. 2 of 1950), as passed by the Council, be taken into consideration.”

“This is a Bill that seeks to make it clear that the provisions of the Madras Land Encroachment Act can be applied to cases where a lessee is holding over, or, where a person, to whom grant of land has been made, violates the condition of the grant, and the land has to be resumed. The Government want to make it clear that the provisions of the Madras Land Encroachment Act can be applied to such cases. Doubts have been raised whether the provisions of this Act could be applied. To clear those doubts, this Bill has been brought forward.”

MR. SPEAKER:—“Motion moved—

3-15 p.m. That the Madras Land Encroachment (Amendment) Bill, 1950 (L.C. Bill No. 2 of 1950), as passed by the Council, be taken into consideration.”

* SRI K. BHASHYAM:—“Sir, while I concede that a provision like that may be necessary, I should like some sort of safeguard for the person who is charged with being an encroacher upon the Government land. Clause 15-A which is sought to be introduced into the Act says—

“Where a lease of land which is the property of the Government expires or is terminated by the Government or any other authority competent in that behalf

* Printed as Appendix IV on page 959 infra.

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“The question whether a lease has expired or has been properly or lawfully terminated by the Government or any legal authority is one which has got to be determined on the terms of the lease. It is not a matter which can be easily decided either by the Government or by the lessee. In all these cases, when the matter is doubtful or when at least the matter is disputed by the Government, that matter should go before the Court of Law to decide whether a person is guilty of encroachment or not. It ought not to be open to the Government by merely a unilateral declaration on their part to say that the lease has expired or has been terminated by them. The Government would be well-advised in this matter to introduce some safeguard. Though I have not given notice of an amendment, I would like the addition of the words ‘and the same is decided by any Court of Law’. Only then, the person can be considered to be an encroacher. I hope the Government will look into this matter and see whether they cannot bring in an amendment of their own.”

* SRI V. I. MUNISWAMI PILLAY:—“Mr. Speaker, Sir, the Hon. Minister has said that this Bill has been brought before this House on the recommendation of the Legal Department to make the Act of 1905 workable. But, Sir, as I read the Bill, I find it is not giving effect to the Legal Department's view but it goes to the very root of the arrangement that has been made by the Government in G.O. No. 1523. This Bill, if passed, I am afraid, will be to the ruination of the landless people and also the Harijans who have been occupying the lands for several years, though they do not come under the category of real owners. Under this Bill, the Government take power to evict such persons as remain in possession of the land after the expiry or termination of the lease and also in cases where the conditions of grant, I do not say assignment, have not been observed. Further, sections 3 to 15 of the Encroachment Act of 1905 are also invoked. Thereby, any person who is occupying the land belonging to the Government for purposes of habitation or for cultivation has to be evicted without any mercy. In G.O. No. 1523 it has been made clear that the landless poor people in sivayijama occupation of Government lands should be assigned the lands in their occupation provided such occupation is free from objection, so that together with lands owned by them, if any, they have a total extent of 5 acres of wet or 10 acres of dry land. After this G.O. came into force, I have pointed out to the House the categories by which they have to be given lands. But one has to know whether the Government have given assignment or pattas to those people who have been in sivayijama occupation, after the Government have issued this G.O. In clause 4, it is said clearly that the Government direct that lands held on lease by such persons may be assigned to them up to an extent of 5 acres of wet or 10 acres of dry land. What I claim now is that so far none has been given any assignment of any land. They are all occupying the lands

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as unauthorized occupants. If this Bill is passed, it will evict those people who have encroached on the lands for purposes of occupation not only in the City of Madras but in other places also.

"This Bill also takes power to invoke sections 3 to 15 of the Madras Land Encroachment Act of 1905. In section 6, it is clearly said—

"Any person unauthorizedly occupying any land for which he is liable to pay assessment under section 3 may be summarily evicted by the Collector and any crop or other product raised on the land shall be liable to forfeiture and any building or other construction erected or anything deposited thereon shall also, if not removed by him after such written notice as the Collector may deem reasonable, be liable to forfeiture."

"Section 13 says—

"Nothing in this Act contained shall be construed as exempting any person unauthorizedly occupying land from liability to be proceeded against under any law for the time being in force."

"So, to take more power over the already existing Act, this Bill has been brought before this House. As I have already said, if this is accepted, all those people who are enjoying lands on leases but who have not been assigned lands so far will be considered as unauthorized persons and will be evicted. This will lead to a lot of inconvenience and the people in the City, especially thousands of them who have come here to help the City by their service, will be thrown out without even dwelling-houses. This will work a great hardship and I do not think this Bill is in any way a wholesome measure. It has been pointed out in this House that the economic condition of the Harijans is very bad. If this Bill is made law, all these people will be evicted. It is not only the landlords and mirasdars who are evicting our people from occupation but the Government also will be added to that list of people who are trying to evict the poor Harijans. In the second paragraph of this new clause 15-A, it is said—

"Where land granted to any person is liable to be resumed by the Government for the breach or non-observance of any of the conditions subject to which the grant is made"

"This clearly shows that in places where Government have granted lands under certain conditions, if this Bill is made law, they will take action immediately whether the people have sowed on the land or not. I have given notice of some amendments about which I shall speak later. I think there must be a time-limit in cases where the Government feel that some conditions of grant have not been observed. Sir, the very intention of G.O. No. 1523 will be set at naught if this Bill is passed into law. With these observations, I feel that the Minister will reconsider this matter."

SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, no doubt there should be no encroachments on Government lands in an anarchical way. The lands of the Government or poramboles must be protected like any other private property from being encroached upon in an unauthorized way. But the Government are not like private owners. Government are the representatives of the people,

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and the protectors of their rights, their liberties and their comforts. Poor people, Harijans, non-Harijans and labourers are everywhere homeless. They no doubt come and occupy some poramboles. There they improve the sites, build some huts and earn their livelihood by hard labour. If the Government arbitrarily evict them, if one day the policeman or the Revenue Inspector comes and forcibly removes them from their small huts and throw out all their utensils into the hot sun or rain, where will these people go? That is a consideration which the Government have to take into account. Particularly in growing towns like Vijayavada, labourers are increasing. Our country is a country of poverty. No doubt we have obtained freedom, independence and liberty, but everywhere we see poverty, houselessness, foodlessness and so on. Therefore, the Government should not take arbitrary powers. There should be some limit to their powers. Equity must govern this sort of affair. When a site is vacant, it is a common property no doubt. It is a property of the nation and the houseless people come and occupy it. What is wrong in it? If the Government want to evict these people, they should do so only when they have some necessity for the land, i.e., if it is required for public purposes. Otherwise, what is the meaning of driving away all the thousands of labourers who are occupying the vacant sites in a town like Vijayavada?"

"With regard to eviction notices, it is issued at the sweet will and pleasure of the Karnam or the Revenue Inspector. The higher authorities do not know the realities. They do not know the facts. In every periodical visit made by these lower officials, if they are paid something, they go away. Otherwise they issue notices saying that those people have no right to live in those lands which are under their unauthorized occupation and so they will be ejected out of the lands. In this way things should not be allowed to go on. The Government should not have arbitrary powers and they should not use their powers in an arbitrary way. Whenever they want to eject some people from a particular land, there must be some necessity for so doing. Also, they must show some alternative sites for these poor people to live in. Every day such cases are coming before me in the Vijayavada city as a representative of the people. People come and tell me that several of them are being ejected without being shown alternative sites. Co-operative societies are being formed for the benefit of the richer classes and middle classes; but nothing is being done for the colonization and housing of these poor classes. When a scheme is contemplated, it will take years. Nothing is being done for these poor people. They say that establishment is scanty and all that. They are also saying that the lease period is over and the man is holding over and therefore we shall eject and drive him out from the land. How will that man live if he is suddenly ejected out and where will he go? Although a permanent patta might not have been given to him in the first instance, he has been allowed to occupy the land under the very nose of these

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officers. Whenever a Harijan or a poor man occupied a land, he must have thought that he would be allowed to live there permanently, though not it is so technically. The officers too must have thought that the land was fit for occupation by the poor people and fit for cultivation by them. When such is the case, why should the Government seek to eject them at a later stage? Therefore I am of the view that in the case of a holding-over, the Government must rather go to a court of law for ejection purposes. Sir, this is a very serious matter. If some Harijans or some poor people who are occupying Government lands and living there by cultivation are to be ejected at the sweet will and pleasure of the officers, then it is really very merciless on the part of the Government, especially when once you have allowed their occupation of the lands. Who prevented these officers from being very vigilant even in the first instance and stopping those people from coming and squatting on the lands. They slept over it all the time and have allowed these people to occupy the land and improve it and comfortably live there. These people naturally might have thought that 'it is the national Government and it is a people's Government and so everybody has a right to live under the sun'. They further believed that this was a merciful Government and will allow them to live in those lands and unless it is absolutely necessary, the Government would not take it away from them. But what is happening? Things are going on arbitrarily."

"There is one other matter on which I would like to speak. If the Government takes away a particular land from a lessee, they must pay for the improvements that have been made. If the lessee has built a house, the Government must pay the cost of the house as compensation. If he has raised crops on the lands, then also, the Government must pay the cost of the crops. The Government are evicting these poor people and thus doing a merciless act. At the same time, if they take away the house or the crops along with the land without paying their cost as compensation, then it is very wrong. Provision must hence be made for paying compensation to these poor people for the improvements made. Being a party man, I cannot say that I am opposed to this measure, but I want to appeal to the Government to reconsider their decision with regard to this Bill and do everything that is equitable and in the best interests of the people."

MR. SPEAKER:—"As quite a large number of Members want to take part in the discussion on this Bill, I fix 10 minutes as the time-limit for each hon. Member. Mr. Baig will now speak."

THE HON. SRI H. SITARAMA REDDI:—"Sir, I think there is a little misapprehension about this Bill."

MR. SPEAKER:—"If the Hon. Minister wants to give an explanation . . ."

THE HON. SRI H. SITARAMA REDDI:—"I have already explained the position; but some hon. Members seem to refuse to

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accept the explanation. The Bill is very simple. With regard to the remarks made by the previous speaker, I want to say that all those powers are already vested in the Government by the Act of 1905 and there is nothing new. What is sought to be introduced by this Bill is to clear certain doubts. So far as the Bill is concerned, certain doubts were expressed and in order to clarify them, the present Bill has been brought forward, and it is not as though some new things are introduced. There are provisions relating to eviction even under the present Act. If a man encroaches on a Government land, even to-day, the Government under the Act of 1905 can drive him out. There is also the right of suit given under section 14. It is not as though a man who is sent out has no right of suit. He can file a suit under section 14. So, there is nothing which is sought to be arbitrarily done as mentioned by the hon. Member. It is only to see that people do not encroach on Government lands such as public roads, etc., the present measure is brought in. Even to-day, the Government have been evicting people after the expiry of the leases. It is only to clarify what they have been doing already, the present legislation is brought and there is nothing new which is sought to be done."

JANAB MAHBOOB ALI BAIG:—"Mr. Speaker, Sir, the many points raised by hon. Members, Sri Kaleswara Rao and Sri Muniswami Pillay are according to me beside the point. Although I have got sympathy for these poor people about whom they canvassed in this House, I want to say that this Bill seeks to legislate in the case of a person who is a lessee and whose lands are resumed under the law and if he does not get out of the land, the provisions with regard to the ejectment of encroachers on Government lands must also apply to such cases. That is the simple object of this legislation. Mr. Bhashyam has said that before the Government passed orders ejecting the tenants, there should be a decision with regard to the expiry of the time mentioned in the lease or with regard to the breach of conditions and so on. As the Hon. Revenue Minister has pointed out, if the executive officers who are competent to pass orders of ejectment have gone wrong, it is always open to the aggrieved party to go to a Court of Law and establish his case. The Land Encroachment Act seeks to eject encroachers on lands or penalize their occupation. In some cases, it so happens that after the penalty has been levied, those lands are granted by the Government. There are many such cases. Anyhow, in order to safeguard the ownership of the Government, the Land Encroachment Act must have certain provisions. In order to save the private people from having to go before a Court of Law every time and thus incur expenditure and suffer inconvenience and also with a view to safeguard the rights and interests of the Government, the Land Encroachment Act has been enacted as early as 1905. Now certain doubts have arisen in the case of persons who are there on the land by virtue of lease

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or permission and in cases where the original conditions of grant have not been fulfilled; in order to bring such cases also within the purview of the Act the present Bill is brought forward under which the Government will be entitled to resume the lands. This is the simple purpose of this enactment. It is not as if the Harijans and other landless poor people will be driven out of the land as soon as the Bill is passed. In spite of the passing of this Bill, the Government can always retain these people on their lands under suitable conditions which they must be ready to fulfil. Whenever it becomes necessary for the Government to grant more lands to the landless persons, the Government can do so at any time. So this enactment has nothing to do with any facilities that the Government might grant to persons who are in need. Persons who are there on the Government lands and have no house-sites of their own will not be straightaway ejected. That is the simple point about this Bill. Therefore the rights of these poor people is a matter that should be urged not on the discussion of this Bill, but on other occasions. My submission is that this legislation is necessary to dispel any doubts that might arise in the minds of those persons who may resort to Courts and argue that the Bill does not apply to them. They would say that they have been lessees under the Government and so the Government cannot take away the land from them. In order to clarify such matters, this legislation has been brought forward. I think it is necessary that the Government should come to this House for a clarification of this kind so that the Courts might not say that the Government have no right. I wish that the Government will scrutinize many such provisions in the several enactments and wherever there are such doubts, come before the legislature for getting the necessary sanction."

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, the previous speaker was very near the point. It requires only a little more elaboration. This Bill applies to cases which arise under the Grow More Food Scheme, where the lease of lands has been granted and where the documents fail to provide for resumption of land by the Government even after the expiry of the lease. There is enough provision in the Land Encroachment Act of 1905 for dealing with such cases. The present Bill proposes to dispel certain doubts which have arisen as to whether the Government could introduce any proceedings for the eviction of a person holding over lands under lease or grant on the expiry of the lease or grant, and where the conditions have been made and have not been complied with. The provision for resumption was not there and even if mentioned in it remedies could not be had under the Madras Land Encroachment Act. Now, in the annexure to the present Bill, it is stated, 'Nothing in this Act, save as provided in section 15-A, shall apply to any lands claimed by right of escheat or reversion until such lands have been reduced into possession by the State Government.' That is to say, the State Government must have

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taken possession of these lands. The right of resumption arises naturally after the expiry of a lease or on the breach of any agreement made with the Government which is a written document. In such cases, the former section maintained that the Government could not obtain the benefits of the Madras Land Encroachment Act.

"Now the amendment says, 'the word "resumption" shall be omitted', while it leaves the section as it is. That is to say, where a man against the express terms of a lease, say of a Grow More Food land, is staying over he is certainly an encroacher. Likewise, in respect of some other land under grant made by the Government, a man breaks every one of the express conditions mentioned in the document and still wishes to stay, he is also an encroacher, a bad encroacher. I say in such cases the Government should certainly be given power to drive out such people from possession of the land. But I would like to take one or two circumstances into consideration. If a doubt has really arisen then there is need for the present amendment and it is not as if the Government are going to enforce the provisions of the Madras Land Encroachment Act without having some consideration for deserving cases. Suppose a man has entered on a lease of land under the Grow More Food scheme and he has stayed over, and the Government have not yet assigned the land to anybody else. In such cases, I would like the Government to examine each case, to see if there is a real agriculturist who is in possession of the land. If he is found to be a good agriculturist and if he has stayed over, he should not be disturbed if he applies to the Government within a reasonable period of time for the renewal of the lease or for a fresh assignment of the land to him. The Government must take these facts into consideration and examine each one of such applications on its merits and give the land to the person who has taken such good care of the land. But if a man has simply stayed over, not taken pains for bringing the land under cultivation but merely wants to treat it as part of his property because he has found on consulting some big lawyer that the Government had no power under the Land Encroachment Act to evict him, then I say the Government should certainly use the powers conferred by this section to get him out immediately and make proper use of the land by redistributing it amongst deserving people."

SRI K. R. KARANTH:—"Mr. Speaker, Sir, when this Bill was moved by the Hon. the Minister for Land Revenue, I thought it was an innocent piece of legislation. But after hearing the speeches of my hon. Friends who have opposed it, I am rather inclined to agree with them that this legislation is really not as innocent as it purports to be. The whole of the Land Encroachment Act, which I have read, is intended for helping the Government to oust persons who unauthorizedly occupy Government land. The very Act begins with the words, 'An Act to provide measures for checking unauthorised occupation of lands which are Crown property.' That is why under the last section, section 16,

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p.m.

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to which my hon. Friend, Mr. N. S. Varadachari referred, it is said, 'Nothing in this Act shall apply to any lands claimed by right of escheat, resumption or reversion until such lands have been reduced into possession by Government.' Now, Sir, with regard to cases relating to the Grow More Food schemes, to which also my hon. Friend, Mr. Varadachari, referred, they are cases where a person has been assigned lands for two or three or four years and the Government now having disposed of a lot of property are in a difficult position and so they having allowed authorized occupation are unable to get back the lands by recourse to the Courts. It may be that a doubt has arisen in such a matter. But there are also other classes of people who have been unauthorizedly in occupation to whom my hon. Friend, Mr. Kaleswara Rao, referred. Their case is untouched by the proposed legislation. Of course they are all matters of larger policy and let me not go into them. In relation to the Grow More Food Schemes, I can understand that there is some justification for this Bill. But what about the other classes which are covered by the term 'resumption' which is sought to be omitted now. (Sri N. S. Varadachari: 'No, no.') Let my hon. Friend in his anxiety to support the Motion have a little patience. Even in the case of the Grow More Food lands, he was appealing to the good sense of the Government to see that where a person had already grown some crops or spent some money he should not be evicted. But I am talking of the two classes of people who are directly hit by this piece of legislation, for example, where a person takes a property from the Government on a 99-year lease which provides that at the end of the period, a certain amount has to be paid for improvements effected or there is no such provision. And secondly, where a previous Government had given under a grant a certain piece of land say about 300 years ago. What is the position with regard to such cases? The position formerly was that after the period of lease was over the Government were entitled to possession as in the case of escheat, etc. Let us take the case of a 99-year lease. It is provided that at the end of that period, the Government are entitled to get back the property on payment of the cost of improvements, if any, to the lessee. Now the idea of the Government is to simplify matters by taking away the word 'resumption' which would normally apply to such cases under the present Act? At present the Government can only go to a court of law to evict him and the court decides on what terms the Government are entitled to get back the land. Now the Government want to short-circuit the whole procedure which they find to hamper the executive. According to the amendment proposed now, the Government unlike an ordinary lessor or grantor of property, can seize the land the moment they think they can get it back. I am thinking of those persons who have been in possession of lands for 300, 400 or 500 years who have made valuable improvements on the lands. If the word 'resumption' is to be deleted and new law made applicable it is a direct infringement of certain privileges conferred on such individuals by the Government of the day. Let us see what the

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actual effects are. The moment this Bill becomes law, the Collector is authorized to walk in and take possession of the property and he may even demolish all the structures on it if he wants. This authority he gets under the other sections of the Act. The hon. the Minister for Land Revenue contends that there is recourse to a court of law provided for in section 14 which says:

... Provided that the Civil courts shall not take cognizance of any suit instituted by such persons for any such cause of action unless such suit shall be instituted within six months from the time at which the cause of action arose.

Let us now see when the cause of action arises. The Explanation to that section says:

The cause of action shall be deemed to have arisen—

- (a) in respect of any assessment of penalty, on the date on which such assessment or penalty was levied;
- (b) in respect of eviction or forfeiture, on the date of eviction or forfeiture.

It amounts to this. A man can forcibly be put out of his property and he has the solace of being told: 'Within six months from the date thereof, you can file a suit in a Court of Law.' Sir, such a recourse even in respect of Grow More Food land leases which run for two years, three years and four years at the most, is a hardship. And in the two cases I am referring to, which are directly the subject-matter of this legislation, it is very hard. It is very unjust that the Government should be authorized to take possession of properties without the matter being adjudicated by a court of law. The Collector or the Revenue Inspector who is to take over possession may not care to preserve the improvements made on the property and may even demolish them. The Act was primarily intended for Crown properties; it was to apply to persons in unauthorized occupation of public streets, porambokes and other lands. To take away the term 'resumption' from section 16, simply because it simplifies matters, is the height of injustice. I beg of the Government not to proceed with this legislation if they really and honestly feel that it is intended to cover only Grow More Food lands. If it is said to cover those lands only, then it should be specifically stated. In the guise of Grow More Food lands let us not pass this Bill. The new clause 15-A says 'where a lease of land which is the property of the Government' and not 'a lease of land under the Grow More Food Scheme.' It covers all types of cases. So, Sir, unless some provision is made to cover the types of cases I have mentioned, it will be very wrong on the part of the Government to proceed with the Bill. It is not good to evict people first and say, 'within six months you file a suit in a court of law and try your luck there.' "

* JANAB M. A. MUHAMMAD IBRAHIM:—Mr. Speaker, Sir, I rise to oppose this measure. Let me say at the outset that this measure is not necessary at all because the Encroachment Act of 1905 deals with all types of encroachment of Government land.

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Section 2 of that Act clearly states what constitutes Government property and what not. Sir, this Bill makes inroads into the civil liberties of persons who hold lands granted to them by the Government. The Land Encroachment Act has for its object the removal of persons from Government properties who are in unauthorized possession thereof. In other cases, the Government under contractual obligations are the same as ordinary persons concerned and here the ordinary law should be allowed to have its own course. If the Government proceed with this Bill then that will result in the curtailment of ordinary rights of citizens conferred by Constitution Act and the relief of specific performance as against the Government will be denied to the citizen. In the circumstances, Sir, I feel that this House should not grant leave for this Bill to be passed."

JANAB MOHAMED ABDUL SALAM:—"Sir, at least for one thing, the Government is sure to go down in history and that is for their consistently attempting in every legislation to avoid courts. I do not see, Sir, why they should feel panicky about courts. I can give a catalogue of all legislation in which the Government have tried to avoid courts and prevented the people affected from having recourse to courts. Here is another example of such a legislation. Sir, you know the share of the work that is done here by the Opposition. Member after Member raised some points of order about the Criminal Law (Amendment) Bill the other day, but the Hon. the Law Minister replied that he knew everything and that his Drafting department knew everything. But the self-same legislation is now hanging fire in a court of law. God alone knows what its fate will be. Perhaps it would not bring credit to the Government. Therefore it is better the Government think twice before they introduce any legislation. Every legislation is ill-conceived and badly drafted and badly argued in this House. I shall refer to the piece of legislation that is likely to be taken up after this Bill, i.e., the Bill for the levy of a tax on tramways."

MR. SPEAKER:—"That will come before us to-morrow."

JANAB MOHAMED ABDUL SALAM:—"When we raised questions about it, the Hon. Minister for Local Administration was persistent in going his own way, but he had to yield in the Upper House. He created history for the first time and a piece of legislation which has been passed here is coming back here with some alteration by the other House. The Hon. Mr. Sitarama Reddi also is persistent in this matter. This Bill avoids courts and it is not proper that we should do it. Lands which have been conditional grants are proposed to be resumed. Sir, the Government gave some lands to an institution on condition that a library and reading room should be started there. A Library and reading room was constructed. Later on the site became important and a godown also was constructed on the site and the income from the godown was used to augment the income of the library. Sir, the Collectors and the other officers are used

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to think only in one way and no other. They said that even though the library had been constructed according to the condition of the grant, as a godown had been constructed there, even though the rent of the godown was used to improve the library, they had violated the conditions of the grant and therefore the land should be resumed. The matter came up to the then Chief Minister Sri C. Rajagopalachariar and he laughed at the idea. He said that it was foolish to think under the circumstances that they had violated the conditions and that, anyhow if it was thought that they had violated the conditions, the matter should be taken to a court of law. He cancelled the order of resumption and ordered the filing of a suit. The Government are only a party to the dispute. When a lease is granted on certain conditions, who is to decide whether the conditions are fulfilled or violated? The Government cannot be a party to the dispute and a judge at the same time. I can show hundreds of examples like this. Suppose the Government grant some land for a library. The public subscribe hundreds and thousands of rupees and open a library. The Government should not come forward and say, 'Because you are doing other work also there, I resume the land.' It is a very dangerous proposition. It requires very broad-minded people to decide whether the main conditions of the grant are fulfilled or not. It is very difficult to decide that. We have all sorts of officers. We have many parties and even within the party in power there are parties. So it is very difficult for officers to decide whether the main conditions of the grant are fulfilled or not. If this Bill is passed God alone knows what will happen. It is not after all so innocent as it appears. There are hundreds of grants in favour of schools, colleges and religious and charitable institutions. How is the Collector or a Revenue Officer competent to decide that the main condition of the grant is not fulfilled and so the land should be resumed? The result of such resumption will be the destruction of the property. Heavens are not going to fall if, when the Government think the main conditions are not fulfilled, they go to a court of law. If the conditions are not really fulfilled, the Court will decide in favour of the Government. As Mr. Varadachari presumed, if this Bill is applied to lands given on lease for the Grow More Food campaign, persons in whose favour the lands had been leased might have spent hundreds and thousands of rupees to improve the lands. Sir, I see clearly that the political sufferers want more lands. This Government have given more decide in favour of the Government. As Mr. Varadachari present Chief Minister said that he would give 5 acres and 10 acres to political sufferers, he was not aware how much land was available for these grants. That has created all this trouble. Is it not a fact, Sir, that this Government are not able to fulfil the promises they have made to their own partymen and therefore they have brought forward this Bill so that they can use this power to deprive all the people who have been given conditional grants of lands or lease of land and distribute those lands to their own partymen? When the Hon. Minister introduced

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he Bill, has he examined how many acres of conditional grants of lands are there and in how many cases the main conditions have not been fulfilled? Has he examined how many leases are here and in how many acres there is encroachment after the leases are over? Has the Hon. Minister understood the great difference between encroachment and unauthorized occupation? There is a vast difference between a person who is occupying the land and after the lease is over and one who is occupying the land without any permission or without any grant. The latter is an encroacher. Sir, the Bill has nothing to do with the heading, 'A Bill to amend the Madras Land Encroachment Act, 1905.' The Government are a party to the lease or the conditional grant. There are certain contractual rights. They are sacred. I hope this Government still stand for the sacredness of contractual rights. Certain rights have accrued to the party on account of the lease or conditional grant. Suppose I have taken a land on lease for 100 years and many people have entered the land as sub-lessees and spent a lot of money on the land. They all depend on me for their rights. Have the Government thought about this? What about the sub-lessees? What about conditional grants on which money has been spent for improvements? Yet the Government will not provide safeguards for these. As usual, this Government have tried to avoid courts. Why do they feel panicky about courts? They should not come forward and ask for such drastic powers. It is no good for this Government or for any Government to have such vast powers. After all, the Hon. Minister himself is not going to decide whether there is encroachment or not and whether the conditions of the grant are fulfilled or not. It is the petty officers, the tahsildar or some other officer, or it is the Collector advised by certain persons who will decide these questions. It is better that the Government do not entrust such vast powers to these people. These powers should be tempered with some saving clauses. There should be provided the right to go to a court of law either for the Government or for the other party concerned."

* SRI M. P. PERIYASWAMI :—"கனம் தலைவர் அவர்களே! இந்த பில்லில் கண்ட பிரகாரம் ஹரிஜனங்களுக்குத் தான் அதிகமாக கஷ்டம் ஏற்படுமென்று முதலில் தெரிவித்துக்கொள்ளுகிறேன். கவர்மெண்டாரின் G.O. படி நஞ்சை 5 ஏக்கர், புஞ்சை 10 ஏக்கர் ஹரிஜனங்களுக்குக் கொடுக்கலாமென்று G.O. இருக்கிறதே சரி இதுவரையிலும் எந்த ஹரிஜனனுக்கும் பட்டா கொடுத்ததாகத் தெரியவில்லை. சட்டத்தில்தான் எழுதி வைத்திருக்கிறோம். அப்படி ஒன்றிரண்டு பக்கம் நிலம் கொடுத்து அவர்கள் உழுது பயிர்செய்து கொண்டிருந்தாலும் அந்த ஊர் கர்ணம், மணியகாரர்கள் ஹரிஜனங்களுக்குக் கிடைக்காதபடி ஏவ்வளவு இடையூறு செய்யவேண்டுமோ அவ்வளவும் செய்து வருகிறார்கள். கலைக்கடும், டெபுடி கலைக்கடும், ரெலின்யூ இன்ஸ்பெக்டரும் உள்பட எல்லாரும் சேர்ந்து அதைச் செய்கிறார்கள். இந்தச் சமயத்தில் அதிச உணவு உற்பத்தி செய்ய வேண்டுமென்று சட்டம் ரூபப்பதால்தான் சில ஸ்டாங்களிலாவது கொஞ்ச நிலங்கள் ஹரிஜனங்களுக்கும் இருந்தவருகிறது. இந்த பில் பிரகாரம் 'என்ட்ரோச்மெண்டு' செய்தால் ஹரிஜனங்களுக்கு எவ்வித நன்மையும் கிடையாது. ஏற்கெனவே ஹரிஜனங்கள் தக்கபடி முன்னேற்றமடைய வேண்டுமென்றும், அவர்கள் உயர்ந்து முன்னுக்கு வரவேண்டுமென்றும், நிலம் இல்லாத ஹரிஜனங்

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களுக்கும் நிலம் கிடைக்கும்படி செய்ய வேண்டுமென்றும் சட்டங்கள் செய்திருக்கிறோம். அவர்கள் பேரில் பட்டா செய்யாததினால் இப்போது என்கிரோச்மெண்டு பிரகாரம் அனேக இடங்களில் உழுது பயிரிட்டு வருகின்றவர்களிடமிருந்து நிலங்களைப்பிடுங்கவேண்டி நேரிடும்.

"ஆகையால் இந்தச் சட்டத்தின் பிரகாரம், வெகுதூரமாக உழுது பயிரிட்டு வருகிற ஹரிஜனங்களிடமுள்ள நிலங்களை எந்த விதமாகவும் என்ட்ரோச்மெண்டு செய்யாதவகையில் செய்யவேண்டுமென்று கேட்டுக் கொண்டு இத்துடன் என்னுடைய வார்த்தையை முடித்துக் கொள்ளுகிறேன்."

* BEGUM SULTAN MIR AMIRUDDIN :—"Mr. Speaker, Sir, this Bill is not such a simple and harmless measure as the Hon. Minister makes it out to be. I am afraid it will have serious repercussions on a large number of people, particularly those who belong to the poorer classes including many Harijans. It is a matter of common knowledge that vast tracts of land have been given to people in respect of the grow-more-food campaign and for other purposes. The effect of this Bill would be that large numbers of people will be ejected from the lands that they are occupying at present without even compensation being paid to them for the improvements made by them. Since the Government themselves are an interested party it is not right on their part to assume the role of a judge. It should be left to the courts of law to decide whether the lease had been lawfully terminated or the conditions governing it violated. It is most undesirable on the part of the Government to invest their executive officers with such drastic and arbitrary powers as this Bill contemplates. The proper course is, as hon. Members have pointed out, for the courts of law to decide and determine the question. If this Bill is passed, I am afraid large numbers of people will be ousted from their present lands. That will have serious repercussions particularly among the poorer classes. Therefore the Government will be well advised to take the advice of this House to refer the Bill to a Select Committee. We do not say that trespassers should be allowed to encroach upon Government lands. But the question as to whether a person is an encroacher or not should be left to the courts of law to determine instead of the Government investing their petty officers with vast powers in regard to this matter. If the Bill is passed in its present form, without the necessary amendments I am afraid it will have disastrous effects."

* SRI T. VISWANATHAM :—"Mr. Speaker, Sir, in several States of America, there are laws guiding the draftsman, and among the laws is one which regulates the wording of the draft of an Act. One such important rule which is being observed in some of those States is that the Title should be indicative of the contents of the Act, and unrelated subjects should not be mixed up in the same Legislation. If various subjects are mixed up in a piece of legislation, Members of the Legislature or those who have got the responsibility of considering them will be taken unawares. That is why in all our old Legislation, in those days

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when there was not much pressure of work and when the Ministers and Executive officers had time at their disposal to look through the Bills carefully and cautiously, subjects which had no relation to each other were not being mixed up, and subjects which were not near each other were not clubbed together in the same piece of Legislation. Originally, as you are aware, Sir, there was no title to an Act; but in course of time, members in Legislative Assemblies felt the difficulty in understanding the contents of a Bill which they were asked to discuss and they did not know the subject-matter. It was to avoid these difficulties that the Titles and Preambles came into existence. If Titles and Preambles are not indicative of the contents of the Bill, then the purpose of the Title itself is lost. I dare say, the Hon. Revenue Minister also has got these ideas in his mind; but still, when he brings in a Bill to amend the Madras Land Encroachment Act, we are taken unawares; in fact, we did not even go through the provisions of the Bill. One reason was that the day before yesterday it was not even put on the agenda. Secondly, I thought it was an amending Bill only in connection with land encroachment, and so I did not pay much attention to it. But I find now that with encroachment is clubbed the subject of holding over of leases; and with holding over of leases is clubbed the subject of resumption of grants. The nature of grants is totally different from the nature of lease; grants and resumptions of grants relate to a different branch of jurisprudence, the laws are quite different. Again, encroachment is totally different from holding over. Because the Government want to have certain powers to deal with persons who hold over land after the lease period is over, and they want some Bill, they have found this Land Encroachment Bill, the vehicle of their ideas. It is wrong, Sir; if they really want to have summary powers to deal with the lessees holding over after the period is over, they should amend the section relating to the Transfer of Property Act. Then hon. Members would have thought of all the aspects that have got to be considered, such as the terms of the lease, the nature of holding over, tenants or lessees holding over or continuing in occupation of the land after the period of lease is over, etc. Again, grants and resumability of grants are not such easy matters to be decided by Tahsildars or Deputy Collectors or even District Collectors. Resumability of grants has been the subject-matter of decisions in the highest courts of land for more than a century and the law is not always clear as regards the resumption of all tenures. Unless all tenures are abolished and all memory of tenures in this country is wiped out, it is not easy to put this power of resumption in the hands of some executive officer and also to treat the question as coming under encroachment. The word 'resumption' itself has got a specific meaning in our laws relating to land tenure; it does not mean the sending away of the tenant from the land. Resumption has been interpreted as relating only to grants either given by this Government or by prior Governments and by Hindu and Muslim Governments. Grants and resumption therefore have got a technical meaning, and they

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should not have been brought under this Encroachment Bill. If the Government want some executive power, some quick power to send away all persons from lands which they deem to be Government lands, by all means let them bring in a separate Bill in the usual manner.

Again with regard to leases, they could amend the Transfer of Property Act. As regards resumptions, they must in fact bring in new legislation together, because there is no statute law regarding resumability. That has been dealt with, so far as Government are concerned, in some of the Standing Orders of the Board of Revenue which have as yet no statutory sanction after the coming into force of the new Constitution. Therefore, it would have been much better if these subjects were not mixed up in the same Bill.

Sir, I have also got in view, and the House and you, Sir, have heard, the great difficulties which Members like Sri Muniswami Pillai anticipate. It may be that their fears are not as warranted as the statement of some Members who said that there is nothing in this Bill which is not already in the old Bill, that we have already got such powers and we are only extending those powers to persons who wilfully and unauthorizedly are holding over after the period of lease is over. The Bill looks innocuous, I believe it started with innocent intentions; I believe the Hon. Minister himself might not have been told of the full implications of the Bill if it should become an Act. When Members coming from various districts where they are observing what kind of action the revenue officers are taking under the powers given to them under the Act, are giving out their experiences, it is time for the Government to pause and consider. One rule of all legislation is this: a degree of clearness and caution is required not merely for enabling persons who read the legislation in a *bona fide* way, but to prevent those who want to read it in a *mala fide* way from misunderstanding it. When hon. Members of this House who have been noticing the way in which the Encroachment Act is being administered in the districts are giving out their experience here, the Hon. Minister and the Government should pause and consider. Sir, I myself did not know that the Land Encroachment Act is being utilized to oust and send out innocent persons who have come into possession of lands under the orders of Government themselves, who have put in much money over them and who for one reason or other, under social pressure or political or economic pressure, are being ousted under the powers given to the officers under the Act. There is no point in saying that the Act has already been in existence and therefore we need not fight shy of it. It may be in the olden days the Act was not misused; but now, when we actually see that the powers given in the Act are being used to the detriment of the poor, innocent cultivators and Harijans, I submit it is time the Government should consider carefully the position. I submit this Bill mixes up three different subjects and

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it is a fit Bill to be taken to a Select Committee. There has not been much time before hon. Members for giving notice of amendments, and I believe no amendment of any sort has been given notice of; any way I submit the Government can very well consider my suggestion if they are well-minded and well-intentioned. This is a Bill which they should take to a Select Committee for providing the necessary safeguards. I concede, Sir, that the Government must have power to evict persons who unauthorizedly occupy lands and hold over, but when we hear of these difficulties, we must think of making ample provision to avoid such difficulties. If there are no amendments to be moved to the Bill, it is because, in my opinion, no one could understand the implications of the Bill. I submit therefore that the Bill should go to a Select Committee, and I appeal to the Government, in all humility, to accept this suggestion."

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, my impression also was that this was merely a small amending measure, without affecting the rights of persons who have already some rights in properties. The amendment in Clause 2 deals with two kinds of persons who have already got vested interests in land, and such vested interests are sought to be completely erased by this Bill. One is, where the Government themselves have granted leases to persons, after the expiry of the period of the lease, they can take the lessee as a trespasser, as one who unauthorizedly occupied the land. It is a serious infringement of the right created in a lessee as the result of grant made by the Government. Secondly, where land has been granted for specific purposes on condition, if an executive officer says that such condition is not satisfied and the land has got to be resumed, then the lessee *ipso facto* becomes a trespasser and he has no right. These two propositions, as the hon. Mr. Karanth and others have been pleased to say, are serious infringements of rights that have been created as between two parties, one of which is the Government themselves. Both classes of persons must have put in a lot of work on the property and they are entitled, when evicted, to get the value of all things that have been done—in legal language, they may be called improvements—which are completely ignored by this amending Bill. And what is the offence for which they are sought to be removed or classified as trespassers? There is nothing here to show why, except perhaps that the Government want to resume the land without paying any compensation to the persons concerned and without going to a court of law and getting declared the rights of the ex-lessee or the ex-condition-holder of the property. That is not justice that should be meted out by a Government. If a lessee who has got the land under certain conditions holds on after the termination of the lease or without performing the condition imposed, the Government can certainly seek to evict him through a court of law and he will be penalized the cost and so, the Government will not lose anything. That is how disputes are settled between two citizens and

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there is no reason why when vested interests of citizens are affected to a serious extent, those rights should be taken away by the made-easy method allowed by this piece of legislation. It is not only taking away the rights of the citizens, but also taking away the functions of the judiciary. The judiciary is there to settle disputes between parties. When a man holds over after being put in legally by the Government or by another person, it is for the courts to decide whether the holding over is correct or not. If the person is not entitled to hold over, what are the terms on which he should be evicted? That matter should be settled only by a court, and it ought not to be taken away, as it is sought to be done, by this piece of legislation.

There is the third class as my hon. Friend Mr. Muniswami Pillai has mentioned. Where poor people who have no lands of their own have squatted on Government lands, put up buildings and taken to cultivation, where by reason of the conduct of the Government and the officials, they have been allowed to continue to remain and improve the lands, there is no equity in disturbing them though the law may be on Government's side. In respect of such lands, compensation should be paid to them or better still, when the Government is a Government run on Congress principles where every man must have a house to live in and food to eat, they should see that these lands are given to those persons unless there is supreme demand for the Government to evict them. That is a principle which the Government must not forget. Where there are cases of persons who wilfully and deliberately defy the Government and squat on Government lands and refuse to go away as certain number of people have today begun to do, this Act must be used and I am sure that the Government has brought forward this Bill for dealing with them easily without having recourse to a court of law. There are some people who are wilfully proclaiming that the lands are theirs and they would continue to be there in spite of the Government. I feel that such a thing ought not to be allowed. The period of limitation against the Government is much longer and in some cases, there is no limitation at all. There will be the right of prescription as against private individuals but not against the Government. So, where poor people who have no other lands and have squatted upon the Government lands are involved, unless the lands are required for some other predominantly useful purpose, those persons must be allowed to continue, especially because under G.O. No. 1523, Revenue, it has been said that people will be given a minimum holding of five acres wet, 10 acres dry or 15 acres in the Rayalaseema. We hear that even a lessee is treated as having unauthorizedly occupied the lands and he may be deemed to have unauthorizedly occupied the lands. When a man has occupied a property legally as a result of a lease how can it be said that he will be deemed to be in possession of it unauthorizedly? This is bad in law. I, therefore, hope that the Hon. Minister will either have the measure referred to a Select Committee or consider and make it clear that the people who have in

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defiance of the Government squatted upon lands may not have the feeling that they would not be disturbed from the lands and secondly that others who have occupied lands, improved them and built houses, the poor without lands, will not be disturbed and if at all, will only be disturbed for very weighty reasons."

* THE HON. SRI H. SITARAMA REDDI:—"Mr. Speaker, Sir, certain extraneous issues which have absolutely no relation to the Bill under discussion have been mentioned and discussed at great length. The question of poor people's occupation of lands by encroachment or otherwise, the hardship caused to them by means of eviction and alleged acts of high-handedness of certain people, officials and non-officials, have been mentioned. This is an Act which was passed in 1905 to see that Crown lands, Government lands of to-day, are protected from encroachment or abuse so that the public may not suffer by acts of influential and powerful men, such as occupying half the road to the detriment of the public. I am surprised that some of my hon. Friends championing the cause of the poor people should oppose the Bill. If an influential person has taken 300 acres of land under the Grow More Food Scheme, he was given that land for a period of five years and he has to leave the land at the end of that period. He has no business to make improvements the cost of which he could not recover within the period of five years and so he cannot get any compensation for it. If he has effected any improvement within that period, he has done so knowingly and with the full knowledge that he will have to give up the land at the end of the five year period. He cannot drive the Government to court for evicting him because he has no right to occupy the land and why should such a person be allowed to continue? So, Sir, this Bill is really going to help that class of people whom my hon. Friend Mr. Muniswamy Pillai wants to protect. If I am not able to send out such people, who have completed their period of lease and who have no manner of right to stay on the land, where is the land to be distributed to the poor people. I wonder? It is not as though this Bill is going to affect the interests of the poor people in any way whatsoever; on the other hand, it is going to help them. The argument has been advanced: Let the Government go to court to evict them. I say, Sir, the land is Government land, it was given for five years and the period is over and the competent authority has declared that the lease period is over and if the man by hook or by crook wants to continue there, why should the Government be obliged to go to court to evict him? As I have already mentioned, lands of public utility, like roads or tanks or common lands are for the benefit of the society as a whole and no single individual should be allowed to encroach upon them and that is why this Act was passed in 1905 and it is in force already and there is nothing new that is being done. The argument has been raised: What about lands, which have been

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given on certain conditions and which you are going to resume on flimsy grounds. I wish to draw the attention of the House to the wording of the clause—

"Where land granted to any person is liable to be resumed by the Government for the breach or non-observance of any of the conditions subject to which the grant is made and the Government or any other authority competent in that behalf have passed orders resuming the land for such breach or non-observance, the grantee or any other person remaining in possession of the land after the passing of these orders"

It is only after due enquiry that orders will be passed. I do not want to go into details of the various clauses of the Act and it provides for procedure, for appeals, for reviews and finally going to court where the individual can agitate about his rights. The rights of the citizens are thus fully protected and nothing is lost. The argument is also advanced that the Government is anxious to take away the power of the courts. I may assure the House, Sir, that I am not at all seeking to take away the power of the courts and under section 14, the power of the court is there. I can assure hon. Members that their apprehensions are unfounded and I am sure that all the arguments have been advanced by hon. Members with the best of intentions mistaking the provisions of this Bill. I can assure them that there is no room for any such misapprehension. Sir, I move that the Bill be taken into consideration."

SRI B. S. MURTHI:—"Can I have the assurance from the Hon. Minister that lands held under the Grow More Food Scheme by poor people will not be affected by this law?"

THE HON. SRI H. SITARAMA REDDI:—"There is no question of any assurance being given, Sir; there is the law which assures rights to every one."

MR. SPEAKER:—"The question is—

"That the Madras Land Encroachment (Amendment) Bill, 1950 (L.C. Bill No. 2 of 1950), as passed by the Council be taken into consideration."

The motion was carried.

Clause 1 was put and carried.

Clause 2.

MR. SPEAKER:—"The motion is—

"That clause 2 stand part of the Bill."

* SRI V. L. MUNISWAMI PILLAY:—"Mr. Speaker, Sir, I am thankful to the Hon. Minister for making it clear that this Bill when passed into law will not affect poor people but people owning 300 acres of land. But I wish to ask, Sir, how it will be possible either for the district authorities or the hereditary manigars and karnams to know whether the lands coming

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under the category of five and ten acres will not be affected by this Bill. Before proceeding further, I move the amendment standing in my name—

“That in line 8, after the word ‘termination’ insert the following:—

“excepting such lands referred to in clause 3 (iv) of G.O. No. 1523, Revenue, dated the 11th June 1949.”

“Sir, the Bill before the House says that when a piece of land is encroached upon, the Government have power to resume it. But, Sir, in the Government Order I have just now mentioned, it is made quite clear that poor persons holding lands under the Grow More Food Scheme leases should not be affected on the expiry of the lease period but permitted to continue in occupation. The Bill contemplates that as soon as the lease expires, it becomes an encroachment and the Government can resume it. But the Government Order says in a different way. I do not know how the Hon. Minister will reconcile what is said in the Bill with what appears in the Government Order. As you yourself know, Sir, the village headman and the karnam will be only too glad to accept the version mentioned in the Bill that would be passed into law and ignore what is meant in the Government Order. I do not think there is any corroboration in the Bill of what concession is made in the Government Order I have mentioned. I wish the Hon. Minister makes it clear whether the country is to follow the Bill that will become an Act or the Government Order which has been in operation all these years. As a matter of fact, I know, Sir, the Government were very anxious that enough food must be grown in the country and with that view, they gave lands which the poor Harijans have brought under cultivation. The Government have been gracious and kind enough to say that if the extent of land is below five acres wet, ten acres dry or fifteen acres in Rayalaseema, they can be given on assignment but as I have already pointed out, orders have not been brought into effect on account of the fact that categories of people that have to be assigned lands stand in the way. So, Sir, if my amendment is accepted it will be in line with the wishes of the Government to allow the poor Harijan and landless people to continue in occupation, even if the leases have expired. I wish the Hon. Minister makes the position clear in this matter.

“Secondly, I wish to move my second amendment, which runs thus—

“That in clause 2, in line 10 after the words ‘by the Government’ insert the following:—

“after giving six months’ notice or after harvesting the crop standing in the particular lands.”

“My object in moving this amendment is that there may be some land which the Government may require for public purposes, or they may find some land, where unauthorised and irresponsible people may be squatting for purposes of their own or to

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encourage certain sections of antinational or antisocial elements. In such cases, to prevent hardship to those already in occupation, I want this provision to be made in the Bill. Further, where people have encroached either in the city or in towns or in rural parts for habitation, they should not be evicted without proper notice. It is for that purpose that I have said that at least six months’ notice should be given. Then, Sir, in cases where the land is under cultivation, it should not be disturbed till after harvest. In one case, in the Nilgiris, of which the Hon. Minister himself is aware, twelve poor political sufferers were cultivating a land for years together. They were disturbed, and finally it was due to the Hon. Minister, Mr. Madhava Menon, who was then Minister for Forests, an assignment of 120 acres of land was made to them subject to their carrying out of forest rules and regulations regarding soil conservation. It was stipulated that after these preliminaries were satisfied they must start cultivation. Unfortunately due to want of funds they were not in a position to carry out *in toto* the conditions of assignment. So after a few months the matter was brought before the Soil Conservation Board, wherein the Collector ordered resumption of lands assigned.

“Sir, those poor people had borrowed money and cultivated the land. The matter came before the Soil Conservation Board and the Collector ordered resumption. And if the lands were to be resumed, they would lose the sum that they had already spent on it. So, naturally these people were anxious. They approached the District Collector, they went from pillar to post and from post to pillar, but it was due to the Hon. Mr. Sanjeeva Reddi that the matter was finally settled. For, they approached him and asked him to make an inspection of the lands. He did it, and he was gracious enough to say that the extreme action need not be taken. I think, they were given an extension of time by six months, that is, till December, so that they may carry out the conditions of grant. Sir, I think, the condition ‘after harvesting the crop standing’ is highly necessary, as otherwise these poor people would lose heavily, and they would be pestered by the karnam and monegar till they vacated. Sir, if this Bill becomes law the immediate effect will be that the poor landless Harijan people will be evicted from their holding. It is with that object that I have given notice of my amendment, and I am sure, the Hon. Minister who has heard me patiently, will bear with me and do something so that the poor people may not be hard hit by eviction. Sir, with these few words I move my amendments.”

SRI B. S. MURTHI:—“Mr. Speaker, Sir, I rise to second the amendments so ably moved by the doughty champion of Harijans and landless labourers. Sir, you must excuse me if I express my doubt about this legislation. I am thankful to the Hon. Minister for having stated that this legislation will affect only the rich and not the poor. When a categorical assurance was

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demanding he said that there is the law and that the law of the land should take its course, and we all know how when laws are delayed, lives are lost.

"My hon. Friend, Mr. Muniswamy Pillay has been trying to point out, how after years of agitation and prayers, Government came forward with a Government Order, and now this legislation, I am afraid, will set at naught, the provisions made in that Government Order, because, after all, the Government Order is only an order, it does not have a statutory authority, and so, this legislation will make many a landless labourer get away from lose his land which has been brought under cultivation by him by the sweat of his brow. Sir, there are very many cases both in Tamil Nad as well as in Andhra, where these political sufferers have been trying to take away land which has been made fertile by the toil and moil of these poor people. I am sure this legislation will cut underneath their very feet by ousting them from their land. The Government have already earned a name for being callously unmindful of the fate of these people. The Government should realise more and more that there is discontent in the minds of these people. A legislation like this, if it is intended only for the rich people, should be clear. For the Hon. Minister himself knows, that the rich people are always entrenched in their money bags, whereas the poor man cannot employ a lawyer, cannot approach the Collector and make a representation about his case. Therefore, in deference to the feelings of the helpless poor people, the poorest of the poor and the lowest of the low, I hope the Hon. Minister in charge of this Bill would be pleased to accept the amendments and see once for all our suspicions and doubts are done away with."

* THE HON. SRI H. SITARAMA REDDI:—"Mr. Speaker, Sir, from the speeches of the mover and the seconder of the amendments it is seen, there seems to be a feeling that by passing this legislation, what is sought to be done by G.O. No. 1523, Revenue, dated 11th June 1949, will either be affected or annulled. Sir I can assure both of them that this Government Order is not in the least affected or annulled. This legislation stands apart on its own merits. It has nothing to do with that Government Order. I can assure them, whatever could be done under this Government Order would be done, and I may add, more effectively would be done if we can speedily take away the lands. This legislation, I really think, will help implementation of that Government Order; and so I may assure the two hon. Members that it will not cancel that Government Order. So I would request the mover of the amendment not to press his amendment."

"Then, Sir, it was sought to be mentioned that some people who have occupied some lands would be adversely affected by this legislation. The whole object of this legislation is that the Government want to see that those who are political sufferers or ex-army men get some land. To enable the Government to give them land, there must be some land available. If a person who

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has taken a land on lease, he has a right to be in possession of the land till the lease expires. If the Government want to send him out, so that they may distribute it to others, they cannot do so without that land vesting with them. So it is only to clarify the procedure that is to be followed in regard to that, this legislation is brought in. Therefore, there is nothing new in this legislation in the sense that we are trying to take any new power. That power was exercised all along; it is sought to be regularized now, and we are making it free from any doubt. So I would suggest to the hon. Mover of the amendment not to press his amendment, because the object of the Government Order would be achieved and would not be affected in any way."

SRI V. I. MUNISWAMI PILLAY:—"May I know what the Hon. Minister has to say with regard to my second amendment? Not a word has been said in reply about it."

THE HON. SRI H. SITARAMA REDDI:—"So far as the second amendment is concerned, the illustration which the hon. Member himself gave just now about what happened in Ootacamund must convince him that there is nothing to be alarmed. Even without the amendment, with the power that already vests with the Government, they can give reasonable extension of time to continue in occupation. So, whoever is in charge of this affair will take care to see that the people are not hard hit. Further I may assure the hon. Member that any such act brought to the notice of Government will be considered with sympathy, provided the man does not go violently against the conditions of grant and provided it is found that it is in the interests of the public and society to assign the land to others. Where it is found that it is in the interests of the State and the public that a particular man should not be allowed to continue in possession of land, the Government should have speedy power to take it away. I therefore request the hon. Mover of the amendments to withdraw his amendments."

SRI V. I. MUNISWAMI PILLAY:—"Sir, on the assurance given by the Hon. Minister, I beg to withdraw my amendments."

The amendments were by leave withdrawn.

Clause 2 was put and carried.

Clause 3 and the Preamble were put and carried.

* THE HON. SRI H. SITARAMA REDDI:—"Mr. Speaker, Sir, I move—

That the Madras Land Encroachment (Amendment) Bill, 1950 (L.C. Bill No. 2 of 1950), as passed by the Council be passed into law.

"Sir, I thank hon. Members of this House for the great interest they have evinced in the various clauses of the Bill. They have sought to advise the Government to proceed with caution in

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the matter of implementation of this legislation, and I take this occasion to thank them for that, and I also thank hon. Members for the support they have given to this measure."

5 p.m.

SRI K. R. KARANTH:—"Mr. Speaker, Sir, I do not want to speak at length at all. I say that even after the Hon. Minister's reply, our objections still stand and that therefore we do not agree to the Bill. For the immediate purpose of Grow More Food the bait was held out. The objections raised by me and by the hon. Gentleman, Mr. Salam, that even where there are improvements, where there are vested interests and in the case of long term leases and grants, the right is being taken away and properties are going to be seized, have not been answered. There may be complicated cases of fact and law whether a lease has expired or a grant has ceased. Such cases are not matters for the executive to decide. In the name of Grow More Food Campaign, powers are taken away and I say, I cannot agree to the Bill."

* **SRI T. VISWANATHAM:**—"Mr. Speaker, Sir, the Hon. Minister said that he was making the existing position clear, that the Government had already been evicting persons who were holding over and that he was only regularizing it. That means that until the passing of this Bill the treatment given to those persons has been unauthorized. At any rate, a doubt has arisen. It was good that that doubt arose in his mind. Otherwise, possibly after the new Constitution, the Government would have been involved in several suits. I want to know whether, by passing this Bill, he is avoiding that kind of litigation which is bound to arise. As I submitted, the Government have not the right to treat themselves in a different manner from the citizens. He said that the Government were taking power only in the interests of the poor man, to resume land on which the rich man has encroached and give it to the poor man. He called this an assurance. And my hon. Friend Sri V. I. Muniswami Pillay is satisfied with the assurance. I was only wondering about the assurance and the content of that assurance. I have in my mind the case of the Ramperu Drain Area. What has happened to the lands given to ex-army men under the Ramperu Drain? A considerable amount of trouble has been given to those persons who have been cultivating the land, who have invested money and put in a lot of labour. Is it not a fact that the Government have been trying to evict them for the past one year or so? In some cases they succeeded to a certain extent and in other cases they did not. It is a case of evicting one poor man in favour of another poor man for considerations which cannot be gone into by the public or a court of law. When that is the real position, I do not understand how this assurance will help anybody. Generally a rich man does not hold over lands because he knows that he will be mulcted with damages and that he might lose even what little he has. I have got in my mind and Sri V. I. Muniswami Pillay has in his mind persons occupying the land originally under the

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authority of a Government Order and then holding it over. The Hon. Minister asks: 'What right have they to remain there after the period is over?'. Legalistically speaking, he may be right. But there is a sphere where the limits of law and the limits of human consideration coalesce. A poor man occupying a land originally with the permission of the Government and holding it over will be deprived of his land after this Bill becomes law. The Hon. Revenue Minister says: 'I require no Act for we are already exercising that power.' He is doing that because it is the law of the zulum. The Land Encroachment Act itself offends some of the fundamental rights in the Constitution. The Government have got certain well-defined rights in the sphere of the executive. But in civil rights, the Government cannot claim any superiority over an ordinary citizen. The Government should prove their title to the land. They should not deprive the person of the land first and then ask him to prove his title in a court of law within a period of six months. That position might have been right prior to the Constitution. But after the Constitution, it is not right, it is not just, it is not human. The specious plea that all this is done in the interests of the poor and against the rich is only a bait to get the concurrence of the House. I do not like to attribute motives. But he used the words 'rich man' and 'poor man'. The case of lands under the Ramperu Drain that I have cited is not the only case. Several cases have been brought to notice in this Assembly by means of interpellations in which the person evicted was always the poor man.

"I submit this is not a legislation which should be passed with such great haste. It can go to a Select Committee. We can sit in the calmer atmosphere of the Select Committee, adopt a give-and-take policy, and provide ample safeguards to remove the fears and avoid bad consequences which are likely to follow. I therefore submit that I am opposed to the Bill."

SRI V. RAGHAVAYYA:—"May I say a word, Sir?"

MR. SPEAKER:—"We have had enough of discussion."

* **THE HON. SRI H. SITARAMA REDDI:**—"Sir, I have not got very much to say. There is some misunderstanding about my using the words 'rich people.' I was trying to illustrate that if a rich man had occupied three hundred acres of land for five or ten years, he should not be allowed to continue to occupy it after that period by virtue of his power and influence, that the land should be resumed and given to poor people. It was not as if I wanted to play the rich against the poor or the poor against the rich. I very much like to impress that there was no such intention. I claim that this legislation can stand on its own merits and that it does not need the playing of one section of society against the other. There is no point in saying that I sought to influence the House to get its concurrence by playing the rich against the poor."

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"The hon. Member Sri Karanth objected to the resumption of the land suddenly if it had been enjoyed by a person on a nine hundred and ninety-nine years lease. After those nine hundred and ninety-nine years, the lease lapses and certain consequences follow. Under section 14, an aggrieved person has got the right to go to a court of law."

MR. SPEAKER:—"The question is—
That the Madras Land Encroachment (Amendment) Bill, 1950 (L.C. Bill No. 2 of 1950), as passed by the Council be passed into law."

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

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

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APPENDIX I

[Vide answer to starred question No. 90 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 5th September 1950, page 876 supra.]

Statement showing the resolutions passed at the First Tamil Nad Bus Operators Conference held at Tiruchirappalli in May 1950 and the action taken on those resolutions.

Resolution.	Remarks.
1 Since the present taxation on stage carriages in Madras State is the highest in the world and six times as high as the next highest in the Indian Republic and unless immediate and sufficient relief is given, the Transport Industry in this State faces slow extinction, this Conference therefore earnestly requests the Government to agree to give adequate relief from the present oppressive taxation.	The Government of India have constituted a Motor Vehicles Taxation Enquiry Committee to go into the question of motor vehicles taxation in the country and submit a report. The Committee is now engaged in its work. The matter will be examined further on receipt of its report.
2 This Conference resolves that no more additional permits should be issued at least for a specified time or till the present acute position facing Transport Industry is eased.	Under G.O. No. 86, Home, dated 7th January 1950, the Regional Transport Authorities are required to obtain the prior approval of the Chairman of the Central Road Traffic Board for the opening of new routes or increasing the number of buses on existing routes. As the Chairman will examine whether there is real need for permits on new routes or for additional services on existing routes before giving his approval to the route the Government considered it unnecessary to pursue the matter further at present.
3 This Conference feels that by a re-orientation and realignment of existing routes more and better transport facilities can be afforded to the public and the routes also be made more economic and equitable and hence resolves that competent special Transport Officers should be appointed for each district to reorganize and reorient the existing routes before the end of this year and requests the Government to implement the reorganization suggested immediately.	As Government have only very recently reorganized the Transport department reducing the jurisdiction of the Regional Transport Officers to two and even one district with a view to secure a co-ordinated system of transport administration and petrol rationing it was considered that no action was called for on this resolution for the present though the structure may have to be further modified in due course.

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Resolution.	Remarks.
7 This Conference resolves that the practice of sending copies of notifications to existing operators in and around the routes and other interested parties should be revived since the current practice of posting such notifications on the various notice boards alone leads to malpractice and results in hardships.	The matter is being examined in consultation with the Central Road Traffic Board.
8 Since in spite of the present policy of the Government insisting on the prior approval of the Transport Commissioner for introduction of new or additional buses and timings and variation of existing permits, the Regional Transport Authorities indiscriminately recommend the introduction of new and additional buses and timings and vary the existing permits without first giving an opportunity to the existing operators in and around the route to make suitable representations to enable the Regional Transport Authority to justly assess the need or otherwise of such alteration or issue of permits. This Conference therefore resolves that Regional Transport Authorities should notify proposals to open new routes or modify existing routes before finally recommending to the Transport Commissioner for approval.	The matter is being examined in consultation with the Central Road Traffic Board.
9 Since the multiplicity and contradictory executive instructions issued by the Central Road Traffic Board are not always based on a consistent policy or in accordance with the statutory provisions of the Motor Vehicles Act and cause confusion and great hardship to the operators and Transport Authorities, this Conference requests the Government and the Transport Commissioner to adopt a policy of issuing clear and precise executive instructions and also to make copies of such notifications except those of a highly confidential nature, available to operators and other interested parties.	The matter is being examined in consultation with the Central Road Traffic Board.

[5th September 1950]

Resolution.

Since the existing Transport operators already face innumerable hardships, this Conference requests the Government to do everything possible to allot the full ration of petrol for at least the existing number of petrol buses up to at least 140 miles a day.

1 The present uncertain position regarding the nationalization programme of the Madras Government is causing a great deal of uneasiness and misgivings to the existing operators besides hampering of efficiency and quality of service as bus operators are reluctant to invest additional capital in such uncertain condition. Hence this Conference urges the Government to clarify and make definite their nationalization programme and to guarantee the payment of adequate and fair compensation to be decided by an impartial tribunal for the displaced buses.

2 As the present experiment of having non-official majority in Road Traffic Boards has not worked satisfactorily this Conference strongly requests the Government to reconstitute the Regional Transport Boards with only the District Collector, District Superintendent of Police and the President of the District Board as members.

Remarks.

Generally, rations are allowed to buses to do the number of trips prescribed for each bus on a particular route and liberalization of the issue of petrol will be considered when the petrol supply position improves and therefore it was considered that no action was called for on the resolution for the present.

It is proposed to extend nationalization of bus service to Chingleput, South Arcot and Nellore districts and the details in that connexion are being examined.

Till recently the strength of non-official members of Regional Transport Authorities was three. The constitution of the Regional Transport Authorities has recently been amended providing for the appointment of such number of members (non-official) as the Government may think fit to appoint. The Government considered that on grounds of policy as well as convenience it is not desirable to have the Regional Transport Authority an unwieldy body and that in the interest of work to be turned out by the Board dispassionately and impartially it is better to have the strength of membership fixed ordinarily at four, i.e., the District Magistrate, the District Superintendent of Police, President, District Board, and one non-official member to be nominated by the Government. In accordance with this policy when the term of non-official members of certain Regional Transport Authorities expired recently, only one non-official member was appointed to each of these Regional Transport Authorities.

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Resolution.

13 This Conference regrets the decision of the Federal Government to increase the import duty on trucks and spare parts which is highly discriminatory and is intended to give protection to an industry which has not come into existence and urges the Union Government to immediately reduce the duty to its previous level and refer the whole question to an Impartial Tribunal like the Tariff Board.

14 As better roads are essential for the economic advancement and development of trade and industries of the country and for the provision of cheap and rapid and efficient transport facilities and since better road means cheaper operating costs, less consumption of spares and saving of foreign exchange, this Conference strongly urges the State Government to spend more money out of the heavy motor vehicle taxation revenue on improvement and maintenance of roads and to prevail upon the Union Government to spend more on such improvement of surface and maintenance.

15 This Conference is of opinion that the present collection of bus stand fees by the local bodies are not based upon any uniform or accepted principle and is out of proportion to the amenities provided by them and amounts to heavy and irksome indirect taxation and requests the State Government to standardize the amenities to be provided and centralize the collection. This conference also urges the State Government to space such bus stands for which fees are to be collected at not less than 25 miles apart.

Remarks.

The difficulties and feelings of the bus operators of Madras as expressed in the resolution have been brought to the notice of the Government of India.

As this Government are spending far more than the income from sources identifiable as road receipts it was considered that the question of increasing the allotment for the maintenance of roads can be considered only after the financial position of the State Government improves.

The Government have fixed annas three per bus per day as the maximum rate of bus stand fee leviable by local bodies ordinarily if they maintain bus stands. But in cases where amenities such as shelter for passengers, sheds for buses, drinking water facilities, etc., are provided the rate of fee can be increased to annas four only and not beyond that. The local bodies have also been informed that the maximum fee of annas four can be charged only in respect of bus stands at which amenities referred to have been provided. The principle adopted is uniform but the rates may vary from one local body to another according to the amenities provided. This cannot be helped as the provision of amenities depends upon the finances of local bodies. The Government considered that no action was necessary on the other requests contained in the resolution.

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APPENDIX II.

[Vide answer to starred question No. 92 asked by Janab Mohamed Abdul Salam at the meeting of the Legislative Assembly held on 5th September 1950, page 879 supra.]

List of classes of establishments exempted from all the provisions of the Madras Shops and Establishments Act with the reasons therefor.

Classes of establishments exempted from all the provisions of the Act.

Reasons.

1. Clerks working in factories.
2. Ticket clerks of the Madras Electric Tramways.
- Establishments pertaining mainly to educational activities and hostels attached to such institutions.
- Indian Coffee Home and Pool Sale Depots of India Coffee Board.
5. Martha Watts Boys' Home, Hindu-pur.
- Advocates' Chambers, doctors' consulting rooms, nursing homes, hospitals and other institutions for the treatment and care of the sick, the infirm, the destitute or the mentally unfit.
7. Dispensaries attached to doctors' consulting rooms.
8. Offices of the Registered Accountants.
1. Clerks who are working in factories are governed by the Factories Act, 1948, and it is undesirable that they should be governed by Madras Shops and Establishments Act also.
2. Ticket clerks in the Ticket Office Section of the Madras Electric Tramways form part of the Traffic Section of the Tramways which is not covered by Shops Act.
3. If the Act is applied, it will cause hardship and necessitate addition to the establishments which the educational institutions can ill-afford.
4. Establishments under the local authorities are exempted from the Act. The Indian Coffee Board is a statutory body constituted by Central Government and the conditions of service under the Coffee Board are not less favourable than those under the local authorities.
5. Martha Watts Boys' Home, Hindu-pur, is a free Boarding Home conducted by the Ceylon and India Mission for the benefit of poor orphan boys.
6. and 7. It is not usual to consider the patients of doctors, and the clients of advocates as customers of the doctor or the lawyer and the application of the Act to their premises is objectionable.
8. The position of Auditors' offices is similar to that of Advocates' Chambers which have been exempted.

APPENDIX

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Classes of establishments exempted from all the provisions of the Act.

Reasons.

9. Offices of Air Service Companies.
10. Accountants and Chief Cashiers in branches of banks.
11. Offices of the income-tax practitioners.
12. Establishments of Ceylon Emigration Commissioner and Ceylon Labour Commissioner.
9. Air transport services have to be operated according to the schedules approved by the Air Transport Licensing Board, Government of India, and to operate the services according to schedules, the offices of air transport companies will have to be open all the 24 hours of the day and continuously throughout the year.
10. These are officers who are heads of departments and are empowered to act on behalf of the banks.
11. The position of the offices of income tax practitioners is similar to Advocates' Chambers, which have been exempted.
12. Applicability of the Act to the establishments under the Ceylon Emigration Commissioner and Ceylon Labour Commissioner are likely to lead to their closure and consequent withdrawal of the assistance and facilities now available to the Tamil labourers concerned.

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APPENDIX III.

L.C. BILL No. 4 OF 1950.

[Vide item III (1) on page 893 supra.]

(As passed by the Council.)

A Bill to provide for the vacation by a person who is chosen a member of both Houses of the State Legislature of his seat in one House or the other.

WHEREAS it is necessary to provide for the vacation by a person who is chosen a member of both Houses of the State Legislature of his seat in one House or the other; It is hereby enacted as follows:

1. This Act may be called the Madras Legislature (Prohibition of Simultaneous Membership) Act, 1950.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) "Assembly" means the Legislative Assembly of the State of Madras;

(2) "Council" means the Legislative Council of the State of Madras;

(3) "House" means the Assembly or the Council.

3. (1) If a person is chosen a member of the Council after he has taken his seat in the Assembly and while he continues to be a member thereof, his seat in the Assembly shall become vacant on the date on which he is chosen a member of the Council.

(2) If a person is chosen a member of the Assembly after he has taken his seat in the Council and while he continues to be a member thereof, his seat in the Council shall become vacant on the date on which he is chosen a member of the Assembly.

4. (1) In cases not governed by section 3, any person who is chosen a member of both the Assembly and the Council may, within fifteen days from the date of which he is so chosen, or if he is so chosen on different dates, then, within fifteen days from the later of such dates—

(a) take his seat in either House, whereupon his seat in the other House shall become vacant; or

(b) by notice in writing signed by him and delivered to the Secretary of each of the Houses or to any person authorized by the Governor in this behalf, intimate in which of the Houses he wishes to serve, whereupon his seat in the other House shall become vacant.

(2) If the seat of such person in one of the Houses does not become vacant in pursuance of clause (a) or clause (b) of sub-section (1), then, upon the expiry of the time specified in that sub-section, his seat in the Assembly shall become vacant.

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APPENDIX IV.

L.C. BILL No. 2 OF 1950.

[Vide item III (2) on page 924 supra.]

(As passed by the Council.)

A Bill further to amend the Madras Land Encroachment Act, 1905.

WHEREAS it is expedient further to amend the Madras Land Encroachment Act, 1905, for the purpose hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Land Encroachment (Amendment) Act, 1950. Short title.

2. After section 15 of the Madras Land Encroachment Act, 1905 (hereinafter referred to as the said Act), the following section shall be inserted, namely:— Insertion of new section 15-A in Madras Act III of 1905.

"15-A. Where a lease of land which is the property of the Government expires or is terminated by the Government or any other authority competent in that behalf, the lessee or any other person remaining in possession of the land after such expiry or termination, or Certain persons deemed to be in unauthorized occupation of land.

where land granted to any person is liable to be resumed by the Government for the breach or non-observance of any of the conditions subject to which the grant is made and the Government or any other authority competent in that behalf have passed orders resuming the land for such breach or non-observance, the grantee or any other person remaining in possession of the land after the passing of those orders,

shall, for the purposes of sections 3 to 15, be deemed to be a person unauthorizedly occupying such land."

3. In section 16 of the said Act, after the words "Nothing in this Act," the words, figures and letter "save as provided in section 15-A," shall be inserted; and the word "resumption" shall be omitted. Amendment of section 16, Madras Act III of 1905.

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